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Maryland

2012 Regular Session

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Annapolis, Maryland
Legislative Day: March 27, 2012
Calendar Day: Friday, March 30, 2012

The House met at 11:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Kelly M. Schulz of Frederick County.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 845)

The Journal of March 26, 2012 was read and approved.

EXCUSES:
Del. DeBoy – family emergency
Del. McMillan – business
Del. Sophocleus – illness
Del. V. Turner – medical

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #10

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

House Bill 634 – Delegates George and Kipke

AN ACT concerning

Physician Assistants – Use of C–Arm Devices

HB0634/606986/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 634
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Kipke" and substitute "Kipke, Morhaim, Bromwell, Krebs, Frank, Pena–Melnyk, Costa, A. Kelly, Pendergrass, and Cullison"; in line 2, strike "Use of C–Arm Devices" and substitute "Performance of X–ray Duties"; strike beginning with "authorizing" in line 3 down through "assistants" in line 5 and substitute "providing for the circumstances under which a licensed physician assistant may perform certain X–ray duties; requiring a primary supervising physician to obtain certain approval from the Board of Physicians before a certain physician assistant performs certain X–ray procedures; and generally relating to the performance of X–ray duties by physician assistants"; strike in their entirety lines 6 through 10, inclusive; and in line 13, strike "15–301(c)" and substitute "14–306(e) and 15–302(c)".

AMENDMENT NO. 2

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

"14–306.

(e) **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN [**An**]** individual may perform X–ray duties without a license only if the duties:

(1) Do not include:

(i) Computerized or noncomputerized tomography;

(ii) Fluoroscopy;

(iii) Invasive radiology;

(iv) Mammography;

(v) Nuclear medicine;

(vi) Radiation therapy; or

(vii) Xerography**[.] ;**

(2) Are limited to X–ray procedures of the:

(i) Chest, anterior–posterior and lateral;

(ii) Spine, anterior–posterior and lateral; or

(iii) Extremities, anterior–posterior and lateral, not including the head**[.]; AND**

(3) Are performed:

(i) By an individual who is not employed primarily to perform X–ray duties;

(ii) In the medical office of the physician who delegates the duties; and

(iii) **1.** By an individual who, before October 1, 2002, has:

[1.**]A.** Taken a course consisting of at least 30 hours of training in performing X–ray procedures approved by the Maryland Radiological Society in consultation with the Maryland Society of Radiologic Technologists; and

[2.**]B.** Successfully passed an examination based on that course that has been approved by the Maryland Radiological Society in consultation with the Maryland Society of Radiologic Technologists**; OR**

2. BY A LICENSED PHYSICIAN ASSISTANT WHO HAS COMPLETED A COURSE THAT INCLUDES ANTERIOR–POSTERIOR AND LATERAL RADIOGRAPHIC STUDIES OF EXTREMITIES ON AT LEAST 20 SEPARATE PATIENTS UNDER THE DIRECT SUPERVISION OF THE DELEGATING PHYSICIAN OR RADIOLOGIST USING A MINI C–ARM OR SIMILAR LOW–LEVEL RADIATION MACHINE TO PERFORM NONFLUOROSCOPIC X–RAY PROCEDURES, IF THE DUTIES:

A. INCLUDE ONLY THE X–RAY PROCEDURES DESCRIBED IN PARAGRAPH (2)(III) OF THIS SUBSECTION; AND

B. ARE PERFORMED PURSUANT TO A BOARD–APPROVED DELEGATION AGREEMENT THAT INCLUDES A REQUEST TO PERFORM ADVANCED DUTIES UNDER § 15–302(C)(2) OF THIS ARTICLE.

15–302.

(c) (1) The Board may not require prior approval of a delegation agreement that includes advanced duties, if an advanced duty will be performed in a hospital or ambulatory surgical facility, provided that:

(i) A physician, with credentials that have been reviewed by the hospital or ambulatory surgical facility as a condition of employment, as an independent contractor, or as a member of the medical staff, supervises the physician assistant;

(ii) The physician assistant has credentials that have been reviewed by the hospital or ambulatory surgical facility as a condition of employment, as an independent contractor, or as a member of the medical staff; and

(iii) Each advanced duty to be delegated to the physician assistant is reviewed and approved within a process approved by the governing body of the health care facility before the physician assistant performs the advanced duties.

(2) **(I)** In any setting that does not meet the requirements of paragraph (1) of this subsection, a primary supervising physician shall obtain the Board's approval of a delegation agreement that includes advanced duties, before the physician assistant performs the advanced duties.

(II) 1. BEFORE A PHYSICIAN ASSISTANT MAY PERFORM X–RAY DUTIES AUTHORIZED UNDER § 14–306(E) OF THIS ARTICLE IN THE MEDICAL OFFICE OF THE PHYSICIAN DELEGATING THE DUTIES, A PRIMARY SUPERVISING PHYSICIAN SHALL OBTAIN THE BOARD'S APPROVAL OF A DELEGATION AGREEMENT THAT INCLUDES ADVANCED DUTIES IN ACCORDANCE WITH SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH.

2. THE ADVANCED DUTIES SET FORTH IN A DELEGATION AGREEMENT UNDER THIS SUBPARAGRAPH SHALL BE LIMITED TO

NONFLUOROSCOPIC X–RAY PROCEDURES OF THE EXTREMITIES, ANTERIOR–POSTERIOR AND LATERAL, NOT INCLUDING THE HEAD.

(3) Notwithstanding paragraph (1) of this subsection, a primary supervising physician shall obtain the Board's approval of a delegation agreement before the physician assistant may administer, monitor, or maintain general anesthesia or neuroaxial anesthesia, including spinal and epidural techniques, under the agreement.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1141 – Delegates Pendergrass, Hammen, Frank, Hubbard, A. Kelly, and Pena–Melnyk

AN ACT concerning

Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services

HB1141/726686/3

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1141
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 7, 10, 13, and 16, in each instance, strike "primary" and substitute "emergency"; in lines 8, 10, 17, 18, 19, 20, and 25, in each instance, strike "nonprimary" and substitute "elective"; in line 13, after "services" insert "or elective PCI services"; in line 14, strike "care" and substitute "general"; in line 18, after "Commission" insert "and does not meet certain requirements"; in line 22, after "items;" insert "requiring the Commission to establish a clinical advisory group for a certain purpose; requiring the Commission to develop certain recommended regulations, post the recommended regulations on its Web site, and submit the recommended regulations to the Governor and certain legislative committees for

review and comment;"; and in line 25, strike "certain actions" and substitute "a certain action"; and in the same line, after the semicolon insert "requiring the Commission to consider a certain factor in issuing a certificate of conformance; requiring a certain process and a certain requirement established in regulation to operate and be implemented in certain manners; providing that certain requirements of this Act do not apply to a hospital that provided cardiac surgery services and PCI services on a certain date until the Commission takes certain actions;".

AMENDMENT NO. 2

On page 4 in lines 1, 5, 25, and 30, on page 5 in lines 6, 7, and 9, on page 6 in line 16, in each instance, strike "**PRIMARY**" and substitute "**EMERGENCY**".

On page 4 in lines 1, 5, 25, and 30, on page 5 in lines 25, 27, and 29, and on page 6 in line 16, in each instance, strike "**NONPRIMARY**" and substitute "**ELECTIVE**".

On page 4, in line 8, strike "**(I)**"; in line 8, strike "**NONPRIMARY**" and substitute "**ELECTIVE**"; strike beginning with "**MEANS**" in line 8 down through "**INFARCTION**" in line 11 and substitute "**(ALSO KNOWN AS "NONPRIMARY PCI") INCLUDES PCI PROVIDED TO A PATIENT WHO IS NOT SUFFERING FROM AN ACUTE CORONARY SYNDROME, BUT WHOSE CONDITION IS APPROPRIATELY TREATED WITH PCI BASED ON REGULATIONS ESTABLISHED BY THE COMMISSION**"; strike line 12 in its entirety; after line 12, insert:

"**(5) "EMERGENCY PCI" (ALSO KNOWN AS "PRIMARY PCI") INCLUDES PCI CAPABLE OF RELIEVING CORONARY VESSEL NARROWING ASSOCIATED WITH STEMI OR, AS DEFINED BY THE COMMISSION IN REGULATIONS, STEMI EQUIVALENT.**";

in lines 13 and 14, strike "**(5)**" and "**(6)**", respectively, and substitute "**(6)**" and "**(7)**", respectively; and strike in their entirety lines 21 through 23, inclusive, and substitute:

"**(8) "STEMI" (ST–SEGMENT–ELEVATION MYOCARDIAL INFARCTION) MEANS A TYPE OF HEART ATTACK OR MYOCARDIAL INFARCTION THAT IS CAUSED BY A PROLONGED PERIOD OF BLOCKED BLOOD SUPPLY, WHICH AFFECTS A LARGE AREA OF THE HEART MUSCLE AND CAUSES CHANGES ON AN ELECTROCARDIOGRAM AND IN THE BLOOD LEVELS OF KEY CHEMICAL MARKERS.**".

On page 5, in line 12, strike "**CARE**" and substitute "**GENERAL**"; in line 23, strike "**PRIMARY**" and substitute "**EMERGENCY**"; and in line 24, strike "**NONPRIMARY**" and substitute "**ELECTIVE**".

On page 6 in lines 29 and 31 and on page 7 in line 4, in each instance, strike "nonprimary" and substitute "elective".

AMENDMENT NO. 3

On page 5, after line 11, insert:

"**(D) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, A CERTIFICATE OF CONFORMANCE IS NOT REQUIRED FOR AN ACUTE GENERAL HOSPITAL TO ESTABLISH ELECTIVE PCI SERVICES IF:**

(1) ON JANUARY 1, 2012, THE ACUTE GENERAL HOSPITAL WAS PROVIDING ELECTIVE PCI SERVICES THROUGH THE C–PORT E REGISTRY UNDER AUTHORITY OF A RESEARCH WAIVER ISSUED BY THE COMMISSION;

(2) THE COMMISSION FINDS THAT THE C–PORT E STUDY PRODUCED RESULTS THAT SHOULD GUIDE PUBLIC POLICY; AND

(3) THE COMMISSION DETERMINES THAT THE ELECTIVE PCI SERVICES PROVIDED BY THE ACUTE GENERAL HOSPITAL CONTINUE TO BE CONSISTENT WITH:

(I) THE REQUIREMENTS OF THE C–PORT E REGISTRY; AND

(II) EXCEPT FOR THE REQUIREMENTS UNDER COMAR 10.24.05.05, THE REQUIREMENTS FOR MAINTAINING A RESEARCH WAIVER UNDER COMAR 10.24.05 AND 10.24.17, TABLE A–1.";

in lines 12 and 25, strike "**(D)**" and "**(E)**", respectively, and substitute "**(E)**" and "**(F)**", respectively; in line 19, after "**(C)**" insert "**OR (D)**"; and in line 26, after "**COMMISSION**" insert "**AND DOES NOT MEET THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION**".

On page 6, in line 27, strike ", notwithstanding" and substitute ":

(a) Notwithstanding";

and in line 31, after "services" insert "under the authorization that existed on January 1, 2012,".

On pages 6 and 7, strike beginning with "one" in line 32 on page 6 down through "B," in line 2 on page 7 and substitute "a determination under § 19–120.1(d)(3) of the Health – General Article, as enacted by Section 1 of this Act;

(2)".

On page 7, in line 5, after "services" insert "; or

(3) makes a determination under COMAR 10.24.05 to terminate the hospital's authority to provide elective PCI services.

(b) On or before December 31, 2012, the Commission shall determine for each hospital providing elective PCI services on January 1, 2012, through the C–PORT E registry under authority of a research waiver issued by the Commission, whether the conditions of § 19–120.1(d)(3) of the Health – General Article are satisfied".

AMENDMENT NO. 4

On page 6, in line 1, strike "**(F)**" and substitute "**(G)**"; in line 11, strike "**AND**"; in line 14, after "**PERFORMANCE**" insert "**TO AN ACUTE GENERAL HOSPITAL WITHOUT ON–SITE CARDIAC SURGERY SERVICES**"; in the same line, strike "**AN**" and substitute "**THE**"; in line 15, strike "**CARDIAC SURGERY SERVICES,**"; in line 16, strike the comma; and in line 18, after "**COMMISSION**" insert "**;**

(VI) ESTABLISH A PROCESS FOR AN ACUTE GENERAL HOSPITAL THAT IS OUT OF COMPLIANCE WITH MINIMUM STANDARDS FOR A CERTIFICATE OF ONGOING PERFORMANCE TO RETURN TO GOOD STANDING;

(VII) REQUIRE THAT AN ACUTE GENERAL HOSPITAL, EXCEPT FOR AN ACUTE GENERAL HOSPITAL LOCATED IN A PART OF THE STATE THAT DOES NOT HAVE SUFFICIENT ACCESS TO EMERGENCY PCI SERVICES, HAVE PROVIDED EMERGENCY PCI SERVICES IN ACCORDANCE WITH ESTABLISHED

STANDARDS BEFORE SEEKING A CERTIFICATE OF CONFORMANCE FOR ELECTIVE PCI SERVICES;

(VIII) PROHIBIT AN ACUTE GENERAL HOSPITAL FROM PROVIDING ELECTIVE PCI SERVICES UNLESS THE ACUTE GENERAL HOSPITAL ALSO PROVIDES EMERGENCY PCI SERVICES;

(IX) INCORPORATE, TO THE EXTENT APPROPRIATE, THE STANDARDS FOR CARDIAC SURGERY SERVICES, EMERGENCY PCI SERVICES, AND ELECTIVE PCI SERVICES RECOMMENDED BY THE CLINICAL ADVISORY GROUP ESTABLISHED UNDER PARAGRAPH (3) OF THIS SUBSECTION;

(X) INCLUDE REQUIREMENTS FOR PEER OR INDEPENDENT REVIEW, CONSISTENT WITH THE ACCF/AHA/SCAI GUIDELINES FOR PERCUTANEOUS CORONARY INTERVENTION (REPORT OF THE AMERICAN COLLEGE OF CARDIOLOGY FOUNDATION/AMERICAN HEART ASSOCIATION TASK FORCE ON PRACTICE GUIDELINES AND THE SOCIETY FOR CARDIOVASCULAR ANGIOGRAPHY AND INTERVENTIONS), OF DIFFICULT OR COMPLICATED CASES AND FOR RANDOMLY SELECTED CASES; AND

(XI) FOR A CERTIFICATE OF CONFORMANCE FOR ELECTIVE PCI SERVICES, GIVE WEIGHT TO THE EXPERIENCE, PERFORMANCE, INVESTMENT, AND SCOPE OF INTERVENTIONAL CAPABILITIES OF AN APPLICANT HOSPITAL THAT WAS PROVIDING EMERGENCY PCI SERVICES ON JANUARY 1, 2012.

(3) (I) THE COMMISSION SHALL ESTABLISH A CLINICAL ADVISORY GROUP TO ADVISE THE COMMISSION AND RECOMMEND STANDARDS FOR CARDIAC SURGERY SERVICES, EMERGENCY PCI SERVICES, AND ELECTIVE PCI SERVICES FOR INCLUSION IN REGULATIONS ADOPTED UNDER THIS SUBSECTION.

(II) THE CLINICAL ADVISORY GROUP SHALL BE COMPOSED OF EXPERTS IN CARDIAC SURGERY SERVICES AND PCI SERVICES, INCLUDING:

1. CLINICIANS AND REPRESENTATIVES FROM HOSPITALS IN THE STATE WITH AND WITHOUT ON–SITE CARDIAC SURGERY SERVICES AND WITH AND WITHOUT PCI SERVICES;

2. AT LEAST ONE REPRESENTATIVE OF AN ACUTE GENERAL HOSPITAL THAT IS NOT PART OF A MERGED ASSET SYSTEM AND PROVIDES ONLY EMERGENCY PCI SERVICES; AND

3. OTHER PERSONS WITH NEEDED EXPERTISE FROM INSIDE AND OUTSIDE THE STATE.

(4) (I) ON OR BEFORE SEPTEMBER 30, 2013, AFTER OBTAINING ADVICE FROM THE CLINICAL ADVISORY GROUP AND OTHER APPROPRIATE STAKEHOLDERS, THE COMMISSION SHALL:

1. DEVELOP RECOMMENDED REGULATIONS UNDER THIS SUBSECTION;

2. POST THE RECOMMENDED REGULATIONS ON ITS WEB SITE FOR PUBLIC COMMENT; AND

3. SUBMIT THE RECOMMENDED REGULATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE.

(II) THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE SHALL HAVE 60 DAYS FROM RECEIPT OF THE RECOMMENDED REGULATIONS FOR REVIEW AND COMMENT".

AMENDMENT NO. 5

On page 6, in line 25, strike "and"; in line 26, after "status" insert "; and

(3) shall consider, for a certificate of conformance to establish elective PCI services, applications from acute general hospitals that were providing emergency

PCI services on January 1, 2012, before considering applications from other acute general hospitals.

SECTION 3. AND BE IT FURTHER ENACTED, That, in making a decision to issue a certificate of conformance, the Maryland Health Care Commission shall consider the circumstances of a hospital that is the sole hospital in a county";

and in line 27, strike "3." and substitute "4.".

AMENDMENT NO. 6

On page 7, after line 5, insert:

"SECTION 5. AND BE IT FURTHER ENACTED That the process established in regulation under § 19–120.1(g)(2)(vi) of the Health – General Article, as enacted by Section 1 of this Act, for an acute general hospital that is out of compliance with minimum standards for a certificate of ongoing performance to return to good standing shall operate in a manner consistent with the process and underlying principles that:

(1) guided the Maryland Health Care Commission in its oversight of hospitals providing emergency PCI services and elective PCI services under a waiver and a research waiver, respectively; and

(2) provided a reasonable opportunity for an acute general hospital that was out of compliance with performance standards to come into compliance.

SECTION 6. AND BE IT FURTHER ENACTED, That the requirement established in regulation under § 19–120.1(g)(2)(v) of the Health – General Article, as enacted by Section 1 of this Act, as a condition of the issuance of a certificate of conformance or a certificate of ongoing performance for an acute general hospital without on–site cardiac surgery services to agree to voluntarily relinquish its authority to provide emergency PCI services or elective PCI services if the hospital fails to meet the applicable standards established by the Maryland Health Care Commission, shall:

(1) be implemented in a manner consistent with the regulations and underlying principles of the Commission in its oversight of hospitals providing emergency PCI services and elective PCI services under a waiver and a research waiver, respectively; and

(2) require an acute general hospital without on–site cardiac surgery services to:

(i) notify the Commission of the occurrence of specified events; and

(ii) subject to Section 5 of this Act, on written notice from the Commission, immediately relinquish its authority to provide PCI services.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) The requirements of § 19–120.1(e) of the Health – General Article, as enacted by Section 1 of this Act, do not apply to a hospital that provided cardiac surgery services and PCI services on January 1, 2012, until:

(1) the Maryland Health Care Commission consults with the clinical advisory group established under § 19–120.1(g)(3) of the Health – General Article, as enacted by Section 1 of this Act, and other appropriate stakeholders on appropriate standards for ongoing performance for cardiac surgery services and PCI services at acute general hospitals with on–site cardiac surgery services;

(2) the Commission develops recommendations for actions, including any changes in State law, that are necessary to enhance the Commission's ability to monitor ongoing performance and compliance with quality standards related to cardiac surgery services and PCI services at hospitals with on–site cardiac surgery services;

(3) the Commission:

(i) reports its recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee; and

(ii) posts the report on its Web site for a 60–day review and comment period; and

(4) the Commission adopts regulations to implement the recommendations.

(b) The Commission shall report its recommendations and post its report under subsection (a)(3) of this section on or before December 1, 2013.

(c) The report, recommendations, and regulations under subsection (a) of this section shall include:

(1) a mechanism for an acute general hospital with on–site cardiac surgery services that is out of compliance with performance standards for cardiac surgery services or PCI services to return to good standing; and

(2) a process through which the authority for an acute general hospital with on–site cardiac surgery services to provide cardiac surgery services and PCI services may be revoked for failure to meet performance standards.";

and in line 6, strike "4." and substitute "8.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1340 – Delegate Cullison

AN ACT concerning

Life and Health Insurance Guaranty Corporation Act – Revisions

HB1340/616285/1
BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1340
(First Reading File Bill)

On page 3, after line 1, insert:

"**(C)** **"ASSOCIATION" MEANS THE CORPORATION OR ANY SIMILAR ORGANIZATION THAT HAS BEEN FORMED IN ANOTHER STATE THAT SERVES THE SAME PURPOSE AS THE CORPORATION FOR THE OTHER STATE.**";

and in lines 2, 5, 7, 8, 13, 15, and 18, strike "(c)", "(d)", "(e)", "(f)", "(g)", "(h)", and "(i)", respectively, and substitute "**(D)**", "**(E)**", "**(F)**", "**(G)**", "**(H)**", "**(I)**", and "**(J)**", respectively.

On page 4, in lines 1, 3, 9, 14, and 18, strike "(j)", "(k)", "(l)", "(m)", and "**(N)**", respectively, and substitute "**(K)**", "**(L)**", "**(M)**", "**(N)**", and "**(O)**", respectively.

On page 8, strike beginning with "§ **[**514**]** **3(40)**" in line 16 down through "**1002(40))**" in line 17 and substitute "**29 U.S.C. § 1002(40)**".

On page 16, in line 14, strike "**DEFINED**" and substitute "**INCLUDED**"; in line 17, after "**VALUES**" insert "**UNDER ITEMS A AND B OF THIS ITEM**"; strike beginning with "**IN**" in line 28 down through "**SUBSECTION**" in line 29 and substitute "**FOR THE BENEFITS DESCRIBED IN PARAGRAPH (3)(II)1, 2, AND 3 OF THIS SUBSECTION**".

On page 19, in line 12, strike "**(E)(3)**" and substitute "**(E)(4)**".

On page 24, in line 21, strike the brackets; and in line 22, strike "**§ 9–407(I)(3)**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1407 – Delegate Walker

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

HB1407/216086/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1407
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Walker" and substitute "Delegates Walker, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, and Tarrant".

AMENDMENT NO. 2

On page 2, in line 12, strike "December 1, 2012" and substitute "June 30, 2013".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 350 – Senator Conway

AN ACT concerning

Respiratory Care Practitioners – Practicing Polysomnography – Licensing Exceptions

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 484 – Senators Kelley, Klausmeier, Mathias, Middleton, Muse, and Pugh

AN ACT concerning

Managed Care Organizations – Medical Loss Ratio Information – Publication

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 485 – Senators Kelley, Astle, Forehand, Garagiola, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Muse, Pipkin, Pugh, Stone, and Young

AN ACT concerning

Continuing Care Retirement Communities – Regulation

SB0485/476088/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 485
(Third Reading File Bill)

On page 13, in line 5, after "**FOLLOWING**" insert "**MODEL**"; and in the same line, after "**STATEMENTS**" insert "**OR A SUBSTANTIALLY SIMILAR STATEMENT**".

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 550 – Senators Montgomery, Benson, Glassman, Jacobs, Middleton, Rosapepe, and Young

AN ACT concerning

Health – Cottage Food Businesses – 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 with amendments:

Senate Bill 737 – Senator Rosapepe

AN ACT concerning

Nursing Home Administrator License – Revocation or Surrender – Ban on Employment

SB0737/756589/1
BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 737
(Third Reading File Bill)

On page 3, in line 7, strike "**THEIR**" and substitute "**THE**".

On page 4, in line 15, strike "**HAS HAD**" and substitute "**HAD**".

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 with amendments:

Senate Bill 16 – Senators Ramirez, Miller, Rosapepe, Peters, Forehand, and Montgomery

AN ACT concerning

Jury Service – Employers – Prohibited Acts

SB0016/442118/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 16

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "service" insert "or on a day after the individual performs jury service or acts related to jury service".

AMENDMENT NO. 2

On page 2, strike beginning with "**TO**" in line 12 down through "**TITLE**" in line 15 and substitute "**WHO IS SUMMONED AND APPEARS FOR JURY SERVICE FOR 4 OR MORE HOURS, INCLUDING TRAVELING TIME, TO WORK AN EMPLOYMENT SHIFT THAT BEGINS:**

(1) ON OR AFTER 5 P.M. ON THE DAY OF THE INDIVIDUAL'S APPEARANCE FOR JURY SERVICE; OR

(2) BEFORE 3 A.M. ON THE DAY FOLLOWING THE INDIVIDUAL'S APPEARANCE FOR JURY SERVICE".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 18 – Senators Peters, Astle, Klausmeier, Garagiola, DeGrange, Rosapepe, King, Ramirez, Montgomery, Kelley, Madaleno, Stone, Manno, Kittleman, Colburn, Edwards, and Brochin

AN ACT concerning

Task Force on Military Service Members, Veterans, and the Courts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 41 – ~~Senator Colburn~~ Senators Colburn, Pipkin, and Mathias

AN ACT concerning

Caroline County, Dorchester County, Talbot County, and Wicomico County – Prospective Employees and Volunteers – Criminal History Records Check

SB0041/912016/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 41
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after the second "County," insert "and"; in the same line, strike ", and Wicomico County"; in line 5, after the first "County," insert "or"; in the same line, strike ", or Wicomico County"; in line 18, after the second "County," insert "and"; and in line 19, strike ", and Wicomico County".

On page 2, in line 6, after "10–232.1," insert "and"; and in the same line, strike ", and 10–236".

AMENDMENT NO. 2

On pages 6 and 7, strike beginning with "**10–236.**" in line 1 on page 6 down through "**SECTION.**" in line 6 on page 7.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 48 – Baltimore County Senators

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Baltimore County – Orphans' Court Judges – Qualifications

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 59 – Senator Kelley

AN ACT concerning

State Commission on Criminal Sentencing Policy – Annual Report – Reporting Date

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 131 – Senators Middleton, Astle, Colburn, Dyson, Edwards, Garagiola, Kasemeyer, Mathias, McFadden, Peters, Pugh, Robey, and Rosapepe

AN ACT concerning

Criminal Procedure – Warrantless Arrests – Theft Crimes

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

AN ACT concerning

Criminal Procedure – Criminal Justice Information System Central Repository – Reporting Data

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 170 – Senators Shank, Brinkley, Edwards, and Young

AN ACT concerning

Washington County – Sheriffs and Deputy Sheriffs – Practice of Law

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 175 – Senators Raskin, Forehand, Getty, Jacobs, Shank, ~~and Stone~~ Stone, Brochin, Ramirez, ~~and Zirkin~~ Zirkin, and Simonaire

AN ACT concerning

Crimes – Electronic Communication – Harassment

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 353 – Senator Forehand

AN ACT concerning

Estates – Small Estate Administration – Eligibility Thresholds

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 Mathias

AN ACT concerning

Town of Ocean City – Criminal History Records Check – Taxi Driver Applicants

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 396 – Senator Forehand

AN ACT concerning

Maryland Uniform Transfers to Minors Act – Orphans' Court

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 439 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Citations Issued by Inspectors

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 453 – ~~Senator Stone~~ Senators Stone and Jacobs

AN ACT concerning

Wrongful Death and Survival Causes of Action – Criminal Homicide – Time Limits for Bringing Civil Action

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 496 – ~~Senator Gladden~~ Senators Gladden and Middleton

AN ACT concerning

Criminal Procedure – Unexecuted Warrant, Summons, or Other Criminal Process – Invalidation and Destruction

SB0496/472016/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 496
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "requiring" and substitute "authorizing".

AMENDMENT NO. 2

On page 2, in line 8, strike "**AN UNEXECUTED**" and substitute "**A**"; in the same line, strike "**FOR A MISDEMEANOR OFFENSE**"; and in line 9, after "**PROCESS**" insert "**FOR A MISDEMEANOR OFFENSE THAT HAS REMAINED UNEXECUTED FOR AT LEAST 10 YEARS**".

AMENDMENT NO. 3

On page 2, in line 14, strike "**SHALL**" and substitute "**MAY**"; in line 23, strike "**AN**" and substitute "**THE**"; in the same line, strike "**FOR A MISDEMEANOR OFFENSE**"; and in line 27, after "**WARRANT**" insert "**, SUMMONS,**".

AMENDMENT NO. 4

On page 3, in line 2, strike "**OR**"; after line 2, insert:

"**(3) NULLIFY OR REMOVE A FAILURE TO APPEAR DESIGNATION THAT HAS BEEN PLACED ON AN INDIVIDUAL'S DRIVING RECORD BY THE MOTOR VEHICLE ADMINISTRATION; OR**";

and in line 3, strike "**(3)**" and substitute "**(4)**".

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 with amendments:

Senate Bill 514 – Senator Shank

AN ACT concerning

Public Safety – Law Enforcement Handgun Disposal – Deceased Officers

SB0514/522717/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 514
(Third Reading File Bill)

On page 2, in line 19, strike the colon; in line 20, strike "**(1)**"; and strike beginning with the semicolon in line 21 down through "**HANDGUN**" in line 23.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 521 – Senators Shank, Brochin, Colburn, Jacobs, and Stone

AN ACT concerning

Justice's Law

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 565 – Senators Raskin, Frosh, Gladden, ~~and Miller~~ Miller, and Forehand

AN ACT concerning

Criminal Procedure – Sex Offender Registration Requirements – Kidnapping

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 647 – Senators Ramirez, Colburn, Forehand, Jacobs, Raskin, Shank, Stone, and Zirkin

AN ACT concerning

Domestically Related Crimes – Reporting

SB0647/482715/1
BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 647
(Third Reading File Bill)

On page 2, in line 14, after "**ARTICLE**" insert "**, OR WHO HAD A SEXUAL RELATIONSHIP WITH THE DEFENDANT WITHIN 12 MONTHS BEFORE THE COMMISSION OF THE CRIME**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 711 – Senator Forehand

AN ACT concerning

Maryland General and Limited Power of Attorney Act

SB0711/492015/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 711
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "attorney;" insert "providing that a document substantially in the form of a certain statutory form in effect on the date the document

is executed shall continue to have a certain meaning and effect notwithstanding enactment of certain legislation;".

AMENDMENT NO. 2

On page 2, in line 24, before "A" insert "**(A)**"; in line 25, strike beginning with "**AS**" through "**EXECUTED**"; and after line 27, insert:

"**(B) A DOCUMENT SUBSTANTIALLY IN ONE OF THE FORMS SET FORTH IN THIS SUBTITLE IN EFFECT ON THE DATE THE DOCUMENT IS EXECUTED SHALL CONTINUE TO HAVE THE MEANING AND EFFECT PRESCRIBED BY THIS TITLE, NOTWITHSTANDING ENACTMENT OF LEGISLATION ALTERING THAT STATUTORY FORM AFTER THE DATE THE DOCUMENT IS EXECUTED.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 856 – ~~Senator Raskin~~ Senators Raskin, Forehand, Getty, Gladden, Jacobs, Ramirez, Shank, and Stone

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

SB0856/562011/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 856
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 15, strike "**AND**"; and in line 16, after "**(2)**" insert "**HAS COMPLETED AT LEAST 40 HOURS OF BASIC MEDIATION TRAINING; AND**

(3)".

AMENDMENT NO. 2

On page 4, in line 5, strike "**A**"; strike beginning with "**NOT**" in line 7 down through "**PROCEEDING**" in line 9 and substitute "**ENTER INTO A WRITTEN AGREEMENT TO MAINTAIN THE CONFIDENTIALITY OF ALL MEDIATION COMMUNICATIONS**"; strike beginning with "**THE**" in line 10 down through "**PARTY**" in line 13 and substitute "**A PARTY TO MEDIATION AND ANY PERSON PRESENT OR OTHERWISE PARTICIPATING IN THE MEDIATION AT THE REQUEST OF A PARTY MAY NOT DISCLOSE OR BE COMPELLED TO DISCLOSE MEDIATION COMMUNICATIONS IN ANY JUDICIAL, ADMINISTRATIVE, OR OTHER PROCEEDING IF THE PARTY OR PERSON SIGNED A WRITTEN AGREEMENT**"; and in line 31, strike "**SERIOUS**".

AMENDMENT NO. 3

On page 5, in line 8, strike "**A**" and substitute "**ANY**"; strike beginning with "**, BECAUSE**" in line 8 down through "**MISREPRESENTATION,**" in line 9; in line 13, strike "**A MANIFEST**" and substitute "**AN**"; and strike beginning with "**IN**" in line 16 down through "**CONFIDENTIAL**" in line 17.

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 WAYS AND MEANS REPORT #17

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

Senate Bill 178 – Senators Jacobs and Montgomery

AN ACT concerning

Education – Informal Kinship Care – ~~Documentation Supporting Affidavit – Repeal~~ Enrollment Before Submission of Documentation

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 320 – Senator Young

AN ACT concerning

Frederick County Board of Education – Membership and Employment

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 476 – Senators Klausmeier, Colburn, Forehand, Madaleno, Montgomery, Raskin, Rosapepe, Stone, ~~and Young~~ Young, Kelley, and Muse

AN ACT concerning

State Government – Financial Education and Capability Commission

SB0476/425966/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 476
(Third Reading File Bill)

On page 3, strike beginning with "**WHO**" in line 12 down through "**EDUCATION**" in line 13.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 524 – Senators King, Conway, Ferguson, Forehand, Garagiola, Jones–Rodwell, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Pugh, Ramirez, Robey, Rosapepe, and Zirkin

AN ACT concerning

Maryland After–School and Summer Opportunity Fund Program

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 566 – Senators King, Benson, Colburn, Ferguson, Forehand, Garagiola, Glassman, Kelley, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Pugh, Ramirez, and Young

AN ACT concerning

Home Visiting Accountability Act of 2012

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 571 – Senators Montgomery, Forehand, Manno, Ramirez, Raskin, and Rosapepe

AN ACT concerning

~~Libraries – Maryland~~ Task Force to Study the Establishment of a Deaf Culture Digital Library

SB0571/865567/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 571
(Third Reading File Bill)

On page 2, in line 2, strike "the Laws of Maryland read as follows".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 621 – Senators Shank, Jennings, Simonaire, ~~and Young~~ Young, Mathias, and Montgomery

AN ACT concerning

Public Schools – Epinephrine Availability and Use – Policy Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 656 – Senators Manno, Ramirez, Benson, Colburn, Ferguson, Forehand, King, Klausmeier, Madaleno, Montgomery, and Raskin

AN ACT concerning

Higher Education – Community Colleges – Tuition ~~Waivers – Inclusion of Fees~~ Waiver for Disabled Individuals

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 689 – Senator Shank

AN ACT concerning

Education – Maryland Advisory Council for Virtual Learning – Establishment

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 816 – Harford County Senators

AN ACT concerning

Harford County Board of Education – Student Member~~ – Voting Rights~~

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 853 – Senator Klausmeier

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining Units

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 867 – ~~Senator Conway~~ Senators Conway, Dyson, Montgomery, Rosapepe, and Simonaire

AN ACT concerning

State Department of Education – Oral Health Education ~~– Certification and Monitoring~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #16

CONSENT CALENDAR #9

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 151 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011

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

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

Senate Bill 153 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

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 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012

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 431 – Senators Young ~~and Brinkley~~, Brinkley, Glassman, Kelley, Klausmeier, and Middleton

AN ACT concerning

Workers' Compensation – Emergency Responders – Revisions

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

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

Senate Bill 489 – Senator Astle

AN ACT concerning

Bail Bondsmen – ~~Qualifications for Licensure –~~ Acceptance of Installment Contracts

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

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

Senate Bill 529 – Senator Robey

AN ACT concerning

Motor Vehicles – Use of Text Messaging Device While Driving

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

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

Senate Bill 678 – Senator Forehand

AN ACT concerning

Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court

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

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

Senate Bill 778 – Senator Pugh

AN ACT concerning

Commercial Law – Rental–Purchase Agreements ~~Best Practices Act~~ – Disclosures

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

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

Senate Bill 781 – Senators Pugh, Pipkin, Mathias, Middleton, ~~and Montgomery~~ Montgomery, Astle, Glassman, Kelley, Kittleman, and Klausmeier

AN ACT concerning

Health Insurance – Coverage for Services Delivered Through Telemedicine ~~Services~~

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

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

Senate Bill 894 – Senator Jones–Rodwell

AN ACT concerning

Baltimore City – Representation of Child Support Enforcement Administration – Transfer of Employees

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

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

Senate Bill 899 – Senators Gladden, Kelley, Klausmeier, Raskin, and Stone

AN ACT concerning

Correctional Services – Correctional Officer – Emergency Suspension Rescinded

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

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

Senate Bill 901 – Senator Klausmeier

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

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 903 – Senator Astle

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists

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

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

Senate Bill 929 – Senators Astle, Conway, Ferguson, Gladden, Klausmeier, Young, ~~and Zirkin~~ Zirkin, Mathias, Muse, and Pugh

EMERGENCY BILL

AN ACT concerning

The Deanna Camille Green Act of 2012

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 954 – Senator Middleton

AN ACT concerning

Medical Records – ~~HIPAA Consistency Act of 2012~~ Enhancement or Coordination of Patient Care

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

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

Senate Bill 977 – Senator Rosapepe

AN ACT concerning

Transportation – Institutions of Higher Education ~~and State Employment Facilities~~ – Bicycle and Pedestrian Access

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

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

Senate Bill 997 – Senator Garagiola

AN ACT concerning

Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions

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 998 – Senator Garagiola

AN ACT concerning

Motor Vehicle Administration – Plug–In Vehicles – Disclosure of Personal Information

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 1006 – Senator Middleton

AN ACT concerning

Maryland Automobile Insurance Fund – Fund Producers – Commissions

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

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

Senate Bill 1036 – Chair, Budget and Taxation Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

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

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

Senate Bill 1037 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

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 1078 – Senator Dyson

AN ACT concerning

Election Law – Absentee Ballots – Internet or Facsimile Transmission

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 1086 – Senators Jones–Rodwell, Currie, King, Madaleno, and Manno

AN ACT concerning

Income Tax – Tax Credits – Electronic Filing Requirements

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

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

Senate Bill 1099 – Senator Edwards

AN ACT concerning

Allegany County – Sheriff's Office Employees – Labor Organizations

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

SPECIAL ORDERS

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

House Bill 1289 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Economic Development – Qualified Distressed Counties – One Maryland Economic Development Tax Credit

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

FLOOR AMENDMENT

HB1289/183422/1
BY: Delegate Bates

AMENDMENTS TO HOUSE BILL 1289
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "Program;" insert "establishing that the certifying entity for the One Maryland Economic Development Tax Credit is the economic development unit of a certain qualified distressed county rather than the Secretary of Business and Economic Development;"; in line 23, strike "6–403(e)" and substitute "6–402, 6–403(a), (e),"; and in the same line, strike "6–404(c)" and substitute "6–404(a), (c),".

AMENDMENT NO. 2

On page 2, after line 22, insert:

"6–402.

(a) (1) To qualify for a project tax credit or a start–up tax credit, a person shall be certified by the [Secretary] **ECONOMIC DEVELOPMENT UNIT OF THE QUALIFIED DISTRESSED COUNTY IN WHICH THE PROJECT OR BUSINESS FACILITY IS LOCATED** as meeting the requirements of this subtitle and as being eligible for the tax credit.

(2) [The Secretary] **A COUNTY ECONOMIC DEVELOPMENT UNIT** may not certify a person as a qualified business entity unless the person notifies the [Department] **COUNTY ECONOMIC DEVELOPMENT UNIT** of its intent to seek certification before hiring any qualified employees to fill the qualified positions necessary to satisfy the employment threshold under subsection (b)(2) of this section.

(b) To be eligible for a project tax credit or a start–up tax credit, a person shall:

(1) establish or expand a business facility that:

(i) is located in a qualified distressed county; and

(ii) 1. is located in a priority funding area under § 5–7B–02 of the State Finance and Procurement Article; or

2. is eligible for funding outside of a priority funding area under § 5–7B–05 or § 5–7B–06 of the State Finance and Procurement Article;

(2) during any 24–month period, create at least 25 qualified positions at the new or expanded business facility; and

(3) be primarily engaged at the new or expanded business facility in any combination of:

(i) manufacturing or mining;

(ii) transportation or communications;

(iii) filmmaking, resort business, or recreational business;

(iv) agriculture, forestry, or fishing;

(v) research, development, or testing;

(vi) biotechnology;

(vii) computer programming, information technology, or other computer–related services;

(viii) central services for a business entity engaged in financial services, real estate services, or insurance services;

(ix) the operation of central administrative offices;

(x) the operation of a company headquarters other than the headquarters of a professional sports organization;

(xi) the operation of a public utility;

(xii) warehousing; or

(xiii) other business services.

(c) To be certified as a qualified business entity for a project tax credit or a start–up tax credit, a person shall submit to the **[**Secretary**]** **COUNTY ECONOMIC DEVELOPMENT UNIT** an application that specifies:

(1) the effective date of the start–up or expansion;

(2) the number of full–time employees before the start–up or expansion and the payroll of the existing employees;

(3) the number of qualified positions created and qualified employees hired and the payroll of the new qualified employees; and

(4) any other information that the Secretary requires by regulation.

(d) The **[**Secretary**]** **COUNTY ECONOMIC DEVELOPMENT UNIT** may require any information required under this section to be verified by an independent auditor that the qualified business entity selects.";

and after line 23, insert:

"(a) (1) A qualified business entity may claim a project tax credit for the cost of an eligible economic development project in a qualified distressed county if the

total eligible project cost for the eligible economic development project is at least $500,000.

(2) A qualified business entity is not entitled to a project tax credit for a cost incurred before notifying the **[**Department**]** **ECONOMIC DEVELOPMENT UNIT OF THE QUALIFIED DISTRESSED COUNTY IN WHICH THE PROJECT IS LOCATED** of its intent to seek certification as qualifying for the project tax credit.".

On page 4, after line 18, insert:

"(a) (1) A qualified business entity that locates in a qualified distressed county may claim a start–up tax credit in the amount provided in subsection (b) of this section.

(2) A qualified business entity is not entitled to a start–up tax credit for a cost incurred before notifying the **[**Department**]** **ECONOMIC DEVELOPMENT UNIT OF THE QUALIFIED DISTRESSED COUNTY IN WHICH THE ENTITY IS ESTABLISHING OR EXPANDING A BUSINESS FACILITY** of its intent to seek certification as qualifying for the start–up tax credit.".

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

Affirmative – 44 Negative – 90 (See Roll Call No. 846)

FLOOR AMENDMENT

HB1289/293925/1
BY: Delegate Bates

AMENDMENTS TO HOUSE BILL 1289
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "number;" insert "providing for the termination of the One Maryland Economic Development Tax Credit if a certain audit shows a compliance rate that is less than a certain percentage;"; and after line 25, insert:

"BY adding to
Article – Economic Development
Section 6–408

Annotated Code of Maryland
(2008 Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 5, after line 28, insert:

"**6–408.**

IF A FISCAL/COMPLIANCE AUDIT CONDUCTED BY THE OFFICE OF LEGISLATIVE AUDITS UNDER § 2–1220 OF THE STATE GOVERNMENT ARTICLE ON OR BEFORE JULY 1, 2015, SHOWS THAT THE COMPLIANCE RATE UNDER THIS SUBTITLE IS LESS THAN 50%, THE TAX CREDITS AUTHORIZED UNDER THIS SUBTITLE SHALL TERMINATE AS OF JANUARY 1, 2016.".

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

Affirmative – 48 Negative – 86 (See Roll Call No. 847)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 848)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #69

House Bill 182 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Board of Elections – Salary

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

Affirmative – 134 Negative – 0 (See Roll Call No. 849)

The Bill was then sent to the Senate.

House Bill 441 – The Speaker (By Request – Administration) and Delegates Hucker, Barnes, Barve, Bobo, Cardin, Frush, Hubbard, Jones, Mizeur, Ross, Stein, and Waldstreicher

AN ACT concerning

Maryland Offshore Wind Energy Act of 2012

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 88 Negative – 47 (See Roll Call No. 850)

The Bill was then sent to the Senate.

House Bill 964 – Delegates Washington, Tarrant, Anderson, Clippinger, Frush, Love, A. Miller, B. Robinson, S. Robinson, ~~and Smigiel~~ Smigiel, Barkley, Barnes, Braveboy, Hucker, Jameson, McHale, and Vaughn

AN ACT concerning

Labor and Employment – User Name and Password Privacy Protection and Exclusions

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

Affirmative – 129 Negative – 8 (See Roll Call No. 851)

The Bill was then sent to the Senate.

House Bill 1254 – Delegates Vaughn, Carr, Frick, Howard, McDonough, Minnick, Mitchell, Oaks, Reznik, Sophocleus, Stukes, Summers, and F. Turner

AN ACT concerning

Small Business Development Center Network Fund – Minimum Appropriation

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

Affirmative – 103 Negative – 34 (See Roll Call No. 852)

The Bill was then sent to the Senate.

House Bill 1296 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Alcoholic Beverages – Golf Course License

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

Affirmative – 134 Negative – 1 (See Roll Call No. 853)

The Bill was then sent to the Senate.

House Bill 1316 – Delegates Hershey, DeBoy, and Malone

AN ACT concerning

Alcoholic Beverages – Rectifiers – Tours, Samples, and Sales

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

Affirmative – 134 Negative – 0 (See Roll Call No. 854)

The Bill was then sent to the Senate.

House Bill 1368 – Delegate Schulz

AN ACT concerning

Frederick County – Middletown Wine Festival License

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

The motion was rejected.

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

Affirmative – 127 Negative – 5 (See Roll Call No. 855)

The Bill was then sent to the Senate.

House Bill 1387 – Delegate Murphy

AN ACT concerning

Charles County – Winery Special Event Permits – Farmers' Markets

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

Affirmative – 135 Negative – 0 (See Roll Call No. 856)

The Bill was then sent to the Senate.

House Bill 1432 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Comptroller – Departments of Liquor Control and Liquor Control Boards

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

Affirmative – 134 Negative – 0 (See Roll Call No. 857)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #12

Senate Bill 40 – ~~Senator Astle~~ Senators Astle and Garagiola

AN ACT concerning

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

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

Affirmative – 135 Negative – 0 (See Roll Call No. 858)

The Bill was then returned to the Senate.

Senate Bill 85 – Senators Jennings and Getty

AN ACT concerning

Election Law – Baltimore County Republican Party Central Committee – Election of Chairman

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

Affirmative – 134 Negative – 1 (See Roll Call No. 859)

The Bill was then returned to the Senate.

Senate Bill 188 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Distribution of Amounts to Town of Williamsport – Payments in Lieu of Property Taxes on Electricity Generation Facilities

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

Affirmative – 136 Negative – 0 (See Roll Call No. 860)

The Bill was then returned to the Senate.

Senate Bill 295 – Senators Astle, Klausmeier, Miller, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Shank, Stone, Young, and Zirkin

AN ACT concerning

Commercial Law – Security Freezes – Minors and Protected Persons

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

Affirmative – 135 Negative – 0 (See Roll Call No. 861)

The Bill was then returned to the Senate.

Senate Bill 446 – Senator Colburn

AN ACT concerning

Sales and Use Tax – Sales of Dyed Diesel Fuel

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

Affirmative – 136 Negative – 0 (See Roll Call No. 862)

The Bill was then returned to the Senate.

Senate Bill 449 – Senator Middleton

AN ACT concerning

Electric Service Quality and Reliability Standards – Deadlines

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

Affirmative – 136 Negative – 0 (See Roll Call No. 863)

The Bill was then returned to the Senate.

Senate Bill 567 – Senators King, Colburn, Currie, Garagiola, Glassman, Jennings, Manno, McFadden, and Robey

AN ACT concerning

~~Telecommunications~~ Communications Taxes – Reform Commission ~~and Moratorium~~

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

Affirmative – 111 Negative – 24 (See Roll Call No. 864)

The Bill was then returned to the Senate.

Senate Bill 597 – Senator McFadden

AN ACT concerning

Elections – Baltimore City – Election Dates

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

Affirmative – 135 Negative – 0 (See Roll Call No. 865)

The Bill was then returned to the Senate.

Senate Bill 663 – Carroll County Senators

AN ACT concerning

Carroll County – Board of Elections – Membership

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

Affirmative – 136 Negative – 0 (See Roll Call No. 866)

The Bill was then returned to the Senate.

Senate Bill 763 – Senator Benson

AN ACT concerning

Election Law – Payroll Deductions and Member Contributions – Address of Contributor

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

Affirmative – 104 Negative – 32 (See Roll Call No. 867)

The Bill was then returned to the Senate.

Senate Bill 874 – Senator Ferguson

AN ACT concerning

Baltimore City – Alcoholic Beverages – Refillable Containers

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

Affirmative – 134 Negative – 0 (See Roll Call No. 868)

The Bill was then returned to the Senate.

Senate Bill 918 – Senators Ferguson, Benson, Kittleman, and Raskin

AN ACT concerning

Election Law – Campaign Contributors – Occupation and Employer

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

Affirmative – 89 Negative – 45 (See Roll Call No. 869)

The Bill was then returned to the Senate.

Senate Bill 919 – Senators Ferguson and Kittleman

AN ACT concerning

Election Law – Campaign Finance Entities – Retention of Records

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

Affirmative – 135 Negative – 1 (See Roll Call No. 870)

The Bill was then returned to the Senate.

Senate Bill 1033 – Senator Jennings

AN ACT concerning

Election Law – Campaign Finance – Requirements

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

Affirmative – 136 Negative – 0 (See Roll Call No. 871)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

House Bill 1383 – Delegate O'Donnell

AN ACT concerning

Property and Casualty Insurance – Underwriting Based on Geographic Area

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT NOT ADOPTED.

FLOOR AMENDMENT

HB1383/103728/1
BY: Delegate Beidle

AMENDMENTS TO HOUSE BILL 1383
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Property and Casualty" and substitute "Homeowner's"; in line 3, strike "altering" and substitute "establishing"; in line 4, strike "certain insurance contracts" and substitute "a policy of homeowner's insurance"; in line 18, strike "property and casualty" and substitute "homeowner's"; in

line 19, strike "repealing and reenacting, with amendments," and substitute "adding to"; and in line 21, strike "19–107" and substitute "19–214".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 27 on page 1 through line 6 on page 2, inclusive, and substitute:

"**19–214.**

(A) AN INSURER MAY NOT REFUSE TO ISSUE OR RENEW A POLICY OF HOMEOWNER'S INSURANCE SOLELY BECAUSE THE SUBJECT OF THE RISK OR THE APPLICANT'S OR INSURED'S ADDRESS IS LOCATED IN A CERTAIN GEOGRAPHIC AREA OF THE STATE UNLESS:".

On page 2, in line 7, before "(2)" insert an opening bracket; in line 8, after the closing bracket insert "**(1)**"; in lines 10 and 11, strike "**FOR APPROVAL BY**" and substitute "**WITH**"; in line 12, strike "**APPROVED**" and substitute "**NOT DISAPPROVED**"; and in line 14, strike "(b)" and substitute "**(B)**".

AMENDMENT NO. 3

On page 2, in lines 16 and 30, in each instance, strike "**120**" and substitute "**90**".

On page 3, in line 1, strike "**120–DAY**" and substitute "**90–DAY**"; and in lines 3 and 18, in each instance, strike "**60**" and substitute "**30**".

The preceding 3 amendments were read only.

Delegate Rudolph moved to make the Bill and Amendments a Special Order for Monday.

The motion was adopted.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 166 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Charitable Gaming

FOR the purpose of creating in Harford County a permit to be issued by the Sheriff of Harford County that authorizes certain nonprofit organizations to conduct a gaming contest in Harford County; specifying certain requirements that organizations must meet to be issued a permit; specifying a certain maximum number of gaming contests an organization may hold in a year and the location and hours for conducting a gaming contest; authorizing certain games to be conducted at a gaming contest under certain circumstances; specifying the maximum bet a single individual may place on a game; specifying that alcoholic beverages may be served or sold under certain conditions; prohibiting profits or proceeds from being paid to certain persons under certain circumstances; authorizing certain organizations to use certain proceeds for certain purposes after certain costs are deducted; requiring the holder of a permit to meet certain financial reporting requirements; authorizing the Sheriff of Harford County to refuse to issue a permit under certain conditions; requiring the sheriff to adopt certain regulations; providing a certain penalty; defining a certain term; and generally relating to gaming contests in Harford County.

BY renumbering
Article – Criminal Law
Section 13–1512
to be Section 13–1513
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

BY adding to
Article – Criminal Law
Section 13–1512
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

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

Senate Bill 214 – Senator Raskin

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

FOR the purpose of establishing a reduced penalty for a person convicted of the use or possession of less than a certain quantity of marijuana; providing that, with a certain exception, the use or possession of less than a certain quantity of marijuana may not be considered a lesser included crime of any other crime; providing that a certain sentence imposed under this Act shall be stayed under

certain circumstances without requiring an appeal bond; and generally relating to penalties for possession of marijuana.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

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

Senate Bill 316 – Senators Pugh, Benson, Forehand, Jones–Rodwell, King, Klausmeier, Manno, Montgomery, Muse, Peters, and Stone

AN ACT concerning

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

FOR the purpose of requiring the ~~Secretary of Health and Mental Hygiene to establish a registry that includes certain information on certain employees of health care facilities who provide services to certain individuals and who were terminated for certain reasons; requiring the placement of a certain employee on the registry under certain circumstances; authorizing certain health care facilities to have access to the registry; prohibiting a health care facility from allowing an employee to access the registry except under certain circumstances; authorizing a person responsible for a certain individual to access the registry; requiring a health care facility to adopt a certain procedure; prohibiting a health care facility from hiring certain individuals; defining certain terms; and generally relating to a registry of terminated employees of health care facilities~~ Department of Health and Mental Hygiene to convene a workgroup to examine certain issues relating to health care facilities and abuser registries; requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to health facilities and abuser registries.

~~BY repealing and reenacting, without amendments,~~
~~Article – Health – General~~
~~Section 19–114(d)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

~~BY adding to~~
~~Article – Health – General~~
~~Section 19–347.1 and 19–351(e) and (f)~~
~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 19–351(a)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

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

Senate Bill 364 – Senator Ferguson

AN ACT concerning

Loan Assistance Repayment Program – Nancy Grasmick Teacher ~~Grant~~ Scholars

FOR the purpose of establishing the Nancy Grasmick Teacher ~~Grant~~ Award in the Janet L. Hoffman Loan Assistance Repayment Program ~~in the State~~; ~~requiring the Office of Student Financial Assistance to assist in the repayment of certain higher education loans owed by certain individuals who receive certain degrees from certain institutions of higher education in the State or out of the State;~~ requiring the Office to assist in the repayment of the amount of any higher education loan owed by certain public school teachers in the State who teach certain subjects or teach in certain schools in Maryland for a certain amount of time; providing that a recipient of a Nancy Grasmick Teacher Award shall be known as a Nancy Grasmick Teacher Scholar; requiring that certain regulations establishing priority for participation in the Janet L. Hoffman Loan Assistance Repayment Program include, for teacher applicants only, an individual who qualifies for a Nancy Grasmick Teacher Award and meets other specified qualifications; prohibiting the Office from approving more than a certain percentage of awards for teacher applicants to Nancy Grasmick Teacher Scholars; ~~requiring certain funds to be used to implement this Act; making this Act subject to a certain contingency; providing for the application of this Act;~~ and generally relating to the creation of the Nancy Grasmick Teacher ~~Grant~~ Award in the Loan Assistance Repayment Program.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–1501, ~~18–1503,~~ 18–1504, and 18–1505
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–1502 and 18–1503

Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

Senate Bill 386 – Senator Pipkin

AN ACT concerning

Queen Anne's County Alcoholic Beverages – Distilleries – Tours, Samples, and Sales

FOR the purpose of expanding in Queen Anne's County the privileges of a distillery license so that the holder of the license may conduct guided tours of the licensed premises, serve not more than a certain number of samples of products manufactured at the licensed premises, sell certain foods and beverages, sell products manufactured on the licensed premises for consumption off the licensed premises, and sell related merchandise; specifying that a caterer in the County is not limited to selling or serving certain foods; prohibiting a license holder or entity in which a license holder has a pecuniary interest from acting as a caterer of food in the County; specifying the times when certain activities may be conducted; providing that a Class 1 manufacturer's license allows the holder to operate a certain number of days a week in the County; requiring a license holder to file with the Comptroller a notice of a promotional event at least a certain time before the event is held in the County; prohibiting a license holder in the County from selling or allowing to be consumed at the licensed premises certain products; providing that this Act does not limit the application of certain laws and regulations; and generally relating to the privileges of alcoholic beverages and distillery licenses in Queen Anne's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–202
Annotated Code of Maryland
(2011 Replacement Volume)

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

Senate Bill 739 – Senators Madaleno, Frosh, Glassman, Jones–Rodwell, Montgomery, Raskin, and Rosapepe

AN ACT concerning

Tax Credit Evaluation Act

FOR the purpose of establishing a legislative review and evaluation process for certain credits allowed against certain taxes; establishing dates for review and other legislative action with regard to certain tax credits; ~~providing for termination of certain tax credits under certain circumstances;~~ repealing certain obsolete tax credits; providing for the construction of certain provisions of this Act; and generally relating to a legislative review and evaluation process for certain credits allowed against certain taxes.

BY adding to
Article – Tax – General
Section 1–301 through 1–311 to be under the new subtitle "Subtitle 3. Tax Credit Evaluation Act"
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing
Article – Labor and Employment
Section 11–704; and 11–1101 through 11–1107 and the subtitle "Subtitle 11. Job Creation and Recovery Tax Credit"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing
Article – Tax – General
Section 10–704.9, 10–704.10, 10–713, 10–719, and 10–728
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

Senate Bill 746 – Senator Middleton

AN ACT concerning

~~Telecommunications~~ Communications Companies – Universal Service Trust Fund – Surcharge

FOR the purpose of expanding the services that are subject to the Universal Service Trust Fund surcharge; requiring that a certain surcharge be applied to certain bills and be payable at a certain time; altering the maximum amount of a certain surcharge; providing that a certain surcharge is payable by account; requiring the ~~Public Service Commission~~ Secretary of Information Technology to direct certain companies to add the surcharge to certain bills for certain services under certain circumstances; providing that the money in the Fund may only be used for certain purposes; requiring the Public Service Commission to determine a certain surcharge annually for the following fiscal year;

requiring the Commission to set and adjust a certain surcharge in a certain manner and under certain circumstances; requiring that certain funds be carried forward in the Fund for a certain purpose; requiring certain companies to act as collection agents for the Fund and to remit certain proceeds to the Comptroller for deposit in the Fund; providing certain companies a certain credit against certain proceeds; providing that this Act may not be construed to expand the jurisdiction of the Commission in any manner over certain services; defining certain terms; making certain technical changes; and generally relating to the Universal Service Trust Fund surcharge on certain ~~telecommunications~~ communications services.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3A–501(a) and (c), 3A–504(a), 3A–601(a) and (c), 3A–602(a), and 3A–606
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3A–501(g) and ~~(i)~~ (h)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–501(g) and 3A–506
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 764 – Senators Kelley, Klausmeier, and Mathias

AN ACT concerning

Fraudulent Insurance Acts – Individual Sureties – Contracts of Surety Insurance

FOR the purpose of establishing that it is a fraudulent insurance act for an individual surety to make a certain representation or to issue a contract of surety insurance, except as provided in certain provisions of law; ~~establishing that it is a fraudulent insurance act for a person to knowingly or willfully assist a person to obtain a contract of surety insurance from an individual surety, except as provided in certain provisions of law; establishing that it is a fraudulent insurance act for a person to knowingly or willfully make a certain false or fraudulent statement or representation about certain assets pledged by an~~

~~individual surety or to knowingly or willfully fail to return certain money or premiums paid for a contract of surety insurance under certain circumstances;~~ establishing certain penalties for certain violations of this Act; defining a certain term; requiring the Maryland Insurance Administration to conduct a certain analysis of certain practices of corporate sureties and individual sureties; requiring the Administration to consult with certain persons or entities; requiring the Administration to consider certain items, make certain determinations, and conduct certain surveys and reviews in a certain analysis; requiring the Administration to submit certain reports to certain committees of the General Assembly on or before certain dates; and generally relating to individual sureties, contracts of surety insurance, and fraudulent insurance acts.

BY adding to
Article – Insurance
Section 27–406.1
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–408
Annotated Code of Maryland
(2011 Replacement Volume)

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

Senate Bill 794 – Senators Garagiola, Astle, DeGrange, Glassman, King, Klausmeier~~, Mathias~~, Middleton~~, Muse~~, and Robey

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

FOR the purpose of ~~repealing a restriction that limits to a certain calendar year~~ authorizing for certain calendar years the use of certain Purse Dedication Account funds for operating assistance by the Ocean Downs Race Course and Rosecroft Raceway to support a minimum of a certain number of live racing days at each of these race courses; authorizing the use of certain revenues from the Purse Dedication Account for certain operating expenses at certain racetracks; placing certain conditions on the receipt of certain grants from the Purse Dedication Account; requiring certain racing licensees to provide certain information to the Secretary of Labor, Licensing, and Regulation under certain circumstances; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally

relating to the use of Purse Dedication Account funds by the Ocean Downs Race Course and Rosecroft Raceway for operating assistance.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–28(e), (f), and (h)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–28(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY renumbering
Article – State Government
Section 9–1A–28(g) and (h), respectively
to be Section 9–1A–28(i) and (j), respectively
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Chapter 412 of the Acts of the General Assembly of 2011)

BY adding to
Article – State Government
Section 9–1A–28(g) and (h)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Chapter 412 of the Acts of the General Assembly of 2011)

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

QUORUM CALL

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

(See Roll Call No. 872)

ADJOURNMENT

At 1:10 P.M. on motion of Delegate Barve the House adjourned until 6:00 P.M. on Legislative Day March 28, 2012, Calendar Day Monday, April 2, 2012.

Annapolis, Maryland
Legislative Day: March 28, 2012
Calendar Day: Monday, April 2, 2012

The House met at 6:08 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cathy Vitale of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 873)

The Journal of March 27, 2012 was read and approved.

EXCUSES:
Del. Harrison – doctor's appointment
Del. Impallaria – illness
Del. Olszewski – personal
Del. Parrott – late – personal
Del. Sophocleus – illness
Del. Stifler – medical
Del. V. Turner – medical

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 8	Del. Washington
HB 65	Del. Jameson
HB 89	Del. Stifler
HB 114	Del. Jameson
HB 115	Del. Jameson
HB 117	Del. Mitchell
HB 124	Frederick County Del.
HB 141	Del. Feldman
HB 174	Del. George
HB 214	Harford County Del.
HB 243	Del. Nathan–Pulliam

HB 251	Del. McDermott
HB 280	Del. Feldman
HB 286	Del. Hubbard
HB 318	Del. Feldman
HB 341	Ch., Econ Matters Co.
HB 349	Del. Clippinger
HB 358	Del. Conway
HB 363	Del. Anderson
HB 435	Del. Beidle
HB 476	Del. Hammen
HB 524	Del. Parrott
HB 533	Del. Feldman
HB 537	Del. Jones
HB 555	Del. Zucker
HB 575	Del. Gutierrez
HB 623	Del. Haddaway–Riccio
HB 631	Del. Wilson
HB 678	Del. Niemann
HB 699	Del. Hixson
HB 773	Del. Waldstreicher
HB 777	Del. Feldman
HB 822	Del. Waldstreicher
HB 868	Del. Conway
HB 1093	Del. Love
HB 1094	Del. Rudolph
HB 1097	Del. Rudolph
HB 1175	Howard County Del.
HB 1279	Del. Malone

Read and ordered journalized.

THE COMMITTEE ON APPROPRIATIONS REPORT #12

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

Senate Bill 151 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE TO THE MARYLAND HOUSE OF DELEGATES – 2012 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit K of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPRINT TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit L of Appendix II)

Delegate Jones moved to make the Bill and Amendments a Special Order for Wednesday.

The motion was adopted.

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

Senate Bill 153 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1036 – Chair, Budget and Taxation Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1037 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

SB1037/664065/2
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 1037
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, strike "(AV)" and substitute "(AB), (AV),"; and in the same line, strike "(BH)" and substitute "(I), (BH),".

On page 2, in line 10, after "2010" insert "and Chapter 396 of the Acts of the General Assembly of 2011"; in line 18, after "(AA)" insert "and (BG)"; in the same line, after "(X)," insert "(AQ),"; after line 22, insert:

"BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA00(S)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA03(AK)";

in line 25, after "(AH)," insert "(AI),"; in line 26, after "(BB)," insert "(BG),"; in the same line, after "(AM)," insert "(AN),"; and in line 27, after "(AZ)," insert "(BD),".

On page 3, in line 1, strike "(BF)" and substitute "(U), (BF),"; and in the same line, strike "(BB–1)" and substitute "(X) and (BB–1)".

AMENDMENT NO. 2

On page 3, after line 19, insert:

"(AB) **[**The Amphitheater at Bainbridge**]** **HISTORIC TOME SCHOOL**. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Bainbridge Development Corporation, Inc. for the planning, design, repair, renovation, reconstruction, and

capital equipping of the [amphitheater] **HISTORIC TOME SCHOOL**, located at the former Bainbridge Naval Training Center, in Bainbridge**, SUBJECT TO A REQUIREMENT THAT THE GRANTEE GRANT AND CONVEY A HISTORIC EASEMENT TO THE MARYLAND HISTORICAL TRUST. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Cecil County) ..... 100,000".

On page 4, after line 8, insert:

"(I) Robert A. Pascal Youth Counseling Clinic. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Robert A. Pascal Youth and Family Services, Inc. for the planning, design, construction, renovation, and capital equipping of a clinic to provide comprehensive counseling services to high–risk youth and families, located in Severna Park. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Anne Arundel County)..... 100,000".

On page 5, in lines 12 and 26, in each instance, strike "**2014**" and substitute "**2013**".

On page 6, in line 34, after "2010" insert ", as amended by Chapter 396 of the Acts of 2011".

On page 7, in line 6, strike "St. Mary's City" and substitute "Leonardtown".

On page 7, in lines 16 and 30, in each instance, strike "Baseball" and substitute "**MULTIPURPOSE**"; in lines 21 and 35, in each instance, strike "baseball" and substitute "**MULTIPURPOSE**".

On page 8, after line 24, insert:

"(BG) Button Farm Historic Preservation and Rehabilitation.

Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Menare Foundation, Inc. for the planning, design, construction, repair, and renovation of the Button Farm, located in Germantown. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, **[**2012**] 2013. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Montgomery County) ..... 125,000".

On page 9, after line 10, insert:

"(AQ) Button Farm Historic Preservation and Rehabilitation. Provide a grant equal to the lesser of (i) $175,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Menare Foundation, Inc. for the planning, design, construction, repair, and renovation of the Button Farm, located in Germantown. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, **[**2012**] 2013. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Montgomery County) ..... 175,000".

On page 10, after line 12, insert:

"Chapter 485 of the Acts of 2009

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

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(S) Robert E. Lee Park. Provide a grant to the County Executive

and County Council of Baltimore County for the design **[**and**],** construction**, AND CAPITAL EQUIPPING** of improvements to Robert E. Lee Park in Baltimore County, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore County)..... 3,000,000

Chapter 485 of the Acts of 2009, as amended by Chapter 396 of the Acts of 2011

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

(3) ZA03 LOCAL SENATE INITIATIVES

(AK) Black Rock Center for the Arts. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Germantown Cultural Arts Center, Inc. d / b/ a Black Rock Center for the Arts, Inc. for the planning, design, construction, and capital equipping of the Black Rock Center for the Arts, located in Germantown. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions and the grantee has until **[**December 1, 2012**] JUNE 1, 2013**, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, **[**the proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than December 1, 2012**] THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Montgomery County)..... 50,000".

On page 12, after line 23, insert:

"(AI) Troy Regional Park. Provide a grant equal to the lesser of (i) $225,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Howard County for the design, construction, and capital equipping of the Troy

Regional Park, located in Elkridge**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Howard County) ..... 225,000".

On page 13, strike in their entirety lines 7 through 18, inclusive.

On page 14, after line 2, insert:

"(BG) La Vida Sana (Healthy Living Farm). Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Engaged Community Offshoots, Inc. for the acquisition, design, and construction of the Healthy Living Farm, located in Edmonston. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County) ..... 50,000".

On page 16, after line 7, insert:

"(AN) Troy Regional Park. Provide a grant equal to the lesser of (i) $230,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Howard County for the design, construction, and capital equipping of the Troy Regional Park, located in Elkridge**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Howard County) ..... 230,000";

strike beginning with "**NOTWITHSTANDING**" in line 11 down through "**PROVIDED.**" in line 14; and after line 27, insert:

"(BD) La Vida Sana (Healthy Living Farm). Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Engaged

Community Offshoots, Inc. for the acquisition, design, and construction of the Healthy Living Farm, located in Edmonston. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County)..... 25,000".

On page 19, before line 1, insert:

"(U) HopeWell Cancer Support Facility. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of HopeWell Cancer Support, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the HopeWell Cancer Support Facility, located in Lutherville**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore County) ..... 75,000";

and after line 25, insert:

"(X) HopeWell Cancer Support Facility. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of HopeWell Cancer Support, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the HopeWell Cancer Support Facility, located in Lutherville**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS**

GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013
(Baltimore County) ..... 100,000".

On page 20, in line 4, strike "Corridor" and substitute "**/OWINGS MILLS BOULEVARD SOUTH**"; in line 9, strike "the"; strike beginning with "Corridor" in line 9 down through "**ROAD**" in line 10; in line 11, after "**SOUTH**" insert "**FROM LIBERTY ROAD TO WINANDS ROAD**"; and in line 13, after "**EXPENDED**" insert "**FOR OWINGS MILLS BOULEVARD SOUTH AND LIBERTY ROAD**".

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 APPROPRIATIONS REPORT #13

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

House Bill 1463 – Delegate Griffith

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Prince George's County – Prince George's VFD

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 1476 – Delegate Rudolph

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Cecil County – Lower Susquehanna Heritage Greenway

HB1476/174165/1
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1476
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "change" in line 5 down through "to" in line 6 and substitute "add"; in line 7, after "Perryville" insert "as a grantee to a certain grant"; in the same line, strike "grantee" and substitute "grantees".

AMENDMENT NO. 2

On page 1, in lines 23 and on page 2 in line 1, in each instance, strike the bracket.

On page 2, in line 1, strike "**THE**" and substitute "**AND THE**"; and in line 7, strike "**GRANTEE HAS**" and substitute "**GRANTEES HAVE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 52 – Senator Dyson

AN ACT concerning

State Employees' Retirement and Pension Systems – Eligible Employees – St. Mary's Nursing Center, Inc.

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 119 – Chair, Budget and Taxation Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

State Personnel and Pensions – Optional Retirement Program – Maryland Higher Education Commission

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 250 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Reemployment of Retirees – Exemptions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 251 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees – Maryland School for the Deaf Exemption

SB0251/894763/1
BY: Appropriations Committee

AMENDMENT TO SENATE BILL 251
(Third Reading File Bill)

On page 5, in line 28, strike "**AND**" and substitute "**OR**".

On page 6, in line 15, strike "**AND**" and substitute "**OR**"; and in line 28, strike "**FOR**" and substitute "**OF**".

On page 11, in lines 5 and 25, in each instance, strike "**AND**" and substitute "**OR**"; and in line 28, after "**OR**" insert "**THE**".

On page 12, in line 2, strike "**FOR**" and substitute "**OF**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 259 – Harford County Senators

AN ACT concerning

Harford County – Harford Community College – Authority to Incur Debt

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 300 – Senators Young and Brinkley

AN ACT concerning

Frederick County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 357 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Medical Board Participation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 470 – Senator Edwards

AN ACT concerning

Allegany County – Orphans' Court Judges – Pension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

House Bill 1383 – Delegate O'Donnell

AN ACT concerning

Property and Casualty Insurance – Underwriting Based on Geographic Area

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT NOT ADOPTED. FLOOR AMENDMENT BY DEL. BEIDLE NOT ADOPTED.

Favorable report adopted.

FLOOR AMENDMENT

HB1383/103728/1
BY: Delegate Beidle

AMENDMENTS TO HOUSE BILL 1383
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Property and Casualty" and substitute "Homeowner's"; in line 3, strike "altering" and substitute "establishing"; in line 4, strike "certain insurance contracts" and substitute "a policy of homeowner's insurance"; in line 18, strike "property and casualty" and substitute "homeowner's"; in

line 19, strike "repealing and reenacting, with amendments," and substitute "adding to"; and in line 21, strike "19–107" and substitute "19–214".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 27 on page 1 through line 6 on page 2, inclusive, and substitute:

"**19–214.**

(A) AN INSURER MAY NOT REFUSE TO ISSUE OR RENEW A POLICY OF HOMEOWNER'S INSURANCE SOLELY BECAUSE THE SUBJECT OF THE RISK OR THE APPLICANT'S OR INSURED'S ADDRESS IS LOCATED IN A CERTAIN GEOGRAPHIC AREA OF THE STATE UNLESS:".

On page 2, in line 7, before "(2)" insert an opening bracket; in line 8, after the closing bracket insert "**(1)**"; in lines 10 and 11, strike "**FOR APPROVAL BY**" and substitute "**WITH**"; in line 12, strike "**APPROVED**" and substitute "**NOT DISAPPROVED**"; and in line 14, strike "(b)" and substitute "**(B)**".

AMENDMENT NO. 3

On page 2, in lines 16 and 30, in each instance, strike "**120**" and substitute "**90**".

On page 3, in line 1, strike "**120–DAY**" and substitute "**90–DAY**"; and in lines 3 and 18, in each instance, strike "**60**" and substitute "**30**".

The preceding 3 amendments were withdrawn.

FLOOR AMENDMENT

HB1383/103728/2
BY: Delegate Beidle

AMENDMENTS TO HOUSE BILL 1383
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Property and Casualty" and substitute "Homeowner's"; in line 3, strike "altering" and substitute "establishing"; in line 4,

strike "certain insurance contracts" and substitute "a policy of homeowner's insurance"; in line 17, after "hearing;" insert "providing that certain provisions of law do not apply to certain policies of homeowner's insurance;"; in line 18, strike "property and casualty" and substitute "homeowner's"; and after line 23, insert:

"BY adding to
Article – Insurance
Section 19–214
Annotated Code of Maryland
(2011 Replacement Volume)".

AMENDMENT NO. 2

On page 2, in line 1, after "(a)" insert "**THIS SECTION DOES NOT APPLY TO A POLICY OF HOMEOWNER'S INSURANCE THAT IS SUBJECT TO § 19–214 OF THIS TITLE.**

(B)";

in line 2, strike "**OR EXCLUDE CERTAIN PERILS**"; in lines 5, 8, 14, and 15, in each instance, strike the bracket; strike beginning with "**THE**" in line 8 down through "**WRITING**" in line 13; in line 14, strike "(b)" and substitute "**(C)**"; strike beginning with "**THE**" in line 15 down through "**STATE**" in line 17; after line 17, insert:

"**19–214.**

(A) AN INSURER MAY NOT REFUSE TO ISSUE OR RENEW A POLICY OF HOMEOWNER'S INSURANCE SOLELY BECAUSE THE SUBJECT OF THE RISK OR THE APPLICANT'S OR INSURED'S ADDRESS IS LOCATED IN A CERTAIN GEOGRAPHIC AREA OF THE STATE UNLESS:

(1) THE INSURER HAS ADOPTED A WRITTEN UNDERWRITING STANDARD DESIGNATING THE GEOGRAPHIC AREA;

(2) THE INSURER HAS FILED THE UNDERWRITING STANDARD FOR APPROVAL BY THE COMMISSIONER; AND

(3) THE COMMISSIONER HAS APPROVED THE UNDERWRITING STANDARD IN WRITING.

(B) THE FILING REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE MADE AT LEAST 90 DAYS BEFORE THE INSURER PROPOSES TO IMPLEMENT THE UNDERWRITING STANDARD IN THE STATE.".

AMENDMENT NO. 3

On page 2, in line 30, strike "**120**" and substitute "**90**".

On page 3, in line 1, strike "**120–DAY**" and substitute "**90–DAY**"; and in lines 3 and 18, in each instance, strike "**60**" and substitute "**30**".

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 747 – Delegate Beitzel

EMERGENCY BILL

AN ACT concerning

Garrett County – County Commissioners – Wind Energy Conversion Systems

STATUS OF BILL: BILL ON 3RD READING.

Delegate Beitzel moved to reconsider the vote by which **House Bill 747** was ordered printed for Third Reading.

The motion was adopted.

FLOOR AMENDMENT

HB0747/813720/1
BY: Delegate Beitzel

AMENDMENTS TO HOUSE BILL 747
(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 12 down through "circumstances;" in line 13.

AMENDMENT NO. 2

On page 2, in lines 25 and 26, strike "**PROPERTY BOUNDARIES IN ALL DIRECTIONS**" and substitute "**THE NEAREST EXISTING OCCUPIED STRUCTURE**".

On page 4, in line 3, after "**SITE**" insert "**, INCLUDING AN ESTIMATE ON THE SALVAGE VALUE OF THE WIND ENERGY CONVERSION SYSTEM**"; in line 14, strike "**(I)**"; in lines 18 and 19, strike "**WITHOUT REGARD TO**" and substitute "**REDUCED BY THE**"; strike in their entirety lines 21 through 25, inclusive; strike beginning with the colon in line 29 down through "**IS**" in line 30 and substitute "**IS**"; and strike beginning with the semicolon in line 31 down through "**SITE**" in line 35.

The preceding 2 amendments were read only.

Delegate Davis moved to make the Bill and Amendments a Special Order for Wednesday.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 874)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #70

House Bill 634 – Delegates George ~~and Kipke~~, Kipke, Morhaim, Bromwell, Krebs, Frank, Pena–Melnyk, Costa, A. Kelly, Pendergrass, and Cullison

AN ACT concerning

Physician Assistants – ~~Use of C–Arm Devices~~ Performance of X–ray Duties

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

Affirmative – 135 Negative – 0 (See Roll Call No. 875)

The Bill was then sent to the Senate.

House Bill 1141 – Delegates Pendergrass, Hammen, Frank, Hubbard, A. Kelly, and Pena–Melnyk

AN ACT concerning

Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services

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

Affirmative – 134 Negative – 0 (See Roll Call No. 876)

The Bill was then sent to the Senate.

House Bill 1289 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Economic Development – Qualified Distressed Counties – One Maryland Economic Development Tax Credit

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

Affirmative – 104 Negative – 31 (See Roll Call No. 877)

The Bill was then sent to the Senate.

House Bill 1340 – Delegate Cullison

AN ACT concerning

Life and Health Insurance Guaranty Corporation Act – Revisions

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

Affirmative – 135 Negative – 0 (See Roll Call No. 878)

The Bill was then sent to the Senate.

House Bill 1407 – ~~Delegate Walker~~ Delegates Walker, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly,

Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, and Tarrant

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

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

Affirmative – 134 Negative – 0 (See Roll Call No. 879)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #13

Senate Bill 350 – Senator Conway

AN ACT concerning

Respiratory Care Practitioners – Practicing Polysomnography – Licensing Exceptions

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

Affirmative – 134 Negative – 0 (See Roll Call No. 880)

The Bill was then returned to the Senate.

Senate Bill 484 – Senators Kelley, Klausmeier, Mathias, Middleton, Muse, and Pugh

AN ACT concerning

Managed Care Organizations – Medical Loss Ratio Information – Publication

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

Affirmative – 133 Negative – 0 (See Roll Call No. 881)

The Bill was then returned to the Senate.

Senate Bill 485 – Senators Kelley, Astle, Forehand, Garagiola, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Muse, Pipkin, Pugh, Stone, and Young

AN ACT concerning

Continuing Care Retirement Communities – Regulation

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

Affirmative – 134 Negative – 0 (See Roll Call No. 882)

The Bill was then returned to the Senate.

Senate Bill 550 – Senators Montgomery, Benson, Glassman, Jacobs, Middleton, Rosapepe, and Young

AN ACT concerning

Health – Cottage Food Businesses – Requirements

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

Affirmative – 135 Negative – 0 (See Roll Call No. 883)

The Bill was then returned to the Senate.

Senate Bill 737 – Senator Rosapepe

AN ACT concerning

Nursing Home Administrator License – Revocation or Surrender – Ban on Employment

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

Affirmative – 135 Negative – 0 (See Roll Call No. 884)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #14

Senate Bill 16 – Senators Ramirez, Miller, Rosapepe, Peters, Forehand, and Montgomery

AN ACT concerning

Jury Service – Employers – Prohibited Acts

Delegate W. Miller moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

Senate Bill 18 – Senators Peters, Astle, Klausmeier, Garagiola, DeGrange, Rosapepe, King, Ramirez, Montgomery, Kelley, Madaleno, Stone, Manno, Kittleman, Colburn, Edwards, and Brochin

AN ACT concerning

Task Force on Military Service Members, Veterans, and the Courts

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

Affirmative – 134 Negative – 0 (See Roll Call No. 885)

The Bill was then returned to the Senate.

Senate Bill 41 – ~~Senator Colburn~~ Senators Colburn, Pipkin, and Mathias

AN ACT concerning

Caroline County, Dorchester County, Talbot County, and Wicomico County – Prospective Employees and Volunteers – Criminal History Records Check

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

Affirmative – 134 Negative – 0 (See Roll Call No. 886)

The Bill was then returned to the Senate.

Senate Bill 48 – Baltimore County Senators

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Baltimore County – Orphans' Court Judges – Qualifications

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

Affirmative – 105 Negative – 30 (See Roll Call No. 887)

The Bill was then returned to the Senate.

Senate Bill 59 – Senator Kelley

AN ACT concerning

State Commission on Criminal Sentencing Policy – Annual Report – Reporting Date

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

Affirmative – 134 Negative – 0 (See Roll Call No. 888)

The Bill was then returned to the Senate.

Senate Bill 131 – Senators Middleton, Astle, Colburn, Dyson, Edwards, Garagiola, Kasemeyer, Mathias, McFadden, Peters, Pugh, Robey, and Rosapepe

AN ACT concerning

Criminal Procedure – Warrantless Arrests – Theft Crimes

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

Affirmative – 124 Negative – 11 (See Roll Call No. 889)

The Bill was then returned to the Senate.

Senate Bill 141 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Justice Information System Central Repository – Reporting Data

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

Affirmative – 135 Negative – 0 (See Roll Call No. 890)

The Bill was then returned to the Senate.

Senate Bill 170 – Senators Shank, Brinkley, Edwards, and Young

AN ACT concerning

Washington County – Sheriffs and Deputy Sheriffs – Practice of Law

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

Affirmative – 134 Negative – 0 (See Roll Call No. 891)

The Bill was then returned to the Senate.

Senate Bill 175 – Senators Raskin, Forehand, Getty, Jacobs, Shank, ~~and Stone~~ Stone, Brochin, Ramirez, ~~and Zirkin~~ Zirkin, and Simonaire

AN ACT concerning

Crimes – Electronic Communication – Harassment

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

Affirmative – 135 Negative – 0 (See Roll Call No. 892)

The Bill was then returned to the Senate.

Senate Bill 353 – Senator Forehand

AN ACT concerning

Estates – Small Estate Administration – Eligibility Thresholds

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

Affirmative – 135 Negative – 0 (See Roll Call No. 893)

The Bill was then returned to the Senate.

MESSAGE FROM THE CHIEF EXECUTIVE

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2013

(See Exhibit M of Appendix II)

Read and referred to the Committee on Appropriations.

MESSAGE FROM THE CHIEF EXECUTIVE

EXECUTIVE ORDER NO. 01.01.2012.08
PROCLAIMING AN EXTENDED SESSION OF
THE MARYLAND GENERAL ASSEMBLY

(Exhibit N of Appendix II)

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 894)

ADJOURNMENT

At 7:05 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 29, 2012, Calendar Day Tuesday, April 3, 2012.

Annapolis, Maryland
Legislative Day: March 29, 2012
Calendar Day: Tuesday, April 3, 2012

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

Prayer by Delegate Melvin L. Stukes of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 895)

The Journal of March 28, 2012 was read and approved.

EXCUSES:
Del. Impallaria – illness
Del. McDonough – business
Del. Sophocleus – illness
Del. Stifler – late – doctor's appointment
Del. V. Turner – medical

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 252 – ~~**Senator Jones–Rodwell**~~ **Senators Jones–Rodwell and Pugh**

AN ACT concerning

Baltimore City Community Enhancement Transit–Oriented Development Fund

FOR the purpose of establishing the Baltimore City Community Enhancement Transit–Oriented Development Fund for certain purposes; providing that the Fund is a special, nonlapsing fund; providing for the contents and uses of the Fund; ~~requiring~~ providing that a certain portion of certain revenues from certain projects and certain other money shall be paid into the Fund under certain circumstances; requiring the Comptroller to pay certain money from the Fund to the Mayor and City Council of Baltimore City in a certain manner; authorizing the Mayor and City Council to use or make awards of money

received from the Fund for certain purposes; requiring the State Treasurer to invest the money in the Fund in a certain manner; adding the Fund to the list of exceptions to the requirement that the earnings of special funds accrue to the General Fund; stating certain findings of the General Assembly; providing for the application of this Act; providing for the purposes of certain provisions of this Act; defining certain terms; and generally relating to the Baltimore City Community Enhancement Transit–Oriented Development Fund.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 1–101(e)
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY adding to
Article – Economic Development
Section 15–101 through 15–107 to be under the new title "Title 15. Baltimore City Community Enhancement Transit–Oriented Development Fund"
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)62. and 63. and 10–306
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)64.
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 7–101(m)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

Senate Bill 627 – ~~Senator Conway~~ Senators Conway and Middleton

AN ACT concerning

Multiple Jurisdictions – Alcoholic Beverages – Class B and Class BLX Licenses – Restaurants

FOR the purpose of altering the requirement for an alcoholic beverages licensee in Anne Arundel County to be issued a certain Class BLX license for a restaurant; ~~authorizing a business in which a parent company has a direct or indirect interest and that operates using a certain trademark used in connection with restaurant services to obtain a Class B beer license, Class B beer and wine license, or a Class B beer, wine and liquor license for certain premises used as a restaurant; requiring an applicant for a certain license to apply for the license in a certain manner and pay a certain fee; limiting the granting of a certain license to a certain purpose of providing alcoholic beverages for consumption on the licensed premises only; making a certain exception; establishing that certain provisions of law do not limit the rights of certain persons to obtain certain licenses; providing that the granting of a certain license is not subject to certain provisions of law limiting the number of permitted licenses; establishing that a certain provision of law does not authorize the issuance of more licenses than the maximum number of licenses permitted in a certain county, the City of Annapolis, or Baltimore City; defining certain terms; and generally relating to the obtaining of a Class B beer license, Class B beer and wine license, or a Class B beer, wine and liquor license by a business in which a parent company has a direct or indirect interest and that operates using a trademark used in connection with restaurant services~~ altering the maximum number of Class B licenses and Class BLX licenses in Anne Arundel County, Baltimore City, Baltimore County, Calvert County, Charles County, Howard County, Montgomery County, and Prince George's County that certain persons may hold or in which certain persons may have a direct or indirect interest; making a stylistic change; and generally relating to Class B and Class BLX licenses in certain jurisdictions.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section ~~9–102(a)~~ 6–201(f)(1), (r)(1)(i) and (6)(i), 8–202.1(a) and (c)(1), and 9–102.1(a) and (b)(4)
Annotated Code of Maryland
(2011 Replacement Volume)

BY ~~adding to~~ repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section ~~9–102(a–2)~~ 6–201(f)(4)(vi) and (r)(6)(iii), 8–202.1(g)(1), (h), (m), and (n), 9–102(b–3A), (o)(1) and (2), (p), and 9–102.1(o)(1)
Annotated Code of Maryland

(2011 Replacement Volume)

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

Senate Bill 747 – Senator Middleton

AN ACT concerning

Commercial Law – Uniform Commercial Code – Revisions to Title 1

FOR the purpose of revising, updating, reorganizing, and clarifying Title 1 of the Maryland Uniform Commercial Code (MUCC) relating to general provisions applicable to the MUCC; establishing a certain short title; clarifying the transactions to which Title 1 of the MUCC applies; providing for the effect of Title 1 of the MUCC on a certain federal law; authorizing the subordination of an obligation or a right to performance under certain circumstances; providing that subordination does not create a certain security interest; making certain stylistic changes; defining certain terms; altering and repealing certain definitions; making conforming changes to certain provisions of the MUCC; and generally relating to the Maryland Uniform Commercial Code.

BY repealing
Article – Commercial Law
Section 1–101 through 1–208 and the title "Title 1. General Provisions"; and 2–208 and 2A–207
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

BY adding to
Article – Commercial Law
Section 1–101 through 1–108 to be under the new subtitle "Subtitle 1. General Provisions"; 1–201 through 1–206 to be under the new subtitle "Subtitle 2. General Definitions and Principles of Interpretation"; and 1–301 through 1–310 to be under the new subtitle "Subtitle 3. Territorial Applicability and Applicable Law"; and the new title "Title 1. General Provisions"
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 2–103(1), 2–202, 2A–103(3), 2A–501(4), 2A–518(2), 2A–519(1), 2A–527(2), 2A–528(1), 3–103(a)(4) and (10), 4–104(c), 4A–105(a)(6) and (7), 4A–106(a)(1), 4A–204(b), 5–103(c), 8–102(a)(10), and 9–102(a)(43)
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

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

Senate Bill 991 – Senator Astle

AN ACT concerning

Workers' Compensation – Death Benefits – Determination of Benefits

FOR the purpose of altering the calculation of workers' compensation death benefits for a dependent of a deceased covered employee who died due to an occupational disease; and generally relating to workers' compensation death benefits for dependents of covered employees.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–683.3
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

Senate Bill 1053 – Senator Klausmeier

AN ACT concerning

Financial Institutions – Credit Unions and Depository Institutions – Authority to Conduct Savings Promotion Raffles

FOR the purpose of repealing a certain contingency on certain provisions of law that authorize certain depository institutions and credit unions to conduct certain savings promotion raffles; altering the circumstances under which certain depository institutions may conduct certain savings promotion raffles; requiring a depository institution or credit union offering a savings promotion raffle to post and disclose in certain materials a certain statement; clarifying language; altering certain definitions; and generally relating to the conduct of savings promotion raffles by financial institutions.

BY repealing
Chapter 627 of the Acts of the General Assembly of 2010
Section 2

BY repealing and reenacting, with amendments,
Chapter 627 of the Acts of the General Assembly of 2010
Section 3

BY repealing
Chapter 628 of the Acts of the General Assembly of 2010
Section 2

BY repealing and reenacting, with amendments,
Chapter 628 of the Acts of the General Assembly of 2010
Section 3

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 13–305(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)
(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, ~~with~~ without amendments,
Article – Criminal Law
Section 12–106(c)
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)
(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 1–211
Annotated Code of Maryland
(2011 Replacement Volume and 2011 Supplement)
(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, ~~without~~ with amendments,
Article – Financial Institutions
Section 6–716
Annotated Code of Maryland
(2011 Replacement Volume and 2011 Supplement)
(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

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

Senate Bill 1059 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Comptroller – Departments of Liquor Control and Liquor Control Boards

FOR the purpose of expressly requiring the Comptroller to enforce certain provisions of law applicable to certain activities conducted by a department of liquor control or a liquor control board; making certain powers of liquor control boards subject to the enforcement authority of the Comptroller; and generally relating to the authority of the Comptroller regarding certain activities of liquor control boards and departments of liquor control.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–204(a) and 15–205
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article 2B – Alcoholic Beverages
Section 16–407.1
Annotated Code of Maryland
(2011 Replacement Volume)

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

Senate Bill 1076 – Senator McFadden

EMERGENCY BILL

AN ACT concerning

Maryland Veterans Commission – Membership – Revision

FOR the purpose of altering the composition of the Maryland Veterans Commission; making this Act an emergency measure; and generally relating to the membership of the Maryland Veterans Commission.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–915
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–917(a)

Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Joint Resolution 2 – Senators Raskin and Forehand

A Senate Joint Resolution concerning

Maryland Ratification of the 17th Amendment to the United States Constitution

FOR the purpose of ratifying the 17th Amendment to the United States Constitution relative to the popular election of United States Senators.

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 12	Del. Glenn
HB 13	Del. Glenn
HB 16	Del. Haddaway–Riccio
HB 55	Del. Malone
HB 56	Del. Eckardt
HB 58	Del. Eckardt
HB 63	Wicomico County Del.
HB 67	Del. S. Robinson
HB 144	Del. Eckardt
HB 197	Ch., Judiciary Com.
HB 198	Ch., Judiciary Com.
HB 204	Harford County Del.
HB 205	Harford County Del.
HB 212	Del. Eckardt
HB 223	Del. Beitzel
HB 264	Ch., Judiciary Com.
HB 313	Del. Stein
HB 396	Del. Serafini
HB 694	Del. Cardin
HB 736	Del. Beitzel
HB 839	Del. Stifler

HB 1058	Del. Stein
HB 1108	Del. Weir
HB 1148	Del. Lee

Read and ordered journalized.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #17

CONSENT CALENDAR #10

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

BILL NO.	REPORT	SPONSOR	CONTENT
SB 33	FAV	Sen Colburn	Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor Licenses – Clubs
SB 45	FAV	Sen Colburn	Dorchester County – Alcohol Awareness Program – Certificate of Completion
SB 66	FAV	Sen Glassman, et al	Harford County – Alcoholic Beverages Licenses – Class C–3 Club License
SB 67	FAV	Sen Glassman, et al	Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants
SB 68	FAV	Sen Glassman, et al	Harford County – Alcoholic Beverages – Wine Festival License
SB 103	FAV	Sen Colburn	Dorchester County – Alcoholic Beverages – Hours for Sale
SB 106	FAV	Sen Colburn	Talbot County – Alcoholic Beverages Violations – Issuance of Citations
SB 321	FAV	Sens Young and Brinkley	Frederick Co – Alc Bevs – Licensed Restaurants – Removal of Tables and Chrs for Expanded Occupancy
SB 327	FAV	Sen McFadden	Baltimore Cty – 45th Leg District – Lqr Stores – Premises Near Places of Worship or Schs
SB 328	FAV	Sen McFadden	Baltimore City – 45th Legislative District – Alc Bevs – Landlords – Licensed Premises
SB 448	FAV	Sen Colburn	Talbot County – Alcoholic Beverages – Wineries
SB 527	FAV	Sen Edwards	Garrett County – Alcoholic

			Beverages – Class B Beer Licenses
SB 585	FAV	Sen Edwards	Garrett County – Alcoholic Beverages – Special Class C Beer, Wine and Liquor License
SB 587	FAV	Sen Edwards	Garrett County – Alcoholic Beverages – Nudity and Sexual Displays – License Revocation
SB 654 (Emergency Bill)	FAV	Sen Klausmeier (Balt Co Admin)	Baltimore County – Alcoholic Beverages Licenses
SB 883	FAV	Sen Jones–Rodwell (BCA)	Baltimore City – Alc Bevs – Video Lottery Facility and Video Lottery Concessionaire Licenses
SB 975	FAV	Sen Pugh	Baltimore City – Alcoholic Beverages – Zoo License
SB 1040	FAV	Sens Brinkley and Young	Frederick County – Middletown Wine Festival License

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 #18

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

House Bill 520 – Delegates Nathan–Pulliam, Barkley, Braveboy, Burns, Davis, Feldman, Harrison, Impallaria, Jameson, Jones, Kramer, Love, McHale, Minnick, Oaks, Olszewski, B. Robinson, Schuh, Stukes, Tarrant, and Vaughn

EMERGENCY BILL

AN ACT concerning

Electric Companies – Contact Voltage – Surveys and Mitigation

HB0520/263092/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 520
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Mitigation" insert "– The Deanna Camille Green Act of 2012"; and in line 8, after "times" insert "and under certain circumstances".

On page 2, strike beginning with "requiring" in line 2 down through "regulations;" in line 3 and substitute "authorizing the Commission under certain circumstances to waive or modify a certain provision or impose certain requirements under certain circumstances; requiring the Commission to submit a certain report on or before a certain date on the progress of the implementation of this Act and certain regulations;".

AMENDMENT NO. 2

On page 2, strike beginning with "and" in line 23 down through "risk;" in line 29.

On page 4, in line 5, strike "**EACH**" and substitute "**ON COMMISSION APPROVAL OF ITS VOLTAGE SURVEY PLAN, EACH**"; in line 6, after "**INITIAL**" insert "**CONTACT VOLTAGE**"; in line 16, after "**(III)**" insert "**1.**"; in the same line, strike "**PROXIMATE TO UNDERGROUND**"; in line 17, after "**PLANT**" insert "**;**

2. STREETLIGHTS OWNED OR MAINTAINED BY THE ELECTRIC COMPANY;

3. STREETLIGHTS AND TRAFFIC SIGNALS OWNED BY A MUNICIPAL CORPORATION OR OTHER UNIT OF GOVERNMENT, WITH THE CONSENT OF THE APPROPRIATE AUTHORITY; AND

4. PUBLIC PARKS AND PLAYGROUNDS, WITH THE CONSENT OF THE APPROPRIATE AUTHORITY".

On page 6, in lines 3 and 4, strike "**EXCEPT AS OTHERWISE APPROVED BY THE COMMISSION IN**" and substitute "**, UNLESS**"; in the same line, strike "**IF**" and substitute "**EXIST AND**"; in line 5, after "**SAFE**" insert "**THROUGH A TEMPORARY MEASURE TO MITIGATE THE CONTACT VOLTAGE**"; and strike in their entirety lines 28 and 29 and substitute:

"**(G) THE COMMISSION MAY, IN ITS DISCRETION, THROUGH ORDER OR REGULATION:**

(1) WAIVE OR MODIFY ANY PROVISION OF THIS SECTION; OR

(2) IMPOSE ADDITIONAL REQUIREMENTS AS CIRCUMSTANCES REQUIRE.".

AMENDMENT NO. 3

On page 6, after line 29, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2013, the Public Service Commission shall submit a report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the progress of the implementation of this Act and the regulations under COMAR 20.50.11: Deanna Camille Green Rule – Contact Voltage Survey Requirement and Reporting Authority, including the status and availability of contact voltage technology in the State.";

and in line 30, 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 Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 861 – Delegate Braveboy

AN ACT concerning

Insurance – Unfair Claim Settlement Practices – Refusal to Pay a Claim

HB0861/863898/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 861

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Insurance –"; in the same line, after the second "Claim" insert "under Homeowner's Insurance"; and in line 6, after the first "claim" insert "under a policy of homeowner's insurance".

AMENDMENT NO. 2

On page 2, in line 6, after "(2)" insert "**(I)** **SUBJECT TO (II) OF THIS ITEM,**";

in the same line, strike "**UNREASONABLY**"; in lines 6 and 7, in each instance, strike the bracket; and in line 7, after "information" insert: "**; OR**

(II) **UNREASONABLY REFUSE TO PAY A CLAIM UNDER A POLICY OF HOMEOWNER'S INSURANCE BASED ON ALL AVAILABLE INFORMATION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1269 – Delegates Barnes, Davis, and Hucker

AN ACT concerning

Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility Bills

HB1269/153193/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1269
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Public Utilities – Consumer Relations –" and substitute "Public Service Commission – Study on"; and strike beginning with "authorizing" in line 4 down through "tenant" in line 22, inclusive, and substitute

"requiring the Public Service Commission to convene a workgroup to study and make recommendations on developing a mechanism to allow certain tenants to pay for utilities when a certain landlord defaults; providing for the composition of the workgroup; requiring the workgroup to examine certain issues in conducting a certain study; requiring the Commission to report to certain committees of the General Assembly on or before a certain date; and generally relating to a study on developing a mechanism to allow residential tenants to pay for utilities when a landlord responsible for paying the utilities defaults".

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 3 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 4 on page 2 through line 8 on page 6, inclusive, and substitute:

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

(a) The Public Service Commission shall convene a workgroup to study and make recommendations on how to develop a mechanism to allow tenants in residential properties to pay for their utilities when the landlord responsible for utility payments defaults on that responsibility.

(b) The workgroup shall include:

(1) the Office of People's Counsel;

(2) the Public Justice Center;

(3) Energy Advocates;

(4) the Legal Aid Bureau;

(5) representatives from each gas and electric utility company operating in the State;

(6) representatives from private and public water utility companies and municipalities; and

(7) other interested stakeholders.

(c) In conducting the study, the workgroup shall examine:

(1) how to ensure proper notice is given to an occupant of a residential property when utility termination due to nonpayment is pending;

(2) what mechanism would be most effective in allowing a tenant to pay for utility usage when a landlord defaults on the landlord's responsibility to pay;

(3) how to protect a utility company's rights to pursue bad debt;

(4) how to protect a tenant's right to pursue breach of contract remedies;

(5) how similar efforts in other states have worked;

(6) how to minimize the opportunity for fraud in the payment for utility usage by a tenant when a landlord defaults on the landlord's responsibility to pay; and

(7) any other matters the workgroup identifies as pertinent to the respective interests of the tenants, utilities, and landlords.

(d) On or before December 1, 2012, the Public Service Commission shall 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.".

On page 6, in line 10, strike "October" and substitute "June".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1347 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Alcoholic Beverages – Class D Licenses – Follow–Up Records Checks

HB1347/863696/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1347
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "– Follow–Up Records Checks"; and strike beginning with "requiring" in line 15 down through "term;" in line 21.

On page 2, in line 1, strike "and 10–103(b)(13)(vii)".

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 20 on page 4 through line 18 on page 5, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1436 – Delegates Conway and McDermott

AN ACT concerning

Worcester County – Alcoholic Beverages – Beer and Wine Festivals

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 30 – Senators Klausmeier and Kittleman

AN ACT concerning

Injured Workers' Insurance Fund – Cancellation of Policies – Failure to Pay a Premium

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 51 – Senator Ferguson

EMERGENCY BILL

AN ACT concerning

Baltimore City – Board of Liquor License Commissioners – Transfer of License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 174 – Senators Klausmeier, Kittleman, Middleton, and Muse

AN ACT concerning

Subsequent Injury Fund and Uninsured Employers' Fund – Assessments on Settlement Agreements

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 755 – Senators Young, Brinkley, Madaleno, Pinsky, Raskin, and Rosapepe

AN ACT concerning

Consuming Wine Not Bought on Premises – Restaurants, Clubs, and Hotels

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 1075 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages – Beer and Wine Festivals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #16

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

Senate Bill 37 – Senator Colburn

AN ACT concerning

Dorchester 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 44 – Senator Colburn

AN ACT concerning

Dorchester County – Bay Restoration Fund – Collection of Restoration 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 114 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Controlled Hazardous Substance Driver Certification – Elimination

SB0114/270816/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 114
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "definition;" insert "requiring the Department to conduct a certain review in consultation with certain officials and to report its findings and recommendations to certain committees of the General Assembly on or before a certain date;".

AMENDMENT NO. 2

On page 12, after line 9, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Department of the Environment:

(1) shall conduct a review, in consultation with federal and State transportation officials, relating to the efficiency and regulatory consistency of its controlled hazardous substance vehicle certification process; and

(2) on or before December 15, 2012, shall report its findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee.";

and in line 10, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 115 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Waterworks and Wastewater Works Certified Operators

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

AN ACT concerning

Environment – Water Appropriation Permits – Construction Dewatering Projects

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 208 – Senators Pinsky, Brochin, Forehand, Montgomery, and Raskin

AN ACT concerning

Environment – Recycling – Apartment Buildings and Condominiums

SB0208/940713/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 208
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "plan;" insert "requiring a county to address, in a certain recycling plan, a method for implementing a reporting requirement for certain recyclable materials under certain circumstances;"; and strike beginning with "requiring" in line 12 down through "councils;" in line 16 and substitute "authorizing a county to require certain property owners, managers, and councils to report to the county on recycling activities;".

AMENDMENT NO. 2

On page 3, in line 15, strike "**AND**" and substitute:

"**(13) IF APPLICABLE, A METHOD FOR IMPLEMENTING A REPORTING REQUIREMENT FOR RECYCLABLE MATERIALS GENERATED AT APARTMENT BUILDINGS AND CONDOMINIUMS THAT CONTAIN 10 OR MORE DWELLING UNITS; AND**";

and in line 16, strike "**(13)**" and substitute "**(14)**".

AMENDMENT NO. 3

On page 4, in line 6, after "**A**" insert "**COUNCIL OF UNIT OWNERS OF A**"; strike in their entirety lines 14 through 21, inclusive; in line 22, strike "**(II)**"; and strike beginning with "**A**" in line 29 down through "**COUNTY**" in line 34 and substitute:

"**(2) A COUNTY MAY REQUIRE A PROPERTY OWNER OR MANAGER OF AN APARTMENT BUILDING OR A COUNCIL OF UNIT OWNERS OF A CONDOMINIUM THAT PROVIDES FOR RECYCLING FOR THE RESIDENTS OF THE DWELLING UNITS IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION TO REPORT TO THE COUNTY ON RECYCLING ACTIVITIES IN A MANNER DETERMINED BY THE COUNTY**".

AMENDMENT NO. 4

On page 5, in line 6, strike "**SUBSECTIONS**" and substitute "**SUBSECTION**"; and in the same line, strike "**AND**" and substitute "**OR**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 345 – Senator Glassman

AN ACT concerning

~~Environment~~ Harford County – Water and Sewer Authorities – Number of Directors

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #17

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

Senate Bill 20 – Senator Astle

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates

SB0020/810011/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 20
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "altering" in line 11 down through "agriculture" in line 12 and substitute "repealing the authority of the Motor Vehicle Administration to issue certain commemorative registration plates and making certain conforming changes; requiring rather than authorizing the Administration to issue a special Chesapeake Bay Commemorative Registration Plate; requiring the

Administration to disburse certain fees to the Chesapeake Bay Trust; requiring the Administration to consult with the Chesapeake Bay Trust on certain matters; repealing the termination provision for the Chesapeake Bay Commemorative Plate Program; repealing the termination provision for the special registration plate honoring State agriculture; making certain stylistic and technical changes"; after line 14, insert:

"BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–618
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)";

and in line 22, strike "13–618 and".

On page 2, in line 8, strike "and reenacting, with amendments,".

AMENDMENT NO. 2

On pages 5 through 8, strike in their entirety the lines beginning with line 13 on page 5 through line 3 on page 8, inclusive, and substitute:

"(a) The Administration **[**may**]** **SHALL** issue **A** special **[**commemorative original or substitute registration plates for any geographical, historical, natural resource, or environmental commemoration of statewide significance**]** **CHESAPEAKE BAY COMMEMORATIVE REGISTRATION PLATE**.

(b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended as security, or a director, officer, employee, or partner of a business entity that owns the vehicle considered eligible by the Administration may apply to the Administration for the assignment of a commemorative registration plate under this section if the vehicle is included in one of the following classes:

(1) A Class A (passenger) vehicle;

(2) A Class E (truck) vehicle with a manufacturer's rated capacity of one ton or less;

(3) A Class G (trailer) vehicle; or

(4) A Class M (multipurpose) vehicle.

(c) [(1) An original or substitute commemorative plate may only be issued under this section for a fixed period of 2 consecutive years after its initial issuance.

(2) The Administration may only issue one commemorative plate under this section at any one time.

(d)] (1) In addition to the annual registration fee otherwise required under this title, an owner of a vehicle assigned a commemorative registration plate under this section shall pay:

(i) An additional initial registration fee set by the Administration when the new registration plates are issued to the vehicle under this section; or

(ii) An additional renewal fee set by the Administration each time the plate is renewed.

(2) (i) The Administration shall set the additional initial registration fee at a level that will enable the Administration to recover its costs under this section.

(ii) The Administration may set the additional initial registration fee at a level that is sufficient to result in a surplus after costs are subtracted.

(iii) The Administration shall retain a portion of the additional initial registration fee that is sufficient to allow the Administration to recover any costs of issuing and distributing commemorative plates under this section.

(iv) Any surplus moneys remaining after the Administration has recovered the costs of issuing a commemorative plate under this section and moneys collected for additional renewal fees may not be retained by or transferred to any agency of the State for any purpose.

(v) Notwithstanding subparagraph (iv) of this paragraph, the surplus moneys and moneys collected for additional renewal fees [may be retained for

the purpose described in paragraph (3) of this subsection] **SHALL BE DISBURSED BY THE ADMINISTRATION TO THE CHESAPEAKE BAY TRUST**.

(3) [The surplus moneys and moneys collected for additional renewal fees shall be disbursed by the Administration to a nonprofit organization that is:

(i) Closely related to the geographical, historical, natural resource, or environmental theme which the plate commemorates; and

(ii) Designated by the Administration under subsection (e) of this section.

(4)] No portion of the additional initial registration or renewal fees may be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8–403 or § 8–404 of this article.

[(e)] **(D)** (1) The Administration shall adopt regulations not inconsistent with the Maryland Vehicle Law to govern the issuance of special registration plates under this section**, INCLUDING REGULATIONS DETAILING THE PLAN OF DISTRIBUTION OF THE FUNDS**.

(2) [Before designating any nonprofit organization to receive any surplus moneys or moneys collected for additional renewal fees and before distributing the moneys to any nonprofit organization, the Administration shall adopt regulations specific to each new commemorative plate detailing:

(i) The name and nature of the nonprofit organization receiving the money;

(ii) The relationship of the nonprofit organization to the geographical, historical, natural resource, or environmental theme which the plate commemorates; and

(iii) The plan of distribution of the funds.

(3)] The Administration shall consult with the [nonprofit organization designated to receive moneys under this section] **CHESAPEAKE BAY TRUST** to establish a schedule under which the Administration will transfer to the [nonprofit

organization] **TRUST** revenue collected on behalf of the [nonprofit organization] **TRUST** under this section.

[(f)] **(E)** The additional fees to the annual registration fee required by this section are not required for special registration of a vehicle that is exempt under § 13–903 of this title[, or a vehicle with a special registration plate recognizing:

(1) The Maryland National Guard; or

(2) A volunteer fire department, volunteer rescue squad, or volunteer ambulance company in this State].

[(g)] **(F)** (1) A **COMMEMORATIVE REGISTRATION PLATE ISSUED UNDER THIS SECTION SHALL DISPLAY:**

(I) **A** special registration number [as specified] **ASSIGNED** by the Administration [and assigned under this section] **THAT** may consist of[:

(i) Any] **ANY** combination of:

1. Letters; and

2. Numerals; and

(ii) [Any] **A** design approved by the Administration that adequately reflects the [geographical, historical, natural resource, or environmental] **CHESAPEAKE BAY** theme [which] **THAT** the plate commemorates.

(2) [A special registration number or design assigned under this section shall be displayed on the registration plates for the vehicle.

(3)] The Administration shall consult with the [nonprofit organization designated to receive moneys under this section] **CHESAPEAKE BAY TRUST** with respect to [any] **THE** design of the Chesapeake Bay Commemorative [License] **REGISTRATION** Plate.".

AMENDMENT NO. 3

On page 9, strike beginning with "It" in line 16 down through "effect." in line 18; and strike in their entirety lines 24 through 27, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 177 – Senators Robey, Jacobs, and Klausmeier

AN ACT concerning

Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop

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 185 – Senators Forehand, Conway, King, Madaleno, Manno, Montgomery, Ramirez, Raskin, and Stone

AN ACT concerning

Motor Vehicles – Child ~~Seating and~~ Safety Seats – Requirements ~~and Prohibition~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 276 – Senators Mathias, Colburn, Currie, DeGrange, Edwards, Garagiola, Jennings, Middleton, Peters, ~~and Robey~~ Robey, Forehand, Getty, Jacobs, Stone, and Zirkin

AN ACT concerning

Drivers' Licenses and Identification Cards – Notation of Veteran Status

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 306 – Senator Ferguson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Vehicle Height Monitoring Systems

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 487 – Senators Raskin and Reilly

AN ACT concerning

Vehicle Laws – Salvage – Defective, Lost, or Destroyed Certificates of Title

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 506 – Senators Raskin, Gladden, Ramirez, ~~and Stone~~ Stone, and Brochin

AN ACT concerning

Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

SB0506/620719/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 506
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "establishing that" and substitute "altering"; strike beginning with "and" in line 7 down through "book" in line 8; and in line 9, strike "do not" and substitute "that".

AMENDMENT NO. 2

On page 3, in lines 7 and 19, in each instance, strike "**AND**"; in lines 8 and 20, in each instance, strike "**A**" and substitute "**:**

1. **A**";

and in lines 11 and 23, in each instance, after "**INSTRUCTION**" insert "**; AND**

2. AT LEAST 19 HOURS, 3 HOURS OF WHICH MUST OCCUR DURING THE PERIOD BEGINNING 30 MINUTES BEFORE SUNSET AND ENDING 30 MINUTES AFTER SUNRISE, OF BEHIND–THE–WHEEL DRIVING PRACTICE SUPERVISED BY AN INDIVIDUAL WHO:

A. HOLDS A VALID DRIVER'S LICENSE;

B. IS AT LEAST 21 YEARS OLD; AND

C. HAS BEEN LICENSED TO DRIVE FOR AT LEAST 3 YEARS; AND

(III) UNLESS THE INDIVIDUAL SUBMITS, IN ACCORDANCE WITH THE ADMINISTRATION'S REGULATIONS, A COMPLETED SKILLS LOG BOOK SIGNED BY EACH SUPERVISING DRIVER WHO CERTIFIES THAT THE INDIVIDUAL HAS SATISFACTORILY DEMONSTRATED A REQUIRED SKILL AND HAS COMPLETED THE DRIVING PRACTICE REQUIREMENTS UNDER THIS PARAGRAPH".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #18

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

House Bill 472 – Delegates McIntosh and Feldman

AN ACT concerning

Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund

HB0472/350516/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 472
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund" and substitute "Workgroup on Lead Liability Protection for Rental Property"; strike beginning with "establishing" in line 4 down through "poisoning" in line 28 and substitute "requiring the Maryland Insurance Commissioner to convene a certain workgroup to examine certain issues; requiring the workgroup to include certain representatives; requiring the Commissioner to report the findings and any recommendations of the workgroup on or before a certain date; and generally relating to lead liability insurance for rental property".

On pages 1 and 2, strike in their entirety the lines beginning with line 29 on page 1 through line 24 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 16, strike in their entirety the lines beginning with line 25 on page 2 through line 20 on page 16, inclusive, and substitute:

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

(a) The Maryland Insurance Commissioner shall convene a workgroup to evaluate and make recommendations relating to lead liability protection for owners of pre–1978 rental property.

(b) The workgroup required under this section shall include:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of the Environment, or the Secretary's designee;

(4) the Secretary of Housing and Community Development, or the Secretary's designee;

(5) the Secretary of Health and Mental Hygiene, or the Secretary's designee; and

(6) representatives of the following:

(i) the Judiciary;

(ii) the insurance industry;

(iii) owners of pre–1978 rental property; and

(iv) childhood lead poisoning advocacy groups;

(7) representatives with expertise in legal claims arising out of lead poisoning, including retired judges and attorneys representing plaintiffs and defendants;

(8) representatives from academic institutions with expertise in insurance and actuarial science; and

(9) any other representative the Commissioner determines to be included in the workgroup.

(c) The workgroup shall evaluate:

(1) the feasibility of encouraging the existing insurance marketplace to provide lead liability coverage for owners of pre–1978 rental property;

(2) the feasibility of establishing other mechanisms for providing lead liability insurance coverage for owners of pre–1978 rental property;

(3) (i) the feasibility of establishing an insurance fund for lead liability insurance coverage;

(ii) the accounting and financial reporting standards that should apply to an insurance fund;

(iii) the minimum surplus requirements that should be met by an insurance fund, including appropriate amounts to maintain in relation to an insurance fund's risk;

(iv) the appropriate underwriting standards to be applied to relevant policies;

(v) the level of premiums that might be necessary to support policies in an actuarially sound manner;

(vi) whether an insurance fund should be subject to Maryland's premium tax obligations;

(vii) projected start–up and ongoing administrative costs associated with the establishment of an insurance fund; and

(viii) any other relevant matters identified in the course of the study;

(4) the feasibility of a modified qualified offer framework, arbitration, or other alternative dispute resolution mechanism;

(5) the feasibility of a compensation fund instead of an insurance fund; and

(6) the extent to which private risk management tools such as insurance and bonds are available on the commercial market.

(d) On or before December 1, 2012, the Commissioner shall report the findings of the workgroup required under this section and any recommendations of the workgroup 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, 2012.".

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 34 – Senator Colburn

AN ACT concerning

Talbot County – Zoning Regulations – Enforcement

SB0034/940717/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 34
(Third Reading File Bill)

On page 1, in line 6, after "violations;" insert "making a conforming change;"; after line 7, insert:

"BY repealing and reenacting, with amendments,
Article – Land Use

Section 1–401(b)(17) and (18)
Annotated Code of Maryland
(As enacted by Ch. ___ (H.B. 1290) of the Acts of the General Assembly of 2012)";

in line 10, after "Section" insert "1–401(b)(18); and"; and after line 17, insert:

"1–401.

(b) The following provisions of this division apply to a charter county:

(17) for Howard County only, Title 9, Subtitle 13 (Single–County Provisions – Howard County); **[**and**]**

(18) FOR TALBOT COUNTY ONLY, TITLE 9, SUBTITLE 18 (SINGLE–COUNTY PROVISIONS – TALBOT COUNTY); AND

[(18)**] (19)** Title 11, Subtitle 2 (Civil Penalty).".

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 173 – Senators Klausmeier, Benson, Montgomery, and Young

AN ACT concerning

Public School Buildings – Carbon Monoxide Detection and Warning Equipment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 409 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Ferguson, Gladden, McFadden, and Pugh

AN ACT concerning

Baltimore City – Police Department – Appointments

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 581 – Senators Stone, Brochin, Klausmeier, ~~and Zirkin~~ Zirkin, and Jennings

AN ACT concerning

Maryland Historical Trust – National Register of Historic ~~Property Designation~~ Places – Essex Skypark

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 769 – Senator Edwards

AN ACT concerning

Garrett County – Animal Control Ordinance – Enabling 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 869 – Senator Conway

AN ACT concerning

Maryland Building Performance Standards – Hotels – Mandatory Master Control Device

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters recommended the following Bill be re–referred to the Committee on Judiciary:

Senate Bill 413 – Senators Brochin, Madaleno, and Raskin

AN ACT concerning

Courts – Service of Process – Increase in Sheriff's Fees – Distribution to Rental Allowance Program Fund

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

THE COMMITTEE ON WAYS AND MEANS REPORT #18

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

House Bill 373 – Delegates Braveboy, Alston, Anderson, Branch, Burns, Cane, Carr, Carter, Cullison, Glenn, Gutierrez, Harrison, Haynes, Holmes, Ivey, Jones, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, B. Robinson, Stukes, Summers, Tarrant, V. Turner, Valentino–Smith, Vaughn, Washington, and Wilson

AN ACT concerning

Education – Age for Compulsory Public School Attendance – Exemptions

HB0373/335261/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 373
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "instruction;" insert "requiring certain children to return to attendance at school under certain circumstances; requiring the State

Department of Education to complete certain tasks on or before a certain date; requiring the Department of Labor, Licensing, and Regulation, in consultation with the State Department of Education, to develop a certain program and request necessary legislation on or before a certain date; requiring the county boards of education to submit certain plans to the State Department of Education on or before a certain date; requiring the State Department of Education to submit certain reports to certain persons and entities on or before certain dates;"; in line 7, after "changes;" insert "providing for the application of this Act;"; and in line 16, strike "and (e)(2)" and substitute "(e)(2), and (g)".

AMENDMENT NO. 2

On page 2, in lines 11 and 12, strike "**, INCLUDING HOME SCHOOLING UNDER COMAR 13A.10.01**"; after line 12, insert:

"**(4) HAS COMPLETED AN INSTRUCTION PROGRAM UNDER PARAGRAPH (3) OF THIS SUBSECTION;**";

and in lines 13, 15, 16, 17, 19, 21, 23, 25, and 26, strike "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", "**(10)**", "**(11)**", and "**(12)**", respectively, and substitute "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", "**(10)**", "**(11)**", "**(12)**", and "**(13)**", respectively.

On page 3, in line 1, strike "**(13)**" and substitute "**(14)**".

On page 6, in lines 4 and 5, strike ", including home schooling under COMAR 13A.10.01"; after line 5, insert:

"(4) Has completed an instruction program under paragraph (3) of this subsection;";

and in lines 6, 7, 8, 9, 11, 13, 15, 17, 18, and 22, strike "(4)", "(5)", "(6)", "(7)", "(8)", "(9)", "(10)", "(11)", "(12)", and "(13)", respectively, and substitute "(5)", "(6)", "(7)", "(8)", "(9)", "(10)", "(11)", "(12)", "(13)", and "(14)", respectively.

AMENDMENT NO. 3

On page 2, in lines 29 and 30, strike "**OR PARTICIPATES IN GED COURSES ON A PART–TIME BASIS**".

On page 5, after line 24, insert:

"**(G) SUBJECT TO DATA BEING AVAILABLE THROUGH THE MARYLAND LONGITUDINAL DATA SYSTEM ESTABLISHED UNDER § 24–702 OF THIS ARTICLE AND EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A CHILD UNDER THE AGE OF 17 YEARS SHALL RETURN TO ATTENDANCE AT A PUBLIC SCHOOL REGULARLY DURING THE SCHOOL YEAR AS REQUIRED BY THIS SECTION, IF THE CHILD:**

(1) IS NO LONGER PARTICIPATING IN GED COURSES; AND

(2) HAS NOT OBTAINED A PASSING SCORE ON THE GED TEST THAT RESULTED IN THE ISSUANCE OF A MARYLAND HIGH SCHOOL DIPLOMA.".

On page 6, in lines 20 and 21, strike "or participates in GED courses on a part–time basis".

On page 7, after line 5, insert:

"(g) Subject to data being available through the Maryland Longitudinal Data System established under § 24–702 of this article and except as otherwise provided in this section, a child under the age of **[**17**] 18** years shall return to attendance at a public school regularly during the school year as required by this section, if the child:

(1) Is no longer participating in GED courses; and

(2) Has not obtained a passing score on the GED test that resulted in the issuance of a Maryland high school diploma.".

AMENDMENT NO. 4

On page 7, before line 6, insert:

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

(a) On or before December 1, 2012, the State Department of Education shall:

(1) update the Drop Out Prevention/School Completion/Intervention/Resource Guide, synthesize the information, and analyze the effectiveness of local programs and services;

(2) report on the methodology for estimating the expected number of students per local school system that will remain in school as a result of this Act;

(3) estimate how to calculate State aid based on this methodology; and

(4) review available data from other states that have increased their compulsory age of attendance during the last decade.

(b) On or before December 1, 2012, the Department of Labor, Licensing, and Regulation, in consultation with the State Department of Education, shall develop a GED Options Program and request the departmental legislation necessary to implement the Program.

(c) On or before July 1, 2013, each county board of education shall submit a report to the State Department of Education on its plans for implementation of the provisions of this Act.

(d) On or before September 1, 2013, the State Department of Education shall submit to the Governor, the Secretary of Budget and Management, and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House Ways and Means Committee, and the House Appropriations Committee a compilation of the reports submitted by the county boards of education under subsection (c) of this section and any recommendations for programs, interventions, and services that are necessary prior to implementation of this Act.

(e) On or before September 1, 2013, the State Department of Education shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on:

(1) successful interventions at the early childhood and elementary school level;

(2) best practices for parental education and involvement; and

(3) alternative educational pathways.

(f) On or before March 1, 2016, the State Department of Education shall submit a preliminary report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act.

(g) On or before August 1, 2016, the State Department of Education shall submit a final report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the implementation of Section 1 of this Act.

(h) On or before August 1, 2018, the State Department of Education shall submit a final report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the implementation of Section 2 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to:

(1) any child who is 16 years old or older before July 1, 2015; or

(2) any child who is 17 years old or older before July 1, 2017.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2015.";

in line 6, strike "3." and substitute "6."; in line 7, strike "2016" and substitute "2017"; in line 8, strike "4." and substitute "7."; in line 9, strike "Section 3" and substitute "Sections 5 and 6"; and in the same line, strike "June 1, 2014" and substitute "July 1, 2012".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0373/995869/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 373, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0373/335261/1), in line 4 of Amendment No. 1, strike "Department of Labor, Licensing, and Regulation" and substitute "State Department of Education"; and in line 5, strike "State Department of Education" and substitute "Department of Labor, Licensing, and Regulation".

AMENDMENT NO. 2

On page 4 of the Committee on Ways and Means Amendments, in lines 1 and 2 of Amendment No. 4, strike "Department of Labor, Licensing, and Regulation" and substitute "State Department of Education"; and in line 2, strike "State Department of Education" and substitute "Department of Labor, Licensing, and Regulation".

The preceding amendment no. 1 was read and adopted.

The preceding amendment no. 2 was read only.

Delegate Olszewski moved to make the Bill and Amendment a Special Order for Wednesday.

The motion was adopted.

SPECIAL ORDERS

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

Senate Bill 16 – Senators Ramirez, Miller, Rosapepe, Peters, Forehand, and Montgomery

AN ACT concerning

Jury Service – Employers – Prohibited Acts

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 95 Negative – 40 (See Roll Call No. 896)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 897)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #71

House Bill 1383 – Delegate O'Donnell

AN ACT concerning

~~Property and Casualty~~ Homeowner's Insurance – Underwriting Based on Geographic Area

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

Affirmative – 124 Negative – 11 (See Roll Call No. 898)

The Bill was then sent to the Senate.

House Bill 1463 – Delegate Griffith

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Prince George's County – Prince George's VFD

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

Affirmative – 135 Negative – 0 (See Roll Call No. 899)

The Bill was then sent to the Senate.

House Bill 1476 – Delegate Rudolph

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Cecil County – Lower Susquehanna Heritage Greenway

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

Affirmative – 136 Negative – 0 (See Roll Call No. 900)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #15

Senate Bill 374 – Senator Mathias

AN ACT concerning

Town of Ocean City – Criminal History Records Check – Taxi Driver Applicants

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

Affirmative – 134 Negative – 2 (See Roll Call No. 901)

The Bill was then returned to the Senate.

Senate Bill 396 – Senator Forehand

AN ACT concerning

Maryland Uniform Transfers to Minors Act – Orphans' Court

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

Affirmative – 136 Negative – 0 (See Roll Call No. 902)

The Bill was then returned to the Senate.

Senate Bill 439 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Citations Issued by Inspectors

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

Affirmative – 136 Negative – 0 (See Roll Call No. 903)

The Bill was then returned to the Senate.

Senate Bill 453 – ~~Senator Stone~~ Senators Stone and Jacobs

AN ACT concerning

Wrongful Death and Survival Causes of Action – Criminal Homicide – Time Limits for Bringing Civil Action

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

Affirmative – 137 Negative – 0 (See Roll Call No. 904)

The Bill was then returned to the Senate.

Senate Bill 496 – ~~Senator Gladden~~ Senators Gladden and Middleton

AN ACT concerning

Criminal Procedure – Unexecuted Warrant, Summons, or Other Criminal Process – Invalidation and Destruction

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

Affirmative – 121 Negative – 15 (See Roll Call No. 905)

The Bill was then returned to the Senate.

Senate Bill 514 – Senator Shank

AN ACT concerning

Public Safety – Law Enforcement Handgun Disposal – Deceased Officers

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

Affirmative – 137 Negative – 0 (See Roll Call No. 906)

The Bill was then returned to the Senate.

Senate Bill 521 – Senators Shank, Brochin, Colburn, Jacobs, and Stone

AN ACT concerning

Justice's Law

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

Affirmative – 137 Negative – 0 (See Roll Call No. 907)

The Bill was then returned to the Senate.

Senate Bill 565 – Senators Raskin, Frosh, Gladden, ~~and Miller~~ Miller, and Forehand

AN ACT concerning

Criminal Procedure – Sex Offender Registration Requirements – Kidnapping

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

Affirmative – 132 Negative – 4 (See Roll Call No. 908)

The Bill was then returned to the Senate.

Senate Bill 647 – Senators Ramirez, Colburn, Forehand, Jacobs, Raskin, Shank, Stone, and Zirkin

AN ACT concerning

Domestically Related Crimes – Reporting

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

Affirmative – 137 Negative – 0 (See Roll Call No. 909)

The Bill was then returned to the Senate.

Senate Bill 711 – Senator Forehand

AN ACT concerning

Maryland General and Limited Power of Attorney Act

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

Affirmative – 135 Negative – 0 (See Roll Call No. 910)

The Bill was then returned to the Senate.

Senate Bill 856 – ~~Senator Raskin~~ Senators Raskin, Forehand, Getty, Gladden, Jacobs, Ramirez, Shank, and Stone

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

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

Affirmative – 137 Negative – 0 (See Roll Call No. 911)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #16

Senate Bill 178 – Senators Jacobs and Montgomery

AN ACT concerning

Education – Informal Kinship Care – ~~Documentation Supporting Affidavit – Repeal~~ Enrollment Before Submission of Documentation

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

Affirmative – 137 Negative – 0 (See Roll Call No. 912)

The Bill was then returned to the Senate.

Senate Bill 320 – Senator Young

AN ACT concerning

Frederick County Board of Education – Membership and Employment

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

Affirmative – 137 Negative – 0 (See Roll Call No. 913)

The Bill was then returned to the Senate.

Senate Bill 476 – Senators Klausmeier, Colburn, Forehand, Madaleno, Montgomery, Raskin, Rosapepe, Stone, ~~and Young~~ Young, Kelley, and Muse

AN ACT concerning

State Government – Financial Education and Capability Commission

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

Affirmative – 123 Negative – 12 (See Roll Call No. 914)

The Bill was then returned to the Senate.

Senate Bill 524 – Senators King, Conway, Ferguson, Forehand, Garagiola, Jones–Rodwell, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Pugh, Ramirez, Robey, Rosapepe, and Zirkin

AN ACT concerning

Maryland After–School and Summer Opportunity Fund Program

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

Affirmative – 137 Negative – 0 (See Roll Call No. 915)

The Bill was then returned to the Senate.

Senate Bill 566 – Senators King, Benson, Colburn, Ferguson, Forehand, Garagiola, Glassman, Kelley, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Pugh, Ramirez, and Young

AN ACT concerning

Home Visiting Accountability Act of 2012

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

Affirmative – 136 Negative – 0 (See Roll Call No. 916)

The Bill was then returned to the Senate.

Senate Bill 571 – Senators Montgomery, Forehand, Manno, Ramirez, Raskin, and Rosapepe

AN ACT concerning

~~Libraries – Maryland~~ Task Force to Study the Establishment of a Deaf Culture Digital Library

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

Affirmative – 136 Negative – 0 (See Roll Call No. 917)

The Bill was then returned to the Senate.

Senate Bill 621 – Senators Shank, Jennings, Simonaire, ~~and Young~~ Young, Mathias, and Montgomery

AN ACT concerning

Public Schools – Epinephrine Availability and Use – Policy Requirements

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

Affirmative – 136 Negative – 0 (See Roll Call No. 918)

The Bill was then returned to the Senate.

Senate Bill 656 – Senators Manno, Ramirez, Benson, Colburn, Ferguson, Forehand, King, Klausmeier, Madaleno, Montgomery, and Raskin

AN ACT concerning

Higher Education – Community Colleges – Tuition ~~Waivers – Inclusion of Fees~~ Waiver for Disabled Individuals

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 689 – Senator Shank

AN ACT concerning

Education – Maryland Advisory Council for Virtual Learning – Establishment

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

Affirmative – 136 Negative – 0 (See Roll Call No. 920)

The Bill was then returned to the Senate.

Senate Bill 816 – Harford County Senators

AN ACT concerning

Harford County Board of Education – Student Member~~ – Voting Rights~~

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

Affirmative – 137 Negative – 0 (See Roll Call No. 921)

The Bill was then returned to the Senate.

Senate Bill 853 – Senator Klausmeier

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining Units

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

Affirmative – 97 Negative – 40 (See Roll Call No. 922)

The Bill was then returned to the Senate.

Senate Bill 867 – ~~Senator Conway~~ Senators Conway, Dyson, Montgomery, Rosapepe, and Simonaire

AN ACT concerning

State Department of Education – Oral Health Education ~~– Certification and Monitoring~~

FLOOR AMENDMENT

SB0867/505262/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 867
(Third Reading File Bill)

On page 2, in line 26, strike "**2012**" and substitute "**2015**".

The preceding amendment was read and adopted.

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

Affirmative – 136 Negative – 1 (See Roll Call No. 923)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #18

Senate Bill 153 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

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

Affirmative – 106 Negative – 30 (See Roll Call No. 924)

The Bill was then returned to the Senate.

Senate Bill 1036 – Chair, Budget and Taxation Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

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

Affirmative – 105 Negative – 29 (See Roll Call No. 925)

The Bill was then returned to the Senate.

Senate Bill 1037 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

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

Affirmative – 110 Negative – 26 (See Roll Call No. 926)

The Bill was then returned to the Senate.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #19

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

Senate Bill 745 – ~~Senator Middleton~~ Senators Middleton, Kelley, and Klausmeier

EMERGENCY BILL

AN ACT concerning

Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company

SB0745/613894/2
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 745
(Third Reading File Bill)

AMENDMENT NO. 1
On page 3, in line 20, after "consider" insert "and prohibited from considering".

AMENDMENT NO. 2
On page 17, in line 14, strike "**DISCLOSURES**" and substitute "**DISCLOSES**".

On page 33, in line 21, after "agency;" insert "and"; strike in their entirety lines 22 through 25, inclusive; and in line 26, strike "(vi)" and substitute "(v)".

On page 34, after line 13, insert:

"(3) The study may not consider the Fund's exemption from the premium tax that existed prior to June 1, 2011.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 927)

ADJOURNMENT

At 11:02 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 30, 2012, Calendar Day Wednesday, April 4, 2012.

Annapolis, Maryland
Legislative Day: March 30, 2012
Calendar Day: Wednesday, April 4, 2012

The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Stephen S. Hershey, Jr. of Caroline, Cecil, Kent and Queen Anne's counties.

QUORUM CALL

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

(See Roll Call No. 928)

The Journal of March 29, 2012 was read and approved.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 29 – Senator Simonaire

AN ACT concerning

State Government – Commemorative Day – Young Heroes Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Young Heroes Day; defining a certain term; and generally relating to Young Heroes Day.

BY adding to
Article – State Government
Section 13–410
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 36 – Senator Reilly

AN ACT concerning

State Government – Commemorative Month – Irish–American Heritage Month

FOR the purpose of requiring the Governor to proclaim a certain month each year as Irish–American Heritage Month; requiring the proclamation to urge certain organizations to observe the month with certain activities; and generally relating to Irish–American Heritage Month.

BY adding to
Article – State Government
Section 13–504
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 42 – Senators Klausmeier, Rosapepe, Forehand, Mathias, and Colburn

AN ACT concerning

State Government – Commemorative Month – German–American Heritage Month

FOR the purpose of requiring the Governor to proclaim a certain month each year as German–American Heritage Month; requiring the proclamation to urge certain organizations to observe the month with certain activities; and generally relating to German–American Heritage Month.

BY adding to
Article – State Government
Section 13–504
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 73 – Senators Kelley, Colburn, Jacobs, Manno, Montgomery, and Rosapepe

AN ACT concerning

State Government – Commemorative Days – Maryland Centenarians Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Maryland Centenarians Day; and generally relating to commemorative days.

BY adding to
Article – State Government
Section 13–410
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 477 – Senators Klausmeier, Kittleman, Astle, Colburn, DeGrange, Forehand, Kasemeyer, Middleton, Robey, Rosapepe, ~~and Stone~~ Stone, Brinkley, Currie, Edwards, Jones–Rodwell, King, Madaleno, Manno, and Peters

AN ACT concerning

Job Creation Tax Credit – Amount of Credit and Termination Provisions

FOR the purpose of altering the determination of the amount of a certain job creation tax credit earned by a qualified business entity under certain circumstances; altering the termination provisions for the tax credit; providing for the application of this Act; and generally relating to the job creation tax credit program.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 6–301(e)
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 6–304(b) and 6–309
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

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

Senate Bill 556 – Senator Getty

AN ACT concerning

Real Property – Restrictions on Use of Property – Separate Parcels

FOR the purpose of establishing that the grant by a deed of a certain restriction governing two or more separate parcels of land owned by the same grantor under separate deeds does not consolidate the parcels for any other purpose under certain circumstances, unless the deed granting the restriction expressly provides otherwise; establishing that, unless the deed granting the restriction expressly provides otherwise, a certain parcel of land subject to a certain restriction may be conveyed separately without the approval of the grantor but shall remain subject to the restriction; establishing that, notwithstanding any other provision of law, a certain conveyance of a separate parcel is not a subdivision or off–conveyance; requiring the owner of a separate parcel subject to a certain restriction to notify the grantee of the restriction at least a certain time before conveying the parcel; establishing that, notwithstanding any other provision of law, a certain parcel of land shall be deemed a separate parcel under certain circumstances; and generally relating to restrictions on the use of property for certain purposes.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 2–118
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

Senate Bill 572 – Senator Rosapepe

AN ACT concerning

State Government – Commemorative Days – Crime Victims and Advocates

FOR the purpose of requiring the Governor annually to proclaim a certain day in April as Crime Victim and Advocate Commemorative Day to honor certain crime victims and advocates in the State; requiring the Governor annually to take certain steps to publicize Crime Victim and Advocate Commemorative Day; and generally relating to the commemoration of crime victims and the advocates who serve those victims.

BY adding to
Article – State Government
Section 13–410
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 630 – Senators Jones–Rodwell, Currie, Gladden, Kelley, McFadden, Muse, and Pugh

AN ACT concerning

State Government – Commemorative Days – Juneteenth National Freedom Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Juneteenth National Freedom Day; and generally relating to commemorative days.

BY adding to
Article – State Government
Section 13–410
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 765 – Senators Mathias and Middleton

AN ACT concerning

~~Public Utilities – Consumer Relations –~~ Public Service Commission – Study on Tenant Payment of Landlord Utility Bills

FOR the purpose of ~~authorizing certain tenants to prevent the termination of certain utility service by paying the amount due on a monthly bill; authorizing certain tenants to restore certain utility service by paying the amount due on a monthly bill and other applicable charges; authorizing certain tenants to pay for certain other charges; specifying that certain tenants may not incur liability by taking certain action; authorizing certain utility service providers to require certain tenants to pay for past due utility bills, subject to an exception; specifying the method by which a utility service provider may calculate charges for past due utility bills; authorizing certain tenants to deduct the amount of payments made on a landlord's utility bill from rent due to the landlord; requiring a utility~~

~~service provider to provide certain tenants with copies of future utility bills under certain circumstances; specifying that a tenant's failure to make certain payments authorizes a utility service provider to terminate service under certain circumstances; requiring a utility service provider to provide certain notice to certain tenants within a certain period of time before terminating service; prohibiting the waiver of certain rights; requiring a certain complaint for failure to pay rent to account for payments made by a tenant on a utility bill under certain circumstances; defining certain terms; and generally relating to payment of a utility bill by a tenant~~ requiring the Public Service Commission to convene a workgroup to study and make recommendations on developing a mechanism to allow certain tenants to pay for utilities when a certain landlord defaults; providing for the composition of the workgroup; requiring the workgroup to examine certain issues in conducting a certain study; requiring the Commission to report to certain committees of the General Assembly on or before a certain date; and generally relating to a study on developing a mechanism to allow residential tenants to pay for utilities when a landlord responsible for paying the utilities defaults.

~~BY adding to~~
~~Article – Public Utilities~~
~~Section 7–309~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Real Property~~
~~Section 8–401(b)(1)(iii) and (c)(2)(iii)2.D.~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

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

Senate Bill 777 – Senators Pugh, Benson, Conway, Jones–Rodwell, Manno, McFadden, Montgomery, and Raskin

AN ACT concerning

State Government – Commemorative Days – Harriet Tubman Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Harriet Tubman Day; and generally relating to commemorative days.

BY adding to
Article – State Government
Section 13–410
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 884 – Senators Jones–Rodwell, Montgomery, Ramirez, ~~and Rosapepe~~ Rosapepe, McFadden, Garagiola, Glassman, Klausmeier, and Pugh

AN ACT concerning

Transportation – Highway or Capital Transit Construction Training and Supportive Services

FOR the purpose of ~~requiring~~ authorizing the ~~State Highway Administration~~ Maryland Department of Transportation to use the maximum amount of certain federal funds available under a certain provision of federal law for highway or capital transit construction training and supportive services, including skill improvement programs; requiring the Department to administer certain highway construction and supportive services programs in collaboration with the Governor's Workforce Investment Board for a certain purpose; requiring the ~~Administration~~ Department and the Board to submit a certain report by a certain date each year to certain committees of the General Assembly; requiring the report to include certain information; and generally relating to the use of federal funds for highway or capital transit construction training.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 8–502
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Transportation
Section 8–508
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

Senate Bill 1069 – Senator Pugh

AN ACT concerning

State Government – Statue of Harriet Tubman

FOR the purpose of requiring the Governor to authorize the gift of a statue of Harriet Tubman to the United States government and to request the United States Congress to place the statue in a certain building; requiring the Governor to establish the Harriet Tubman Statue Commission and appoint certain members; requiring the Commission, under the supervision and direction of the State Treasurer, to raise certain funds and represent the State in selecting a certain sculptor; and generally relating to the statue of Harriet Tubman.

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

Senate Joint Resolution 4 – Senators Pugh, Benson, Conway, Jones–Rodwell, Manno, McFadden, Montgomery, and Raskin

A Senate Joint Resolution concerning

National Harriet Tubman Day

FOR the purpose of requesting that the President of the United States declare a certain day as National Harriet Tubman Day.

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 1	Del. Lafferty
HB 92	Del. Simmons
HB 126	Del. Beidle
HB 398	Del. Niemann
HB 544	Del. Malone
HB 592	Ch., Ways and Means
HB 594	Del. McIntosh
HB 726	Montgomery Co. Del.
HB 730	Del. Kramer
HB 774	Del. Waldstreicher
HB 860	Del. Stein
HB 923	Del. Lafferty
HB 1160	Charles County Del.
HB 1391	Del. Conway

Read and ordered journalized.

AMENDED IN THE SENATE

House Bill 350 – Delegates Clippinger, Alston, Anderson, Bobo, Carter, Cluster, Cullison, Dumais, Dwyer, Glenn, Hammen, Kaiser, K. Kelly, Luedtke, McDermott, McHale, McIntosh, Mitchell, Niemann, B. Robinson, Rosenberg, Simmons, Smigiel, Tarrant, Valentino–Smith, Waldstreicher, Washington, Wilson, and Zucker

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

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

HB0350/638671/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 350
(Third Reading File Bill)

On page 1, in line 7, after "a" insert "certain".

On page 2, in lines 28 and 32, in each instance, strike "**7**" and substitute "**14**"; and strike beginning with "**OR**" in line 29 down through "**BOTH**" in line 30.

On page 3, strike in their entirety lines 3 through 6, inclusive, and substitute:

"**3. IF A PERSON IS CONVICTED UNDER THIS SUBPARAGRAPH, THE COURT SHALL STAY ANY SENTENCE IMPOSED WITHOUT REQUIRING AN APPEAL BOND:**

A. UNTIL THE TIME FOR FILING AN APPEAL HAS EXPIRED; AND

B. IF AN APPEAL IS FILED, DURING THE PENDENCY OF THE APPEAL.".

The preceding amendment was read and not concurred in.

HB0350/423829/1
BY: Senator Gladden

AMENDMENT TO HOUSE BILL 350
(Third Reading File Bill)

On page 2, in line 29, after "**DAYS**" insert "**OR A FINE NOT EXCEEDING $500 OR BOTH**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0350**
SPONSOR: Del Clippinger, et al
SUBJECT: Criminal Law – Possession of Marijuana – De Minimus Quantity

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 Valentino–Smith, and
Delegate Cluster.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1146 – Delegates Dumais, Simmons, Anderson, Arora, Barnes, Clippinger, Glenn, Hough, K. Kelly, Krebs, Lee, McComas, McDermott, Mitchell, and Waldstreicher

AN ACT concerning

Domestically Related Crimes – Reporting

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

HB1146/338577/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1146
(Third Reading File Bill)

On page 2, strike beginning with the second comma in line 15 down through "**CRIME**" in line 17.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1146**
SPONSOR: Del Dumais, et al
SUBJECT: Domestically Related Crimes – Reporting

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 Simmons, Chairman
Delegate Waldstreicher, and
Delegate Parrott.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

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 1237 – Delegate Morhaim

AN ACT concerning

Maryland Energy Administration – Study on the Use of Solar Panels on School Buildings

HB1237/986884/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1237
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety; in line 3, after "Buildings" insert "– Solar Technology – Design Development Documents"; strike beginning with "requiring" in line 4 down through "Act;" in line 14 and substitute "requiring the Board of Public Works to adopt certain regulations requiring certain design development documents for the construction of new school buildings or the improvement of existing buildings to include certain information relating to the use of solar technology; requiring the Interagency Committee on School Construction to submit a certain report that includes certain information to the Governor and the General Assembly on or before a certain date each year;"; in line 14, strike "a study on the use of solar panels on"; in line 15, after "buildings" insert "and solar technology"; after line 15, insert:

"BY repealing and reenacting, with amendments,
Article – Education
Section 5–301.1
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)";

and strike in their entirety lines 24 and 25.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 30, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

5–301.1.

(a) (1) There is a solar energy pilot program to promote the use of solar energy systems to generate electricity in public school buildings in the State.

(2) The pilot program shall be implemented and administered by the Interagency Committee on School Construction and shall operate as provided in this section.

(b) The Interagency Committee shall:

(1) Encourage all local boards in the State to study, design, and construct or renovate school buildings that are energy efficient and use solar energy systems to generate electricity to meet some of the school building's electrical energy needs, electrical energy demand, or a combination of the electrical energy needs and electrical energy demand;

(2) Provide grants out of State funds dedicated for this program to local boards to assist in implementing the use of solar energy systems at existing public schools or in new or renovated school building projects; and

(3) Develop a procedure for a local board to apply for a grant in accordance with subsection (c) of this section.

(c) (1) A local board may apply to the Interagency Committee for a grant to cover 90% of the cost to purchase and install a solar energy system to generate a portion of the school building's electrical energy needs or electrical energy demand.

(2) A local board that receives a grant under this subsection shall pay:

(i) 10% of the cost to purchase and install the solar energy system; and

(ii) All architectural or engineering fees for the design and supervision of the installation of the solar energy system.

(3) The Interagency Committee may award a grant under this section for a solar energy system project with the approval of the Board of Public Works.

(d) Local school systems are encouraged to seek private funding to implement the pilot program.

(e) The total savings of electrical energy needs and electrical energy demand costs that result from the installation and use of solar energy systems under this section shall remain with the local school system.

(f) (1) The Interagency Committee and the Maryland Energy Administration shall cooperate with, assist, provide technical assistance to, and advise school systems to identify appropriate existing public school buildings and public school construction projects that would benefit from the installation of solar energy systems.

(2) The Interagency Committee shall adopt procedures necessary to implement this section.

(G) THE BOARD OF PUBLIC WORKS SHALL ADOPT REGULATIONS THAT REQUIRE THE DESIGN DEVELOPMENT DOCUMENTS FOR THE CONSTRUCTION OF NEW SCHOOL BUILDINGS OR THE IMPROVEMENT OF EXISTING BUILDINGS SUBMITTED BY A COUNTY BOARD TO THE INTERAGENCY COMMITTEE TO INCLUDE:

(1) AN EVALUATION OF THE USE OF SOLAR TECHNOLOGIES, INCLUDING PHOTOVOLTAIC OR SOLAR WATER HEATING, BASED ON LIFE CYCLE COSTS; AND

(2) IF AN EVALUATION DETERMINES THAT SOLAR TECHNOLOGIES ARE NOT APPROPRIATE FOR A CONSTRUCTION OR RENOVATION PROJECT, A REPORT THAT EXPLAINS WHY THE USE OF THE TECHNOLOGY IS NOT APPROPRIATE.

(H) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE INTERAGENCY COMMITTEE SHALL SUBMIT A REPORT ON THE NUMBER OF PUBLIC SCHOOL CONSTRUCTION AND RENOVATION PROJECTS IN EACH JURISDICTION THAT USE SOLAR TECHNOLOGIES TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.".

On pages 2 and 3, strike beginning with "It" in line 32 on page 2 down through "effect." in line 2 on page 3.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1272 – Delegates A. Miller, Cullison, Reznik, S. Robinson, and Washington

AN ACT concerning

Public Health – Electronic Cigarettes – Distribution to Minors Prohibited

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1356 – Delegate Barkley

AN ACT concerning

Health Insurance – Dental Preventive Care – Coverage

HB1356/256083/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1356
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "dental" in line 4 down through "persons" in line 5 and substitute "and dental plan organizations"; and in line 6, after "met;" insert "prohibiting a carrier from imposing a certain frequency limitation on dental preventive care;".

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 3 down through "**STATE**" in line 9 and substitute "**AN INSURER, NONPROFIT HEALTH SERVICE PLAN, HEALTH MAINTENANCE ORGANIZATION, OR DENTAL PLAN ORGANIZATION THAT PROVIDES DENTAL BENEFITS ON AN EXPENSE–INCURRED BASIS UNDER POLICIES OR CONTRACTS ISSUED OR DELIVERED IN THE STATE**"; in line 10, strike "**(I)**"; in line 11, strike "**OR**" and substitute "**ORAL**"; and in the same line, after "**EXAMINATION**" insert "**, TEETH CLEANING (PROPHYLAXIS), FLUORIDE TREATMENT, OR ROUTINE PREVENTIVE SERVICE**".

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 4 on page 3, inclusive, and substitute:

"**(B) IF BENEFITS FOR DENTAL PREVENTIVE CARE ARE AVAILABLE AND ALL OTHER REQUIREMENTS FOR THE COVERAGE OF DENTAL PREVENTIVE CARE ARE MET, A CARRIER SHALL PROVIDE COVERAGE FOR DENTAL PREVENTIVE CARE:**

(1) AT ANY TIME DURING THE PLAN YEAR FOR A POLICY OR CONTRACT THAT PROVIDES COVERAGE FOR DENTAL PREVENTIVE CARE ONCE DURING THE PLAN YEAR; OR

(2) SUBJECT TO SUBSECTION (C) OF THIS SECTION, IN ACCORDANCE WITH ANY FREQUENCY LIMITATION FOR A POLICY OR CONTRACT

THAT PROVIDES COVERAGE FOR DENTAL PREVENTIVE CARE MORE THAN ONCE DURING THE PLAN YEAR.

(C) A CARRIER MAY NOT IMPOSE A FREQUENCY LIMITATION ON DENTAL PREVENTIVE CARE THAT REQUIRES THE DENTAL PREVENTIVE CARE TO BE PROVIDED AT AN INTERVAL GREATER THAN 120 DAYS DURING A PLAN YEAR.".

On page 3, in line 5, strike "**(C)**" and substitute "**(D)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 14 – Senator Conway

AN ACT concerning

State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees

SB0014/416483/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 14
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "requiring" and substitute "authorizing"; strike beginning with "providing" in line 6 down through "circumstances;" in line 8; strike beginning with "providing" in line 10 down through "finding;" in line 13; strike beginning with "under" in line 15 down through "licensees" in line 16; and in line 21, after "7–208" insert "and 7–319(h)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 through 20, inclusive, and substitute:

"**(A)** **THE BOARD MAY REQUIRE AN APPLICANT OR LICENSEE TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION BY A HEALTH CARE PRACTITIONER DESIGNATED BY THE BOARD, IF:**

(1) **WHEN INVESTIGATING AN ALLEGATION BROUGHT AGAINST AN APPLICANT OR LICENSEE UNDER THIS TITLE, THE BOARD FINDS REASONABLE EVIDENCE INDICATING THAT THE APPLICANT OR LICENSEE CANNOT PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION COMPETENTLY;**

(2) **THE BOARD:**

(I) **MAKES A WRITTEN REQUEST FOR THE APPLICANT OR LICENSEE TO SUBMIT TO THE EXAMINATION;**

(II) **PROVIDES THE APPLICANT OR LICENSEE WITH A LIST OF THREE HEALTH CARE PRACTITIONERS FROM WHICH THE APPLICANT MAY CHOOSE A HEALTH CARE PRACTITIONER TO CONDUCT THE EXAMINATION; AND**

(III) **PAYS THE COST OF THE EXAMINATION IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; AND**

(3) **THE APPLICANT OR LICENSEE:**

(I) **CONSENTS TO SUBMIT TO THE EXAMINATION; AND**

(II) **WAIVES ANY CLAIM OR PRIVILEGE AS TO THE EXAMINATION REPORT.**";

in lines 21 and 31, strike "**(C)**" and "**(E)**", respectively, and substitute "**(B)**" and "**(C)**", respectively; in line 21, strike "**EXAMINATION**" and substitute "**EVALUATION**"; strike in their entirety lines 25 through 30, inclusive; in line 31, after "**(1)**" insert "**(I)**"; and in the same line, strike "**PARAGRAPH (2) OF THIS SUBSECTION**" and substitute "**SUBPARAGRAPH (II) OF THIS PARAGRAPH**".

AMENDMENT NO. 3

On page 3, in line 1, strike "**(2)**" and substitute "**(II)**"; in line 5, strike "**(F)**" and substitute "**(2)**"; in lines 3 and 4, in each instance, strike "**EXAMINATION**" and substitute "**EVALUATION**"; in line 3, strike "**REPORT**"; and after line 6, insert:

"7–319.

(H) IF THE BOARD ORDERS THE SUSPENSION OF A LICENSE IN ACCORDANCE WITH § 10–226(C)(2) OF THE STATE GOVERNMENT ARTICLE, THE BOARD SHALL NOTIFY THE LICENSEE OF THE SUSPENSION WITHIN 48 HOURS AFTER THE BOARD MAKES THE DETERMINATION TO ORDER THE SUSPENSION.".

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 72 – Senator Kelley

AN ACT concerning

Medical and Dental Treatment – ~~Youth – Registered Nurses and Physician Assistants~~ Consent by Minors and Protections for Licensed Health Care Practitioners

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 88 – Senator Glassman

AN ACT concerning

Local States of Emergency – Time Period – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 94 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board for Certification of Residential Child Care Program Professionals – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 95 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Social Work Examiners – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 121 – Chair, Finance Committee (By Request – Departmental – Maryland Health Insurance Plan) and Senators Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Muse, and Pugh

AN ACT concerning

Senior Prescription Drug Assistance Program – Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 132 – Senator Conway

AN ACT concerning

Health Occupations – State Board of Pharmacy – Jurisdiction Over Nonresident Pharmacies

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 133 – Senator Conway

AN ACT concerning

State Board of Pharmacy – Wholesale Distributor Permits – Permit and Application 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 149 – 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:

Senate Bill 179 – Senators Pugh, Raskin, Astle, Brochin, Currie, Ferguson, Forehand, Frosh, Gladden, Kelley, King, Klausmeier, Madaleno, Manno,

Mathias, Middleton, Montgomery, Peters, Pipkin, Ramirez, Robey, Rosapepe, Simonaire, Stone, ~~and Zirkin~~ Zirkin, Garagiola, Glassman, and Muse

AN ACT concerning

Kathleen A. Mathias Chemotherapy Parity Act of 2012

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 282 – Chair, Finance Committee

AN ACT concerning

Office of Cemetery Oversight – Sunset Extension and Program Evaluation

SB0282/516685/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 282
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after "Director;" insert "requiring certain reports to be accompanied by certain statements that include certain information;".

On page 2, in line 12, after "5–602(a)," insert "5–606(b),"; and in the same line, after "5–702(a)," insert "5–710(b),".

AMENDMENT NO. 2

On page 7, after line 7, insert:

"5–606.

(b) (1) Each sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle shall submit a report to the Director within 120 days after the close of each calendar or other fiscal year chosen

by the sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle.

(2) The report shall:

(i) be on the form that the Director requires;

(ii) be certified as to correctness by a certified public accountant retained by the cemetery;

(iii) be accompanied by a trustee's **ANNUAL** summary statement of assets **FOR THE REPORTING PERIOD THAT INCLUDES:**

1. THE AMOUNT OF MONEY IN THE PERPETUAL CARE TRUST FUND AT THE BEGINNING OF THE REPORTING PERIOD;

2. AN INVESTMENT PORTFOLIO SUMMARY DESCRIBING THE ASSET AND THE MARKET VALUE FOR EACH INVESTMENT CLASS;

3. A TRANSACTION SUMMARY OF THE PERPETUAL CARE TRUST FUND CONTAINING:

A. TRUST ACCOUNT EARNINGS, INCLUDING INTEREST, DIVIDENDS, AND REALIZED GAINS OR LOSSES;

B. MONEY DEPOSITED;

C. TOTAL RECEIPTS;

D. ADMINISTRATIVE EXPENSES;

E. DISBURSEMENTS OF INCOME FOR CEMETERY CARE, MAINTENANCE, ADMINISTRATION, AND EMBELLISHMENT;

F. OTHER DISBURSEMENTS; AND

G. TOTAL DISBURSEMENTS; AND

4. THE AMOUNT OF MONEY IN THE PERPETUAL CARE TRUST FUND AT THE END OF THE REPORTING PERIOD;

(iv) be accompanied by a fee of $25; and

(v) include:

1. the name of the sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle;

2. each location of the sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle;

3. the amount of money in each perpetual care trust fund at the beginning of the calendar or other fiscal year chosen by the sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle;

4. the amount of money that the sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle received during that year that is subject to the trust requirements of this subtitle;

5. the amount of money actually deposited into each perpetual care trust fund in that year;

6. the amount of money spent during that year to provide care, maintenance, administration, and embellishment of each cemetery, except for money used for the care of monuments and memorials; and

7. the name and address of each trustee.

(3) IF THE DIRECTOR DETERMINES, AFTER A REVIEW OF THE REPORT AND ANNUAL SUMMARY STATEMENT OF ASSETS REQUIRED BY THIS SUBSECTION, THAT ADDITIONAL DOCUMENTATION IS REQUIRED, A SOLE

PROPRIETOR REGISTERED CEMETERIAN, PERMIT HOLDER, OR ANY OTHER PERSON SUBJECT TO THE TRUST REQUIREMENTS OF THIS SUBTITLE SHALL PROVIDE THE ADDITIONAL DOCUMENTATION TO THE DIRECTOR.

[(3)**](4)** A sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle who stops selling burial lots or burial rights in a cemetery as to which perpetual care is stated or implied shall notify the Director in the required report for the year in which sales stop.

[(4)**](5)** The Director may require a sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle to correct any underfunding, including interest, due to the perpetual care trust fund.";

and after line 16, insert:

"5–710.

(b) (1) Each seller subject to the trust requirements of this subtitle shall submit a report to the Director within 120 days after the close of each calendar or other fiscal year chosen by the seller.

(2) The report shall:

(i) be on the form that the Director requires;

(ii) be certified by a certified public accountant retained by the seller;

(iii) be accompanied by a trustee's **ANNUAL** summary statement of assets **FROM THE TRUSTEE FOR THE REPORTING PERIOD WHICH INCLUDES:**

1. THE AMOUNT OF MONEY IN THE PRENEED TRUST FUND AT THE BEGINNING OF THE REPORTING PERIOD;

2. AN INVESTMENT PORTFOLIO SUMMARY DESCRIBING THE ASSET AND THE MARKET VALUE FOR EACH INVESTMENT CLASS;

3. A TRANSACTION SUMMARY OF THE PRENEED TRUST FUND CONTAINING:

A. TRUST ACCOUNT EARNINGS;

B. MONEY DEPOSITED;

C. TOTAL RECEIPTS;

D. ADMINISTRATIVE EXPENSES;

E. WITHDRAWALS FROM THE TRUST ACCOUNT FOR CANCELED CONTRACTS;

F. WITHDRAWALS FROM THE TRUST ACCOUNT FOR DELIVERY OF MERCHANDISE FOR USE OR STORAGE, AND FOR SERVICES PERFORMED, INCLUDING THE PRINCIPAL AND EARNINGS;

G. OTHER DISBURSEMENTS; AND

H. TOTAL DISBURSEMENTS; AND

4. THE AMOUNT OF MONEY IN THE PRENEED TRUST FUND AT THE END OF THE REPORTING PERIOD;

(iv) be accompanied by a fee of $25; and

(v) include:

1. the name of the seller;

2. each location of the seller;

3. the amount of money that the seller received during that year that is subject to the trust requirements of this subtitle;

4. the amount of money actually deposited into trust accounts in that year;

5. the amount of money required to be disbursed from the trust accounts in that year;

6. the amount of money actually disbursed from the trust accounts in that year; and

7. the name and address of the trustee.

(3) IF THE DIRECTOR DETERMINES, AFTER A REVIEW OF THE REPORT AND ANNUAL SUMMARY STATEMENT OF ASSETS REQUIRED BY THIS SUBSECTION, THAT ADDITIONAL DOCUMENTATION IS REQUIRED, A SELLER SUBJECT TO THE TRUST REQUIREMENTS OF THIS SUBTITLE SHALL PROVIDE THE ADDITIONAL DOCUMENTATION TO THE DIRECTOR.

[(3)**](4)** (i) A seller of preneed goods or preneed services that sells its business, files a petition in bankruptcy, or ceases to operate shall provide written notice within 15 days:

1. to the Director, detailing the changes and the arrangements the seller has made for carrying out the preneed burial contracts and the disbursement of any moneys held in an escrow or trust account; and

2. to each buyer of a preneed burial contract, advising the buyer of the buyer's options under State law in regard to the preneed contract.

(ii) Nothing in this paragraph exempts a seller of preneed goods or services that sells its business, files a petition in bankruptcy, or ceases to operate from filing the annual report required under this section.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 315 – Senators Pugh, Benson, Ferguson, King, Klausmeier, Muse, and Peters

AN ACT concerning

Council for the Procurement of Health, Educational, and Social Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 344 – ~~Senator Middleton~~ Senators Middleton and Simonaire

AN ACT concerning

Health Occupations – Dental Hygienists – Local Anesthesia

SB0344/706280/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 344
(Third Reading File Bill)

On page 1, in line 10, after "regulations;" insert "requiring the Board to report to certain committees of the General Assembly on or before a certain date;".

On page 5, after line 8, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2015, the State Board of Dental Examiners shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act and how the Act has impacted the dental profession.";

and in line 9, strike "2." and substitute "3.".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 450 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

State Board of Environmental Health Specialists – Transfer of Responsibilities

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 479 – Senator Ferguson

AN ACT concerning

Health Occupations – Physician Assistants – Patient's Access to Supervising Physician

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 549 – Senators Montgomery, Benson, Colburn, Mathias, Ramirez, ~~and Raskin~~ Raskin, and Rosapepe

AN ACT concerning

Small Business Reserve Program – Definition of Small Business – Revision

SB0549/476883/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 549
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 20, insert:

"Preamble

WHEREAS, Maryland small businesses are an integral component and driving force for job creation and economic security; and

WHEREAS, The Maryland Small Business Reserve Program plays a key role in supporting Maryland small businesses, creating a forum for fostering increased competitive opportunities for growth; and

WHEREAS, The Maryland Small Business Reserve Program is also an important race–neutral program intended to reduce the impact of discrimination against minority– and women–owned businesses, especially those businesses seeking to become prime contractors, and to promote the development of competitive and economically viable minority– and women–owned businesses; and

WHEREAS, Increasing opportunities for more small business through increased participation in the Small Business Reserve Program is in the best interest of Maryland; and

WHEREAS, In order to meet its objectives, the structure, composition, and requirements of participation in the Small Business Reserve Program must be accessible and fair, and structured to create a fair competitive environment for all potential program participants; now, therefore,".

AMENDMENT NO. 2

On page 3, in line 22, after "Services" insert ", in consultation with the Governor's Office of Minority Affairs and the Maryland Department of Transportation, shall study the Small Business Reserve Program to evaluate the Program's structure, composition, and requirements for participation and its impact and"; and strike beginning with the first "the" in line 25 down through "Program" in line 26, and substitute "recommendations concerning the changes enacted by this Act to the requirements for participation in the Program, including the Program's financial and

employment guidelines, and additional legislation to implement any recommended changes".

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 551 – Senators Montgomery and King

AN ACT concerning

Procurement – Required Disclosure – Conflict Minerals Originated in the Democratic Republic of the Congo

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 629 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

State Board of Physicians – Sunset Extension and Program Evaluation

SB0629/216185/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 629
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Sunset Extension and Program Evaluation" and substitute "Appointment and Term of Chair"; in line 3, strike "continuing" and substitute "requiring the Governor to appoint the chair of"; and in the same line, after

"Physicians" insert "; establishing the term of the office of the chair; and generally relating to appointment and term of the chair of the State Board of Physicians.".

On pages 1 through 2, strike beginning with "in" in line 3 on page 1 down through "Supplement)" in line 28 on page 2.

On page 2, strike beginning with "14–206(d)(1)" in line 31 down through "14–702" in line 32 and substitute "14–203".

AMENDMENT NO. 2

On page 2, after line 37, insert:

"14–203.

(A) (1) THE GOVERNOR SHALL APPOINT THE CHAIR OF THE BOARD.

(2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.

[(a)**](B)** From among its members, the Board shall elect **[**a chair and**]** any **[**other**]** officers**, OTHER THAN THE CHAIR,** that it considers necessary.

[(b)**](C)** The Board shall determine:

(1) The manner of election of officers;

(2) The term of office of each officer; and

(3) The duties of each officer.".

On pages 2 through 17, strike in their entirety the lines beginning with line 38 on page 2 through line 2 on page 17, inclusive.

On page 17, in line 3, strike "8." 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:

Senate Bill 659 – Senators Pinsky, Klausmeier, Manno, and Rosapepe

AN ACT concerning

State Procurement – Preference and Disclosure ~~of the Relocation of Jobs to a Foreign Country~~ – Location of the Performance of Services

SB0659/586085/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 659
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Preference and"; in line 13, strike "the State or"; strike beginning with "prohibiting" in line 14 down through "regulations;" in line 17; in line 18, strike "a"; in line 19, strike "term;" and substitute "terms; providing for the termination of this Act;"; and in lines 20 and 21, strike "preferences and".

On page 2, in line 2, strike "14–413" and substitute "12–110".

AMENDMENT NO. 2

On page 2, in line 23, strike "**14–413.**" and substitute "**12–110.**"; and in line 24, after "**(A)**" insert "**(1)**"; in the same line, strike "**, "PUBLIC**" and substitute "**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) "PUBLIC";

in lines 25, 26, 27, 28, and 29, strike "**(1)**", "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", and "**(V)**", respectively; and after line 29, insert:

"**(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, "SERVICES" HAS THE MEANING STATED IN § 11–101(T) OF THIS ARTICLE.**

(II) "SERVICES" INCLUDES:

1. CONSTRUCTION–RELATED SERVICES;

2. ARCHITECTURAL SERVICES;

3. ENGINEERING SERVICES; OR

4. ENERGY PERFORMANCE CONTRACT SERVICES.".

AMENDMENT NO. 3

On page 3, in line 6, strike "**ANTICIPATES THAT THE BIDDER**"; in line 7, after "**CONTRACTOR**" insert "**THAT**"; in line 8, strike "**WILL**" and substitute "**HAS PLANS, AT THE TIME THE BID IS SUBMITTED, TO**"; and in lines 9, 11, and 14, in each instance, strike "**THE STATE OR**".

On pages 3 and 4, strike in their entirety the lines beginning with line 16 on page 3 through line 7 on page 4, inclusive.

AMENDMENT NO. 4

On page 5, in line 23, after "2012." insert "It shall remain effective for a period of 3 years and, at the end of September 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 Hammen, Chair, for the Committee on Health and Government Operations recommended the following Bill be re–referred to the Committee on Economic Matters:

Senate Bill 579 – Senators Glassman, Brinkley, Colburn, Jacobs, Kelley, Middleton, Montgomery, Robey, ~~and Rosapepe~~ Rosapepe, Dyson, Jennings, Pinsky, and Young

AN ACT concerning

Alcoholic Beverages – Farm Brewery Manufacturer's License

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 151 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE TO THE MARYLAND HOUSE OF DELEGATES – 2012 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit K of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPRINT TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit L of Appendix II)

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

Committee amendment 1 was read and adopted.

Committee amendments 2 through 10 were read and adopted.

Committee amendments 11 and 12 were read and adopted.

Committee amendment 13 was read and adopted.

Committee amendment 14 was read and adopted.

Committee amendments 15 and 16 were read and adopted.

Committee amendment 17 was read and adopted.

Committee amendment 18 was read and adopted.

Committee amendments 19 through 28 were read and adopted.

Committee amendments 29 through 34 were read and adopted.

Committee amendment 35 was withdrawn.

Committee amendments 36 through 38 were read and adopted.

Committee amendment 39 was read and adopted.

Committee amendments 40 through 42 were read and adopted.

Committee amendment 43 was read and adopted.

Committee amendments 44 and 45 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0151/224066/2
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 151
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 5, in lines 31 and 37, in each instance, strike "3,500,000" and substitute "2,200,000".

AMENDMENT NO. 2

On page 18, in line 22, strike "36,329,000" and substitute "37,629,000".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0151/813520/2
BY: Delegate Serafini

AMENDMENT TO SENATE BILL 151
(Third Reading File Bill – Committee Reprint)

On page 8, in line 14, strike "351,393,000" and substitute "251,393,000".

On page 10, in line 24, strike "4,908,000" and substitute "0"; and in line 34, strike "12,792,000" and substitute "0".

On page 11, in line 21, strike "9,889,000" and substitute "0".

On page 12, in line 7, strike "14,124,000" and substitute "0"; and in line 15, strike "1,894,000" and substitute "0".

On pages 30 through 54, strike in their entirety the lines beginning with line 15 on page 30 through line 6 on page 54, inclusive.

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

Affirmative – 46 Negative – 91 (See Roll Call No. 929)

FLOOR AMENDMENT

SB0151/563427/1
BY: Delegate McMillan

AMENDMENT TO SENATE BILL 151
(Third Reading File Bill – Committee Reprint)

On page 6, in line 28, strike "3,782,000" and substitute "0".

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

Affirmative – 46 Negative – 88 (See Roll Call No. 930)

FLOOR AMENDMENT

SB0151/693921/2
BY: Delegate Ready

AMENDMENT TO SENATE BILL 151
(Third Reading File Bill – Committee Reprint)

On page 81, in line 8, strike "5,100,000" and substitute "2,100,000".

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

Affirmative – 43 Negative – 94 (See Roll Call No. 931)

Read the second time and ordered prepared for Third Reading.

AMENDED IN THE SENATE

House Bill 94 – Delegates Haddaway–Riccio, Afzali, Anderson, Arora, Aumann, Barkley, Barnes, Barve, Beitzel, Branch, Bromwell, Cane, Clippinger, Conway, Donoghue, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Gaines, George, Gilchrist, Glass, Glenn, Hershey, Hogan, Hubbard, Impallaria, Jacobs, Jameson, Kach, Kaiser, A. Kelly, K. Kelly, Kipke, Krebs, Lafferty, McDermott, McDonough, McHale, McIntosh, McMillan, W. Miller, Murphy, Myers, O'Donnell, Olszewski, Otto, S. Robinson, Rudolph, Schulz, Smigiel, Sophocleus, Stifler, Stocksdale, Vitale, Waldstreicher, Washington, ~~and Wood~~ Wood, Costa, McComas, James, F. Turner, A. Miller, and Summers

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates

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

HB0094/788473/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 94
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "repealing" in line 3 down through "changes" in line 12 and substitute "altering the termination date for the Chesapeake Bay Commemorative License Plate and the special registration plate honoring State agriculture".

On pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 3 on page 2, inclusive.

On page 2, in line 6, after "Section" insert "13–618 and"; and in line 9, after "repealing" insert "and reenacting, with amendments,".

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 28 on page 2 through line 16 on page 5, inclusive, and substitute:

"(a) The Administration may issue special commemorative original or substitute registration plates for any geographical, historical, natural resource, or environmental commemoration of statewide significance.

(b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended as security, or a director, officer, employee, or partner of a business entity that owns the vehicle considered eligible by the Administration may apply to the Administration for the assignment of a commemorative registration plate under this section if the vehicle is included in one of the following classes:

(1) A Class A (passenger) vehicle;

(2) A Class E (truck) vehicle with a manufacturer's rated capacity of one ton or less;

(3) A Class G (trailer) vehicle; or

(4) A Class M (multipurpose) vehicle.

(c) (1) An original or substitute commemorative plate may only be issued under this section for a fixed period of 2 consecutive years after its initial issuance.

(2) The Administration may only issue one commemorative plate under this section at any one time.

(d) (1) In addition to the annual registration fee otherwise required under this title, an owner of a vehicle assigned a commemorative registration plate under this section shall pay:

(i) An additional initial registration fee set by the Administration when the new registration plates are issued to the vehicle under this section; or

(ii) An additional renewal fee set by the Administration each time the plate is renewed.

(2) (i) The Administration shall set the additional initial registration fee at a level that will enable the Administration to recover its costs under this section.

(ii) The Administration may set the additional initial registration fee at a level that is sufficient to result in a surplus after costs are subtracted.

(iii) The Administration shall retain a portion of the additional initial registration fee that is sufficient to allow the Administration to recover any costs of issuing and distributing commemorative plates under this section.

(iv) Any surplus moneys remaining after the Administration has recovered the costs of issuing a commemorative plate under this section and moneys collected for additional renewal fees may not be retained by or transferred to any agency of the State for any purpose.

(v) Notwithstanding subparagraph (iv) of this paragraph, the surplus moneys and moneys collected for additional renewal fees may be retained for the purpose described in paragraph (3) of this subsection.

(3) The surplus moneys and moneys collected for additional renewal fees shall be disbursed by the Administration to a nonprofit organization that is:

(i) Closely related to the geographical, historical, natural resource, or environmental theme which the plate commemorates; and

(ii) Designated by the Administration under subsection (e) of this section.

(4) No portion of the additional initial registration or renewal fees may be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8–403 or § 8–404 of this article.

(e) (1) The Administration shall adopt regulations not inconsistent with the Maryland Vehicle Law to govern the issuance of special registration plates under this section.

(2) Before designating any nonprofit organization to receive any surplus moneys or moneys collected for additional renewal fees and before distributing the moneys to any nonprofit organization, the Administration shall adopt regulations specific to each new commemorative plate detailing:

(i) The name and nature of the nonprofit organization receiving the money;

(ii) The relationship of the nonprofit organization to the geographical, historical, natural resource, or environmental theme which the plate commemorates; and

(iii) The plan of distribution of the funds.

(3) The Administration shall consult with the nonprofit organization designated to receive moneys under this section to establish a schedule under which the Administration will transfer to the nonprofit organization revenue collected on behalf of the nonprofit organization under this section.

(f) The additional fees to the annual registration fee required by this section are not required for special registration of a vehicle that is exempt under § 13–903 of this title, or a vehicle with a special registration plate recognizing:

(1) The Maryland National Guard; or

(2) A volunteer fire department, volunteer rescue squad, or volunteer ambulance company in this State.

(g) (1) A special registration number as specified by the Administration and assigned under this section may consist of:

(i) Any combination of:

1. Letters; and

2. Numerals; and

(ii) Any design approved by the Administration that adequately reflects the geographical, historical, natural resource, or environmental theme which the plate commemorates.

(2) A special registration number or design assigned under this section shall be displayed on the registration plates for the vehicle.

(3) The Administration shall consult with the nonprofit organization designated to receive moneys under this section with respect to any design of the Chesapeake Bay Commemorative License Plate.".

On page 6, in lines 32 and 35, in each instance, strike the bracket; and in line 35, strike "2013" and substitute "**2021**".

On page 7, in lines 4 and 6, in each instance, strike the bracket; in line 4, strike "13" and substitute "**21**"; and in line 5, strike "2013" and substitute "**2021**".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0094**
SPONSOR: Del Haddaway–Riccio, et al
SUBJECT: Vehicle Laws – Special and Commemorative Registration Plates

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 Stein, and
Delegate McMillan.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 292 – Delegates Glenn, Anderson, Beidle, Conaway, Gilchrist, Hammen, McHale, McMillan, Mitchell, Niemann, Otto, B. Robinson, S. Robinson, Stein, Stukes, Tarrant, Vitale, Washington, and Wilson

AN ACT concerning

Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

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

HB0292/998070/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 292
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "altering" and substitute "establishing that"; in the same line, after "requirements" insert "and a requirement to complete a certain driver skills log book"; and in line 9, strike "that" and substitute "do not".

AMENDMENT NO. 2

On page 3, in line 10, after "**PERMIT;**" insert "**AND**"; strike beginning with the colon in line 11 down through "**A**" in line 12 and substitute "**A**"; and strike beginning with "**; AND**" in line 15 down through "**PARAGRAPH**" in line 28.

On page 4, in line 3, after "**VIOLATION;**" insert "**AND**"; strike beginning with the colon in line 4 down through "**A**" in line 5 and substitute "**A**"; and strike beginning with "**; AND**" in line 8 down through "**PARAGRAPH**" in line 21.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0292**
SPONSOR: Del Glenn, et al
SUBJECT: Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

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 Glenn, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 365 – Delegates Mitchell, Glenn, Anderson, Branch, Carter, Clippinger, Conaway, Hammen, Haynes, McHale, McIntosh, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington

AN ACT concerning

Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations

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

HB0365/628271/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 365
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "clarifying" in line 17 down through "Act;" in line 18.

AMENDMENT NO. 2

On page 6, in line 27, strike "**OR THE HOUSING AUTHORITY OF BALTIMORE CITY**".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0365**
SPONSOR: Del Mitchell, et al
SUBJECT: Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations

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 Glenn, Chairman
Delegate Healey, and
Delegate Hogan.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 422** SPONSOR: **Senator Frosh**

SUBJECT: **Criminal Procedure – Criminal Defendants – Citations and Appearances**

THIRD READING CALENDAR HOUSE NO. **5** SENATE NO. **22**

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 (SB0422/322216/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0422/873524/2) be adopted.

SB0422/873524/2
BY: Conference Committee

AMENDMENTS TO SENATE BILL 422
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "prohibiting" in line 4 down through "circumstances" in line 9 and substitute "declaring the intention of the General Assembly to monitor certain issues and determine whether modification of this Act is required at a certain time; authorizing an individual to file an application for a statement of charges with a District Court commissioner; authorizing a District Court commissioner to issue a summons or an arrest warrant under certain circumstances; requiring a police officer to charge a person by citation for certain misdemeanors and local ordinance violations; establishing that a police officer may charge a defendant by citation only under certain circumstances; providing that, under certain circumstances, an officer who has grounds to make a warrantless arrest may issue a citation in lieu of making the arrest or make the arrest and subsequently issue a citation in lieu of continued custody"; in line 12, after "proceeding" insert "or juvenile proceeding; establishing that a defendant who is denied pretrial release by a District Court commissioner or who remains in custody after a District Court commissioner

has determined conditions of release under certain circumstances must be presented to a District Court or a circuit court judge at a certain time"; strike beginning with "repealing" in line 12 down through "proceedings;" in line 16; and strike beginning with "establishing" in line 20 down through "determination;" in line 25.

On page 2, in line 8, strike the first "a"; in the same line, strike "date" and substitute "dates; providing for the application of certain provisions of this Act; requiring certain law enforcement officers to record certain information pertaining to the issuance of certain citations; requiring the Police Training Commission and the Maryland Statistical Analysis Center (MSAC), in consultation with the Administrative Office of the Courts, to develop a certain format for the recording of certain data and to develop certain procedures relating to the compilation and submission of certain data on or before a certain date; requiring the Police Training Commission to develop certain guidelines for certain data collection and a certain model policy relating to citations; requiring the MSAC to analyze certain data based on a methodology developed in conjunction with the Police Training Commission; requiring the MSAC to make certain reports to the General Assembly, the Governor, and law enforcement agencies; requiring law enforcement agencies to adopt certain policies regarding the issuance of certain citations; defining certain terms; providing for the application of certain provisions of this Act"; strike beginning with "of" in line 8 down through "provision" in line 9 and substitute "of certain provisions"; in line 11, strike "representation by the Office of the Public Defender" and substitute "citations for and appearances by criminal defendants"; and in line 29, after "Section" insert "4–101.1 and".

AMENDMENT NO. 2

On page 3, after line 16, insert:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That it is the intent of the General Assembly to continue to monitor the issues relating to representation of indigent defendants and to determine whether modification of this Act is required during the 2015 session of the General Assembly or earlier if an appellate court issues a decision related to the relevant issues in DeWolfe v. Richmond or the Task Force established under Section 4 of this Act issues its report and recommendations.";

and strike beginning with "1." in line 17 down through "MARYLAND" in line 18 and substitute "2. AND BE IT FURTHER ENACTED".

AMENDMENT NO. 3

On page 4, in lines 1 and 4, in each instance, strike the bracket; strike beginning with "**EXCEPT**" in line 1 down through "**A**" in line 2; strike beginning with "**EXCEPT**" in line 4 down through "**A**" in line 5; strike beginning with "**A**" in line 24 down through "**INCIDENT**" in line 30 and substitute "**(I) AN INDIVIDUAL MAY FILE AN APPLICATION FOR A STATEMENT OF CHARGES WITH A DISTRICT COURT COMMISSIONER.**

(II) ON REVIEW OF AN APPLICATION FOR A STATEMENT OF CHARGES, A DISTRICT COURT COMMISSIONER MAY ISSUE A SUMMONS OR AN ARREST WARRANT.

(III) A DISTRICT COURT COMMISSIONER MAY ISSUE AN ARREST WARRANT ONLY ON A FINDING THAT:

1. THERE IS PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT COMMITTED THE OFFENSE CHARGED IN THE CHARGING DOCUMENT; AND

2. A. THE DEFENDANT PREVIOUSLY HAS FAILED TO RESPOND TO A SUMMONS THAT HAS BEEN PERSONALLY SERVED OR A CITATION;

B. THE WHEREABOUTS OF THE DEFENDANT ARE UNKNOWN AND THE ISSUANCE OF A WARRANT IS NECESSARY TO SUBJECT THE DEFENDANT TO THE JURISDICTION OF THE COURT;

C. THE DEFENDANT IS IN CUSTODY FOR ANOTHER OFFENSE; OR

D. THERE IS PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT POSES A DANGER TO ANOTHER PERSON OR TO THE COMMUNITY".

On page 5, strike in their entirety lines 5 through 9, inclusive; and in line 28, strike "(2)" and substitute "**(3)**".

On page 6, in lines 16 and 19, in each instance, strike "**OR**"; after line 19, insert:

"**4. POSSESSION OF AN ELECTRONIC CONTROL DEVICE AFTER CONVICTION OF A DRUG FELONY OR CRIME OF VIOLENCE UNDER § 4–109(B) OF THE CRIMINAL LAW ARTICLE;**

5. VIOLATION OF AN OUT–OF–STATE DOMESTIC VIOLENCE ORDER UNDER § 4–508.1 OF THE FAMILY LAW ARTICLE; OR

6. ABUSE OR NEGLECT OF AN ANIMAL UNDER § 10–604 OF THE CRIMINAL LAW ARTICLE; OR";

in line 22, strike "(2)" and substitute "**(3)**"; and in the same line, strike "issue a citation to a defendant" and substitute "**CHARGE A DEFENDANT BY CITATION**".

On page 7, in line 3, strike "**(3)**" and substitute "**(4)**"; and strike beginning with "**BEFORE**" in line 3 down through "**DEFENDANT**" in line 11 and substitute "**A POLICE OFFICER WHO HAS GROUNDS TO MAKE A WARRANTLESS ARREST FOR AN OFFENSE THAT MAY BE CHARGED BY CITATION UNDER THIS SUBSECTION MAY:**

(I) ISSUE A CITATION IN LIEU OF MAKING THE ARREST; OR

(II) MAKE THE ARREST AND SUBSEQUENTLY ISSUE A CITATION IN LIEU OF CONTINUED CUSTODY".

AMENDMENT NO. 4

On page 8, after line 8, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

10–922.

A STATEMENT MADE DURING THE COURSE OF AN INITIAL APPEARANCE OF A DEFENDANT BEFORE A DISTRICT COURT COMMISSIONER IN ACCORDANCE

WITH MARYLAND RULE 4–213 MAY NOT BE USED AS EVIDENCE AGAINST THE DEFENDANT IN A CRIMINAL PROCEEDING OR JUVENILE PROCEEDING.

Article – Criminal Procedure

5–215.

A DEFENDANT WHO IS DENIED PRETRIAL RELEASE BY A DISTRICT COURT COMMISSIONER OR WHO FOR ANY REASON REMAINS IN CUSTODY AFTER A DISTRICT COURT COMMISSIONER HAS DETERMINED CONDITIONS OF RELEASE UNDER MARYLAND RULE 4–216 SHALL BE PRESENTED TO A DISTRICT COURT JUDGE IMMEDIATELY IF THE COURT IS IN SESSION, OR IF THE COURT IS NOT IN SESSION, AT THE NEXT SESSION OF THE COURT.".

AMENDMENT NO. 5

On page 9, strike in their entirety lines 10 through 28, inclusive; and in line 29, strike "3." and substitute "4.".

On page 10, in line 5, after "Governor" insert "of Maryland".

On page 11, in line 21, after "to" insert ":

(i)";

after line 23, insert:

"(ii) the District Court commissioner and pretrial release systems; and";

in line 25, after "improving" insert ":

(i)";

and in the same line, after "defendants" insert "; and

(ii) the District Court commissioner and pretrial release systems".

AMENDMENT NO. 6

On page 12, after line 2, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Criminal Procedure

4–101.1.

(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.

(B) THE POLICE TRAINING COMMISSION AND THE MARYLAND STATISTICAL ANALYSIS CENTER, IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF THE COURTS, SHALL DEVELOP A FORMAT FOR THE EFFICIENT RECORDING OF DATA REQUIRED TO BE SUBMITTED UNDER SUBSECTION (E) OF THIS SECTION.

(C) ON OR BEFORE DECEMBER 31, 2012, THE POLICE TRAINING COMMISSION, IN CONSULTATION WITH THE MARYLAND STATISTICAL ANALYSIS CENTER, SHALL DEVELOP:

(1) GUIDELINES THAT EACH LAW ENFORCEMENT AGENCY MAY USE AS A MANAGEMENT TOOL TO EVALUATE DATA COLLECTED UNDER SUBSECTION (E) OF THIS SECTION FOR USE IN COUNSELING AND IMPROVED TRAINING; AND

(2) A MODEL POLICY AGAINST THE ISSUANCE OF A CITATION ON THE BASIS OF RACE THAT A LAW ENFORCEMENT AGENCY CAN USE IN DEVELOPING ITS POLICY IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION.

(D) THIS SECTION APPLIES TO EACH LAW ENFORCEMENT AGENCY THAT HAS ONE OR MORE LAW ENFORCEMENT OFFICERS.

(E) EACH TIME A LAW ENFORCEMENT OFFICER ISSUES A CITATION IN ACCORDANCE WITH § 4–101 OF THIS SUBTITLE, THAT OFFICER SHALL REPORT THE FOLLOWING INFORMATION ON THE MARYLAND UNIFORM CITATION FORM CONSISTENT WITH THE PROCEDURES DEVELOPED UNDER SUBSECTION (F) OF THIS SECTION USING THE FORMAT DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION:

(1) THE DATE, LOCATION, AND TIME OF THE ISSUANCE OF THE CITATION;

(2) THE OFFENSE CHARGED;

(3) THE GENDER OF THE OFFENDER;

(4) THE DATE OF BIRTH OF THE OFFENDER;

(5) THE STATE AND, IF AVAILABLE, THE COUNTY OF RESIDENCE OF THE OFFENDER; AND

(6) THE RACE OR ETHNICITY OF THE OFFENDER AS:

(I) ASIAN;

(II) BLACK;

(III) HISPANIC;

(IV) WHITE; OR

(V) OTHER.

(F) ON OR BEFORE DECEMBER 31, 2012, THE POLICE TRAINING COMMISSION AND THE MARYLAND STATISTICAL ANALYSIS CENTER, IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF THE COURTS, SHALL DEVELOP A PROCEDURE FOR:

(1) THE COMPILATION OF DATA REQUIRED TO BE COLLECTED UNDER THIS SECTION FOR THE CALENDAR YEAR AS A REPORT IN THE FORMAT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION; AND

(2) THE SUBMISSION OF THE REPORT TO THE MARYLAND STATISTICAL ANALYSIS CENTER NO LATER THAN MARCH 1 OF THE FOLLOWING CALENDAR YEAR BEGINNING ON MARCH 1, 2014.

(G) (1) THE MARYLAND STATISTICAL ANALYSIS CENTER SHALL ANALYZE THE ANNUAL REPORTS SUBMITTED UNDER SUBSECTION (F) 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 BEGINNING ON SEPTEMBER 1, 2014.

(H) (1) A LAW ENFORCEMENT AGENCY SHALL ADOPT A POLICY AGAINST THE ISSUANCE OF A CITATION ON THE BASIS OF RACE 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 ISSUE A CITATION.

(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 UNDER SUBSECTION (E) OF THIS SECTION AND TO REVIEW THE ANNUAL REPORT OF THE MARYLAND STATISTICAL ANALYSIS CENTER FOR PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION.";

in line 3, strike "4." and substitute "6."; in line 4, strike "October 1, 2012" and substitute "January 1, 2013"; after line 4, insert:

"SECTION 7. AND BE IT FURTHER ENACTED, That the obligation of the Office of the Public Defender to provide representation to indigent defendants at bail hearings before District Court or circuit court judges under § 16–204 of the Criminal Procedure Article, as enacted by Section 3 of this Act, applies only to bail hearings occurring on or after June 1, 2012.

SECTION 8. AND BE IT FURTHER ENACTED, That, beginning January 1, 2013, data shall be collected under Section 5 of this Act through December 31, 2017, and the Maryland Statistical Analysis Center shall issue a final report of its findings to the Governor, the General Assembly, in accordance with § 2–1246 of the State Government Article, and each law enforcement agency on or before August 31, 2018.";

in line 5, strike "5." and substitute "9."; in line 9, strike "4" and substitute "6"; in lines 10 and 11, in each instance, strike "3" and substitute "4"; and in line 12, after "effect." insert "Section 5 of this Act shall remain effective until September 1, 2018, and, at the

end of August 31, 2018, with no further action required by the General Assembly, Section 5 of this Act shall be abrogated and of no further force and effect.".

Senate Members:	House Members:
Chair, **Brian E. Frosh**	Chair, **Kathleen M. Dumais**
James Brochin	**Curt Anderson**
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 – 81 Negative – 58 (See Roll Call No. 932)

The Bill was then returned to the Senate.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #20

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

Senate Bill 258 – Senator Glassman

AN ACT concerning

Credit Regulation – Installment Loans Secured by Motor Vehicle Lien – Balloon Payments

SB0258/813997/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 258

(Third Reading File Bill)

On page 3, in line 8, strike "October" and substitute "June".

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 290 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Savings Banks – Conversions

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 302 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation) and Senators Muse, Kelley, and Pugh

AN ACT concerning

Financial Institutions – Commissioner of Financial Regulation – Investigative and Enforcement Powers and Regulation of Mortgage Lenders

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 303 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Credit Regulation – Debt Management Services – Agreement and Prohibited Acts

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 452 – Senators Middleton, Astle, Glassman, Klausmeier, and Pipkin

AN ACT concerning

Other Tobacco Products ~~Licenses – Repeal~~ – Restrictions on Sale, Distribution, and Shipment – Exemptions

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 507 – Senators Kelley, Glassman, Kittleman, Klausmeier, ~~and Pipkin~~ Pipkin, Middleton, Astle, Garagiola, Mathias, Muse, and Pugh

AN ACT concerning

Financial Institutions – Interest Payable on Escrow Accounts and Specific Purpose Savings Accounts

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 545 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Money Transmitters – Licensing Requirements and Participation in Nationwide Licensing System

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 546 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Mortgage Lenders and Mortgage Loan Originators

SB0546/193796/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 546
(Third Reading File Bill)

On page 6, strike beginning with the comma in line 4 down through "**LENDER**" in line 6 and substitute "**LICENSED UNDER SUBTITLE 6 OF THIS TITLE**".

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 778 – Senator Pugh

AN ACT concerning

Commercial Law – Rental–Purchase Agreements ~~Best Practices Act~~ – Disclosures

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 941 – Senators Klausmeier, Benson, Colburn, Forehand, Garagiola, Montgomery, ~~and Stone~~ Stone, Middleton, Astle, Glassman, Kelley, Kittleman, Mathias, Muse, and Pugh

AN ACT concerning

Fiduciary Institutions – Protection of Elder Adults from Financial Abuse – Reporting Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #21

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

House Bill 677 – Delegate Davis

AN ACT concerning

Public Utilities – Telephone Service – Charges for Directory Assistance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1194 – Delegates Braveboy, Alston, V. Turner, Vaughn, and Wilson

AN ACT concerning

Business Occupations – Plumbers and Gas Fitters – Apprentice License Renewal

HB1194/743598/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1194
(First Reading File Bill)

On page 1, in line 6, after "circumstances;" insert "establishing a certain exception;".

On page 3, in line 7, strike "**MAY**" and substitute "**SHALL**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1445 – Delegate Stifler

AN ACT concerning

Plumbing and Heating, Ventilation, Air–Conditioning, and Refrigeration Employees – Public Work Contracts – License Requirement and Employee Classification

HB1445/673197/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1445
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "Plumbing" insert ", the Baltimore County Plumbing Board, or the Washington Suburban Sanitary Commission".

AMENDMENT NO. 2

On page 2, in line 16, after "**BOARD**" insert "**, THE BALTIMORE COUNTY PLUMBING BOARD, OR THE WASHINGTON SUBURBAN 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 Davis, Chair, for the Committee on Economic Matters reported favorably:

Senate Bill 96 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 109 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Architects – Continuing Professional Competency

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 134 – Senator Conway

AN ACT concerning

State Real Estate Commission – Sunset Extension and Program Evaluation

SB0134/963190/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 134
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "Fund;" insert "providing that interest on the amount paid by the Guaranty Fund does not begin to accrue until a certain period of time has passed; altering the interest rate charged to a real estate broker, associate real estate broker, or real estate salesperson licensee if the licensee has entered into a certain repayment plan; requiring the State Real Estate Commission to allow a licensee, on request, to enter into a plan to repay the Guaranty Fund within a certain period of

time; authorizing the Commission to reinstate a suspended license if the individual whose license was suspended enters into a certain repayment plan;"; and in line 20, after "17–407(d)(1)(i),” insert "17–411(a), 17–412,".

AMENDMENT NO. 2

On page 3, after line 9, insert:

"17–411.

(a) **(1)** After payment of a claim by the Guaranty Fund, a licensee **[**who**]** **WHOM** the Commission finds responsible for the act or omission that gave rise to the claim shall reimburse the Guaranty Fund in full for:

[(1)**]** **(I)** the amount paid by the Guaranty Fund; and

[(2)**]** **(II)** **IF AT LEAST 3 MONTHS HAVE PASSED SINCE THE PAYMENT,** interest on the amount paid by the Guaranty Fund at an annual rate of**:**

1. at least 10%, as set by the Commission**; OR**

2. IF THE LICENSEE HAS ENTERED INTO A REPAYMENT PLAN UNDER PARAGRAPH (2) OF THIS SUBSECTION, 6%.

(2) ON REQUEST OF A LICENSEE REQUIRED TO REIMBURSE THE GUARANTY FUND UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL ALLOW THE LICENSEE TO ENTER INTO A PLAN TO REPAY THE GUARANTY FUND WITHIN A REASONABLE PERIOD OF TIME, NOT EXCEEDING 4 YEARS.

17–412.

(a) If the Commission orders payment by the Guaranty Fund of a claim based on an act or omission for which a licensee is responsible, the Commission immediately and without further proceedings shall suspend the license of the licensee.

(b) The Commission may not reinstate a license that is suspended under this section until the individual whose license was suspended:

(1) **(I)** repays in full:

[(i)**]** **1.** the amount paid by the Guaranty Fund; and

[(ii)**]** **2.** the interest due under § **[**17–411(a)(2)**]** **17–411(A)(1)(II)** of this subtitle; **OR**

(II) ENTERS INTO A PLAN WITH THE COMMISSION UNDER § 17–411(A)(2) OF THIS SUBTITLE TO REPAY THE AMOUNT PAID BY THE GUARANTY FUND WITHIN A REASONABLE PERIOD OF TIME, NOT EXCEEDING 4 YEARS; and

(2) applies to the Commission for reinstatement of the license.

(c) Regardless of whether the disciplinary sanction was imposed for the same act or omission that gave rise to the claim against the Guaranty Fund, the reimbursement of the Guaranty Fund by a licensee does not affect any sanction imposed by the Commission against an individual under the disciplinary provisions of Subtitle 3 of this title.".

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

AN ACT concerning

Department of Labor, Licensing, and Regulation – Occupational and Professional Licensing – Licensees on Military Deployment

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

AN ACT concerning

State Real Estate Commission – Continuing Education – Documentation

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 187 – Chair, Finance Committee

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors – Sunset Extension and Program Evaluation

SB0187/723195/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 187
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike "a certain report" and substitute "certain reports"; and in line 10, strike "a certain date" and substitute "certain dates".

AMENDMENT NO. 2

On page 5, in line 5, after "year;" insert "and"; in line 16, strike "; and" and substitute a period; in line 17, strike "(3)" and substitute:

"SECTION 3. AND BE IT FURTHER ENACTED, That, on or before October 1, 2012, the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors shall report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, on";

and in lines 20, 24, 27, and 30, strike "(i)", "(ii)", "(iii)", and "(iv)", respectively, and substitute "(1)", "(2)", "(3)", and "(4)", respectively.

On page 6, in line 1, strike "3." and substitute "4.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 226 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Labor and Industry – Inflatable Amusement Attractions – Inspection

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 232 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Elevator Safety Review Board – Licensing

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 291 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation) and Senators Garagiola, Kelley, Muse, and Pugh

AN ACT concerning

Unemployment Insurance – Coverage – Victims of Domestic Violence

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

House Bill 373 – Delegates Braveboy, Alston, Anderson, Branch, Burns, Cane, Carr, Carter, Cullison, Glenn, Gutierrez, Harrison, Haynes, Holmes, Ivey, Jones, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, B. Robinson, Stukes, Summers, Tarrant, V. Turner, Valentino–Smith, Vaughn, Washington, and Wilson

AN ACT concerning

Education – Age for Compulsory Public School Attendance – Exemptions

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR COMMITTEE AMENDMENT #1 ADOPTED. FLOOR COMMITTEE AMENDMENT #2 NOT ADOPTED.

FLOOR AMENDMENT

HB0373/995869/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 373, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0373/335261/1), in line 4 of Amendment No. 1, strike "Department of Labor, Licensing, and Regulation" and substitute "State Department of Education"; and in line 5, strike "State Department of Education" and substitute "Department of Labor, Licensing, and Regulation".

AMENDMENT NO. 2

On page 4 of the Committee on Ways and Means Amendments, in lines 1 and 2 of Amendment No. 4, strike "Department of Labor, Licensing, and Regulation" and substitute "State Department of Education"; and in line 2, strike "State Department of Education" and substitute "Department of Labor, Licensing, and Regulation".

The preceding Amendment No. 2 was read and adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #22

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

Senate Bill 82 – Senator Zirkin

AN ACT concerning

Maryland Automobile Insurance Fund – Claims for Bodily Injury or Death – Payment Limitation

SB0082/833998/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 82
(Third Reading File Bill)

On page 1, strike beginning with "providing" in line 7 down through "Act;" in line 8; and strike in their entirety lines 15 through 19, inclusive.

On pages 3 through 6, strike in their entirety the lines beginning with line 8 on page 3 through line 21 on page 6, inclusive.

On page 6, in line 22, strike "3." and substitute "2.".

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 297 – Senator Kelley

AN ACT concerning

Property and Casualty Insurance – Certificates of Insurance and Certificate of Insurance Forms

SB0297/743896/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 297
(Third Reading File Bill)

On page 2, in line 27, strike "**PARAGRAPH (2)**" and substitute "**PARAGRAPHS (2) AND (3)**".

On page 3, after line 5, insert:

"**(3) THE COMMISSIONER MAY DESIGNATE A CERTIFICATE OF INSURANCE FORM REQUIRED BY A FEDERAL AGENCY AS DEEMED APPROVED.**".

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 531 – Senator Middleton

AN ACT concerning

Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor

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 579 – Senators Glassman, Brinkley, Colburn, Jacobs, Kelley, Middleton, Montgomery, Robey, ~~and Rosapepe~~ Rosapepe, Dyson, Jennings, Pinsky, and Young

AN ACT concerning

Alcoholic Beverages – Farm Brewery Manufacturer's License

SB0579/923095/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 579
(Third Reading File Bill)

On page 4, in line 26, after "**SUNDAYS**" insert "**DURING THE HOURS ALLOWED UNDER § 11–512(C)(3) OF THIS ARTICLE**".

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 655 – Senators Klausmeier, Astle, ~~and Pugh~~ Pugh, and Kittleman

AN ACT concerning

Residential Multiple Occupancy Buildings – Master Meters – Heating, Ventilation, and Air Conditioning Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 811 – ~~Senator Astle~~ Senators Astle, Garagiola, Glassman, Kelley, Klausmeier, Middleton, Pugh, and Muse

AN ACT concerning

Insurance – Fraud Violations – Fines and Administrative Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 929 – Senators Astle, Conway, Ferguson, Gladden, Klausmeier, Young, ~~and Zirkin~~ Zirkin, Mathias, Muse, and Pugh

EMERGENCY BILL

AN ACT concerning

The Deanna Camille Green Act of 2012

SB0929/543395/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 929
(Third Reading File Bill)

On page 1, in line 2, before "The" insert "Electric Companies – Contact Voltage – Surveys and Mitigation –"; in lines 6 and 7, strike ", on a certain approval,"; and in line 8, after "times" insert "and under certain circumstances".

On page 2, in line 12, strike "after" and substitute "before".

On page 4, in line 23, strike "**PART OF THE**"; in line 25, strike "**ELECTRIC COMPANY OWNED OR MAINTAINED**"; in line 26, after "**STREETLIGHTS**" insert "**OWNED OR MAINTAINED BY THE ELECTRIC COMPANY**"; in line 27, strike "**MUNICIPAL OR GOVERNMENT OWNED**"; in line 28, strike "**, IF**" and substitute "**OWNED BY A MUNICIPAL CORPORATION OR OTHER UNIT OF GOVERNMENT, WITH**"; in lines 29 and 31, in each instance, strike "**IS RECEIVED**"; in line 29, strike "**OR**" and substitute "**AND**"; and in line 30, strike "**, IF**" and substitute "**WITH**".

On page 6, in line 16, strike "**THERE ARE**"; and in the same line, after "**CIRCUMSTANCES**" insert "**EXIST**".

On page 7, in line 15, strike "**WARRANT**" and substitute "**REQUIRE**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

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

Senate Bill 997 – Senator Garagiola

AN ACT concerning

Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions

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 1018 – Senator Kasemeyer

AN ACT concerning

Alcoholic Beverages – Rectifiers – Tours, Samples, and Sales

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 1073 – Senator Middleton

AN ACT concerning

Electricity – Certificate of Public Convenience and Necessity – Overhead Transmission Lines

SB1073/953091/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 1073
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Certificate of Public Convenience and Necessity –" and substitute "Construction of"; in line 3, after "Lines" insert "and Wind Generating Stations"; in line 10, after "construction" insert "related to an existing overhead transmission line that is"; in line 13, after the semicolon, insert "providing that a certain provision that requires a person to obtain certain approval from the Commission before constructing a certain generating station does not apply to a person constructing a certain wind generating station that has wind turbines within a certain distance from the Patuxent River Naval Air Station, as determined by certain regulation;"; in line 14, strike "certificates of public convenience and necessity for" and substitute "the construction of"; and in line 15, after "lines" insert "and certain wind generating stations".

On page 2, in line 1, after "7–207(b)" insert "and 7–207.1(a)".

AMENDMENT NO. 2

On page 3, in line 26, strike "**THE**" and substitute "**FOR CONSTRUCTION RELATED TO AN EXISTING OVERHEAD TRANSMISSION LINE, THE**".

On page 4, in line 5, after "**CONSTRUCTION**" insert "**RELATED TO AN EXISTING OVERHEAD TRANSMISSION LINE**"; and after line 11, insert:

"7–207.1.

(a) This section applies to a person who:

(1) constructs a generating station:

(i) designed to provide on–site generated electricity if:

1. the capacity of the generating station does not exceed 70 megawatts; and

2. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; or

(ii) that produces electricity from wind if:

1. the generating station is land–based;

2. the capacity of the generating station does not exceed 70 megawatts;

3. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; **[**and**]**

4. the Commission provides an opportunity for public comment at a public hearing as provided in subsection (e) of this section; **AND**

5. THE GENERATING STATION'S WIND TURBINES ARE NOT LOCATED WITHIN A DISTANCE FROM THE PATUXENT RIVER NAVAL AIR STATION THAT IS DETERMINED BY REGULATIONS ADOPTED BY THE COMMISSION IN COORDINATION WITH THE COMMANDER, NAVAL AIR WARFARE CENTER AIRCRAFT DIVISION, PROVIDED THAT THE DISTANCE REQUIREMENT UNDER THE REGULATION IS:

A. NOT GREATER THAN IS NECESSARY TO ENCOMPASS AN AREA IN WHICH UTILITY SCALE WIND TURBINES COULD CREATE DOPPLER RADAR INTERFERENCE FOR MISSIONS AT THE PATUXENT RIVER NAVAL AIR STATION;

B. NOT GREATER THAN 46 MILES, MEASURED FROM LOCATION 38.29667N, 76.37668W; AND

C. SUBJECT TO MODIFICATION IF NECESSARY TO REFLECT CHANGES IN MISSIONS OR TECHNOLOGY AT THE PATUXENT RIVER NAVAL AIR STATION OR CHANGES IN WIND ENERGY TECHNOLOGY; or

(2) constructs a generating station if:

(i) the capacity of the generating station does not exceed 25 megawatts;

(ii) the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; and

(iii) at least 10% of the electricity generated at the generating station each year is consumed on–site.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #19

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

Senate Bill 108 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Board – 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 112 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Appraisal Requirement

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

AN ACT concerning

Voluntary Agricultural Nutrient and Sediment Credit Certification Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 126 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – ~~Maryland~~ Land Preservation and Recreation ~~Plan~~ Plans

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

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easements

SB0129/410711/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 129
(Third Reading File Bill)

On page 1, in line 10, after "circumstances;" insert "providing for the effective date of this Act;".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 142 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Secretary of Agriculture – Farm Food Safety

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

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Lot Release

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 193 – Senators Young, Colburn, Forehand, Madaleno, Middleton, and Montgomery

AN ACT concerning

Agriculture – Maryland Standard of Identity for Honey

SB0193/500611/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 193
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 9 down through "State" in line 13 and substitute "authorizing certain persons to file an action to enforce this Act in a certain court; authorizing the court to order certain relief under certain circumstances".

AMENDMENT NO. 2

On page 6, strike in their entirety lines 27 through 29, inclusive.

On page 7, strike in their entirety lines 1 through 12, inclusive, and substitute:

"**(A) AN ACTION TO ENFORCE THIS SUBTITLE MAY BE FILED IN THE CIRCUIT COURT OF THE COUNTY IN WHICH THE VIOLATION OCCURRED BY:**

(1) A BEEKEEPER OR AN ASSOCIATION OF BEEKEEPERS;

(2) A HONEY PACKER OR AN ASSOCIATION OF HONEY PACKERS;

(3) A HONEY PRODUCER OR AN ASSOCIATION OF HONEY PRODUCERS; OR

(4) THE ATTORNEY GENERAL.

(B) IF THE COURT DETERMINES THAT A VIOLATION OF THIS SUBTITLE EXISTS, THE COURT MAY ORDER APPROPRIATE RELIEF, INCLUDING AN ORDER TO ENJOIN A PRODUCER, MANUFACTURER, OR DISTRIBUTOR FROM DISTRIBUTING IN THE STATE A PRODUCT DESIGNATED AS "HONEY" IF THE PRODUCT DOES NOT CONFORM TO THE MARYLAND STANDARD OF IDENTITY FOR HONEY ESTABLISHED UNDER THIS SUBTITLE.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 756 – Senators Young, Colburn, Klausmeier, Mathias, and Montgomery

AN ACT concerning

Governor's Advisory Commission on Maryland Wine and Grape Growing – Membership

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:

Senate Bill 105 – Senator Colburn

EMERGENCY BILL

AN ACT concerning

Caroline County and Dorchester County – Turkey Hunting on Private Property – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 130 – Senators Ferguson ~~and Gladden~~, Gladden, and Jones–Rodwell

AN ACT concerning

Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations

SB0130/660015/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 130
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after "entry;" insert "providing that a certain housing authority in Baltimore City is not subject to an action brought under certain provisions of law;".

AMENDMENT NO. 2

On page 6, in line 26, after the second "subdivision" insert "**OR THE HOUSING AUTHORITY OF BALTIMORE CITY**".

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 390 – Caroline County Senators

AN ACT concerning

Caroline County – Deer Hunting on Private Property – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 472 – Senator Edwards

AN ACT concerning

Environment – Dormant Mineral Interests – Termination by Court Order Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 483 – Senators Benson, Miller, Frosh, Montgomery, and Pinsky

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities

SB0483/790112/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 483
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "with" insert "a"; in line 5, strike "exceptions" and substitute "exception"; in the same line, after "yards," insert "and"; in line 6, strike ", and certain machinery"; strike beginning with "requiring" in line 7 down through "date;" in line 9; in line 10, strike "certain provisions of"; in line 12, after "yards," insert "and"; and in the same line, strike ", and certain machinery".

AMENDMENT NO. 2

On page 4, in line 36, after the semicolon, insert "**AND**".

On page 5, strike beginning with "**OR**" in line 2 down through "**VESSEL**" in line 3; strike beginning with the semicolon in line 5 down through "**2013**" in line 12; strike beginning with "§ 8–1808(c)(1)16" in line 13 down through the second "of" in line 14; in line 14, strike the second comma; and in line 15, strike the second "to" and substitute "or".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 529 – Senator Robey

AN ACT concerning

Motor Vehicles – Use of Text Messaging Device While Driving

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 602 – Senator Dyson

AN ACT concerning

Public Safety – Building Performance Standards – ~~Fire and Life Safety~~ Automatic Fire Sprinkler Systems

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 609 – Senator Benson (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund)

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 662 – Carroll County Senators

AN ACT concerning

Carroll County – Archery Hunting – Safety Zone

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 998 – Senator Garagiola

AN ACT concerning

Motor Vehicle Administration – Plug–In Vehicles – Disclosure of Personal Information

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #19

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

Senate Bill 70 – Senator Kelley

AN ACT concerning

Family Law – Permanency Planning and Guardianship Review Hearings – Court Procedures

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 640 – Senators Ramirez, Forehand, Manno, Montgomery, and Rosapepe

AN ACT concerning

Public Safety – Possession of Firearms – Crimes Committed in Other States

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 650 – Senators Ramirez, Colburn, Forehand, Garagiola, Manno, Montgomery, Robey, and Rosapepe

AN ACT concerning

Public Safety – Impersonating a Police Officer – WMATA Metro Transit Police

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 691 – ~~Senator Shank~~ Senators Shank, Frosh, Getty, and Gladden

SECOND PRINTING

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

SB0691/312813/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 691

(Third Reading File Bill – Second Printing)

On page 4, in line 22, strike "**FROM SUBSECTION (G)(1)**"; in line 23, after "**DEPARTMENT**" insert "**IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION**"; and in line 31, strike "the conviction or supervision of any individual" and substitute "a sentence of an individual commencing".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #19

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

Senate Bill 8 – Senator Astle

AN ACT concerning

Maryland Income Tax Refund – Anne Arundel County – Warrants

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 10 – Senators Colburn ~~and Mathias~~, Mathias, and Pipkin

EMERGENCY BILL

AN ACT concerning

Slot Machines for Nonprofit Organizations on the Eastern Shore – Uses of Proceeds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 32 – Senator Simonaire

AN ACT concerning

Anne Arundel County – Property Tax Payment Deferral – 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:

Senate Bill 49 – ~~Senator Astle~~ Senators Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Muse, and Pugh

AN ACT concerning

Horse Racing – Maryland–Bred Race Fund – Administration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 182 – Senators Ferguson ~~and Gladden~~, Gladden, McFadden, and Jones–Rodwell

AN ACT concerning

Tax Sales – Complaint to Foreclose Right of Redemption – Notice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 243 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Conway, Ferguson, Gladden, McFadden, and Pugh

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 265 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Tax Sales – Auctioneer's Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 266 – Senators Brinkley and Young

AN ACT concerning

Frederick County and Washington County – Property Tax Credit – Job Creation by Small Businesses

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 333 – Senator Edwards

AN ACT concerning

Garrett County – Hotel Rental Tax ~~Rate~~

SB0333/175161/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 333
(Third Reading File Bill)

On page 2, in line 12, strike "October" and substitute "July".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 425 – Harford County Senators

AN ACT concerning

Harford County – Tax Sales – Auctioneer 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 580 – Senators Peters, Conway, Currie, Ferguson, Garagiola, King, Manno, McFadden, Muse, Pugh, Ramirez, Raskin, ~~and Robey~~ Robey, Kasemeyer, Brinkley, Colburn, DeGrange, Edwards, Jones–Rodwell, and Madaleno

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

SB0580/315163/1
BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 580
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike "and termination"; and in the same line, after "Act;" insert "providing for the termination of certain provisions of this Act;".

AMENDMENT NO. 2

On page 2, after line 19, insert:

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

Article – Tax – General".

AMENDMENT NO. 3

On page 3, in line 11, strike "2." and substitute "3."; in the same line, after "That" insert "Section 2 of"; and after line 15, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012, and, except as provided in Section 3 of this Act, shall be applicable to all taxable years beginning after December 31, 2012.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 670 – Senators Shank and Edwards

AN ACT concerning

Washington County – Tip Jars – Accountability and Oversight

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 852 – Senators King, Brinkley, Colburn, DeGrange, Glassman, Jacobs, and Klausmeier

AN ACT concerning

Sales and Use Tax – Alcoholic Beverages – Calculation of Tax

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS
REPORT #18

CONSENT CALENDAR #11

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 214 – Senator Raskin

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

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

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

Senate Bill 234 – The President (By Request – Administration) and Senators Benson, Currie, Ferguson, Kelley, King, Middleton, Peters, Pugh, ~~and Rosapepe~~ Rosapepe, and Jones–Rodwell

AN ACT concerning

Maryland Health Improvement and Disparities Reduction Act of 2012

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 364 – Senator Ferguson

AN ACT concerning

Loan Assistance Repayment Program – Nancy Grasmick Teacher ~~Grant~~ Scholars

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 627 – ~~Senator Conway~~ Senators Conway and Middleton

AN ACT concerning

Multiple Jurisdictions – Alcoholic Beverages – Class B and Class BLX Licenses – Restaurants

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

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

Senate Bill 657 – Senator Muse

AN ACT concerning

Horse Racing – Maryland Foaled Stakes Program ~~– Termination~~ and Sires Stakes Program – Revisions

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 739 – Senators Madaleno, Frosh, Glassman, Jones–Rodwell, Montgomery, Raskin, and Rosapepe

AN ACT concerning

Tax Credit Evaluation Act

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

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

Senate Bill 746 – Senator Middleton

AN ACT concerning

~~Telecommunications~~ Communications Companies – Universal Service Trust Fund – Surcharge

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 764 – Senators Kelley, Klausmeier, and Mathias

AN ACT concerning

Fraudulent Insurance Acts – Individual Sureties – Contracts of Surety Insurance

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 767 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Garrett County – County Commissioners – Wind Energy Conversion Systems

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

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

Senate Bill 794 – Senators Garagiola, Astle, DeGrange, Glassman, King, Klausmeier~~, Mathias~~, Middleton~~, Muse~~, and Robey

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

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 928 – Senators Astle and Middleton

AN ACT concerning

Health Insurance – Fees for Administrative Services Provided by Insurance Producers – Authorized

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 938 – Senator Mathias

AN ACT concerning

Property and Casualty Insurance – Rescission of Policy or Binder – Authorized

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 1059 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Comptroller – Departments of Liquor Control and Liquor Control Boards

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

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #17

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations reported favorably:

House Joint Resolution 3 – Delegates Morhaim, Barve, Cardin, Cluster, Costa, Feldman, Griffith, Holmes, Hubbard, Lafferty, McIntosh, A. Miller, Nathan–Pulliam, Pena–Melnyk, Ross, Stein, and Waldstreicher

A House Joint Resolution concerning

Maryland Ratification of the 17th Amendment to the United States Constitution

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Joint Resolution 2 – Senators Raskin and Forehand

A Senate Joint Resolution concerning

Maryland Ratification of the 17th Amendment to the United States Constitution

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 933)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #72

House Bill 472 – Delegates McIntosh and Feldman

AN ACT concerning

~~Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund~~
Workgroup on Lead Liability Protection for Rental Property

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

Affirmative – 119 Negative – 19 (See Roll Call No. 934)

The Bill was then sent to the Senate.

House Bill 520 – Delegates Nathan–Pulliam, Barkley, Braveboy, Burns, Davis, Feldman, Harrison, Impallaria, Jameson, Jones, Kramer, Love, McHale, Minnick, Oaks, Olszewski, B. Robinson, Schuh, Stukes, Tarrant, and Vaughn

EMERGENCY BILL

AN ACT concerning

Electric Companies – Contact Voltage – Surveys and Mitigation – The Deanna Camille Green Act of 2012

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

Affirmative – 122 Negative – 15 (See Roll Call No. 935)

The Bill was then sent to the Senate.

House Bill 861 – Delegate Braveboy

AN ACT concerning

~~Insurance –~~ Unfair Claim Settlement Practices – Refusal to Pay a Claim Under Homeowner's Insurance

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

Affirmative – 100 Negative – 38 (See Roll Call No. 936)

The Bill was then sent to the Senate.

House Bill 1269 – Delegates Barnes, Davis, and Hucker

AN ACT concerning

~~Public Utilities – Consumer Relations –~~ Public Service Commission – Study on Tenant Payment of Landlord Utility Bills

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

Affirmative – 131 Negative – 7 (See Roll Call No. 937)

The Bill was then sent to the Senate.

House Bill 1347 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Alcoholic Beverages – Class D Licenses ~~– Follow-Up Records Checks~~

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 sent to the Senate.

House Bill 1436 – Delegates Conway and McDermott

AN ACT concerning

Worcester County – Alcoholic Beverages – Beer and Wine Festivals

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

Affirmative – 137 Negative – 1 (See Roll Call No. 939)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 544 – Senators Ramirez, Raskin, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Ferguson, Forehand, Frosh, Garagiola, Glassman, Jacobs, Jennings, King, Kittleman, Madaleno, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pinsky, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elected Officials – Removal from Office – Crimes

FOR the purpose of requiring that an elected official of the State or of a county or municipal corporation who is found guilty of a felony or certain misdemeanors be suspended and, under certain circumstances, removed from office by operation of law; requiring that an elected official of the State or of a county or municipal corporation who ~~is convicted of or~~ enters a certain plea relating to a felony or certain misdemeanors be removed from office by operation of law; ~~repealing the provision of law that requires an elected official to be suspended from office by operation of law under certain circumstances;~~ making stylistic changes; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article XV – Miscellaneous
Section 2

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

Senate Bill 791 – Senator Garagiola

AN ACT concerning

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

FOR the purpose of altering the minimum required percentage of Tier 1 renewable energy that must be derived from solar energy in the State's renewable energy portfolio standard in certain years; authorizing the Public Service Commission, in consultation with the Maryland Energy Administration, to identify an equivalent certification for measurement for energy generated by certain solar water heating systems for certain purposes; authorizing the Commission, in consultation with the Administration, to approve an equivalent certification body to set certain standards; providing for the application of this Act; and generally relating to solar energy.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–703 and 7–704(g)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

Senate Bill 968 – Senator Conway

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

FOR the purpose of requiring a vendor of certain single family residential property to display or make available certain utility information under certain circumstances; requiring a vendor to make available certain utility information in a certain manner; authorizing a vendor to provide to prospective purchasers a certain home energy rating score; providing that certain information is provided without warranties; providing that the failure of a seller to provide certain information to the purchaser does not give the purchaser the right to rescind a contract of sale based on the failure of the seller to comply with this Act; providing that this Act does not apply to certain sales or transfers of property; providing for the application of this Act; and generally relating to disclosure of utility consumption prior to the sale of single family residential property.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 1–101(l) and (n)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Real Property
Section 10–702.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

Senate Bill 1004 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – ~~Qualifying~~ Thermal Biomass Systems

FOR the purpose of specifying that energy from a certain ~~qualifying~~ thermal biomass system is eligible for inclusion in meeting the renewable energy portfolio standard; specifying that a person that owns and operates a certain ~~qualifying~~ thermal biomass system is eligible to receive a certain renewable energy credit under certain circumstances; specifying that a certain person that is eligible to receive a certain renewable energy credit shall receive a certain renewable energy credit ~~under certain circumstances~~ equal to a certain amount; requiring the total amount of energy generated and consumed by a residential, nonresidential, or commercial ~~qualifying~~ thermal biomass system to be measured in a certain way; requiring the Public Service Commission to adopt certain regulations; defining a certain term; altering a certain term; providing for a delayed effective date; and generally relating to the eligibility of ~~qualifying~~ thermal biomass systems for inclusion in meeting the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–701(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Public Utilities
Section 7–701(h–1) and 7–704(h)

Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–701(l)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

Senate Bill 1016 – Senators Conway, Ferguson, Gladden, Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Vehicle Laws – Parking Restrictions

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to adopt a certain ordinance or regulation to allow, in designated neighborhoods in Baltimore City, a person to stop, stand, or park a vehicle on a sidewalk or to stop or park a vehicle parallel to the edge of the roadway in a certain manner; and generally relating to parking restrictions in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1003(c) and 21–1004(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Transportation
Section 21–1011
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 1082 – Senator Forehand

AN ACT concerning

Children in Need of Assistance and Child Abuse and Neglect – Sexual Abuse – Definition

FOR the purpose of altering the definition of "sexual abuse" for provisions of law relating to children in need of assistance, child abuse, and child neglect to include certain actions relating to human trafficking, obscene material, pornography, and prostitution; and generally relating to child sexual abuse.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(a) and 3–802(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–801(x)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–701(a) and 5–702
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–701(x)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 940)

ADJOURNMENT

At 12:51 P.M. on motion of Delegate Barve the House adjourned until 4:30 P.M. on Legislative Day March 31, 2012, Calendar Day Wednesday, April 4, 2012.

Annapolis, Maryland
Legislative Day: March 31, 2012
Calendar Day: Wednesday, April 4, 2012

The House met at 5:02 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Shirley Nathan-Pulliam of Baltimore County.

QUORUM CALL

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

(See Roll Call No. 941)

The Journal of March 30, 2012 was read and approved.

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

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 143	Del. Beitzel
HB 329	Anne Arundel Co. Del.
HB 353	Del. Holmes
HB 431	Del. Hogan
HB 618	Del. Simmons
HB 651	Del. Waldstreicher
HB 858	Del. Gilchrist
HB 889	PG/Montgomery Co. Del.
HB 890	PG/Montgomery Co. Del.

Read and ordered journalized.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #23

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

Senate Bill 23 – Senator Reilly

AN ACT concerning

Public Safety – Elevator Safety Review Board – Membership

SB0023/163396/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 23
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "industry" insert "or who is a licensed contractor other than an elevator contractor".

AMENDMENT NO. 2

On page 2, in line 12, after "**SHALL**" insert "**:**

1.";

in line 13, strike "**AND**" and substitute "**OR**

2. BE A CONTRACTOR LICENSED BY THE BOARD, OTHER THAN AN ELEVATOR CONTRACTOR; AND".

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 104 – Senator Colburn

AN ACT concerning

Dorchester County – Sailwinds Park, Inc. – Service of Alcohol – Wristbands

SB0104/803295/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 104
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, and 4, in each instance, strike "Park" and substitute "of Cambridge"; in line 3, after "of" insert "altering certain provisions of law to authorize Sailwinds of Cambridge, Inc., instead of Sailwinds Park, Inc., to obtain and renew a certain alcoholic beverages license in Dorchester County;"; in line 3, strike "requiring" and substitute "authorizing"; in line 5, strike "do not wear" and substitute "are not wearing"; in the same line, after "events" insert "under certain circumstances"; and strike beginning with "prohibiting" in line 6 down through "wristbands" in line 7 and substitute "limitations on serving alcoholic beverages at events at Sailwinds of Cambridge, Inc".

AMENDMENT NO. 2

On page 2, in line 13, strike "Park" and substitute "**OF CAMBRIDGE**"; in lines 16 and 17, strike "the Park" and substitute "**SAILWINDS OF CAMBRIDGE, INC**"; and in line 19, strike "**PARK**" and substitute "**OF CAMBRIDGE**".

AMENDMENT NO. 3

On page 2, in line 20, strike "**SHALL**" and substitute "**MAY**"; in line 22, strike "**MAY**" and substitute "**IF WRISTBANDS ARE DISTRIBUTED AT THE EVENT, MAY**"; and in line 23, strike "**DOES NOT WEAR THE WRISTBAND AT THE EVENT**" and substitute "**IS NOT WEARING A WRISTBAND**".

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 246 – Senator Conway

AN ACT concerning

Secondhand Precious Metal Object Dealers – Securing and Tagging Items – 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 272 – Senators Peters~~, Astle, Kittleman~~, ~~and Klausmeier~~ Pugh, Young, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Muse

AN ACT concerning

Labor and Employment – Workplace Fraud Act – Revisions

Favorable report adopted.

Delegate Davis moved to make the Bill a Special Order for Thursday.

The motion was adopted.

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

Senate Bill 317 – Senators Pugh~~, Ferguson, Gladden, Jennings, King, Madaleno, Manno, Mathias, Montgomery~~, Astle, Ferguson, Gladden, Glassman, Jennings, King, Kittleman, Madaleno, Manno, Middleton, Mathias, Montgomery, Muse, Raskin, Rosapepe, Shank, and Stone

AN ACT concerning

Retail Pet Stores – Sales of Dogs – Required Records, Health Disclosures, and Purchaser Remedies

SB0317/273194/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 317
(Third Reading File Bill)

On page 9, in line 25, after "**DIAGNOSIS;**" insert "**OR**".

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 352 – Senators Forehand ~~and Raskin~~, Raskin, Jacobs, Ramirez, and Zirkin

AN ACT concerning

National Human Trafficking Resource Center Hotline Information – Sign Posting 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 388 – Senators Kittleman, Kasemeyer~~, Robey, Brinkley, and Getty~~, and Robey

AN ACT concerning

~~Carroll and Howard Counties~~ Howard County – Workers' Compensation – Students in Unpaid Work–Based Learning Experiences

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 431 – Senators Young ~~and Brinkley~~, Brinkley, Glassman, Kelley, Klausmeier, and Middleton

AN ACT concerning

Workers' Compensation – Emergency Responders – Revisions

SB0431/883894/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 431
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "considered" insert "paid covered"; and in the same line, strike "for a certain purpose".

AMENDMENT NO. 2

On page 6, in line 21, strike "**NOT**"; in line 22, strike "**OTHERWISE**"; in the same line, after "**A**" insert "**PAID**"; and in line 23, after "**EMPLOYEE**" insert "**OF THE VOLUNTEER COMPANY**".

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 433 – Senators Young, Kelley, King, Montgomery, and Shank

AN ACT concerning

Labor and Employment – User Name and Password Privacy Protection and Exclusions

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 604 – Senators Kelley, Middleton, and Pugh

AN ACT concerning

Motor Vehicle Insurance – Uninsured Motorist Coverage – Effect of Consent to Offer of Settlement

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 607 – Senator Benson

AN ACT concerning

Business Occupations – Plumbers and Gas Fitters – Apprentice License Renewal

SB0607/103197/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 607
(Third Reading File Bill)

On page 1, in line 6, after "circumstances;" insert "establishing a certain exception;".

On page 3, in line 11, strike "**MAY**" and substitute "**SHALL**".

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 649 – Senators Ramirez, Raskin, and Jones–Rodwell

AN ACT concerning

Environment – Asbestos Worker Protection

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 652 – Senators Middleton, Young, Garagiola, Manno, Mathias, and Rosapepe

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Geothermal Heating and Cooling

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 812 – Senator Astle

AN ACT concerning

Insurance – Suspected Fraud – ~~Reporting Requirement~~ Liability for Reporting or for Furnishing or Receiving Information

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 814 – Senator Astle

AN ACT concerning

Public Safety – Elevators – ~~Board Membership, Accessibility Lifts, and Lift Mechanics~~ Accessibility Lift Mechanic License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 861 – Senator Klausmeier

AN ACT concerning

Portable Electronics Insurance

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 1044 – Senators Colburn and Mathias

AN ACT concerning

Wicomico County – Alcoholic Beverages – Class D Licenses – Follow–Up Records Checks

SB1044/563890/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 1044
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "– Follow–Up Records Checks"; and strike beginning with "requiring" in line 15 down through "term;" in line 21.

On page 2, in line 7, strike "and 10–103(b)(13)(vii)".

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 22 on page 4 through line 19 on page 5, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 942)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #26

Senate Bill 151 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011

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

Affirmative – 97 Negative – 41 (See Roll Call No. 943)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #17

Senate Bill 52 – Senator Dyson

AN ACT concerning

State Employees' Retirement and Pension Systems – Eligible Employees – St. Mary's Nursing Center, Inc.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 944)

The Bill was then returned to the Senate.

Senate Bill 119 – Chair, Budget and Taxation Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

State Personnel and Pensions – Optional Retirement Program – Maryland Higher Education Commission

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

Affirmative – 138 Negative – 0 (See Roll Call No. 945)

The Bill was then returned to the Senate.

Senate Bill 250 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Reemployment of Retirees – Exemptions

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 251 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees – Maryland School for the Deaf Exemption

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

Affirmative – 139 Negative – 0 (See Roll Call No. 947)

The Bill was then returned to the Senate.

Senate Bill 259 – Harford County Senators

AN ACT concerning

Harford County – Harford Community College – Authority to Incur Debt

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

Affirmative – 129 Negative – 7 (See Roll Call No. 948)

The Bill was then returned to the Senate.

Senate Bill 300 – Senators Young and Brinkley

AN ACT concerning

Frederick County – Public Facilities Bonds

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

Affirmative – 135 Negative – 1 (See Roll Call No. 949)

The Bill was then returned to the Senate.

Senate Bill 357 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Medical Board Participation

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 470 – Senator Edwards

AN ACT concerning

Allegany County – Orphans' Court Judges – Pension

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

Affirmative – 136 Negative – 0 (See Roll Call No. 951)

The Bill was then returned to the Senate.

CONSENT CALENDAR OF THIRD READING SENATE BILLS #19

THE FOLLOWING BILLS ARE ON THIRD READING:

NUMBER	SPONSOR	CONTENT	COMMITTEE
SB 33	Sen. Colburn	Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor Licenses – Clubs	ECM
SB 45	Sen. Colburn	Dorchester County – Alcohol Awareness Program – Certificate of	ECM

		Completion	
SB 66	Sen. Glassman	Harford County – Alcoholic Beverages Licenses – Class C–3 Club License	ECM
SB 67	Sen. Glassman	Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants	ECM
SB 68	Sen. Glassman	Harford County – Alcoholic Beverages – Wine Festival License	ECM
SB 103	Sen. Colburn	Dorchester County – Alcoholic Beverages – Hours for Sale	ECM
SB 106	Sen. Colburn	Talbot County – Alcoholic Beverages Violations – Issuance of Citations	ECM
SB 321	Sen. Young	Frederick Co – Alc Bevs – Licensed Restaurants – Removal of Tables and Chrs for Expanded Occupancy	ECM
SB 327	Sen. McFadden	Baltimore Cty – 45th Leg District – Lqr Stores – Premises Near Places of Worship or Schs	ECM
SB 328	Sen. McFadden	Baltimore City – 45th Legislative District – Alc Bevs – Landlords – Licensed Premises	ECM
SB 448	Sen. Colburn	Talbot County – Alcoholic Beverages – Wineries	ECM
SB 527	Sen. Edwards	Garrett County –	ECM

		Alcoholic Beverages – Class B Beer Licenses	
SB 585	Sen. Edwards	Garrett County – Alcoholic Beverages – Special Class C Beer, Wine and Liquor License	ECM
SB 587	Sen. Edwards	Garrett County – Alcoholic Beverages – Nudity and Sexual Displays – License Revocation	ECM
SB 654 (Emergency Bill)	Sen. Klausmeier	Baltimore County – Alcoholic Beverages Licenses	ECM
SB 883	Sen. Jones–Rodwell	Baltimore City – Alc Bevs – Video Lottery Facility and Video Lottery Concessionaire Licenses	ECM
SB 975	Sen. Pugh	Baltimore City – Alcoholic Beverages – Zoo License	ECM
SB 1040	Sen. Brinkley	Frederick County – Middletown Wine Festival License	ECM

Read the third time and passed by yeas and nays as follows on all of the preceding Bills:

Affirmative – 137 Negative – 0 (See Roll Call No. 952)

The Bills were then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #20

Senate Bill 30 – Senators Klausmeier and Kittleman

AN ACT concerning

Injured Workers' Insurance Fund – Cancellation of Policies – Failure to Pay a Premium

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

Affirmative – 136 Negative – 0 (See Roll Call No. 953)

The Bill was then returned to the Senate.

Senate Bill 51 – Senator Ferguson

EMERGENCY BILL

AN ACT concerning

Baltimore City – Board of Liquor License Commissioners – Transfer of License

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

Affirmative – 132 Negative – 5 (See Roll Call No. 954)

The Bill was then returned to the Senate.

Senate Bill 174 – Senators Klausmeier, Kittleman, Middleton, and Muse

AN ACT concerning

Subsequent Injury Fund and Uninsured Employers' Fund – Assessments on Settlement Agreements

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

Affirmative – 139 Negative – 0 (See Roll Call No. 955)

The Bill was then returned to the Senate.

Senate Bill 755 – Senators Young, Brinkley, Madaleno, Pinsky, Raskin, and Rosapepe

AN ACT concerning

Consuming Wine Not Bought on Premises – Restaurants, Clubs, and Hotels

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

Affirmative – 134 Negative – 4 (See Roll Call No. 956)

The Bill was then returned to the Senate.

Senate Bill 1075 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages – Beer and Wine Festivals

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.

THIRD READING CALENDAR (SENATE BILLS) #21

Senate Bill 37 – Senator Colburn

AN ACT concerning

Dorchester County – Water and Sewer Service – Late Fees

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

Affirmative – 139 Negative – 0 (See Roll Call No. 958)

The Bill was then returned to the Senate.

Senate Bill 44 – Senator Colburn

AN ACT concerning

Dorchester County – Bay Restoration Fund – Collection of Restoration Fee

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

Affirmative – 139 Negative – 0 (See Roll Call No. 959)

The Bill was then returned to the Senate.

Senate Bill 114 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Controlled Hazardous Substance Driver Certification – Elimination

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

Affirmative – 138 Negative – 0 (See Roll Call No. 960)

The Bill was then returned to the Senate.

Senate Bill 115 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Waterworks and Wastewater Works Certified Operators

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

Affirmative – 139 Negative – 0 (See Roll Call No. 961)

The Bill was then returned to the Senate.

Senate Bill 117 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Water Appropriation Permits – Construction Dewatering Projects

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

Affirmative – 137 Negative – 2 (See Roll Call No. 962)

The Bill was then returned to the Senate.

Senate Bill 208 – Senators Pinsky, Brochin, Forehand, Montgomery, and Raskin

AN ACT concerning

Environment – Recycling – Apartment Buildings and Condominiums

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

Affirmative – 99 Negative – 40 (See Roll Call No. 963)

The Bill was then returned to the Senate.

Senate Bill 345 – Senator Glassman

AN ACT concerning

~~Environment~~ Harford County – Water and Sewer Authorities – Number of Directors

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

Affirmative – 138 Negative – 0 (See Roll Call No. 964)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #22

Senate Bill 20 – Senator Astle

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates

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

Affirmative – 138 Negative – 0 (See Roll Call No. 965)

The Bill was then returned to the Senate.

Senate Bill 177 – Senators Robey, Jacobs, and Klausmeier

AN ACT concerning

Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop

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

Affirmative – 139 Negative – 0 (See Roll Call No. 966)

The Bill was then returned to the Senate.

Senate Bill 185 – Senators Forehand, Conway, King, Madaleno, Manno, Montgomery, Ramirez, Raskin, and Stone

AN ACT concerning

Motor Vehicles – Child ~~Seating and~~ Safety Seats – Requirements ~~and Prohibition~~

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

Affirmative – 128 Negative – 11 (See Roll Call No. 967)

The Bill was then returned to the Senate.

Senate Bill 276 – Senators Mathias, Colburn, Currie, DeGrange, Edwards, Garagiola, Jennings, Middleton, Peters, ~~and Robey~~ Robey, Forehand, Getty, Jacobs, Stone, and Zirkin

AN ACT concerning

Drivers' Licenses and Identification Cards – Notation of Veteran Status

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

Affirmative – 139 Negative – 0 (See Roll Call No. 968)

The Bill was then returned to the Senate.

Senate Bill 306 – Senator Ferguson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Vehicle Height Monitoring Systems

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

Affirmative – 106 Negative – 32 (See Roll Call No. 969)

The Bill was then returned to the Senate.

Senate Bill 487 – Senators Raskin and Reilly

AN ACT concerning

Vehicle Laws – Salvage – Defective, Lost, or Destroyed Certificates of Title

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

Affirmative – 139 Negative – 0 (See Roll Call No. 970)

The Bill was then returned to the Senate.

Senate Bill 506 – Senators Raskin, Gladden, Ramirez, ~~and Stone~~ Stone, and Brochin

AN ACT concerning

Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

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

Affirmative – 136 Negative – 2 (See Roll Call No. 971)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #23

Senate Bill 34 – Senator Colburn

AN ACT concerning

Talbot County – Zoning Regulations – Enforcement

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

Affirmative – 139 Negative – 0 (See Roll Call No. 972)

The Bill was then returned to the Senate.

Senate Bill 173 – Senators Klausmeier, Benson, Montgomery, and Young

AN ACT concerning

Public School Buildings – Carbon Monoxide Detection and Warning Equipment

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

Affirmative – 118 Negative – 20 (See Roll Call No. 973)

The Bill was then returned to the Senate.

Senate Bill 409 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Ferguson, Gladden, McFadden, and Pugh

AN ACT concerning

Baltimore City – Police Department – Appointments

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

Affirmative – 138 Negative – 0 (See Roll Call No. 974)

The Bill was then returned to the Senate.

Senate Bill 581 – Senators Stone, Brochin, Klausmeier, ~~and Zirkin~~ Zirkin, and Jennings

AN ACT concerning

Maryland Historical Trust – National Register of Historic ~~Property Designation~~ Places – Essex Skypark

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

Affirmative – 138 Negative – 0 (See Roll Call No. 975)

The Bill was then returned to the Senate.

Senate Bill 769 – Senator Edwards

AN ACT concerning

Garrett County – Animal Control Ordinance – Enabling Authority

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

Affirmative – 139 Negative – 0 (See Roll Call No. 976)

The Bill was then returned to the Senate.

Senate Bill 869 – Senator Conway

AN ACT concerning

Maryland Building Performance Standards – Hotels – Mandatory Master Control Device

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

Affirmative – 98 Negative – 41 (See Roll Call No. 977)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #24

Senate Bill 745 – ~~Senator Middleton~~ Senators Middleton, Kelley, and Klausmeier

EMERGENCY BILL

AN ACT concerning

Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company

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

Affirmative – 101 Negative – 37 (See Roll Call No. 978)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #1

AMENDED IN THE SENATE

House Bill 162 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications

Delegate Conway moved that the House concur in the Senate amendments.

HB0162/499835/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 162

(Third Reading File Bill)

On page 2, in line 17, strike "**ITEM**" and substitute "**SUBSUBSUBPARAGRAPH**"; and in line 26, strike "**AND**" and substitute "**OR**".

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. 979)

AMENDED IN THE SENATE

House Bill 570 – Delegates Davis, Haddaway–Riccio, Howard, Love, McHale, Schulz, Stifler, Vaughn, ~~and Walker~~ Walker, Burns, Hershey, Impallaria, W. Miller, Olszewski, and Schuh

AN ACT concerning

Other Tobacco Products ~~Licenses – Repeal~~ – Restrictions on Sale, Distribution, and Shipment – Exemptions

Delegate Davis moved that the House concur in the Senate amendments.

HB0570/507270/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 570
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "tobacconist;" insert "requiring the Comptroller to submit a certain report by a certain date on a certain policy regarding the direct shipment of premium cigars and pipe tobacco to consumers in Maryland;".

AMENDMENT NO. 2

On page 12, in line 28, after "ENACTED," insert "That:

(a) On or before November 1, 2012, the Comptroller shall submit a report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the viability and efficacy of instituting in Maryland the policy of permitting direct shipment of premium cigars and pipe tobacco to consumers in the State.

(b) The report shall include:

(1) an evaluation of related fiscal, tax, and other public policy and regulatory issues; and

(2) a determination regarding:

(i) the best practices for preventing access by minors to premium cigars and pipe tobacco that is shipped directly to consumers;

(ii) any significant increase or decrease in access to or demand for premium cigars and pipe tobacco by minors that has been documented as the result of direct shipment of premium cigars and pipe tobacco;

(iii) the best means for collecting relevant tax revenues;

(iv) the benefits and costs to consumers; and

(v) the effect of direct premium cigar and pipe tobacco shipment laws on in–State licensed other tobacco products retailers and tobacconists and other local businesses.

SECTION 3. AND BE IT FURTHER ENACTED,".

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. 980)

AMENDED IN THE SENATE

House Bill 1095 – Delegate Rudolph

AN ACT concerning

Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor

Delegate Davis moved that the House concur in the Senate amendments.

HB1095/307573/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1095
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "certain" insert "written"; in the same line, after "insured" insert "on a certain form"; and in line 9, after "factor;" insert "requiring an insurer, at the time of a certain application or when a certain policy or binder is issued, to provide a certain written notice of its ability to recalculate a certain premium during a certain period;".

AMENDMENT NO. 2

On page 5, in line 27, strike "**AND (F)**".

On page 6, in line 10, strike "October" and substitute "January"; in the same line, strike "2012" and substitute "2013".

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. 981)

AMENDED IN THE SENATE

House Bill 71 – Delegate Morhaim

AN ACT concerning

Family Security Trust Fund – Requirement to Transfer Interest to the General Fund – Exemption

Delegate Hammen moved that the House concur in the Senate amendments.

HB0071/769330/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 71
(Third Reading File Bill)

On page 3, in line 25, strike "**7–4A–03D**" and substitute "**7–4A–03(D)**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 128 Negative – 11 (See Roll Call No. 982)

AMENDED IN THE SENATE

House Bill 217 – Delegates Pena–Melnyk, Gutierrez, and Reznik

AN ACT concerning

Council for the Procurement of Health, Educational, and Social Services

Delegate Hammen moved that the House concur in the Senate amendments.

HB0217/494333/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 217
(Third Reading File Bill)

On page 2, in line 27, strike "**21**".

On page 4, in line 5, strike "**(XV)**" and substitute "**(XII)**".

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. 983)

AMENDED IN THE SENATE

House Bill 399 – Delegates Pena–Melnyk, Bromwell, Cullison, Hubbard, A. Kelly, Kipke, Love, Nathan–Pulliam, and Oaks

AN ACT concerning

Health – Cottage Food Businesses – Requirements

Delegate Hammen moved that the House concur in the Senate amendments.

HB0399/887577/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 399
(Third Reading File Bill)

On page 2, in line 24, strike "**SALES**"; and in the same line, strike "**OF**" and substitute "**FROM THE SALE OF COTTAGE FOOD PRODUCTS IN**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 984)

AMENDED IN THE SENATE

House Bill 111 – Delegates Anderson, Braveboy, Cane, Carter, Conaway, Glenn, Haynes, Holmes, McDermott, McIntosh, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnyk, B. Robinson, Rosenberg, Washington, and Zucker

AN ACT concerning

Criminal Law – Failure to Return Rental Vehicle – ~~Repeal~~ Notice

Delegate Vallario moved that the House concur in the Senate amendments.

HB0111/828579/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 111

(Third Reading File Bill)

On page 2, in lines 12 and 18, in each instance, strike "**10**" and substitute "**5**"; and in line 13, after "**BY**" insert "**REGULAR MAIL 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 – 128 Negative – 10 (See Roll Call No. 985)

AMENDED IN THE SENATE

House Bill 1285 – Delegates Summers, Cardin, and George

AN ACT concerning

Election Law – Campaign Finance – Requirements

Delegate Hixson moved that the House concur in the Senate amendments.

HB1285/634237/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1285
(Third Reading File Bill)

On page 3, in line 5, strike "**WITHIN 60 DAYS OF**" and substitute "**BY THE NEXT DEADLINE FOR FILING A CAMPAIGN FINANCE REPORT AFTER**".

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. 986)

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0496**
SPONSOR: Sens Gladden and Middleton
SUBJECT: Crim Procedure – Unexecuted Warrant, Summons, or Other Crim Process – Invalidation and Destruction

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

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

Senator Gladden, Chairman
Senator 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 0496**
SPONSOR: Sens Gladden and Middleton
SUBJECT: Crim Procedure – Unexecuted Warrant, Summons, or Other Crim Process – Invalidation and Destruction

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

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

The Senate has appointed:
Senator Gladden, Chair
Senator Ramirez
Senator Shank

The House appoints:
Delegate Vallario, Chairman

Delegate Carter, and
Delegate Smigiel.

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 0647**
SPONSOR: Sen Ramirez, et al
SUBJECT: Domestically Related Crimes – Reporting

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 Ramirez, Chairman
Senator Getty
Senator Zirkin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0647**
SPONSOR: Sen Ramirez, et al
SUBJECT: Domestically Related Crimes – Reporting

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 Ramirez, Chair
Senator Getty
Senator Zirkin

The House appoints:
Delegate Simmons, Chairman
Delegate Waldstreicher, and
Delegate Parrott.

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 0856**
SPONSOR: Sen Raskin, et al
SUBJECT: Courts and Judicial Proceedings – Maryland Mediation Confidentiality 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 Raskin, Chairman
Senator Getty
Senator Frosh.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0856**
SPONSOR: Sen Raskin, et al
SUBJECT: Courts and Judicial Proceedings – Maryland Mediation Confidentiality 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 Raskin, Chair
Senator Getty
Senator Frosh

The House appoints:
Delegate Clippinger, Chairman
Delegate Lee, and
Delegate McComas.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 987)

RECESS

At 6:17 P.M. on motion of Delegate Barve the House recessed until 11:00 A.M. on Legislative Day March 31, 2012, Calendar Day Thursday, April 5, 2012.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 31, 2012
Calendar Day: Thursday, April 5, 2012

At 11:06 A.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Donna M. Stifler of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 988)

EXCUSES:
Del. Gutierrez – illness
Del. Mizeur – late – traffic
Del. Sophocleus – illness
Del. V. Turner – briefly here – medical

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 553 – Senator Rosapepe

AN ACT concerning

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

FOR the purpose of altering a certain provision of law to provide that the boundaries of the Maryland–Washington Metropolitan District do not include certain property annexed by the City of Laurel during a certain time period; altering a certain provision of law to provide that the boundaries of the Maryland–Washington Regional District include all of Prince George's County except the City of Laurel as its boundaries are defined as of a certain date and certain property annexed by the City of Laurel during a certain time period; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the

boundaries of the Maryland–Washington Metropolitan District and the Maryland–Washington Regional District.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 3–102(b) and 7–103
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Land Use
Section 19–102
Annotated Code of Maryland
(As enacted by Ch. 426 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,
Article – Land Use
Section 20–101
Annotated Code of Maryland
(As enacted by Ch. 426 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,
Chapter 426 of the Acts of the General Assembly of 2012
Section 11 1(b)(3)

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

Senate Bill 748 – Senator Middleton

AN ACT concerning

Commercial Law – Uniform Commercial Code – Secured Transactions – Revision

FOR the purpose of altering the circumstances under which a secured party has control of electronic chattel paper; authorizing a certain registered organization and a branch or agency of a certain bank to designate its state of location in a certain manner; establishing certain rules applicable to collateral to which a security interest attaches within a certain period of time; establishing certain rules applicable to a financing statement naming an original debtor that is filed pursuant to the law of a certain jurisdiction; altering the circumstances under which a certain licensee or buyer of certain collateral takes free of a security interest; altering the circumstances under which a security interest created by a new debtor is perfected; altering the applicability of certain provisions of law governing terms in certain agreements or promissory notes; altering and clarifying certain provisions of law that establish when a financing statement

sufficiently provides the name of the debtor and when the name of the debtor becomes insufficient; altering the circumstances under which a filing does not occur with respect to certain records; authorizing a person to file an information statement with respect to a certain record under certain circumstances; specifying the contents of an information statement; providing that the filing of an information statement does not affect the effectiveness of a certain financing statement or record; altering the circumstances under which a filing office that accepts written records is prohibited from refusing to accept certain documents; establishing certain transition provisions; altering certain definitions; defining certain terms; making certain stylistic, conforming, and clarifying changes; providing for a delayed effective date; and generally relating to secured transactions.

BY renumbering
Article – Commercial Law
Section 9–102(a)(69) and (70) and (72) through (81), respectively
to be Section 9–102(a)(70) and (71) and (73) through (82), respectively
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 9–102(a)(7), (10), (50), and (71), 9–105, 9–307(f), 9–311(a), 9–317(b) and (d), 9–326, 9–406(e), 9–408(b), 9–502(c), 9–503(a) and (b), 9–507, 9–515(f), 9–516, 9–518, 9–521, and 9–607(b)
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

BY adding to
Article – Commercial Law
Section 9–102(a)(69), 9–316(h) and (i), and 9–503(f), (g), and (h); and 9–801 through 9–810 to be under the new subtitle "Subtitle 8. Transition Provisions for 2012 Amendments"
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 9–406(d), 9–408(a), and 9–607(a)(3)
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

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

Senate Bill 1098 – Senator Conway

AN ACT concerning

Baltimore City – Construction Debris and Demolition Debris – ~~Recycling~~ Prohibition ~~Lumber~~

FOR the purpose of ~~requiring a certain facility to accept for recycling certain construction debris and demolition debris that contain lumber under certain circumstances; prohibiting a certain facility from recycling certain construction debris and demolition debris if the debris contains asbestos; providing for the application of this Act; defining a certain term;~~ prohibiting the Department of the Environment and Baltimore City from initiating an enforcement action or civil suit against a certain facility under a certain circumstance; and generally relating to recycling construction debris and demolition debris in Baltimore City.

BY adding to
Article – Environment
Section 9–258
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #14

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

House Bill 1223 – Delegate Guzzone

AN ACT concerning

Institutions of Postsecondary Education – Fully Online Distance Education Programs – Registration

HB1223/454666/1
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1223
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "time" insert "under certain circumstances"; in line 11, after "circumstances" insert "within a certain period of time"; in line 12, after "circumstances;" insert "requiring the Commission to render a certain decision within a certain period of time;"; in line 22, after "circumstances;" insert "requiring the Commission to submit certain reports to the Governor and the General Assembly;"; in line 28, after "to" insert "a"; and in the same line, strike "exceptions" and substitute "exception".

On page 2, in line 9, after "System;" insert "providing for the construction of this Act;"; and strike beginning with "providing" in line 5 down through "circumstances" in line 7 and substitute "providing that an institution shall be subject to a certain fine if it fails to register with the Commission under certain circumstances".

AMENDMENT NO. 2

On page 3, in lines 13, 20, 22, 27, and 29, in each instance, strike "**OR REGISTRATION**"; strike beginning with "**OR**" in line 14 down through "**REGISTRATION**" in line 15; in line 17, after "(2)" insert "**(I)**"; in line 18, strike ", and within" and substitute "**.**

(II) WITHIN";

in line 23, strike "**NOT**"; in the same line, strike the brackets; strike beginning with "**OR**" in line 23 down through "**RECEIVED**" in line 25 and substitute "nor"; after line 27, insert:

"**(C–1) (1) IF THE COMMISSION BELIEVES THAT AN INSTITUTION OF POSTSECONDARY EDUCATION THAT IS REQUIRED TO REGISTER UNDER § 11–202.2 OF THIS SUBTITLE DOES NOT MEET THE CONDITIONS OR STANDARDS NECESSARY FOR THE ISSUANCE OF THE REGISTRATION, THE COMMISSION SHALL GIVE THE INSTITUTION WRITTEN NOTICE OF THE SPECIFIC DEFICIENCIES WITHIN 6 MONTHS AFTER RECEIPT OF AN APPLICATION FOR REGISTRATION.**

(2) (I) WITHIN 20 DAYS AFTER RECEIPT OF A NOTICE OF DEFICIENCIES, THE INSTITUTION MAY REQUEST A HEARING BEFORE THE COMMISSION.

(II) WITHIN 60 DAYS AFTER RECEIPT OF THE REQUEST FOR A HEARING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSION SHALL HOLD A HEARING TO DETERMINE IF THE REGISTRATION SHOULD BE ISSUED.

(3) (I) IF, AFTER 6 MONTHS FROM THE DATE ON WHICH THE APPLICATION FOR REGISTRATION WAS SUBMITTED TO THE COMMISSION, THE INSTITUTION HAS RECEIVED NEITHER A REGISTRATION NOR WRITTEN NOTICE OF DEFICIENCIES UNDER THIS SUBSECTION, THE INSTITUTION MAY REQUEST A HEARING WITHIN 20 DAYS BEFORE THE COMMISSION.

(II) WITHIN 60 DAYS AFTER RECEIPT OF THE REQUEST FOR A HEARING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSION SHALL HOLD A HEARING TO DETERMINE IF THE REGISTRATION SHOULD BE ISSUED.

(4) AFTER A HEARING HELD UNDER THIS SUBSECTION, THE COMMISSION SHALL RENDER A DECISION WITHIN 30 DAYS.";

and in line 30, after "section" insert "**OR THAT IS DENIED A REGISTRATION AFTER A HEARING GRANTED UNDER SUBSECTION (C–1) OF THIS SECTION**".

AMENDMENT NO. 3

On page 4, strike beginning with "**NO**" in line 16 down through "**STATE**" in line 17 and substitute "**THE COMMISSION HAS DETERMINED THAT THE PORTION OF THE PROGRAM OFFERED AT A LOCATION IN THE STATE, IF ANY, DOES NOT REQUIRE A CERTIFICATE OF APPROVAL FOR THE INSTITUTION TO OPERATE, DO BUSINESS, OR FUNCTION IN THE STATE**"; in line 18, strike "**PARAGRAPH (2)**" and substitute "**PARAGRAPHS (2) AND (3)**"; in line 21, after "**SHALL**" insert "**FILE AN APPLICATION TO**"; in the same line, strike "**6**" and substitute "**3**"; and after line 27, insert:

"**(3) (I) NOTWITHSTANDING THE REQUIREMENTS OF § 11–202(C–1) OF THIS SUBTITLE, AN INSTITUTION THAT HAS ENROLLED MARYLAND STUDENTS BEFORE OBTAINING REGISTRATION UNDER THIS SECTION MAY CONTINUE TO OPERATE WITHOUT A REGISTRATION WHILE THE COMMISSION CONSIDERS THE INSTITUTION'S APPLICATION, CONDUCTS A**

HEARING CONCERNING THE INSTITUTION'S APPLICATION, OR PARTICIPATES IN JUDICIAL REVIEW REGARDING AN INSTITUTION'S APPLICATION.

(II) AN INSTITUTION THAT CONTINUES TO OPERATE WITHOUT A REGISTRATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL FURNISH A PERFORMANCE BOND OR OTHER FORM OF FINANCIAL GUARANTEE TO THE STATE IN AN AMOUNT SET BY REGULATION THAT IS IN ADDITION TO AND SEPARATE FROM A PERFORMANCE BOND OR OTHER FORM OF FINANCIAL GUARANTEE REQUIRED UNDER § 11–203 OF THIS SUBTITLE.".

AMENDMENT NO. 4

On page 6, in line 7, after "**(1)**" insert "**(I)**"; in line 9, after "**CHARGE**" insert "**FOR A STUDENT WHO HAS COMPLETED LESS THAN 24 CREDITS OF COLLEGE–LEVEL LEARNING FROM AN ACCREDITED INSTITUTION; AND**

(II) A PRORATED REFUND METHODOLOGY THAT PROVIDES A REFUND TO ANY STUDENT NOT COVERED BY ITEM (I) OF THIS PARAGRAPH WHO HAS COMPLETED 60% OR LESS OF A COURSE, TERM, OR PROGRAM WITHIN THE APPLICABLE BILLING PERIOD";

strike beginning with "**ACCOUNTS**" in line 10 down through "**COMPLETED**" in line 11 and substitute "**PROVIDES A REFUND TO ANY STUDENT WHO HAS COMPLETED 60% OR LESS OF A COURSE, TERM, OR PROGRAM WITHIN THE APPLICABLE BILLING PERIOD**"; in line 15, after "**BE**" insert "**:**

(I) A FIXED AMOUNT FOR ALL INSTITUTIONS REGARDLESS OF TYPE, LOCATION, OR STUDENT ENROLLMENT; AND

(II)";

in the same line, strike "**SET**" and substitute "**SET**"; after line 22, insert:

"**(G) ON OR BEFORE DECEMBER 1 EACH YEAR, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY:**

(1) THE NUMBER OF INSTITUTIONS OF POSTSECONDARY EDUCATION THAT APPLY FOR REGISTRATION UNDER THIS SECTION;

(2) THE TYPE AND SIZE OF THE INSTITUTIONS THAT APPLY;

(3) THE NUMBER OF INSTITUTIONS APPROVED FOR REGISTRATION;

(4) THE NUMBER OF INSTITUTIONS DENIED REGISTRATION; AND

(5) THE NUMBER OF MARYLAND STUDENTS ENROLLED IN INSTITUTIONS REQUIRED TO REGISTER UNDER THIS SECTION.";

and in line 27, after "guarantee" insert "**FOR EITHER THE CERTIFICATE OF APPROVAL OR THE REGISTRATION**".

AMENDMENT NO. 5

On page 7, strike in their entirety lines 33 and 34.

On page 8, strike in their entirety lines 1 through 4, inclusive; and after line 4, insert:

"**2. A. AFTER 3 YEARS OF CLAIMS HISTORY DURING WHICH NO CLAIM AGAINST THE FUND HAS BEEN SUSTAINED ON BEHALF OF A STUDENT PARTICIPATING IN A FULLY ONLINE DISTANCE EDUCATION PROGRAM OFFERED IN THE STATE BY AN INSTITUTION REGISTERED UNDER § 11–202.2 OF THIS SUBTITLE, THE COMMISSION SHALL EXEMPT THAT INSTITUTION FROM THE REQUIREMENT TO CONTRIBUTE TO THE FUND.**

B. NOTWITHSTANDING SUBSUBPARAGRAPH A OF THIS SUBSUBPARAGRAPH, AN INSTITUTION SHALL BE REQUIRED TO CONTRIBUTE TO THE FUND FOLLOWING A CLAIM AGAINST THE FUND BEING SUSTAINED ON BEHALF OF A STUDENT PARTICIPATING IN A FULLY ONLINE DISTANCE EDUCATION PROGRAM OFFERED IN THE STATE BY THE INSTITUTION.".

AMENDMENT NO. 6

On page 9, after line 12, insert:

"**(E) ON OR BEFORE DECEMBER 1 EACH YEAR, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, REGARDING:**

(1) THE NUMBER OF CLAIMS MADE AGAINST EACH GUARANTY FUND ESTABLISHED UNDER THIS SECTION;

(2) THE TYPE, SIZE, AND PROGRAM OF THE INSTITUTIONS AGAINST WHICH THE CLAIMS ARE MADE;

(3) THE NUMBER OF CLAIMS THAT ARE APPROVED AND THE ASSOCIATED PAYOUTS FROM THE FUNDS; AND

(4) THE NUMBER OF CLAIMS THAT ARE DENIED.".

AMENDMENT NO. 7

On page 10, strike beginning with the first "**THE**" in line 29 down through "**BOTH**" in line 32 and substitute "**THE INSTITUTION SHALL BE SUBJECT TO A FINE NOT EXCEEDING $20,000**".

AMENDMENT NO. 8

On page 12, strike beginning with "**AND**" in line 3 down through "**LEVEL**" in line 4; after line 6, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act may be construed to affect the ongoing interpretation of § 11–202 of the Education Article and whether instruction through correspondence, noninteractive learning, credit for prior learning, cooperative education activities, practica, internships, externships, apprenticeships, portfolio review, departmental examinations, or challenge examinations requires a certificate of approval to operate, do business, or function in this State.";

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

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1424 – Delegates Conway and McDermott

AN ACT concerning

Ocean City Convention Center – Financial Obligations and Taxing Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 273 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications

SB0273/204461/1
BY: Appropriations Committee

AMENDMENT TO SENATE BILL 273
(Third Reading File Bill)

On page 2, in line 17, strike "**ITEM**" and substitute "**SUBSUBSUBPARAGRAPH**"; and in line 24, strike "**(1)**" and substitute "**1**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 335 – Chair, Budget and Taxation Committee (By Request – Judicial Compensation Commission)

AN ACT concerning

Judges' Retirement System – Contribution Rates for New Members

SB0335/454068/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 335
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "System –" insert "Compensation,"; in the same line, strike "for New Members" and substitute ", and Vesting Requirements"; in line 3, after the first "of" insert "altering the process under which the salary recommendations of the Judicial Compensation Commission go into effect;"; strike beginning with "individuals" in line 3 down through "become" in line 4; in line 4, strike "on or after a certain date"; strike beginning with "altering" in line 5 down through "Act;" in line 7 and substitute "requiring individuals who become members of the Judges' Retirement System on or after a certain date to earn a certain amount of eligibility service before becoming eligible to receive certain retirement allowances; altering the calculation of a normal service retirement allowance for certain members in the Judges' Retirement System;"; after line 7, insert:

"BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–708
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)";

in line 10, after "27–202" insert ", 27–401, and 27–402(c)"; strike in their entirety lines 13 through 18, inclusive; and after line 18, insert:

"BY repealing
Article – State Personnel and Pensions
Section 29–301
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 29–301
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2
On page 1, after line 20, insert:

"Article – Courts and Judicial Proceedings

1–708.

(a) The salaries and pensions of the judges of the Court of Appeals, the Court of Special Appeals, the circuit courts of the counties, and the District Court shall be established as provided by this section, §§ 1–701 through 1–707 of this subtitle, and Title 27 of the State Personnel and Pensions Article.

(b) (1) There is a Judicial Compensation Commission. The Commission shall study and make recommendations with respect to all aspects of judicial compensation, to the end that the judicial compensation structure shall be adequate to assure that highly qualified persons will be attracted to the bench and will continue to serve there without unreasonable economic hardship.

(2) The Commission consists of seven members appointed by the Governor. No more than three members of the Commission may be individuals admitted to practice law in this State. In nominating and appointing members, special consideration shall be given to individuals who have knowledge of compensation practices and financial matters. The Governor shall appoint:

(i) Two members from a list of the names of at least five nominees submitted by the President of the Senate;

(ii) Two from a list of the names of at least five nominees submitted by the Speaker of the House of Delegates;

(iii) One from a list of the names of at least three nominees submitted by the Maryland State Bar Association, Inc.; and

(iv) Two at large.

(3) A member of the General Assembly, officer or employee of the State or a political subdivision of the State, or judge or former judge is not eligible for appointment to the Commission.

(4) The term of a member is 6 years, commencing July 1, 1980, and until the member's successor is appointed. However, of the members first appointed to the Commission, the Governor shall designate one of the members nominated by the President of the Senate to serve for 3 years and one for 6 years; one of the members nominated by the Speaker to serve for 4 years and one for 5 years; the member nominated by the Maryland State Bar Association, Inc., to serve for 3 years; and one of the members at large to serve for 2 years, and one for 6 years. A member is eligible for reappointment.

(5) Members of the Commission serve without compensation, but shall be reimbursed for reasonable expenses incurred in carrying out their responsibilities under this section.

(6) The members of the Commission shall elect a member as chairman of the Commission.

(7) The concurrence of at least five members is required for any formal Commission action.

(8) The Commission may request and receive assistance and information from any unit of State government.

(c) On or after September 1, 2011, September 1, 2013, and every 4 years thereafter, the Commission shall review the salaries and pensions of the judges of the courts listed in subsection (a) of this section and make written recommendations to the Governor and General Assembly on or before the next ensuing regular session of the General Assembly. The Governor shall include in the budget for the next ensuing fiscal year the funding necessary to implement those recommendations, contingent on action by the General Assembly under subsections (d) and (e) of this section.

(d) (1) The salary recommendations made by the Commission shall be introduced as a joint resolution in each House of the General Assembly not later than the fifteenth day of the session. The General Assembly may amend the joint resolution to decrease any of the Commission salary recommendations, but no reduction may diminish the salary of a judge during his continuance in office. The General Assembly may not amend the joint resolution to increase the recommended salaries. **[**If the General Assembly fails to adopt or amend the joint resolution within 50 days after its introduction, the salaries recommended by the Commission shall apply. If the joint resolution is adopted or amended in accordance with this section within 50 days after its introduction, the salaries so provided shall apply.**] THE JOINT RESOLUTION SHALL BECOME EFFECTIVE ONLY IF PASSED BY THE GENERAL ASSEMBLY.** If the General Assembly **[**rejects**] FAILS TO ADOPT OR AMEND** any or all of the Commission's salary recommendations **CONTAINED IN THE JOINT RESOLUTION**, the salaries of the judges affected remain unchanged, unless modified under other provisions of law.

(2) The Governor or the General Assembly may not increase the recommended salaries, except as provided under § 1–703(b) of this subtitle.

(e) The recommendation of the Commission as to pensions shall be introduced by the presiding officers of the Senate and the House of Delegates in the form of legislation, and shall become effective only if passed by both Houses.

(f) Any change in salaries or pensions adopted by the General Assembly under this section takes effect as of the July 1 of the year next following the year in which the Commission makes its recommendations.

(g) This section does not affect § 1–702(b), § 1–703(b), or §§ 1–705 through 1–707 of this subtitle, or Title 27 of the State Personnel and Pensions Article.".

AMENDMENT NO. 3

On page 2, in line 3, strike the brackets; in the same line, strike "**SUBSECTIONS (B) AND (C)**"; in line 4, strike "6%" and substitute "**8%**"; and strike beginning with "**THE**" in line 5 down through "**(C)**" in line 8.

AMENDMENT NO. 4

On page 2, strike in their entirety lines 10 through 22, inclusive, and substitute:

"27–401.

(A) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO IS A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2012.

(2) A member or former member is entitled to a retirement allowance:

[(1)**] (I)** on termination of service, if the member is at least 60 years old;

[(2)**] (II)** on the recommendation of the medical board, if the member or former member resigns because of disability;

[(3)**] (III)** when retired by order of the Court of Appeals; or

[(4)**] (IV)** at the age of 60 years, if the former member's termination of service occurred earlier.

(B) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.

(2) A MEMBER OR FORMER MEMBER IS ENTITLED TO A RETIREMENT ALLOWANCE:

(I) ON TERMINATION OF SERVICE, IF THE MEMBER IS AT LEAST 60 YEARS OLD AND HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE;

(II) ON THE RECOMMENDATION OF THE MEDICAL BOARD, IF THE MEMBER OR FORMER MEMBER RESIGNS BECAUSE OF DISABILITY;

(III) WHEN RETIRED BY ORDER OF THE COURT OF APPEALS; OR

(IV) AT THE AGE OF 60 YEARS, IF THE FORMER MEMBER'S TERMINATION OF SERVICE OCCURRED EARLIER AND THE FORMER MEMBER HAD AT LEAST 5 YEARS OF ELIGIBILITY SERVICE WHEN THE FORMER MEMBER TERMINATED SERVICE.

27–402.

(c) **(1) (I) THIS PARAGRAPH APPLIES ONLY TO AN INDIVIDUAL WHO IS A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2012.**

(II) On retirement under this subtitle by a retiree who has less than 16 years of service credit as a member, the retiree is entitled to a reduced retirement allowance that equals the retirement allowance computed under subsection (a) or (b) of this section multiplied by a fraction that has:

[(1)**]** **1.** for its numerator, the number of years of service credit as a member; and

[(2)**]** **2.** for its denominator, 16.

(2) (I) THIS PARAGRAPH APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.

(II) ON RETIREMENT UNDER THIS SUBTITLE BY A RETIREE WHO HAS AT LEAST 5 YEARS BUT LESS THAN 16 YEARS OF SERVICE CREDIT AS A MEMBER, THE RETIREE IS ENTITLED TO A REDUCED RETIREMENT ALLOWANCE THAT EQUALS THE RETIREMENT ALLOWANCE COMPUTED UNDER SUBSECTION (A) OR (B) OF THIS SECTION MULTIPLIED BY A FRACTION THAT HAS:

1. FOR ITS NUMERATOR, THE NUMBER OF YEARS OF SERVICE CREDIT AS A MEMBER; AND

2. FOR ITS DENOMINATOR, 16.

[29–301.

This subtitle does not apply to the Judges' Retirement System.**]**

29–301.

(A) THIS SECTION APPLIES ONLY TO A MEMBERS OF THE JUDGES' RETIREMENT SYSTEM WHO BECOMES A MEMBER ON OR AFTER JULY 1, 2012.

(B) (1) A MEMBER MAY ELECT TO RECEIVE A VESTED ALLOWANCE IF:

(I) THE MEMBER IS SEPARATED FROM EMPLOYMENT OTHER THAN BY DEATH OR RETIREMENT; AND

(II) THE MEMBER HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE.

(2) A MEMBER IS DEEMED TO HAVE ELECTED A VESTED ALLOWANCE, UNLESS THE MEMBER REQUESTS THE RETURN OF THE ACCUMULATED CONTRIBUTIONS BEFORE MEMBERSHIP ENDS.

(C) A VESTED ALLOWANCE IS A DEFERRED ALLOWANCE STARTING AT AGE 60.

(D) A VESTED ALLOWANCE:

(1) IS COMPUTED AS A RETIREMENT ALLOWANCE UNDER § 27–402 OF THIS ARTICLE ON THE BASIS OF THE FORMER MEMBER'S CREDITABLE SERVICE AT THE TIME OF SEPARATION FROM EMPLOYMENT; AND

(2) MAY BE PAID IN ONE OF THE OPTIONAL FORMS OF ALLOWANCES UNDER § 21–403 OF THIS ARTICLE, IF AT RETIREMENT, THE MEMBER DOES NOT HAVE A SPOUSE OR CHILD UNDER THE AGE OF 18.

(E) (1) IF A FORMER MEMBER WHO ELECTED A VESTED ALLOWANCE REQUESTS THE RETURN OF ACCUMULATED CONTRIBUTIONS BEFORE PAYMENT OF THE VESTED ALLOWANCE BEGINS, THE BOARD OF TRUSTEES SHALL RETURN THE ACCUMULATED CONTRIBUTIONS TO THE FORMER MEMBER.

(2) WHEN ACCUMULATED CONTRIBUTIONS ARE RETURNED TO A FORMER MEMBER, THE FORMER MEMBER IS NOT ENTITLED TO FURTHER BENEFITS ON ACCOUNT OF THE FORMER MEMBER'S PREVIOUS MEMBERSHIP.".

AMENDMENT NO. 5

On page 2, in line 23, strike "4." and substitute "2."; and strike beginning with the second comma in line 23 down through "Act," in line 24.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 497 – Senators Jones–Rodwell, Currie, DeGrange, Madaleno, McFadden, and Robey

AN ACT concerning

Employees' Retirement and Pension Systems – Reemployment of Retirees – Parole and Probation Employees

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 672 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Investment Division – Salary Setting

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 779 – ~~Senator Pugh~~ Senators Pugh, Currie, Jones–Rodwell, and McFadden

AN ACT concerning

State Retirement and Pension System – Study of Asset Management

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 843 – Senators Pinsky, Ferguson, Madaleno, ~~and Montgomery~~ Montgomery, and Rosapepe

AN ACT concerning

Institutions of Postsecondary Education – Fully Online Distance Education Programs – Registration

SB0843/384269/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 843
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with "providing" in line 15 down through "circumstances" in line 17 and substitute "providing that an institution shall be subject to a certain fine if it fails to register with the Commission under certain circumstances".

AMENDMENT NO. 2

On page 7, in lines 22 and 25, in each instance, after "**COURSE**" insert "**, TERM, OR PROGRAM WITHIN THE APPLICABLE BILLING PERIOD**".

On page 8, in line 24, after "guarantee" insert "**FOR EITHER THE CERTIFICATE OF APPROVAL OR THE REGISTRATION**".

AMENDMENT NO. 3

On page 13, strike beginning with the first "**THE**" in line 12 down through "**BOTH**" in line 15 and substitute "**THE INSTITUTION SHALL BE SUBJECT TO A FINE NOT EXCEEDING $20,000**".

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 967 – Senator Conway

AN ACT concerning

Maryland Higher Education Commission – Student Transfer Advisory Committee

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #24

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

House Bill 885 – Delegates Jameson, Barkley, Burns, Haddaway–Riccio, Impallaria, Love, W. Miller, Minnick, and Schulz

AN ACT concerning

Fraudulent Insurance Acts – Individual Sureties – Contracts of Surety Insurance

HB0885/993995/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 885
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "establishing" in line 6 down through "circumstances;" in line 13; and in line 15, after "term;" insert "requiring the Maryland Insurance Administration to conduct a certain analysis of certain practices of corporate sureties and individual sureties; requiring the Administration to consult with certain persons or entities; requiring the Administration to consider certain items, make certain determinations, and conduct certain surveys and reviews in a certain analysis; requiring the Administration to submit certain reports to certain committees of the General Assembly on or before certain dates;".

AMENDMENT NO. 2

On page 2, in line 6, strike "**CONTRACT**" and substitute "**SURETY BONDS OR CONTRACTS**"; strike beginning with "**EXCEPT**" in line 9 down through "**IT**" in line 10 and substitute "**IT**"; in line 11, strike the colon and substitute "**SOLICIT OR ISSUE A SURETY BOND OR CONTRACT OF SURETY INSURANCE EXCEPT AS PROVIDED IN:**

(1) §§ 13–207 AND 17–104 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND

(2) FOR AN UNCOMPENSATED PERSON, §§ 5–203 AND 5–204 OF THE CRIMINAL PROCEDURE ARTICLE.";

and strike in their entirety lines 12 through 28, inclusive.

AMENDMENT NO. 3

On page 3, after line 32, insert:

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

(a) In accordance with the provisions of § 2–205 of the Insurance Article, the Maryland Insurance Administration shall conduct an analysis of the practices of corporate sureties and individual sureties in the State, as specified under this section.

(b) In conducting the analysis, the Administration shall consult with any person or entity that the Administration determines appropriate, including corporate sureties, individual sureties, insurance producers, contractors, the Department of Transportation, the Department of General Services, and the Maryland Property and Casualty Insurance Guaranty Corporation.

(c) In its analysis, the Administration shall:

(1) consider whether individual sureties should be licensed or otherwise regulated like other surety insurers in order to solicit or issue surety bonds or contracts of surety insurance;

(2) determine whether individual sureties have issued or attempted to issue surety bonds or contracts of surety insurance for the State, counties, or municipalities since authorized to issue surety bonds or contracts of surety insurance under Chapter 299 of the Acts of the General Assembly of 2006, Chapter 266 of the Acts of the General Assembly of 2008, and other applicable provisions of law, and, if so, the number of surety bonds or contracts of surety insurance issued, the number of surety bonds or contracts of surety insurance rejected, and the reasons for any rejection of the surety bonds or contracts of surety insurance;

(3) consider whether and how the law, as enacted under Chapter 299 of the Acts of the General Assembly of 2006 and Chapter 266 of the Acts of the General Assembly of 2008, should be expanded to allow individual sureties to issue surety bonds or contracts of surety insurance to subcontractors;

(4) determine whether individual sureties are authorized to issue surety bonds or contracts of surety insurance in other states and, if so, how individual sureties are regulated in those states;

(5) determine whether corporate sureties or individual sureties have been sanctioned for issuing surety bonds or contracts of surety insurance in the State and other states and the reasons for the sanctions;

(6) conduct a review of:

(i) all corporate sureties that issued surety bonds or contracts of surety insurance in the State and that were declared insolvent or placed under receivership of the Administration within the last 10 years;

(ii) the impact of the insolvency or receivership of the corporate sureties on the availability of surety bonds or contracts of surety insurance in the market;

(iii) the impact of the affected surety bonds on surety bond users and insurance producers; and

(iv) the notice requirements that the Administration provides to surety bond users, insurance producers, and the public in the event of the insolvency or receivership of a corporate surety;

(7) conduct a survey of the Maryland Property and Casualty Insurance Guaranty Corporation to determine:

(i) the number of claims submitted to and paid by the Corporation as a result of an insolvency of a corporate surety in the last 10 years;

(ii) whether contributions provided by surety insurers to the Corporation are adequate for future claims related to insolvent surety insurers;

(iii) the existing statutory requirements of items covered by the Corporation in the event of the insolvency of a corporate surety; and

(iv) whether loss of paid premiums or collateral of surety bond principal and any other covered items should be expanded;

(8) consider whether the laws and regulations for licensing and regulating corporate sureties are adequate, including whether the current risk–based capital standards are adequate to prevent the insolvency of corporate sureties;

(9) consider whether the laws and regulations regulating corporate sureties or individual sureties are adequate to prevent the issuance of fraudulent surety bonds or contracts of surety insurance by corporate sureties or individual sureties;

(10) conduct a survey of the Board of Public Works, the Department of Transportation, the Department of General Services, and a representative sample of corporate sureties and individual sureties, if appropriate, for each year beginning with 2004, that includes:

(i) the percentage of the total surety bonds or contracts of surety insurance that surety insurers issued in the State on construction projects to minority business enterprises, as compared to the surety bonds or contracts of surety

insurance that surety insurers issued on construction projects to nonminority business enterprises; and

(ii) the percentage of the total surety bonds or contracts of surety insurance that surety insurers rejected in the State that would have been issued to minority business enterprises on construction projects, as compared to the surety bonds or contracts of surety insurance that surety insurers rejected that would have been issued to nonminority business enterprises on construction projects;

(11) conduct a survey of a representative sample of contractors that have held a surety bond or contract of surety insurance issued by an insolvent surety insurer to determine the method each contractor used to acquire a new surety bond or contract of surety insurance and any additional costs or difficulties the contractor experienced in acquiring a new surety bond or contract of surety insurance;

(12) consider whether there are any programs, including the Maryland State Bond Development and Financing Authority and the United States Small Business Administration Bond Guaranty and Lending Program, that enhance the availability of surety bonds or contracts of surety insurance for new, emerging, and small businesses, including businesses that qualify as minority business enterprises; and

(13) consider the need to establish licensure requirements that are specific for surety insurance producers who sell surety bonds or contracts of surety insurance.

(d) (1) On or before December 1, 2012, the Administration shall submit an interim report, in accordance with § 2–1246 of the State Government Article, on its findings and recommendations to the Senate Finance Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Economic Matters Committee, and the House Health and Government Operations Committee.

(2) On or before December 1, 2013, the Administration shall submit a final report, in accordance with § 2–1246 of the State Government Article, on its findings and recommendations to the Senate Finance Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Economic Matters Committee, and the House Health and Government Operations Committee.";

in line 33, strike "2." and substitute "3."; and in line 34, strike "October" and substitute "June".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1017 – Delegate Davis

AN ACT concerning

Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company

HB1017/593797/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1017
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; strike in their entirety lines 2 and 3 and substitute "**TASK FORCE TO STUDY MARYLAND INSURANCE OF LAST RESORT PROGRAMS**"; in line 4, after "of" insert "establishing the Task Force to Study Maryland Insurance of Last Resort Programs; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings to the General Assembly on or before a certain date; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the Task Force to Study Maryland Insurance of Last Resort Programs.".

On pages 1 through 3, strike beginning with "converting" in line 4 on page 1 down through "Supplement)" in line 19 on page 3.

AMENDMENT NO. 2

On page 3, in line 21, strike "the Laws of Maryland read as follows"; after line 21, insert:

"(a) There is a Task Force to Study Maryland Insurance of Last Resort Programs.

(b) The Task Force consists of the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) the Commissioner of the Maryland Insurance Administration, or the Commissioner's designee; and

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

(i) a representative of the property and casualty insurance industry;

(ii) a representative of the private passenger automobile insurance industry;

(iii) a representative of the Injured Workers' Insurance Fund;

(iv) a representative of the Maryland Automobile Insurance Fund;

(v) a representative of the Property and Casualty Insurance Guaranty Corporation;

(vi) a representative of the Maryland Health Insurance Plan;

(vii) a representative of the Joint Insurance Association;

(viii) a representative of the Consumer Protection Division of the Office of the Attorney General; and

(ix) a representative of the public.

(c) The Governor shall designate the chair of the Task Force.

(d) The Department of Legislative Services shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall study and make recommendations regarding:

(1) potential benefits to the State from the affiliation of one or more of the State–created insurers of last resort;

(2) potential legal and corporate structures for such an affiliation, including whether the affiliation should be accomplished through a holding company structure;

(3) the extent to which the affiliation would support or impair each entity in performing its statutory duties;

(4) whether each entity should retain a separate existence with its own board of directors or governing committees;

(5) the extent to which an affiliation would affect the State's ability to regulate the entities in terms of solvency, rates, and market conduct;

(6) the extent to which an affiliation would affect the financial condition of any of the entities and whether safeguards are necessary to protect policyholders and other stakeholders;

(7) whether or not each entity should be financially independent and the extent of responsibility, if any, of each entity for the debts or liabilities of the other entities;

(8) the tax status of the affiliated entity and the effect of the affiliation on the tax status of each entity with respect to federal, State, and local taxation;

(9) whether the Joint Insurance Association should become an authorized insurer with a broader mandate;

(10) whether the Maryland Automobile Insurance Fund should be converted to a statutorily created private, nonprofit, and nonstock insurer for automobile and other forms of insurance;

(11) whether and under what circumstances any subsidiaries should be permitted to issue dividends; and

(12) any other relevant issues or considerations identified by the Task Force.

(g) On or before December 1, 2012, the Task Force shall report its findings and recommendations, including any proposed legislation, to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article.".

On pages 3 through 27, strike in their entirety the lines beginning with line 22 on page 3 through line 26 on page 27, inclusive.

On page 27, in line 27, strike "6." and substitute "2."; and in lines 27 and 28 strike "shall take effect October 1, 2012" and substitute "is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. It shall remain effective through May 31, 2013, 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 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1087 – Delegates Hixson and Davis

AN ACT concerning

Telecommunications Companies – Universal Service Trust Fund – Surcharge

HB1087/723097/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1087
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Telecommunications" and substitute "Communications"; in line 5, after "time;" insert "altering the maximum amount of a certain surcharge; providing that a certain surcharge is payable by account;"; in the same line, strike "Public Service Commission" and substitute "Secretary of Information Technology"; in line 7, after "circumstances;" insert "providing that the money in the Fund may only be used for certain purposes; requiring the Public Service Commission to determine a certain surcharge annually for the following fiscal year; requiring the Commission to set and adjust a certain surcharge in a certain manner and under certain circumstances; requiring that certain funds be carried forward in the Fund for a certain purpose;"; in line 10, after "proceeds;" insert "providing that this Act may not be construed to expand the jurisdiction of the Commission in any manner over certain services;"; in line 12, strike "telecommunications" and substitute "communications"; in line 15, strike the first "and (c)"; in line 20, strike "3A–501(g)" and substitute "3A–501(c)"; in the same line, strike "(i)" and substitute "(d)"; and in line 25, strike "3A–501(g)" and substitute "3A–501(c) through (g)".

AMENDMENT NO. 2

On page 2, after line 5, insert:

"**(C) "COMMUNICATIONS COMPANY" MEANS A PUBLIC SERVICE COMPANY, AS DEFINED IN § 1–101 OF THE PUBLIC UTILITIES ARTICLE, OR ANY OTHER COMPANY, THAT PROVIDES A COMMUNICATIONS SERVICE.**

(D) "COMMUNICATIONS SERVICE" MEANS:

(1) LANDLINE TELEPHONE SERVICE;

(2) WIRELESS OR CELLULAR TELEPHONE SERVICE; OR

(3) VOICE OVER INTERNET PROTOCOL (VOIP) SERVICE, AS DEFINED IN § 8–601 OF THE PUBLIC UTILITIES ARTICLE.";

in line 6, strike "(c)" and substitute "**(E)**"; after line 11, insert:

"**[**(d)**] (F)** "Program" means the dual party telephone relay program.

[(e)**] (G)** "Program participant" means a resident of the State who uses the dual party telephone relay program.

[(f)**] (H)** (1) "Specialized customer telephone equipment" means any communications device that enables or assists a person with a disability to communicate with others by means of the public switched telephone network or Internet protocol–enabled voice communications service.

(2) "Specialized customer telephone equipment" includes:

(i) TDD/TT/TTY;

(ii) amplifiers;

(iii) captioned telephones;

(iv) VRS equipment;

(v) cell phones;

(vi) pagers;

(vii) puff blow devices;

(viii) Braille–TTY devices; and

(ix) equipment for the mobility disabled.";

strike in their entirety lines 12 through 21, inclusive; in line 22, strike "**(H)**" and substitute "**(I)**"; and strike in their entirety lines 25 through 29, inclusive.

On page 3, after line 21, insert:

"**(3) MONEY IN THE UNIVERSAL SERVICE TRUST FUND MAY ONLY BE USED:**

(I) TO FUND THE COSTS OF THE PROGRAMS SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) TO PAY FOR THE ADMINISTRATION OF THE UNIVERSAL SERVICE TRUST FUND.";

in line 25, strike "**TELECOMMUNICATIONS**" and substitute "**COMMUNICATIONS**"; in line 28, strike "45" and substitute "**18**"; in the same line, after "month" insert "**FOR EACH ACCOUNT**"; in lines 30 and 32, in each instance, strike "**TELECOMMUNICATIONS**" and substitute "**A COMMUNICATIONS**"; and after line 32, insert:

"**(3) THE SURCHARGE TO BE COLLECTED UNDER THIS SECTION ONLY APPLIES TO A COMMUNICATIONS SERVICE FOR WHICH CHARGES ARE BILLED BY, OR ON BEHALF OF, A COMMUNICATIONS COMPANY TO A SUBSCRIBER OF THE COMMUNICATIONS SERVICE.**".

On page 4, in line 3, after "Fund" insert "**FOR THE FOLLOWING FISCAL YEAR**"; in line 4, after "(2)" insert "**(I)**"; in the same line, after "surcharge" insert "**FOR THE FOLLOWING FISCAL YEAR**"; after line 6, insert:

"**(II) 1. IN ACCORDANCE WITH SUBSECTION (C)(2) AND SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE PUBLIC SERVICE COMMISSION SHALL SET THE SURCHARGE FOR THE FOLLOWING FISCAL YEAR AT AN AMOUNT THAT IS NO HIGHER THAN NECESSARY TO GENERATE**

SUFFICIENT REVENUES TO FUND THE COSTS OF THE PROGRAMS FOR THE FOLLOWING FISCAL YEAR, AS CERTIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

2. IN SETTING THE SURCHARGE UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE PUBLIC SERVICE COMMISSION SHALL TAKE INTO ACCOUNT WHETHER THE SURCHARGE MAY BE ADJUSTED AS A RESULT OF ANY UNCOMMITTED FUNDS IN THE UNIVERSAL SERVICE TRUST FUND AT THE END OF THE FISCAL YEAR THAT MAY BE USED TO FUND THE COSTS OF THE PROGRAMS FOR THE FOLLOWING FISCAL YEAR.";

in line 7, strike "**(I)**"; in the same line, strike "**PUBLIC SERVICE COMMISSION**" and substitute "**SECRETARY**"; in lines 8 and 9, strike "**THAT ARE PUBLIC SERVICE COMPANIES**"; in line 9, after "**THE**" insert "**PUBLIC SERVICE**"; in lines 8, 11, 23, and 26, in each instance, strike "**TELECOMMUNICATIONS**" and substitute "**COMMUNICATIONS**"; strike in their entirety lines 13 through 22, inclusive; in lines 31 and 32, in each instance, after "the" insert "**UNIVERSAL SERVICE TRUST**"; and after line 32, insert:

"**(3) ANY FUNDS REMAINING AT THE END OF A FISCAL YEAR IN THE UNIVERSAL SERVICE TRUST FUND SHALL BE CARRIED FORWARD WITHIN THE UNIVERSAL SERVICE TRUST FUND FOR THE MAINTENANCE AND OPERATION OF THE PROGRAMS SPECIFIED UNDER SUBSECTION (B) OF THIS SECTION IN THE FOLLOWING FISCAL YEAR.**".

AMENDMENT NO. 3

On page 5, after line 24, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to expand the jurisdiction of the Public Service Commission in any manner over wireless or cellular telephone service or Voice over Internet Protocol (VoIP) service.";

and in line 25, 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 Davis, Chair, for the Committee on Economic Matters reported favorably:

Senate Bill 256 – Senator Astle

AN ACT concerning

Property and Casualty Insurance – Commercial Policies – Notices of Premium Increases

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 354 – Senators Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Alcoholic Beverages – ~~Beer, Wine, and Liquor Tasting~~ 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 377 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Baltimore City – False Advertising

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 405 – Senators Pugh, Garagiola, Forehand, Kelley, Madaleno, and Montgomery

AN ACT concerning

Life Sciences Advisory Board – Purpose and Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 534 – Senators Pugh, Currie, Gladden, and Jones–Rodwell

AN ACT concerning

Baltimore City – Alcoholic Beverages License – Repeal of Voter Registration Requirement for Licensees

SB0534/763391/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 534
(Third Reading File Bill)

On page 1, in line 6, strike "issued" and substitute "granted".

On page 2, in line 7, strike "**ISSUED**" and substitute "**GRANTED**".

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 Middleton

AN ACT concerning

~~Telecommunications~~ Communications Companies – Universal Service Trust Fund – Surcharge

SB0746/773890/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 746
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 1, strike the first "and (c)"; in line 6, strike "3A–501(g)" and substitute "3A–501(c)"; in the same line, strike "(h)" and substitute "(d)"; and in line 11, strike "3A–501(g)" and substitute "3A–501(c) through (g)".

AMENDMENT NO. 2

On page 2, after line 18, insert:

"**(C) "COMMUNICATIONS COMPANY" MEANS A PUBLIC SERVICE COMPANY, AS DEFINED IN § 1–101 OF THE PUBLIC UTILITIES ARTICLE, OR ANY OTHER COMPANY, THAT PROVIDES A COMMUNICATIONS SERVICE.**

(D) "COMMUNICATIONS SERVICE" MEANS:

(1) LANDLINE TELEPHONE SERVICE;

(2) WIRELESS OR CELLULAR TELEPHONE SERVICE; OR

(3) VOICE OVER INTERNET PROTOCOL (VOIP) SERVICE, AS DEFINED IN § 8–601 OF THE PUBLIC UTILITIES ARTICLE.";

in line 19, strike "(c)" and substitute "**(E)**"; and after line 24, insert:

"**[**(d)**] (F)** "Program" means the dual party telephone relay program.

[(e)**] (G)** "Program participant" means a resident of the State who uses the dual party telephone relay program.

[(f)**] (H)** (1) "Specialized customer telephone equipment" means any communications device that enables or assists a person with a disability to communicate with others by means of the public switched telephone network or Internet protocol–enabled voice communications service.

(2) "Specialized customer telephone equipment" includes:

(i) TDD/TT/TTY;

(ii) amplifiers;

(iii) captioned telephones;

(iv) VRS equipment;

(v) cell phones;

(vi) pagers;

(vii) puff blow devices;

(viii) Braille–TTY devices; and

(ix) equipment for the mobility disabled.".

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 through line 10 on page 3, inclusive.

On page 4, in line 23, strike "**35**" and substitute "**18**".

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 764 – Senators Kelley, Klausmeier, and Mathias

AN ACT concerning

Fraudulent Insurance Acts – Individual Sureties – Contracts of Surety Insurance

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 792 – Senators Garagiola, Glassman, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, Muse, Pugh, Raskin, Robey, ~~and Young~~ Young, Middleton, and Astle

AN ACT concerning

~~State Procurement – Banking Services Preference~~ Linked Deposit Program for Small Businesses – Lend Local Act of 2012

SB0792/533094/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 792
(Third Reading File Bill)

On page 7, in line 8 after the semicolon insert "and".

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 855 – Senator Raskin

AN ACT concerning

Corporations and Associations – Limited Liability Act – Revisions

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 901 – Senator Klausmeier

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

SB0901/473896/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 901
(Third Reading File Bill)

On page 2, in line 25, strike "**ALREADY REFUNDED TO THE BUYER**" and substitute "**ACTUALLY REFUNDED TO THE BUYER OR CREDITED AS A REDUCTION TO THE LOAN BALANCE**".

On page 3, in line 19, strike "**ALREADY REFUNDED TO THE BORROWER**" and substitute "**ACTUALLY REFUNDED TO THE BORROWER OR CREDITED AS A REDUCTION TO THE LOAN BALANCE**".

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 938 – Senator Mathias

AN ACT concerning

Property and Casualty Insurance – Rescission of Policy or Binder – Authorized

SB0938/613491/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 938
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Property and Casualty" and substitute "Personal Automobile"; in line 4, after "personal" insert "automobile"; in line 5, strike ", commercial property insurance, or commercial liability insurance"; in line 8, after "circumstances;" insert "requiring an insurer to continue or reinstate a certain policy or binder without a lapse of coverage under certain circumstances;"; in line 12, after "Act;" insert "providing for a delayed effective date;"; and in line 13, strike "property and casualty" and substitute "personal automobile".

AMENDMENT NO. 2

On page 2, in line 13, strike "**AN**" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**"; in the same line, after "**BINDER**" insert "**OF PERSONAL AUTOMOBILE INSURANCE**"; in line 22, after "**INITIAL**" insert "**PREMIUM**"; after line 23, insert:

"**(2) AN INSURER SHALL CONTINUE OR REINSTATE A POLICY OR BINDER UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHOUT A LAPSE IN COVERAGE IF:**

(I) 1. THE FINANCIAL INSTITUTION ERRONEOUSLY FAILED TO HONOR THE CHECK OR OTHER REMITTANCE; AND

2. THE APPLICANT:

A. PROMPTLY NOTIFIES THE INSURER OF THE ERROR; AND

B. PROVIDES DOCUMENTATION OF THE ERROR TO THE INSURER AS IT BECOMES AVAILABLE AND ON REQUEST OF THE INSURER; OR

(II) THE APPLICANT OR ANY SECURED CREDITOR PAYS THE INSURER THE AMOUNT OF THE INITIAL PREMIUM WITHIN 5 BUSINESS DAYS AFTER THE INSURER HAS SENT NOTICE, AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, TO THE APPLICANT AND ANY SECURED CREDITOR THAT THE CHECK OR OTHER REMITTANCE FOR THE INITIAL PREMIUM PAYMENT WAS NOT HONORED.";

in line 24, strike "**(2)**" and substitute "**(3)**"; and in line 32, after "**(I)**" insert "**1.**".

On page 3, in line 3, strike "**(II)**" and substitute "**2.**"; in line 5, strike "**(III)**" and substitute "**(II)**"; strike beginning with "**IF**" in line 5 down through "**ERROR,**" in line 6; in line 7, after "**IF**" insert "**:**

1. THE FINANCIAL INSTITUTION ERRONEOUSLY FAILED TO HONOR THE CHECK OR OTHER REMITTANCE AND";

in lines 9 and 11, strike "**1.**" and "**2.**", respectively, and substitute "**A.**" and "**B.**", respectively; in line 13, after "**INSURER**" insert "**; OR**

2. THE APPLICANT OR ANY SECURED CREDITOR PAYS THE INSURER THE AMOUNT OF THE INITIAL PREMIUM WITHIN 5 BUSINESS DAYS AFTER THE INSURER HAS SENT NOTICE TO THE APPLICANT AND ANY SECURED CREDITOR THAT THE CHECK OR OTHER REMITTANCE FOR THE INITIAL PREMIUM PAYMENT WAS NOT HONORED";

strike beginning with "personal" in line 15 down through "renewed" in line 16 and substitute "personal automobile insurance issued or delivered"; and in lines 17 and 19, in each instance, strike "October 1, 2012" and substitute "January 1, 2013".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #21

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

House Bill 160 – Delegates Niemann, Barnes, Beidle, Branch, Braveboy, Carr, Carter, Clippinger, Frush, Gilchrist, Glenn, Healey, Hogan, Holmes, Kipke, Lafferty, McMillan, Proctor, Ross, Summers, V. Turner, and Weir

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

HB0160/910214/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 160
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Weir" and substitute "Weir, and Wilson"; strike beginning with "establishing" in line 3 down through "circumstances;" in line 22; and in line 27, after "lots;" insert "repealing a certain provision exempting abandoned vehicles from the application of certain provisions relating to the towing and removal of vehicles from parking lots;".

On page 2, strike beginning with "altering" in line 1 down through "notice;" in line 4; strike line 8 in its entirety; in line 11, after "period;" insert "requiring the Motor Vehicle Administration to establish and maintain a database containing certain addresses for certain insurers and make the database available to any tower free of charge;"; in line 25, strike "altering a certain definition;"; strike in their entirety lines 27 through 36, inclusive; and in line 39, strike "11–152, 13–506(b), (e), and (f), 13–507(b),".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 43 on page 2 through line 4 on page 3, inclusive.

On page 3, in line 7, strike "13–507(a)(1) and (2) and".

AMENDMENT NO. 3

On pages 3 through 14 strike in their entirety the lines beginning with line 12 on page 3 through line 2 on page 14, inclusive, and substitute:

"Article – Transportation".

AMENDMENT NO. 4

On page 16, strike in their entirety lines 30 and 31.

AMENDMENT NO. 5

On page 18, strike in their entirety lines 1 through 22, inclusive, and substitute:

"**(A)** A person who undertakes the towing or removal of a vehicle from a parking lot:

(1) **[**May**]** **IN BALTIMORE CITY AND BALTIMORE COUNTY, MAY** not charge the owner of the vehicle or the owner's agent:

(i) More than twice the amount of the total fees normally charged or authorized by the political subdivision for the impound towing of vehicles; and

(ii) Except as provided in § 16–207(f)(1) of the Commercial Law Article, more than $8 per day for storage;".

AMENDMENT NO. 6

On page 19, in line 1, strike "**72 HOURS**" and substitute "**7 DAYS**"; in line 3, strike "**SECTION**" and substitute "**SUBSECTION**"; strike in their entirety lines 4 through 6, inclusive; in lines 7, 15, 21, 25, and 27, strike "**(5)**", "**(6)**", "**(7)**", "**(8)**", and "**(9)**", respectively, and substitute "**(4)**", "**(5)**", "**(6)**", "**(7)**", and "**(8)**", respectively; and after line 30, insert:

"**(B)** **THE ADMINISTRATION SHALL:**

(1) **ESTABLISH AND MAINTAIN A DATABASE CONTAINING THE PROPER ADDRESS FOR PROVIDING NOTICE TO AN INSURER UNDER SUBSECTION (A)(3) OF THIS SECTION FOR EACH INSURER AUTHORIZED TO WRITE A VEHICLE LIABILITY INSURANCE POLICY IN THE STATE; AND**

(2) **MAKE THE DATABASE AVAILABLE TO ANY TOWER FREE OF CHARGE.**".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 113 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Weights and Measures – Registration 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 116 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Weight and Load Requirements – Vehicles Carrying Perishable Products

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 135 – Senators Gladden and Frosh

AN ACT concerning

Ground Leases – Registration – Failure to Register

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 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012

SB0236/840412/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 236
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with "authorizing" in line 29 down through "circumstances;" in line 33.

On page 3, in line 2, after "Commission;" insert "requiring the Department of the Environment to propose certain regulations by a certain date; requiring the Department of the Environment to consult with certain counties and stakeholders in drafting certain proposed regulations; requiring the Department of the Environment to brief certain committees of the General Assembly on certain proposed regulations; requiring the Department of Planning, in consultation with the Department of the Environment, to submit a certain report to the General Assembly by a certain date;".

AMENDMENT NO. 2

On page 12, in line 26, after "**A**" insert "**RESIDENTIAL**"; and in the same line, strike "**RESIDENTIAL**".

On page 13, in line 1, after "**A**" insert "**RESIDENTIAL**"; in the same line, strike "**RESIDENTIAL**"; in line 7, after "**SECTION**" insert "**AND SUBJECT TO SUBSECTION (I) OF THIS SECTION**"; and in line 25, strike "**1.05**" and substitute "**1.06**".

On page 17, in line 3, after "**A**" insert "**RESIDENTIAL**"; and in the same line, strike "**RESIDENTIAL**".

AMENDMENT NO. 3

On page 14, in line 27, after "**DEPARTMENT**" insert "**AND THE DEPARTMENT MAY APPROVE**"; and in line 28, strike "**DETERMINED**" and substitute "**RECOMMENDED**".

AMENDMENT NO. 4

On page 18, strike beginning with "**AND**" in line 24 down through "**SECTION**" in line 25.

On pages 18 and 19, strike in their entirety the lines beginning with line 30 on page 18 through line 15 on page 19, inclusive.

On page 19, in line 16, strike "**(N) (1)**" and substitute "**(2)**"; in lines 17 and 18, strike "**AS PROVIDED IN THIS SECTION,**"; in lines 21, 24, and 28, strike "**(2)**", "**(3)**", and "**(4)**", respectively, and substitute "**(3)**", "**(4)**", and "**(5)**", respectively.

On page 27, in line 22, strike the comma.

AMENDMENT NO. 5

On page 28, in line 30, strike "**PROVIDE DOCUMENTATION TO THE DEPARTMENT OF PLANNING OF**" and substitute "**DOCUMENT**".

On page 45, in lines 24 and 25, strike "**PROVIDE DOCUMENTATION TO THE DEPARTMENT OF PLANNING OF**" and substitute "**DOCUMENT**".

AMENDMENT NO. 6

On page 32, strike in their entirety lines 14 and 15; in line 16, strike "**(6)**" and substitute "**(5)**"; and after line 20, insert:

"**(6) "SHARED FACILITY" HAS THE MEANING STATED IN § 9–206 OF THE ENVIRONMENT ARTICLE.**".

On page 49, strike in their entirety lines 12 and 13; in line 14, strike "**(6)**" and substitute "**(5)**"; and after line 18, insert:

"**(6) "SHARED FACILITY" HAS THE MEANING STATED IN § 9–206 OF THE ENVIRONMENT ARTICLE.**".

AMENDMENT NO. 7

On page 36, in line 22, strike "**(G)**" and substitute "(g)"; in the same line, strike "**(H)(2)**" and substitute "(f)(2)"; in line 23, strike beginning with ", the" through "approve" and substitute "and subject to subsection (i) of this section, a local jurisdiction may authorize"; in line 24, strike "**ONLY**" and substitute "only"; strike

beginning with the comma in line 27 down through "subdivision" in line 28; and in line 29, strike "1.05" and substitute "1.06".

On pages 36 and 37, strike beginning with the semicolon in line 30 on page 36 down through "**ARTICLE**" in line 3 on page 37.

On page 37, strike lines 13 through 20, inclusive.

AMENDMENT NO. 8

On page 48, in line 26, strike "**DEVELOPMENT REGULATIONS ELEMENT OF THE**"; in the same line, after "**PLAN**" insert "**OR AN ELEMENT OF THE PLAN**"; in lines 31 and 32, strike "**DEVELOPMENT REGULATIONS ELEMENT OF THE**"; and in line 32, after "**PLAN**" insert "**OR AN ELEMENT OF THE PLAN**".

AMENDMENT NO. 9

On page 52, after line 2, insert:

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

(a) on or before December 31, 2012, the Department of the Environment shall propose regulations that establish nutrient offset requirements for new residential major subdivisions within Tier III areas that are to be served by on–site sewage disposal systems or shared systems;

(b) the Department shall consult with the counties and other stakeholder groups during the drafting of the proposed regulations required under subsection (a) of this section;

(c) the Department shall brief the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee before the submission of the proposed regulations required under subsection (a) of this section to the Joint Committee on Administrative, Executive, and Legislative Review; and

(d) this section does not apply to, or limit the ability of the Department to develop nutrient trading and offset programs related to Maryland's Chesapeake Bay TMDL Watershed Implementation Plan.

SECTION 9. AND BE IT FURTHER ENACTED, That, on or before February 1, 2013, the Department of Planning, in consultation with the Department of the

Environment, shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on:

(a) the adoption of the tiers, as provided in Article 66B, § 1.05 of the Code and Title 1, Subtitle 5 of the Land Use Article, as enacted by this Act, by each local jurisdiction, including mapped areas of the tiers;

(b) each jurisdiction that has adopted or altered a local ordinance or regulation in implementing the provisions of this Act, including a description of the adopted or altered local ordinance or regulation; and

(c) each jurisdiction for which the Department of Planning has provided comments on any of the tiers or an area within one of the tiers under Article 66B, § 1.05 of the Code and § 1–505 of the Land Use Article, as enacted by this Act.";

in line 3, strike "8." and substitute "10."; in line 7, strike "9." and substitute "11."; and in line 8, strike "8" and substitute "10".

The preceding 9 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 401 – Senators Pugh, Gladden, and Ramirez

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

SB0401/230010/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 401
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with "altering" in line 7 down through "circumstances;" in line 9; strike line 14 in its entirety; and in line 17, after "period;"

insert "requiring the Motor Vehicle Administration to establish and maintain a database containing certain addresses for certain insurers and make the database available to any tower free of charge;".

AMENDMENT NO. 2

On page 18, strike in their entirety lines 11 through 32, inclusive, and substitute:

"**(A)** A person who undertakes the towing or removal of a vehicle from a parking lot:

(1) **[**May**] IN BALTIMORE CITY AND BALTIMORE COUNTY, MAY** not charge the owner of the vehicle or the owner's agent:

(i) More than twice the amount of the total fees normally charged or authorized by the political subdivision for the impound towing of vehicles; and

(ii) Except as provided in § 16–207(f)(1) of the Commercial Law Article, more than $8 per day for storage;".

AMENDMENT NO. 3

On page 19, in line 12, strike "**72 HOURS**" and substitute "**7 DAYS**"; in line 14, strike "**SECTION**" and substitute "**SUBSECTION**"; strike in their entirety lines 15 through 17, inclusive; and in lines 18 and 26, strike "**(5)**" and "**(6)**", respectively, and substitute "**(4)**" and "**(5)**", respectively.

AMENDMENT NO. 4

On page 20, in lines 1, 5, and 7, strike "**(7)**", "**(8)**", and "**(9)**", respectively, and substitute "**(6)**", "**(7)**", and "**(8)**", respectively; and after line 10, insert:

"**(B) THE ADMINISTRATION SHALL:**

(1) ESTABLISH AND MAINTAIN A DATABASE CONTAINING THE PROPER ADDRESS FOR PROVIDING NOTICE TO AN INSURER UNDER SUBSECTION (A)(3) OF THIS SECTION FOR EACH INSURER AUTHORIZED TO WRITE A VEHICLE LIABILITY INSURANCE POLICY IN THE STATE; AND

(2) MAKE THE DATABASE AVAILABLE TO ANY TOWER FREE OF CHARGE.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 741 – Senators Forehand ~~and Rosapepe~~, Rosapepe, Gladden, Jacobs, and Raskin

AN ACT concerning

Vehicle Laws – U.S. Foreign Service Members Absent from State – Effective Period of Driver's License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #20

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

House Bill 708 – Delegates Valentino–Smith, Alston, Braveboy, Bromwell, Carter, Gaines, Glenn, Gutierrez, Healey, K. Kelly, McDermott, Minnick, B. Robinson, Smigiel, Valderrama, Vallario, and Waldstreicher

AN ACT concerning

Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court

Favorable report adopted.

Delegate Pena-Melnyk moved to make the Bill a Special Order for next session.

The motion was adopted.

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

Senate Bill 397 – Senator Forehand

AN ACT concerning

Estates and Trusts – Allowance for Funeral Expenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 489 – Senator Astle

AN ACT concerning

Bail Bondsmen – ~~Qualifications for Licensure –~~ Acceptance of Installment Contracts

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 678 – Senator Forehand

AN ACT concerning

Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court

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 – Senator Forehand

AN ACT concerning

Estates and Trusts – Maryland Uniform Principal and Income Act – Certain Payments to and from Trusts

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 889 – Senator Stone

AN ACT concerning

Criminal Law – Misdemeanor Possession of Child Pornography – Statute of Limitations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 989)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #73

House Bill 373 – Delegates Braveboy, Alston, Anderson, Branch, Burns, Cane, Carr, Carter, Cullison, Glenn, Gutierrez, Harrison, Haynes, Holmes, Ivey, Jones, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, B. Robinson, Stukes, Summers, Tarrant, V. Turner, Valentino–Smith, Vaughn, Washington, and Wilson

AN ACT concerning

Education – Age for Compulsory Public School Attendance – Exemptions

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 88 Negative – 49 (See Roll Call No. 990)

The Bill was then sent to the Senate.

House Bill 677 – Delegate Davis

AN ACT concerning

Public Utilities – Telephone Service – Charges for Directory Assistance

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

Affirmative – 124 Negative – 10 (See Roll Call No. 991)

The Bill was then sent to the Senate.

House Bill 1194 – Delegates Braveboy, Alston, V. Turner, Vaughn, and Wilson

AN ACT concerning

Business Occupations – Plumbers and Gas Fitters – Apprentice License Renewal

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

Affirmative – 94 Negative – 42 (See Roll Call No. 992)

The Bill was then sent to the Senate.

House Bill 1237 – Delegate Morhaim

AN ACT concerning

~~Maryland Energy Administration – Study on the Use of Solar Panels on~~ School Buildings – Solar Technology – Design Development Documents

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

Affirmative – 136 Negative – 2 (See Roll Call No. 993)

The Bill was then sent to the Senate.

House Bill 1272 – Delegates A. Miller, Cullison, Reznik, S. Robinson, and Washington

AN ACT concerning

Public Health – Electronic Cigarettes – Distribution to Minors Prohibited

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

Affirmative – 138 Negative – 0 (See Roll Call No. 994)

The Bill was then sent to the Senate.

House Bill 1356 – Delegate Barkley

AN ACT concerning

Health Insurance – Dental Preventive Care – Coverage

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

Affirmative – 133 Negative – 0 (See Roll Call No. 995)

The Bill was then sent to the Senate.

House Bill 1445 – Delegate Stifler

AN ACT concerning

Plumbing and Heating, Ventilation, Air–Conditioning, and Refrigeration Employees – Public Work Contracts – License Requirement and Employee Classification

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

Affirmative – 136 Negative – 1 (See Roll Call No. 996)

The Bill was then sent to the Senate.

House Joint Resolution 3 – Delegates Morhaim, Barve, Cardin, Cluster, Costa, Feldman, Griffith, Holmes, Hubbard, Lafferty, McIntosh, A. Miller, Nathan–Pulliam, Pena–Melnyk, Ross, Stein, and Waldstreicher

A House Joint Resolution concerning

Maryland Ratification of the 17th Amendment to the United States Constitution

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

Affirmative – 135 Negative – 3 (See Roll Call No. 997)

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 0151**
SPONSOR: The Pres (Admin)
SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012

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

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

Senator DeGrange, Chair
Senator Kasemeyer
Senator Peters
Senator King
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden and Colburn.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0151**
SPONSOR: The Pres (Admin)
SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012

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

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

The Senate has appointed:
Senator DeGrange, Chair
Senator Kasemeyer
Senator Peters
Senator King
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden and Colburn.

The House appoints:
Delegate Jones, Chair
Delegate Griffith
Delegate Conway
Delegate Bohanan
Delegate Gaines

In addition, the House has appointed in advisory capacity: Delegates Beitzel, Haynes and Zucker.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 109 – Delegate Vitale

AN ACT concerning

Public Safety – Elevator Safety Review Board – Membership

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

HB0109/417873/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 109
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "or" in line 4 down through "contractor" in line 5.

AMENDMENT NO. 2

On page 2, in lines 12 and 13, strike "**: 1.**"; and strike beginning with "**OR**" in line 14 down through "**CONTRACTOR;**" in line 16.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0109**
SPONSOR: Del Vitale
SUBJECT: Public Safety – Elevator Safety Review Board – Membership

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 0094**
SPONSOR: Del Haddaway–Riccio, et al
SUBJECT: Vehicle Laws – Special and Commemorative Registration Plates

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 Malone, Chair
Delegate Stein
Delegate McMillan

The Senate appoints:
Senator Gladden, 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 0350**
SPONSOR: Del Clippinger, et al
SUBJECT: Criminal Law – Possession of Marijuana – De Minimus Quantity

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 Valentino–Smith
Delegate Cluster

The Senate appoints:
Senator Raskin, Chairman

Senator Gladden
Senator Forehand.

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 1146**
SPONSOR: Del Dumais, et al
SUBJECT: Domestically Related Crimes – Reporting

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 Simmons, Chair
Delegate Waldstreicher
Delegate Parrott

The Senate appoints:
Senator Ramirez, Chairman
Senator Getty
Senator Zirkin.

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 (SENATE BILLS) #25

Senate Bill 14 – Senator Conway

AN ACT concerning

State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees

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

Affirmative – 134 Negative – 2 (See Roll Call No. 998)

The Bill was then returned to the Senate.

Senate Bill 72 – Senator Kelley

AN ACT concerning

Medical and Dental Treatment – ~~Youth – Registered Nurses and Physician Assistants~~ Consent by Minors and Protections for Licensed Health Care Practitioners

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

Affirmative – 135 Negative – 0 (See Roll Call No. 999)

The Bill was then returned to the Senate.

Senate Bill 88 – Senator Glassman

AN ACT concerning

Local States of Emergency – Time Period – Extension

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1000)

The Bill was then returned to the Senate.

Senate Bill 94 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board for Certification of Residential Child Care Program Professionals – 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. 1001)

The Bill was then returned to the Senate.

Senate Bill 95 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Social Work Examiners – 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. 1002)

The Bill was then returned to the Senate.

Senate Bill 121 – Chair, Finance Committee (By Request – Departmental – Maryland Health Insurance Plan) and Senators Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Muse, and Pugh

AN ACT concerning

Senior Prescription Drug Assistance Program – Sunset Extension

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1003)

The Bill was then returned to the Senate.

Senate Bill 132 – Senator Conway

AN ACT concerning

Health Occupations – State Board of Pharmacy – Jurisdiction Over Nonresident Pharmacies

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1004)

The Bill was then returned to the Senate.

Senate Bill 133 – Senator Conway

AN ACT concerning

State Board of Pharmacy – Wholesale Distributor Permits – Permit and Application Requirements

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1005)

The Bill was then returned to the Senate.

Senate Bill 149 – 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 – 138 Negative – 0 (See Roll Call No. 1006)

The Bill was then returned to the Senate.

Senate Bill 179 – Senators Pugh, Raskin, Astle, Brochin, Currie, Ferguson, Forehand, Frosh, Gladden, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, Middleton, Montgomery, Peters, Pipkin, Ramirez, Robey, Rosapepe, Simonaire, Stone, ~~and Zirkin~~ Zirkin, Garagiola, Glassman, and Muse

AN ACT concerning

Kathleen A. Mathias Chemotherapy Parity Act of 2012

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1007)

The Bill was then returned to the Senate.

Senate Bill 282 – Chair, Finance Committee

AN ACT concerning

Office of Cemetery Oversight – Sunset Extension and Program Evaluation

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1008)

The Bill was then returned to the Senate.

Senate Bill 315 – Senators Pugh, Benson, Ferguson, King, Klausmeier, Muse, and Peters

AN ACT concerning

Council for the Procurement of Health, Educational, and Social Services

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1009)

The Bill was then returned to the Senate.

Senate Bill 344 – ~~Senator Middleton~~ Senators Middleton and Simonaire

AN ACT concerning

Health Occupations – Dental Hygienists – Local Anesthesia

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1010)

The Bill was then returned to the Senate.

Senate Bill 450 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

State Board of Environmental Health Specialists – Transfer of Responsibilities

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1011)

The Bill was then returned to the Senate.

Senate Bill 479 – Senator Ferguson

AN ACT concerning

Health Occupations – Physician Assistants – Patient's Access to Supervising Physician

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 549 – Senators Montgomery, Benson, Colburn, Mathias, Ramirez, ~~and Raskin~~ Raskin, and Rosapepe

AN ACT concerning

Small Business Reserve Program – Definition of Small Business – Revision

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1013)

The Bill was then returned to the Senate.

Senate Bill 551 – Senators Montgomery and King

AN ACT concerning

Procurement – Required Disclosure – Conflict Minerals Originated in the Democratic Republic of the Congo

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1014)

The Bill was then returned to the Senate.

Senate Bill 629 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

State Board of Physicians – Sunset Extension and Program Evaluation

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1015)

The Bill was then returned to the Senate.

Senate Bill 659 – Senators Pinsky, Klausmeier, Manno, and Rosapepe

AN ACT concerning

State Procurement – Preference and Disclosure ~~of the Relocation of Jobs to a Foreign Country~~ – Location of the Performance of Services

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1016)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #27

Senate Bill 258 – Senator Glassman

AN ACT concerning

Credit Regulation – Installment Loans Secured by Motor Vehicle Lien – Balloon Payments

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1017)

The Bill was then returned to the Senate.

Senate Bill 290 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Savings Banks – Conversions

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1018)

The Bill was then returned to the Senate.

Senate Bill 302 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation) and Senators Muse, Kelley, and Pugh

AN ACT concerning

Financial Institutions – Commissioner of Financial Regulation – Investigative and Enforcement Powers and Regulation of Mortgage Lenders

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

Affirmative – 130 Negative – 8 (See Roll Call No. 1019)

The Bill was then returned to the Senate.

Senate Bill 303 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Credit Regulation – Debt Management Services – Agreement and Prohibited Acts

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1020)

The Bill was then returned to the Senate.

Senate Bill 452 – Senators Middleton, Astle, Glassman, Klausmeier, and Pipkin

AN ACT concerning

Other Tobacco Products ~~Licenses – Repeal~~ – Restrictions on Sale, Distribution, and Shipment – Exemptions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1021)

The Bill was then returned to the Senate.

Senate Bill 507 – Senators Kelley, Glassman, Kittleman, Klausmeier, ~~and Pipkin~~ Pipkin, Middleton, Astle, Garagiola, Mathias, Muse, and Pugh

AN ACT concerning

Financial Institutions – Interest Payable on Escrow Accounts and Specific Purpose Savings Accounts

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1022)

The Bill was then returned to the Senate.

Senate Bill 545 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Money Transmitters – Licensing Requirements and Participation in Nationwide Licensing System

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

Affirmative – 134 Negative – 3 (See Roll Call No. 1023)

The Bill was then returned to the Senate.

Senate Bill 546 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Mortgage Lenders and Mortgage Loan Originators

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1024)

The Bill was then returned to the Senate.

Senate Bill 778 – Senator Pugh

AN ACT concerning

Commercial Law – Rental–Purchase Agreements ~~Best Practices Act~~ – Disclosures

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

Affirmative – 97 Negative – 40 (See Roll Call No. 1025)

The Bill was then returned to the Senate.

Senate Bill 941 – Senators Klausmeier, Benson, Colburn, Forehand, Garagiola, Montgomery, ~~and Stone~~ Stone, Middleton, Astle, Glassman, Kelley, Kittleman, Mathias, Muse, and Pugh

AN ACT concerning

Fiduciary Institutions – Protection of Elder Adults from Financial Abuse – Reporting Requirements

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1026)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #28

Senate Bill 96 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation

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

Affirmative – 110 Negative – 28 (See Roll Call No. 1027)

The Bill was then returned to the Senate.

Senate Bill 109 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Architects – Continuing Professional Competency

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1028)

The Bill was then returned to the Senate.

Senate Bill 134 – Senator Conway

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 – 138 Negative – 0 (See Roll Call No. 1029)

The Bill was then returned to the Senate.

Senate Bill 144 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Department of Labor, Licensing, and Regulation – Occupational and Professional Licensing – Licensees on Military Deployment

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1030)

The Bill was then returned to the Senate.

Senate Bill 145 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Real Estate Commission – Continuing Education – Documentation

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 187 – Chair, Finance Committee

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors – Sunset Extension and Program Evaluation

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1032)

The Bill was then returned to the Senate.

Senate Bill 226 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Labor and Industry – Inflatable Amusement Attractions – Inspection

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1033)

The Bill was then returned to the Senate.

Senate Bill 232 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Elevator Safety Review Board – Licensing

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1034)

The Bill was then returned to the Senate.

Senate Bill 291 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation) and Senators Garagiola, Kelley, Muse, and Pugh

AN ACT concerning

Unemployment Insurance – Coverage – Victims of Domestic Violence

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

Affirmative – 112 Negative – 26 (See Roll Call No. 1035)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #29

Senate Bill 82 – Senator Zirkin

AN ACT concerning

Maryland Automobile Insurance Fund – Claims for Bodily Injury or Death – Payment Limitation

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

The motion was adopted.

Senate Bill 297 – 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 – 138 Negative – 0 (See Roll Call No. 1036)

The Bill was then returned to the Senate.

Senate Bill 531 – Senator Middleton

AN ACT concerning

Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor

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

The motion was adopted.

Senate Bill 579 – Senators Glassman, Brinkley, Colburn, Jacobs, Kelley, Middleton, Montgomery, Robey, ~~and Rosapepe~~ Rosapepe, Dyson, Jennings, Pinsky, and Young

AN ACT concerning

Alcoholic Beverages – Farm Brewery Manufacturer's License

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1037)

The Bill was then returned to the Senate.

Senate Bill 655 – Senators Klausmeier, Astle, ~~and Pugh~~ Pugh, and Kittleman

AN ACT concerning

Residential Multiple Occupancy Buildings – Master Meters – Heating, Ventilation, and Air Conditioning Services

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1038)

The Bill was then returned to the Senate.

Senate Bill 811 – ~~Senator Astle~~ Senators Astle, Garagiola, Glassman, Kelley, Klausmeier, Middleton, Pugh, and Muse

AN ACT concerning

Insurance – Fraud Violations – Fines and Administrative Penalties

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1039)

The Bill was then returned to the Senate.

Senate Bill 997 – Senator Garagiola

AN ACT concerning

Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions

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

Affirmative – 124 Negative – 13 (See Roll Call No. 1040)

The Bill was then returned to the Senate.

Senate Bill 1018 – Senator Kasemeyer

AN ACT concerning

Alcoholic Beverages – Rectifiers – Tours, Samples, and Sales

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1041)

The Bill was then returned to the Senate.

Senate Bill 1073 – Senator Middleton

AN ACT concerning

Electricity – Certificate of Public Convenience and Necessity – Overhead Transmission Lines

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

Affirmative – 134 Negative – 2 (See Roll Call No. 1042)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #30

Senate Bill 108 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Board – Licensing

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

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Appraisal Requirement

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1044)

The Bill was then returned to the Senate.

Senate Bill 118 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Voluntary Agricultural Nutrient and Sediment Credit Certification Program

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1045)

The Bill was then returned to the Senate.

Senate Bill 126 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – ~~Maryland~~ Land Preservation and Recreation ~~Plan~~ Plans

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1046)

The Bill was then returned to the Senate.

Senate Bill 129 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easements

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

Affirmative – 135 Negative – 3 (See Roll Call No. 1047)

The Bill was then returned to the Senate.

Senate Bill 142 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Secretary of Agriculture – Farm Food Safety

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1048)

The Bill was then returned to the Senate.

Senate Bill 148 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Lot Release

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1049)

The Bill was then returned to the Senate.

Senate Bill 193 – Senators Young, Colburn, Forehand, Madaleno, Middleton, and Montgomery

AN ACT concerning

Agriculture – Maryland Standard of Identity for Honey

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1050)

The Bill was then returned to the Senate.

Senate Bill 756 – Senators Young, Colburn, Klausmeier, Mathias, and Montgomery

AN ACT concerning

Governor's Advisory Commission on Maryland Wine and Grape Growing – Membership

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.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 724 – Senator Kelley

AN ACT concerning

Title Insurance – Closing or Settlement Protection Practices – Study

FOR the purpose of requiring ~~certain domestic title insurers to establish and maintain a certain reserve for certain losses arising from closing or settlement protection; authorizing the amount in reserve to be released in certain amounts under certain circumstances; authorizing a domestic title insurer to withdraw the entire reserve under certain circumstances; requiring a certain notice to include certain information about certain closing or settlement protection; authorizing a method to cure a certain failure to obtain a certain notice; requiring a title insurer to provide certain closing or settlement protection to a certain protected party in a certain transaction; requiring the closing or settlement protection to indemnify certain persons against certain actions and failures in connection with certain transactions; limiting the extent of a certain indemnification; prohibiting the indemnification from being provided for certain losses or impairments; requiring certain title insurers to file for approval by the Maryland Insurance Commissioner of a certain premium; establishing a minimum amount of the premium; providing that the premium may not be subject to a certain agreement; authorizing a title insurer to provide a certain statement of coverage; prohibiting a title insurer from providing certain other coverage for a certain indemnification; requiring certain title insurers to file a certain initial premium on or before a certain date; providing for the application of this Act; providing for the effective dates of this Act;~~ the Maryland Insurance Commissioner to study closing or settlement protection practices of the title insurance industry and to make certain recommendations; requiring the

Commissioner to consider certain matters in conducting the study; authorizing the Commissioner to consult with certain persons and entities in conducting the study; requiring the Commissioner to report certain findings and recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to ~~title insurance protection~~ a study of closing and settlement protection practices of the title insurance industry.

~~BY adding to~~
~~Article – Insurance~~
~~Section 5–207 and 22–104~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Insurance~~
~~Section 22–102~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume)~~

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

QUORUM CALL

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

(See Roll Call No. 1052)

ADJOURNMENT

At 1:25 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day April 1, 2012, Calendar Day Friday, April 6, 2012.

Annapolis, Maryland
Legislative Day: April 1, 2012
Calendar Day: Friday, April 6, 2012

The House met at 10:18 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Samuel I. Rosenberg of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 1053)

The Journal of March 31, 2012 was read and approved.

EXCUSES:
Del. Burns – illness
Del. Mizeur – left early – personal
Del. Sophocleus – illness
Del. V. Turner – medical

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 2	Del. Glenn
HB 53	Del. Luedtke
HB 57	Del. Eckardt
HB 59	Anne Arundel Co. Del.
HB 61	Del. Eckardt
HB 72	The Speaker
HB 73	The Speaker
HB 74	The Speaker
HB 88	Del. Griffith
HB 90	Baltimore County Del.
HB 97	Del. Anderson
HB 101	Del. Pena–Melnyk
HB 110	Del. Barkley
HB 120	Anne Arundel Co. Del.

HB 125	Frederick County Del.
HB 129	Caroline County Del.
HB 134	Carroll County Del.
HB 135	Carroll County Del.
HB 136	Carroll County Del.
HB 150	Allegany County Del.
HB 170	St. Mary's County Del.
HB 171	St. Mary's County Del.
HB 173	Del. Cardin
HB 192	Del. Jacobs
HB 206	Del. Jameson
HB 210	St. Mary's County Del.
HB 216	Washington County Del.
HB 222	Del. Beitzel
HB 224	Del. Beitzel
HB 228	Del. Feldman
HB 238	Del. Nathan–Pulliam
HB 239	Frederick County Del.
HB 248	Harford County Del.
HB 258	Del. Haddaway–Riccio
HB 271	Ch., Envir. Mat. Com.
HB 288	Del. Hubbard
HB 293	Ch., Econ Matters Co.
HB 301	Ch., Econ Matters Co.
HB 306	Del. Haddaway–Riccio
HB 316	Del. Costa
HB 324	Cecil County Del.
HB 325	Del. Conway
HB 334	Del. Costa
HB 348	Del. Hubbard
HB 368	Del. Norman
HB 390	Del. Luedtke
HB 394	Ch. Hlth & Govt Ops
HB 401	Del. McHale
HB 404	Del. Kaiser
HB 421	Del. Feldman

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 423	St. Mary's County Del.
HB 425	Del. S. Robinson
HB 437	Del. Malone
HB 442	The Speaker

HB 443	The Speaker
HB 448	Del. Morhaim
HB 465	Del. Hammen
HB 470	Del. Tarrant
HB 475	St. Mary's County Del.
HB 493	Del. Simmons
HB 497	Del. Myers
HB 504	Del. Beitzel
HB 511	Ch., Envir. Mat. Com.
HB 512	Del. Beitzel
HB 516	Allegany County Del.
HB 518	Frederick County Del.
HB 525	Del. Clagett
HB 526	Del. Clagett
HB 540	Del. Reznik
HB 556	Del. Hubbard
HB 563	Del. Hixson
HB 571	Del. Frick
HB 584	Del. Tarrant
HB 590	Ch., Ways and Means
HB 595	Del. Haddaway–Riccio
HB 604	Del. Parrott
HB 613	Del. Rosenberg
HB 617	Del. Hough
HB 630	Del. Haynes
HB 686	Montgomery Co. Del.
HB 687	Montgomery Co. Del.
HB 688	Del. Costa
HB 690	Montgomery Co. Del.
HB 691	Montgomery Co. Del.
HB 700	Del. Feldman
HB 715	Del. Feldman
HB 717	Del. Hershey
HB 742	Del. Barnes
HB 745	Del. Serafini
HB 754	Del. Kach
HB 769	Ch., Econ Matters Co.
HB 786	Del. Olszewski
HB 787	Frederick County Del.
HB 802	Prince George's Del.
HB 803	Prince George's Del.
HB 805	Prince George's Del.
HB 813	Prince George's Del.
HB 817	Prince George's Del.
HB 833	Del. Reznik
HB 838	Del. Kipke
HB 841	Del. Frick

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 862	Del. Hammen
HB 876	Del. Jameson
HB 886	Del. Ivey
HB 901	PG/Montgomery Co. Del.
HB 902	PG/Montgomery Co. Del.
HB 903	Prince George's Del.
HB 904	Prince George's Del.
HB 906	Prince George's Del.
HB 910	Frederick County Del.
HB 913	Del. Davis
HB 918	Del. Hixson
HB 919	Prince George's Del.
HB 920	Del. Rosenberg
HB 930	Del. Proctor
HB 936	Del. Frush
HB 940	Del. Stein
HB 962	Del. Anderson
HB 979	Calvert County Del.
HB 1001	Del. Hixson
HB 1005	Washington County Del.
HB 1006	Baltimore County Del.
HB 1007	Del. George
HB 1023	Calvert County Del.
HB 1046	Howard County Del.
HB 1050	Del. Barkley
HB 1055	Del. A. Kelly
HB 1089	Calvert County Del.
HB 1103	Del. Cardin
HB 1121	Del. Guzzone
HB 1140	Del. Pendergrass
HB 1149	Del. Lee
HB 1161	Charles County Del.
HB 1180	Del. Rudolph
HB 1182	Charles County Del.
HB 1187	Del. Jameson
HB 1189	Howard County Del.
HB 1193	Del. Nathan–Pulliam
HB 1207	Del. Pendergrass
HB 1213	Harford County Del.
HB 1220	Del. Haynes

HB 1235	Del. Zucker
HB 1257	Del. Kramer
HB 1262	Del. Hucker
HB 1268	Del. Barnes
HB 1280	Del. McHale
HB 1301	Del. Howard
HB 1308	Calvert County Del.
HB 1319	Del. Tarrant
HB 1329	Ch., Envir. Mat. Com.
HB 1427	Del. Jameson

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 1431	Del. O'Donnell
HB 1455	Del. Costa
HB 1456	Del. Mizeur

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **HB 0292**
SPONSOR: Del Glenn, et al
SUBJECT: Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

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 Malone, Chair
Delegate Glenn
Delegate Norman

The Senate appoints:
Senator Raskin, Chairman
Senator Brochin
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 0365**
SPONSOR: Del Mitchell, et al
SUBJECT: Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations

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 Glenn, Chair
Delegate Healey
Delegate Hogan

The Senate appoints:
Senator Gladden, Chairman
Senator Brochin
Senator Frosh.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

THE COMMITTEE ON APPROPRIATIONS REPORT #15

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

House Bill 1261 – Baltimore City Delegation and Delegates Branch, Clippinger, Conaway, Glenn, Harrison, Haynes, McHale, Mitchell, Oaks, B. Robinson, Stukes, Tarrant, and Washington

AN ACT concerning

Baltimore City – Representation of Child Support Enforcement Administration – Transfer of Employees

HB1261/724467/1
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1261
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "hires" and substitute "appoints"; in the same line, after "certain" insert "individuals who were"; in line 7, after "period" insert "and continue providing certain services on or after a certain date"; in line 11, after "benefits;" insert "requiring certain employees who transfer service credit from the Employees' Retirement System of the City of Baltimore to be subject to a certain pension selection or pension benefit;"; in line 15, strike "pension" and substitute "employer"; in the same line, after "contributions" insert "and interest"; and in line 18, strike "the Office of the Attorney General" and substitute "position identification numbers in the Department of Human Resources".

AMENDMENT NO. 2

On page 2, strike beginning with "Office" in line 19 down through "General" in line 20 and substitute "Department of Human Resources"; in line 21, strike "the Office of the Attorney General hires"; and in line 25, after "2012" insert "is appointed by the Office of the Attorney General to continue providing services for the Child Support Enforcement Administration as a State employee on or after October 1, 2012".

On page 3, in line 10, strike the colon and substitute a comma; in line 11, strike "1."; in line 13, strike "§ 2–308" and substitute "§ 2–508"; in line 15, strike "and"; strike in their entirety lines 16 through 21, inclusive, and substitute:

"(2) an employee who elects to transfer service credit from the Employees' Retirement System of the City of Baltimore to the Employees' Pension

System of the State of Maryland as provided in Title 37 of the State Personnel and Pensions Article shall be subject to:

(i) the Alternate Contributory Pension Selection of the Employees' Pension System as provided under Title 23, Subtitle 2, Part III of the State Personnel and Pensions Article, if the beginning date of the employee's membership in the Baltimore City Employees' Retirement System was on or before June 30, 2011; or

(ii) the Reformed Contributory Pension Benefit of the Employees' Pension System as provided under Title 23, Subtitle 2, Part IV of the State Personnel and Pensions Article, if the beginning date of the employee's membership in the Baltimore City Employees' Retirement System was on or after July 1, 2011;";

in lines 22 and 26, strike "(2)" and "(3)", respectively, and substitute "(3)" and "(4)", respectively; in line 25, strike the second "and"; in line 27, after "Baltimore" insert "on or before September 30, 2012, and elects to retire from the Employees' Retirement System upon commencing employment with the State"; strike beginning with "may" in line 28 down through "(ii)" in line 30; in line 33, strike "(iii)" and substitute "(ii)"; and in line 35, strike "(4)" and substitute "(5)".

On page 4, in line 2, strike "Office of the Attorney General" and substitute "State"; in line 5, strike "pension" and substitute "employer"; in the same line, after "contributions" insert "and interest"; in line 6, strike "Office of the Attorney General" and substitute "State"; and in the same line, strike "Title 37" and substitute "§ 37–205".

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 1457 – Charles County Delegation

AN ACT concerning

Charles County – Correctional Officers' Bill of Rights Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1474 – Allegany County Delegation

AN ACT concerning

Allegany County – Sheriff's Office Employees – Labor Organizations

Favorable report adopted.

Delegate Valderrama moved to make the Bill a Special Order for Saturday.

The motion was adopted.

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

Senate Bill 205 – Senator Edwards

AN ACT concerning

Garrett County – Correctional Officers' Bill of Rights

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 314 – Senators Pugh, Benson, Forehand, Garagiola, Gladden, Jones–Rodwell, King, Klausmeier, Manno, Muse, Peters, Rosapepe, and Stone

AN ACT concerning

State Personnel – Traumatic Events – Mental Health Support Services

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 455 – Senators Middleton, Frosh, Garagiola, Jones–Rodwell, Klausmeier, and Pugh

AN ACT concerning

State Personnel – Special Appointments – Status

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 463 – Chair, Anne Arundel County Senators

AN ACT concerning

Local Government Self–Insurance Funds – Exclusion from Investment Guidelines

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 542 – Senator Jones–Rodwell

AN ACT concerning

Local Government Investment Pool – Authorized Participants

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 606 – Senator DeGrange

AN ACT concerning

Finance and Procurement – State Treasury – Collateral

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 680 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel Management System – Criminal History Records Check

SB0680/924168/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 680
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "check;" insert "authorizing an appointing authority to require certain prospective and current employees to pay certain fees;".

AMENDMENT NO. 2

On page 2, after line 32, insert:

"**(4) THE APPOINTING AUTHORITY MAY REQUIRE THE PROSPECTIVE OR CURRENT EMPLOYEE FOR WHOM A RECORDS CHECK IS SOUGHT UNDER PARAGRAPH (1) OF THIS SUBSECTION TO PAY THE FEES DESCRIBED IN PARAGRAPH (3)(II) AND (III) OF THIS SUBSECTION.**".

On page 3, in lines 1 and 6, strike "**(4)**" and "**(5)**", respectively, and substitute "**(5)**" and "**(6)**", respectively.

The preceding 2 amendments were read only.

Delegate DeBoy moved to make the Bill and Amendments a Special Order for the end of this calendar.

The motion was adopted.

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

Senate Bill 783 – Senators Pugh, Manno, Montgomery, Peters, Pinsky, Ramirez, Rosapepe, and Young

AN ACT concerning

State Personnel – Collective Bargaining – Applicability

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 880 – Senator Jones–Rodwell

AN ACT concerning

State Retirement and Pension System – Transfer of Members Between Systems

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 885 – Senator Peters

AN ACT concerning

~~Correctional Services~~ Parole and Probation – Employee Caseloads – Disciplinary Actions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 894 – Senator Jones–Rodwell

AN ACT concerning

Baltimore City – Representation of Child Support Enforcement Administration – Transfer of Employees

SB0894/154563/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 894
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Department" in line 4 down through "hires" in line 5 and substitute "Office of the Attorney General appoints"; in the same line, after "certain" insert "individuals who were"; in line 7, after "period" insert "and continue providing certain services on or after a certain date"; in line 12, after "benefits;" insert "requiring certain employees who transfer service credit from the Employees' Retirement System of the City of Baltimore to be subject to a certain pension selection or pension benefit;"; in line 15, strike "pension" and substitute "employer"; in line 16, after "contributions" insert "and interest"; and in line 18, strike the third "the" and substitute "position identification numbers in the".

AMENDMENT NO. 2

On page 2, strike beginning with "the" in line 24 down through "hires" in line 25; and in line 28, after "2012" insert "is appointed by the Office of the Attorney General to continue providing services for the Child Support Enforcement Administration as a State employee on or after October 1, 2012".

On page 3, in line 13, strike the colon and substitute a comma; in line 14, strike "1."; in line 16, strike "§ 2–308" and substitute "§ 2–508"; in line 18, strike "and"; strike in their entirety lines 19 through 24, inclusive, and substitute:

"(2) an employee who elects to transfer service credit from the Employees' Retirement System of the City of Baltimore to the Employees' Pension System of the State of Maryland as provided in Title 37 of the State Personnel and Pensions Article shall be subject to:

(i) the Alternate Contributory Pension Selection of the Employees' Pension System as provided under Title 23, Subtitle 2, Part III of the State Personnel and Pensions Article, if the beginning date of the employee's membership in the Baltimore City Employees' Retirement System was on or before June 30, 2011; or

(ii) the Reformed Contributory Pension Benefit of the Employees' Pension System as provided under Title 23, Subtitle 2, Part IV of the State Personnel and Pensions Article, if the beginning date of the employee's membership in the Baltimore City Employees' Retirement System was on or after July 1, 2011;";

in lines 25 and 29, strike "(2)" and "(3)", respectively, and substitute "(3)" and "(4)", respectively; in line 28, strike the second "and"; in line 30, after "Baltimore" insert "on or before September 30, 2012, and elects to retire from the Employees' Retirement System upon commencing employment with the State"; and strike beginning with "may" in line 31 down through "(ii)" in line 33.

On page 4, in line 1, strike "(iii)" and substitute "(ii)"; in line 3, strike "(4)" and substitute "(5)"; in line 5, strike "Office of the Attorney General" and substitute "State"; in line 8, strike "pension" and substitute "employer"; in the same line, after "contributions" insert "and interest"; in line 9, strike "Department of Human Resources" and substitute "State"; and in line 10, strike "Title 37" and substitute "§ 37–205".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 899 – Senators Gladden, Kelley, Klausmeier, Raskin, and Stone

AN ACT concerning

Correctional Services – Correctional Officer – Emergency Suspension Rescinded

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 977 – Senator Rosapepe

AN ACT concerning

Transportation – Institutions of Higher Education ~~and State Employment Facilities~~ – Bicycle and Pedestrian Access

Favorable report adopted.

Delegate Bromwell moved to make the Bill a Special Order for Saturday.

The motion was adopted.

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

Senate Bill 1099 – Senator Edwards

AN ACT concerning

Allegany County – Sheriff's Office Employees – Labor Organizations

Favorable report adopted.

Delegate Valderrama moved to make the Bill a Special Order for Saturday.

The motion was adopted.

SPECIAL ORDERS

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

Senate Bill 680 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel Management System – Criminal History Records Check

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT NOT ADOPTED. COMMITTEE AMENDMENTS NOT ADOPTED.

SB0680/924168/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 680
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "check;" insert "authorizing an appointing authority to require certain prospective and current employees to pay certain fees;".

AMENDMENT NO. 2

On page 2, after line 32, insert:

"**(4)** **THE APPOINTING AUTHORITY MAY REQUIRE THE PROSPECTIVE OR CURRENT EMPLOYEE FOR WHOM A RECORDS CHECK IS SOUGHT UNDER PARAGRAPH (1) OF THIS SUBSECTION TO PAY THE FEES DESCRIBED IN PARAGRAPH (3)(II) AND (III) OF THIS SUBSECTION.**".

On page 3, in lines 1 and 6, strike "**(4)**" and "**(5)**", respectively, and substitute "**(5)**" and "**(6)**", respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #12

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

Senate Bill 77 – Senator Kelley

AN ACT concerning

Life Insurance and Annuities – Unfair Claim Settlement Practices – Failure to ~~Cross-Check~~ Search Death Master File

SB0077/396886/1
BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 77
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 23, after the second semicolon insert "providing for a delayed effective date;".

AMENDMENT NO. 2
On page 6, in line 25, strike "2012" and substitute "2013".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 147 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Ethics Commission, State)

AN ACT concerning

State Government – Administrative Procedure Act – Changes to Previously Published Proposed Regulations

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

AN ACT concerning

Maryland Health Care Commission – Assessment of Fees and Maryland Trauma Physician Services Fund – Revisions

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 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Maryland Health Care Provider Rate Stabilization 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 231 – Chair, Finance Committee (By Request – Departmental – Disabilities)

AN ACT concerning

Individuals with Disabilities – Attendant Care Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 235 – The President (By Request – Administration) and Senators Garagiola, King, Madaleno, ~~and Manno~~ Manno, Rosapepe, and Benson

AN ACT concerning

Procurement – Investment Activities in Iran

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 253 – Senators Jacobs and Ferguson

AN ACT concerning

State Government – Administrative Procedure Act – ~~Proposed~~ Regulations

SB0253/896882/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 253

(Third Reading File Bill)

On page 1, strike beginning with "requiring" in line 18 down through "circumstances;" in line 20.

On page 6, strike in their entirety lines 25 through 27, inclusive; and in line 28, strike "**(E)**" and substitute "**(D)**".

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 332 – Senator Edwards

AN ACT concerning

Family Security Trust Fund – Requirement to Transfer Interest to the General Fund – Exemption

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 337 – Senator Conway

AN ACT concerning

State Board of Nursing – Nurses, Nursing Assistants, Medication Technicians, and Electrologists – Licensure and Certification 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 with amendments:

Senate Bill 343 – Senators Pugh, Benson, Conway, Forehand, Gladden, Jones–Rodwell, Kelley, King, McFadden, Montgomery, Muse, Peters, Ramirez, Raskin, and Rosapepe

AN ACT concerning

State Government – Brokerage and Investment Management Services – Use of Minority Business Enterprises – Application

SB0343/336489/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 343
(Third Reading File Bill)

On page 18, in lines 24 and 25, strike "**STATE RETIREMENT AGENCY'S**" and substitute "**MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS'**"; and in lines 28 and 32, in each instance, strike "**STATE RETIREMENT AGENCY**" and substitute "**MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS**".

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 415 – Senators Montgomery, Benson, Colburn, Forehand, Garagiola, Madaleno, Manno, McFadden, Peters, Pugh, Ramirez, Raskin, ~~and Robey~~ Robey, and Stone

AN ACT concerning

Handling Human Remains with Dignity Act of 2012

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 776 – Senator Young

AN ACT concerning

Polysomnographic Technologists – Education and Examination Requirements

SB0776/966283/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 776
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "of" insert "altering the examination requirements for a license to practice polysomnography to require a certain examination approved by the Board of Physicians to be accredited by a certain accrediting organization;"; and in line 7, strike the first "a".

AMENDMENT NO. 2

On page 2, in line 6, after "examination" insert "**ACCREDITED BY THE NATIONAL COMMISSION OF CERTIFYING AGENCIES AND**"; in line 13, strike "**A.**"; in the same line, strike "**GRADUATED FROM A**" and substitute "**SUCCESSFULLY COMPLETED:**

A. **A**";

and strike beginning with "**AND**" in line 15 down through the semicolon in line 18 and substitute:

"**B.** **A PROGRAM DESIGNATED AS A SLEEP TECHNOLOGIST APPROVED RESOURCE BY THE BOARD OF REGISTERED POLYSOMNOGRAPHIC TECHNOLOGISTS; OR**

C. **A PROGRAM RECOMMENDED BY THE COMMITTEE AND APPROVED BY THE BOARD;**".

On page 3, in line 5, after "**EXAMINATION**" insert "**ACCREDITED BY THE NATIONAL COMMISSION ON CERTIFYING AGENCIES AND**".

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 804 – Senators Brinkley, Colburn, Glassman, Jennings, Robey, and Stone

AN ACT concerning

Human Services – Service Animal Trainers – Nondiscrimination

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 870 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

EMERGENCY BILL

AN ACT concerning

State Board of Physicians – Athletic Trainer Advisory Committee – ~~Sunset Extension, Program Evaluation, and Revisions~~ Education, Supervision, and Administration

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 895 – Senator Conway

AN ACT concerning

Maryland State Board of Morticians and Funeral Directors – Permits and Registration Required to Remove and Transport Human Remains

SB0895/106384/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 895
(Third Reading File Bill)

On page 6, in line 2, strike "**AND**"; after line 3, insert:

"**(2) A CRIMINAL HISTORY RECORDS CHECK; AND**";

and in line 4, strike "**(2)**" and substitute "**(3)**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 921 – Senator Conway

AN ACT concerning

State Board of Nursing – Sunset Extension and Revisions

SB0921/686081/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 921
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, strike "Department of Budget and Management" and substitute "Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management, to contract with an independent entity"; in the same line, after "certain" insert "management and"; strike beginning with "and" in line 17 down through "date" in line 18 and substitute "; requiring the Department of Health and Mental Hygiene and the Department of Budget and Management jointly to develop specifications for a certain solicitation; requiring the Department of Budget

and Management to oversee a certain independent entity; requiring that the costs of a certain study be paid from the Board of Nursing Fund; requiring the Department of Budget and Management, on or before a certain date, to report to certain committees of the General Assembly on the results of a certain study".

AMENDMENT NO. 2

On page 6, in line 8, after "(a)" insert "**(1)**"; in line 9, strike "Department of Budget and Management shall perform a" and substitute "Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management, shall contract with an independent entity to perform a management and"; strike beginning with "to" in line 9 down through "Nursing" in line 10; after line 10, insert:

"(2) The Department of Health and Mental Hygiene and the Department of Budget and Management jointly shall develop the specifications for the solicitation of the contract required under paragraph (1) of this subsection.

(3) (i) The Department of Budget and Management shall oversee the independent entity that is performing the management and personnel study required under paragraph (1) of this subsection.

(ii) The independent entity that is performing the management and personnel study required under paragraph (1) of this subsection shall report directly to the Department of Budget and Management regarding the study.

(4) The costs of the management and personnel study required under paragraph (1) of this subsection shall be paid from the Board of Nursing Fund established under § 8–206 of the Health Occupations Article.";

in line 12, strike "(i) 1." and substitute "(1)"; in line 14, strike "2." and substitute "(2)"; in the same line, after "minimum" insert ":

(i)";

in line 13, strike "and"; in line 15, strike the comma and substitute ";

(ii)";

in line 16, strike the comma and substitute a semicolon; in the same line, after "and" insert "(iii)"; in line 18, strike "(ii)" and substitute "(3)"; in lines 19 and 20, strike "1."

and "2.", respectively, and substitute "(i)" and "(ii)", respectively; in line 21, strike "(iii)" and substitute "(4)"; in line 24, after "2013" insert a period; strike beginning with "and" in line 24 down through the period in line 27, and substitute:

"(d) On or before December 1, 2013, the Department of Budget and Management shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the results of the management and personnel study required under subsection (a) of this section.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 954 – Senator Middleton

AN ACT concerning

Medical Records – ~~HIPAA Consistency Act of 2012~~ Enhancement or Coordination of Patient Care

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1077 – Senator Middleton

AN ACT concerning

Mortality and Quality Review Committee – Reporting Requirements – Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS
REPORT #19

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 Economic Matters:

Senate Bill 252 – ~~**Senator Jones–Rodwell**~~ **Senators Jones–Rodwell and Pugh**

AN ACT concerning

Baltimore City Community Enhancement Transit–Oriented Development Fund

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

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

Senate Bill 477 – Senators Klausmeier, Kittleman, Astle, Colburn, DeGrange, Forehand, Kasemeyer, Middleton, Robey, Rosapepe, ~~and Stone~~ Stone, Brinkley, Currie, Edwards, Jones–Rodwell, King, Madaleno, Manno, and Peters

AN ACT concerning

Job Creation Tax Credit – Amount of Credit and Termination Provisions

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 544 – Senators Ramirez, Raskin, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Ferguson, Forehand, Frosh, Garagiola, Glassman, Jacobs, Jennings, King, Kittleman, Madaleno, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pinsky, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elected Officials – Removal from Office – Crimes

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 572 – Senator Rosapepe

AN ACT concerning

State Government – Commemorative Days – Crime Victims and Advocates

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

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

Senate Bill 765 – Senators Mathias and Middleton

AN ACT concerning

~~Public Utilities – Consumer Relations –~~ Public Service Commission – Study on Tenant Payment of Landlord Utility Bills

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

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

Senate Bill 791 – Senator Garagiola

AN ACT concerning

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

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 1004 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – ~~Qualifying~~ Thermal Biomass Systems

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

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

Senate Bill 1082 – Senator Forehand

AN ACT concerning

Children in Need of Assistance and Child Abuse and Neglect – Sexual Abuse – Definition

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

AMENDED IN THE SENATE

House Bill 379 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Citations Issued by Inspectors

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

HB0379/354836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 379
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "violations;" insert "authorizing an alcoholic beverages inspector in Frederick County to carry a firearm under certain circumstances only if the alcoholic beverages inspector is a retired law enforcement officer;".

AMENDMENT NO. 2

On page 2, in line 4, strike "**PARAGRAPHS (2) AND (3)**" and substitute "**PARAGRAPH (2)**"; in line 14, after "**(2)**" insert "**(I)**"; in line 19, strike "**(3)**" and substitute "**(II)**"; and after line 21, insert:

"**(III) IN FREDERICK COUNTY, AN INSPECTOR MAY CARRY A FIREARM UNDER THIS SUBSECTION ONLY IF THE INSPECTOR IS A RETIRED LAW ENFORCEMENT OFFICER.**".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0379**
SPONSOR: Frederick County Delegation
SUBJECT: Frederick County – Alcoholic Beverages – Citations Issued by Inspectors

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 Arora, Chairman
Delegate Mitchell, and
Delegate Hough.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 1054)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #74

House Bill 160 – Delegates Niemann, Barnes, Beidle, Branch, Braveboy, Carr, Carter, Clippinger, Frush, Gilchrist, Glenn, Healey, Hogan, Holmes, Kipke, Lafferty, McMillan, Proctor, Ross, Summers, V. Turner, ~~and Weir~~ Weir, and Wilson

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

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

Affirmative – 130 Negative – 6 (See Roll Call No. 1055)

The Bill was then sent to the Senate.

House Bill 885 – Delegates Jameson, Barkley, Burns, Haddaway–Riccio, Impallaria, Love, W. Miller, Minnick, and Schulz

AN ACT concerning

Fraudulent Insurance Acts – Individual Sureties – Contracts of Surety Insurance

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1056)

The Bill was then sent to the Senate.

House Bill 1017 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

~~Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company~~

Task Force to Study Maryland Insurance of Last Resort Programs

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1057)

The Bill was then sent to the Senate.

House Bill 1087 – Delegates Hixson and Davis

AN ACT concerning

~~Telecommunications~~ Communications Companies – Universal Service Trust Fund – Surcharge

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

Affirmative – 98 Negative – 39 (See Roll Call No. 1058)

The Bill was then sent to the Senate.

House Bill 1223 – Delegate Guzzone

AN ACT concerning

Institutions of Postsecondary Education – Fully Online Distance Education Programs – Registration

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1059)

The Bill was then sent to the Senate.

House Bill 1424 – Delegates Conway and McDermott

AN ACT concerning

Ocean City Convention Center – Financial Obligations and Taxing Authority

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

Affirmative – 127 Negative – 11 (See Roll Call No. 1060)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #31

Senate Bill 105 – Senator Colburn

EMERGENCY BILL

AN ACT concerning

Caroline County and Dorchester County – Turkey Hunting on Private Property – Sundays

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

Affirmative – 120 Negative – 9 (See Roll Call No. 1061)

The Bill was then returned to the Senate.

Senate Bill 130 – Senators Ferguson ~~and Gladden~~, Gladden, and Jones–Rodwell

AN ACT concerning

Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations

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

Affirmative – 133 Negative – 4 (See Roll Call No. 1062)

The Bill was then returned to the Senate.

Senate Bill 390 – Caroline County Senators

AN ACT concerning

Caroline County – Deer Hunting on Private Property – Sundays

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

Affirmative – 120 Negative – 9 (See Roll Call No. 1063)

The Bill was then returned to the Senate.

Senate Bill 472 – Senator Edwards

AN ACT concerning

Environment – Dormant Mineral Interests – Termination by Court Order Requirements

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1064)

The Bill was then returned to the Senate.

Senate Bill 483 – Senators Benson, Miller, Frosh, Montgomery, and Pinsky

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities

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

Affirmative – 134 Negative – 3 (See Roll Call No. 1065)

The Bill was then returned to the Senate.

Senate Bill 529 – Senator Robey

AN ACT concerning

Motor Vehicles – Use of Text Messaging Device While Driving

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

Affirmative – 119 Negative – 16 (See Roll Call No. 1066)

The Bill was then returned to the Senate.

Senate Bill 602 – Senator Dyson

AN ACT concerning

Public Safety – Building Performance Standards – ~~Fire and Life Safety~~ Automatic Fire Sprinkler Systems

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

Affirmative – 99 Negative – 39 (See Roll Call No. 1067)

The Bill was then returned to the Senate.

Senate Bill 609 – Senator Benson (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund)

AN ACT concerning

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

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1068)

The Bill was then returned to the Senate.

Senate Bill 662 – Carroll County Senators

AN ACT concerning

Carroll County – Archery Hunting – Safety Zone

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

Affirmative – 132 Negative – 4 (See Roll Call No. 1069)

The Bill was then returned to the Senate.

Senate Bill 998 – Senator Garagiola

AN ACT concerning

Motor Vehicle Administration – Plug–In Vehicles – Disclosure of Personal Information

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

Affirmative – 106 Negative – 30 (See Roll Call No. 1070)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #32

Senate Bill 70 – Senator Kelley

AN ACT concerning

Family Law – Permanency Planning and Guardianship Review Hearings – Court Procedures

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

Affirmative – 127 Negative – 11 (See Roll Call No. 1071)

The Bill was then returned to the Senate.

Senate Bill 640 – Senators Ramirez, Forehand, Manno, Montgomery, and Rosapepe

AN ACT concerning

Public Safety – Possession of Firearms – Crimes Committed in Other States

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

Affirmative – 99 Negative – 39 (See Roll Call No. 1072)

The Bill was then returned to the Senate.

Senate Bill 650 – Senators Ramirez, Colburn, Forehand, Garagiola, Manno, Montgomery, Robey, and Rosapepe

AN ACT concerning

Public Safety – Impersonating a Police Officer – WMATA Metro Transit Police

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1073)

The Bill was then returned to the Senate.

Senate Bill 691 – ~~Senator Shank~~ Senators Shank, Frosh, Getty, and Gladden

SECOND PRINTING

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

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

The motion was adopted.

THIRD READING CALENDAR (SENATE BILLS) #33

Senate Bill 8 – Senator Astle

AN ACT concerning

Maryland Income Tax Refund – Anne Arundel County – Warrants

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1074)

The Bill was then returned to the Senate.

Senate Bill 10 – Senators Colburn ~~and Mathias~~, Mathias, and Pipkin

EMERGENCY BILL

AN ACT concerning

Slot Machines for Nonprofit Organizations on the Eastern Shore – Uses of Proceeds

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1075)

The Bill was then returned to the Senate.

Senate Bill 32 – Senator Simonaire

AN ACT concerning

Anne Arundel County – Property Tax Payment Deferral – Eligibility

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1076)

The Bill was then returned to the Senate.

Senate Bill 49 – ~~Senator Astle~~ Senators Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Muse, and Pugh

AN ACT concerning

Horse Racing – Maryland–Bred Race Fund – Administration

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1077)

The Bill was then returned to the Senate.

Senate Bill 182 – Senators Ferguson ~~and Gladden~~, Gladden, McFadden, and Jones–Rodwell

AN ACT concerning

Tax Sales – Complaint to Foreclose Right of Redemption – Notice

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1078)

The Bill was then returned to the Senate.

Senate Bill 243 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Conway, Ferguson, Gladden, McFadden, and Pugh

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

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

Affirmative – 107 Negative – 29 (See Roll Call No. 1079)

The Bill was then returned to the Senate.

Senate Bill 265 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Tax Sales – Auctioneer's Fees

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1080)

The Bill was then returned to the Senate.

Senate Bill 266 – Senators Brinkley and Young

AN ACT concerning

Frederick County and Washington County – Property Tax Credit – Job Creation by Small Businesses

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1081)

The Bill was then returned to the Senate.

Senate Bill 333 – Senator Edwards

AN ACT concerning

Garrett County – Hotel Rental Tax ~~Rate~~

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

Affirmative – 102 Negative – 34 (See Roll Call No. 1082)

The Bill was then returned to the Senate.

Senate Bill 425 – Harford County Senators

AN ACT concerning

Harford County – Tax Sales – Auctioneer Fees

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

Affirmative – 135 Negative – 3 (See Roll Call No. 1083)

The Bill was then returned to the Senate.

Senate Bill 580 – Senators Peters, Conway, Currie, Ferguson, Garagiola, King, Manno, McFadden, Muse, Pugh, Ramirez, Raskin, ~~and Robey~~ Robey, Kasemeyer, Brinkley, Colburn, DeGrange, Edwards, Jones–Rodwell, and Madaleno

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1084)

The Bill was then returned to the Senate.

Senate Bill 670 – Senators Shank and Edwards

AN ACT concerning

Washington County – Tip Jars – Accountability and Oversight

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1085)

The Bill was then returned to the Senate.

Senate Bill 852 – Senators King, Brinkley, Colburn, DeGrange, Glassman, Jacobs, and Klausmeier

AN ACT concerning

Sales and Use Tax – Alcoholic Beverages – Calculation of Tax

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1086)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #34

Senate Joint Resolution 2 – Senators Raskin and Forehand

A Senate Joint Resolution concerning

Maryland Ratification of the 17th Amendment to the United States Constitution

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

Affirmative – 130 Negative – 8 (See Roll Call No. 1087)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #35

Senate Bill 23 – Senator Reilly

AN ACT concerning

Public Safety – Elevator Safety Review Board – Membership

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1088)

The Bill was then returned to the Senate.

Senate Bill 104 – Senator Colburn

AN ACT concerning

Dorchester County – Sailwinds Park, Inc. – Service of Alcohol – Wristbands

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1089)

The Bill was then returned to the Senate.

Senate Bill 246 – Senator Conway

AN ACT concerning

Secondhand Precious Metal Object Dealers – Securing and Tagging Items – Requirements

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1090)

The Bill was then returned to the Senate.

Senate Bill 317 – Senators Pugh~~, Ferguson, Gladden, Jennings, King, Madaleno, Manno, Mathias, Montgomery~~, Astle, Ferguson, Gladden, Glassman, Jennings, King, Kittleman, Madaleno, Manno, Middleton, Mathias, Montgomery, Muse, Raskin, Rosapepe, Shank, and Stone

AN ACT concerning

Retail Pet Stores – Sales of Dogs – Required Records, Health Disclosures, and Purchaser Remedies

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

Affirmative – 134 Negative – 4 (See Roll Call No. 1091)

The Bill was then returned to the Senate.

Senate Bill 352 – Senators Forehand ~~and Raskin~~, Raskin, Jacobs, Ramirez, and Zirkin

AN ACT concerning

National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1092)

The Bill was then returned to the Senate.

Senate Bill 388 – Senators Kittleman, Kasemeyer~~, Robey, Brinkley, and Getty~~, and Robey

AN ACT concerning

~~Carroll and Howard Counties~~ Howard County – Workers' Compensation – Students in Unpaid Work–Based Learning Experiences

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1093)

The Bill was then returned to the Senate.

Senate Bill 431 – Senators Young ~~and Brinkley~~, Brinkley, Glassman, Kelley, Klausmeier, and Middleton

AN ACT concerning

Workers' Compensation – Emergency Responders – Revisions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1094)

The Bill was then returned to the Senate.

Senate Bill 433 – Senators Young, Kelley, King, Montgomery, and Shank

AN ACT concerning

Labor and Employment – User Name and Password Privacy Protection and Exclusions

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

Affirmative – 128 Negative – 10 (See Roll Call No. 1095)

The Bill was then returned to the Senate.

Senate Bill 604 – Senators Kelley, Middleton, and Pugh

AN ACT concerning

Motor Vehicle Insurance – Uninsured Motorist Coverage – Effect of Consent to Offer of Settlement

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1096)

The Bill was then returned to the Senate.

Senate Bill 607 – Senator Benson

AN ACT concerning

Business Occupations – Plumbers and Gas Fitters – Apprentice License Renewal

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

Affirmative – 96 Negative – 40 (See Roll Call No. 1097)

The Bill was then returned to the Senate.

Senate Bill 649 – Senators Ramirez, Raskin, and Jones–Rodwell

AN ACT concerning

Environment – Asbestos Worker Protection

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

Affirmative – 116 Negative – 22 (See Roll Call No. 1098)

The Bill was then returned to the Senate.

Senate Bill 652 – Senators Middleton, Young, Garagiola, Manno, Mathias, and Rosapepe

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Geothermal Heating and Cooling

FLOOR AMENDMENT

SB0652/563320/1
BY: Delegate Jameson

AMENDMENTS TO SENATE BILL 652
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "standards;" insert "providing that energy generated from a geothermal Tier 1 renewable source is eligible for inclusion in meeting a certain standard only if the source is connected with the distribution grid serving Maryland;".

On page 2, in line 3, after "7–701 (l)" insert "and 7–704(a)(2)(i)1.".

AMENDMENT NO. 2

On page 3, after line 26, insert:

"(a) (2) (i) 1. Except as provided in subsubparagraph 2 of this subparagraph, energy from a Tier 1 renewable source under § 7–701(l)(1), **(5),** (9), (10), or (11) of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard only if the source is connected with the electric distribution grid serving Maryland.".

The preceding 2 amendments were read and adopted.

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1099)

The Bill was then returned to the Senate.

Senate Bill 812 – Senator Astle

AN ACT concerning

Insurance – Suspected Fraud – ~~Reporting Requirement~~ Liability for Reporting or for Furnishing or Receiving Information

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1100)

The Bill was then returned to the Senate.

Senate Bill 814 – Senator Astle

AN ACT concerning

Public Safety – Elevators – ~~Board Membership, Accessibility Lifts, and Lift Mechanics~~ Accessibility Lift Mechanic License

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1101)

The Bill was then returned to the Senate.

Senate Bill 861 – Senator Klausmeier

AN ACT concerning

Portable Electronics Insurance

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1102)

The Bill was then returned to the Senate.

Senate Bill 1044 – Senators Colburn and Mathias

AN ACT concerning

Wicomico County – Alcoholic Beverages – Class D Licenses – Follow–Up Records Checks

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1103)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #2

AMENDED IN THE SENATE

House Bill 98 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees – Maryland School for the Deaf Exemption

Delegate Conway moved that the House concur in the Senate amendments.

HB0098/919134/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 98
(Third Reading File Bill)

On page 5, in line 28, strike "**AND**" and substitute "**OR**".

On page 6, in line 28, strike the first "**FOR**" and substitute "**OF**".

On page 11, in line 5, strike "**AND**" and substitute "**OR**".

On page 12, in line 2, strike the first "**FOR**" and substitute "**OF**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 1104)

AMENDED IN THE SENATE

House Bill 60 – Delegates Haddaway–Riccio and Eckardt

AN ACT concerning

Talbot County – Zoning Regulations – Enforcement

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0060/504334/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 60
(Third Reading File Bill)

On page 1, in line 6, after "violations;" insert "making a conforming change;"; after line 7, insert:

"BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–401(b)(17) and (18)
Annotated Code of Maryland
(As enacted by Ch. ___ (H.B. 1290) of the Acts of the General Assembly of 2012)";

in line 10, after "Section" insert "1–401(b)(18); and"; and after line 17, insert:

"1–401.

(b) The following provisions of this division apply to a charter county:

(17) for Howard County only, Title 9, Subtitle 13 (Single–County Provisions – Howard County); **[**and**]**

(18) FOR TALBOT COUNTY ONLY, TITLE 9, SUBTITLE 18 (SINGLE–COUNTY PROVISIONS – TALBOT COUNTY); AND

[(18)**] (19)** Title 11, Subtitle 2 (Civil Penalty).".

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. 1105)

AMENDED IN THE SENATE

House Bill 177 – Delegates McIntosh, Anderson, Beidle, Clippinger, Glenn, Hammen, Lafferty, Love, Mitchell, Oaks, B. Robinson, Sophocleus, Stein, and Washington

AN ACT concerning

Ground Leases – Registration – Failure to Register

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0177/388374/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 177
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 11 down through "Department;" in line 14.

On page 2, in line 2, after "8–710," insert "8–711,"; in line 8, strike "8–703, and 8–711" and substitute "and 8–703"; and in line 18, strike ", 8–710,".

AMENDMENT NO. 2

On page 8, strike in their entirety lines 5 through 29, inclusive.

On page 9, in line 1, strike "8–711." and substitute "**8–710.**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 132 Negative – 3 (See Roll Call No. 1106)

AMENDED IN THE SENATE

House Bill 186 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

EMERGENCY BILL

AN ACT concerning

Department of the Environment – Permit Proceedings – Judicial Review

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0186/804835/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 186
(Third Reading File Bill)

On page 3, in line 23, strike "and shall be applied to and interpreted"; in the same line, strike "affect"; and in line 25, strike "that are pending in a circuit court on the effective date of this Act".

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. 1107)

AMENDED IN THE SENATE

House Bill 99 – Delegate Kipke

AN ACT concerning

~~Health~~ Anne Arundel County – Semipermanent Food Service Facilities – ~~Regulations~~ Requirements

Delegate Hammen moved that the House concur in the Senate amendments.

HB0099/407374/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 99
(Third Reading File Bill)

On page 4, in line 24, strike "**SHALL USE**" and substitute "**USE**".

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. 1108)

AMENDED IN THE SENATE

House Bill 100 – Delegate Pena–Melnyk

AN ACT concerning

Vital Records – Certificates of Death – Amendments to Cause of Death

Delegate Hammen moved that the House concur in the Senate amendments.

HB0100/807277/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 100
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "issuance" and substitute "registration".

AMENDMENT NO. 2

On page 2, in line 33, strike "**ISSUANCE**" and substitute "**REGISTRATION**".

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. 1109)

AMENDED IN THE SENATE

House Bill 1118 – Delegate Morhaim

AN ACT concerning

Nursing Home Administrator License – Revocation or Surrender – Ban on Employment

Delegate Hammen moved that the House concur in the Senate amendments.

HB1118/457772/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1118
(Third Reading File Bill)

On page 4, in line 15, strike "**HAS HAD**" and substitute "**HAD**".

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. 1110)

CONCURRENCE CALENDAR #3

AMENDED IN THE SENATE

House Bill 51 – Delegates Eckardt, Cane, and Haddaway–Riccio

AN ACT concerning

Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor Licenses – Clubs

Delegate Davis moved that the House concur in the Senate amendments.

HB0051/314339/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 51
(Third Reading File Bill)

On page 1, in line 4, after "of" insert "updating certain obsolete language by authorizing a certain organization to obtain a certain license from the County Council of Dorchester County under certain circumstances;".

On page 3, in line 21, strike "Commissioners" and substitute "**COUNCIL**".

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. 1111)

AMENDED IN THE SENATE

House Bill 131 – Delegates Kipke, Barkley, Barnes, Barve, Bobo, Boteler, Cardin, Carr, Eckardt, Feldman, Frick, Frush, Glass, Glenn, Haddaway–Riccio, Hucker, Impallaria, Jameson, Kach, Kaiser, A. Kelly, K. Kelly, Kramer, Love, Luedtke, McComas, McDermott, McHale, A. Miller, Minnick, Morhaim, Olszewski, Pendergrass, Reznik, S. Robinson, Rudolph, Schuh, Stocksdale, V. Turner, Vitale, and Waldstreicher

AN ACT concerning

Retail Pet Stores – Sales of Dogs – Required Records, Health Disclosures, and Purchaser Remedies

Delegate Davis moved that the House concur in the Senate amendments.

HB0131/387876/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 131
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, strike the second "a"; in the same line, strike "health disclosure" and substitute "information"; in line 13, after "purchaser;" insert "providing that it is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act for a retail pet store to include any false or misleading statements in a certain certificate or record;"; in line 15, strike "certain notice and information to" and substitute "a certain written statement to the owner or operator of"; and strike beginning with "and" in line 16 down through "reasonable" in line 18.

On page 2, strike beginning with "authorizing" in line 1 down through "circumstances;" in line 15; in line 21, after "laws;" insert "making certain conforming changes;"; in line 26, strike "19–709" and substitute "19–707"; and after line 29, insert:

"BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301(14)(xxvii)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 13–301(14)(xxviii)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

BY adding to
Article – Commercial Law
Section 13–301(14)(xxix)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 5, strike in their entirety lines 15 through 30, inclusive, and substitute:

"**(A) A RETAIL PET STORE SHALL PROVIDE TO A PURCHASER AT THE TIME OF A SALE OF A DOG:**

(1) A HEALTH CERTIFICATE FROM A VETERINARIAN LICENSED IN THE STATE ISSUED WITHIN 30 DAYS BEFORE THE DATE OF SALE CERTIFYING THAT THE DOG:

(I) HAS NO KNOWN DISEASE, ILLNESS, OR CONGENITAL OR HEREDITARY CONDITION WHICH IS DIAGNOSABLE WITH REASONABLE ACCURACY; AND

(II) DOES NOT APPEAR TO BE CLINICALLY ILL FROM PARASITIC INFECTION AT THE TIME OF THE EXAMINATION;

(2) THE WRITTEN RECORD ABOUT THE DOG MAINTAINED BY THE RETAIL PET STORE UNDER § 19–703(A)(2) OF THIS SUBTITLE; AND

(3) A STATEMENT NOTIFYING THE PURCHASER OF THE SPECIFIC RIGHTS AVAILABLE TO THE PURCHASER UNDER THIS SUBTITLE.

(B) IT IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE FOR A RETAIL PET STORE TO INCLUDE ANY FALSE OR MISLEADING STATEMENTS IN THE HEALTH CERTIFICATE OR WRITTEN RECORD PROVIDED TO A PURCHASER UNDER SUBSECTION (A) OF THIS SECTION.".

On page 6, in line 5, strike "**LICENSED**"; in the same line, after "**VETERINARIAN**" insert "**LICENSED IN THE STATE**"; in line 10, strike "**1 YEAR**" and substitute "**180 DAYS**"; and in line 26, strike "**TWO TIMES**".

On pages 6 and 7, strike beginning with "**VETERINARY**" in line 28 on page 6 down through "**(3)**" in line 4 on page 7.

On page 7, in line 8, strike "**(C)(1)**" and substitute "**(C)**"; in line 9, strike "**(1)**"; strike beginning with the colon in line 10 down through "**(II)**" in line 15; in line 16, after "**STORE**" insert "**, WITHIN 5 BUSINESS DAYS AFTER RECEIPT,**"; strike

beginning with "**WITHIN**" in line 16 down through "**VETERINARIAN**" in line 17; and in line 21, strike the semicolon and substitute a period.

On pages 7 and 8, strike in their entirety the lines beginning with line 22 on page 7 through line 13 on page 8, inclusive.

On page 8, in line 23, after "**DIAGNOSIS;**" insert "**OR**"; and strike beginning with the semicolon in line 25 down through "**DOG**" in line 27.

On pages 9 and 10, strike in their entirety the lines beginning with line 1 on page 9 through line 19 on page 10, inclusive.

On page 10, in lines 20 and 30, strike "**19–708.**" and "**19–709.**", respectively, and substitute "**19–706.**" and "**19–707.**", respectively.

On page 11, after line 10, insert:

"Article – Commercial Law

13–301.

Unfair or deceptive trade practices include any:

(14) Violation of a provision of:

(xxvii) Section 7–405(e)(2)(ii) of the Health Occupations Article; **[**or**]**

(xxviii) Title 12, Subtitle 10 of the Financial Institutions Article; or

(XXIX) TITLE 19, SUBTITLE 7 OF THE BUSINESS REGULATION ARTICLE; OR".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131 Negative – 7 (See Roll Call No. 1112)

AMENDED IN THE SENATE

House Bill 254 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – Class BLX Licenses

Delegate Davis moved that the House concur in the Senate amendments.

HB0254/254738/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 254
(Third Reading File Bill)

On page 2, in line 5, strike "**$400,000**" and substitute "**$450,000**".

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 – 137 Negative – 0 (See Roll Call No. 1113)

AMENDED IN THE SENATE

House Bill 463 – Delegate Rudolph

AN ACT concerning

Property and Casualty Insurance – Certificates of Insurance and Certificate of Insurance Forms

Delegate Davis moved that the House concur in the Senate amendments.

HB0463/227273/1
BY: Finance Committee

AMENDMENT TO HOUSE BILL 463

(Third Reading File Bill)

On page 2, in line 27, strike "**PARAGRAPH (2)**" and substitute "**PARAGRAPHS (2) AND (3)**".

On page 3, after line 5, insert:

"**(3) THE COMMISSIONER MAY DESIGNATE A CERTIFICATE OF INSURANCE FORM REQUIRED BY A FEDERAL AGENCY AS DEEMED APPROVED.**".

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. 1114)

AMENDED IN THE SENATE

House Bill 737 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)

EMERGENCY BILL

AN ACT concerning

Baltimore County – Alcoholic Beverages Licenses

Delegate Davis moved that the House concur in the Senate amendments.

HB0737/394134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 737
(Third Reading File Bill)

On page 1, in line 8, strike "Baltimore County"; in the same line, strike "of Liquor License Commissioners"; in line 12, after "transferred" insert "into a single election district"; and strike beginning with "establishing" in line 12 down through "district;" in line 13.

On page 2, in line 29, strike "8–204.3(d)(1), (2), and (3)" and substitute "8–204.3(d)(3)"; and after line 32, insert:

"BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–204.3(d)(1) and (2)
Annotated Code of Maryland
(2011 Replacement Volume)".

On page 13, in lines 26 and 27, strike "8–204.3(d)(1), (2), and (3)" and substitute "8–204.3(d)(3)".

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 – 1 (See Roll Call No. 1115)

AMENDED IN THE SENATE

House Bill 997 – Delegates Washington, Anderson, Arora, Bobo, Braveboy, Carr, Clippinger, Conaway, Cullison, Davis, Feldman, Frick, Frush, Gaines, Glenn, Howard, Hucker, Jameson, Kaiser, A. Kelly, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnyk, B. Robinson, S. Robinson, Rosenberg, Summers, Tarrant, Vaughn, Walker, and Zucker

AN ACT concerning

Commercial Law – Rental–Purchase Agreements Best Practices Act

Delegate Davis moved that the House concur in the Senate amendments.

HB0997/927577/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 997
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Best Practices Act" and substitute "– Disclosures".

On page 2, strike beginning with "requiring" in line 6 down through "title;" in line 7; in line 9, strike "best practices"; and in line 13, strike "and 12–1112".

AMENDMENT NO. 2

On page 16, in line 26, strike "**(A)**".

On page 17, strike in their entirety lines 9 through 20, 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 – 104 Negative – 34 (See Roll Call No. 1116)

AMENDED IN THE SENATE

House Bill 1027 – Delegates Barkley and Vaughn

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

Delegate Davis moved that the House concur in the Senate amendments.

HB1027/207575/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1027
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike "the refundable" and substitute "a certain".

AMENDMENT NO. 2

On page 2 in line 11 and on page 3 in line 5, in each instance, strike "**THAT COVERS THE LOSS**".

On page 2 in line 21 and on page 3 in line 15, in each instance, strike "**REFUNDABLE**".

On page 2, in line 24, after "**CONTRACTS**" insert "**, ACTUALLY REFUNDED TO THE BUYER OR CREDITED AS A REDUCTION TO THE LOAN BALANCE**".

On page 3, in line 18, after "**CONTRACTS**" insert "**, ACTUALLY REFUNDED TO THE BORROWER OR CREDITED AS A REDUCTION TO THE LOAN BALANCE**".

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. 1117)

AMENDED IN THE SENATE

House Bill 1059 – Delegate Feldman

AN ACT concerning

Property and Casualty Insurance – Rescission of Policy or Binder – Authorized

Delegate Davis moved that the House concur in the Senate amendments.

HB1059/837971/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1059
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Property and Casualty" and substitute "Personal Automobile"; in line 4, after "personal" insert "automobile"; in line 5, strike ", commercial property insurance, or commercial liability insurance"; in line 8, after "circumstances;" insert "requiring an insurer to continue or reinstate a certain policy or binder without a lapse of coverage under certain circumstances;"; in line 12, after "Act;" insert "providing for a delayed effective date;"; and in line 13, strike "property and casualty" and substitute "personal automobile".

AMENDMENT NO. 2

On page 2, in line 12, strike "**AN**" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**"; in the same line, after "**BINDER**" insert "**OF PERSONAL AUTOMOBILE INSURANCE**"; in line 21, after "**INITIAL**" insert "**PREMIUM**"; after line 22, insert:

"**(2) AN INSURER SHALL CONTINUE OR REINSTATE A POLICY OR BINDER UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHOUT A LAPSE IN COVERAGE IF:**

(I) 1. THE FINANCIAL INSTITUTION ERRONEOUSLY FAILED TO HONOR THE CHECK OR OTHER REMITTANCE; AND

2. THE APPLICANT:

A. PROMPTLY NOTIFIES THE INSURER OF THE ERROR; AND

B. PROVIDES DOCUMENTATION OF THE ERROR TO THE INSURER AS IT BECOMES AVAILABLE AND ON REQUEST OF THE INSURER; OR

(II) THE APPLICANT OR ANY SECURED CREDITOR PAYS THE INSURER THE AMOUNT OF THE INITIAL PREMIUM WITHIN 5 BUSINESS DAYS AFTER THE INSURER HAS SENT NOTICE, AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, TO THE APPLICANT AND ANY SECURED CREDITOR THAT THE CHECK OR OTHER REMITTANCE FOR THE INITIAL PREMIUM PAYMENT WAS NOT HONORED.";

in line 23, strike "**(2)**" and substitute "**(3)**"; in line 24, strike "**WITHIN**"; in the same line, strike "**5 BUSINESS DAYS**" and substitute "**IMMEDIATELY OR THE NEXT BUSINESS DAY**"; and in line 31, after "**(I)**" insert "**1.**".

On page 3, in line 1, strike "**(II)**" and substitute "**2.**"; in line 3, strike "**(III)**" and substitute "**(II)**"; strike beginning with "**IF**" in line 3 down through "**ERROR,**" in line 4; in line 5, after "**IF**" insert "**:**

1. THE FINANCIAL INSTITUTION ERRONEOUSLY FAILED TO HONOR THE CHECK OR OTHER REMITTANCE AND";

in lines 7 and 9, strike "**1.**" and "**2.**", respectively, and substitute "**A.**" and "**B.**", respectively; in line 11, after "**INSURER**" insert "**; OR**

2. THE APPLICANT OR ANY SECURED CREDITOR PAYS THE INSURER THE AMOUNT OF THE INITIAL PREMIUM WITHIN 5 BUSINESS DAYS AFTER THE INSURER HAS SENT NOTICE TO THE APPLICANT AND ANY SECURED CREDITOR THAT THE CHECK OR OTHER REMITTANCE FOR THE INITIAL PREMIUM PAYMENT WAS NOT HONORED";

strike beginning with "personal" in line 13 down through "renewed" in line 14 and substitute "personal automobile insurance issued or delivered"; and in lines 15 and 17, in each instance, strike "October 1, 2012" and substitute "January 1, 2013".

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. 1118)

AMENDED IN THE SENATE

House Bill 1068 – Delegates Burns, Braveboy, Haddaway–Riccio, Harrison, Hucker, Impallaria, Kramer, W. Miller, Minnick, Olszewski, Schuh, Schulz, and Vaughn

AN ACT concerning

Homeowner's Insurance – Limitation on Number of Claims Made – Notice

Delegate Davis moved that the House concur in the Senate amendments.

HB1068/207474/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1068

(Third Reading File Bill)

On page 3, in line 22, strike "**(III)**" and substitute "**(II)**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 1119)

AMENDED IN THE SENATE

House Bill 1085 – Delegates Schulz, Clagett, Frank, Glass, Hogan, Hough, McComas, and Wood

AN ACT concerning

Workers' Compensation – Emergency Responders – Revisions

Delegate Davis moved that the House concur in the Senate amendments.

HB1085/997578/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1085
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "considered" insert "paid covered"; and in the same line, strike "for a certain purpose".

AMENDMENT NO. 2

On page 6, in line 25, strike "**NOT**"; in line 26, strike "**OTHERWISE**"; in the same line, after "**A**" insert "**PAID**"; and in line 27, after "**EMPLOYEE**" insert "**OF THE VOLUNTEER COMPANY**".

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. 1120)

AMENDED IN THE SENATE

House Bill 1186 – Delegates Jameson, Hucker, Afzali, Barkley, Barve, Beitzel, Carr, Eckardt, Elliott, Feldman, Jacobs, Krebs, Love, McComas, Murphy, Myers, Norman, Otto, Serafini, Stein, Stocksdale, and Wood

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Geothermal Heating and Cooling

Delegate Davis moved that the House concur in the Senate amendments.

HB1186/107477/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1186
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "standards;" insert "providing that energy generated from a geothermal Tier 1 renewable source is eligible for inclusion in meeting a certain standard only if the source is connected with the distribution grid serving Maryland;".

On page 2, in line 5, after "7–701(l)" insert "and 7–704(a)(2)(i)1.".

AMENDMENT NO. 2

On page 3, after line 26, insert:

"(a) (2) (i) 1. Except as provided in subsubparagraph 2 of this subparagraph, energy from a Tier 1 renewable source under § 7–701(l)(1), **(5),** (9), (10), or (11) of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard only if the source is connected with the electric distribution grid serving Maryland.".

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. 1121)

AMENDED IN THE SENATE

House Bill 1364 – Delegates Schulz, Afzali, Bates, Clagett, Eckardt, Elliott, Frank, George, Haddaway–Riccio, Hershey, Hogan, Jacobs, Krebs, McComas, W. Miller, Minnick, Norman, O'Donnell, Otto, Schuh, Stifler, ~~and Vitale~~ Vitale, Barkley, Davis, Feldman, Jameson, Love, McHale, Olszewski, and Vaughn

AN ACT concerning

Labor and Employment – ~~Determination of Independent Contractor Status –~~ Workplace Fraud Act ~~and Unemployment Insurance~~ – Revisions

Delegate Davis moved that the House concur in the Senate amendments.

HB1364/877170/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1364
(Third Reading File Bill)

On page 2, strike beginning with "requiring" in line 2 down through "circumstances;" in line 3.

On page 4, in line 24, after "**REPORT**" 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 – 138 Negative – 0 (See Roll Call No. 1122)

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 1146** SPONSOR: **Delegate Dumais**

SUBJECT: **Domestically Related Crimes – Reporting**

THIRD READING CALENDAR HOUSE NO. **34** SENATE NO. **2**

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 Amendment (HB1146/338577/1) be rejected.

Senate Members:	House Members:
Chair, **Victor R. Ramirez**	Chair, **Luiz R. S. Simmons**
Joseph M. Getty	**Jeff Waldstreicher**
Bobby A. Zirkin	**Neil Parrott**

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 – 136 Negative – 0 (See Roll Call No. 1123)

The Bill was then sent to the Senate.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #22

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

Senate Bill 111 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Identification Cards and Drivers' Licenses – Period of Validity

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 123 – Chair, Judicial Proceedings Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Real Property – ~~Purchase~~ Foreclosure Sale of Residential Property ~~by Secured Party~~ – Notice to Local Supervisor of Assessments

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 309 – Senators Klausmeier, Currie, Forehand, Kasemeyer, Kelley, Madaleno, Montgomery, Robey, Shank, ~~and Stone~~ Stone, and Pugh

AN ACT concerning

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

SB0309/450415/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 309

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, after "circumstances;" insert "requiring that an excise tax be imposed for a certificate of title for a moped or motor scooter for which sales and

use tax is not collected at the time of purchase;"; in line 31, after "11–134.5," insert "13–809(a)(1) and (3),"; and in line 38, strike "13–809(a)(1), (2), and (3)," and substitute "13–809(a)(2) and (b)(1),".

On page 3, in line 1, strike ", 21–1306.1, and 23–206.2(c)" and substitute "and 21–1306.1".

AMENDMENT NO. 2

On page 12, after line 7, insert:

"(b) (1) Except as otherwise provided in this part, in addition to any other charge required by the Maryland Vehicle Law, an excise tax is imposed:

(i) For each original and each subsequent certificate of title issued in this State for a motor vehicle, a trailer, a semitrailer, **A MOPED, A MOTOR SCOOTER,** or an off–highway recreational vehicle for which sales and use tax is not collected at the time of purchase; and

(ii) Except as provided in paragraph (2) of this subsection, for each motor vehicle, trailer, or semitrailer that is in interstate operation and registered under § 13–109(c) or (d) of this title without a certificate of title.";

and in line 9, strike "**OWNER**" and substitute "**OPERATOR**".

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 442 – Senator Colburn

AN ACT concerning

Program Open Space – Local Projects – Funding for Development

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 591 – Senator Stone

AN ACT concerning

Real Property – Manufactured Homes – ~~Conversion~~ Affixation to and Severance from Real Property

SB0591/110611/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 591
(Third Reading File Bill)

On page 5, in line 6, after "**TITLE**" insert "**AND ALL RIGHTS**"; in line 8, strike "**IS**" and substitute "**HAS BEEN**"; and in line 26, after the first "**THE**" insert "**PARCEL OF**".

On page 9, in line 10, strike "**IS LOCATED**"; and in line 11, after "**AFFIXED**" insert "**IS LOCATED**".

On page 11, in line 9, strike "**IS LOCATED**"; and in line 10, after "**SEVERED**" insert "**IS LOCATED**".

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 725 – Senator Kelley

AN ACT concerning

Residential Condominiums – Governing Documents – Claims Provisions

SB0725/910519/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 725
(Third Reading File Bill)

On page 1, in line 16, after "applicability" insert "of certain provisions".

On page 2, in line 7, after "**(B)**" insert "**(1) NOTWITHSTANDING § 11–131 OF THIS TITLE, THIS SUBSECTION DOES NOT APPLY TO A RESIDENTIAL CONDOMINIUM THAT IS SOLD BY A DEVELOPER AT A DISCOUNT, "AS IS", AND WITH NO WARRANTIES IF THE AGREEMENT TO PURCHASE THE CONDOMINIUM "AS IS" IS:**

(I) IN WRITING AND SIGNED BY THE PURCHASER;

(II) SETS FORTH IN DETAIL THE WARRANTY TO BE EXCLUDED OR MODIFIED;

(III) REQUIRES THE CONSENT OF THE PURCHASER TO THE EXCLUSION OR MODIFICATION; AND

(IV) STATES THE TERMS OF THE NEW AGREEMENT WITH RESPECT TO THE EXCLUDED OR MODIFIED WARRANTIES.

(2)";

and in lines 11, 14, 17, and 21, strike "**(1)**", "**(2)**", "**(3)**", and "**(4)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", and "**(IV)**", respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 802 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Budgetary Processes

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #20

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

House Bill 319 – Delegates Proctor, Anderson, Aumann, Bates, Beidle, Cane, Cluster, DeBoy, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Hershey, Howard, Hubbard, Hucker, Impallaria, Krebs, Love, Malone, McDonough, McHale, O'Donnell, Ross, Vallario, and Wood

AN ACT concerning

Sales and Use Tax – Exemption – Veterans' Organizations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 342 – Delegates Smigiel, Hershey, and Jacobs

AN ACT concerning

Education – Regional School of the Arts for Cecil, Kent, and Queen Anne's Counties – Feasibility Study

Favorable report adopted.

Delegate Clagett moved to make the Bill a Special Order for Saturday.

The motion was adopted.

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

House Bill 444 – The Speaker (By Request – Administration) and Delegates Afzali, Bohanan, Cane, Clagett, Conway, Glass, Hershey, Hough, Jacobs, Jameson, A. Kelly, Krebs, Lafferty, Love, Luedtke, McComas, Murphy, Otto, Parrott, Ready, and Schulz

AN ACT concerning

Family Farm Preservation Act of 2012

HB0444/565666/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 444
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Schulz" and substitute "Schulz, Boteler, Cardin, Frick, George, Howard, Ivey, Kaiser, A. Miller, Myers, Ross, Serafini, Stukes, Summers, F. Turner, and Walker".

AMENDMENT NO. 2

On page 5, in line 1, strike "**(III)**" and substitute "**(5)**"; and in line 2, strike beginning with "**PROVIDE**" through "**PARAGRAPH**" and substitute "**IMPLEMENT THIS SUBSECTION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 947 – Delegates F. Turner, Afzali, Boteler, Branch, Glass, Howard, Ivey, Luedtke, A. Miller, Stukes, Summers, and Walker

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

HB0947/305967/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 947
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "repealing a restriction that limits to a certain calendar year" and substitute "authorizing for certain calendar years"; and in line 11, after "Secretary" insert "of Labor, Licensing, and Regulation".

AMENDMENT NO. 2

On page 2, in lines 27 and 31, in each instance, strike "**ANNUALLY**" and substitute "**EACH YEAR FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015**"; and in lines 29 and 33, in each instance, after the closing bracket insert "**FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015 ONLY**".

AMENDMENT NO. 3

On page 4, in lines 26 and 30, in each instance, strike "**ANNUALLY**" and substitute "**EACH YEAR FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015**"; and in lines 27 and 32, after "**DAYS**" insert "**FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1019 – Delegates Murphy, Barve, Branch, Carr, Frick, Gilchrist, Howard, Hubbard, Ivey, Kipke, Luedtke, Rosenberg, Ross, Stukes, Summers, and Walker

AN ACT concerning

County Boards of Education – Green Product Cleaning Supplies – Written Policies

HB1019/765968/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1019
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Walker" and substitute "Walker, and Cardin"; in line 4, after "education" insert ", on or before a certain date,"; and in line 6, after "boards" insert ", on or before a certain date,".

AMENDMENT NO. 2

On page 3, in line 26, after "**PRODUCTS**" insert "**AND SUPPLIES**"; in line 27, after "positive" insert "**HEALTH AND**".

On page 4, in line 2, strike "and"; in line 3, after "use" insert "**; AND**

6. LESSER OR REDUCED EFFECTS ON HUMAN HEALTH AND THE ENVIRONMENT WHEN COMPARED TO COMPETING PRODUCTS THAT SERVE THE SAME PURPOSE";

and strike in their entirety lines 11 and 12 and substitute:

"**6. WALL CLEANERS;**

7. DESK CLEANERS;

8. SURFACE CLEANERS;

9. WINDOW CLEANERS;

10. WHITEBOARD CLEANERS; AND

11. SOAP.

(III) "GREEN PRODUCT CLEANING SUPPLIES" DO NOT INCLUDE:

1. ROOM DEODORIZERS;

2. AIR FRESHENERS;

3. TOILET DEODORIZERS; OR

4. HAND CLEANERS.".

AMENDMENT NO. 3

On page 5, in line 5, after the second closing bracket insert "**NATIONALLY RECOGNIZED**"; in line 6, strike "**CERTIFIER**" and substitute "**ENTITY THAT CERTIFIES ENVIRONMENTALLY PREFERABLE PRODUCTS THAT**"; in line 8, after "**SUBSECTION,**" insert "**ON OR BEFORE JULY 1, 2013,**"; in line 14, strike "**ESTABLISH**" and substitute "**ON OR BEFORE JULY 1, 2014, ESTABLISH**"; strike beginning with the first "**GREEN**" in line 16 down through "**OR**" in line 17; in line 18, strike "**CERTIFIER**" and substitute "**ENTITY THAT CERTIFIES ENVIRONMENTALLY PREFERABLE PRODUCTS AND ADHERES TO CONSENSUS STANDARDS FOR LESSER OR REDUCED EFFECTS ON HUMAN HEALTH AND THE ENVIRONMENT WHEN COMPARED TO COMPETING PRODUCTS THAT SERVE THE SAME PURPOSE**"; in line 21, after "**SUPPLIES**" insert "**TO ENSURE THAT THE OCCUPANTS OF A SCHOOL BUILDING DO NOT SUFFER ANY ADVERSE HEALTH EFFECTS AS THE RESULT OF THESE PRACTICES**"; and in line 24, strike "**A**" and substitute "**ON OR BEFORE JUNE 30 EACH YEAR, A**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1107 – Delegates Olszewski, Arora, Beidle, Bohanan, DeBoy, James, McDonough, Weir, and Wood

AN ACT concerning

Job Creation Tax Credit – Amount of Credit and Termination Provisions

HB1107/335061/2

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1107
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Amount of Credit and"; in line 3, strike "determination of the amount" and substitute "termination provisions"; strike beginning with "altering" in line 5 down through "Act;" in line 6; in line 10, after "6–301(e)" insert "and 6–304(b)"; and in line 15, strike "6–304(b) and".

AMENDMENT NO. 2

On page 2, in lines 14, 16, 20, and 22, in each instance, strike the bracket; in lines 14, 16, 20, and 22, strike "**$5,000**", "**12.5%**", "**$7,500**", and "**25%**", respectively; in line 27, strike "(1)"; in the same line, strike "paragraph (2)" and substitute "**SUBSECTION (B)**"; in the same line, strike "subsection" and substitute "**SECTION**"; and in line 29, strike "(2)" and substitute "**(B)**".

On pages 2 and 3, strike beginning with "As" in line 29 on page 2 down through "may" in line 1 on page 3 and substitute "**AFTER TERMINATION OF THIS SUBTITLE:**

(1) A BUSINESS ENTITY MAY BE CONSIDERED FOR ELIGIBILITY FOR THE TAX CREDIT AUTHORIZED UNDER THIS SUBTITLE BASED ON POSITIONS FILLED BEFORE TERMINATION OF THIS SUBTITLE, PROVIDED THAT THE OTHER REQUIREMENTS OF THE SUBTITLE ARE SATISFIED; AND

(2) TAX CREDITS EARNED MAY".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 3 through 12, inclusive; and in line 13, strike "3." and substitute "2.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1166 – Delegate Love

AN ACT concerning

Gaming – Instant Bingo – Electronic Machines

HB1166/945264/2
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1166
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Instant Bingo –"; in the same line, after "Machines" insert "– Regulation"; in line 11, after "law;" insert "altering the definition of "slot machine" to include a certain machine, apparatus, or device regardless of the manner in which it delivers a game and to exclude certain skills–based amusement devices;"; in line 13, after "General," insert "the State Lottery Commission,"; in lines 16, 20, and 24, in each instance, after "certain" insert "electronic"; in line 24, after "devices;" insert "specifying that certain provisions of law do not apply to tip jar gaming and paper tip jar gaming where authorized;"; in line 25, after "fees;" insert "altering the purpose of the Special Fund for Preservation of Cultural Arts in Maryland; requiring that the Fund be used to provide certain supplemental grants for operating and programmatic improvements that strengthen cultural arts organizations in certain ways; altering the process for transferring certain funds from the Fund; specifying that grants from the Fund are supplemental and may not take the place of certain funding for certain organizations; creating the Calvert County Youth Recreational Opportunities Fund; providing for the purpose, administration, type, contents, expenditures, and investments of the Fund; requiring that the Fund be used only for certain projects; specifying that certain money expended from the Fund is not intended to take the place of funding that otherwise would be appropriated for a certain purpose;"; in line 29, strike "Program Open Space" and substitute "the Calvert County Youth Recreational Opportunities Fund"; and in line 30, after "years;" insert "requiring that certain admissions and amusement taxes are to be determined on a certain basis; providing that certain admissions and amusement taxes may be determined on a certain basis;".

On page 2, in line 3, after "circumstances;" insert "authorizing a certain qualified organization that offered instant bingo during a certain time and then was required to obtain a commercial license to operate a certain number of instant bingo machines under certain circumstances;"; in line 5, after "provisions" insert "and requiring that the regulations include certain provisions; repealing certain obsolete provisions of law; making a certain technical correction"; in the same line, after "of" insert "electronic"; in line 9, strike "12–301(3)" and substitute "12–301(2) and (3)"; after line 16, insert:

"BY repealing and reenacting, with amendments,
Article – Economic Development
Section 4–801
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY adding to
Article – Natural Resources
Section 5–1901 to be under the new subtitle "Subtitle 19. Calvert County Youth Recreational Opportunities Fund"
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)";

and in line 19, after "2–202" insert ", 4–102,".

AMENDMENT NO. 2

On page 2, in line 26, after "**GENERAL,**" insert "**THE STATE LOTTERY COMMISSION,**"; in line 28, strike the brackets; and in the same line, strike "**ARTICLE**".

On page 3, after line 6, insert:

"(2) "slot machine" includes:

(i) a machine, apparatus, or device described in item (1) of this section that also sells, delivers, or awards merchandise, money, or some other tangible thing of value; **[**and**]**

(ii) a pinball machine or console machine that pays off in merchandise; **AND**

(III) A MACHINE, APPARATUS, OR DEVICE DESCRIBED IN ITEM (1) OF THIS SECTION, REGARDLESS OF WHETHER THE MACHINE, APPARATUS, OR DEVICE DELIVERS A GAME THROUGH THE INTERNET OR OFFERS INTERNET OR OTHER SERVICES; AND";

and in line 28, strike "or".

On page 4, in line 3, after "legislation" insert "**; OR**

(VII) IS A SKILLS–BASED AMUSEMENT DEVICE THAT AWARDS PRIZES OF MINIMAL VALUE APPROVED BY THE STATE LOTTERY COMMISSION THROUGH REGULATION";

in line 10, strike "**A**" and substitute "**AN ELECTRONIC**"; in line 12, strike "**MAY**" and substitute "**DOES**"; in the same line, after "**TO**" insert "**:**

(I)";

in line 14, after "**TITLE**" insert "**; AND**

(II) TIP JAR GAMING OR PAPER TIP JAR GAMING WHERE AUTHORIZED";

in line 16, after "**LAWFUL**" insert "**AND UNLAWFUL**"; in line 19, after "**LICENSE**" insert "**ELECTRONIC**"; in line 22, after "**OF**" insert "**ELECTRONIC**"; and in line 30, after "**FOR**" insert "**ELECTRONIC**".

On page 5, in line 2, strike the first "**A**" and substitute "**AN ELECTRONIC**"; in line 4, strike "**A**" and substitute "**AN ELECTRONIC**"; in line 6, strike "**JULY 1, 2012**" and substitute "**JANUARY 1, 2013**"; in the same line, strike "**GAMBLING**" and substitute "**GAMING**"; and after line 22, insert:

"Article – Economic Development

4–801.

(a) In this section, "Fund" means the Special Fund for Preservation of Cultural Arts in Maryland.

(b) There is a Special Fund for Preservation of Cultural Arts in Maryland.

(c) The purpose of the Fund is to provide **[**emergency**]** **SUPPLEMENTAL** grants to cultural arts organizations**[**, including museums, or similar entities**]** in the State **THAT QUALIFY FOR GENERAL OPERATING SUPPORT GRANTS FROM THE MARYLAND STATE ARTS COUNCIL**.

(d) The Secretary of Business and Economic Development shall administer the Fund.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(f) The Fund consists of:

(1) revenue distributed to the Fund under **[**§ 2–202(1)(ii)**]** **§ 2–202(A)(1)(II)** of the Tax – General Article; and

(2) any other money from any other source accepted for the benefit of the Fund.

(g) **[**(1) Subject to paragraph (2) of this subsection, the Fund may be used only for preventing the closure, termination, or financial distress of**]** **THE FUND SHALL BE USED TO PROVIDE SUPPLEMENTAL GRANTS FOR OPERATING AND PROGRAMMATIC IMPROVEMENTS THAT STRENGTHEN THE ORGANIZATIONAL CAPACITY AND FINANCIAL STABILITY OF** cultural arts organizations**[**, including museums, or similar entities**]** in the State **THAT QUALIFY FOR GENERAL OPERATING SUPPORT GRANTS FROM THE MARYLAND STATE ARTS COUNCIL**.

[(2) For fiscal year 2011:

(i) $450,000 from the Fund shall be used to provide a grant to the Baltimore Symphony Orchestra; and

(ii) $50,000 from the Fund shall be used to provide a grant to the National Philharmonic.]

(h) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any investment earnings of the Fund shall be credited to the General Fund of the State.

(i) For each appropriation to the Fund, the Governor may:

(1) include the funds in the State budget subject to appropriation by the General Assembly; or

(2) transfer the funds by budget amendment from the Fund to the expenditure account of the [Department of Business and Economic Development only after the proposed budget amendment has been:

(i) submitted to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly; and

(ii) approved by the Legislative Policy Committee] **MARYLAND STATE ARTS COUNCIL**.

(j) [Money expended] **SUPPLEMENTAL GRANTS MADE** from the Fund [for cultural arts organizations, including museums, or other similar entities is] **ARE** supplemental to and [is not intended to] **MAY NOT** take the place of funding that otherwise would be appropriated for [those] **QUALIFYING** organizations [or similar entities].

Article – Natural Resources

SUBTITLE 19. CALVERT COUNTY YOUTH RECREATIONAL OPPORTUNITIES FUND.

5–1901.

(A) IN THIS SECTION, "FUND" MEANS THE CALVERT COUNTY YOUTH RECREATIONAL OPPORTUNITIES FUND.

(B) THERE IS A CALVERT COUNTY YOUTH RECREATIONAL OPPORTUNITIES FUND.

(C) THE PURPOSE OF THE FUND IS TO INCREASE YOUTH RECREATIONAL OPPORTUNITIES IN CALVERT COUNTY.

(D) THE SECRETARY SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 2–202(B)(1)(II) OF THE TAX – GENERAL ARTICLE;

(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

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

(G) THE FUND MAY BE USED ONLY FOR PROJECTS THAT ARE APPROVED BY THE SECRETARY TO ADVANCE YOUTH RECREATIONAL OPPORTUNITIES IN CALVERT COUNTY AND THAT RECEIVE CONTRIBUTIONS FROM THE COUNTY FOR THE PROJECTS.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(J) MONEY EXPENDED FROM THE FUND FOR YOUTH RECREATIONAL OPPORTUNITIES IN CALVERT COUNTY IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR YOUTH RECREATIONAL OPPORTUNITIES IN CALVERT COUNTY.".

AMENDMENT NO. 3

On page 5, in line 27, strike the brackets; in the same line, strike "**SUBSECTIONS**"; and in the same line, strike "**AND (C)**".

On page 6, strike beginning with "**PROGRAM**" in line 19 down through "**9**" in line 20 and substitute "**THE CALVERT COUNTY YOUTH RECREATIONAL OPPORTUNITIES FUND UNDER TITLE 5, SUBTITLE 19**"; in line 21, strike "**LOCAL OPEN SPACE**"; in line 22, strike "**THE DEPARTMENT OF**"; in line 23, strike "**AND**"; after line 23, insert:

"**(2) FOR FISCAL YEARS 2014 THROUGH 2016, FROM:**

(I) THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 1.5%:

1. $100,000 TO THE BOYS AND GIRLS CLUB OF THE TOWN OF NORTH BEACH; AND

2. THE REMAINDER TO THE TOWN OF NORTH BEACH;

(II) THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 2.5% TO THE TOWN OF CHESAPEAKE BEACH; AND

(III) THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 4% TO THE CALVERT COUNTY YOUTH RECREATIONAL OPPORTUNITIES FUND UNDER TITLE 5, SUBTITLE 19 OF THE NATURAL RESOURCES ARTICLE; AND";

in line 24, strike "**(2)**" and substitute "**(3)**"; in the same line, strike "**2014**" and substitute "**2017**"; in the same line, after "**THEREAFTER**" insert "**, FROM**"; in line 25, strike "**FROM**"; in line 26, strike "**3%**" and substitute "**1.5%**"; and in line 30, strike "**AND**".

On page 7, in line 1, strike "**5%**" and substitute "**2.5%**"; in line 2, after "**BEACH**" insert "**; AND**

(III) THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 4% TO THE CALVERT COUNTY BOARD OF EDUCATION FOR SCHOOL RENOVATION AND RENEWAL PROJECTS THAT MAY NOT BE USED TO SUPPLANT COUNTY FUNDS FOR PUBLIC SCHOOL CONSTRUCTION".

AMENDMENT NO. 4

On pages 7 and 8, strike the lines beginning with line 3 on page 7 through line 14 on page 8, inclusive, and substitute:

"4–102.

(A) IN THIS SECTION, "NET PROCEEDS" MEANS THE TOTAL RECEIPTS FROM THE OPERATION OF AN ELECTRONIC BINGO MACHINE OR ELECTRONIC TIP JAR MACHINE LESS THE AMOUNT OF MONEY WINNINGS OR PRIZES PAID OUT TO PLAYERS.

[(a)**](B)** A county may impose, by resolution, a tax on:

(1) the gross receipts derived from any admissions and amusement charge in that county; and

(2) an admission in that county for a reduced charge or at no charge to a place if there is a charge for other admissions to the place.

[(b)**](C)** A municipal corporation may impose, by ordinance or resolution, a tax on:

(1) the gross receipts derived from any admission and amusement charge in that municipal corporation; and

(2) an admission in that municipal corporation for a reduced charge or at no charge to a place if there is a charge for other admissions to the place.

[(c)**](D)** The Stadium Authority may impose a tax on:

(1) the gross receipts derived from any admissions and amusement charge for an admission to a facility owned or leased by the Stadium Authority; and

(2) an admission for a reduced charge or at no charge to a facility owned or leased by the Stadium Authority if there is a charge for other admissions to the facility.

[(d)**](E)** **[**(1) In this subsection, "net proceeds" means the total receipts from the operation of an electronic bingo machine or electronic tip jar machine less the amount of money winnings or prizes paid out to players.

(2)**]** A State tax is imposed on the net proceeds derived from any charge for the operation of an electronic bingo machine permitted under a commercial bingo license or an electronic tip jar machine authorized under Title 13 of the Criminal Law Article that is operated for commercial purposes.

(F) (1) THE STATE AND LOCAL ADMISSIONS AND AMUSEMENT TAXES APPLICABLE TO ELECTRONIC INSTANT BINGO SHALL BE DETERMINED ON A TAX–INCLUDED OR SEPARATELY STATED BASIS.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, OTHER STATE AND LOCAL ADMISSIONS AND AMUSEMENT TAXES APPLIED UNDER THIS SECTION MAY BE DETERMINED ON A TAX–INCLUDED OR SEPARATELY STATED BASIS.".

On page 9, in line 2, strike "July 1, 2012" and substitute "January 1, 2013"; after line 11, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That a qualified organization as defined in § 13–201 of the Criminal Law Article that offered instant bingo for a 1–year period as of December 31, 2007, and then was required by local regulation to obtain a commercial license may operate up to 10 electronic instant bingo machines as long as the qualified organization complies with the requirements of this Act and pays any applicable license taxes.";

in lines 12, 17, and 21, strike "4.", "5.", and "6.", respectively, and substitute "5.", "6.", and "7.", respectively; in line 18, after "Act" insert ":

(1)";

and in line 20, after "Act" insert "; and

(2) shall include provisions providing for the legal operation of amusement games licensed by Baltimore City and Baltimore County".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Bromwell moved to make the Bill a Special Order for Saturday.

The motion was adopted.

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

House Bill 1219 – Delegates Boteler, Branch, Cluster, George, Glass, Hixson, Hough, Ivey, Kach, McDermott, A. Miller, Myers, Norman, Stukes, Summers, F. Turner, Walker, and Weir

EMERGENCY BILL

AN ACT concerning

Primary and Secondary Education – Online Courses – Local Approval and Reporting Requirements

HB1219/735963/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1219
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Courses" insert "and Services"; strike beginning with "Local" in line 2 down through "Requirements" in line 3 and substitute "Development or Review and Approval"; strike beginning with "authorizing" in line 4 down through "Education" in line 8 and substitute "authorizing certain county boards of education to request that the State Department of Education develop or review and approve certain online courses and services; requiring the Department to determine within a certain period of time whether a certain delegation will be made; requiring the Department to develop or review and approve certain courses and services within a certain period of time under certain circumstances; authorizing the Department to delegate certain authority to certain county boards under certain circumstances; authorizing certain county boards to set certain fees under certain circumstances; requiring certain county boards to remit certain fees to the Department under certain circumstances; requiring certain county boards to request certain approval from the Department under certain circumstances; requiring the Department to approve or deny certain requests within a certain period of time; authorizing the State Board of Education to set reasonable fees for the costs incurred by the Department for the development of online courses or the review and approval of online courses and services; requiring the Department to ensure that certain courses and services require certain access for certain students"; and in line 10, strike "by county boards of education".

AMENDMENT NO. 2

On page 2, in line 6, after "**(1)**" insert "**(I) A COUNTY BOARD MAY REQUEST THAT THE DEPARTMENT DEVELOP OR REVIEW AND APPROVE ONLINE COURSES AND SERVICES UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

(II) WITHIN 15 DAYS AFTER THE RECEIPT OF A REQUEST UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT SHALL DETERMINE WHETHER THE DEVELOPMENT OR REVIEW AND APPROVAL OF THE ONLINE COURSES AND SERVICES SHALL BE DELEGATED TO A COUNTY BOARD UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION.

(III) IF THE DEPARTMENT DOES NOT DELEGATE THE DEVELOPMENT OR REVIEW AND APPROVAL OF THE ONLINE COURSES AND SERVICES TO A COUNTY BOARD, THE DEPARTMENT SHALL DEVELOP OR REVIEW

AND APPROVE ONLINE COURSES AND SERVICES UNDER PARAGRAPH (2) OF THIS SUBSECTION WITHIN 120 DAYS AFTER THE RECEIPT OF A REQUEST MADE BY A COUNTY BOARD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(2) (I)";

strike beginning with "**EXCEPT**" in line 6 down through "Superintendent" in line 7 and substitute "**SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH**"; in lines 9, 10, 11, and 14, strike "**(I)**", "**(II)**", "**(III)**", and "**(IV)**", respectively, and substitute "**1. A.**", "**B.**", "**2.**", and "**3.**", respectively; in line 9, after "services;" insert "**OR**"; in line 10, strike "Procure" and substitute "**REVIEW AND APPROVE**"; strike in their entirety lines 16 through 23, inclusive; and after line 23, insert:

"**(II) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, THE DEPARTMENT MAY DELEGATE THE AUTHORITY TO DEVELOP OR REVIEW AND APPROVE ONLINE COURSES AND SERVICES TO A COUNTY BOARD.**

(III) IF THE DEPARTMENT DELEGATES THE AUTHORITY TO DEVELOP OR REVIEW AND APPROVE ONLINE COURSES AND SERVICES TO A COUNTY BOARD, THE COUNTY BOARD MAY IMPOSE REASONABLE FEES TO BE PAID BY THE VENDOR TO COVER THE COST OF REVIEWING AND APPROVING ONLINE COURSES AND SERVICES.

(IV) A COUNTY BOARD SHALL REMIT 15% OF THE FEES COLLECTED UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH TO THE DEPARTMENT.

(V) 1. A COUNTY BOARD SHALL REQUEST APPROVAL OF THE ONLINE COURSE FROM THE DEPARTMENT WHEN THE COUNTY BOARD HAS COMPLETED THE DEVELOPMENT OR REVIEW AND APPROVAL OF ONLINE COURSES AND SERVICES.

2. WITHIN 45 DAYS AFTER A REQUEST UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE DEPARTMENT SHALL APPROVE OR DISAPPROVE THE ONLINE COURSE BASED ON CRITERIA AND GUIDELINES DEVELOPED BY THE DEPARTMENT.".

AMENDMENT NO. 3

On page 2, in line 25, strike "**ONLINE**" and substitute "**:**

(I) DEVELOPING OR REVIEWING ONLINE";

in line 26, after "services" insert "**; AND**

(II) PROCESSING APPROVALS FOR ONLINE COURSES AND SERVICES";

On page 3, after line 15, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the State Department of Education shall:

(1) ensure that online courses and services developed or reviewed and approved include specifications that allow for access by students with disabilities, including blindness, in accordance with the technical standards for electronic and information technology issued under subsection (A)(2) of Section 508 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794(A)(2) or any other appropriate accessibility standard; and

(2) establish a means for ensuring that online courses and services that fail to meet the requirements of paragraph (1) of this section are prohibited from use.";

and in line 16, 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 Hixson, Chair, for the Committee on Ways and Means reported favorably:

Senate Bill 19 – Senators Peters, Astle, Klausmeier, Garagiola, DeGrange, Rosapepe, King, Kelley, Colburn, Kittleman, Madaleno, Montgomery, Edwards, Manno, ~~and Stone~~ Stone, and Dyson

AN ACT concerning

Sales and Use Tax – Exemption – Veterans' Organizations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 58 – Senator Kelley

AN ACT concerning

Education – Children in Informal Kinship Care Relationships – Payments for Students with Disabilities – Funding

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

AN ACT concerning

Education – Comprehensive Master Plans

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 293 – Senators Miller, Kittleman, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Ferguson, Forehand, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Montgomery, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Shank, Stone, Young, and Zirkin

AN ACT concerning

Education – Core Content Areas – Accountability Program

SB0293/465064/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 293
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "information" insert "and feedback"; and in line 13, after "year;" insert "requiring the State Department of Education to conduct a certain statewide survey of public schools and public school teachers; requiring the Department to compile and publish the survey results on the Department's Web site;".

AMENDMENT NO. 2

On page 4, in line 11, strike "**AND**"; and after line 14, insert:

"**C. PROVIDE TIMELY FEEDBACK TO SCHOOLS AND TEACHERS FOR THE PURPOSES OF ADAPTING THE INSTRUCTIONAL PROGRAM AND MAKING PLACEMENT DECISIONS FOR STUDENTS; AND**".

On page 5, after line 30, insert:

"**(E) (1) THE DEPARTMENT SHALL SURVEY A STATEWIDE, REPRESENTATIVE SAMPLE OF PUBLIC SCHOOLS AND PUBLIC SCHOOL TEACHERS ANNUALLY TO MEASURE:**

(I) THE AMOUNT OF INSTRUCTIONAL TIME SPENT ON SOCIAL STUDIES AND SCIENCE INSTRUCTION IN ELEMENTARY SCHOOLS;

(II) THE AVAILABILITY AND USE OF APPROPRIATE INSTRUCTIONAL RESOURCES AND TEACHING TECHNOLOGY IN SOCIAL STUDIES AND SCIENCE CLASSROOMS;

(III) THE AVAILABILITY AND USE OF APPROPRIATE PROFESSIONAL DEVELOPMENT FOR SOCIAL STUDIES AND SCIENCE TEACHERS; AND

(IV) THE NUMBER OF SECONDARY SCHOOL SOCIAL STUDIES AND SCIENCE CLASSES THAT ARE TAUGHT BY TEACHERS WHO ARE:

1. CERTIFIED IN THE SUBJECT BEING TAUGHT; AND

2. NOT CERTIFIED IN THE SUBJECT BEING TAUGHT.

(2) THE DEPARTMENT SHALL:

(I) COMPILE THE RESULTS OF THE SURVEY CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) PUBLISH THE RESULTS ON THE DEPARTMENT'S WEB SITE.";

and in line 31, strike "(e)" and substitute "**(F)**".

On page 6, in line 7, strike "(f)" and substitute "**(G)**"; and in line 21, after "Act" insert a comma.

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 294 – Senators Miller, Young, Astle, Benson, Brinkley, Colburn, DeGrange, Dyson, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, Kasemeyer, King, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Reilly, Robey, Shank, ~~and Stone~~ Stone, Forehand, Jones–Rodwell, Kittleman, and Simonaire

AN ACT concerning

Family Farm Preservation Act of 2012

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 296 – Senators Manno, Miller, Astle, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Forehand, Garagiola, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, King, Klausmeier, Mathias, McFadden, Peters, Pipkin, Pugh, Ramirez, Reilly, Robey, Stone, and Young

AN ACT concerning

Income Tax Credit – Security ~~Clearance Expenses~~ Clearances – Employer Costs

SB0296/835060/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 296

(Third Reading File Bill)

On page 5, in line 2, strike "**2019**" and substitute "**2017**".

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 605 – Senator Kelley

AN ACT concerning

Education – ~~Children in State-Supervised Care – Geographical Attendance Area~~ Domicile Requirements for Attendance – Exception

SB0605/715464/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 605

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, strike "a certain Act" and substitute "certain provisions of a certain federal law".

AMENDMENT NO. 2

On page 4, in line 18, strike "**, AS AMENDED,**"; and in line 19, strike "**AND**".

On page 5, in line 9, after the second "**THE**" insert "**FEDERAL**".

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 666 – Carroll County Senators

AN ACT concerning

Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities

SB0666/885668/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 666
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, strike "**(I)**"; in line 3, strike "**CONTINUING CARE**" and substitute "**COMMUNITY OR**"; in line 5, before "**1.**" insert "**(I)**"; in line 8, strike "**AND**"; in line 9, after "**AGING**" insert "**; AND**

4. IS EXEMPT FROM FEDERAL INCOME TAX UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE OR IS OWNED OR OPERATED BY A PERSON THAT IS EXEMPT FROM FEDERAL INCOME TAX UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE; OR

(II) OFFERS AN AGE–RESTRICTED LIFE OCCUPANCY AGREEMENT AND REQUIRES PAYMENT OF AN ENTRANCE FEE";

and strike in their entirety lines 10 through 12, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 739 – Senators Madaleno, Frosh, Glassman, Jones–Rodwell, Montgomery, Raskin, and Rosapepe

AN ACT concerning

Tax Credit Evaluation Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 794 – Senators Garagiola, Astle, DeGrange, Glassman, King, Klausmeier~~, Mathias~~, Middleton~~, Muse~~, and Robey

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

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 864 – Senator DeGrange

AN ACT concerning

Gaming – ~~Instant Bingo –~~ Electronic Machines – Regulation

SB0864/155668/1
BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 864
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, after "devices;" insert "specifying that certain provisions of law do not apply to tip jar gaming and paper tip jar gaming where authorized;".

AMENDMENT NO. 2

On page 5, in line 18, strike "**MAY**" and substitute "**DOES**"; in the same line, after "**TO**" insert "**:**

(I)";

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

(II) TIP JAR GAMING OR PAPER TIP JAR GAMING WHERE AUTHORIZED".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

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

Senate Bill 1086 – Senators Jones–Rodwell, Currie, King, Madaleno, and Manno

AN ACT concerning

Income Tax – Tax Credits – Electronic Filing Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 647** SPONSOR: **Senator Ramirez**

SUBJECT: **Domestically Related Crimes – Reporting**

THIRD READING CALENDAR HOUSE NO. **15** SENATE NO. **46**

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 Amendment (SB0647/482715/1) be adopted.

SB0647/482715/1
BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 647
(Third Reading File Bill)

On page 2, in line 14, after "**ARTICLE**" insert "**, OR WHO HAD A SEXUAL RELATIONSHIP WITH THE DEFENDANT WITHIN 12 MONTHS BEFORE THE COMMISSION OF THE CRIME**".

Senate Members:	House Members:
Chair, **Victor R. Ramirez**	Chair, **Luiz R. S. Simmons**
Joseph M. Getty	**Jeff Waldstreicher**
Bobby A. Zirkin	**Neil Parrott**

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 – 132 Negative – 0 (See Roll Call No. 1124)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 1125)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #36

Senate Bill 273 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1126)

The Bill was then returned to the Senate.

Senate Bill 335 – Chair, Budget and Taxation Committee (By Request – Judicial Compensation Commission)

AN ACT concerning

Judges' Retirement System – Contribution Rates for New Members

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

Affirmative – 127 Negative – 3 (See Roll Call No. 1127)

The Bill was then returned to the Senate.

Senate Bill 497 – Senators Jones–Rodwell, Currie, DeGrange, Madaleno, McFadden, and Robey

AN ACT concerning

Employees' Retirement and Pension Systems – Reemployment of Retirees – Parole and Probation Employees

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

Affirmative – 135 Negative – 2 (See Roll Call No. 1128)

The Bill was then returned to the Senate.

Senate Bill 672 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Investment Division – Salary Setting

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

Affirmative – 99 Negative – 38 (See Roll Call No. 1129)

The Bill was then returned to the Senate.

Senate Bill 779 – ~~Senator Pugh~~ Senators Pugh, Currie, Jones–Rodwell, and McFadden

AN ACT concerning

State Retirement and Pension System – Study of Asset Management

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1130)

The Bill was then returned to the Senate.

Senate Bill 843 – Senators Pinsky, Ferguson, Madaleno, ~~and Montgomery~~ Montgomery, and Rosapepe

AN ACT concerning

Institutions of Postsecondary Education – Fully Online Distance Education Programs – Registration

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

Affirmative – 136 Negative – 2 (See Roll Call No. 1131)

The Bill was then returned to the Senate.

Senate Bill 967 – Senator Conway

AN ACT concerning

Maryland Higher Education Commission – Student Transfer Advisory Committee

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1132)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #37

Senate Bill 397 – Senator Forehand

AN ACT concerning

Estates and Trusts – Allowance for Funeral Expenses

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1133)

The Bill was then returned to the Senate.

Senate Bill 489 – Senator Astle

AN ACT concerning

Bail Bondsmen – ~~Qualifications for Licensure –~~ Acceptance of Installment Contracts

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1134)

The Bill was then returned to the Senate.

Senate Bill 678 – Senator Forehand

AN ACT concerning

Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court

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

Affirmative – 125 Negative – 11 (See Roll Call No. 1135)

The Bill was then returned to the Senate.

Senate Bill 787 – Senator Forehand

AN ACT concerning

Estates and Trusts – Maryland Uniform Principal and Income Act – Certain Payments to and from Trusts

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1136)

The Bill was then returned to the Senate.

Senate Bill 889 – Senator Stone

AN ACT concerning

Criminal Law – Misdemeanor Possession of Child Pornography – Statute of Limitations

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1137)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #39

Senate Bill 113 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Weights and Measures – Registration Fees

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

Affirmative – 93 Negative – 45 (See Roll Call No. 1138)

The Bill was then returned to the Senate.

Senate Bill 116 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Weight and Load Requirements – Vehicles Carrying Perishable Products

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

Affirmative – 101 Negative – 37 (See Roll Call No. 1139)

The Bill was then returned to the Senate.

Senate Bill 135 – Senators Gladden and Frosh

AN ACT concerning

Ground Leases – Registration – Failure to Register

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1140)

The Bill was then returned to the Senate.

Senate Bill 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012

Delegate Eckardt moved to make the Bill a Special Order for Saturday.

The motion was rejected by a roll call vote as follows:

Affirmative – 47 Negative – 89 (See Roll Call No. 1141)

Delegate Mizeur moved the previous question.

The motion was adopted.

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

Affirmative – 93 Negative – 45 (See Roll Call No. 1142)

The Bill was then returned to the Senate.

Senate Bill 401 – Senators Pugh, Gladden, and Ramirez

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

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

Affirmative – 132 Negative – 3 (See Roll Call No. 1143)

The Bill was then returned to the Senate.

Senate Bill 741 – Senators Forehand ~~and Rosapepe~~, Rosapepe, Gladden, Jacobs, and Raskin

AN ACT concerning

Vehicle Laws – U.S. Foreign Service Members Absent from State – Effective Period of Driver's License

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1144)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #4

AMENDED IN THE SENATE

House Bill 9 – ~~Delegate Howard~~ Delegates Howard, Cane, Healey, and B. Robinson

AN ACT concerning

Education – Children and Youth – Reporting of Information Concerning Student Health, Well–Being, and Growth

Delegate Hixson moved that the House concur in the Senate amendments.

HB0009/854932/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 9
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "Education" insert ", at certain intervals beginning on or before a certain date,"; and strike beginning with "on" in line 9 down through "year" in line 10.

AMENDMENT NO. 2

On page 3, in line 23, strike "**2012**" and substitute "**2015**".

On page 4, in line 6, strike "**2012**" and substitute "**2015**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1145)

AMENDED IN THE SENATE

House Bill 250 – Delegates Oaks, Carter, and Rosenberg

AN ACT concerning

Elections – Baltimore City – Election Dates

Delegate Hixson moved that the House concur in the Senate amendments.

HB0250/184630/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 250
(Third Reading File Bill)

On page 1, in line 4, strike "terms" and substitute "term"; and in line 5, after "year;" insert "providing for a delayed effective date;".

On page 2, in lines 5 and 14, in each instance, strike the bracket; in line 5, strike "**BEGINNING IN THE YEAR 2016, IN**"; in line 14, strike "**BEGINNING IN 2016, IN**"; and in line 22, strike "October 1, 2012" and substitute "January 1, 2013".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1146)

AMENDED IN THE SENATE

House Bill 597 – Chair, Ways and Means Committee (By Request – Departmental – Labor, Licensing and Regulation)

EMERGENCY BILL

AN ACT concerning

Horse Racing – Mile Thoroughbred Racetracks – Payment of Taxes and Impact Aid and Arabian Breed Racing Authorization

Delegate Hixson moved that the House concur in the Senate amendments.

HB0597/307274/1
BY: Finance Committee

AMENDMENT TO HOUSE BILL 597
(Third Reading File Bill)

On page 1, at the top of the page, insert "EMERGENCY BILL".

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. 1147)

AMENDED IN THE SENATE

House Bill 600 – Delegates Zucker, Anderson, Barve, Branch, Clippinger, Glass, Haynes, Howard, Ivey, Kaiser, Luedtke, McIntosh, A. Miller, Mitchell, Myers, Niemann, Ready, S. Robinson, Rosenberg, Ross, Serafini, Stukes, Vaughn, Walker, ~~and Washington~~ Washington, Cardin, and F. Turner

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

Delegate Hixson moved that the House concur in the Senate amendments.

HB0600/689734/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 600
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike "and termination"; in the same line, after "Act;" insert "providing for the termination of certain provisions of this Act;".

AMENDMENT NO. 2

On page 2, after line 18, insert:

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

AMENDMENT NO. 3

On page 3, in line 9, strike "2." and substitute "3."; in the same line, after "That" insert "Section 2 of"; and after line 13, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012, and shall be applicable to all taxable years beginning after December 31, 2012.".

The preceding 3 amendments were read and concurred in.

HB0600/723628/1
BY: Senator Peters

AMENDMENT TO HOUSE BILL 600, AS AMENDED

In the Budget and Taxation Committee Amendments (HB0600/689734/1), in line 3 of Amendment No. 2, after the colon insert:

"Article – Tax – General".

In the Budget and Taxation Committee Amendments, in line 4 of Amendment No. 3, after "and" insert ", except as provided in Section 3 of this Act,".

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. 1148)

AMENDED IN THE SENATE

House Bill 897 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Property Tax – Installment Payment Schedule
PG 416–12

Delegate Hixson moved that the House concur in the Senate amendments.

HB0897/549934/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 897
(Third Reading File Bill)

On page 1, in line 6, strike "State,".

On page 2, in line 4, strike "**STATE,**".

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. 1149)

RECONSIDERATION

House Bill 342 – Delegates Smigiel, Hershey, and Jacobs

AN ACT concerning

Education – Regional School of the Arts for Cecil, Kent, and Queen Anne's Counties – Feasibility Study

Delegate Clagett moved to reconsider the vote by which **House Bill 342** was made a Special Order for Saturday.

The motion was adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 365** SPONSOR: **Delegate Mitchell**

SUBJECT: **Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations**

THIRD READING CALENDAR HOUSE NO. **13** SENATE NO. **2**

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 (HB0365/628271/1) be rejected.

Senate Members:	House Members:
Chair, **Lisa A. Gladden**	Chair, **Cheryl D. Glenn**
_____did not sign_____ **James Brochin**	**Anne Healey**
Brian E. Frosh	**Patrick N. Hogan**

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 – 136 Negative – 0 (See Roll Call No. 1150)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 207 – Senators Pinsky, Frosh, Madaleno, Raskin, Rosapepe, and Stone

SECOND PRINTING

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

FOR the purpose of prohibiting a person from using, selling, or distributing certain commercial feed that contains roxarsone or any other additive that contains arsenic; authorizing a person to use, sell, or distribute certain commercial feed that contains histostat; providing for the termination of this Act under certain circumstances; requiring the State Department of Agriculture to provide a certain notification; providing for a delayed effective date; and generally relating to the contents of commercial feed.

BY adding to
Article – Agriculture
Section 6–107.3
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

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

Senate Bill 407 – Senators Zirkin and Jennings

AN ACT concerning

Baltimore County – ~~Elected School~~ Board of Education – Selection of Members

FOR the purpose of establishing a procedure for the election and appointment of certain members of the Baltimore County Board of Education; repealing certain provisions governing the appointment of all members of the Baltimore County Board of Education; establishing the composition of the county board; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board; requiring the elected members of the county board to reside in, be a registered voter in, and be elected from certain districts; ~~establishing a certain term of office for the elected members;~~ specifying that a member may not be elected or appointed to serve for more than a certain number of consecutive terms; providing for a student member of the county board; providing for the term and duties of the student member; providing for the removal of, and hearings and appeal procedures for, certain members ~~under certain circumstances~~ of the county board; ~~providing a procedure for filling a vacancy for an elected member on the county board;~~ providing for the election of the chair and vice chair of the county board; providing for the compensation of the members of the county board; ~~providing for a School Board Redistricting Commission for Baltimore County; specifying the membership, appointment process, powers and duties, staffing, and termination of the Commission;~~ providing for the termination of the terms of the appointed members of the county board; making certain conforming nomenclature changes; and generally relating to the election and appointment of members for the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–109 and 3–114
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Education
Section 3–2A–01 through 3–2A–09 to be under the new subtitle "Subtitle 2A. Baltimore County"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

Senate Bill 418 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Crimes – Theft from a Motor Vehicle ~~– Penalties~~

FOR the purpose of prohibiting a person from ~~knowingly and willfully obtaining or exerting unauthorized control over personal property located in or on a motor vehicle if the person intends to deprive the owner of the property, uses, conceals, or abandons the property in a manner that deprives the owner of the property, or uses, conceals, or abandons the property knowing that the use, concealment, or abandonment will deprive the owner of the property; establishing penalties for a violation of this Act; providing that a court may not impose certain penalties for a second or subsequent violation of this Act unless the State's Attorney serves a certain notice on the defendant or defendant's counsel within a certain period; providing that this Act does not preclude a certain prosecution for theft; establishing that a conviction under this Act does not merge for sentencing purposes into a certain other conviction; defining a certain term~~ being in or on the motor vehicle of another with the intent to commit theft of property that is on the motor vehicle; establishing that a certain penalty applies to a violation of this Act; and generally relating to thefts from motor vehicles.

~~BY adding to~~
~~Article – Criminal Law~~
~~Section 7–105.2~~
~~Annotated Code of Maryland~~
~~(2002 Volume and 2011 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 6–206
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

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

Senate Bill 419 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Law – Litter Control ~~Regulations and Penalties~~ Law – Enforcement

FOR the purpose of ~~clarifying an exception to the prohibition of improper litter disposal relating to disposal in receptacles or containers; altering certain penalties for improper litter disposal based on the amount of litter; requiring a court to notify a person who is convicted of a certain litter disposal offense that the person's driver's license may be suspended; requiring a court to notify the Motor Vehicle Administration of a certain violation involving litter disposal; requiring the Chief Judge of the District Court and the Administrative Office of the Courts, in conjunction with the Administration, to establish certain procedures;~~ changing the name used to cite a violation of the litter control law from "Litter Control Law" to "Illegal Dumping and Litter Control Law"; altering the agency authorized, in Baltimore City, to enforce certain provisions relating to illegal dumping and litter control through the use of surveillance systems; ~~authorizing for a first offense, and requiring for a second or subsequent offense, the Administration to suspend, for a certain period of time, the driver's license of a person who is convicted of a certain litter disposal offense; providing for a certain hearing on the request of a licensee under certain circumstances; altering certain definitions;~~ making certain conforming changes; and generally relating to litter control.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–110(c)
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section ~~10–110~~ 10–110(k) and 10–112
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

~~BY adding to~~

~~Article – Transportation~~
~~Section 16–206.2~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Transportation~~
~~Section 26–305(a)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

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

Senate Bill 478 – Senator Ferguson

AN ACT concerning

Education – School Buses – Fire Safety Standards for Engine Components – Study

FOR the purpose of requiring ~~a school bus engine compartment to be constructed with certain materials that enable it to meet certain flammability criteria; requiring a school bus engine compartment to achieve a certain classification under a certain safety standard relating to flammability~~ the State Department of Education to conduct a certain study and make a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to a study of fire safety standards for engine components in school buses.

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~
~~Section 7–808~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Transportation~~
~~Section 11–153 and 11–154~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

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

Senate Bill 693 – Senators Pipkin, Brinkley, Colburn, ~~and Getty~~ Getty, Kittleman, Middleton, Pugh, Simonaire, and Stone

AN ACT concerning

~~Maryland Transportation Authority – Termination – Exchange of Bonds~~
Task Force to Study Toll Rates and the Funding of Transportation Facilities Projects

FOR the purpose of ~~terminating the Maryland Transportation Authority; transferring, subject to certain exceptions, all functions, powers, duties, responsibilities, regulations, policies, property, equipment, assets, liabilities, and employees of the Authority to the Maryland Department of Transportation on a certain date; requiring the State to issue revenue refunding bonds in exchange for revenue bonds issued by the Authority before a certain date; requiring revenue refunding bonds to be secured by tolls or other charges for the use of transportation facilities projects; requiring the Department to fix, revise, charge, and collect tolls and other charges for the use of transportation facilities projects in an amount not greater than is necessary to pay the principal of and interest on refunding bonds issued by the State under this Act as they become due and payable; prohibiting the Department from fixing, revising, charging, or collecting tolls or other charges unless the toll or other charge is approved by the General Assembly through legislation enacted into law; providing for the appointment, classification, and benefits of employees transferred from the Authority to the Department under this Act; providing that all contracts and agreements entered into by the Authority before a certain date are valid and binding on the Department; requiring the publishers of the Annotated Code of Maryland to correct any references that are rendered incorrect by this Act; defining certain terms; and generally relating to the termination of the Authority and the exchange of bonds issued by the Authority~~ establishing a Task Force to Study Toll Rates and the Funding of Transportation Facilities Projects; specifying the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; prohibiting members of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; authorizing the Maryland Transportation Authority to hire a certain consultant for certain purposes; requiring the Task Force to study certain issues relating to certain tolls and the funding of certain transportation facilities projects; requiring the Task Force to submit a report of its findings and recommendations by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Toll Rates and the Funding of Transportation Facilities Projects.

~~BY repealing~~
~~Article – Transportation~~
~~Section 4–101 through 4–406 and the title "Title 4. Revenue Facilities"~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

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

Senate Bill 750 – ~~Senator Middleton~~ Senators Middleton and Pugh

AN ACT concerning

Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services

FOR the purpose of requiring, with a certain exception, a certificate of need for the establishment of percutaneous coronary intervention (PCI) services; requiring, beginning on a certain date, an acute general hospital to have a certificate of conformance before the hospital may establish ~~primary~~ emergency PCI services or ~~nonprimary~~ elective PCI services; prohibiting the Maryland Health Care Commission from issuing a certificate of conformance unless the Commission finds that the proposed ~~primary~~ emergency PCI services or proposed ~~nonprimary~~ elective PCI services meet certain standards; providing that a certificate of conformance is not required, notwithstanding certain provisions of this Act, for an acute general hospital to establish ~~primary~~ emergency PCI services or elective PCI services under certain circumstances; requiring an acute ~~care~~ general hospital that provides cardiac surgery or PCI services under certain authorization to obtain and maintain a certificate of ongoing performance to continue to provide cardiac surgery services, ~~primary~~ emergency PCI services, or ~~nonprimary~~ elective PCI services; requiring an acute general hospital that is providing ~~nonprimary~~ elective PCI services under a research waiver issued by the Commission and does not meet certain requirements to obtain a certificate of conformance for its ~~nonprimary~~ elective PCI services before it may obtain a certificate of ongoing performance to provide the ~~nonprimary~~ elective PCI services; requiring the Commission to adopt certain regulations; requiring the regulations to include certain items; requiring the Commission to establish a clinical advisory group for a certain purpose; requiring the Commission to develop certain recommended regulations, post the recommended regulations on its Web site, and submit the recommended regulations to the Governor and certain legislative committees for review and comment; establishing certain parameters for the process established by the Commission for issuing a certificate of conformance; authorizing a certain hospital, notwithstanding certain provisions of this Act, to provide ~~nonprimary~~ elective PCI services until the Commission takes ~~certain actions~~ a certain action; requiring the Commission to consider a certain factor in issuing a certificate of conformance; requiring a certain process and a certain requirement established in regulation to operate and be implemented in certain manners; providing that certain requirements of this Act do not apply to a hospital that provided cardiac surgery services and PCI services on a certain date until the Commission takes certain actions; defining certain terms; and generally relating to the regulation of cardiac surgery and percutaneous coronary intervention services by the Maryland Health Care Commission.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–120(j)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–120(j)(2)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Health – General
Section 19–120.1
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 761 – Senator Gladden

AN ACT concerning

Juveniles – Confinement in Juvenile Facilities – Report

FOR the purpose of ~~providing that a certain child for whom the juvenile court has waived jurisdiction under certain circumstances is required to remain detained in a juvenile detention facility except under certain circumstances; providing that a certain child is required to be transferred to a certain juvenile facility under certain circumstances; establishing the circumstances under which a certain child may not be transferred to a juvenile facility; prohibiting a child from being transported together with certain adults except under certain circumstances; requiring a court exercising criminal jurisdiction in a case involving a child, or the District Court at a bail review or preliminary hearing, to order a certain child to be held in a secure juvenile facility pending a certain determination except under certain circumstances; authorizing a certain defendant to receive certain credit against and a reduction of the term of a certain sentence for all time spent in the custody of a juvenile detention facility under certain circumstances; making stylistic changes~~ requiring the Department of Juvenile Services to make a certain report to the General Assembly on or before a certain date; and generally relating to juveniles and confinement in juvenile facilities.

~~BY repealing and reenacting, with amendments,~~

~~Article – Courts and Judicial Proceedings~~
~~Section 3–8A–06 and 3–8A–16~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Courts and Judicial Proceedings~~
~~Section 3–8A–22~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Criminal Procedure~~
~~Section 4–202 and 6–218~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

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

QUORUM CALL

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

(See Roll Call No. 1151)

ADJOURNMENT

At 1:11 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day April 2, 2012, Calendar Day Saturday, April 7, 2012.

Annapolis, Maryland
Legislative Day: April 2, 2012
Calendar Day: Saturday, April 7, 2012

The House met at 10:02 A.M. and pledged Allegiance to the Flag.

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

QUORUM CALL

The presiding officer announced a quorum call, showing 118 Members present.

(See Roll Call No. 1152)

The Journal of April 1, 2012 was read and approved.

EXCUSES:
Del. Bates – business
Del. Cane – business
Del. Davis – late – personal
Del. Healey – left briefly – illness
Del. Minnick – illness
Del. Mizeur – personal
Del. Myers – personal
Del. Stifler – late – medical
Del. Tarrant – personal
Del. V. Turner – medical

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 96	Del. Anderson
HB 158	Del. Beidle
HB 187	Del. K. Kelly
HB 209	Del. Mitchell
HB 252	Del. Burns
HB 281	St. Mary's County Del.
HB 434	Del. O'Donnell

HB 598	Del. McComas
HB 668	Del. Schulz
HB 806	Del. Griffith
HB 807	Del. Griffith
HB 835	Del. Barnes
HB 898	Prince George's Del.
HB 1054	Charles County Del.
HB 1138	Del. Carter
HB 1334	Del. McDermott
HB 1438	Del. Clagett

Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 350** SPONSOR: **Delegate Clippinger**

SUBJECT: **Criminal Law – Possession of Marijuana – De Minimus Quantity**

THIRD READING CALENDAR HOUSE NO. **46** SENATE NO. **6**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendment (HB0350/638671/1) be rejected.

(2) That the Amendment by Senator Gladden (HB0350/423829/1) be rejected.

(3) That the attached Conference Committee Amendments (HB0350/923723/1) be adopted.

HB0350/923723/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 350
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Minimus" and substitute "Minimis"; and in line 7, after "a" insert "certain".

AMENDMENT NO. 2

On page 2, in lines 28 and 32, in each instance, strike "**7**" and substitute "**10**".

On page 3, strike beginning with "**AND**" in line 4 down through "**BOND**" in line 6 and substitute "**, THE COURT SHALL STAY ANY SENTENCE IMPOSED THAT INCLUDES AN UNSERVED, NONSUSPENDED PERIOD OF IMPRISONMENT WITHOUT REQUIRING AN APPEAL BOND:**

A. UNTIL THE TIME FOR FILING AN APPEAL HAS EXPIRED; AND

B. IF AN APPEAL IS FILED, DURING THE PENDENCY OF THE APPEAL".

Senate Members:	House Members:
_____	_____
Chair, **Jamie Raskin**	Chair, **Kathleen M. Dumais**
_____did not sign _____	_____
Lisa A. Gladden	**Geraldine Valentino–Smith**
_____	_____
Jennie M. Forehand	**John W. E. Cluster, 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 – 91 Negative – 32 (See Roll Call No. 1153)

The Bill was then sent to the Senate.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #13

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

Senate Bill 234 – The President (By Request – Administration) and Senators Benson, Currie, Ferguson, Kelley, King, Middleton, Peters, Pugh, ~~and Rosapepe~~ Rosapepe, and Jones–Rodwell

AN ACT concerning

Maryland Health Improvement and Disparities Reduction Act of 2012

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 262 – Senator Montgomery

AN ACT concerning

Health Occupations – Psychologists – Penalties for Misrepresentation and Practicing Without a License

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 274 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

State Board of Pharmacy – Sunset Extension and Revisions

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 395 – Senator Jennings

AN ACT concerning

Health Occupations – Public Disclosure of Professional Credentials and Reports on Advertising Regulations and Policies

SB0395/296685/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 395
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after "circumstances;" insert "authorizing the Board to approve a certain certifying board if the certifying board requires certain physicians to meet certain qualifications;".

AMENDMENT NO. 2

On page 5, after line 14, insert:

"**(B) THE BOARD MAY APPROVE A CERTIFYING BOARD UNDER SUBSECTION (A)(2)(II) OF THIS SECTION ONLY IF THE CERTIFYING BOARD REQUIRES THAT, IN ORDER TO BE CERTIFIED, THE PHYSICIAN:**

(1) COMPLETE A POSTGRADUATE TRAINING PROGRAM THAT:

(I) PROVIDES COMPLETE TRAINING IN THE SPECIALTY OR SUBSPECIALTY BEING CERTIFIED; AND

(II) IS ACCREDITED BY THE ACCREDITATION COUNCIL FOR GRADUATE MEDICAL EDUCATION OR THE AMERICAN OSTEOPATHIC ASSOCIATION; AND

(2) BE CERTIFIED BY THE AMERICAN BOARD OF MEDICAL SPECIALTIES OR AMERICAN OSTEOPATHIC ASSOCIATION IN THE SAME TRAINING FIELD.";

and in line 15, strike "**(B)**" and substitute "**(C)**".

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 456 – Senator Middleton

AN ACT concerning

Health Insurance – Health Benefit Plan Premium Rate Review

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 474 – Senator Pinsky

AN ACT concerning

State Board of Professional Counselors and Therapists – Certified Professional Counselor–Alcohol and Drug – 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 540 – ~~Senator Astle~~ Senators Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Pugh

AN ACT concerning

Maryland Health Care Commission – Preauthorization of ~~Medical Services and Pharmaceuticals – Standards~~ Health Care Services – Benchmarks

SB0540/146180/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 540
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 19 and 20, strike "to certain committees of".

AMENDMENT NO. 2

On page 7, in lines 7 and 8, strike "**SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE**" and substitute "**GENERAL ASSEMBLY,**"; and in lines 19 and 20, strike "**SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE**" and substitute "**GENERAL ASSEMBLY**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 603 – Senators Montgomery and Conway

AN ACT concerning

Health Care Practitioners – Licensed Dentists, Physicians, and Podiatrists – Personally Preparing and Dispensing Prescription Drugs and Devices

SB0603/516189/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 603
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "procedure," insert "and"; in line 6, strike the first comma and substitute "requirements as a condition of being allowed to personally prepare and dispense prescription drugs or devices and to comply with certain"; in line 8, strike "or devices"; in line 14, after "boards;" insert "requiring certain licensing boards to charge a certain fee to certain holders of dispensing permits in a certain amount; requiring the revenues collected by the boards to be paid into the General Fund of the State; providing that a certain fee shall apply to dispensing permits issued or renewed on or after a certain date;"; and in line 15, after "requirement;" insert "providing for a delayed effective date;".

On page 2, in line 2, after "12–102.1" insert "and 12–102.2".

AMENDMENT NO. 2

On page 4 in lines 5 and 11 and on page 6 in line 12, in each instance, strike "**OR DEVICES**".

On page 4, in line 15 and on page 6 in line 8, in each instance, strike "**AND DEVICES**".

AMENDMENT NO. 3

On page 6, after line 31 insert:

"**12–102.2.**

(A) THE BOARD OF DENTAL EXAMINERS, THE BOARD OF PHYSICIANS, AND THE BOARD OF PODIATRIC MEDICAL EXAMINERS SHALL CHARGE A FEE TO A DENTIST, PHYSICIAN, OR PODIATRIST WHO HOLDS A DISPENSING PERMIT IN AN AMOUNT THAT WILL PRODUCE FUNDS TO APPROXIMATE BUT NOT EXCEED THE DOCUMENTED COSTS TO THE DIVISION OF DRUG CONTROL FOR INSPECTIONS OF DISPENSING PERMIT HOLDERS.

(B) REVENUES COLLECTED BY THE BOARD OF DENTAL EXAMINERS, THE BOARD OF PHYSICIANS, AND THE BOARD OF PODIATRIC MEDICAL EXAMINERS UNDER THIS SECTION SHALL BE PAID INTO THE GENERAL FUND OF THE STATE.".

AMENDMENT NO. 4

On page 7, in lines 6, 8, 10, 12, and 14, strike "2013", "2014", "2015", "2016", and "2017", respectively, and substitute "2014", "2015", "2016", "2017", and "2018", respectively; after line 16, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the fee charged under § 12–102.2 of the Health Occupations Article, as enacted by Section 1 of this Act, shall apply to dispensing permits issued or renewed on or after July 1, 2013.";

in line 17, strike "3." and substitute "4."; and in line 18, strike "2012" and substitute "2013".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 744 – Senators Madaleno, Colburn, Conway, Currie, Forehand, Glassman, Jones–Rodwell, King, Klausmeier, Manno, McFadden, Montgomery, Muse, Peters, Pugh, Ramirez, Raskin, Rosapepe, ~~and Stone~~ Stone, Astle, Kittleman, Kelley, and Middleton

AN ACT concerning

Health Insurance – Habilitative Services – Required Coverage ~~and~~, Workgroup, and Technical Advisory Group

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 749 – Senator Middleton

AN ACT concerning

Physicians – Sharing of Information with Maryland Health Care Commission

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 781 – Senators Pugh, Pipkin, Mathias, Middleton, ~~and Montgomery~~ Montgomery, Astle, Glassman, Kelley, Kittleman, and Klausmeier

AN ACT concerning

Health Insurance – Coverage for Services Delivered Through Telemedicine ~~Services~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 841 – Senator Pinsky

AN ACT concerning

State Board of Dental Examiners – Licenses – Examination Requirements for Dentists and Dental Hygienists

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 849 – ~~Senator King~~ Senators King, Garagiola, Klausmeier, Middleton, and Pugh

AN ACT concerning

Health Insurance – Dental Preventive Care – Coverage ~~for Dental Cleanings~~

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 858 – Senators Raskin, Colburn, Middleton, and Peters

AN ACT concerning

Public Library – Essential Community Service – Designation

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 868 – Senator Conway

AN ACT concerning

Residential Child and Youth Care Practitioners – Certification – Modifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 903 – Senator Astle

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 928 – Senators Astle and Middleton

AN ACT concerning

Health Insurance – Fees for Administrative Services Provided by Insurance Producers – Authorized

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 969 – Senator Conway

AN ACT concerning

State Board of Professional Counselors and Therapists – Licensure of Clinical Professional Art Therapists

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 1003 – ~~Senator Middleton~~ Senators Middleton, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, and Pugh

AN ACT concerning

Life and Health Insurance Guaranty Corporation Act – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #23

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

Senate Bill 128 – Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Abandoned Land – Certificates of Reservation for Public Use

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 346 – Senators Glassman and Jacobs

AN ACT concerning

Harford County – Deer Hunting on Private Property – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 347 – Senator Klausmeier (By Request – Baltimore County Administration)

AN ACT concerning

Vehicle Laws – Registration Plates for Individuals with Disabilities – Parking in Baltimore County

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #21

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

Senate Bill 214 – Senator Raskin

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

SB0214/262919/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 214
(Third Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, in lines 26 and 30, in each instance, strike "**14**" and substitute "**10**".

AMENDMENT NO. 3

On page 3, in line 2, after "**IMPOSED**" insert "**THAT INCLUDES AN UNSERVED, NONSUSPENDED PERIOD OF IMPRISONMENT**".

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 245 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)

AN ACT concerning

Juvenile Law – Disposition – Committed Programs

SB0245/842510/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 245
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Programs" and substitute "Facilities"; in line 6, in each instance, strike "or program"; in line 7, after "circumstances;" insert "specifying

the type of facility to which a child may be transferred under this Act;"; and in line 9, after "hearing;" insert "requiring the Department of Juvenile Services to report to the General Assembly on or before a certain date; providing for the termination of this Act;".

AMENDMENT NO. 2

On page 2, in line 26, after "**SERVICES**" insert "**, ON APPROVAL OF THE DIRECTOR OF BEHAVIORAL HEALTH,**".

AMENDMENT NO. 3

On page 2, in line 28, in each instance, strike "**OR PROGRAM**"; after line 29, insert:

"**(2) A FACILITY TO WHICH A CHILD IS TRANSFERRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE:**

(I) CONSISTENT WITH THE TYPE OF FACILITY DESIGNATED BY THE COURT UNDER SUBSECTION (D)(1)(II) OF THIS SECTION; OR

(II) MORE SECURE THAN THE TYPE OF FACILITY DESIGNATED BY THE COURT UNDER SUBSECTION (D)(1)(II) OF THIS SECTION.";

and in line 30, strike "**(2)**" and substitute "**(3)**".

On page 3, in line 1, strike "**(3)**" and substitute "**(4)**".

AMENDMENT NO. 4

On page 3, after line 3, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2014, the Department of Juvenile Services shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act.";

in line 4, strike "2." and substitute "3."; in line 5, strike "October" and substitute "June"; and in the same line, after "2012." insert "It shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2014, with no further action

required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 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 with amendments:

Senate Bill 421 – Senator Mathias

AN ACT concerning

Public Safety – Explosives – Package of Components

SB0421/932918/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 421
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "packaged together for sale and when combined create" and substitute "advertised and sold together with instructions on how to combine the components to create".

AMENDMENT NO. 2

On page 2, strike beginning with "**PACKAGED**" in line 12 down through "**CREATE**" in line 13 and substitute "**ADVERTISED AND SOLD TOGETHER WITH INSTRUCTIONS ON HOW TO COMBINE THE COMPONENTS TO CREATE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 797 – Senators Frosh ~~and Gladden~~, Gladden, Forehand, Ramirez, Raskin, Stone, and Zirkin

AN ACT concerning

Courts and Judicial Proceedings – Witnesses – Privileged Communications ~~Between Labor Organization and Member~~ Involving Labor Organizations

SB0797/272814/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 797
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Communications" insert "or Information"; in line 5, strike beginning with "in" through "proceedings" and substitute "under certain circumstances"; in line 6, after "acquired" insert "in confidence"; in line 7, after "capacity" insert "concerning an employee grievance"; in the same line, after the semicolon insert "requiring a labor organization or its agent to disclose a communication or information in a certain manner under certain circumstances;"; in line 10, after "terms;" insert "providing for the application and construction of this Act;"; in the same line, strike "privileged" and substitute "certain"; and in line 11, after "communications" insert "or information".

AMENDMENT NO. 2

On page 2, in line 3, strike "**EMPLOYEE**" and substitute "**EMPLOYEE"**"; in line 9, after "**(B)**" insert "**(1)**"; in the same line, strike "**(C)**" and substitute "**(D)**"; strike beginning with "**, IN**" in line 11 down through "**PROCEEDING,**" in line 12; in line 16, after "**ACQUIRED**" insert "**IN CONFIDENCE**"; in line 18, after "**CAPACITY**" insert "**CONCERNING AN EMPLOYEE GRIEVANCE**"; and after line 18, insert:

"**(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A CRIMINAL PROCEEDING.**

(3) AN EMPLOYEE'S PRIVILEGE UNDER THIS SUBSECTION APPLIES ONLY TO THE EXTENT THAT:

(I) A COMMUNICATION OR INFORMATION IS GERMANE TO A GRIEVANCE OF THE EMPLOYEE; AND

(II) THE GRIEVANCE OF THE EMPLOYEE IS A SUBJECT MATTER OF AN INVESTIGATION, A GRIEVANCE PROCEEDING, OR A CIVIL COURT, ADMINISTRATIVE, ARBITRATION, OR OTHER CIVIL PROCEEDING.

(4) AN EMPLOYEE'S PRIVILEGE UNDER THIS SUBSECTION CONTINUES AFTER TERMINATION OF:

(I) THE EMPLOYEE'S EMPLOYMENT; OR

(II) THE REPRESENTATIVE RELATIONSHIP OF THE LABOR ORGANIZATION OR ITS AGENT WITH THE EMPLOYEE.

(5) AN EMPLOYEE'S PRIVILEGE UNDER THIS SUBSECTION PROTECTS THE COMMUNICATION OR INFORMATION RECEIVED OR ACQUIRED BY THE LABOR ORGANIZATION OR ITS AGENT, BUT DOES NOT PROTECT THE EMPLOYEE FROM BEING COMPELLED TO DISCLOSE, TO THE EXTENT PROVIDED BY LAW, THE FACTS UNDERLYING THE COMMUNICATION OR INFORMATION.

(C) A LABOR ORGANIZATION OR ITS AGENT SHALL DISCLOSE TO THE EMPLOYER AS SOON AS POSSIBLE A COMMUNICATION OR INFORMATION DESCRIBED IN SUBSECTION (B)(1) OF THIS SECTION TO THE EXTENT THE LABOR ORGANIZATION OR ITS AGENT REASONABLY BELIEVES NECESSARY TO PREVENT CERTAIN DEATH OR SUBSTANTIAL BODILY HARM.".

AMENDMENT NO. 3

On page 2, in line 19, strike "**(C)**" and substitute "**(D)**"; strike in their entirety lines 22 through 24, inclusive, and substitute:

"**(1) TO THE EXTENT THE LABOR ORGANIZATION OR ITS AGENT REASONABLY BELIEVES NECESSARY TO:**

(I) PREVENT THE EMPLOYEE FROM COMMITTING A CRIME, FRAUD, OR ANY ACT IN VIOLATION OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT THAT IS REASONABLY CERTAIN TO RESULT IN

SUBSTANTIAL INJURY TO THE FINANCIAL INTERESTS OR PROPERTY OF ANOTHER AND IN FURTHERANCE OF WHICH THE EMPLOYEE HAS USED OR IS USING THE SERVICES OF THE LABOR ORGANIZATION OR ITS AGENT;

(II) PREVENT, MITIGATE, OR RECTIFY SUBSTANTIAL INJURY TO THE FINANCIAL INTERESTS OR PROPERTY OF ANOTHER THAT IS REASONABLY CERTAIN TO RESULT OR HAS RESULTED FROM THE EMPLOYEE'S COMMISSION OF A CRIME, FRAUD, OR ANY ACT IN VIOLATION OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT IN FURTHERANCE OF WHICH THE EMPLOYEE HAS USED THE SERVICES OF THE LABOR ORGANIZATION OR ITS AGENT;

(III) SECURE LEGAL ADVICE ABOUT THE COMPLIANCE OF THE LABOR ORGANIZATION OR ITS AGENT WITH A COURT ORDER OR OTHER LAW OR THE TERMS OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT;

(IV) ESTABLISH A CLAIM OR DEFENSE ON BEHALF OF THE LABOR ORGANIZATION OR ITS AGENT IN A CONTROVERSY BETWEEN THE EMPLOYEE AND THE LABOR ORGANIZATION OR ITS AGENT, TO ESTABLISH A DEFENSE TO A CRIMINAL CHARGE OR CIVIL CLAIM AGAINST THE LABOR ORGANIZATION OR ITS AGENT BASED ON CONDUCT IN WHICH THE EMPLOYEE WAS INVOLVED, OR TO RESPOND TO ALLEGATIONS IN ANY PROCEEDING CONCERNING THE PERFORMANCE OF PROFESSIONAL DUTIES BY THE LABOR ORGANIZATION OR ITS AGENT ON BEHALF OF THE EMPLOYEE; OR

(V) COMPLY WITH A COURT ORDER OR OTHER LAW OR THE TERMS OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT;".

On page 3, in line 9, strike "**OR**"; in line 10, after "**ORDER**" insert "**; OR**

(7) TO THE EXTENT THAT THE EMPLOYEE WAIVES THE CONFIDENTIALITY OF THE COMMUNICATION OR INFORMATION";

in lines 11 and 15, strike "**(D)**" and "**(E)**", respectively, and substitute "**(E)**" and "**(F)**", respectively; and in line 14, strike "**(C)(3)**" and substitute "**(D)(3)**".

AMENDMENT NO. 4

On page 3, after line 17, 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 collective bargaining agreement or contractual agreement in effect on the effective date of this Act.

SECTION 3. 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 communication or information received or acquired by a labor organization or an agent of a labor organization before the effective date of this Act.";

and in line 18, strike "2." and substitute "4.".

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 1082 – Senator Forehand

AN ACT concerning

Children in Need of Assistance and Child Abuse and Neglect – Sexual Abuse – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #22

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

House Bill 1042 – Delegate Vallario

AN ACT concerning

Courts and Judicial Proceedings – Witnesses – Privileged Communications Between Labor Organization and Member

HB1042/122016/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1042
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Communications" insert "or Information"; strike line 3 in its entirety and substitute "Involving Labor Organizations"; in line 5, strike "in certain proceedings" and substitute "under certain circumstances"; in line 6, strike beginning with "acquired" through "member" and substitute "received or acquired in confidence while acting in a representative capacity concerning an employee grievance"; in the same line, after the semicolon insert "requiring a labor organization or its agent to disclose a communication or information in a certain manner under certain circumstances;"; in line 9, after "circumstances;" insert "defining certain terms; providing for the application and construction of this Act;"; in the same line, strike "privileged" and substitute "certain"; and in line 9, after "communications" insert "or information".

AMENDMENT NO. 2

On page 1, in line 19, after "**(A)**" insert "**(1)**"; in the same line, strike beginning with the comma through "**MEANS**" and substitute "**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) "EMPLOYEE" MEANS AN INDIVIDUAL REPRESENTED BY A LABOR ORGANIZATION REGARDLESS OF WHETHER THE INDIVIDUAL IS A MEMBER OF THE LABOR ORGANIZATION.

(3) "LABOR ORGANIZATION" MEANS";

and in line 22, strike "**(C)**" and substitute "**(D)**".

AMENDMENT NO. 3

On page 1, in line 22, after "**(B)**" insert "**(1)**".

On pages 1 and 2, strike beginning with the first comma in line 24 on page 1 down through the comma in line 1 on page 2.

On page 2, strike beginning with "**AN**" in line 1 down through "**CAPACITY**" in line 4 and substitute "**THE LABOR ORGANIZATION OR AGENT RECEIVED OR ACQUIRED IN CONFIDENCE FROM AN EMPLOYEE WHILE THE LABOR ORGANIZATION OR AGENT WAS ACTING IN A REPRESENTATIVE CAPACITY CONCERNING AN EMPLOYEE GRIEVANCE**"; and after line 4, insert:

"**(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A CRIMINAL PROCEEDING.**

(3) AN EMPLOYEE'S PRIVILEGE UNDER THIS SUBSECTION APPLIES ONLY TO THE EXTENT THAT:

(I) A COMMUNICATION OR INFORMATION IS GERMANE TO A GRIEVANCE OF THE EMPLOYEE; AND

(II) THE GRIEVANCE OF THE EMPLOYEE IS A SUBJECT MATTER OF AN INVESTIGATION, A GRIEVANCE PROCEEDING, OR A CIVIL COURT, ADMINISTRATIVE, ARBITRATION, OR OTHER CIVIL PROCEEDING.

(4) AN EMPLOYEE'S PRIVILEGE UNDER THIS SUBSECTION CONTINUES AFTER TERMINATION OF:

(I) THE EMPLOYEE'S EMPLOYMENT; OR

(II) THE REPRESENTATIVE RELATIONSHIP OF THE LABOR ORGANIZATION OR ITS AGENT WITH THE EMPLOYEE.

(5) AN EMPLOYEE'S PRIVILEGE UNDER THIS SUBSECTION PROTECTS THE COMMUNICATION OR INFORMATION RECEIVED OR ACQUIRED BY THE LABOR ORGANIZATION OR ITS AGENT, BUT DOES NOT PROTECT THE

EMPLOYEE FROM BEING COMPELLED TO DISCLOSE, TO THE EXTENT PROVIDED BY LAW, THE FACTS UNDERLYING THE COMMUNICATION OR INFORMATION.

(C) A LABOR ORGANIZATION OR ITS AGENT SHALL DISCLOSE TO THE EMPLOYER AS SOON AS POSSIBLE A COMMUNICATION OR INFORMATION DESCRIBED IN SUBSECTION (B)(1) OF THIS SECTION TO THE EXTENT THE LABOR ORGANIZATION OR ITS AGENT REASONABLY BELIEVES NECESSARY TO PREVENT CERTAIN DEATH OR SUBSTANTIAL BODILY HARM.".

AMENDMENT NO. 4

On page 2, in line 5, strike "**(C)**" and substitute "**(D)**"; strike in their entirety lines 8 through 10, inclusive, and substitute:

"**(1) TO THE EXTENT THE LABOR ORGANIZATION OR ITS AGENT REASONABLY BELIEVES NECESSARY TO:**

(I) PREVENT THE EMPLOYEE FROM COMMITTING A CRIME, FRAUD, OR ANY ACT IN VIOLATION OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT THAT IS REASONABLY CERTAIN TO RESULT IN SUBSTANTIAL INJURY TO THE FINANCIAL INTERESTS OR PROPERTY OF ANOTHER AND IN FURTHERANCE OF WHICH THE EMPLOYEE HAS USED OR IS USING THE SERVICES OF THE LABOR ORGANIZATION OR ITS AGENT;

(II) PREVENT, MITIGATE, OR RECTIFY SUBSTANTIAL INJURY TO THE FINANCIAL INTERESTS OR PROPERTY OF ANOTHER THAT IS REASONABLY CERTAIN TO RESULT OR HAS RESULTED FROM THE EMPLOYEE'S COMMISSION OF A CRIME, FRAUD, OR ANY ACT IN VIOLATION OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT IN FURTHERANCE OF WHICH THE EMPLOYEE HAS USED THE SERVICES OF THE LABOR ORGANIZATION OR ITS AGENT;

(III) SECURE LEGAL ADVICE ABOUT THE COMPLIANCE OF THE LABOR ORGANIZATION OR ITS AGENT WITH A COURT ORDER OR OTHER LAW OR THE TERMS OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT;

(IV) ESTABLISH A CLAIM OR DEFENSE ON BEHALF OF THE LABOR ORGANIZATION OR ITS AGENT IN A CONTROVERSY BETWEEN THE EMPLOYEE AND THE LABOR ORGANIZATION OR ITS AGENT, TO ESTABLISH A DEFENSE TO A CRIMINAL CHARGE OR CIVIL CLAIM AGAINST THE LABOR ORGANIZATION OR ITS AGENT BASED ON CONDUCT IN WHICH THE EMPLOYEE WAS INVOLVED, OR TO RESPOND TO ALLEGATIONS IN ANY PROCEEDING CONCERNING THE PERFORMANCE OF PROFESSIONAL DUTIES BY THE LABOR ORGANIZATION OR ITS AGENT ON BEHALF OF THE EMPLOYEE; OR

(V) COMPLY WITH A COURT ORDER OR OTHER LAW OR THE TERMS OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT;

(2) TO THE EXTENT THE COMMUNICATION OR INFORMATION CONSTITUTES AN ADMISSION THAT THE EMPLOYEE HAS COMMITTED A CRIME;";

in line 24, strike "**OR**"; in line 25, after "**ORDER**" insert "**; OR**

(7) TO THE EXTENT THAT THE EMPLOYEE WAIVES THE CONFIDENTIALITY OF THE COMMUNICATION OR INFORMATION".

AMENDMENT NO. 5

On page 2, in lines 11, 18, 20, and 25, strike "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(3)**", "**(4)**", "**(5)**", and "**(6)**", respectively; in lines 19 and 20, in each instance, strike "**LABOR ORGANIZATION MEMBER**" and substitute "**EMPLOYEE**"; in lines 23 and 24, in each instance, strike "**MEMBER'S**" and substitute "**EMPLOYEE'S**"; in lines 26 and 30, strike "**(D)**" and "**(E)**", respectively, and substitute "**(E)**" and "**(F)**", respectively; and in line 29, strike "**(C)(2)**" and substitute "**(D)(3)**".

AMENDMENT NO. 6

On page 2, after line 32, 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 collective bargaining agreement or contractual agreement in effect on the effective date of this Act.

SECTION 3. 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 communication or information received or acquired by a labor organization or an agent of a labor organization before the effective date of this Act.".

On page 3, in line 1, strike "2." and substitute "4.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

THE COMMITTEE ON WAYS AND MEANS REPORT #21

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

House Bill 1155 – Delegates Frick, Carr, Hixson, Hucker, A. Kelly, Lee, Mizeur, and Waldstreicher

AN ACT concerning

Income Tax – Subtraction Modification – Land Acquisition for Transportation–Related Projects

HB1155/235569/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1155
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Transportation–Related Projects" and substitute "Department of Transportation"; in line 5, after "for" insert "the amount of a gain resulting from"; in the same line, strike "State Highway Administration" and substitute "Maryland Department of Transportation"; in line 6, strike "for use in certain transportation projects" and substitute "on which the individual's principal residence is located"; in the same line, after the semicolon insert "limiting the

subtraction to a certain amount;"; in line 8, after "for" insert "gain resulting from"; and strike beginning with "State" in line 8 down through "Administration" in line 9 and substitute "Maryland Department of Transportation".

AMENDMENT NO. 2

On page 2, in line 4, strike "**THE**" and substitute:

"**(1) IN THIS SUBSECTION, "PRINCIPAL RESIDENCE" HAS THE MEANING STATED IN § 121 OF THE INTERNAL REVENUE CODE.**

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE";

in line 5, after "**INCLUDES**" insert "**THE AMOUNT OF A GAIN RESULTING FROM**"; in the same line, strike "**STATE HIGHWAY ADMINISTRATION**" and substitute "**MARYLAND DEPARTMENT OF TRANSPORTATION**"; in line 7, strike "**FOR USE IN A TRANSPORTATION–RELATED PROJECT**" and substitute "**ON WHICH THE INDIVIDUAL'S PRINCIPAL RESIDENCE IS LOCATED**"; and after line 7, insert:

"**(3) THE AMOUNT SUBTRACTED UNDER THIS SUBSECTION MAY NOT EXCEED THE AMOUNT THAT MAY BE EXCLUDED FROM INCOME ON THE CONDEMNATION OF AN INDIVIDUAL'S PRINCIPAL RESIDENCE UNDER § 121 OF THE INTERNAL REVENUE CODE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 167 – Senator Currie

AN ACT concerning

Tax Credits for Qualifying Employees with Disabilities – Sunset Repeal

SB0167/265163/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Repeal" and substitute "Extension"; and in line 3, strike "repealing" and substitute "extending".

AMENDMENT NO. 2

On page 2, in lines 15, 16, 18, 21, 23, 26, 33, 34, 36, and 39, in each instance, strike the bracket; in line 16, strike "2015" and substitute "**2016**"; in line 18, strike "2012" and substitute "**2013**"; in line 21, strike "2015" and substitute "**2016**"; in line 24, strike "14" and substitute "**15**"; in the same line, strike "2012" and substitute "**2013**"; in line 34, strike "2015" and substitute "**2016**"; in line 36, strike "2012" and substitute "**2013**"; and in line 39, strike "2015" and substitute "**2016**".

On page 3, in lines 2 and 5, in each instance, strike the bracket; in line 3, strike "14" and substitute "**15**"; and in the same line, strike "2012" and substitute "**2013**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 477 – Senators Klausmeier, Kittleman, Astle, Colburn, DeGrange, Forehand, Kasemeyer, Middleton, Robey, Rosapepe, ~~and Stone~~ Stone, Brinkley, Currie, Edwards, Jones–Rodwell, King, Madaleno, Manno, and Peters

AN ACT concerning

Job Creation Tax Credit – Amount of Credit and Termination Provisions

SB0477/645169/1
BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 477
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Amount of Credit and"; in line 3, strike "determination of the amount" and substitute "termination provisions"; strike beginning with "altering" in line 5 down through "Act;" in line 6; in line 10, after "6–301(e)" insert "and 6–304(b)"; and in line 15, strike "6–304(b) and".

AMENDMENT NO. 2

On page 2, in lines 17, 20, 24, and 27, in each instance, strike the brackets; and in lines 17, 20, 24, and 27, strike "**$3,000**", "**7.5%**", "**$4,500**", and "**15%**", respectively.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 21 through 24, inclusive; and in line 25, strike "3." and substitute "2.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 807 – Senators Madaleno, Brinkley, Colburn, Currie, Glassman, Jones–Rodwell, Manno, Montgomery, Peters, Ramirez, ~~and Raskin~~ Raskin, and McFadden

AN ACT concerning

Income Tax – Subtraction Modification – Land Acquisition for ~~Transportation–Related Projects~~ Department of Transportation

SB0807/485263/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 807
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "for" insert "the amount of a gain resulting from"; in line 6, after "property" insert "on which the individual's principal residence is located";

in line 7, after the first semicolon insert "limiting the subtraction modification to a certain amount;"; and in line 8, after "for" insert "gain resulting from".

AMENDMENT NO. 2

On page 2, in line 8, strike "**THE**" and substitute:

"**(1) IN THIS SUBSECTION, "PRINCIPAL RESIDENCE" HAS THE MEANING STATED IN § 121 OF THE INTERNAL REVENUE CODE.**

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE"; in line 9, after "**INCLUDES**" insert "**THE AMOUNT OF A GAIN RESULTING FROM**"; and in line 11, after "**PROPERTY**" insert "**ON WHICH THE INDIVIDUAL'S PRINCIPAL RESIDENCE IS LOCATED**"; and after line 12, insert:

"**(3) THE AMOUNT SUBTRACTED UNDER THIS SUBSECTION MAY NOT EXCEED THE AMOUNT THAT MAY BE EXCLUDED FROM INCOME ON THE CONDEMNATION OF AN INDIVIDUAL'S PRINCIPAL RESIDENCE UNDER § 121 OF THE INTERNAL REVENUE CODE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 820 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman, Klausmeier, Shank, and Stone

AN ACT concerning

Transportation – Toll, Fee, or Other Charge Increases – ~~Notice and Public Comment~~ Required Procedures

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

AMENDED IN THE SENATE

House Bill 983 – Delegates Frush and Hubbard

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities

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

HB0983/984038/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 983
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "a"; in line 5, strike "exception" and substitute "exceptions"; in the same line, strike "and"; in line 6, after "facilities" insert ", and certain machinery"; in line 7, after "Area;" insert "requiring certain local critical area programs to require that certain machinery that is used for a certain purpose be removed from the Critical Area on or before a certain date;"; in the same line, after "of" insert "certain provisions of"; in line 9, strike the first "and"; and in the same line, after "facilities" insert ", and certain machinery".

AMENDMENT NO. 2

On page 4, in line 33, strike "**AND**"; in line 35, after "**VESSEL**" insert "**OR THE STORAGE OF PROCESSED METAL FOR THE SOLE PURPOSE OF TRANSFER TO A DOCKED VESSEL**".

On page 5, in line 2, after "**AREA**" insert "**;**

17. A PROHIBITION ON ANY MACHINERY THAT IS USED FOR THE PURPOSE OF CONVERTING SCRAP METAL INTO PROCESSED METAL IN THE CRITICAL AREA; AND

18. A REQUIREMENT THAT ANY MACHINERY THAT IS UTILIZED FOR THE PURPOSE OF CONVERTING SCRAP METAL INTO PROCESSED METAL BE REMOVED FROM THE CRITICAL AREA ON OR BEFORE JANUARY 1, 2013";

in line 3, after "That" insert "§ 8–1808(c)(1)16 and 17 of the Natural Resources Article, as enacted by Section 1 of"; and in the same line, after "Act" insert a comma.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0983**
SPONSOR: Dels Frush and Hubbard
SUBJECT: Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities

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 Niemann, and
Delegate Norman.

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 708 – Delegates Valentino–Smith, Alston, Braveboy, Bromwell, Carter, Gaines, Glenn, Gutierrez, Healey, K. Kelly, McDermott, Minnick, B. Robinson, Smigiel, Valderrama, Vallario, and Waldstreicher

AN ACT concerning

Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court

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

Read the second time and ordered prepared for Third Reading.

House Bill 1166 – Delegate Love

AN ACT concerning

Gaming – Instant Bingo – Electronic Machines

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

FLOOR AMENDMENT

HB1166/433921/1
BY: Delegate Bromwell

AMENDMENTS TO HOUSE BILL 1166, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Committee on Ways and Means Amendments (HB1166/945264/2), in Amendment No. 1, strike beginning with "and" in line 1 down through "provisions" in line 2; and in line 3, after "correction" insert "; providing that this Act does not apply to the legal operation of amusement games licensed by certain counties".

AMENDMENT NO. 2

On page 12 of the Committee on Ways and Means Amendments, in line 2 of Amendment No. 4, strike "7." and substitute "8."; strike beginning with the colon in line 2 down through "(1)" in line 3; and strike beginning with "; and" in line 4 down through "County" in line 6 and substitute ".

SECTION 7. AND BE IT FURTHER ENACTED, That this Act does not apply to the legal operation of amusement games licensed by Baltimore City and Baltimore County".

The preceding 2 amendments were read only.

Delegate Anderson moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 82 – Senator Zirkin

AN ACT concerning

Maryland Automobile Insurance Fund – Claims for Bodily Injury or Death – Payment Limitation

STATUS OF BILL: BILL ON 3RD READING.

Delegate Barkley moved to reconsider the vote by which **Senate Bill 82** was ordered printed for Third Reading.

The motion was adopted.

Delegate Barkley moved to reconsider the vote by which the Committee Amendment was adopted.

The motion was adopted.

SB0082/833998/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 82
(Third Reading File Bill)

On page 1, strike beginning with "providing" in line 7 down through "Act;" in line 8; and strike in their entirety lines 15 through 19, inclusive.

On pages 3 through 6, strike in their entirety the lines beginning with line 8 on page 3 through line 21 on page 6, inclusive.

On page 6, in line 22, strike "3." and substitute "2.".

The preceding amendment was withdrawn.

Read the second time and ordered prepared for Third Reading.

Senate Bill 272 – Senators Peters~~, Astle, Kittleman~~, ~~and Klausmeier~~ Pugh, Young, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Muse

AN ACT concerning

Labor and Employment – Workplace Fraud Act – Revisions

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

Read the second time and ordered prepared for Third Reading.

Senate Bill 531 – Senator Middleton

AN ACT concerning

Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor

STATUS OF BILL: BILL ON 3RD READING.

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

The motion was adopted.

Senate Bill 691 – ~~Senator Shank~~ Senators Shank, Frosh, Getty, and Gladden

SECOND PRINTING

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

STATUS OF BILL: BILL ON 3RD READING.

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

The motion was adopted.

Senate Bill 864 – Senator DeGrange

AN ACT concerning

Gaming – ~~Instant Bingo –~~ Electronic Machines – Regulation

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

Delegate O'Donnell moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 929 – Senators Astle, Conway, Ferguson, Gladden, Klausmeier, Young, ~~and Zirkin~~ Zirkin, Mathias, Muse, and Pugh

EMERGENCY BILL

AN ACT concerning

The Deanna Camille Green Act of 2012

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

FLOOR AMENDMENT

SB0929/553426/1
BY: Delegate Glass

AMENDMENTS TO SENATE BILL 929
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 13, after "regulations;" insert "prohibiting an electric company to recover certain costs from the ratepayers;".

AMENDMENT NO. 2

On page 7, after line 15, insert:

"**(H) AN ELECTRIC COMPANY MAY NOT RECOVER FROM THE RATEPAYERS THE COST OF:**

(1) PREPARING A VOLTAGE SURVEY PLAN;

(2) CONDUCTING A VOLTAGE SURVEY; OR

(3) MITIGATING ANY CONTACT VOLTAGE.".

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

Senate Bill 977 – Senator Rosapepe

AN ACT concerning

Transportation – Institutions of Higher Education ~~and State Employment Facilities~~ – Bicycle and Pedestrian Access

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

Read the second time and ordered prepared for Third Reading.

House Bill 747 – Delegate Beitzel

EMERGENCY BILL

AN ACT concerning

Garrett County – County Commissioners – Wind Energy Conversion Systems

STATUS OF BILL: BILL ON 2ND READING (RECONSIDERED). FLOOR AMENDMENTS BY DEL. BEITZEL PENDING.

FLOOR AMENDMENT

HB0747/813720/1
BY: Delegate Beitzel

AMENDMENTS TO HOUSE BILL 747
(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 12 down through "circumstances;" in line 13.

AMENDMENT NO. 2

On page 2, in lines 25 and 26, strike "**PROPERTY BOUNDARIES IN ALL DIRECTIONS**" and substitute "**THE NEAREST EXISTING OCCUPIED STRUCTURE**".

On page 4, in line 3, after "**SITE**" insert "**, INCLUDING AN ESTIMATE ON THE SALVAGE VALUE OF THE WIND ENERGY CONVERSION SYSTEM**"; in line 14, strike "**(I)**"; in lines 18 and 19, strike "**WITHOUT REGARD TO**" and substitute "**REDUCED BY THE**"; strike in their entirety lines 21 through 25, inclusive; strike beginning with the colon in line 29 down through "**IS**" in line 30 and substitute "**IS**"; and strike beginning with the semicolon in line 31 down through "**SITE**" in line 35.

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

HB0747/773090/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 747
(Bill as Printed for Third Reading)

On page 5, after line 9, insert:

"**(E) THIS SECTION DOES NOT APPLY TO ANY WIND ENERGY CONVERSION SYSTEM THAT HAS SUBMITTED AN INTERCONNECTION APPLICATION TO THE PJM INTERCONNECTION QUEUE BEFORE MARCH 1, 2012.**".

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 123 Members present.

(See Roll Call No. 1154)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #75

House Bill 319 – Delegates Proctor, Anderson, Aumann, Bates, Beidle, Cane, Cluster, DeBoy, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Hershey, Howard, Hubbard, Hucker, Impallaria, Krebs, Love, Malone, McDonough, McHale, O'Donnell, Ross, Vallario, and Wood

AN ACT concerning

Sales and Use Tax – Exemption – Veterans' Organizations

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

Affirmative – 130 Negative – 0 (See Roll Call No. 1155)

The Bill was then sent to the Senate.

House Bill 342 – Delegates Smigiel, Hershey, and Jacobs

AN ACT concerning

Education – Regional School of the Arts for Cecil, Kent, and Queen Anne's Counties – Feasibility Study

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1156)

The Bill was then sent to the Senate.

House Bill 444 – The Speaker (By Request – Administration) and Delegates Afzali, Bohanan, Cane, Clagett, Conway, Glass, Hershey, Hough, Jacobs, Jameson, A. Kelly, Krebs, Lafferty, Love, Luedtke, McComas, Murphy, Otto, Parrott, Ready, ~~and Schulz~~ Schulz, Boteler, Cardin, Frick, George, Howard, Ivey, Kaiser, A. Miller, Myers, Ross, Serafini, Stukes, Summers, F. Turner, and Walker

AN ACT concerning

Family Farm Preservation Act of 2012

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1157)

The Bill was then sent to the Senate.

House Bill 947 – Delegates F. Turner, Afzali, Boteler, Branch, Glass, Howard, Ivey, Luedtke, A. Miller, Stukes, Summers, and Walker

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

Delegate Simmons moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 1019 – Delegates Murphy, Barve, Branch, Carr, Frick, Gilchrist, Howard, Hubbard, Ivey, Kipke, Luedtke, Rosenberg, Ross, Stukes, Summers, ~~and Walker~~ Walker, and Cardin

AN ACT concerning

County Boards of Education – Green Product Cleaning Supplies – Written Policies

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

Affirmative – 127 Negative – 5 (See Roll Call No. 1158)

The Bill was then sent to the Senate.

House Bill 1107 – Delegates Olszewski, Arora, Beidle, Bohanan, DeBoy, James, McDonough, Weir, and Wood

AN ACT concerning

Job Creation Tax Credit – ~~Amount of Credit and~~ Termination Provisions

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

Affirmative – 129 Negative – 1 (See Roll Call No. 1159)

The Bill was then sent to the Senate.

House Bill 1219 – Delegates Boteler, Branch, Cluster, George, Glass, Hixson, Hough, Ivey, Kach, McDermott, A. Miller, Myers, Norman, Stukes, Summers, F. Turner, Walker, and Weir

EMERGENCY BILL

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – ~~Local Approval and Reporting Requirements~~ Development or Review and Approval

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1160)

The Bill was then sent to the Senate.

House Bill 1261 – Baltimore City Delegation and Delegates Branch, Clippinger, Conaway, Glenn, Harrison, Haynes, McHale, Mitchell, Oaks, B. Robinson, Stukes, Tarrant, and Washington

AN ACT concerning

Baltimore City – Representation of Child Support Enforcement Administration – Transfer of Employees

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1161)

The Bill was then sent to the Senate.

House Bill 1457 – Charles County Delegation

AN ACT concerning

Charles County – Correctional Officers' Bill of Rights Act

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1162)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #38

Senate Bill 256 – Senator Astle

AN ACT concerning

Property and Casualty Insurance – Commercial Policies – Notices of Premium Increases

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

Affirmative – 130 Negative – 1 (See Roll Call No. 1163)

The Bill was then returned to the Senate.

Senate Bill 354 – Senators Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Alcoholic Beverages – ~~Beer, Wine, and Liquor Tasting~~ Licenses

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

The motion was adopted.

Senate Bill 377 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Baltimore City – False Advertising

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

Affirmative – 130 Negative – 0 (See Roll Call No. 1164)

The Bill was then returned to the Senate.

Senate Bill 405 – Senators Pugh, Garagiola, Forehand, Kelley, Madaleno, and Montgomery

AN ACT concerning

Life Sciences Advisory Board – Purpose and Membership

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1165)

The Bill was then returned to the Senate.

Senate Bill 534 – Senators Pugh, Currie, Gladden, and Jones–Rodwell

AN ACT concerning

Baltimore City – Alcoholic Beverages License – Repeal of Voter Registration Requirement for Licensees

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

The motion was adopted.

Senate Bill 746 – Senator Middleton

AN ACT concerning

~~Telecommunications~~ Communications Companies – Universal Service Trust Fund – Surcharge

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

Affirmative – 91 Negative – 39 (See Roll Call No. 1166)

The Bill was then returned to the Senate.

Senate Bill 764 – Senators Kelley, Klausmeier, and Mathias

AN ACT concerning

Fraudulent Insurance Acts – Individual Sureties – Contracts of Surety Insurance

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1167)

The Bill was then returned to the Senate.

Senate Bill 792 – Senators Garagiola, Glassman, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, Muse, Pugh, Raskin, Robey, ~~and Young~~ Young, Middleton, and Astle

AN ACT concerning

~~State Procurement – Banking Services Preference~~ Linked Deposit Program for Small Businesses – Lend Local Act of 2012

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

Affirmative – 125 Negative – 6 (See Roll Call No. 1168)

The Bill was then returned to the Senate.

Senate Bill 855 – Senator Raskin

AN ACT concerning

Corporations and Associations – Limited Liability Act – Revisions

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

Affirmative – 130 Negative – 0 (See Roll Call No. 1169)

The Bill was then returned to the Senate.

Senate Bill 901 – Senator Klausmeier

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1170)

The Bill was then returned to the Senate.

Senate Bill 938 – Senator Mathias

AN ACT concerning

Property and Casualty Insurance – Rescission of Policy or Binder – Authorized

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

Affirmative – 128 Negative – 3 (See Roll Call No. 1171)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #40

Senate Bill 205 – Senator Edwards

AN ACT concerning

Garrett County – Correctional Officers' Bill of Rights

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1172)

The Bill was then returned to the Senate.

Senate Bill 314 – Senators Pugh, Benson, Forehand, Garagiola, Gladden, Jones–Rodwell, King, Klausmeier, Manno, Muse, Peters, Rosapepe, and Stone

AN ACT concerning

State Personnel – Traumatic Events – Mental Health Support Services

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1173)

The Bill was then returned to the Senate.

Senate Bill 455 – Senators Middleton, Frosh, Garagiola, Jones–Rodwell, Klausmeier, and Pugh

AN ACT concerning

State Personnel – Special Appointments – Status

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

Affirmative – 96 Negative – 36 (See Roll Call No. 1174)

The Bill was then returned to the Senate.

Senate Bill 463 – Chair, Anne Arundel County Senators

AN ACT concerning

Local Government Self–Insurance Funds – Exclusion from Investment Guidelines

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

Affirmative – 129 Negative – 0 (See Roll Call No. 1175)

The Bill was then returned to the Senate.

Senate Bill 542 – Senator Jones–Rodwell

AN ACT concerning

Local Government Investment Pool – Authorized Participants

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1176)

The Bill was then returned to the Senate.

Senate Bill 606 – Senator DeGrange

AN ACT concerning

Finance and Procurement – State Treasury – Collateral

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1177)

The Bill was then returned to the Senate.

Senate Bill 680 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel Management System – Criminal History Records Check

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1178)

The Bill was then returned to the Senate.

Senate Bill 783 – Senators Pugh, Manno, Montgomery, Peters, Pinsky, Ramirez, Rosapepe, and Young

AN ACT concerning

State Personnel – Collective Bargaining – Applicability

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

Affirmative – 89 Negative – 42 (See Roll Call No. 1179)

The Bill was then returned to the Senate.

Senate Bill 880 – Senator Jones–Rodwell

AN ACT concerning

State Retirement and Pension System – Transfer of Members Between Systems

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1180)

The Bill was then returned to the Senate.

Senate Bill 885 – Senator Peters

AN ACT concerning

~~Correctional Services~~ Parole and Probation – Employee Caseloads – Disciplinary Actions

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

Affirmative – 109 Negative – 22 (See Roll Call No. 1181)

The Bill was then returned to the Senate.

Senate Bill 894 – Senator Jones–Rodwell

AN ACT concerning

Baltimore City – Representation of Child Support Enforcement Administration – Transfer of Employees

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1182)

The Bill was then returned to the Senate.

Senate Bill 899 – Senators Gladden, Kelley, Klausmeier, Raskin, and Stone

AN ACT concerning

Correctional Services – Correctional Officer – Emergency Suspension Rescinded

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1183)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #41

Senate Bill 77 – Senator Kelley

AN ACT concerning

Life Insurance and Annuities – Unfair Claim Settlement Practices – Failure to ~~Cross-Check~~ Search Death Master File

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

Affirmative – 130 Negative – 1 (See Roll Call No. 1184)

The Bill was then returned to the Senate.

Senate Bill 147 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Ethics Commission, State)

AN ACT concerning

State Government – Administrative Procedure Act – Changes to Previously Published Proposed Regulations

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1185)

The Bill was then returned to the Senate.

Senate Bill 227 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Maryland Health Care Commission – Assessment of Fees and Maryland Trauma Physician Services Fund – Revisions

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

Affirmative – 130 Negative – 0 (See Roll Call No. 1186)

The Bill was then returned to the Senate.

Senate Bill 230 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Maryland Health Care Provider Rate Stabilization Fund

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1187)

The Bill was then returned to the Senate.

Senate Bill 231 – Chair, Finance Committee (By Request – Departmental – Disabilities)

AN ACT concerning

Individuals with Disabilities – Attendant Care Program

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1188)

The Bill was then returned to the Senate.

Senate Bill 235 – The President (By Request – Administration) and Senators Garagiola, King, Madaleno, ~~and Manno~~ Manno, Rosapepe, and Benson

AN ACT concerning

Procurement – Investment Activities in Iran

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

Affirmative – 129 Negative – 0 (See Roll Call No. 1189)

The Bill was then returned to the Senate.

Senate Bill 253 – Senators Jacobs and Ferguson

AN ACT concerning

State Government – Administrative Procedure Act – ~~Proposed~~ Regulations

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1190)

The Bill was then returned to the Senate.

Senate Bill 332 – Senator Edwards

AN ACT concerning

Family Security Trust Fund – Requirement to Transfer Interest to the General Fund – Exemption

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

Affirmative – 118 Negative – 13 (See Roll Call No. 1191)

The Bill was then returned to the Senate.

Senate Bill 337 – Senator Conway

AN ACT concerning

State Board of Nursing – Nurses, Nursing Assistants, Medication Technicians, and Electrologists – Licensure and Certification Requirements

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1192)

The Bill was then returned to the Senate.

Senate Bill 343 – Senators Pugh, Benson, Conway, Forehand, Gladden, Jones–Rodwell, Kelley, King, McFadden, Montgomery, Muse, Peters, Ramirez, Raskin, and Rosapepe

AN ACT concerning

State Government – Brokerage and Investment Management Services – Use of Minority Business Enterprises – Application

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

Affirmative – 127 Negative – 5 (See Roll Call No. 1193)

The Bill was then returned to the Senate.

Senate Bill 415 – Senators Montgomery, Benson, Colburn, Forehand, Garagiola, Madaleno, Manno, McFadden, Peters, Pugh, Ramirez, Raskin, ~~and Robey~~ Robey, and Stone

AN ACT concerning

Handling Human Remains with Dignity Act of 2012

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1194)

The Bill was then returned to the Senate.

Senate Bill 776 – Senator Young

AN ACT concerning

Polysomnographic Technologists – Education and Examination Requirements

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

Affirmative – 130 Negative – 0 (See Roll Call No. 1195)

The Bill was then returned to the Senate.

Senate Bill 804 – Senators Brinkley, Colburn, Glassman, Jennings, Robey, and Stone

AN ACT concerning

Human Services – Service Animal Trainers – Nondiscrimination

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1196)

The Bill was then returned to the Senate.

Senate Bill 870 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

EMERGENCY BILL

AN ACT concerning

State Board of Physicians – Athletic Trainer Advisory Committee – ~~Sunset Extension, Program Evaluation, and Revisions~~ Education, Supervision, and Administration

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1197)

The Bill was then returned to the Senate.

Senate Bill 895 – Senator Conway

AN ACT concerning

Maryland State Board of Morticians and Funeral Directors – Permits and Registration Required to Remove and Transport Human Remains

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

Affirmative – 129 Negative – 2 (See Roll Call No. 1198)

The Bill was then returned to the Senate.

Senate Bill 921 – Senator Conway

AN ACT concerning

State Board of Nursing – Sunset Extension and Revisions

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1199)

The Bill was then returned to the Senate.

Senate Bill 954 – Senator Middleton

AN ACT concerning

Medical Records – ~~HIPAA Consistency Act of 2012~~ Enhancement or Coordination of Patient Care

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

Affirmative – 131 Negative – 1 (See Roll Call No. 1200)

The Bill was then returned to the Senate.

Senate Bill 1077 – Senator Middleton

AN ACT concerning

Mortality and Quality Review Committee – Reporting Requirements – Sunset Extension

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1201)

The Bill was then returned to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0476**
SPONSOR: Sen Klausmeier, et al
SUBJECT: State Government – Financial Education and Capability Commission

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.

Delegate Hixson moved the House recede on its amendment.

The motion was adopted.

SB0476/425966/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 476
(Third Reading File Bill)

On page 3, strike beginning with "**WHO**" in line 12 down through "**EDUCATION**" in line 13.

The House receded and the amendment was removed.

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

Affirmative – 125 Negative – 6 (See Roll Call No. 1202)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

BILL: **SB 0476**
SPONSOR: Sen Klausmeier, et al
SUBJECT: State Government – Financial Education and Capability Commission

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

The House of Delegates recedes from its position on SB 0476.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 63 – Senators Kelley, Astle, Colburn, Conway, DeGrange, Forehand, Klausmeier, Manno, Mathias, McFadden, Middleton, Pinsky, Pugh, Robey, Stone, ~~and Young~~ Young, Brochin, Jacobs, Ramirez, Raskin, Shank, and Jones–Rodwell

AN ACT concerning

Child Abuse and Neglect – ~~Failure to Provide Notice or Report – Civil Liability and Criminal Penalty~~ Notice and Reporting Requirements, Disclosure, and Task Force

FOR the purpose of expanding immunity from civil liability or criminal penalty to a person who provides or participates in providing notice of child abuse or neglect to the appropriate authorities; ~~adding a medical examiner and a parole or probation agent to the list of individuals who are specifically required to notify the appropriate authorities and make a certain report in a certain manner if the individual, acting in a professional capacity in this State, has reason to believe a child has been subjected to abuse or neglect; making it a misdemeanor, subject to a certain penalty, for certain health practitioners, police officers, educators, parole and probation agents, and human service workers to knowingly fail to provide a certain notice or make a certain report of suspected child abuse or neglect under certain circumstances;~~ requiring the Office of the Chief Medical Examiner to send an autopsy report to certain officials if the office finds a death investigated by the office was caused by or related to child abuse or neglect; ~~establishing that an individual who is specifically required to provide a certain notice or make a certain report who knowingly fails to provide the notice or make the report may be held civilly liable for damages arising from the failure to provide the notice or make the report~~ making it a misdemeanor, subject to a certain penalty, for a certain person to knowingly and willfully fail to file a certain report of abuse under certain circumstances; requiring certain entities that employ or contract with a certain person to have a certain policy relating to child abuse and neglect and to provide employees and contractors with certain information; providing that a report concerning child abuse or neglect may be disclosed on request to a certain president of a public institution of higher education or the Chancellor of the University System of Maryland under certain circumstances; establishing the Task Force to Study Training for School Employees and Volunteers on the Prevention, Identification, and Reporting of Child Sexual Abuse; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and to certain committees of the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to ~~reporting~~ child abuse and neglect.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–620
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY adding to
Article – Criminal Law
Section 3–602.2
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–704
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)
(As enacted by Chapter 635 of the Acts of the General Assembly of 1987)

BY adding to
Article – Family Law
Section 5–705.2
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–708
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 1–202(a) and (c)(2)
Annotated Code of Maryland
(2007 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–202(c)(1)(ix) and (x)
Annotated Code of Maryland
(2007 Volume and 2011 Supplement)

BY adding to
Article – Human Services
Section 1–202(c)(1)(xi)
Annotated Code of Maryland
(2007 Volume and 2011 Supplement)

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

Senate Bill 414 – Senators Brochin, Klausmeier, Stone, and Zirkin

AN ACT concerning

Juvenile Law – Taking Child into Custody – Arrest Warrant

FOR the purpose of authorizing ~~a law enforcement officer to take a child into custody with an arrest warrant issued by the court~~ an intake officer of the Department of Juvenile Services, after conducting a certain inquiry, to file with a court an application for an arrest warrant prepared by a law enforcement officer; providing certain requirements relating to an application for an arrest warrant under this Act; providing that an arrest warrant under this Act may only be issued by the court on a finding of probable cause; requiring an arrest warrant issued under this Act to direct the law enforcement officer to take immediate custody of the child who is the subject of the warrant; making a certain conforming change; and generally relating to the authority of a law enforcement officer to take a child into custody.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–14
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–14.1
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

Senate Bill 493 – Senator Gladden

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study – Study Period

FOR the purpose of updating the fiscal years included in the Maryland Consolidated Transportation Program referencing the transit project known as the "Baltimore Corridor Transit Study – Red Line" for purposes of continuing to apply certain provisions of law that specify certain factors that the Maryland Transportation Administration, in conducting the transit project, must consider and that prohibit the Administration from acquiring certain real property under certain circumstances; and generally relating to the Baltimore Corridor Transit Study.

BY repealing and reenacting, with amendments,
Chapter 2 of the Acts of the General Assembly of the 2006 Special Session, as amended by Chapter 570 of the Acts of the General Assembly of 2009
Section 1

BY repealing and reenacting, with amendments,
Chapter 3 of the Acts of the General Assembly of the 2006 Special Session, as amended by Chapter 570 of the Acts of the General Assembly of 2009
Section 1

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

Senate Bill 788 – Senators Muse, Colburn, and Ramirez

AN ACT concerning

~~Registration of Property Subject to Foreclosure~~
Real Property – Foreclosed Property Registry

FOR the purpose of ~~requiring a person authorized to make the sale of a residential or commercial property to give certain notice to the appropriate county agency within a certain number of days after filing an order to docket or a complaint to foreclose a mortgage or deed of trust on residential or commercial property located in the State; requiring a person authorized to make the sale of a residential or commercial property to provide the appropriate county agency with the contact information of a person authorized to manage and maintain the residential or commercial property; authorizing the appropriate county agency to collect a certain fee with a certain notice of a filing to foreclose on residential or commercial property; requiring the fee to be paid by the owner of record of the property subject to foreclosure; requiring the fee collected to be used for certain purposes; and generally relating to the registration of residential and commercial property subject to foreclosure in the State~~ requiring the Department of Labor, Licensing, and Regulation to establish and maintain a Foreclosed Property Registry for certain property; requiring certain foreclosure purchasers to register certain residential property and to pay certain fees under certain circumstances; authorizing a local jurisdiction to enact a local law to impose a certain civil penalty for a certain violation of this Act; imposing certain limits on access to the Foreclosed Property Registry; establishing that certain fees are nonrefundable; authorizing a local jurisdiction that takes certain actions related to a residential property on the Registry to collect the cost associated with the action as a charge on the residential property's property tax bill; requiring a local jurisdiction to give certain advance written notice before taking certain actions; establishing the Foreclosed Property Registry Fund; providing for the purpose and composition of the Fund; requiring the State Treasurer to invest money in the Fund; providing that earnings from the Fund shall be credited to the Fund; exempting the Fund from a certain provision of

law requiring interest on State money in special funds to accrue to the General Fund of the State; repealing a certain provision of law authorizing a county or municipal corporation to enact a certain local law relating to notice of a foreclosure on residential property; establishing that only the State may enact a certain law; establishing that a certain provision does not restrict or otherwise affect the ability of a unit of government to require a certain notice or registration to be filed for a certain purpose; requiring the Department to report certain information to the General Assembly on or before a certain date; establishing that this Act is not intended to repeal a certain local law; and generally relating to the Foreclosed Property Registry.

BY repealing
Article – Real Property
Section 14–126(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Real Property
Section ~~7–105.11~~ 14–126.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)62. and 63.
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)64.
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 873 – Senator Pugh

AN ACT concerning

~~Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund~~

Workgroup on Lead Liability Protection for Rental Property

FOR the purpose of ~~establishing the Lead Poisoning Compensation Fund; establishing the purposes of the Fund; establishing a Board of Trustees of the Fund; providing for the membership of the Board; establishing the duties of the Board; providing for the appointment of an Executive Director of the Fund; establishing the powers and duties of the Executive Director; providing for the appointment and removal of staff; requiring certain owners of residential rental property to pay a Lead Poisoning Compensation Fee; establishing the amount of and manner of collection of the fee; establishing that the Fund consists of certain money; providing for the uses of the Fund; establishing that the Fund is not a part of the State Treasury and that the debts and obligations of the Fund are not a debt or pledge of credit of the State; providing for the management and investment of the Fund; providing for auditing of the Fund; requiring the Fund to provide coverage for certain claims to certain persons; authorizing certain persons to obtain coverage from the Fund by paying a certain fee; authorizing the Fund to provide coverage only if a claim is not covered by any other source of insurance or indemnity; requiring the Executive Director to settle, compromise, or defend claims against the Fund; authorizing the Executive Director to authorize certain employees to record certain telephone conversations under certain circumstances; providing for the establishment and review of certain reserves; limiting the maximum amount payable by the Fund; including employees and officials of the Fund in the definition of "State personnel" for purposes of the Maryland Tort Claims Act; defining certain terms; specifying the terms of the initial members of the Board of Trustees of the Fund; and generally relating to reducing lead risk in housing and providing compensation for injuries arising out of lead poisoning~~ requiring the Maryland Insurance Commissioner to convene a certain workgroup to examine certain issues; requiring the workgroup to include certain representatives; requiring the Commissioner to report the findings and any recommendations of the workgroup on or before a certain date; and generally relating to lead liability insurance for rental property.

~~BY adding to~~
~~Article – Insurance~~
~~Section 32–101 through 32–502 to be under the new title "Title 32. Lead Poisoning Compensation Fund"~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~
~~Section 6–226(a)(2)(i)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – State Finance and Procurement~~
~~Section 6–226(a)(2)(ii)62. and 63.~~

~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

~~BY adding to~~
~~Article – State Finance and Procurement~~
~~Section 6–226(a)(2)(ii)64.~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – State Government~~
~~Section 12–101~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

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

Senate Bill 925 – Senator Gladden

AN ACT concerning

Criminal Procedure – Right of Appeal from Final Judgments – Conditional Guilty Plea

FOR the purpose of providing that an appeal from a final judgment entered following a conditional plea of guilty may be taken in accordance with the Maryland Rules; defining a certain term; and generally relating to the right of appeal from final judgments in criminal cases.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 12–302(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

Senate Bill 944 – Senator Jacobs

AN ACT concerning

Life–Threatening Injury by Motor Vehicle or Vessel While Impaired by a Controlled Dangerous Substance – Penalty
(Ava's Law)

FOR the purpose of altering the penalty for causing life–threatening injury as a result of negligently driving, operating, or controlling a motor vehicle or vessel while impaired by a controlled dangerous substance; and generally relating to controlled dangerous substance offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–211(f)
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

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

Senate Bill 990 – Senator Mathias

AN ACT concerning

Ocean City Convention Center – Financial Obligations and Taxing Authority

FOR the purpose of altering a certain provision that places a limit on the amount of certain bonds that may be issued by a local governing body in connection with a certain convention center facility in a resort area and a tax on the sale of food and beverages in the resort area so that the limit applies to the total outstanding principal amount of the bonds; extending the time during which Ocean City and the Stadium Authority each own a certain leasehold interest in the Ocean City Convention Center and its expansion; altering certain required terms of a certain agreement between the Stadium Authority and Ocean City in connection with the timing for Ocean City to become solely responsible for certain operating deficits and capital improvements and the timing for certain required contributions to a certain capital improvement reserve fund; and generally relating to financial obligations and taxing authority related to the Ocean City Convention Center and its expansion.

BY repealing and reenacting, with amendments,
Article 25B – Home Rule for Code Counties
Section 13H(b)(1)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–643(d)(5) and (f)(1)
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

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

Senate Bill 1045 – Senator Muse

AN ACT concerning

Missing Children – Search Efforts and Collaboration (Phylicia's Law)

FOR the purpose of altering a certain factor that a law enforcement agency considers when evaluating a report regarding a missing child; altering the requirement that a law enforcement agency institute appropriate search procedures to locate certain missing children to include the coordination of volunteer search teams; clarifying the name of the organization that a law enforcement agency must notify after receiving a certain missing child report; requiring the State Clearinghouse for Missing Children to ~~coordinate certain entities to locate certain missing children; requiring the Clearinghouse to oversee search efforts used to locate certain missing children; requiring the Clearinghouse to~~ publish certain information relating to missing children in the State; authorizing the Clearinghouse to establish and maintain a list of organizations and groups that provide volunteer search teams or resources relating to missing children; and generally relating to missing children.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 9–402 and 9–403
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

Senate Bill 1087 – Senators Mathias, Colburn, and DeGrange

AN ACT concerning

Local Government – Fire, Rescue, and Ambulance Funds – Distribution of Money to Volunteer Companies

FOR the purpose of requiring that each county distribute a certain minimum amount of money that the county receives from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund to volunteer fire, rescue, and ambulance companies; requiring the Director of the Maryland Emergency Management Agency to submit an annual report to the General Assembly on the amount of money distributed by each county to volunteer companies; requiring each county to include certain information in a certain report; providing for the

application of this Act; and generally relating to the distribution of money from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 8–102(a), (b), (d), and (f)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 8–103 ~~and 8–104~~, 8–104, and 8–105
Annotated Code of Maryland
(2011 Replacement Volume)

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

CONCURRENCE CALENDAR #5

AMENDED IN THE SENATE

House Bill 149 – Delegates Beidle, Olszewski, Stein, Glenn, Lafferty, Niemann, ~~and Norman~~ and Kipke

AN ACT concerning

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

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0149/238678/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 149
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, after "circumstances;" insert "requiring that an excise tax be imposed for a certificate of title for a moped or motor scooter for which sales and use tax is not collected at the time of purchase;"; in line 31, after "11–134.5," insert "13–809(a)(1) and (3),"; and in line 38, strike "13–809(a)(1), (2), and (3)," and substitute "13–809(a)(2) and (b)(1),".

On page 3, in line 1, strike ", 21–1306.1, and 23–206.2(c)" and substitute "and 21–1306.1".

AMENDMENT NO. 2

On page 12, after line 7, insert:

"(b) (1) Except as otherwise provided in this part, in addition to any other charge required by the Maryland Vehicle Law, an excise tax is imposed:

(i) For each original and each subsequent certificate of title issued in this State for a motor vehicle, a trailer, a semitrailer, **A MOPED, A MOTOR SCOOTER,** or an off–highway recreational vehicle for which sales and use tax is not collected at the time of purchase; and

(ii) Except as provided in paragraph (2) of this subsection, for each motor vehicle, trailer, or semitrailer that is in interstate operation and registered under § 13–109(c) or (d) of this title without a certificate of title.";

and in line 9, strike "**OWNER**" and substitute "**OPERATOR**".

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 – 33 (See Roll Call No. 1203)

AMENDED IN THE SENATE

House Bill 167 – Delegates Hucker, Anderson, Arora, Barve, Bobo, Carr, Carter, Conaway, Cullison, Frush, Gilchrist, Holmes, Howard, A. Kelly, Lafferty, Luedtke, Oaks, Reznik, S. Robinson, Stein, Waldstreicher, and Washington

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0167/424836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 167
(Third Reading File Bill)

On page 2, in line 9, strike "under 21 C.F.R. Part 514,"; in the same line, after the second "Administration" insert ", on review of new information under 21 C.F.R. Part 514, issues a finding that"; in line 21, strike "and"; and in line 22, after "procedures" insert "; and

(vi) water quality impacts to the Chesapeake Bay; and

(3) exposure to the arsenical additive is unavoidable and necessary".

The preceding amendment was read and concurred in.

HB0167/943422/1

BY: Senator Middleton

AMENDMENT TO HOUSE BILL 167, AS AMENDED

On page 1 of the Education, Health, and Environmental Affairs Committee Amendment (HB0167/424836/1), in line 3, strike "and"; and strike beginning with "; and" in line 4 down through "necessary" in line 6.

The preceding amendment was read and concurred in.

HB0167/853422/1

BY: Senator Colburn

AMENDMENTS TO HOUSE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "arsenic;" insert "authorizing a person to use, sell, or distribute certain commercial feed that contains histostat;".

AMENDMENT NO. 2

On page 2, in line 1, strike "**A**" and substitute "**(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**"; and after line 5, insert:

"**(B) A PERSON MAY USE, SELL, OR DISTRIBUTE FOR USE OR SALE WITHIN THE STATE ANY COMMERCIAL FEED INTENDED FOR USE AS POULTRY FEED THAT CONTAINS HISTOSTAT.**".

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 – 100 Negative – 32 (See Roll Call No. 1204)

AMENDED IN THE SENATE

House Bill 366 – Delegate Malone

AN ACT concerning

Public Safety – Building Performance Standards – ~~Fire and Life Safety~~ Automatic Fire Sprinkler Systems

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0366/524634/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 366
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "a"; and in the same line, strike "exception" and substitute "exceptions".

AMENDMENT NO. 2

On page 2, in line 16, after "**TO**" insert "**:**

(I)";

and in line 17, after "**UTILITY**" insert "**; OR**

(II) UNTIL JANUARY 1, 2016, STANDARDS GOVERNING ISSUANCE OF A BUILDING PERMIT FOR A NEW ONE– OR TWO–FAMILY DWELLING CONSTRUCTED ON:

1. A LOT SUBJECT TO A VALID UNEXPIRED PUBLIC WORKS UTILITY AGREEMENT THAT WAS EXECUTED BEFORE MARCH 1, 2011; OR

2. A LOT SERVED BY AN EXISTING WATER SERVICE LINE FROM A WATER MAIN TO THE PROPERTY LINE THAT:

A. IS LESS THAN A NOMINAL 1–INCH SIZE;

B. IS APPROVED AND OWNED BY THE PUBLIC OR PRIVATE WATER SYSTEM THAT OWNS THE MAINS;

C. WAS INSTALLED BEFORE MARCH 1, 2011; AND

D. IS FULLY OPERATIONAL FROM THE PUBLIC OR PRIVATE MAIN TO A CURB STOP OR METER PIT LOCATED AT THE PROPERTY LINE".

On page 3, in line 18, after "**TO**" insert "**:**

(I)";

in line 19, after "**UTILITY**" insert "**; OR**

(II) UNTIL JANUARY 1, 2016, STANDARDS GOVERNING ISSUANCE OF A BUILDING PERMIT FOR A NEW ONE– OR TWO–FAMILY DWELLING CONSTRUCTED ON:

1. A LOT SUBJECT TO A VALID UNEXPIRED PUBLIC WORKS UTILITY AGREEMENT THAT WAS EXECUTED BEFORE MARCH 1, 2011; OR

2. A LOT SERVED BY AN EXISTING WATER SERVICE LINE FROM A WATER MAIN TO THE PROPERTY LINE THAT:

A. IS LESS THAN A NOMINAL 1–INCH SIZE;

B. IS APPROVED AND OWNED BY THE PUBLIC OR PRIVATE WATER SYSTEM THAT OWNS THE MAINS;

C. WAS INSTALLED BEFORE MARCH 1, 2011; AND

D. IS FULLY OPERATIONAL FROM THE PUBLIC OR PRIVATE MAIN TO A CURB STOP OR METER PIT LOCATED AT THE PROPERTY LINE".

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 – 95 Negative – 37 (See Roll Call No. 1205)

AMENDED IN THE SENATE

House Bill 896 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

The Washington Suburban Sanitary ~~Commission~~ District Transparency and Rate Relief Act of 2012
PG/MC 107–12

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0896/394030/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 896
(Third Reading File Bill)

On page 2, in line 5, strike "the Effect of Changes to"; in the same line, strike "of" and substitute "in"; and in line 6, strike "Commission" and substitute "District".

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 – 0 (See Roll Call No. 1206)

AMENDED IN THE SENATE

House Bill 1373 – Chair, Environmental Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Real Property – Foreclosed Property Registry

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1373/498276/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1373
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "the" in line 6 down through "Department" in line 7 and substitute "a local jurisdiction to enact a local law"; in line 10, strike "government" and substitute "jurisdiction"; in line 11, strike "charge" and substitute "collect"; in the same line, strike "part of" and substitute "a charge on"; in line 12, strike "assessment" and substitute "bill"; in the same line, after the semicolon insert "requiring a local jurisdiction to give certain advance written notice before taking certain actions;"; in line 20, after the semicolon insert "establishing that a certain provision does not restrict or otherwise affect the ability of a unit of government to require a certain notice or registration to be filed for a certain purpose;"; and in line 21, after the semicolon insert "establishing that this Act is not intended to repeal a certain local law;".

AMENDMENT NO. 2

On page 5, in line 24, strike "**THE DEPARTMENT**" and substitute "**A LOCAL JURISDICTION**"; and in line 25, strike "**IMPOSE**" and substitute "**ENACT A LOCAL LAW THAT IMPOSES**".

AMENDMENT NO. 3

On page 5, in line 28, strike "**A**" and substitute "**(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**"; and in the same line, strike "**GOVERNMENT**" and substitute "**JURISDICTION**".

On page 6, in line 2, strike "**CHARGE**" and substitute "**COLLECT**"; in line 3, strike "**PART OF**" and substitute "**A CHARGE INCLUDED ON**"; in the same line, strike "**ASSESSMENT**" and substitute "**BILL**"; and after line 3, insert:

"**(2) (I) THE COST ASSOCIATED WITH AN ABATEMENT OR OTHER ACTION TAKEN UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE INCLUDED AS A CHARGE ON THE RESIDENTIAL PROPERTY'S PROPERTY TAX BILL UNLESS THE LOCAL JURISDICTION PROVIDES ADVANCE WRITTEN NOTICE IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH TO:**

1. THE PERSON IDENTIFIED IN THE REGISTRY WHO IS AUTHORIZED TO ACCEPT LEGAL SERVICE FOR THE FORECLOSURE PURCHASER; AND

2. THE PERSON IDENTIFIED IN THE REGISTRY WHO IS RESPONSIBLE FOR THE MAINTENANCE OF THE PROPERTY.

(II) THE NOTICE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

1. DESCRIBE THE INTENDED ABATEMENT OR OTHER ACTION THE LOCAL JURISDICTION INTENDS TO TAKE; AND

2. BE PROVIDED:

A. IN ACCORDANCE WITH THE NOTICE PROVISIONS OF THE APPLICABLE BUILDING CODE OR LOCAL ORDINANCE; OR

B. IF THE APPLICABLE BUILDING CODE OR LOCAL ORDINANCE DOES NOT PROVIDE FOR NOTICE, AT LEAST 30 DAYS BEFORE THE LOCAL JURISDICTION ABATES THE NUISANCE OR TAKES ACTION TO MAINTAIN THE PROPERTY.".

AMENDMENT NO. 4

On page 7, in line 15, strike "**ONLY**" and substitute "**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ONLY**"; in line 16, strike "**RELATING**"; in the same line, after "**TO**" insert "**REGISTER**"; and after line 17, insert:

"**(2) THIS SUBSECTION DOES NOT RESTRICT OR OTHERWISE AFFECT THE ABILITY OF A UNIT OF GOVERNMENT TO REQUIRE A REGISTRATION OR NOTICE TO BE FILED FOR A PURPOSE OTHER THAN ONE RELATING TO FORECLOSURE, EVEN IF A PROPERTY TO BE IDENTIFIED IN THE REGISTRATION OR NOTICE IS SUBJECT TO FORECLOSURE.**".

AMENDMENT NO. 5

On page 3, in line 8, strike the comma.

On page 4, in line 1, strike the second "**THE**" and substitute "**A**"; in line 15, after "**OF**" insert "**THE**"; and in line 20, strike "**CAN**" and substitute "**IS AUTHORIZED TO**".

On page 5, in line 1, strike "**THE**" and substitute "**A**"; strike beginning with "**HAS**" in line 1 down through "**OF**" in line 2 and substitute "**TRANSFERRING TITLE TO THE**"; and in line 2, after "**PROPERTY**" insert "**HAS BEEN RECORDED**".

On page 7, in lines 25 and 26, strike "December 1, 2012" and substitute "January 1, 2013".

AMENDMENT NO. 6

On page 8, after line 3, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That this Act is not intended to repeal any local law that was enacted under Chapter 149 of the Acts of the General Assembly of 2009 and that is in effect on the effective date of this Act.";

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

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 – 100 Negative – 32 (See Roll Call No. 1207)

AMENDED IN THE SENATE

House Bill 1374 – Chair, Environmental Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Real Property – Foreclosures and Mediation

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1374/528277/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1374
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "certain" in line 9 down through the first "to" in line 10; in line 11, after "processes" insert "do not apply to certain foreclosure actions on certain property"; in line 12, strike "authorizing" and substitute "requiring"; in line 16, strike "determination of vacancy" and substitute "certificate"; and in line 17, after the semicolon insert "authorizing a county or municipal corporation to charge a certain fee to issue a certain certificate;".

On page 2, in line 3, after "law;" insert "providing for the application of certain provisions of this Act;".

AMENDMENT NO. 2

On page 20, in line 22, after "**(B)**" insert "**THIS SECTION APPLIES ONLY TO A COUNTY OR MUNICIPAL CORPORATION THAT ISSUES A CERTIFICATE OF VACANCY OR A CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION.**

(C)";

and in line 26, strike "**(C)**" and substitute "**(D)**".

On page 21, in lines 4, 10, and 32, strike "**(D)**", "**(E)**", and "**(F)**", respectively, and substitute "**(E)**", "**(F)**", and "**(G)**", respectively.

AMENDMENT NO. 3

On page 20, in line 22, strike "**A**" and substitute "**IF A MORTGAGE OR DEED OF TRUST ON RESIDENTIAL PROPERTY IS IN DEFAULT, A**"; in the same line, after "**IN**" insert "**THE**"; and in line 23, strike "**THAT IS IN DEFAULT ON A MORTGAGE OR DEED OF TRUST**".

On page 21, strike beginning with "**AND**" in line 11 down through "**VACANT**" in line 12 and substitute "**OR CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION**"; in line 23, after "**FILING**" insert "**AN ORDER TO DOCKET OR COMPLAINT TO FORECLOSE BASED ON**"; strike beginning with "**INCLUDE**" in line 25 down through "**SUBTITLE**" in line 26 and substitute "**SERVE THE FORECLOSURE DOCUMENTS IN ACCORDANCE WITH § 7–105.1(H)(1) OF THIS SUBTITLE ALONG WITH**".

AMENDMENT NO. 4

On page 21, after line 3, insert:

"**(4) A COUNTY OR MUNICIPAL CORPORATION MAY CHARGE A FEE NOT EXCEEDING $100 TO A SECURED PARTY TO ISSUE A CERTIFICATE OF VACANCY OR A CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION.**".

AMENDMENT NO. 5

On page 22, after line 19, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That § 10–208(r) of the Tax – General Article, as enacted by Section 1 of this Act, shall take effect July 1, 2012, and shall be applicable to all taxable years beginning after December 31, 2011.";

in line 20, strike "4." and substitute "5."; and in the same line, after "That" insert ", except as provided in Section 4 of this Act,".

The preceding 5 amendments were read and concurred in.

HB1374/188772/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1374
(Third Reading File Bill)

On page 21, in line 4, strike "**(E)**" and substitute "**(F)**".

On page 22, in line 18, strike "§ 7–105.11(e)(2)" and substitute "§ 7–105.11(f)(2)".

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 – 0 (See Roll Call No. 1208)

AMENDED IN THE SENATE

House Bill 277 – Delegates Walker ~~and Vaughn~~, Vaughn, Pendergrass, Costa, Cullison, Hubbard, A. Kelly, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

State Government – Brokerage and Investment Management Services – Use of Minority Business Enterprises – Application

Delegate Hammen moved that the House concur in the Senate amendments.

HB0277/204036/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 277
(Third Reading File Bill)

AMENDMENT NO. 1
On page 2, in line 16, strike "11." and substitute "10.".

On page 3, strike in their entirety lines 1 through 5, inclusive.

On page 6, in line 7, strike "**11.**" and substitute "**10.**".

AMENDMENT NO. 2

On pages 14 through 16, strike in their entirety the lines beginning with line 15 on page 14 through line 15 on page 16, inclusive.

On page 18, strike beginning with "**STATE**" in line 28 down through "**AGENCY'S**" in line 29 and substitute "**MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS'**"; in lines 32 and 36, in each instance, strike "**STATE RETIREMENT AGENCY**" and substitute "**MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS**".

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 – 128 Negative – 3 (See Roll Call No. 1209)

AMENDED IN THE SENATE

House Bill 982 – Delegate Davis

AN ACT concerning

Health Insurance – Fees for Administrative Services Provided by Insurance Producers – Authorized

Delegate Hammen moved that the House concur in the Senate amendments.

HB0982/247274/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 982

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike "a certain term" and substitute "certain terms".

AMENDMENT NO. 2

On page 2, in line 11, strike "**IN THIS SUBSECTION, "ADMINISTRATIVE**" and substitute "**(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANING INDICATED.**

(II) "ADMINISTRATIVE";

in lines 15, 17, and 19, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**1.**", "**2.**", and "**3.**", respectively; and after line 20, insert:

"**(III) "HEALTH BENEFIT PLAN" HAS THE MEANING STATED IN § 2–112.2 OF THIS ARTICLE.**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131 Negative – 0 (See Roll Call No. 1210)

AMENDED IN THE SENATE

House Bill 261 – Delegates Vallario, McDermott, Anderson, Dumais, Glenn, K. Kelly, Simmons, Smigiel, Valentino–Smith, and Wilson

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – ~~Office of the Public Defender – Representation~~ Criminal Defendants – Court Appearances

Delegate Vallario moved that the House concur in the Senate amendments.

HB0261/918672/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 261
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Court" and substitute "Citations and"; and strike beginning with "prohibiting" in line 12 down through "officer" in line 14 and substitute "authorizing an individual to file an application for a statement of charges with a District Court commissioner; authorizing a District Court commissioner to issue a summons or an arrest warrant under certain circumstances; requiring a police officer to charge a person by citation for certain misdemeanors and local ordinance violations; establishing that a police officer may charge a defendant by citation only under certain circumstances; providing that, under certain circumstances, an officer who has grounds to make a warrantless arrest may issue a citation in lieu of making the arrest or make the arrest and subsequently issue a citation in lieu of continued custody".

On pages 1 and 2, strike beginning with "repealing" in line 22 on page 1 down through "proceedings;" in line 1 on page 2.

On page 2, in line 14, after "dates;" insert "requiring certain law enforcement officers to record certain information pertaining to the issuance of certain citations; requiring the Police Training Commission and the Maryland Statistical Analysis Center (MSAC), in consultation with the Administrative Office of the Courts, to develop a certain format for the recording of certain data and to develop certain procedures relating to the compilation and submission of certain data on or before a certain date; requiring the Police Training Commission to develop certain guidelines for certain data collection and a certain model policy relating to citations; requiring the MSAC to analyze certain data based on a methodology developed in conjunction with the Police Training Commission; requiring the MSAC to make certain reports to the General Assembly, the Governor, and law enforcement agencies; requiring law enforcement agencies to adopt certain policies regarding the issuance of certain citations; defining certain terms;"; in line 16, after "measure;" insert "providing for the effective date of a certain provision of this Act;"; in line 17, strike "court" and substitute "citations for and"; after line 18, insert:

"BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–607
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)";

in line 21, strike "2–607(f) and"; strike in their entirety lines 24 through 28, inclusive; in line 31, after "Section" insert "4–101 and"; and after line 33, insert:

"BY adding to
Article – Criminal Procedure
Section 4–101.1 and 5–215
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 35 on page 2 through line 12 on page 3, inclusive, and substitute:

"WHEREAS, The recent court decision in DeWolfe v. Richmond established the right of indigent defendants to counsel at bail proceedings in the State; and

WHEREAS, In 2011, over 170,000 people appeared before a District Court commissioner in the State where their liberty was subject to restriction and over 70,000 of them were granted release on personal recognizance without the benefit of the presence of counsel; and

WHEREAS, A defendant who is not represented at a bail proceeding must speak to secure his freedom and thereby risk self–incrimination and prejudice to rights; and

WHEREAS, Many defendants cannot afford bail set at even a low amount of $100 and some wait in jail for weeks before a court appearance for misdemeanor crimes; and

WHEREAS, Unnecessary pretrial detention has a severely disproportionate racial impact and major social costs; and

WHEREAS, Implementation of the changes called for by the DeWolfe decision will be extremely costly at a time when the State is already struggling with revenue shortfalls; and

WHEREAS, Alternatives to the incarceration of indigent individuals can reduce expenses to the State and local government without sacrificing public safety; and

WHEREAS, Altering the charging process for some misdemeanor crimes will improve the current administration of justice while also preserving the rights of indigent defendants; now, therefore,".

AMENDMENT NO. 3

On page 3, in line 18, strike "3" and substitute "4".

On pages 3 and 4, strike in their entirety the lines beginning with line 25 on page 3 through line 2 on page 4, inclusive, and substitute:

"(a) (1) The administrative judge of each district, with the approval of the Chief Judge of the District Court, may appoint the number of commissioners necessary to perform the functions of the office within each county.

(2) In multicounty districts, the administrative judge shall obtain the recommendation of the resident judge in each county as to the number of commissioners required in the county and as to the persons to be appointed.

(b) (1) Commissioners shall be adult residents of the counties in which they serve, but they need not be lawyers.

(2) Each commissioner shall hold office at the pleasure of the Chief Judge of the District Court, and has the powers and duties prescribed by law.

(3) Except without additional compensation, unless otherwise fixed by law, an employee of the District Court, who is an adult, may be granted, in the same manner, commissioner powers and duties in the county where the employee is employed.

(c) (1) A commissioner shall receive applications and determine probable cause for the issuance of charging documents.

(2) A commissioner shall advise arrested persons of their constitutional rights, set bond or commit persons to jail in default of bond or release them on personal recognizance if circumstances warrant, and conduct investigations and inquiries into the circumstances of any matter presented to the commissioner in order to determine if probable cause exists for the issuance of a charging document, warrant, or criminal summons and, in general, perform all the functions of committing magistrates as exercised by the justices of the peace prior to July 5, 1971.

(3) There shall be in each county, at all times, one or more commissioners available for the convenience of the public and police in obtaining

charging documents, warrants, or criminal summonses and to advise arrested persons of their rights as required by law.

(4) A commissioner may exercise the powers of office in any county to which the commissioner is assigned by the Chief Judge of the District Court or a designee of the Chief Judge of the District Court.

(5) The Chief Judge of the District Court may authorize one or more commissioners to perform the duties of a commissioner regarding persons arrested in a county other than the county in which the commissioner resides and for which the commissioner was appointed when the arrested persons are brought before the commissioner by a peace officer of the jurisdiction in which that arrest was made.

(6) (I) AN INDIVIDUAL MAY FILE AN APPLICATION FOR A STATEMENT OF CHARGES WITH A DISTRICT COURT COMMISSIONER.

(II) ON REVIEW OF AN APPLICATION FOR A STATEMENT OF CHARGES, A DISTRICT COURT COMMISSIONER MAY ISSUE A SUMMONS OR AN ARREST WARRANT.

(III) A DISTRICT COURT COMMISSIONER MAY ISSUE AN ARREST WARRANT ONLY ON A FINDING THAT:

1. THERE IS PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT COMMITTED THE OFFENSE CHARGED IN THE CHARGING DOCUMENT; AND

2. A. THE DEFENDANT PREVIOUSLY HAS FAILED TO RESPOND TO A SUMMONS THAT HAS BEEN PERSONALLY SERVED OR A CITATION;

B. THE WHEREABOUTS OF THE DEFENDANT ARE UNKNOWN AND THE ISSUANCE OF A WARRANT IS NECESSARY TO SUBJECT THE DEFENDANT TO THE JURISDICTION OF THE COURT;

C. THE DEFENDANT IS IN CUSTODY FOR ANOTHER OFFENSE; OR

D. THERE IS PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT POSES A DANGER TO ANOTHER PERSON OR TO THE COMMUNITY.

(d) (1) The authority under this subsection applies only to a respondent who is an adult.

(2) A commissioner may issue an interim order for protection of a person eligible for relief in accordance with § 4–504.1 of the Family Law Article or a petitioner in accordance with § 3–1503.1 of this article.

(e) Notwithstanding the residence requirements set out in subsection (b) of this section, the Chief Judge of the District Court or a designee of the Chief Judge of the District Court may assign a commissioner of the District Court to serve temporarily in any county.

Article – Criminal Procedure

4–101.

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

(2) (i) "Citation" means a written charging document that a police officer or fire marshal issues to a defendant, alleging the defendant has committed a crime.

(ii) "Citation" does not include an indictment, information, or statement of charges.

(3) "Fire marshal" means:

(i) the State Fire Marshal;

(ii) a deputy State fire marshal; or

(iii) as designated under § 6–304 of the Public Safety Article:

1. an assistant State fire marshal; or

2. a special assistant State fire marshal.

(4) "Police officer" has the meaning stated in § 2–101 of this article.

(b) Within areas of the National Park System, a United States Park Police officer may exercise the authority of a police officer to issue a citation under this section.

(c) (1) Subject to paragraph (2) of this subsection, in addition to any other law allowing a crime to be charged by citation, a police officer **[**may issue a**] SHALL CHARGE BY** citation for:

(i) **[**sale of an alcoholic beverage to an underage drinker or intoxicated person under Article 2B, § 12–108 of the Code;

(ii) malicious destruction of property under § 6–301 of the Criminal Law Article, if the amount of damage to the property is less than $500;

(iii) disturbing the peace or disorderly conduct under § 10–201 of the Criminal Law Article; or

(iv) misdemeanor theft under § 7–104(g)(2) or (3) of the Criminal Law Article**] ANY MISDEMEANOR OR LOCAL ORDINANCE VIOLATION THAT DOES NOT CARRY A PENALTY OF IMPRISONMENT;**

(II) ANY MISDEMEANOR OR LOCAL ORDINANCE VIOLATION FOR WHICH THE MAXIMUM PENALTY OF IMPRISONMENT IS 90 DAYS OR LESS, EXCEPT:

1. FAILURE TO COMPLY WITH A PEACE ORDER UNDER § 3–1508 OF THE COURTS ARTICLE;

2. FAILURE TO COMPLY WITH A PROTECTIVE ORDER UNDER § 4–509 OF THE FAMILY LAW ARTICLE;

3. VIOLATION OF A CONDITION OF PRETRIAL OR POSTTRIAL RELEASE WHILE CHARGED WITH A SEXUAL CRIME AGAINST A MINOR UNDER § 5–213.1 OF THIS ARTICLE;

4. POSSESSION OF AN ELECTRONIC CONTROL DEVICE AFTER CONVICTION OF A DRUG FELONY OR CRIME OF VIOLENCE UNDER § 4–109(B) OF THE CRIMINAL LAW ARTICLE;

5. VIOLATION OF AN OUT–OF–STATE DOMESTIC VIOLENCE ORDER UNDER § 4–508.1 OF THE FAMILY LAW ARTICLE; OR

6. ABUSE OR NEGLECT OF AN ANIMAL UNDER § 10–604 OF THE CRIMINAL LAW ARTICLE; OR

(III) POSSESSION OF MARIJUANA UNDER § 5–601 OF THE CRIMINAL LAW ARTICLE.

(2) A police officer may **[**issue a citation to**]** **CHARGE** a defendant **BY CITATION ONLY** if**:**

(I) the officer is satisfied with the defendant's evidence of identity **[**and**];**

(II) THE OFFICER reasonably believes that the defendant will comply with the citation**;**

(III) THE OFFICER REASONABLY BELIEVES THAT THE FAILURE TO CHARGE ON A STATEMENT OF CHARGES WILL NOT POSE A THREAT TO PUBLIC SAFETY;

(IV) THE DEFENDANT IS NOT SUBJECT TO ARREST FOR ANOTHER CRIMINAL CHARGE ARISING OUT OF THE SAME INCIDENT; AND

(V) THE DEFENDANT COMPLIES WITH ALL LAWFUL ORDERS BY THE OFFICER.

(3) A POLICE OFFICER WHO HAS GROUNDS TO MAKE A WARRANTLESS ARREST FOR AN OFFENSE THAT MAY BE CHARGED BY CITATION UNDER THIS SUBSECTION MAY:

(I) ISSUE A CITATION IN LIEU OF MAKING THE ARREST; OR

(II) MAKE THE ARREST AND SUBSEQUENTLY ISSUE A CITATION IN LIEU OF CONTINUED CUSTODY.

(d) (1) Subject to paragraph (2) of this subsection, in addition to any other law allowing a crime to be charged by citation, a fire marshal may issue a citation for:

(i) discharging fireworks without a permit under § 10–104 or § 10–110 of the Public Safety Article;

(ii) possessing with intent to discharge or allowing the discharge of fireworks under § 10–104 or § 10–110 of the Public Safety Article; or

(iii) maintaining a fire hazard under § 6–317 of the Public Safety Article.

(2) A fire marshal may issue a citation if the fire marshal is satisfied with the defendant's evidence of identity and reasonably believes that the defendant will comply with the citation.

(e) (1) This section does not apply to a citation that is:

(i) authorized for a violation of a parking ordinance or a regulation adopted by a State unit or political subdivision of the State under Title 26, Subtitle 3 of the Transportation Article;

(ii) authorized by the Department of Natural Resources under § 1–205 of the Natural Resources Article; or

(iii) authorized by Baltimore City under § 16–16A (special enforcement officers) of the Code of Public Local Laws of Baltimore City for violation of a code, ordinance, or public local law of Baltimore City concerning building, housing, health, fire, safety, zoning, or sanitation.

(2) Except as otherwise expressly provided by law, the Chief Judge of the District Court shall prescribe a uniform, statewide form of a citation.

(3) Except for the uniform motor vehicle citation form, the law enforcement agencies of the State, the United States Park Police, and the Office of the State Fire Marshal shall reimburse the District Court for printing the citation forms that law enforcement officers and the State Fire Marshal require.".

AMENDMENT NO. 4

On page 5, in line 10, strike "Representation" and substitute "**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, REPRESENTATION**"; in line 11, strike the brackets; and in line 20, strike "3." and substitute "4.".

AMENDMENT NO. 5

On page 6, strike beginning with "Quinton" in line 13 down through "litigation" in line 14 and substitute "DeWolfe v. Richmond litigation".

AMENDMENT NO. 6

On page 7, after line 31, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Criminal Procedure

4–101.1.

(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.

(B) THE POLICE TRAINING COMMISSION AND THE MARYLAND STATISTICAL ANALYSIS CENTER, IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF THE COURTS, SHALL DEVELOP A FORMAT FOR THE EFFICIENT RECORDING OF DATA REQUIRED TO BE SUBMITTED UNDER SUBSECTION (E) OF THIS SECTION.

(C) ON OR BEFORE DECEMBER 31, 2012, THE POLICE TRAINING COMMISSION, IN CONSULTATION WITH THE MARYLAND STATISTICAL ANALYSIS CENTER, SHALL DEVELOP:

(1) GUIDELINES THAT EACH LAW ENFORCEMENT AGENCY MAY USE AS A MANAGEMENT TOOL TO EVALUATE DATA COLLECTED UNDER SUBSECTION (E) OF THIS SECTION FOR USE IN COUNSELING AND IMPROVED TRAINING; AND

(2) A MODEL POLICY AGAINST THE ISSUANCE OF A CITATION ON THE BASIS OF RACE THAT A LAW ENFORCEMENT AGENCY CAN USE IN DEVELOPING ITS POLICY IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION.

(D) THIS SECTION APPLIES TO EACH LAW ENFORCEMENT AGENCY THAT HAS ONE OR MORE LAW ENFORCEMENT OFFICERS.

(E) EACH TIME A LAW ENFORCEMENT OFFICER ISSUES A CITATION IN ACCORDANCE WITH § 4–101 OF THIS SUBTITLE, THAT OFFICER SHALL REPORT

THE FOLLOWING INFORMATION ON THE MARYLAND UNIFORM CITATION FORM CONSISTENT WITH THE PROCEDURES DEVELOPED UNDER SUBSECTION (F) OF THIS SECTION USING THE FORMAT DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION:

(1) THE DATE, LOCATION, AND TIME OF THE ISSUANCE OF THE CITATION;

(2) THE OFFENSE CHARGED;

(3) THE GENDER OF THE OFFENDER;

(4) THE DATE OF BIRTH OF THE OFFENDER;

(5) THE STATE AND, IF AVAILABLE, THE COUNTY OF RESIDENCE OF THE OFFENDER; AND

(6) THE RACE OR ETHNICITY OF THE OFFENDER AS:

(I) ASIAN;

(II) BLACK;

(III) HISPANIC;

(IV) WHITE; OR

(V) OTHER.

(F) ON OR BEFORE DECEMBER 31, 2012, THE POLICE TRAINING COMMISSION AND THE MARYLAND STATISTICAL ANALYSIS CENTER, IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF THE COURTS, SHALL DEVELOP A PROCEDURE FOR:

(1) THE COMPILATION OF DATA REQUIRED TO BE COLLECTED UNDER THIS SECTION FOR THE CALENDAR YEAR AS A REPORT IN THE FORMAT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION; AND

(2) THE SUBMISSION OF THE REPORT TO THE MARYLAND STATISTICAL ANALYSIS CENTER NO LATER THAN MARCH 1 OF THE FOLLOWING CALENDAR YEAR BEGINNING ON MARCH 1, 2014.

(G) (1) THE MARYLAND STATISTICAL ANALYSIS CENTER SHALL ANALYZE THE ANNUAL REPORTS SUBMITTED UNDER SUBSECTION (F) 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 BEGINNING ON SEPTEMBER 1, 2014.

(H) (1) A LAW ENFORCEMENT AGENCY SHALL ADOPT A POLICY AGAINST THE ISSUANCE OF A CITATION ON THE BASIS OF RACE 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 ISSUE A CITATION.

(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 UNDER SUBSECTION (E) OF THIS SECTION AND TO REVIEW THE ANNUAL REPORT OF THE MARYLAND

STATISTICAL ANALYSIS CENTER FOR PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2013.".

On page 8, in line 1, strike "4." and substitute "7."; in line 4, strike "2" and substitute "3"; after line 5, insert:

"SECTION 8. AND BE IT FURTHER ENACTED, That, beginning January 1, 2013, data shall be collected under Section 5 of this Act through December 31, 2017, and the Maryland Statistical Analysis Center shall issue a final report of its findings to the Governor, the General Assembly, in accordance with § 2–1246 of the State Government Article, and each law enforcement agency on or before August 31, 2018.";

in line 6, strike "5." and substitute "9."; in line 9, strike ", and" and substitute "and, except as provided in Section 6 of this Act,"; in lines 10 and 12, in each instance, strike "3" and substitute "4"; and in line 13, after the period insert "Section 5 of this Act shall remain effective until September 1, 2018, and, at the end of August 31, 2018, with no further action required by the General Assembly, Section 5 of this Act shall be abrogated and of no further force and effect.".

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 – 132 Negative – 0 (See Roll Call No. 1211)

SPECIAL ORDERS

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

House Bill 1166 – Delegate Love

AN ACT concerning

Gaming – Instant Bingo – Electronic Machines

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DELEGATE BROMWELL PENDING.

FLOOR AMENDMENT

HB1166/433921/1
BY: Delegate Bromwell

AMENDMENTS TO HOUSE BILL 1166, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Committee on Ways and Means Amendments (HB1166/945264/2), in Amendment No. 1, strike beginning with "and" in line 1 down through "provisions" in line 2; and in line 3, after "correction" insert "; providing that this Act does not apply to the legal operation of amusement games licensed by certain counties".

AMENDMENT NO. 2

On page 12 of the Committee on Ways and Means Amendments, in line 2 of Amendment No. 4, strike "7." and substitute "8."; strike beginning with the colon in line 2 down through "(1)" in line 3; and strike beginning with "; and" in line 4 down through "County" in line 6 and substitute ".

SECTION 7. AND BE IT FURTHER ENACTED, That this Act does not apply to the legal operation of amusement games licensed by Baltimore City and Baltimore County".

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

Affirmative – 61 Negative – 65 (See Roll Call No. 1212)

Read the second time and ordered prepared for Third Reading.

Senate Bill 864 – Senator DeGrange

AN ACT concerning

Gaming – ~~Instant Bingo –~~ Electronic Machines – Regulation

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

FLOOR AMENDMENT

SB0864/705863/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 864, AS AMENDED
(Third Reading File Bill)

In the Committee on Ways and Means Amendments (SB0864/155668/1), in line 2 of Amendment No. 1, strike "tip jar gaming and".

In the Committee on Ways and Means Amendments, in line 5 of Amendment No. 2, strike "**TIP JAR GAMING OR**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 947 – Delegates F. Turner, Afzali, Boteler, Branch, Glass, Howard, Ivey, Luedtke, A. Miller, Stukes, Summers, and Walker

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

STATUS OF BILL: BILL ON 3RD READING.

Delegate Simmons moved to reconsider the vote by which **House Bill 947** was ordered printed for Third Reading.

The motion was adopted.

FLOOR AMENDMENT

HB0947/603922/1

BY: Delegate Simmons

AMENDMENTS TO HOUSE BILL 947
(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in line 13, after "circumstances;" insert "prohibiting certain funds from being used to contribute to a campaign finance entity or make an independent expenditure;".

AMENDMENT NO. 2

On page 2, in line 31, after "(g)" insert "**(1)**"; and in line 33, strike "(1)" and substitute "**(I)**".

On page 3, in line 3, strike "(2)" and substitute "**(II)**"; and after line 8, insert:

"**(2) FUNDS RECEIVED BY OCEAN DOWNS RACE COURSE OR ROSECROFT RACEWAY UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE USED TO CONTRIBUTE TO A CAMPAIGN FINANCE ENTITY UNDER TITLE 13 OF THE ELECTION LAW ARTICLE OR MAKE AN INDEPENDENT EXPENDITURE AS DEFINED IN § 1–101 OF THE ELECTION LAW ARTICLE.**".

On page 4, in line 29, after "**(G)**" insert "**(1)**".

On page 5, in lines 1 and 7, strike "**(1)**" and "**(2)**", respectively, and substitute "**(I)**" and "**(II)**", respectively; and after line 12, insert:

"**(2) FUNDS RECEIVED BY OCEAN DOWNS RACE COURSE OR ROSECROFT RACEWAY UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE USED TO CONTRIBUTE TO A CAMPAIGN FINANCE ENTITY UNDER TITLE 13 OF THE ELECTION LAW ARTICLE OR MAKE AN INDEPENDENT EXPENDITURE AS DEFINED IN § 1–101 OF THE ELECTION LAW ARTICLE.**".

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

Affirmative – 66 Negative – 58 (See Roll Call No. 1213)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #20

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 419 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Law – Litter Control ~~Regulations and Penalties~~ Law – Enforcement

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

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

Senate Bill 784 – Senators Muse, Colburn, Kittleman, and Klausmeier

AN ACT concerning

Department of Health and Mental Hygiene – 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 Health and Government Operations:

Senate Bill 1069 – Senator Pugh

AN ACT concerning

State Government – Statue of Harriet Tubman

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

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 94** SPONSOR: **Delegate Haddaway–Riccio**

SUBJECT: **Vehicle Laws – Special and Commemorative Registration Plates**

THIRD READING CALENDAR HOUSE NO. **5** SENATE NO. **2**

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 (HB0094/788473/1) be rejected.

Senate Members:	House Members:
Chair, **Lisa A. Gladden**	Chair, **James E. Malone, Jr.**
Jennie M. Forehand	**Dana Stein**
did not sign **Joseph M. Getty**	**Herb McMillan**

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 – 130 Negative – 0 (See Roll Call No. 1214)

The Bill was then sent to the Senate.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #24

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

Senate Bill 994 – Senator Brinkley

AN ACT concerning

Environment – Temporary Dewatering Devices and Well Drilling – Notification to Municipalities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

AMENDED IN THE SENATE

House Bill 607 – Delegates Hucker, Aumann, Barkley, Bobo, Burns, Carr, Dumais, Elliott, Frush, Gutierrez, Haddaway–Riccio, Impallaria, A. Kelly, Kramer, Krebs, Lafferty, W. Miller, Olszewski, Pendergrass, Reznik, S. Robinson, Rudolph, Szeliga, ~~and Waldstreicher~~ Waldstreicher, Barnes, Braveboy, Davis, Feldman, Harrison, Hershey, Jameson, Love, McHale, Minnick, Schuh, Schulz, Stifler, and Vaughn

AN ACT concerning

National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

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

HB0607/798778/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 607
(Third Reading File Bill)

On page 3, in line 9, strike "**$1,000**" and substitute "**$250**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0607**
SPONSOR: Del Hucker, et al
SUBJECT: National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

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.

RECONSIDERATION

Delegate F. Turner moved to reconsider the vote by which **House Bill 1166** was ordered printed for Third Reading.

The motion was adopted.

House Bill 1166 – Delegate Love

AN ACT concerning

Gaming – Instant Bingo – Electronic Machines

FLOOR AMENDMENT

HB1166/455961/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1166, AS AMENDED

On page 1 of the Committee on Ways and Means Amendments (HB1166/945264/2), in line 7 of Amendment No. 1, strike "tip jar gaming and".

On page 3 of the Committee on Ways and Means Amendments, in line 19 of Amendment No. 2, strike "**TIP JAR GAMING OR**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Delegate Bromwell moved that a Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 29 Negative – 99 (See Roll Call No. 1215)

In compliance with the rules, the Bill was not introduced.

Delegate McDermott moved the House Joint Resolution be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 115 Negative – 8 (See Roll Call No. 1216)

In compliance with the rules, the House Joint Resolution was introduced.

House Joint Resolution 16 – Delegate McDermott

A House Joint Resolution concerning

Hudson Family Farm

FOR the purpose of expressing regret to the Hudson family for the role that the State and the State university system may have played in the lawsuit against the Hudson family farm; and providing a certain reassurance to farm families in the State.

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

QUORUM CALL

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

(See Roll Call No. 1217)

ADJOURNMENT

At 1:25 P.M. on motion of Delegate Barve the House adjourned until 5:00 P.M. on Legislative Day April 3, 2012, Calendar Day Saturday, April 7, 2012.

Annapolis, Maryland
Legislative Day: April 3, 2012
Calendar Day: Saturday, April 7, 2012

The House met at 5:29 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 127 Members present.

(See Roll Call No. 1218)

The Journal of April 2, 2012 was read and approved.

EXCUSES:
Del. Bates – business
Del. Bobo – illness
Del. Cane – business
Del. Frick – left early – personal
Del. McDonough – business
Del. Minnick – illness
Del. Mizeur – personal
Del. Myers – personal
Del. Pendergrass – personal
Del. Rudolph – left early – personal
Del. Schuh – personal
Del. Sophocleus – illness
Del. Tarrant – personal
Del. V. Turner – medical

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 7	Del. Olszewski
HB 172	Del. Kipke
HB 182	St. Mary's County Del.
HB 276	Del. Hubbard

HB 440	The Speaker
HB 499	Del. Niemann
HB 545	Del. Anderson
HB 573	Del. K. Kelly
HB 589	Del. A. Miller
HB 707	Del. Valentino–Smith
HB 713	Del. Feldman
HB 757	Del. Luedtke
HB 766	Del. Vallario
HB 772	Del. Waldstreicher
HB 801	Del. Griffith
HB 875	Del. Conway
HB 884	Del. Summers
HB 900	PG/Montgomery Co. Del.
HB 942	Del. Vallario
HB 957	Del. Cullison
HB 964	Del. Washington
HB 991	Del. Rosenberg
HB 1031	Del. Alston
HB 1124	St. Mary's County Del.
HB 1126	Del. Schulz
HB 1130	The Speaker
HB 1141	Del. Pendergrass
HB 1188	Del. Ross
HB 1227	Del. Busch
HB 1238	Del. Dumais
HB 1264	Howard County Del.
HB 1303	Ch., Envir. Mat. Com.
HB 1340	Del. Cullison
HB 1369	Ch. Hlth & Govt Ops
HB 1370	Ch. Hlth & Govt Ops
HB 1418	Del. Anderson
HB 1435	Del. Stukes

Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 292** SPONSOR: **Delegate Glenn**

SUBJECT: **Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements**

THIRD READING CALENDAR HOUSE NO. **38** SENATE NO. **2**

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 Senate Judicial Proceedings Committee Amendments (HB0292/998070/1) be rejected.

(2) That the attached Conference Committee Amendment (HB0292/483322/1) be adopted.

HB0292/483322/1
BY: Conference Committee

AMENDMENT TO HOUSE BILL 292
(Third Reading File Bill)

On page 3, in line 16, strike "**19**" and substitute "**14**".

On page 4, in line 9, strike "**19**" and substitute "**14**".

Senate Members:	House Members:
Chair, **Jamie Raskin**	Chair, **James E. Malone, Jr.**
James Brochin	**Cheryl D. Glenn**
Christopher B. Shank	**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 – 125 Negative – 0 (See Roll Call No. 1219)

The Bill was then sent to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 496** SPONSOR: **Senator Gladden**

SUBJECT: **Crim Procedure – Unexecuted Warrant, Summons, or Other Crim Process – Invalidation and Destruction**

THIRD READING CALENDAR HOUSE NO. **15** SENATE NO. **38**

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 (SB0496/472016/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0496/783820/1) be adopted.

SB0496/783820/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 496
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "circumstances;" insert "authorizing the State's Attorney to petition a certain administrative judge for the invalidation and destruction of a certain unexecuted warrant, summons, or other criminal process;"; and in line 14, after "warrant" insert ", summons,".

AMENDMENT NO. 2

On page 2, strike beginning with "**AN**" in line 8 down through "**PROCESS**" in line 16 and substitute "**A WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS FOR A MISDEMEANOR OFFENSE IN THE POSSESSION OF THE LAW ENFORCEMENT AGENCY INVALIDATED AND DESTROYED DUE TO THE AGE OF THE UNEXECUTED WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS AND UNAVAILABILITY OF THE DEFENDANT, OR OTHER SPECIAL CIRCUMSTANCES, IF:**

(1) THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS WAS ISSUED FOR THE ARREST OF THE DEFENDANT IN ORDER THAT THE DEFENDANT MIGHT STAND FOR TRIAL AND HAS REMAINED UNEXECUTED FOR AT LEAST 5 YEARS;

(2) THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS WAS ISSUED FOR THE FAILURE OF THE DEFENDANT TO MAKE A DEFERRED PAYMENT OF A FINE OR COSTS AS ORDERED BY THE COURT AND HAS REMAINED UNEXECUTED FOR AT LEAST 5 YEARS;

(3) THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS WAS ISSUED FOR A VIOLATION OF PROBATION AND HAS REMAINED UNEXECUTED FOR AT LEAST 5 YEARS;

(4) EXCEPT AS PROVIDED IN ITEM (5) OF THIS SUBSECTION, THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS WAS ISSUED FOR THE ARREST OF THE DEFENDANT FOR THE FAILURE OF THE DEFENDANT TO APPEAR AS DIRECTED BY THE COURT AND HAS REMAINED UNEXECUTED FOR AT LEAST 5 YEARS; OR

(5) THE DEFENDANT WAS RELEASED ON BAIL POSTED BY A PRIVATE SURETY, AND THE WARRANT WAS ISSUED FOR THE ARREST OF THE DEFENDANT FOR THE FAILURE OF THE DEFENDANT TO APPEAR AS DIRECTED BY THE COURT AND HAS REMAINED UNEXECUTED FOR AT LEAST 10 YEARS.

(B) (1) ON RECEIPT OF A REQUEST MADE UNDER SUBSECTION (A)(1), (A)(2), (A)(3), OR (A)(4) OF THIS SECTION, THE STATE'S ATTORNEY:

(I) IF THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS HAS REMAINED UNEXECUTED FOR MORE THAN 5 YEARS BUT LESS THAN 7 YEARS, MAY PETITION THE ADMINISTRATIVE JUDGE OF THE DISTRICT FOR THE INVALIDATION AND DESTRUCTION OF THE UNEXECUTED WARRANT, SUMMONS, OR OTHER PROCESS; AND

(II) IF THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS HAS REMAINED UNEXECUTED FOR AT LEAST 7 YEARS, SHALL PETITION THE ADMINISTRATIVE JUDGE OF THE DISTRICT FOR THE INVALIDATION AND DESTRUCTION OF THE UNEXECUTED WARRANT, SUMMONS, OR OTHER PROCESS.

(2) ON RECEIPT OF A REQUEST MADE UNDER SUBSECTION (A)(5) OF THIS SECTION, THE STATE'S ATTORNEY SHALL PETITION THE ADMINISTRATIVE JUDGE OF THE DISTRICT FOR THE INVALIDATION AND DESTRUCTION OF THE UNEXECUTED WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS".

Senate Members:	House Members:
Chair, **Lisa A. Gladden**	Chair, **Joseph F. Vallario, Jr.**
Victor R. Ramirez	did not sign **Jill P. Carter**
Christopher B. Shank	**Michael D. Smigiel, Sr.**

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 – 101 Negative – 26 (See Roll Call No. 1220)

The Bill was then returned to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0659**
SPONSOR: Sen Pinsky, et al
SUBJECT: State Procurement – Preference and Disclosure – Location of the Performance of Services

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 0659**
SPONSOR: Sen Pinsky, et al
SUBJECT: State Procurement – Preference and Disclosure – Location of the Performance of Services

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 Pena–Melnyk, Chairman
Delegate Oaks, and
Delegate Ready.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #25

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

House Bill 866 – Delegate Feldman

AN ACT concerning

Title Insurance – Closing or Settlement Protection

HB0866/903897/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 866
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Protection" insert "Practices – Study"; strike beginning with "certain" in line 3 down through the second "Act;" in line 22 and substitute "the Maryland Insurance Commissioner to study closing or settlement protection practices of the title insurance industry and to make certain recommendations; requiring the Commissioner to consider certain matters in conducting the study; authorizing the Commissioner to consult with certain persons and entities in conducting the study; requiring the Commissioner to report certain findings and recommendations to certain committees of the General Assembly on or before a certain date;"; and in line 23, strike "title insurance protection" and substitute "a study of closing and settlement protection practices of the title insurance industry".

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 6, strike "the Laws of Maryland read as follows"; and after line 6, insert:

"(a) The Maryland Insurance Commissioner shall:

(1) study closing or settlement protection practices of the title insurance industry, including mechanisms for, and associated costs of, compensating

consumers, title insurers, mortgage lenders, and other parties for monetary losses that result from the theft, misappropriation, or misuse of funds held in escrow by a title insurance producer in connection with a real estate transaction; and

(2) make recommendations for changes to the closing and settlement protection practices of the title insurance industry in the State.

(b) In conducting the study, the Commissioner shall consider:

(1) title insurance producer defalcations reported to the Maryland Insurance Administration by title insurers;

(2) title insurance producer defalcations discovered by the Administration as a result of a complaint received by the Administration;

(3) the extent to which any regulations relating to the on–site review by title insurers of their appointed title insurance producers have addressed the problem of title insurance producer defalcations;

(4) the availability and affordability of fidelity bonds, escrow bonds, reinsurance, or other coverage to protect title insurers against the theft, misappropriation, or misuse of closing or settlement funds by its appointed title insurance producers, other agents, or employees;

(5) the manner in which closing or settlement protection is being addressed by other states, the National Association of Insurance Commissioners, and the National Coalition of Insurance Legislators; and

(6) any other relevant matter, as determined by the Commissioner.

(c) In conducting the study, the Commissioner may consult with any person or entity that the Commissioner determines appropriate, including representatives of:

(1) the title insurance industry;

(2) title insurance producers;

(3) mortgage lenders;

(4) the Division of Consumer Protection of the Office of the Attorney General;

(5) the real estate industry; and

(6) the Maryland Real Estate Commission.

(d) On or before December 1, 2012, the Commissioner shall report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, on the findings and recommendations of the study conducted by the Commissioner under this section.".

On pages 2 through 6, strike in their entirety the lines beginning with line 7 on page 2 through line 23 on page 6, inclusive.

On page 6, in line 24, strike "4." and substitute "2."; and strike beginning with the second comma in line 24 down through "Act," in line 25.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 984 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1006 – Senator Middleton

AN ACT concerning

Maryland Automobile Insurance Fund – Fund Producers – Commissions

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 1024 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Multiple 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 1059 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Comptroller – Departments of Liquor Control and Liquor Control Boards

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #26

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

Senate Bill 668 – Senators Mathias, Colburn, Middleton, and Pipkin

AN ACT concerning

Corporations and Associations – Electric Cooperatives – Electronic Notices and Voting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #23

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

House Bill 161 – Delegates George, Barnes, Beidle, Frush, Kipke, and Sophocleus

AN ACT concerning

Courts and Judicial Proceedings – Circuit Court for Anne Arundel County – Fees for Appearance of Counsel

HB0161/852211/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 161
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegates George, Barnes, Beidle, Frush, Kipke, and Sophocleus" and substitute "Anne Arundel County Delegation"; and strike beginning with "authorizing" in line 5 down through "fee;" in line 7.

AMENDMENT NO. 2

On page 3, in line 15, strike "**$20**" and substitute "**$10**".

AMENDMENT NO. 3

On page 3, in line 20, strike "**COURT OF SPECIAL APPEALS OR**".

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 80 – Senator Zirkin

AN ACT concerning

Courts – Evidence – Vehicle Repair Estimates

SB0080/952214/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 80
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "estimate;" insert "establishing that certain provisions relating to the admissibility of written vehicle repair estimates apply only to a civil action in the District Court;".

AMENDMENT NO. 2

On page 2, in line 1, after "(a)" insert "**(1)**"; in the same line, strike "The" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**"; in lines 2 and 3, strike "(1)" and "(2)", respectively, and substitute "**(I)**" and "**(II)**", respectively; and after line 5, insert:

"**(2) THE PROVISIONS OF THIS SECTION PROVIDING THAT A WRITTEN VEHICLE REPAIR ESTIMATE IS ADMISSIBLE WITHOUT THE TESTIMONY OF THE PREPARER OF THE VEHICLE REPAIR ESTIMATE APPLY ONLY TO A CIVIL ACTION IN THE DISTRICT COURT.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 198 – Chair, Anne Arundel County Senators

AN ACT concerning

Courts and Judicial Proceedings – Circuit Court for Anne Arundel County – Fees for Appearance of Counsel

SB0198/732411/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 198
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 5 down through "fee;" in line 7.

AMENDMENT NO. 2

On page 3, in line 18, strike "**$20**" and substitute "**$10**".

AMENDMENT NO. 3

On page 3, in line 23, strike "**COURT OF SPECIAL APPEALS OR**".

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 WAYS AND MEANS REPORT #22

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

Senate Bill 292 – Senators Garagiola, Astle, Benson, Brinkley, Colburn, DeGrange, Dyson, Ferguson, Forehand, Frosh, Glassman, Jacobs, Jennings, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, Middleton, Miller, Muse, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Rosapepe, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Education – Veterans of the Afghanistan and Iraq Conflicts Scholarship – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 362 – Senators Pugh, Benson, Conway, Currie, Forehand, Garagiola, Jones–Rodwell, Madaleno, McFadden, ~~and Stone~~ Stone, Ferguson, Pinsky, and Rosapepe

AN ACT concerning

Education – Age for Compulsory Public School Attendance – Exemptions

SB0362/765762/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 362
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "instruction;" insert "requiring certain children to return to attendance at school under certain circumstances; requiring the State Department of Education to complete certain tasks on or before a certain date; requiring the State Department of Education, in consultation with the Department of Labor, Licensing, and Regulation, to develop a certain program and request necessary legislation on or before a certain date; requiring the county boards of education to submit certain plans to the State Department of Education on or before a certain date; requiring the State Department of Education to submit certain reports to certain persons and entities on or before certain dates;"; in line 7, after "changes;" insert "providing for the application of this Act;"; and in line 16, strike "and (e)(2)" and substitute "(e)(2), and (g)".

AMENDMENT NO. 2

On page 2, in lines 14 and 15, strike "**, INCLUDING HOME SCHOOLING UNDER COMAR 13A.10.01**"; after line 15, insert:

"**(4) HAS COMPLETED AN INSTRUCTION PROGRAM UNDER PARAGRAPH (3) OF THIS SUBSECTION;**";

and in lines 16, 18, 19, 20, 22, 24, 26, and 28, strike "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", "**(10)**", and "**(11)**", respectively, and substitute "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", "**(10)**", "**(11)**", and "**(12)**", respectively.

On page 3, in line 1, strike "**(12)**" and substitute "**(13)**"; and in line 6, strike "**(13)**" and substitute "**(14)**".

On page 6, in lines 6 and 7, strike ", including home schooling under COMAR 13A.10.01"; after line 7, insert:

"(4) Has completed an instruction program under paragraph (3) of this subsection;";

and in lines 8, 9, 10, 11, 13, 15, 17, 19, 20, and 24, strike "(4)", "(5)", "(6)", "(7)", "(8)", "(9)", "(10)", "(11)", "(12)", and "(13)", respectively, and substitute "(5)", "(6)", "(7)", "(8)", "(9)", "(10)", "(11)", "(12)", "(13)", and "(14)", respectively.

AMENDMENT NO. 3

On page 3, in lines 4 and 5, strike "**OR PARTICIPATES IN GED COURSES ON A PART–TIME BASIS**".

On page 5, after line 25, insert:

"**(G) SUBJECT TO DATA BEING AVAILABLE THROUGH THE MARYLAND LONGITUDINAL DATA SYSTEM ESTABLISHED UNDER § 24–702 OF THIS ARTICLE AND EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A CHILD UNDER THE AGE OF 17 YEARS SHALL RETURN TO ATTENDANCE AT A PUBLIC SCHOOL REGULARLY DURING THE SCHOOL YEAR AS REQUIRED BY THIS SECTION, IF THE CHILD:**

(1) IS NO LONGER PARTICIPATING IN GED COURSES; AND

(2) HAS NOT OBTAINED A PASSING SCORE ON THE GED TEST THAT RESULTED IN THE ISSUANCE OF A MARYLAND HIGH SCHOOL DIPLOMA.".

On page 6, in lines 22 and 23, strike "or participates in GED courses on a part–time basis".

On page 7, after line 8, insert:

"(g) Subject to data being available through the Maryland Longitudinal Data System established under § 24–702 of this article and except as otherwise provided in this section, a child under the age of **[**17**] 18** years shall return to attendance at a public school regularly during the school year as required by this section, if the child:

(1) Is no longer participating in GED courses; and

(2) Has not obtained a passing score on the GED test that resulted in the issuance of a Maryland high school diploma.".

AMENDMENT NO. 4

On page 7, before line 9, insert:

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

(a) On or before December 1, 2012, the State Department of Education shall:

(1) update the Drop Out Prevention/School Completion/Intervention/Resource Guide, synthesize the information, and analyze the effectiveness of local programs and services;

(2) report on the methodology for estimating the expected number of students per local school system that will remain in school as a result of this Act;

(3) estimate how to calculate State aid based on this methodology; and

(4) review available data from other states that have increased their compulsory age of attendance during the last decade.

(b) On or before December 1, 2012, the State Department of Education, in consultation with the Department of Labor, Licensing, and Regulation, shall develop a GED Options Program and request the departmental legislation necessary to implement the Program.

(c) On or before July 1, 2013, each county board of education shall submit a report to the State Department of Education on its plans for implementation of the provisions of this Act.

(d) On or before September 1, 2013, the State Department of Education shall submit to the Governor, the Secretary of Budget and Management, and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House Ways and Means Committee, and the House Appropriations Committee a compilation of the reports submitted by the county boards of education under subsection (c) of this section and any recommendations for programs, interventions, and services that are necessary prior to implementation of this Act.

(e) On or before September 1, 2013, the State Department of Education shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on:

(1) successful interventions at the early childhood and elementary school level;

(2) best practices for parental education and involvement; and

(3) alternative educational pathways.

(f) On or before March 1, 2016, the State Department of Education shall submit a preliminary report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act.

(g) On or before August 1, 2016, the State Department of Education shall submit a final report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the implementation of Section 1 of this Act.

(h) On or before August 1, 2018, the State Department of Education shall submit a final report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the implementation of Section 2 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to:

(1) any child who is 16 years old or older before July 1, 2015; or

(2) any child who is 17 years old or older before July 1, 2017.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2015.";

in line 9, strike "3." and substitute "6."; in line 10, strike "2016" and substitute "2017"; in line 11, strike "4." and substitute "7."; in line 12, strike "Section 3" and substitute "Sections 5 and 6"; and in the same line, strike "June 1, 2014" and substitute "July 1, 2012".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 364 – Senator Ferguson

AN ACT concerning

Loan Assistance Repayment Program – Nancy Grasmick Teacher ~~Grant~~ Scholars

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 674 – Senator Rosapepe

EMERGENCY BILL

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – ~~Local Approval and Reporting Requirements~~ Development or Review and Approval

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 708 – Senator Montgomery

AN ACT concerning

County Boards of Education – Green Product Cleaning Supplies – Written Policies

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #23

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

Senate Bill 365 – Senators Garagiola, Astle, Benson, Colburn, Currie, DeGrange, Dyson, Ferguson, Forehand, Frosh, Glassman, Jennings, Kasemeyer, King, Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

Higher Education – ~~Volunteer Firefighters~~ The Charles W. Riley Fire and Emergency Medical Services Scholarship

SB0365/935367/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 365
(Third Reading File Bill)

On page 3, in line 25, after "**FIREFIGHTER**" insert "**OR AMBULANCE OR RESCUE SQUAD MEMBER**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 531 – Senator Middleton

AN ACT concerning

Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

SB0531/963229/1
BY: Delegate Rudolph

AMENDMENT TO SENATE BILL 531
(Third Reading File Bill)

On page 6, in lines 6 and 8, in each instance, strike "January" and substitute "October".

The preceding amendment was read and adopted.

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1221)

The Bill was then returned to the Senate.

Senate Bill 691 – ~~Senator Shank~~ Senators Shank, Frosh, Getty, and Gladden

SECOND PRINTING

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

SB0691/493028/1

BY: Delegate McConkey

AMENDMENT TO SENATE BILL 691
(Third Reading File Bill – Second Printing)

On page 3, in line 18, after the first "**OF**" insert "**§ 2–503,**".

The preceding amendment was read and adopted.

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

Affirmative – 101 Negative – 26 (See Roll Call No. 1222)

The Bill was then returned to the Senate.

House Bill 1042 – Delegate Vallario

AN ACT concerning

Courts and Judicial Proceedings – Witnesses – Privileged Communications Between Labor Organization and Member

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

Delegate Vallario moved to make the Bill a Special Order for later this session.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 1223)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #76

House Bill 708 – Delegates Valentino–Smith, Alston, Braveboy, Bromwell, Carter, Gaines, Glenn, Gutierrez, Healey, K. Kelly, McDermott,

Minnick, B. Robinson, Smigiel, Valderrama, Vallario, and Waldstreicher

AN ACT concerning

Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court

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

Affirmative – 116 Negative – 9 (See Roll Call No. 1224)

The Bill was then sent to the Senate.

House Bill 1155 – Delegates Frick, Carr, Hixson, Hucker, A. Kelly, Lee, Mizeur, and Waldstreicher

AN ACT concerning

Income Tax – Subtraction Modification – Land Acquisition for ~~Transportation-Related Projects~~ Department of Transportation

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

Affirmative – 99 Negative – 27 (See Roll Call No. 1225)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #77

House Bill 747 – Delegate Beitzel

EMERGENCY BILL

SECOND PRINTING

AN ACT concerning

Garrett County – County Commissioners – Wind Energy Conversion Systems

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1226)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #42

Senate Bill 111 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Identification Cards and Drivers' Licenses – Period of Validity

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

Affirmative – 125 Negative – 1 (See Roll Call No. 1227)

The Bill was then returned to the Senate.

Senate Bill 123 – Chair, Judicial Proceedings Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Real Property – ~~Purchase~~ Foreclosure Sale of Residential Property ~~by Secured Party~~ – Notice to Local Supervisor of Assessments

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

Affirmative – 126 Negative – 0 (See Roll Call No. 1228)

The Bill was then returned to the Senate.

Senate Bill 309 – Senators Klausmeier, Currie, Forehand, Kasemeyer, Kelley, Madaleno, Montgomery, Robey, Shank, ~~and Stone~~ Stone, and Pugh

AN ACT concerning

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

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

Affirmative – 93 Negative – 33 (See Roll Call No. 1229)

The Bill was then returned to the Senate.

Senate Bill 442 – Senator Colburn

AN ACT concerning

Program Open Space – Local Projects – Funding for Development

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

Affirmative – 126 Negative – 0 (See Roll Call No. 1230)

The Bill was then returned to the Senate.

Senate Bill 591 – Senator Stone

AN ACT concerning

Real Property – Manufactured Homes – ~~Conversion~~ Affixation to and Severance from Real Property

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1231)

The Bill was then returned to the Senate.

Senate Bill 725 – Senator Kelley

AN ACT concerning

Residential Condominiums – Governing Documents – Claims Provisions

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

The motion was adopted.

Senate Bill 802 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Budgetary Processes

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

Affirmative – 126 Negative – 0 (See Roll Call No. 1232)

The Bill was then returned to the Senate.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #14

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

House Bill 15 – Delegate Glenn

AN ACT concerning

Maryland Medical Marijuana Act

HB0015/116786/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 15
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Medical Marijuana – Caregiver – Affirmative Defense".

On pages 1 and 2, strike beginning with "authorizing" in line 3 on page 1 down through "system" in line 26 on page 2 and substitute "establishing that it is an affirmative defense to a prosecution for the possession of marijuana or the possession of certain drug paraphernalia that the marijuana or drug paraphernalia was intended for medical use by an individual with a certain debilitating medical condition for whom the defendant is a certain caregiver; prohibiting a certain defendant from asserting a certain affirmative defense unless, at least a certain number of days before trial, the defendant notifies the State's Attorney of the defendant's intention to assert the affirmative defense and provides the State's Attorney with certain documentation; prohibiting a certain affirmative defense from being used under certain circumstances".

On page 2, in line 26, after "defining" insert "a"; and in the same line, strike "terms" and substitute "term".

On pages 2 and 3, strike in their entirety the lines beginning with line 33 on page 2 through line 28 on page 3, inclusive.

AMENDMENT NO. 2

On page 3, in line 33, strike the brackets; and in the same line, strike "**PARAGRAPH (2)**".

On page 4, in line 6, strike the bracket; after line 10, insert:

"**3. "CAREGIVER" MEANS AN INDIVIDUAL DESIGNATED BY A PATIENT WITH A DEBILITATING MEDICAL CONDITION TO PROVIDE PHYSICAL OR MEDICAL ASSISTANCE TO THE PATIENT, INCLUDING ASSISTING WITH THE MEDICAL USE OF MARIJUANA, WHO:**

A. IS A RESIDENT OF THE STATE;

B. IS AT LEAST 21 YEARS OLD;

C. IS AN IMMEDIATE FAMILY MEMBER, SPOUSE, OR DOMESTIC PARTNER OF THE PATIENT;

D. HAS NOT BEEN CONVICTED OF A CRIME OF VIOLENCE AS DEFINED IN § 14–101 OF THIS ARTICLE;

E. HAS NOT BEEN CONVICTED OF A VIOLATION OF A STATE OR FEDERAL CONTROLLED DANGEROUS SUBSTANCES LAW;

F. HAS NOT BEEN CONVICTED OF A CRIME OF MORAL TURPITUDE;

G. HAS BEEN DESIGNATED AS CAREGIVER BY THE PATIENT IN A WRITING THAT HAS BEEN PLACED IN THE PATIENT'S MEDICAL RECORD PRIOR TO ARREST;

H. IS THE ONLY INDIVIDUAL DESIGNATED BY THE PATIENT TO SERVE AS CAREGIVER; AND

I. IS NOT SERVING AS CAREGIVER FOR ANY OTHER PATIENT.";

and in line 11, strike "3." and substitute "**4.**".

On page 5, after line 7, insert:

"**2. A. IN A PROSECUTION FOR THE POSSESSION OF MARIJUANA UNDER THIS SECTION, IT IS AN AFFIRMATIVE DEFENSE THAT THE DEFENDANT POSSESSED MARIJUANA BECAUSE THE MARIJUANA WAS INTENDED FOR MEDICAL USE BY AN INDIVIDUAL WITH A DEBILITATING MEDICAL CONDITION FOR WHOM THE DEFENDANT IS A CAREGIVER.**

B. A DEFENDANT MAY NOT ASSERT THE AFFIRMATIVE DEFENSE UNDER THIS SUBSUBPARAGRAPH UNLESS, AT LEAST 30 DAYS BEFORE TRIAL, THE DEFENDANT NOTIFIES THE STATE'S ATTORNEY OF THE DEFENDANT'S INTENTION TO ASSERT THE AFFIRMATIVE DEFENSE AND PROVIDES THE STATE'S ATTORNEY WITH ALL DOCUMENTATION IN SUPPORT OF THE AFFIRMATIVE DEFENSE.";

in line 8, strike "2." and substitute "**3.**"; in the same line, strike "The" and substitute "**AN**"; in the same line, after "defense" insert "**UNDER THIS SUBPARAGRAPH**"; in line 10, after "place" insert "**OR ASSISTING THE INDIVIDUAL FOR WHOM THE DEFENDANT IS A CAREGIVER IN USING THE MARIJUANA IN A PUBLIC PLACE**"; in lines 11 and 28, in each instance, strike the bracket; and after line 32, insert:

"**3. "CAREGIVER" MEANS AN INDIVIDUAL DESIGNATED BY A PATIENT WITH A DEBILITATING MEDICAL CONDITION TO PROVIDE PHYSICAL OR MEDICAL ASSISTANCE TO THE PATIENT INCLUDING ASSISTING WITH THE MEDICAL USE OF MARIJUANA, WHO:**

A. IS A RESIDENT OF THE STATE;

B. IS AT LEAST 21 YEARS OLD;

C. IS AN IMMEDIATE FAMILY MEMBER, SPOUSE, OR DOMESTIC PARTNER OF THE PATIENT;

D. HAS NOT BEEN CONVICTED OF A CRIME OF VIOLENCE AS DEFINED IN § 14–101 OF THIS ARTICLE;

E. HAS NOT BEEN CONVICTED OF A VIOLATION OF A STATE OR FEDERAL CONTROLLED DANGEROUS SUBSTANCES LAW;

F. HAS NOT BEEN CONVICTED OF A CRIME OF MORAL TURPITUDE;

G. HAS BEEN DESIGNATED AS CAREGIVER BY THE PATIENT IN A WRITING THAT HAS BEEN PLACED IN THE PATIENT'S MEDICAL RECORD PRIOR TO ARREST;

H. IS THE ONLY INDIVIDUAL DESIGNATED BY THE PATIENT TO SERVE AS CAREGIVER; AND

I. IS NOT SERVING AS CAREGIVER FOR ANY OTHER PATIENT.".

On page 6, in line 1, strike "3." and substitute "**4.**"; after line 29, insert:

"**2. A. IN A PROSECUTION UNDER THIS SUBSECTION INVOLVING DRUG PARAPHERNALIA RELATED TO MARIJUANA, IT IS AN AFFIRMATIVE DEFENSE THAT THE DEFENDANT POSSESSED DRUG PARAPHERNALIA RELATED TO MARIJUANA BECAUSE THE DRUG PARAPHERNALIA RELATED TO MARIJUANA WAS INTENDED FOR MEDICAL USE BY AN INDIVIDUAL WITH A DEBILITATING MEDICAL CONDITION FOR WHOM THE DEFENDANT IS A CAREGIVER.**

B. A DEFENDANT MAY NOT ASSERT THE AFFIRMATIVE DEFENSE UNDER THIS SUBSUBPARAGRAPH UNLESS, AT LEAST 30 DAYS BEFORE TRIAL, THE DEFENDANT NOTIFIES THE STATE'S ATTORNEY OF THE DEFENDANT'S INTENTION TO ASSERT THE AFFIRMATIVE DEFENSE AND PROVIDES THE STATE'S ATTORNEY WITH ALL DOCUMENTATION IN SUPPORT OF THE AFFIRMATIVE DEFENSE.";

in line 30, strike "2." and substitute "**3.**"; in the same line, strike "The" and substitute "**AN**"; in the same line, after "defense" insert "**UNDER THIS SUBPARAGRAPH**"; and in

line 32, after "place" insert "**OR ASSISTING THE INDIVIDUAL FOR WHOM THE DEFENDANT IS A CAREGIVER IN USING THE MARIJUANA IN A PUBLIC PLACE**".

On page 7, in line 1, strike the bracket.

AMENDMENT NO. 3

On pages 7 through 37, strike in their entirety the lines beginning with line 2 on page 7 through line 23 on page 37, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

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

Senate Bill 557 – Senator Getty

AN ACT concerning

~~**Education – Maryland Interscholastic Athletic Association – Establishment**~~
Open Meetings Act – Public Body – Definition

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 784 – Senators Muse, Colburn, Kittleman, and Klausmeier

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

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 1069 – Senator Pugh

AN ACT concerning

State Government – Statue of Harriet Tubman

SB1069/146281/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 1069
(Third Reading File Bill)

On page 2, in line 21, after "statue" insert "in Emancipation Hall"; and in line 22, strike "Building" and substitute "Visitor Center or another appropriate federal property located in Washington, D.C.".

On page 3, in line 2, after "to" insert "Emancipation Hall in"; and in line 3, strike "Building" and substitute "Visitor Center or another appropriate federal property located in Washington, D.C.".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

House Bill 1042 – Delegate Vallario

AN ACT concerning

Courts and Judicial Proceedings – Witnesses – Privileged Communications Between Labor Organization and Member

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

FLOOR AMENDMENT

HB1042/393025/1
BY: Delegate Stifler

AMENDMENTS TO HOUSE BILL 1042, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 7, after "exceptions;" insert "providing that an agent of a labor organization who discloses a certain communication or information shall be terminated from certain employment, shall be precluded from representing a union employee in this State, and may be subject to a certain civil action;".

AMENDMENT NO. 2

On page 5 of the House Judiciary Committee Amendments (HB1042/122016/1), in line 2 of Amendment No. 4, after "**INFORMATION**" insert "**.**

(E) AN AGENT OF A LABOR ORGANIZATION WHO DISCLOSES A CONFIDENTIAL COMMUNICATION OR INFORMATION RECEIVED FROM AN EMPLOYEE UNDER CIRCUMSTANCES DESCRIBED IN SUBSECTION (B) OF THIS SECTION IN A MANNER THAT DOES NOT QUALIFY AS AN EXCEPTION DESCRIBED IN SUBSECTION (C) OR (D) OF THIS SECTION:

(1) SHALL:

(I) BE TERMINATED FROM EMPLOYMENT AS THE AGENT OF THE LABOR ORGANIZATION; AND

(II) BE PRECLUDED FROM REPRESENTING A UNION MEMBER IN THIS STATE; AND

(2) MAY BE SUBJECT TO A CIVIL ACTION FOR DAMAGES BY THE EMPLOYEE";

in line 6 of Amendment No. 5, strike "**(E)**" and substitute "**(F)**"; and in the same line, strike "**(F)**" and substitute "**(G)**".

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

Affirmative – 40 Negative – 81 (See Roll Call No. 1233)

FLOOR AMENDMENT

HB1042/483920/1
BY: Delegate Stifler

AMENDMENTS TO HOUSE BILL 1042
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 7, after "exceptions;" insert "providing that a labor organization or its agent that represents a certain employee entitled to certain protections and remedies under provisions of a certain whistleblower law is entitled to certain protections and remedies;".

AMENDMENT NO. 2

On page 5 of the House Judiciary Committee Amendments (HB1042/122016/1), in line 2 of Amendment No. 4, after "**INFORMATION**" insert "**.**

(E) A LABOR ORGANIZATION OR ITS AGENT THAT REPRESENTS AN EMPLOYEE ENTITLED TO PROTECTION FROM AND REMEDIES FOR REPRISAL UNDER TITLE 5, SUBTITLE 3 OF THE STATE PERSONNEL AND PENSIONS ARTICLE IS ENTITLED TO THE SAME PROTECTIONS AND REMEDIES FOR DISCLOSURE OF INFORMATION DESCRIBED IN § 5–305 OF THE STATE PERSONNEL AND PENSIONS ARTICLE";

in line 6 of Amendment No. 5, strike "**(E)**" and substitute "**(F)**"; and in the same line, strike "**(F)**" and substitute "**(G)**".

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

Affirmative – 42 Negative – 76 (See Roll Call No. 1234)

FLOOR AMENDMENT

HB1042/973526/1
BY: Delegate Kach

AMENDMENT TO HOUSE BILL 1042, AS AMENDED

On page 3 of the House Judiciary Committee Amendments (HB1042/122016/1), in line 11 of Amendment No. 3, after "**TO**" insert "**:**

(1)";

in the same line, strike "**PREVENT**" and substitute "**PREVENT**"; and in line 12, after "**HARM**" insert "**;**

(2) PREVENT THE EMPLOYEE FROM COMMITTING A CRIME, FRAUD, OR ANY ACT IN VIOLATION OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT THAT IS REASONABLY CERTAIN TO RESULT IN SUBSTANTIAL INJURY TO THE FINANCIAL INTERESTS OR PROPERTY OF ANOTHER AND IN FURTHERANCE OF WHICH THE EMPLOYEE HAS USED OR IS USING THE SERVICES OF THE LABOR ORGANIZATION OR ITS AGENT; OR

(3) PREVENT, MITIGATE, OR RECTIFY SUBSTANTIAL INJURY TO THE FINANCIAL INTERESTS OR PROPERTY OF ANOTHER THAT IS REASONABLY CERTAIN TO RESULT OR HAS RESULTED FROM THE EMPLOYEE'S COMMISSION OF A CRIME, FRAUD, OR ANY ACT IN VIOLATION OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT IN FURTHERANCE OF WHICH THE EMPLOYEE HAS USED THE SERVICES OF THE LABOR ORGANIZATION OR ITS AGENT".

On page 3 of the House Judiciary Committee Amendments, in Amendment No. 4, strike in their entirety lines 5 through 10, inclusive.

On page 4 of the House Judiciary Committee Amendments, in Amendment No. 4, strike in their entirety lines 1 through 7, inclusive; and in lines 8, 12, and 20, strike "**(III)**", "**(IV)**", and "**(V)**", respectively, and substitute "**(I)**", "**(II)**", and "**(III)**", respectively.

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

Affirmative – 42 Negative – 75 (See Roll Call No. 1235)

FLOOR AMENDMENT

HB1042/993621/1
BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 1042, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, strike "a labor organization or"; and strike beginning with "**A**" in line 22 down through "**OR**" in line 23.

AMENDMENT NO. 2

On page 1 of the House Judiciary Committee Amendments (HB1042/122016/1), in lines 6 and 7 of Amendment No. 1, strike "a labor organization or its" and substitute "an"; and in line 7, after "agent" insert "of a labor organization".

AMENDMENT NO. 3

On page 2 of the House Judiciary Committee Amendments, in lines 5 and 6 and 7 of Amendment No. 3, in each instance, strike "**LABOR ORGANIZATION OR**".

On page 3 of the House Judiciary Committee Amendments, in lines 1 and 2, 5, 8, and 10 and 11 of Amendment No. 3, in each instance, strike "**LABOR ORGANIZATION OR ITS**"; in lines 2, 5, 8, and 11 of Amendment No. 3, in each instance, after "**AGENT**" insert "**OF A LABOR ORGANIZATION**"; in line 8 of Amendment No. 3, strike "**A**" and substitute "**AN**"; and in lines 3 and 10 of Amendment No. 4, in each instance, strike "**LABOR ORGANIZATION OR ITS**".

AMENDMENT NO. 4

On page 2 of the bill, in line 5, strike "**A LABOR ORGANIZATION OR ITS**" and substitute "**AN**"; in the same line, after "**AGENT**" insert "**OF A LABOR ORGANIZATION**"; strike beginning with the colon in line 12 down through "**THE**" in line 13 and substitute "**THE**"; and strike beginning with the semicolon in line 14 down through "**BODY**" in line 17.

AMENDMENT NO. 5

On page 4 of the House Judiciary Committee Amendments, in lines 6 and 7, 9, 13, 14, 15 and 16, and 18 and 19 of Amendment No. 4, in each instance, strike "**LABOR ORGANIZATION OR ITS**".

AMENDMENT NO. 6

On page 5 of the House Judiciary Committee Amendments, in line 9 of Amendment No. 6, strike "a labor organization or".

The preceding 6 amendments were read only.

Delegate O'Donnell moved to make the Bill and Amendments a Special Order for Monday.

The motion was rejected.

Delegate O'Donnell moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 26 – Senators Klausmeier, Stone, Kittleman, and Colburn

AN ACT concerning

Commercial Gaming – Table Games – Video Lottery Facilities and Terminals

FOR the purpose of authorizing an additional video lottery operation license and a certain number of additional video lottery terminals for a video lottery facility in a certain location in Prince George's County; authorizing a certain number of additional video lottery terminals in the State; authorizing the holder of a video lottery operation license to offer table games in the State; specifying the type of table games that may be authorized in the State; authorizing the State Lottery Commission to determine the suitability of certain table games under certain circumstances; requiring certain video lottery facilities to comply with applicable planning and zoning laws of the local jurisdiction; ~~requiring certain legislation under certain circumstances; and~~ prohibiting implementation of certain provisions of law until certain legislation is passed; providing that certain legislation may authorize certain games to begin in a temporary facility; providing that a certain license may not permit the operation of certain video lottery machines before a certain date; submitting this Act to a referendum of

the qualified voters of Maryland for their adoption or rejection; and generally relating to commercial gaming.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–05(a) and 9–1A–36(f), (h)(1), (i)(1), and (q)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

AMENDED IN THE SENATE

House Bill 70 – Delegate Kach

AN ACT concerning

State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees

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

HB0070/234335/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 70
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "authorizing" and substitute "requiring"; in line 6, after "circumstances;" insert "providing that certain applicants or licensees are deemed to have consented to submit to a certain examination and to have waived a certain claim of privilege under certain circumstances;"; in line 10, after "circumstances;" insert "providing that failure or refusal of a certain applicant or licensee to submit to a certain examination is prima facie evidence of the inability to practice mortuary science or funeral direction competently, unless the Board makes a certain finding;"; in line 15, after "examinations" insert "under certain circumstances; requiring the Board to pay the reasonable costs of certain examinations for certain licensees"; and in line 19, strike "and 7–319(h)".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 18 on page 2 down through line 6 on page 3 and substitute:

"**(A) IF, WHEN INVESTIGATING AN ALLEGATION BROUGHT AGAINST AN APPLICANT OR A LICENSEE UNDER THIS TITLE, THE BOARD FINDS REASONABLE EVIDENCE INDICATING THAT THE APPLICANT OR LICENSEE CANNOT PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION COMPETENTLY, THE BOARD SHALL REQUIRE THE APPLICANT OR LICENSEE TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION BY A HEALTH CARE PRACTITIONER DESIGNATED BY THE BOARD.**

(B) IN RETURN FOR THE PRIVILEGE TO PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION IN THE STATE, AN APPLICANT OR A LICENSEE IS DEEMED TO HAVE:

(1) CONSENTED TO SUBMIT TO AN EXAMINATION UNDER THIS SECTION, IF REQUESTED BY THE BOARD IN WRITING; AND

(2) WAIVED ANY CLAIM OF PRIVILEGE AS TO THE EXAMINATION REPORT.".

On page 3, in line 7, strike "**(B)**" and substitute "**(C)**"; in line 8, strike "**EVALUATION**" and substitute "**EXAMINATION**"; after line 10, insert:

"**(D) THE UNREASONABLE FAILURE OR REFUSAL OF AN APPLICANT OR A LICENSEE TO SUBMIT TO AN EXAMINATION REQUIRED UNDER THIS SECTION IS PRIMA FACIE EVIDENCE OF THE APPLICANT'S OR LICENSEE'S INABILITY TO PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION COMPETENTLY, UNLESS THE BOARD FINDS THAT THE FAILURE OR REFUSAL WAS BEYOND THE CONTROL OF THE APPLICANT OR LICENSEE.**";

in line 17, strike "**(C)**" and substitute "**(E)**"; in the same line, strike "**(1)**"; in the same line, strike "**SUBPARAGRAPH (II)**" and substitute "**PARAGRAPH (2)**"; in lines 21 and 25, strike "**(II)**" and "**(2)**", respectively, and substitute "**(2)**" and "**(F)**", respectively; and strike in their entirety lines 27 through 31, inclusive.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0070**
SPONSOR: Del Kach
SUBJECT: State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees

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 119 – Delegates McDermott, Anderson, Clippinger, Conaway, Hough, McComas, Mitchell, Smigiel, ~~and Waldstreicher~~ Waldstreicher, Jameson, Murphy, and Wilson

AN ACT concerning

Criminal Procedure – Misdemeanors and Local Ordinance Violations – Citations and Study

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

HB0119/548674/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 119
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "and Study"; strike beginning with "requiring" in line 4 down through "violations;" in line 5; and strike beginning with "requiring" in line 13 down through "requiring" in line 23.

On page 2, strike beginning with "the" in line 1 down through "Act;" in line 12; in line 15, after "4–101(c)" insert "(2)"; and in line 30, strike "4–101.1" and substitute "4–101(c)(2) and (4)".

AMENDMENT NO. 2

On pages 3 and 4, strike beginning with "(1)" in line 16 on page 3 down through "**GRAMS**." in line 16 on page 4.

AMENDMENT NO. 3

On pages 4 through 6, strike beginning with the second "**A**" in line 19 on page 4 down through "**ARTICLE.**" in line 31 on page 6 and substitute "**:**

(I) MISDEMEANOR THEFT UNDER § 7–104(G)(2) OR (3) OF THE CRIMINAL LAW ARTICLE;

(II) PROSTITUTION UNDER § 11–306 OF THE CRIMINAL LAW ARTICLE;

(III) SALE OF AN ALCOHOLIC BEVERAGE TO AN UNDERAGE DRINKER OR INTOXICATED PERSON UNDER ARTICLE 2B, § 12–108 OF THE CODE;

(IV) BAD CHECK UNDER § 8–103 OF THE CRIMINAL LAW ARTICLE;

(V) CABLE TV FRAUD UNDER § 7–303 OF THE CRIMINAL LAW ARTICLE;

(VI) BRIBING A VOTER UNDER § 9–203 OF THE CRIMINAL LAW ARTICLE; AND

(VII) A VIOLATION OF STATEWIDE GAMING PROVISIONS UNDER TITLE 12, SUBTITLE 1 OF THE CRIMINAL LAW ARTICLE.".

AMENDMENT NO. 4

On pages 9 through 12, strike in their entirety the lines beginning with line 11 on page 9 through line 36 on page 12, inclusive.

On page 13, in line 1, strike "4." and substitute "2."; and strike beginning with "Section" in line 2 down through "effect." in line 5.

The preceding 4 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0119**
SPONSOR: Del McDermott, et al
SUBJECT: Criminal Procedure – Misdemeanors and Local Ordinance Violations – Citations and Study

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 McDermott, and
Delegate Anderson.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 480 – Delegates Braveboy, Jameson, Alston, Barnes, Carter, Frush, Gaines, Holmes, Howard, Pena–Melnyk, Proctor, Ross, V. Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, and Walker

AN ACT concerning

Criminal Procedure – Unexecuted Warrant, Summons, or Other Criminal Process – Invalidation and Destruction

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

HB0480/158572/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 480
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "authorizing" and substitute "requiring".

AMENDMENT NO. 2

On page 2, in line 9, strike "**A**" and substitute "**AN UNEXECUTED**"; in the same line, after "**WARRANT**" insert "**FOR A MISDEMEANOR OFFENSE**"; strike beginning with "**FOR**" in line 10 down through "**YEARS**" in line 11; in line 17, strike "**MAY**" and substitute "**SHALL**"; in line 26, strike "**THE**" and substitute "**AN**"; in the same line, after "**WARRANT**" insert "**FOR A MISDEMEANOR OFFENSE**"; and in line 30, strike "**, SUMMONS,**".

AMENDMENT NO. 3

On page 3, in line 5, after "**COMMENCED;**" insert "**OR**"; and strike beginning with "**NULLIFY**" in line 6 down through "**(4)**" in line 9.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0480**
SPONSOR: Del Braveboy, et al
SUBJECT: Crim Procedure – Unexecuted Warrant, Summons, or Other Crim Process – Invalidation and Destruction

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 Vallario, Chairman
Delegate Carter, and
Delegate Smigiel.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 666 – Delegates Smigiel, Dwyer, George, McComas, McConkey, McDermott, and Ready

AN ACT concerning

Criminal Procedure – Victims' Rights – Remedy and Priority of Restitution

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

HB0666/948579/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 666
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Remedy and"; strike beginning with "expanding" in line 3 down through "violation;" in line 14; in line 15, strike "so as"; in line 17, strike "providing for the application of this Act;"; in line 18, strike "enforcement of victims' rights and"; and in line 21, strike "11–103 and".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 9 on page 2 through line 23 on page 3, inclusive.

On page 4, strike beginning with "That" in line 21 down through "ENACTED," in line 24.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0666**
SPONSOR: Del Smigiel, et al
SUBJECT: Criminal Procedure – Victims' Rights – Remedy and Priority of Restitution

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

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

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

Delegate Waldstreicher, Chairman
Delegate Valderrama, and
Delegate Alston.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 740 – Delegate Braveboy

AN ACT concerning

Residential Condominiums – Governing Documents – Claims Provisions

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

HB0740/958679/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 740
(Third Reading File Bill)

On page 2, strike beginning with "**:**" in line 5 down through "**OCCUPIED**" in line 7 and substitute "**OCCUPIED**"; and strike beginning with "**; OR**" in line 8 down through "**WARRANTIES**" in line 10.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0740**
SPONSOR: Del Braveboy
SUBJECT: Residential Condominiums – Governing Documents – Claims Provisions

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

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

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

Delegate Niemann, Chairman
Delegate Stein, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 753 – Delegate Kach

AN ACT concerning

Maryland State Board of Morticians and Funeral Directors – Permits and Registration Required to Remove and Transport Human Remains

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

HB0753/874830/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 753
(Third Reading File Bill)

On page 3, in line 19, after "**OR**" insert "**AN**".

On page 5, in line 28, after the semicolon insert "**AND**"; in line 29, strike "**(2)**"; and in lines 29 and 30, strike "**A CRIMINAL HISTORY RECORDS CHECK; AND**".

On page 6, in line 1, strike "**(3)**" and substitute "**(2)**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0753**
SPONSOR: Del Kach
SUBJECT: Md St Bd of Morticians and Fnrl Drctrs – Prmts and Registr Reqd to Remove and Transport Hmn Remains

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 762 – Delegate Dumais

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

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

HB0762/738775/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 762
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 15, after "**DISPUTE;**" insert "**AND**"; and strike beginning with "**HAS**" in line 16 down through "**(3)**" in line 18.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 5 through 17, inclusive, and substitute:

"**(1) A PARTY TO A MEDIATION AND ANY PERSON PRESENT OR OTHERWISE PARTICIPATING IN THE MEDIATION AT THE REQUEST OF A PARTY MAY NOT DISCLOSE OR BE COMPELLED TO DISCLOSE MEDIATION COMMUNICATIONS IN ANY JUDICIAL, ADMINISTRATIVE, OR OTHER PROCEEDING; AND**

(2) THE PARTIES MAY ENTER INTO A WRITTEN AGREEMENT TO MAINTAIN THE CONFIDENTIALITY OF ALL MEDIATION COMMUNICATIONS AND MAY REQUIRE ANY PERSON PRESENT OR OTHERWISE PARTICIPATING IN THE MEDIATION AT THE REQUEST OF A PARTY TO MAINTAIN THE CONFIDENTIALITY OF ALL MEDIATION COMMUNICATIONS.".

On page 5, in line 5, strike "**ANY**" and substitute "**A**"; in the same line, after "**THAT**" insert "**, BECAUSE OF FRAUD, DURESS, OR MISREPRESENTATION,**"; in line 10, strike "**AN**" and substitute "**A MANIFEST**"; and in line 12, after "**PROCEEDINGS**" insert "**IN GENERAL BY REDUCING THE CONFIDENCE OF PARTIES IN FUTURE CASES THAT THEIR COMMUNICATIONS WILL REMAIN CONFIDENTIAL**".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0762**
SPONSOR: Del Dumais
SUBJECT: Courts and Judicial Proceedings – Maryland Mediation Confidentiality 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 Clippinger, Chairman
Delegate Lee, and
Delegate McComas.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 865 – Delegates Pena–Melnyk, Barnes, Braveboy, Bromwell, Cardin, Carr, Clagett, Guzzone, Healey, Hucker, Ivey, A. Kelly, Kipke,

Lafferty, Mitchell, Mizeur, Nathan–Pulliam, Oaks, Olszewski, Reznik, Rosenberg, Stein, Summers, F. Turner, V. Turner, and Zucker

AN ACT concerning

State Procurement – Disclosure ~~of the Relocation of Jobs to a Foreign Country~~ – Location of the Performance of Services

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

HB0865/234933/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 865
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "the" insert "State or the"; and strike beginning with "providing" in line 15 down through "Act;" in line 16.

AMENDMENT NO. 2

On page 3, in lines 18 and 23, in each instance, after the second "**THE**" insert "**STATE OR THE**"; and in line 20, after "**THE**" insert "**STATE OR THE**".

On page 5, strike beginning with "It" in line 7 down through "effect." in line 9.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0865**
SPONSOR: Del Pena–Melnyk, et al
SUBJECT: State Procurement – Disclosure – Location of the Performance of 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 Pena–Melnyk, Chairman
Delegate Oaks, and
Delegate Ready.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1248 – Delegates Ross, Beidle, Bohanan, James, Luedtke, Rudolph, and Valentino–Smith

AN ACT concerning

Income Tax Credit – Security ~~Clearance Expenses~~ Clearances – Employer Costs

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

HB1248/579935/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1248
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 11, strike "providing for the termination of certain provisions of this Act;".

AMENDMENT NO. 2

On page 3, in line 29, after "**CLEARANCES**" insert "**FOR EMPLOYEES IN THE STATE**".

AMENDMENT NO. 3

On page 4, in line 2, after "**SYSTEMS**" insert "**IN THE STATE**"; in line 4, after "**EMPLOYEES**" insert "**IN THE STATE**"; and in line 8, after "**("SCIF")**" insert "**LOCATED IN THE STATE**".

AMENDMENT NO. 4

On page 5, in line 1, strike "**2017**" and substitute "**2019**".

AMENDMENT NO. 5

On page 8, strike beginning with the second comma in line 2 down through "2016" in line 8.

The preceding 5 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1248**
SPONSOR: Del Ross, et al
SUBJECT: Income Tax Credit – Security Clearances – Employer Costs

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

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

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

Delegate Frick, Chairman
Delegate Serafini, and
Delegate A. Miller.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1365 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

~~Criminal Procedure~~ Department of Juvenile Services – Restitution ~~and Other Payments~~ – Referral to the Central Collection Unit

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

HB1365/838775/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1365
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Department of Juvenile Services" and substitute "Criminal Procedure"; in the same line, after "Restitution" insert "and Other Payments"; in line 4, after the second "the" insert "Division of Parole and Probation and the"; in line 5, after "restitution" insert "payments, court costs, fines, fees, or"; in line 7, after "collection;" insert "authorizing the Central Collection Unit to collect funds in a certain manner and certify certain arrearages in a certain manner; requiring the Division, Department of Juvenile Services, or Central Collection Unit to provide certain notifications if certain costs, fines, fees, or accounts are paid; expanding certain authority of the State Lottery Agency to withhold certain prize money to include certain costs, fines, fees, and accounts;"; and in line 16, after "11–616" insert "and 11–618".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 2 on page 2 through line 28 on page 3, inclusive.

On page 5, after line 15, insert:

"11–616.

(a) The Division or the Department of Juvenile Services**[**:

(1)] in addition to other actions authorized under Part I of this subtitle, may refer [an overdue] **ALL** restitution**,** [account] **COURT COSTS, FINES, FEES, OR ACCOUNTS** for collection to the Central Collection Unit[; and

(2) if probation or other supervision is terminated and restitution is still owed, shall refer the overdue restitution account for collection to the Central Collection Unit].

(b) Subject to subsection (c) of this section, the Central Collection Unit may:

(1) collect [overdue restitution] **FUNDS** in accordance with Title 3, Subtitle 3 of the State Finance and Procurement Article; and

(2) certify [a restitution] **AN** obligor who is in arrears on [restitution] payments exceeding $30 [under the judgment of restitution] to:

(i) the Comptroller for income tax refund interception in accordance with Title 13, Subtitle 9, Part III of the Tax – General Article; and

(ii) the State Lottery Agency for State lottery prize interception in accordance with § 11–618 of this subtitle.

(c) (1) The Central Collection Unit may not compromise and settle a judgment of restitution unless:

(i) the Division or the Department of Juvenile Services obtains the consent of the victim; or

(ii) the court orders otherwise because a victim cannot be located.

(2) The Division or the Department of Juvenile Services shall contact the victim to determine whether the victim consents to compromise and settle a judgment of restitution.

(d) If complete restitution and interest have been paid [or]**,** a judgment of restitution has been compromised and settled as provided in subsection (c) of this section, **OR ANY OTHER COST, FINE, FEE, OR ACCOUNT HAS BEEN PAID IN FULL,**

the Division, the Department of Juvenile Services, or the Central Collection Unit immediately shall notify:

(1) the court that issued the judgment by filing the statement as provided under § 11–608(c) of this subtitle that the judgment has been satisfied; and

(2) the last known employer of **[**a restitution**]** **AN** obligor to terminate an earnings withholding order issued under § 11–617 of this subtitle.

[(e) (1) Restitution is overdue if the restitution or a restitution payment is not paid:

(i) by the date that the court orders; or

(ii) if no date is ordered, by the later of:

1. the date the Division or the Department of Juvenile Services directs the restitution obligor to pay restitution or make a restitution payment; or

2. 30 days after the court enters a judgment of restitution.

(2) If restitution is overdue, the amount of the arrearage is the amount of restitution ordered and any interest allowed by law, minus any amount previously paid or received under the judgment of restitution.**]**

11–618.

(a) A certification of arrearage on restitution **[**payments**]**, **COURT COSTS, FINES, FEES, OR ACCOUNTS OWED** that the Central Collection Unit sends to the State Lottery Agency under § 11–616 of this subtitle shall contain:

(1) the full name of the **[**restitution**]** obligor and any other name known to be used by the **[**restitution**]** obligor;

(2) the Social Security number of the **[**restitution**]** obligor; and

(3) the amount of the arrearage.

(b) If [a restitution] **AN** obligor who is overdue in [restitution] payments **REFERRED TO THE CENTRAL COLLECTION UNIT UNDER § 11–616 OF THIS SUBTITLE** wins a lottery prize to be paid by check directly by the State Lottery Agency, the State Lottery Agency shall send a notice to the [restitution] obligor that:

(1) the [restitution] obligor has won a prize to be paid by the State Lottery Agency;

(2) the State Lottery Agency has received notice from the Central Collection Unit of the [restitution] obligor's [restitution] arrearage in the specified amount;

(3) State law requires the State Lottery Agency to withhold the prize and to pay it towards the [restitution] obligor's [restitution] arrearage;

(4) the [restitution] obligor may appeal to the Central Collection Unit if the [restitution] obligor disputes the existence or the amount of the arrearage; and

(5) if an appeal is not filed within 15 days after the date of the notice, the State Lottery Agency will transfer the prize or the part of the prize that equals the [restitution] arrearage to the Central Collection Unit.

(c) (1) The State Lottery Agency shall withhold all or part of the prize up to the amount of the arrearage until the Central Collection Unit notifies the State Lottery Agency as to whom the withheld prize money is to be paid.

(2) The State Lottery Agency shall honor lottery prize interception requests in the following order:

(i) an interception request under § 10–113.1 of the Family Law Article;

(ii) an interception request under this section; and

(iii) an interception request under § 3–307 of the State Finance and Procurement Article.

(d) (1) On receipt of a notice from the State Lottery Agency, [a restitution] **AN** obligor who disputes the existence or amount of the arrearage may appeal the proposed transfer.

(2) If an appeal is not filed within 15 days after the date of the notice, the State Lottery Agency shall transfer the amount of the prize withheld to the Central Collection Unit.

(3) If the [restitution] obligor appeals the proposed transfer, after a hearing the Central Collection Unit shall notify the State Lottery Agency that the withheld prize shall be:

(i) paid to the [restitution] obligor;

(ii) transferred to the Central Collection Unit; or

(iii) in specified amounts, partly paid to the [restitution] obligor and partly transferred to the Central Collection Unit.

(e) The Secretary of Budget and Management and the Director of the State Lottery Agency may jointly adopt regulations to carry out this section.".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1365**
SPONSOR: Chr JUD (Dept)
SUBJECT: Department of Juvenile Services – Restitution – Referral to the Central Collection Unit

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 Lee, Chairman

Delegate Cluster, and
Delegate Conaway.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONCURRENCE CALENDAR #6

AMENDED IN THE SENATE

House Bill 213 – Delegates Branch, McIntosh, Anderson, Clippinger, Glenn, Hammen, McHale, Mitchell, Oaks, B. Robinson, and Washington

AN ACT concerning

Baltimore City Community Enhancement Transit–Oriented Development Fund

Delegate McIntosh moved that the House concur in the Senate amendment.

HB0213/497872/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 213
(Third Reading File Bill)

On page 1, in line 7, strike "requiring" and substitute "providing"; in line 8, after "money" insert "shall"; and in the same line, after "Fund" insert "under certain circumstances".

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 – 83 Negative – 34 (See Roll Call No. 1236)

AMENDED IN THE SENATE

House Bill 269 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Boating – Disclosure of Personal Information

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0269/804232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 269
(Third Reading File Bill)

On page1, in line 3, after "of" insert "repealing a requirement that an owner of a certain vessel submit a written request to the Department of Natural Resources to prohibit the Department from disclosing certain information to any person;"; and in line 4, strike "of Natural Resources".

On page 2, strike beginning with "upon" in line 5 down through "disclosed," in line 7.

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 – 12 (See Roll Call No. 1237)

AMENDED IN THE SENATE

House Bill 402 – Delegate Beitzel

AN ACT concerning

Environment – Dormant Mineral Interests – Termination by Court Order Requirements

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0402/183828/1
BY: Senator Edwards

AMENDMENTS TO HOUSE BILL 402
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Environment" and substitute "Land Records"; in the same line, after "Interests" insert "and Natural Gas and Oil Leases"; in the same line, strike "Termination by"; in the same line, after "Order" insert "and Recordation"; in line 6, after "records;" insert "prohibiting a clerk of court from recording an instrument that effects a certain real property lease dealing in natural gas and oil unless the instrument is accompanied by a complete intake sheet;"; strike line 7 in its entirety and substitute "land records."; and after line 17, insert:

"BY adding to
Article – Real Property
Section 3–104(g)(9)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 3–104(g)(9)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 3, after line 27, insert:

"Article – Real Property

3–104.

(g) **(9) A CLERK MAY NOT RECORD AN INSTRUMENT THAT EFFECTS A REAL PROPERTY LEASE DEALING IN NATURAL GAS AND OIL UNLESS THE INSTRUMENT IS ACCOMPANIED BY A COMPLETE INTAKE SHEET.**

[(9)**]** **(10)** (i) An intake sheet shall be recorded immediately after the instrument it accompanies.

(ii) The intake sheet is not part of the instrument and does not constitute constructive notice as to the contents of the instrument.

(iii) The lack of an intake sheet does not affect the validity of any conveyance, lien, or lien priority based on recordation of an instrument.".

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 – 118 Negative – 0 (See Roll Call No. 1238)

AMENDED IN THE SENATE

House Bill 721 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Solicitation and Collection of Money or Donations from Occupants of Vehicles – Adoption of a Permit Program
MC 10–12

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0721/258679/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 721
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after "purposes;" insert "providing for the application and issuance of a permit issued under a local law enacted under this Act;".

AMENDMENT NO. 2

On page 2, after line 33, insert:

"**(IV) A PERMIT ISSUED UNDER A LOCAL LAW ENACTED UNDER THIS SECTION SHALL APPLY TO THE SOLICITATION AND COLLECTION OF MONEY OR DONATIONS ON ROADWAYS, MEDIAN DIVIDERS, AND SIDEWALKS ADJACENT TO ROADWAYS AND MAY NOT LIMIT THE AUTHORIZATION TO FEWER THAN ALL THREE OF THOSE LOCATIONS.**".

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 – 114 Negative – 4 (See Roll Call No. 1239)

AMENDED IN THE SENATE

House Bill 395 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Nursing – Sunset Extension and Revisions

Delegate Hammen moved that the House concur in the Senate amendments.

HB0395/784539/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 395
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, strike "Board" and substitute "Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management,"; in line 16, after the first "certain" insert "management and"; and in the same line, after "date;" insert "requiring the Department of Health and Mental Hygiene and the Department of Budget and Management jointly to develop specifications for a certain solicitation; requiring the Department of Budget and Management to oversee a certain independent entity; requiring that the costs of a certain study be paid from the Board of Nursing Fund; requiring the Department of Budget and Management, on or before a

certain date, to report to certain committees of the General Assembly on the results of a certain study;".

AMENDMENT NO. 2

On page 6, in line 6, after "(a)" insert "(1)"; in the same line, strike "State Board of Nursing" and substitute "Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management,"; in line 7, after "a" insert "management and"; in the same line, strike "to determine the necessity and allocation of additional staff"; after line 7, insert:

"(2) The Department of Health and Mental Hygiene and the Department of Budget and Management jointly shall develop the specifications for the solicitation of the contract required under paragraph (1) of this subsection.

(3) (i) The Department of Budget and Management shall oversee the independent entity that is performing the management and personnel study required under paragraph (1) of this subsection.

(ii) The independent entity that is performing the management and personnel study required under paragraph (1) of this subsection shall report directly to the Department of Budget and Management regarding the study.

(4) The costs of the management and personnel study required under paragraph (1) of this subsection shall be paid from the Board of Nursing Fund established under § 8–206 of the Health Occupations Article.";

in line 9, strike "(i) 1." and substitute "(1)"; in line 11, strike "2." and substitute "(2)"; in the same line, after "minimum" insert ";

(i)";

in line 12, strike the comma and substitute ";

(ii)";

in line 13, strike the comma and substitute a semicolon; in the same line, after "and" insert "(iii)"; in line 15, strike "(ii)" and substitute "(3)"; in lines 16 and 17, strike "1." and "2.", respectively, and substitute "(i)" and "(ii)", respectively; in line 18, strike "(iii)" and substitute "(4)"; and after line 21, insert:

"(d) On or before December 1, 2013, the Department of Budget and Management shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the results of the management and personnel study required under subsection (a) of this section.".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 119 Negative – 0 (See Roll Call No. 1240)

AMENDED IN THE SENATE

House Bill 658 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Safety – Emergency Management – Emergency Plans for Human Service Facilities – Dialysis Centers

Delegate Hammen moved that the House concur in the Senate amendments.

HB0658/924631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 658
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "–" and substitute "and"; strike beginning with "altering" in line 4 down through "plan;" in line 6; in line 7, strike "a human service facility is" and substitute "certain facilities and centers are"; strike beginning with "human" in line 9 down through "facility" in line 10 and substitute "certain facility or center"; in line 10, after "reimbursement;" insert "requiring certain kidney dialysis centers to have certain emergency plans; requiring certain plans to include certain policies and procedures; requiring certain kidney dialysis centers to provide access to certain plans to certain organizations for emergency management;"; in line 12, after

"entities;" insert "requiring the Department to ensure that certain regulations do not conflict with certain federal requirements; defining a certain term;"; in line 13, after "facilities" insert "and kidney dialysis centers"; and after line 18, insert:

"BY adding to
Article – Public Safety
Section 14–110.2
Annotated Code of Maryland
(2011 Replacement Volume)".

AMENDMENT NO. 2

On page 2, in line 14, strike the brackets; and strike beginning with the semicolon in line 16 down through "**ARTICLE**" in line 18.

AMENDMENT NO. 3

On page 3, after line 24, insert:

"**14–110.2.**

(A) IN THIS SECTION, "KIDNEY DIALYSIS CENTER" HAS THE MEANING STATED IN § 19–3B–01 OF THE HEALTH – GENERAL ARTICLE.

(B) A KIDNEY DIALYSIS CENTER SHALL HAVE AN EMERGENCY PLAN.

(C) AN EMERGENCY PLAN SHALL INCLUDE POLICIES AND PROCEDURES THAT WILL BE FOLLOWED BEFORE, DURING, AND AFTER AN EMERGENCY TO ADDRESS:

(1) THE SAFE MANAGEMENT OF INDIVIDUALS WHO ARE RECEIVING SERVICES AT THE KIDNEY DIALYSIS CENTER WHEN AN EMERGENCY OCCURS;

(2) NOTIFICATION OF PATIENTS, FAMILIES, STAFF, AND LICENSING AUTHORITIES REGARDING ACTIONS THAT WILL BE TAKEN CONCERNING THE PROVISION OF DIALYSIS SERVICES TO THE INDIVIDUALS SERVED BY THE KIDNEY DIALYSIS CENTER;

(3) STAFF COVERAGE, ORGANIZATION, AND ASSIGNMENT OF RESPONSIBILITIES; AND

(4) THE CONTINUITY OF OPERATIONS, INCLUDING PROCEDURES TO SECURE ACCESS TO ESSENTIAL GOODS, EQUIPMENT, AND DIALYSIS SERVICES.

(D) (1) THIS SUBSECTION DOES NOT PROHIBIT A KIDNEY DIALYSIS CENTER FROM APPLYING FOR AND RECEIVING REIMBURSEMENT:

(I) UNDER ANY APPLICABLE INSURANCE POLICY; OR

(II) FROM ANY STATE OR FEDERAL FUNDS THAT MAY BE AVAILABLE DUE TO A DECLARED STATE OR FEDERAL EMERGENCY.

(2) A KIDNEY DIALYSIS CENTER IS SOLELY RESPONSIBLE FOR ANY FINANCIAL OBLIGATION ARISING FROM VOLUNTARY OR MANDATORY ACTIVATION OF ANY ASPECT OF THE EMERGENCY PLAN DEVELOPED BY THE KIDNEY DIALYSIS CENTER UNDER THIS SECTION.

(E) FOR PURPOSES OF COORDINATING LOCAL EMERGENCY PLANNING EFFORTS, A KIDNEY DIALYSIS CENTER SHALL PROVIDE ACCESS TO THE EMERGENCY PLANS DEVELOPED UNDER THIS SECTION TO LOCAL ORGANIZATIONS FOR EMERGENCY MANAGEMENT.".

AMENDMENT NO. 4

On page 3, in line 25, strike ", on" and substitute ":

(a) On".

On page 4, after line 2, insert:

"(b) In developing the regulations required under this section, the Department shall ensure that the requirements for emergency plans for kidney dialysis centers under this Act do not conflict with federal requirements of kidney dialysis centers.".

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 – 119 Negative – 0 (See Roll Call No. 1241)

AMENDED IN THE SENATE

House Bill 1429 – Delegates Lee, Nathan–Pulliam, Alston, Arora, Beidle, Bobo, Braveboy, Burns, Cane, Carr, Conaway, Cullison, Eckardt, Frick, Frush, Gaines, George, Glenn, Gutierrez, Harrison, Healey, Howard, Jones, A. Kelly, Love, Luedtke, McComas, A. Miller, Pena–Melnyk, B. Robinson, Stukes, Tarrant, Valderrama, ~~and Washington~~ Washington, Hammen, Pendergrass, Bromwell, Donoghue, Elliott, Frank, Hubbard, Kach, Kipke, McDonough, Morhaim, Murphy, Oaks, Ready, and Reznik

AN ACT concerning

State Government – Statue of Harriet Tubman

Delegate Hammen moved that the House concur in the Senate amendments.

HB1429/554734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1429
(Third Reading File Bill)

On page 2, in line 23, after "statue" insert "in Emancipation Hall"; and in line 24, strike "Building" and substitute "Visitor Center or another appropriate federal property located in Washington, D.C.".

On page 3, in line 4, after "to" insert "Emancipation Hall in"; and in line 5, strike "Building" and substitute "Visitor Center or another appropriate federal property located in Washington, D.C.".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 119 Negative – 0 (See Roll Call No. 1242)

AMENDED IN THE SENATE

House Bill 1120 – Delegates Carter, Alston, Anderson, Barnes, Boteler, Braveboy, Cane, Dumais, Haynes, Holmes, Kach, K. Kelly, Lee, Mitchell, Nathan–Pulliam, Oaks, Proctor, B. Robinson, Rosenberg, Simmons, Smigiel, Stukes, Tarrant, F. Turner, Walker, and Washington

AN ACT concerning

Missing Children – Search Efforts and Collaboration (Phylicia's Law)

Delegate Vallario moved that the House concur in the Senate amendments.

HB1120/248473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1120
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "of" insert "altering a certain factor that a law enforcement agency considers when evaluating a report regarding a missing child;"; and strike beginning with "requiring" in line 9 down through "appropriate;" in line 11.

AMENDMENT NO. 2

On page 2, in line 19, strike "14"; and in the same line, before "years" insert "**17**".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 29 through 32, inclusive.

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 – 0 (See Roll Call No. 1243)

AMENDED IN THE SENATE

House Bill 515 – Delegates Stein, Arora, Bobo, Cardin, DeBoy, Frick, Kach, A. Kelly, Kipke, Kramer, Lafferty, Morhaim, Olszewski, Reznik, B. Robinson, Stukes, ~~and Zucker~~ Zucker, Howard, and Walker

AN ACT concerning

State Government – Financial Education and Capability Commission

Delegate Hixson moved that the House concur in the Senate amendments.

HB0515/934038/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 515

(Third Reading File Bill)

On page 3, in line 13, before the semicolon insert "**WHO TEACHES A COURSE INVOLVING PRINCIPLES OF FINANCIAL 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 – 115 Negative – 4 (See Roll Call No. 1244)

AMENDED IN THE SENATE

House Bill 596 – Delegates Kaiser, Barkley, Cullison, Gutierrez, Ivey, A. Kelly, Luedtke, Reznik, S. Robinson, Stukes, Summers, and Zucker

AN ACT concerning

Child with a Disability – Individualized Education Program Meeting – Document Access

Delegate Hixson moved that the House concur in the Senate amendments.

HB0596/424937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 596
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "of" insert "providing that the parents of a child with a disability may notify appropriate school personnel that they do not want to receive certain documents;".

AMENDMENT NO. 2

On page 2, in line 3, strike "**MEANS**" and substitute "**INCLUDES**"; in line 4, strike "**, INCLUDING A SPECIALIZED FORMAT**"; strike beginning with the comma in line 5 down through "**DOCUMENT**" in line 7; in line 31, strike "subparagraph (ii)" and substitute "**SUBPARAGRAPHS (II) AND (III)**".

On page 3, after line 8, insert:

"**(III) THE PARENTS OF A CHILD MAY NOTIFY APPROPRIATE SCHOOL PERSONNEL THAT THEY DO NOT WANT TO RECEIVE THE DOCUMENTS REQUIRED TO BE PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**".

AMENDMENT NO. 3

On page 3, in line 25, strike "**SCHOOL**" and substitute "**TO FULFILL THE PURPOSES OF THIS SECTION, SCHOOL**"; in line 26, strike "**ANY**" and substitute "**:**

(1) ELECTRONIC DELIVERY;

(2) HOME DELIVERY WITH THE STUDENT; OR

(3) ANY OTHER";

and in line 27, strike "**TO FULFILL THE PURPOSES OF THIS SECTION**".

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 – 116 Negative – 2 (See Roll Call No. 1245)

AMENDED IN THE SENATE

House Bill 725 – Montgomery County Delegation

AN ACT concerning

Montgomery County – County Council Special Elections – Voting by Mail MC 5–12

Delegate Hixson moved that the House concur in the Senate amendments.

HB0725/234034/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 725
(Third Reading File Bill)

On page 5, in line 6, strike "**THREE VOTING CENTERS**" and substitute "**ONE VOTING CENTER**"; and in lines 8 and 9, strike "**THREE VOTING CENTERS**" and substitute "**ONE VOTING CENTER**".

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 – 21 (See Roll Call No. 1246)

AMENDED IN THE SENATE

House Bill 1081 – Delegate Rosenberg

AN ACT concerning

Homestead Property Tax Credit Reform Act of 2012

Delegate Hixson moved that the House concur in the Senate amendments.

HB1081/429336/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1081
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "be ineligible" and substitute "not qualify"; strike beginning with the second "is" in line 4 down through "for" in line 5 and substitute "shall be assessed"; in line 5, strike "and" and substitute "; requiring that a person be assessed, under certain circumstances,"; in line 6, strike "included" and substitute "separately itemized"; and strike beginning with "paid" in line 7 down through "full" in line 8 and substitute "certain actions are taken".

AMENDMENT NO. 2

On page 3, in line 9, strike "**BE INELIGIBLE**" and substitute "**NOT QUALIFY**"; strike beginning with "**IS**" in line 10 down through "**(I)**" in line 11 and substitute "**SHALL BE ASSESSED**"; in line 13, strike "**IMPROPERLY RECEIVED**" and substitute "**DID NOT QUALIFY TO RECEIVE**"; in line 13, strike "**; AND**" and substitute a period; in line 14, strike "**(II)**" and substitute:

"**(2) (I) IF A PERSON IS FOUND BY THE DEPARTMENT TO HAVE WILLFULLY MISREPRESENTED FACTS REGARDING QUALIFICATION FOR THE PROPERTY TAX CREDIT UNDER THIS SECTION, THE PERSON SHALL BE ASSESSED**";

in line 15, strike "**IMPROPERLY**"; in the same line, after "**YEAR**" insert "**FOR WHICH THE PERSON DID NOT QUALIFY**"; in line 16, strike "**(2)**" and substitute "**(II)**"; in the same line, after "**THE**" insert "**AMOUNT OF THE**"; in the same line, strike "**INCLUDED**" and substitute "**SEPARATELY ITEMIZED**"; strike beginning with "**PAID**" in line 17 down through "**FULL**" in line 18 and substitute "**:**

1. PAYMENT OF THE PENALTY IN FULL; OR

2. IF THE PROPERTY IS SOLD IN AN ACTION TO FORECLOSE ON A MORTGAGE OR DEED OF TRUST:

A. A COPY OF THE COURT ORDER RATIFYING THE FORECLOSURE SALE IS PROVIDED TO THE SUPERVISOR OF ASSESSMENTS FOR THE COUNTY IN WHICH THE RESIDENTIAL PROPERTY IS LOCATED; OR

B. AN INSTRUMENT OF WRITING TRANSFERRING THE PROPERTY IS RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED.

(3) IF A LIEN IS RELEASED UNDER PARAGRAPH (2)(II)2 OF THIS SUBSECTION, ANY UNPAID PENALTY AMOUNT SHALL REMAIN THE PERSONAL LIABILITY OF THE PERSON AGAINST WHOM THE PENALTY WAS ASSESSED";

and in line 19, strike "**(3)**" and substitute "**(4)**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 95 Negative – 24 (See Roll Call No. 1247)

AMENDED IN THE SENATE

House Bill 1401 – Delegates Oaks, Costa, Frank, Kipke, ~~and Pena-Melnyk~~ Pena–Melnyk, and Stukes

AN ACT concerning

State Department of Education – Oral Health Education – ~~Certification and~~ Monitoring

Delegate Hixson moved that the House concur in the Senate amendments.

HB1401/944130/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1401
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike the second "Education – " and substitute "Education"; in line 3, strike, "Monitoring"; in line 7, after the first "certain" insert "oral health"; in the same line, strike "and" and substitute a comma; in line 8, after "education" insert ", and submit a certain summary to the Governor and General Assembly on or before a certain date; requiring the State Board of Education to encourage certain county boards of education to incorporate certain lessons into certain curriculum"; strike beginning with "requiring" in line 8 down through "intervals;" in line 10; and after line 15, insert:

"BY repealing and reenacting, with amendments,
Article – Education
Section 7–411.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 2, in line 12, strike "**(A)**"; in line 18, after "**EDUCATION**" insert "**, INCLUDING ORAL DISEASE PREVENTION AND DENTAL HEALTH PROMOTION,**"; in line 19, strike "**AND**"; and in line 21, after "**EDUCATION**" insert "**; AND**

(3) ON OR BEFORE DECEMBER 1, 2015, AND EVERY 5 YEARS THEREAFTER, SUBMIT TO THE GOVERNOR AND, SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A SUMMARY OF THE INFORMATION REPORTED BY THE DEPARTMENT TO THE STATE SUPERINTENDENT DURING THE CERTIFICATION OF THE HEALTH EDUCATION STATE CURRICULUM";

On page 3, strike in their entirety lines 5 through 10, inclusive, and substitute:

"7–411.1.

The State Board shall encourage the county boards to incorporate age–appropriate lessons on dating violence**, ORAL DISEASE PREVENTION, AND DENTAL HEALTH PROMOTION** into the county boards' health education curriculum.".

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 – 122 Negative – 1 (See Roll Call No. 1248)

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **HB 0109**
SPONSOR: Del Vitale
SUBJECT: Public Safety – Elevator Safety Review Board – Membership

The Senate does not recede in the Senate amendments, and respectfully requests the House reconsider and concur.

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 Kittleman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Delegate Davis moved that the House concur in the Senate amendments.

HB0109/417873/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 109
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "or" in line 4 down through "contractor" in line 5.

AMENDMENT NO. 2

On page 2, in lines 12 and 13, strike "**: 1.**"; and strike beginning with "**OR**" in line 14 down through "**CONTRACTOR;**" in line 16.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 123 Negative – 0 (See Roll Call No. 1249)

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #21

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 26 – Senators Klausmeier, Stone, Kittleman, and Colburn

AN ACT concerning

Commercial Gaming – Table Games – Video Lottery Facilities and Terminals

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

QUORUM CALL

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 1250)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #43

Senate Bill 19 – Senators Peters, Astle, Klausmeier, Garagiola, DeGrange, Rosapepe, King, Kelley, Colburn, Kittleman, Madaleno, Montgomery, Edwards, Manno, ~~and Stone~~ Stone, and Dyson

AN ACT concerning

Sales and Use Tax – Exemption – Veterans' Organizations

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

Affirmative – 126 Negative – 0 (See Roll Call No. 1251)

The Bill was then returned to the Senate.

Senate Bill 58 – Senator Kelley

AN ACT concerning

Education – Children in Informal Kinship Care Relationships – Payments for Students with Disabilities – Funding

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1252)

The Bill was then returned to the Senate.

Senate Bill 143 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Education – Comprehensive Master Plans

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

Affirmative – 116 Negative – 6 (See Roll Call No. 1253)

The Bill was then returned to the Senate.

Senate Bill 293 – Senators Miller, Kittleman, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Ferguson, Forehand, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Montgomery, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Shank, Stone, Young, and Zirkin

AN ACT concerning

Education – Core Content Areas – Accountability Program

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1254)

The Bill was then returned to the Senate.

Senate Bill 294 – Senators Miller, Young, Astle, Benson, Brinkley, Colburn, DeGrange, Dyson, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, Kasemeyer, King, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Reilly, Robey, Shank, ~~and Stone~~ Stone, Forehand, Jones–Rodwell, Kittleman, and Simonaire

AN ACT concerning

Family Farm Preservation Act of 2012

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1255)

The Bill was then returned to the Senate.

Senate Bill 296 – Senators Manno, Miller, Astle, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Forehand, Garagiola, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, King, Klausmeier, Mathias, McFadden, Peters, Pipkin, Pugh, Ramirez, Reilly, Robey, Stone, and Young

AN ACT concerning

Income Tax Credit – Security ~~Clearance Expenses~~ Clearances – Employer Costs

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

Affirmative – 93 Negative – 29 (See Roll Call No. 1256)

The Bill was then returned to the Senate.

Senate Bill 605 – Senator Kelley

AN ACT concerning

Education – ~~Children in State-Supervised Care – Geographical Attendance Area~~ Domicile Requirements for Attendance – Exception

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

Affirmative – 124 Negative – 1 (See Roll Call No. 1257)

The Bill was then returned to the Senate.

Senate Bill 666 – Carroll County Senators

AN ACT concerning

Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities

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

Affirmative – 122 Negative – 2 (See Roll Call No. 1258)

The Bill was then returned to the Senate.

Senate Bill 739 – Senators Madaleno, Frosh, Glassman, Jones–Rodwell, Montgomery, Raskin, and Rosapepe

AN ACT concerning

Tax Credit Evaluation Act

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

Affirmative – 113 Negative – 10 (See Roll Call No. 1259)

The Bill was then returned to the Senate.

Senate Bill 794 – Senators Garagiola, Astle, DeGrange, Glassman, King, Klausmeier~~, Mathias~~, Middleton~~, Muse~~, and Robey

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

FLOOR AMENDMENT

SB0794/673225/1
BY: Delegate Simmons

AMENDMENTS TO SENATE BILL 794
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "circumstances;" insert "prohibiting certain funds from being used to contribute to a campaign finance entity or make an independent expenditure;".

AMENDMENT NO. 2

On page 2, in line 31, after "(g)" insert "**(1)**"; and in line 33, strike "(1)" and substitute "**(I)**".

On page 3, in line 3, strike "(2)" and substitute "**(II)**"; and after line 8, insert:

"**(2) FUNDS RECEIVED BY OCEAN DOWNS RACE COURSE OR ROSECROFT RACEWAY UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE USED TO CONTRIBUTE TO A CAMPAIGN FINANCE ENTITY UNDER TITLE 13 OF THE ELECTION LAW ARTICLE OR MAKE AN INDEPENDENT EXPENDITURE AS DEFINED IN § 1–101 OF THE ELECTION LAW ARTICLE.**".

On page 4, in line 29, after "**(G)**" insert "**(1)**".

On page 5, in lines 1 and 7, strike "**(1)**" and "**(2)**", respectively, and substitute "**(I)**" and "**(II)**", respectively; and after line 12, insert:

"**(2) FUNDS RECEIVED BY OCEAN DOWNS RACE COURSE OR ROSECROFT RACEWAY UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE USED TO CONTRIBUTE TO A CAMPAIGN FINANCE ENTITY UNDER TITLE 13 OF THE ELECTION LAW ARTICLE OR MAKE AN INDEPENDENT EXPENDITURE AS DEFINED IN § 1–101 OF THE ELECTION LAW ARTICLE.**".

The preceding 2 amendments were read and adopted.

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

Affirmative – 77 Negative – 43 (See Roll Call No. 1260)

The Bill was then returned to the Senate.

Senate Bill 1086 – Senators Jones–Rodwell, Currie, King, Madaleno, and Manno

AN ACT concerning

Income Tax – Tax Credits – Electronic Filing Requirements

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

Affirmative – 124 Negative – 0 (See Roll Call No. 1261)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #44

Senate Bill 234 – The President (By Request – Administration) and Senators Benson, Currie, Ferguson, Kelley, King, Middleton, Peters, Pugh, ~~and Rosapepe~~ Rosapepe, and Jones–Rodwell

AN ACT concerning

Maryland Health Improvement and Disparities Reduction Act of 2012

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

Affirmative – 94 Negative – 29 (See Roll Call No. 1262)

The Bill was then returned to the Senate.

Senate Bill 262 – Senator Montgomery

AN ACT concerning

Health Occupations – Psychologists – Penalties for Misrepresentation and Practicing Without a License

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

Affirmative – 123 Negative – 1 (See Roll Call No. 1263)

The Bill was then returned to the Senate.

Senate Bill 274 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

State Board of Pharmacy – Sunset Extension and Revisions

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

Affirmative – 124 Negative – 0 (See Roll Call No. 1264)

The Bill was then returned to the Senate.

Senate Bill 395 – Senator Jennings

AN ACT concerning

Health Occupations – Public Disclosure of Professional Credentials and Reports on Advertising Regulations and Policies

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1265)

The Bill was then returned to the Senate.

Senate Bill 456 – Senator Middleton

AN ACT concerning

Health Insurance – Health Benefit Plan Premium Rate Review

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1266)

The Bill was then returned to the Senate.

Senate Bill 474 – Senator Pinsky

AN ACT concerning

State Board of Professional Counselors and Therapists – Certified Professional Counselor–Alcohol and Drug – Repeal

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

Affirmative – 124 Negative – 0 (See Roll Call No. 1267)

The Bill was then returned to the Senate.

Senate Bill 540 – ~~Senator Astle~~ Senators Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Pugh

AN ACT concerning

Maryland Health Care Commission – Preauthorization of ~~Medical Services and Pharmaceuticals – Standards~~ Health Care Services – Benchmarks

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

Affirmative – 124 Negative – 0 (See Roll Call No. 1268)

The Bill was then returned to the Senate.

Senate Bill 603 – Senators Montgomery and Conway

AN ACT concerning

Health Care Practitioners – Licensed Dentists, Physicians, and Podiatrists – Personally Preparing and Dispensing Prescription Drugs and Devices

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

Affirmative – 124 Negative – 0 (See Roll Call No. 1269)

The Bill was then returned to the Senate.

Senate Bill 744 – Senators Madaleno, Colburn, Conway, Currie, Forehand, Glassman, Jones–Rodwell, King, Klausmeier, Manno, McFadden, Montgomery, Muse, Peters, Pugh, Ramirez, Raskin, Rosapepe, ~~and Stone~~ Stone, Astle, Kittleman, Kelley, and Middleton

AN ACT concerning

Health Insurance – Habilitative Services – Required Coverage ~~and~~, Workgroup, and Technical Advisory Group

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

Affirmative – 124 Negative – 0 (See Roll Call No. 1270)

The Bill was then returned to the Senate.

Senate Bill 749 – Senator Middleton

AN ACT concerning

Physicians – Sharing of Information with Maryland Health Care Commission

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

Affirmative – 124 Negative – 1 (See Roll Call No. 1271)

The Bill was then returned to the Senate.

Senate Bill 781 – Senators Pugh, Pipkin, Mathias, Middleton, ~~and Montgomery~~ Montgomery, Astle, Glassman, Kelley, Kittleman, and Klausmeier

AN ACT concerning

Health Insurance – Coverage for Services Delivered Through Telemedicine ~~Services~~

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1272)

The Bill was then returned to the Senate.

Senate Bill 841 – Senator Pinsky

AN ACT concerning

State Board of Dental Examiners – Licenses – Examination Requirements for Dentists and Dental Hygienists

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1273)

The Bill was then returned to the Senate.

Senate Bill 849 – ~~Senator King~~ Senators King, Garagiola, Klausmeier, Middleton, and Pugh

AN ACT concerning

Health Insurance – Dental Preventive Care – Coverage ~~for Dental Cleanings~~

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

The motion was adopted.

Senate Bill 858 – Senators Raskin, Colburn, Middleton, and Peters

AN ACT concerning

Public Library – Essential Community Service – Designation

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1274)

The Bill was then returned to the Senate.

Senate Bill 868 – Senator Conway

AN ACT concerning

Residential Child and Youth Care Practitioners – Certification – Modifications

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

Affirmative – 124 Negative – 0 (See Roll Call No. 1275)

The Bill was then returned to the Senate.

Senate Bill 903 – Senator Astle

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1276)

The Bill was then returned to the Senate.

Senate Bill 928 – Senators Astle and Middleton

AN ACT concerning

Health Insurance – Fees for Administrative Services Provided by Insurance Producers – Authorized

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

Affirmative – 118 Negative – 4 (See Roll Call No. 1277)

The Bill was then returned to the Senate.

Senate Bill 969 – Senator Conway

AN ACT concerning

State Board of Professional Counselors and Therapists – Licensure of Clinical Professional Art Therapists

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

Affirmative – 123 Negative – 2 (See Roll Call No. 1278)

The Bill was then returned to the Senate.

Senate Bill 1003 – ~~Senator Middleton~~ Senators Middleton, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, and Pugh

AN ACT concerning

Life and Health Insurance Guaranty Corporation Act – Revisions

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

Affirmative – 125 Negative – 0 (See Roll Call No. 1279)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #45

Senate Bill 128 – Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Abandoned Land – Certificates of Reservation for Public Use

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

Affirmative – 122 Negative – 1 (See Roll Call No. 1280)

The Bill was then returned to the Senate.

Senate Bill 346 – Senators Glassman and Jacobs

AN ACT concerning

Harford County – Deer Hunting on Private Property – Sundays

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

Affirmative – 112 Negative – 7 (See Roll Call No. 1281)

The Bill was then returned to the Senate.

Senate Bill 347 – Senator Klausmeier (By Request – Baltimore County Administration)

AN ACT concerning

Vehicle Laws – Registration Plates for Individuals with Disabilities – Parking in Baltimore County

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

The motion was adopted.

THIRD READING CALENDAR (SENATE BILLS) #46

Senate Bill 214 – Senator Raskin

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

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

Affirmative – 92 Negative – 31 (See Roll Call No. 1282)

The Bill was then returned to the Senate.

Senate Bill 245 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)

AN ACT concerning

Juvenile Law – Disposition – Committed Programs

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

Affirmative – 124 Negative – 0 (See Roll Call No. 1283)

The Bill was then returned to the Senate.

Senate Bill 421 – Senator Mathias

AN ACT concerning

Public Safety – Explosives – Package of Components

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

Affirmative – 109 Negative – 14 (See Roll Call No. 1284)

The Bill was then returned to the Senate.

Senate Bill 797 – Senators Frosh ~~and Gladden~~, Gladden, Forehand, Ramirez, Raskin, Stone, and Zirkin

AN ACT concerning

Courts and Judicial Proceedings – Witnesses – Privileged Communications ~~Between Labor Organization and Member~~ Involving Labor Organizations

FLOOR AMENDMENT

SB0797/113522/1
BY: Chair, House Judiciary Committee

AMENDMENT TO SENATE BILL 797
(Third Reading File Bill)

On page 2, in line 9, after "**SUBSECTION**" insert "**(C) OR**".

The preceding amendment was read and adopted.

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

The motion was adopted.

Senate Bill 1082 – Senator Forehand

AN ACT concerning

Children in Need of Assistance and Child Abuse and Neglect – Sexual Abuse – Definition

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

Affirmative – 123 Negative – 0 (See Roll Call No. 1285)

The Bill was then returned to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0134**
SPONSOR: Sen Conway
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 0134**
SPONSOR: Sen Conway
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 Davis, Chairman

Delegate Jameson, and
Delegate Schulz.

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 0745**
SPONSOR: Sen Middleton, et al
SUBJECT: Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company

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 Kelley
Senator Klausmeier.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0745**

SPONSOR: Sen Middleton, et al
SUBJECT: Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company

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 Kelley
Senator Klausmeier

The House appoints:
Delegate Rudolph, Chairman
Delegate Davis, and
Delegate Jameson.

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 0023**
SPONSOR: Sen Reilly
SUBJECT: Public Safety – Elevator Safety Review Board – Membership

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 Kittleman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Delegate Davis moved the House recede on its amendment.

The motion was adopted.

SB0023/163396/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 23
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "industry" insert "or who is a licensed contractor other than an elevator contractor".

AMENDMENT NO. 2

On page 2, in line 12, after "**SHALL**" insert "**:**

1.";

in line 13, strike "**AND**" and substitute "**OR**

2. BE A CONTRACTOR LICENSED BY THE BOARD, OTHER THAN AN ELEVATOR CONTRACTOR; AND".

House receded and the amendments were removed.

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

Affirmative – 122 Negative – 0 (See Roll Call No. 1286)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

BILL: **SB 0023**
SPONSOR: Sen Reilly
SUBJECT: Public Safety – Elevator Safety Review Board – Membership

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

The House of Delegates recedes from its position on SB 0023.

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 1042 – Delegate Vallario

AN ACT concerning

Courts and Judicial Proceedings – Witnesses – Privileged Communications Between Labor Organization and Member

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DELEGATE O'DONNELL PENDING.

FLOOR AMENDMENT

HB1042/993621/1
BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 1042, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, strike "a labor organization or"; and strike beginning with "**A**" in line 22 down through "**OR**" in line 23.

AMENDMENT NO. 2

On page 1 of the House Judiciary Committee Amendments (HB1042/122016/1), in lines 6 and 7 of Amendment No. 1, strike "a labor organization or its" and substitute "an"; and in line 7, after "agent" insert "of a labor organization".

AMENDMENT NO. 3

On page 2 of the House Judiciary Committee Amendments, in lines 5 and 6 and 7 of Amendment No. 3, in each instance, strike "**LABOR ORGANIZATION OR**".

On page 3 of the House Judiciary Committee Amendments, in lines 1 and 2, 5, 8, and 10 and 11 of Amendment No. 3, in each instance, strike "**LABOR ORGANIZATION OR ITS**"; in lines 2, 5, 8, and 11 of Amendment No. 3, in each instance, after "**AGENT**" insert "**OF A LABOR ORGANIZATION**"; in line 8 of Amendment No. 3, strike "**A**" and substitute "**AN**"; and in lines 3 and 10 of Amendment No. 4, in each instance, strike "**LABOR ORGANIZATION OR ITS**".

AMENDMENT NO. 4

On page 2 of the bill, in line 5, strike "**A LABOR ORGANIZATION OR ITS**" and substitute "**AN**"; in the same line, after "**AGENT**" insert "**OF A LABOR ORGANIZATION**"; strike beginning with the colon in line 12 down through "**THE**" in line 13 and substitute "**THE**"; and strike beginning with the semicolon in line 14 down through "**BODY**" in line 17.

AMENDMENT NO. 5

On page 4 of the House Judiciary Committee Amendments, in lines 6 and 7, 9, 13, 14, 15 and 16, and 18 and 19 of Amendment No. 4, in each instance, strike "**LABOR ORGANIZATION OR ITS**".

AMENDMENT NO. 6

On page 5 of the House Judiciary Committee Amendments, in line 9 of Amendment No. 6, strike "a labor organization or".

The preceding 6 amendments were withdrawn.

FLOOR AMENDMENT

HB1042/183224/1
BY: Chair, House Judiciary Committee

AMENDMENT TO HOUSE BILL 1042
(First Reading File Bill)

On page 1, in line 22, after "**SUBSECTION**" insert "**(C) OR**".

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 122 Members present.

(See Roll Call No. 1287)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #47

Senate Bill 167 – Senator Currie

AN ACT concerning

Tax Credits for Qualifying Employees with Disabilities – Sunset Repeal

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

Affirmative – 123 Negative – 0 (See Roll Call No. 1288)

The Bill was then returned to the Senate.

Senate Bill 477 – Senators Klausmeier, Kittleman, Astle, Colburn, DeGrange, Forehand, Kasemeyer, Middleton, Robey, Rosapepe, ~~and Stone~~ Stone, Brinkley, Currie, Edwards, Jones–Rodwell, King, Madaleno, Manno, and Peters

AN ACT concerning

Job Creation Tax Credit – Amount of Credit and Termination Provisions

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

Affirmative – 117 Negative – 6 (See Roll Call No. 1289)

The Bill was then returned to the Senate.

Senate Bill 807 – Senators Madaleno, Brinkley, Colburn, Currie, Glassman, Jones–Rodwell, Manno, Montgomery, Peters, Ramirez, ~~and Raskin~~ Raskin, and McFadden

AN ACT concerning

Income Tax – Subtraction Modification – Land Acquisition for ~~Transportation-Related Projects~~ Department of Transportation

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

Affirmative – 97 Negative – 25 (See Roll Call No. 1290)

The Bill was then returned to the Senate.

Senate Bill 820 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman, Klausmeier, Shank, and Stone

AN ACT concerning

Transportation – Toll, Fee, or Other Charge Increases – ~~Notice and Public Comment~~ Required Procedures

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

Affirmative – 121 Negative – 0 (See Roll Call No. 1291)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #48

Senate Bill 82 – Senator Zirkin

AN ACT concerning

Maryland Automobile Insurance Fund – Claims for Bodily Injury or Death – Payment Limitation

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

Affirmative – 98 Negative – 24 (See Roll Call No. 1292)

The Bill was then returned to the Senate.

Senate Bill 272 – Senators Peters~~, Astle, Kittleman~~, ~~and Klausmeier~~ Pugh, Young, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Muse

AN ACT concerning

Labor and Employment – Workplace Fraud Act – Revisions

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

Affirmative – 122 Negative – 0 (See Roll Call No. 1293)

The Bill was then returned to the Senate.

Senate Bill 929 – Senators Astle, Conway, Ferguson, Gladden, Klausmeier, Young, ~~and Zirkin~~ Zirkin, Mathias, Muse, and Pugh

EMERGENCY BILL

AN ACT concerning

The Deanna Camille Green Act of 2012

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

Affirmative – 115 Negative – 7 (See Roll Call No. 1294)

The Bill was then returned to the Senate.

Senate Bill 977 – Senator Rosapepe

AN ACT concerning

Transportation – Institutions of Higher Education ~~and State Employment Facilities~~ – Bicycle and Pedestrian Access

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

Affirmative – 91 Negative – 31 (See Roll Call No. 1295)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 121 Members present.

(See Roll Call No. 1296)

THIRD READING CALENDAR (HOUSE BILLS) #78

House Bill 1166 – Delegate Love

AN ACT concerning

Gaming – ~~Instant Bingo –~~ Electronic Machines – Regulation

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

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 121 Members present.

(See Roll Call No. 1297)

ADJOURNMENT

At 7:54 P.M. on motion of Delegate Barve the House adjourned until 10:30 A.M. on Legislative Day April 4, 2012, Calendar Day Monday, April 9, 2012.

Annapolis, Maryland
Legislative Day: April 4, 2012
Calendar Day: Monday, April 9, 2012

The House met at 10:51 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Andrew A. Serafini of Washington County.

QUORUM CALL

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

(See Roll Call No. 1298)

The Journal of April 3, 2012 was read and approved.

EXCUSES:
Del. Stocksdale – illness
Del. Valentino–Smith – late – personal
Del. V. Turner – medical

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 138	Carroll County Del.
HB 245	Charles County Del.
HB 284	Ch., Ways and Means
HB 509	Del. K. Kelly
HB 568	Del. Rosenberg
HB 607	Del. Hucker
HB 679	Del. Nathan–Pulliam
HB 723	Montgomery Co. Del.
HB 929	Del. Stein
HB 1009	Del. Hubbard
HB 1080	Del. Walker
HB 1117	Del. Hershey
HB 1196	Del. Ready
HB 1201	Del. Conway
HB 1254	Del. Vaughn

HB 1289	Ch., Ways and Means
HB 1290	The Speaker
HB 1296	St. Mary's County Del.
HB 1306	Ch., Envir. Mat. Com.
HB 1325	Del. O'Donnell
HB 1327	Del. Lafferty
HB 1347	Wicomico County Del.
HB 1368	Del. Schulz
HB 1432	Del. Barkley
HB 1436	Del. Conway
HB 1446	Del. Otto
HB 1476	Del. Rudolph

Read and ordered journalized.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #25

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

Senate Bill 127 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Marine Gathering Permit – Establishment

Delegate McIntosh moved to make the Bill and Report a Special Order for next session.

The motion was adopted.

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

Senate Bill 252 – ~~Senator Jones–Rodwell~~ Senators Jones–Rodwell and Pugh

AN ACT concerning

Baltimore City Community Enhancement Transit–Oriented Development Fund

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 419 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Law – Litter Control ~~Regulations and Penalties~~ Law – Enforcement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 544 – Senators Ramirez, Raskin, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Ferguson, Forehand, Frosh, Garagiola, Glassman, Jacobs, Jennings, King, Kittleman, Madaleno, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pinsky, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elected Officials – Removal from Office – Crimes

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1299)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #79

House Bill 161 – ~~Delegates George, Barnes, Beidle, Frush, Kipke, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

Courts and Judicial Proceedings – Circuit Court for Anne Arundel County – Fees for Appearance of Counsel

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

Affirmative – 123 Negative – 9 (See Roll Call No. 1300)

The Bill was then sent to the Senate.

House Bill 866 – Delegate Feldman

AN ACT concerning

Title Insurance – Closing or Settlement Protection Practices – Study

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1301)

The Bill was then sent to the Senate.

House Bill 947 – Delegates F. Turner, Afzali, Boteler, Branch, Glass, Howard, Ivey, Luedtke, A. Miller, Stukes, Summers, and Walker

SECOND PRINTING

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

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

Affirmative – 104 Negative – 22 (See Roll Call No. 1302)

The Bill was then sent to the Senate.

House Bill 1042 – Delegate Vallario

AN ACT concerning

Courts and Judicial Proceedings – Witnesses – Privileged Communications or Information ~~Between Labor Organization and Member~~ Involving Labor Organizations

Delegate Vallario moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #27

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

Senate Bill 627 – **~~Senator Conway~~ Senators Conway and Middleton**

AN ACT concerning

Multiple Jurisdictions – Alcoholic Beverages – Class B and Class BLX Licenses – Restaurants

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 765 – **Senators Mathias and Middleton**

AN ACT concerning

~~Public Utilities – Consumer Relations –~~ Public Service Commission – Study on Tenant Payment of Landlord Utility Bills

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 791 – **Senator Garagiola**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 797 – Senators Frosh ~~and Gladden~~, Gladden, Forehand, Ramirez, Raskin, Stone, and Zirkin

AN ACT concerning

Courts and Judicial Proceedings – Witnesses – Privileged Communications ~~Between Labor Organization and Member~~ Involving Labor Organizations

STATUS OF BILL: BILL ON 3RD READING. FLOOR COMMITTEE AMENDMENT ADOPTED.

FLOOR AMENDMENT

SB0797/783926/1
BY: Delegate O'Donnell

AMENDMENTS TO SENATE BILL 797, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, strike "a labor organization or".

AMENDMENT NO. 2

On page 1 of the House Judiciary Committee Amendments (SB0797/272814/1), in line 5 of Amendment No. 1, strike "a labor organization or its" and substitute "an"; and in the same line, after "agent" insert "of a labor organization".

AMENDMENT NO. 3

On page 2 of the bill, strike beginning with "**A**" in line 9 down through "**OR**" in line 10; strike beginning with "**LABOR**" in line 15 down through the first "**OR**" in line 16; in line 17, strike "**LABOR ORGANIZATION OR**"; in line 19, strike "**A LABOR**

ORGANIZATION OR ITS" and substitute "**AN**"; in the same line, after "**AGENT**" insert "**OF A LABOR ORGANIZATION**"; strike beginning with the colon in line 29 down through "**THE**" in line 30 and substitute "**THE**"; and strike beginning with the semicolon in line 31 down through "**BODY**" in line 34.

AMENDMENT NO. 4

On page 2 of the House Judiciary Committee Amendments, in lines 7 and 8, 11, 14, and 16 and 17 of Amendment No. 2, in each instance, strike "**LABOR ORGANIZATION OR ITS**"; in lines 8, 11, and 14, in each instance, after "**AGENT**" insert "**OF THE LABOR ORGANIZATION**"; and in line 14, strike "**A**" and substitute "**AN**".

On page 3 of the House Judiciary Committee Amendments, in lines 1, 8, 14 and 15, 17, 21, 22, and 23 and 24 of Amendment No. 3, in each instance, strike "**LABOR ORGANIZATION OR ITS**".

On page 4 of the House Judiciary Committee Amendments, in line 9 of Amendment No. 4, strike "a labor organization or".

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 49 Negative – 82 (See Roll Call No. 1303)

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

Affirmative – 91 Negative – 44 (See Roll Call No. 1304)

The Bill was then returned to the Senate.

House Bill 15 – Delegate Glenn

AN ACT concerning

Maryland Medical Marijuana Act

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

Read the second time and ordered prepared for Third Reading.

Senate Bill 347 – Senator Klausmeier (By Request – Baltimore County Administration)

AN ACT concerning

Vehicle Laws – Registration Plates for Individuals with Disabilities – Parking in Baltimore County

STATUS OF BILL: BILL ON 3RD READING.

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

The motion was adopted.

Senate Bill 354 – Senators Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Alcoholic Beverages – ~~Beer, Wine, and Liquor Tasting~~ Licenses

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 130 Negative – 6 (See Roll Call No. 1305)

The Bill was then returned to the Senate.

Senate Bill 534 – Senators Pugh, Currie, Gladden, and Jones–Rodwell

AN ACT concerning

Baltimore City – Alcoholic Beverages License – Repeal of Voter Registration Requirement for Licensees

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. 1306)

The Bill was then returned to the Senate.

Senate Bill 725 – Senator Kelley

AN ACT concerning

Residential Condominiums – Governing Documents – Claims Provisions

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 133 Negative – 2 (See Roll Call No. 1307)

The Bill was then returned to the Senate.

Senate Bill 849 – ~~Senator King~~ Senators King, Garagiola, Klausmeier, Middleton, and Pugh

AN ACT concerning

Health Insurance – Dental Preventive Care – Coverage ~~for Dental Cleanings~~

STATUS OF BILL: BILL ON 3RD READING.

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

The motion was adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #50

Senate Bill 994 – Senator Brinkley

AN ACT concerning

Environment – Temporary Dewatering Devices and Well Drilling – Notification to Municipalities

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1308)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE

House Bill 457 – ~~Delegate Howard~~ Delegates Howard, A. Miller, and Stukes

AN ACT concerning

Transportation – Highway Construction Training and Supportive Services

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

HB0457/287479/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 457
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Highway" insert "or Capital Transit"; in line 3, strike "requiring" and substitute "authorizing"; in the same line, strike "State Highway Administration" and substitute "Maryland Department of Transportation"; in lines 5 and 9, in each instance, after "highway" insert "or capital transit"; in line 6, after "programs;" insert "requiring the Department to administer certain highway construction and supportive services programs in collaboration with the Governor's Workforce Investment Board for a certain purpose;"; in the same line, strike "Administration" and substitute "Department and the Board"; in line 8, strike "a"; and in the same line, strike "term" and substitute "terms".

AMENDMENT NO. 2

On page 2, strike beginning with "**IN**" in line 9 down through "**HIGHWAYS**" in line 12 and substitute:

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

(2) "BOARD" MEANS THE GOVERNOR'S WORKFORCE INVESTMENT BOARD.

(3) "HIGHWAY OR CAPITAL TRANSIT CONSTRUCTION" MEANS ACTUAL CONSTRUCTION, PRELIMINARY ENGINEERING, PLANNING AND RESEARCH, OR ANY OTHER WORK OR ACTIVITY TO IMPLEMENT FEDERAL LAWS FOR THE ADMINISTRATION OF FEDERAL AID FOR HIGHWAYS OR CAPITAL TRANSIT PROJECTS.

(4) "WORKFORCE INVESTMENT AREA" HAS THE MEANING STATED IN § 11–503(N) OF THE LABOR AND EMPLOYMENT ARTICLE";

in line 13, strike "**ADMINISTRATION SHALL**" and substitute "**DEPARTMENT MAY**"; in line 15, after "**HIGHWAY**" insert "**OR CAPITAL TRANSIT**"; after line 17, insert:

"**(C) THE DEPARTMENT SHALL ADMINISTER THE TRAINING PROGRAMS UNDER SUBSECTION (B) OF THIS SECTION IN COLLABORATION WITH THE BOARD TO ENSURE THAT HIGHWAY OR CAPITAL TRANSIT CONSTRUCTION TRAINING AND SUPPORTIVE SERVICES ARE PROVIDED TO THE GREATEST EXTENT FEASIBLE TO INDIVIDUALS IN EACH RELEVANT WORKFORCE INVESTMENT AREA.**";

in line 18, strike "**(C)**" and substitute "**(D)**"; in the same line, strike "**ADMINISTRATION**" and substitute "**DEPARTMENT AND BOARD**"; in line 22, strike "**ADMINISTRATION'S**" and substitute "**DEPARTMENT'S AND BOARD'S**"; in line 23, strike "**SUBSECTION (B)**" and substitute "**SUBSECTIONS (B) AND (C)**"; in line 26, after "**HIGHWAY**" insert "**OR CAPITAL TRANSIT**"; in line 28, strike "**ADMINISTRATION HAS**" and substitute "**DEPARTMENT AND BOARD HAVE**"; in the same line, after "**ADMINISTERED**" insert "**IN EACH WORKFORCE INVESTMENT AREA, INCLUDING A DESCRIPTION OF:**

1. ANY ENTITIES, INSTITUTIONS, OR ORGANIZATIONS USED BY THE DEPARTMENT AND BOARD TO PROVIDE THE TRAINING AND SERVICES; AND

2. THE INDIVIDUALS AND ORGANIZATIONS THAT HAVE RECEIVED TRAINING AND SERVICES";

in line 29, after "**PROGRAMS**" insert "**IN EACH WORKFORCE INVESTMENT AREA**"; and strike beginning with "**BY**" in line 32 down through "**ADMINISTERING**" in line 33 and substitute "**IN EACH WORKFORCE INVESTMENT AREA TO CONDUCT AND ADMINISTER**".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0457**
SPONSOR: Del Howard, et al
SUBJECT: Transportation – Highway Construction Training and Supportive 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 Howard, Chairman
Delegate Luedtke, and
Delegate Boteler.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 644 – Delegates Oaks and Niemann

AN ACT concerning

Environment – Reducing the Incidence of Lead Poisoning

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

HB0644/768075/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 644
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "date;" insert "exempting certain properties built between certain dates from certain requirements relating to certain risk reduction standards;"; and strike beginning with "establishing" in line 8 down through "evidence;" in line 10 and substitute "providing for the admissibility of certain evidence in certain actions for damages for alleged injury or loss caused by the ingestion of lead; requiring a court to require a certain party, the party's attorney, or both to pay certain costs under certain circumstances;".

On page 2, in line 4, after "6–801(b)," insert "6–817(a)(1) and (b)(1), 6–819(f),"; after line 6, insert:

"BY repealing
Article – Environment
Section 6–838
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)";

and in line 9, strike "6–830.1" and substitute "6–838".

AMENDMENT NO. 2

On page 2, after line 33, insert:

"6–817.

(a) (1) **[**On**]** **EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE, ON** and after February 24, 2001, an owner of affected properties shall ensure that at least 50% of the owner's affected properties have satisfied the risk reduction standard specified in § 6–815(a) of this subtitle, without regard to the number of affected properties in which there has been a change in occupancy.

(b) (1) **[**On**]** **EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE, ON** and after February 24, 2006, an owner of affected properties shall ensure that 100% of the owner's affected properties in which a person at risk resides, and of whom the owner has been notified in writing, have satisfied the risk reduction standard specified in § 6–815(a) of this subtitle.

6–819.

(f) Except as provided in § 6–817(b) of this subtitle **AND EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE**, on and after February 24, 2006, an owner of affected properties shall ensure that 100% of the owner's affected properties in which a person at risk does not reside have satisfied the modified risk reduction standard.".

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 26 on page 3 through line 6 on page 4, inclusive, and substitute:

"**[**6–838.

(a) An owner of an affected property that is not in compliance with the provisions of Part IV of this subtitle during the period of residency of the person at risk is presumed to have failed to exercise reasonable care with respect to lead hazards during that period in an action seeking damages for alleged injury or loss caused by the ingestion of lead by a person at risk in the affected property.

(b) The owner has the burden of rebutting the presumption established under subsection (a) of this section by a preponderance of the evidence.**]**

6–838.

(A) (1) IN AN ACTION SEEKING DAMAGES FOR ALLEGED INJURY OR LOSS CAUSED BY THE INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY, EVIDENCE THAT THE OWNER OF THE AFFECTED PROPERTY WAS IN COMPLIANCE WITH THE PROVISIONS OF PART IV OF THIS SUBTITLE DURING THE PERIOD OF RESIDENCY OF THE PERSON AT RISK IS ADMISSIBLE AS EVIDENCE THAT THE OWNER EXERCISED REASONABLE CARE WITH RESPECT TO LEAD HAZARDS DURING THAT PERIOD.

(2) IN AN ACTION SEEKING DAMAGES FOR ALLEGED INJURY OR LOSS CAUSED BY THE INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY, EVIDENCE THAT THE OWNER OF THE AFFECTED PROPERTY WAS NOT IN COMPLIANCE WITH THE PROVISIONS OF PART IV OF

THIS SUBTITLE DURING THE PERIOD OF RESIDENCY OF THE PERSON AT RISK IS ADMISSIBLE AS EVIDENCE THAT THE OWNER FAILED TO EXERCISE REASONABLE CARE WITH RESPECT TO LEAD HAZARDS DURING THAT PERIOD.

(B) IF A PARTY TO AN ACTION FOR DAMAGES ARISING FROM INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY ALLEGES OR DENIES THE TIME AND PLACE OF RESIDENCE OF THE PERSON AT RISK WITHOUT A GOOD FAITH BASIS FOR THE ALLEGATION OR DENIAL, THE COURT SHALL REQUIRE THE OFFENDING PARTY, THE PARTY'S ATTORNEY, OR BOTH TO PAY THE REASONABLE COSTS, INCLUDING ATTORNEY'S FEES, INCURRED BY THE ADVERSE PARTY IN OPPOSING THE ALLEGATION OR DENIAL.".

The preceding 3 amendments were read and not concurred in.

HB0644/238072/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 644, AS AMENDED

On page 1 of the Judicial Proceedings Committee Amendments (HB0644/768075/1), in line 4 of Amendment No. 2, strike "**1997**" and substitute "**1977**".

On page 2 of the Judicial Proceedings Committee Amendments, in lines 6 and 14, in each instance, strike "**1997**" and substitute "**1977**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0644**
SPONSOR: Dels Oaks and Niemann
SUBJECT: Environment – Reducing the Incidence of Lead Poisoning

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 Beidle, and
Delegate Hogan.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1331 – Delegates Carr, Beidle, Bobo, Cane, Frush, Hucker, Luedtke, Niemann, Reznik, S. Robinson, Stein, and Weir

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

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

HB1331/508670/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1331
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "provide, on written request," and substitute "display or make available"; in line 5, after the semicolon insert "requiring a vendor to make available certain utility information in a certain manner; authorizing a vendor to provide to prospective purchasers a certain home energy rating score;"; and strike beginning with "establishing" in line 9 down through "date;" in line 12 and substitute "providing that the failure of a seller to provide certain information to the purchaser does not give the purchaser the right to rescind a contract of sale based on the failure of the seller to comply with this Act;".

AMENDMENT NO. 2

On page 2, in line 13, after "**UNITS**" insert "**IF THE OWNER OF THE PROPERTY HAS OWNED AND RESIDED AT THE PROPERTY FOR AT LEAST 12 MONTHS BEFORE THE PROPERTY IS FIRST MARKETED FOR SALE BY THE OWNER**".

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 8 on page 3 down through line 19 on page 4 and substitute:

"**(B) (1) AS PROVIDED IN THIS SUBSECTION, A VENDOR OF SINGLE FAMILY RESIDENTIAL REAL PROPERTY SHALL DISPLAY OR MAKE AVAILABLE TO PROSPECTIVE PURCHASERS AT THE LOCATION OF THE RESIDENTIAL REAL PROPERTY COPIES OF ELECTRIC, GAS, AND HOME HEATING OIL BILLS, OR A DOCUMENT DETAILING THE MONTHLY ELECTRIC, GAS, AND HOME HEATING OIL USAGE OF THE RESIDENTIAL PROPERTY, FOR THE 12–MONTH PERIOD BEFORE THE PROPERTY WAS FIRST MARKETED FOR SALE.**

(2) THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE:

(I) DISPLAYED OR MADE AVAILABLE DURING ANY SCHEDULED PERIOD OF TIME WHEN THE RESIDENTIAL PROPERTY IS HELD OPEN FOR PUBLIC VIEWING OR FOR VIEWING BY AN INDIVIDUAL PROSPECTIVE PURCHASER; AND

(II) INCLUDED IN OR WITH ANY DOCUMENTS THAT INCLUDE DESCRIPTIONS OF THE RESIDENTIAL PROPERTY AND ARE MADE AVAILABLE TO A PROSPECTIVE PURCHASER AT THE LOCATION OF THE RESIDENTIAL PROPERTY.

(3) IN ADDITION TO THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A VENDOR MAY PROVIDE TO PROSPECTIVE PURCHASERS A HOME ENERGY RATING (HERS INDEX), A U.S. DEPARTMENT OF ENERGY HOME ENERGY SCORE, OR EQUIVALENT SCORE OBTAINED DURING THE 12–MONTH PERIOD BEFORE THE PROPERTY WAS FIRST MARKETED FOR SALE.

(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO LIMIT THE VENDOR FROM MAKING UTILITY INFORMATION AVAILABLE TO PROSPECTIVE PURCHASERS IN A SALE LISTING ON THE MULTIPLE LISTING SERVICE.

(5) ANY INFORMATION PROVIDED UNDER THIS SUBSECTION IS PROVIDED WITHOUT WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING AS TO THE ACCURACY, COMPLETENESS, OR SUITABILITY OF THE INFORMATION.

(C) THE FAILURE OF A SELLER TO PROVIDE A PURCHASER WITH THE INFORMATION LISTED UNDER SUBSECTION (B) OF THIS SECTION DOES NOT GIVE THE PURCHASER THE RIGHT TO RESCIND A CONTRACT OF SALE BASED ON THE FAILURE OF THE SELLER TO COMPLY WITH THIS SECTION.";

and in lines 20 and 24, strike "3." and "4.", respectively, and substitute "2." and "3.", respectively.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1331**
SPONSOR: Del Carr, et al
SUBJECT: Residential Property Sales – Disclosure of Utility Consumption

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 Glenn, and
Delegate McMillan.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 358 – The President (By Request – Administration) and Senators Colburn, Currie, DeGrange, Garagiola, Kasemeyer, King, Madaleno~~,~~ ~~Manno~~, McFadden, Middleton, Peters, Pugh, and Rosapepe

AN ACT concerning

Public–Private Partnerships

FOR the purpose of establishing the policy of the State on public–private partnerships; altering provisions of law relating to public–private partnerships; authorizing a certain agency to establish a public–private partnership and execute a partnership agreement in connection with certain functions, services, or assets; requiring a certain agency to adopt certain regulations and establish certain processes for the development, solicitation, evaluation, award, and delivery of public–private partnerships; requiring certain legislative committees to review and comment on certain processes and regulations; requiring certain agencies to submit, on or before a certain date each year, certain reports to certain legislative committees; establishing certain requirements for certain reports; establishing deadlines for the review of certain presolicitation reports; requiring certain agencies to comply with certain requirements before issuing a solicitation for a public–private partnership; requiring a certain agency to make a certain responsibility determination concerning certain entities; requiring a certain agency to submit certain reports to certain officials and committees; prohibiting the Board of Public Works from approving a public–private partnership agreement until the completion of certain review by certain officials and committees; establishing deadlines for the review of public–private partnership agreements; requiring a certain agency to post a certain agreement on a certain Web site; requiring certain entities to provide performance bonds; prohibiting a public–private partnership agreement from exceeding a certain number of years, with certain exceptions; prohibiting noncompete agreements for certain assets; authorizing the award of certain compensation under certain circumstances; establishing certain requirements for a final public–private partnership agreement; requiring certain proceeds to accrue to certain funds; requiring a certain agency to post on the Internet a certain final agreement; authorizing a certain agency to establish by regulation certain application fees for certain unsolicited proposals; establishing certain requirements for certain unsolicited proposals; providing that certain provisions of the State ethics law

do not preclude a certain individual or firm from entering into a certain agreement; exempting public–private partnerships from certain requirements of the State procurement law; repealing certain obsolete provisions; defining a certain term; altering certain definitions; providing for the application of this Act; and generally relating to public–private partnerships.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 10A–101
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing
Article – State Finance and Procurement
Section 10A–102
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Finance and Procurement
Section 10A–102 through 10A–104 to be under the new subtitle "Subtitle 1. Definitions; General Provisions"; 10A–201 through 10A–204 to be under the new subtitle "Subtitle 2. Solicited Proposals"; 10A–301 to be under the new subtitle "Subtitle 3. Unsolicited Proposals"; 10A–401 and 10A–402 to be under the new subtitle "Subtitle 4. Public–Private Partnership Agreements"; and 11–203(h)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing
Article – Transportation
Section 4–205 and 4–406
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

Senate Bill 532 – Senators Middleton, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Getty, Glassman, Jacobs, Jennings, Kittleman, Mathias, Peters, Pipkin, Reilly, Robey, Shank, and Simonaire

AN ACT concerning

Department of Planning – State Development Plan – Use and Conflicts of Law

FOR the purpose of requiring the Smart Growth Subcabinet to meet at least biannually with certain individuals to discuss certain local government issues; prohibiting the State Development Plan from being used to ~~create or establish a new cause for State denial of certain projects, permits, or approvals or to deny certain State funding; requiring the Department of Planning and a certain county or municipal corporation to meet in good faith and seek to resolve a certain conflict under certain circumstances; providing that the comprehensive plan, zoning laws, and local ordinances of a county or municipal corporation shall govern for a certain purpose if a certain conflict is not resolved; and generally relating to restrictions on the use of, and conflicts that may arise regarding,~~ deny a State–issued permit or certain State funding; clarifying that the Plan does not supersede any State statute or regulation or any local ordinance or regulation, affect the delegation of planning and zoning powers granted by the State to local jurisdictions under certain provisions of law, or overturn or prevent a decision of a local jurisdiction to fund a project; prohibiting the Plan from requiring a local government to change or alter a local ordinance, regulation, or comprehensive plan; providing for the effective date of certain provisions of this Act; correcting a certain cross–reference; providing for the termination of certain provisions of this Act; and generally relating to restrictions on the use and effect of the State Development Plan.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1406
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Finance and Procurement
Section 5–606
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 636 – Senator Frosh

AN ACT concerning

Environment – Presumptive Impact Areas – ~~Damage~~ Contamination Caused by Gas Wells in Deep Shale Deposits

FOR the purpose of establishing for certain gas well permits a certain presumptive impact area around the gas well; establishing limits on the area and the time period in which a presumptive impact area shall be in effect; requiring the Department of the Environment to consider certain factors in making certain

determinations; requiring a permittee to replace a certain water supply ~~and repair certain damage or pay monetary compensation to a certain property owner in a presumptive impact area~~ under certain circumstances; establishing certain conditions under which a certain water supply within a presumptive impact area shall be considered to be replaced adequately by the permittee; ~~establishing a certain condition under which certain property damage within a presumptive impact area shall be considered to be repaired adequately by the permittee; requiring a permittee to pay certain compensation to a certain property owner under certain circumstances;~~ authorizing the permittee to avoid restoration under certain circumstances; prohibiting the Department from requiring a permittee to replace a water supply ~~or repair~~ or compensate an owner ~~for other damage~~ under certain circumstances; ~~requiring~~ authorizing the Department to adopt certain regulations; establishing that a certain presumption of causation does not apply under certain circumstances; providing that a certain presumption of causation applies in certain civil actions; providing that the presumption may be rebutted by ~~clear and convincing~~ a preponderance of the evidence; ~~stating certain legislative findings and intent;~~ defining a certain term; providing for the construction of this Act; and generally relating to ~~damage~~ contamination caused by certain activities of gas exploration or production.

BY adding to
Article – Environment
Section 14–110.1 ~~and 14–110.2~~
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

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

Senate Bill 786 – Senators Muse and Ramirez

AN ACT concerning

~~**Foreclosure Prevention and Neighborhood Stabilization Act of 2012**~~

Real Property – Foreclosures and Mediation

FOR the purpose of ~~requiring a secured party to file a certain request for foreclosure mediation; repealing a certain provision of law providing for a waiver of a certain filing fee; repealing a certain provision of law requiring a copy of a certain request to be mailed to a certain person; requiring the court to stay foreclosure proceedings until the conclusion of foreclosure mediation under certain circumstances; repealing a certain provision authorizing the secured party to file a motion to strike a certain request; authorizing the mortgagor or grantor to waive the right to participate in foreclosure mediation in a certain manner; requiring the court to appoint a mediator with certain qualifications;~~

~~requiring the parties to split the cost of foreclosure mediation; requiring a certain mediator to be paid a certain fee; authorizing the court to extend the time for completing the foreclosure mediation under certain circumstances; limiting the period for which an extension may be granted under certain circumstances; requiring a certain notice including certain information to be sent to certain parties; requiring certain parties to provide certain information and documents; requiring certain parties to be present at the foreclosure mediation; authorizing a foreclosure mediation to be conducted in a certain manner; authorizing the mediator to schedule more than one mediation session; requiring the mediator to address certain issues during the foreclosure mediation; requiring certain parties to negotiate in good faith; authorizing a mediator to take certain actions if the mediator determines that any party is not acting in good faith; requiring the Department of Housing and Community Development to establish and maintain a Foreclosed Property Registry; requiring a certain person to register certain residential property with the registry; requiring the registration to include certain information; requiring a certain person to notify the registry of a certain purchase at a foreclosure sale; establishing a penalty for a violation of certain provisions of this Act; establishing a certain tax credit for the purchase of residential property in a certain community; defining a certain term; altering a certain definition; making conforming changes; and generally relating to foreclosure mediation, a registry for foreclosed property, and tax credits for homes in foreclosure hotspots~~ establishing a certain prefile mediation process between a secured party and a mortgagor or grantor before the commencement of a certain foreclosure action under certain circumstances; providing that a certain mortgagor or grantor is not entitled to participate in a certain postfile mediation except under certain circumstances; establishing certain procedures and notices for participation in a certain prefile mediation; altering certain procedures relating to foreclosure and postfile mediation; providing that certain provisions of law applicable to foreclosures and certain mediation processes do not apply to certain foreclosure actions on certain property if a certain certificate is issued under certain circumstances; requiring a county or municipal corporation to issue to a secured party a certificate of vacancy or certificate of property unfit for human habitation for certain residential properties under certain circumstances; authorizing a record owner or occupant of residential property to challenge a certain certificate under certain circumstances; authorizing a county or municipal corporation to charge a certain fee to issue a certain certificate; requiring and authorizing the Commissioner of Financial Regulation to adopt certain regulations; defining certain terms; making conforming changes; allowing a subtraction modification under the Maryland income tax for income resulting from a foreclosure settlement negotiated by the Attorney General; providing for the validity, under certain circumstances, of a certain order to docket or complaint to foreclose served on a mortgagor or grantor before the effective date of certain regulations; requiring the Commissioner of Financial Regulation to develop a certain description of a certain procedure and a certain form to be served under a certain provision of law; providing for the application

of certain provisions of this Act; and generally relating to mortgage foreclosures and mediation.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Real Property
Section ~~14–126(d)~~ 7–105.11
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – Property
Section ~~9–110~~ 10–208(r)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

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

Senate Bill 882 – Senator Jones–Rodwell

AN ACT concerning

~~Local Government~~ Baltimore City – Investment in Our Youth (IO–YOUth) ~~Programs~~ Pilot Program

FOR the purpose of ~~authorizing a county to establish an Investment in Our Youth (IO–YOUth) Program; specifying the purpose of the Program; requiring a county that establishes a Program to establish a committee to carry out the Program; specifying that a nonprofit organization must meet certain requirements to be eligible for a grant from a Program; prohibiting a nonprofit organization that receives a grant from a Program from using the grant for certain purposes; requiring a county that establishes a Program to establish a special fund that is to be used to fund the Program; specifying that the Program is to be funded by certain funds and donations; providing that certain funds may be used only for funding the Program; authorizing an employer to make a~~

~~deduction from the wage of an employee, under certain circumstances, for the benefit of a Program; requiring that a certain written request include certain information; requiring certain employers to pay certain funds to the Comptroller; requiring the Comptroller to distribute to the counties certain funds at certain times; requiring a county that receives certain funds to pay the funds into a certain special fund; specifying the amount of funds distributed to a county under a certain provision of this Act; requiring the Comptroller to distribute, at certain times, a certain amount of certain funds to an administrative cost account; allowing an individual or a corporation a subtraction modification under the Maryland income tax equal to the amount of a donation to a Program if the donation is not allowed as a deduction under the federal income tax; providing for the construction of a certain provision of this Act; providing for the application of certain provisions of this Act; defining certain terms;~~ authorizing the Mayor and City Council of Baltimore to establish an Investment in Our Youth (IO–YOUth) Pilot Program; providing that the Program must be established as a qualified organization eligible to receive certain contributions under a certain provision of federal law; specifying the purpose of the Program; requiring the Program to provide summer jobs for certain youths by hiring them to work for the City of Baltimore or by providing grants to certain nonprofit organizations that will provide summer jobs; requiring the Mayor and City Council of Baltimore to establish a committee to carry out the Program; requiring the Mayor and City Council of Baltimore to establish a certain procedure for the disposition of certain funds remaining in the Program under certain circumstances; specifying that a nonprofit organization must meet certain requirements to be eligible for a grant from a Program; prohibiting a nonprofit organization that receives a grant from a Program from using the grant for certain purposes; requiring the Mayor and City Council of Baltimore to establish a special fund that is to be used to fund the Program; specifying that the Program is to be funded by certain funds and donations; providing that certain funds may be used only for funding the Program; authorizing an employer to make a deduction from the wage of an employee, under certain circumstances, for the benefit of a Program; requiring that a certain written request include certain information; requiring certain employers to distribute to the City of Baltimore certain funds at certain times; requiring certain employers to report certain information to the City of Baltimore at certain times; requiring the Mayor and City Council of Baltimore to pay the funds into a certain special fund; specifying the amount of funds distributed to the City of Baltimore under a certain provision of this Act; authorizing the City of Baltimore to receive certain direct donations for the benefit of a Program; requiring the City of Baltimore to provide certain receipts to certain persons; providing for the construction of a certain provision of this Act; defining certain terms; providing for the termination of this Act; and generally relating to Investment in Our Youth (IO–YOUth) Programs.

~~BY adding to~~

~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~

~~Section 25–101 through 25–104 to be under the new title "Title 25. Investment in Our Youth (IO–YOUth) Programs"~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Tax – General~~
~~Section 10–208(a) and 10–308(a)~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

~~BY adding to~~
~~Article – Tax – General~~
~~Section 10–208(r)~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Tax – General~~
~~Section 10–308(b)~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

BY adding to
The Charter of Baltimore City
Article II – General Powers
Section (67)
(2007 Replacement Volume, as amended)

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

Senate Bill 995 – Senators Brinkley, Raskin, Colburn, Currie, Forehand, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Kittleman, Madaleno, Mathias, Montgomery, Peters, Pinsky, Pugh, Robey, Rosapepe, and Zirkin

EMERGENCY BILL

AN ACT concerning

Medical Marijuana ~~Oversight Commission~~ – Caregivers – Certificate of Qualifying Patient

FOR the purpose of ~~making marijuana a Schedule II controlled dangerous substance; prohibiting certain persons from distributing or dispensing marijuana to certain persons; providing for a certain penalty; establishing an independent Medical~~

~~Marijuana Oversight Commission; providing for the purpose and membership of the Commission; specifying the terms of the initial members of the Commission; providing for the appointment of a chair and vice chair of the Commission; providing that a member of the Commission may not receive certain compensation but is entitled to certain reimbursement; authorizing the Commission to employ a certain staff; requiring the Commission to consult with certain experts and to meet with a certain frequency; providing for the powers and duties of the Commission; authorizing the Commission to contract with certain entities; requiring the Commission to adopt certain regulations on or before a certain date; authorizing the Commission to suspend or revoke certain registrations; authorizing the Commission to inspect certain entities; requiring the Commission to approve certain certifications of certain physicians; requiring a physician certification to be renewed annually; requiring a certain proposal from a physician to the Commission to include certain information; encouraging the Commission to approve certain applications; exempting certain physicians from certain penalties for certain actions; requiring a certifying physician to submit a certain annual report to the Commission at a certain time; authorizing the Commission to set certain fees; authorizing an academic medical center to apply to the Commission to conduct certain research; requiring the Commission to approve certain applications for registration from academic medical centers; providing the expiration and renewal of proposal from a registered academic medical center; requiring a proposal from an academic medical center to include certain information; encouraging the Commission to approve certain applications from academic medical centers; requiring a registered academic medical center to submit a certain annual report to the Commission at a certain time; requiring the Commission to issue a request for applications for registration as a grower; requiring the Commission to require an applicant for registration as a registered grower to provide certain information; requiring the Commission to approve the fewest number of registered growers as is reasonable; providing for the expiration and renewal of a registration as a registered grower; providing that a registered grower is exempt from certain State and local penalties for certain actions; requiring a registered grower to meet certain security and safety standards and submit to certain testing of certain marijuana; requiring a registered grower to conduct a certain background check on certain employees; prohibiting a registered grower from holding certain registrations or being a certifying physician; prohibiting certain individuals from being an employee of a registered grower unless the registered grower is also an academic medical center; requiring the Commission to adopt certain regulations after consulting with the Department of Agriculture and State Police; requiring the commission to establish certain fees; requiring the Commission to establish a registration program to register dispensing pharmacies, dispensing centers, and academic medical centers; requiring the Commission to require an applicant for dispensing center, dispensing pharmacy, or academic medical center registration to provide certain information to the Commission; requiring the Commission to charge certain fees for certain applications and for the issuance of certain registrations; providing that a registered academic center is not required to be registered as a dispensing~~

~~center; requiring certain entities seeking to operate as a dispensing center to perform a certain criminal history records check on each employee; prohibiting certain individuals from obtaining a registration to operate a dispensing center or to be an employee of a dispensing center; requiring certain entities to require employees of the entity to submit to certain drug testing; requiring the Commission to issue a certain registration if certain conditions are met; authorizing the Commission to set reasonable limits on the number of dispensing centers in the State or in a geographic area; requiring the Commission to assign a certain identification number to certain entities; providing that a denial of a certain application shall be considered a final agency decision for a certain purpose; requiring entities that have been issued a certain registration to display the registration in a certain manner and to report certain changes to the Commission at a certain time; prohibiting entities that have been issued a certain registration from holding certain registrations or being a certifying physician; providing for certain restrictions on the advertisement of the sale of marijuana; requiring the Commission, in consultation with State and local law enforcement, to develop certain regulations providing for the issuance of registry identification cards; requiring the Commission to issue a registry identification card to certain patients; requiring a qualifying patient to submit certain information to the Commission; providing for the manner in which the Commission shall approve, deny, and issue a registry identification card; requiring the Commission to deny a request for a primary caregiver for certain reasons; requiring each applicant to serve as a primary caregiver to submit to a certain criminal history records check; prohibiting certain individuals from serving as primary caregivers; requiring a registry identification card to include certain information; requiring a primary caregiver or qualifying patient to provide a certain notice to the Commission under certain circumstances within a certain time period; requiring a certifying physician or registered academic medical center to provide a certain notice to certain patients and the Commission under certain circumstances and within a certain time period; requiring the Commission to establish certain procedures and to maintain a certain list of individuals to whom the Commission has issued registry identification cards; prohibiting employees of State and local law enforcement from querying certain records; exempting certain persons from certain penalties when acting in accordance with this Act; providing that the possession of, or application for, a registry identification card does not constitute probable cause to conduct a certain search or inspection; providing that an individual may not be subject to certain arrest or prosecution for being in the presence or vicinity of the medical use of marijuana as authorized by this Act; authorizing certain entities to sell or distribute a certain amount of marijuana in a certain time to certain individuals under certain circumstances; requiring registered dispensing pharmacies and registered dispensing centers to follow certain procedures and maintain certain records; providing that a qualifying patient may be registered at only one registered dispensing pharmacy or registered dispensing center at any time; providing for the construction of this Act; providing that this Act may not be construed to provide certain immunity to certain persons; providing that this Act may not be construed to require~~

~~certain insurance reimbursement; requiring the Commission to submit certain reports to the Governor and General Assembly on or before certain dates; authorizing the Commission to accept certain funds; requiring the Commission to use certain fees in a certain manner; authorizing the Commission to distribute certain funds to certain entities for a certain purpose; authorizing the Commission to provide certain funds to the General Fund~~ establishing that it is an affirmative defense to a prosecution for the possession of marijuana or the possession of certain drug paraphernalia that the defendant was a certain caregiver and possessed the marijuana or drug paraphernalia for a certain purpose; establishing that a certain qualifying patient who has been issued and possesses a certain written certification is not subject to arrest, citation, prosecution, or civil or administrative penalty by a professional licensing board or denied a right or privilege for the medical use of marijuana, under certain circumstances; establishing that a qualifying patient may not be denied certain rights relating to child custody or visitation or presumed guilty of certain charges based solely on certain conduct; establishing that a qualifying patient is not disqualified from certain medical care; providing that a certain physician is not subject to arrest, prosecution, or civil or administrative penalty for providing a certain written certification or making certain statements; establishing that this Act does not prevent certain sanctions from being imposed on a physician; providing that marijuana, marijuana paraphernalia, and certain other property may not be seized or forfeited under certain circumstances; establishing that a certain individual is not subject to arrest or prosecution for a certain offense solely for being in a certain location; providing that a certain written certification issued under the laws of another jurisdiction has the same force and effect as a written certification in this State; providing that possession of a certain written certification may not be the basis for a certain finding of probable cause; establishing that a certain written certification issued to a minor is not valid except under certain circumstances; establishing that this Act does not authorize certain conduct or prohibit the imposition of certain penalties; providing that this Act does not require a public or private health care insurer to make a certain reimbursement; providing a statutory form for a written certification of qualifying patient; defining certain terms; making this Act an emergency measure; and generally relating to marijuana for medical use.

~~BY renumbering~~
~~Article – Criminal Law~~
~~Section 5–403(d), (e), and (f), respectively~~
~~to be Section 5–403(e), (f), and (g), respectively~~
~~Annotated Code of Maryland~~
~~(2002 Volume and 2011 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section ~~5–402(d)(1)~~ 5–601 and 5–619
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

~~BY adding to~~
~~Article – Criminal Law~~
~~Section 5–403(d) and 5–611~~
~~Annotated Code of Maryland~~
~~(2002 Volume and 2011 Supplement)~~

BY adding to
Article – Health – General
Section ~~13–3101 through 13–3116~~ 24–1801 through 24–1806 to be under the new subtitle "Subtitle ~~31.~~ 18. Medical Marijuana"
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Senate Bill 999 – Senator Muse

AN ACT concerning

Labor and Employment – Abusive Work Environments in State Agencies – ~~Employee Remedies~~ Workgroup Study

FOR the purpose of ~~prohibiting a supervisor or an employee who is supervised by the supervisor from subjecting an employee to an abusive work environment that includes certain abusive conduct that causes certain harm to the employee; providing that a supervisor or an employee is individually liable for a violation of this Act; providing that a certain supervisor is vicariously liable for a violation of this Act; prohibiting a supervisor from retaliating against an employee who opposes or resists abusive conduct in the employee's work environment or takes other action regarding a violation of this Act; authorizing an employee to file an action for a violation of this Act; requiring that a certain action be filed in a certain circuit court and within a certain time period after the last act that constitutes the alleged violation; specifying certain affirmative defenses for a supervisor or an employee against whom a certain action has been filed; authorizing certain remedies for violations of this Act; prohibiting a circuit court from ordering punitive damages under certain circumstances; limiting the liability of a supervisor for emotional distress to a certain dollar amount under certain circumstances; requiring an employee who has received workers' compensation under a certain provision of law to repay the compensation under certain circumstances; stating the intent of the General Assembly; providing for the application of this Act; defining certain terms;~~ requiring the Joint Committee on Fair Practices and State Personnel to convene a certain workgroup to study and make recommendations regarding certain matters; providing for the composition and staffing of the workgroup; prohibiting a member of the workgroup from receiving certain compensation or

reimbursement of expenses; requiring the Joint Committee to report the findings and recommendations of the workgroup to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a workgroup to study abusive work environments in State agencies.

~~BY adding to~~
~~Article – Labor and Employment~~
~~Section 3–1101 through 3–1104 to be under the new subtitle "Subtitle 11. Abusive Work Environments"~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

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

Senate Bill 1030 – Senators Mathias, Colburn, Edwards, Glassman, Jones–Rodwell, Middleton, ~~and Raskin~~ Raskin, Klausmeier, Garagiola, Kittleman, and Pugh

AN ACT concerning

Small Business Development Center Network Fund – Minimum Appropriation

FOR the purpose of increasing the minimum General Fund appropriation to the Small Business Development Center Network Fund that the Governor is required to include in the annual budget bill beginning in a certain fiscal year; and generally relating to the Small Business Development Center Network Fund.

BY repealing and reenacting, with amendments,
Article – Education
Section 13–104
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

SPECIAL ORDERS

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

House Bill 1042 – Delegate Vallario

AN ACT concerning

Courts and Judicial Proceedings – Witnesses – Privileged Communications or Information ~~Between Labor Organization and Member~~ Involving Labor Organizations

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 94 Negative – 43 (See Roll Call No. 1309)

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 0379**
SPONSOR: Frederick County Delegation
SUBJECT: Frederick County – Alcoholic Beverages – Citations Issued by Inspectors

The Senate does not recede in the Senate amendments.

The Senate respectfully requests the House reconsider and concur.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Delegate Vallario moved that the House concur in the Senate amendments.

HB0379/354836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 379
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "violations;" insert "authorizing an alcoholic beverages inspector in Frederick County to carry a firearm under certain circumstances only if the alcoholic beverages inspector is a retired law enforcement officer;".

AMENDMENT NO. 2

On page 2, in line 4, strike "**PARAGRAPHS (2) AND (3)**" and substitute "**PARAGRAPH (2)**"; in line 14, after "**(2)**" insert "**(I)**"; in line 19, strike "**(3)**" and substitute "**(II)**"; and after line 21, insert:

"**(III) IN FREDERICK COUNTY, AN INSPECTOR MAY CARRY A FIREARM UNDER THIS SUBSECTION ONLY IF THE INSPECTOR IS A RETIRED LAW ENFORCEMENT OFFICER.**".

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 – 1 (See Roll Call No. 1310)

CONCURRENCE CALENDAR #7

AMENDED IN THE SENATE

House Bill 175 – ~~**Delegates Cluster, Aumann, Boteler, Bromwell, Burns, Cardin, Frank, Impallaria, Kach, Lafferty, McDonough, Minnick, Morhaim, Stein, Szeliga, and Weir**~~ **Baltimore County Delegation**

AN ACT concerning

Baltimore County Revenue Authority – Public Ethics Law

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0175/644432/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 175
(Third Reading File Bill)

On page 1, in line 4, after "each" insert "board".

On page 2, in line 15, after "**EACH**" insert "**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 – 137 Negative – 0 (See Roll Call No. 1311)

AMENDED IN THE SENATE

House Bill 446 – The Speaker (By Request – Administration) and Delegates Beidle, Bobo, Clippinger, Feldman, Frush, Gaines, Glenn, Hucker, McIntosh, Mitchell, Niemann, S. Robinson, and Rosenberg

AN ACT concerning

Environment – Bay Restoration Fund – Fees and Uses

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0446/434234/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 446
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after "years;" insert "altering a certain definition;".

On page 2, in line 5, after "Section" insert "9–1601(a) and"; and in line 10 after "Section" insert "9–1601(ee) and".

AMENDMENT NO. 2

On page 2, after line 27, insert:

"9–1601.

(a) Unless the context clearly requires otherwise, in this subtitle the following words have the meanings indicated.

(ee) (1) "Person" means an individual, corporation, partnership, association, the State, any unit of the State, commission, special taxing district, or the federal government.

(2) "Person" does not include a county, municipal corporation, bi–county or multicounty agency under Article 28 or 29 of the Code, housing authority under Division II of the Housing and Community Development Article, school board, community college, or any other unit of a county or municipal corporation**, OR A LOCAL FIRE DEPARTMENT, AS DEFINED IN § 9–401 OF THE PUBLIC SAFETY ARTICLE**.".

The preceding 2 amendments were read and concurred in.

HB0446/953320/3
BY: Senator Edwards
(To be offered in the Education, Health, and Environmental Affairs Committee)

AMENDMENTS TO HOUSE BILL 446
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "date;" insert "maintaining certain Bay Restoration Fees paid by users of wastewater facilities, onsite sewage disposal systems, and sewage holding tanks that do not discharge into or are not located within the Chesapeake Bay Watershed or the Coastal Bays Watershed;"; and in line 8, after "date;" insert "maintaining certain Bay Restoration Fees for certain buildings, groups of buildings, or nonresidential users that do not discharge wastewater into the Chesapeake Bay Watershed or the Coastal Bays Watershed;".

AMENDMENT NO. 2

On page 3, in line 16, strike the comma and substitute "**:**

A. $2.50 PER MONTH IF THE WASTEWATER GENERATED BY A RESIDENTIAL DWELLING IS TREATED AT A WASTEWATER

FACILITY THAT DOES NOT DISCHARGE INTO THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED;

B. $2.50 PER MONTH IF THE ONSITE SEWAGE DISPOSAL SYSTEM OR HOLDING TANK IS NOT LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED;

C.";

in line 17, after "month" insert "IF THE WASTEWATER GENERATED BY A RESIDENTIAL DWELLING IS TREATED AT A WASTEWATER FACILITY THAT DOES DISCHARGE INTO THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED; AND

D. $5.00 PER MONTH IF THE WASTEWATER ONSITE SEWAGE DISPOSAL SYSTEM OR HOLDING TANK IS LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED";

in line 26, strike the comma and substitute ":

A. $30 PER YEAR IF THE ONSITE SEWAGE DISPOSAL SYSTEM IS NOT LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED; OR

B.";

in the same line, after "year" insert "IF THE ONSITE SEWAGE DISPOSAL SYSTEM IS LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED";

in line 29, strike the comma and substitute ":

A. $30 PER YEAR IF THE SEWAGE HOLDING TANK IS NOT LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED; AND

B.";

and in the same line, after "year" insert "**IF THE SEWAGE HOLDING TANK IS LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED**".

On page 4, in line 1, after "**A.**" insert "**FOR EACH EQUIVALENT DWELLING UNIT NOT EXCEEDING 2,000 EQUIVALENT DWELLING UNITS, $2.50 PER MONTH IF THE WASTEWATER GENERATED BY A BUILDING OR GROUP OF BUILDINGS CONTAINING MULTIPLE RESIDENTIAL DWELLINGS IS TREATED AT A WASTEWATER FACILITY THAT DOES NOT DISCHARGE INTO THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED;**

B.";

in line 2, after "month" insert "**IF THE WASTEWATER GENERATED BY A BUILDING OR GROUP OF BUILDINGS CONTAINING MULTIPLE RESIDENTIAL DWELLINGS IS TREATED AT A WASTEWATER FACILITY THAT DOES DISCHARGE INTO THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED**";

and in line 6, strike "**B.**" and substitute "**C.**".

AMENDMENT NO. 3

On page 12, in line 26, strike the comma and substitute "**[**:

A. $2.50 per month if the wastewater generated by a residential dwelling is treated at a wastewater facility that does not discharge into the Chesapeake Bay Watershed or the Coastal Bays Watershed;

B. $2.50 per month if the onsite sewage disposal system or holding tank is not located within the Chesapeake Bay Watershed or the Coastal Bays Watershed;

C.";

in the same line, strike the second opening bracket; in the same line, after "month" insert "**[**if the wastewater generated by a residential dwelling is treated at a

wastewater facility that does discharge into the Chesapeake Bay Watershed or the Coastal Bays Watershed; and

D. $5.00 per month if the wastewater onsite sewage disposal system or holding tank is located within the Chesapeake Bay Watershed or the Coastal Bays Watershed**]**";

in line 28, strike the comma and substitute "**[**:

A. $30 per year if the onsite sewage disposal system is not located within the Chesapeake Bay Watershed or the Coastal Bays Watershed; or

B.";

in the same line, strike the second opening bracket; in the same line, after "year" insert "**[**if the onsite sewage disposal system is located within the Chesapeake Bay Watershed or the Coastal Bays Watershed**]**";

in line 30, strike the comma and substitute "**[**:

A. $30 per year if the sewage holding tank is not located within the Chesapeake Bay Watershed or the Coastal Bays Watershed; and

B.";

in the same line, strike the second opening bracket; and in the same line, after "year" insert "**[**if the sewage holding tank is located within the Chesapeake Bay Watershed or the Coastal Bays Watershed**]**".

On page 13, in line 3, after "A." insert "**[**For each equivalent dwelling unit not exceeding 2,000 equivalent dwelling units, $2.50 per month if the wastewater generated by a building or group of buildings containing multiple residential dwellings is treated at a wastewater facility that does not discharge into the Chesapeake Bay Watershed or the Coastal Bays Watershed;

B.**]**";

and in line 4, after "month" insert "**[**if the wastewater generated by a building or group of buildings containing multiple residential dwellings is treated at a wastewater facility that does discharge into the Chesapeake Bay Watershed or the Coastal Bays Watershed**]**".

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 – 89 Negative – 48 (See Roll Call No. 1312)

AMENDED IN THE SENATE

House Bill 1052 – Delegates Beitzel and Frush

AN ACT concerning

~~**Natural Resources – Suspension of Hunting Licenses and Privileges**~~
Wildlife Poaching Prevention Act

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1052/834632/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1052
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 25, after "Resources" insert "or the court".

AMENDMENT NO. 2

On page 6, in line 21, after "**DEPARTMENT**" insert "**OR THE COURT**"; and in line 29, after "**DEPARTMENT**" insert "**OR THE COURT**".

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 – 1 (See Roll Call No. 1313)

AMENDED IN THE SENATE

House Bill 1123 – Delegate Mizeur

AN ACT concerning

Environment – Presumptive Impact Areas – ~~Damage~~ Contamination Caused by Gas Wells in Deep Shale Deposits

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1123/474730/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1123
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, strike "clear and convincing" and substitute "a preponderance of the"; and in line 24, strike "stating certain legislative findings and intent;".

AMENDMENT NO. 2

On page 2, in line 5, strike "and 14–110.2"; strike in their entirety lines 12 through 34, inclusive.

On page 3, strike line 1 in its entirety; in line 2, strike "**SOURCE**"; strike beginning with "**WELL**" in line 2 down through "**LIVESTOCK**" in line 4 and substitute "**SOURCE OF WATER USED FOR DRINKING OR OTHER DOMESTIC PURPOSE OR FOR AGRICULTURE, INCLUDING LIVESTOCK**"; and in line 9, strike "**SOURCE**".

On page 4, in line 18, strike "**AN**" and substitute "**A PROPERTY**"; in line 20, strike "**CLEAR AND CONVINCING**" and substitute "**A PREPONDERANCE OF THE**"; in lines 30 and 32, in each instance, strike "**SOURCE**"; and in lines 32, 33, and 35, in each instance, strike "**LANDOWNER**" and substitute "**PROPERTY OWNER**".

On page 5, strike beginning with "**CLEAR**" in line 11 down through "**CONVINCING**" in line 12 and substitute "**A PREPONDERANCE OF THE**"; and in line 14, strike "October" and substitute "July".

The preceding 2 amendments were read and concurred in.

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

The motion was adopted.

AMENDED IN THE SENATE

House Bill 670 – Delegates Hough, Waldstreicher, Bates, and B. Robinson

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

Delegate Vallario moved that the House concur in the Senate amendments.

HB0670/923123/1
BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 670
(Third Reading File Bill)

On page 3, in line 16, after the first "**OF**" insert "**§ 2–503,**".

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 – 93 Negative – 45 (See Roll Call No. 1314)

AMENDED IN THE SENATE

House Bill 834 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Child Abuse and Neglect – ~~Child Welfare –~~ Alternative Response

Delegate Vallario moved that the House concur in the Senate amendments.

HB0834/968971/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 834
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after "program;" insert "providing that a certain independent agency may not receive certain funding;".

AMENDMENT NO. 2

On page 10, in line 20, strike "Services" and substitute "Resources"; in line 25, strike "the" and substitute ":

(a) The";

and after line 27, insert:

"(b) The independent agency may not receive any funding from any State agency other than the compensation received under the contract entered into under subsection (a) of this section.".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 2 (See Roll Call No. 1315)

AMENDED IN THE SENATE

House Bill 1122 – Delegates Valderrama, Anderson, Lee, F. Turner, and Valentino–Smith

AN ACT concerning

Juveniles – Confinement in Juvenile Facilities – Report

Delegate Vallario moved that the House concur in the Senate amendments.

HB1122/598776/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1122
(Third Reading File Bill)

On page 8, in line 32, strike "use existing resources to ensure" and substitute "work toward ensuring"; and in line 36, strike "December 1, 2011 through December 1, 2012" and substitute "January 1, 2011 through December 31, 2011".

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 – 125 Negative – 9 (See Roll Call No. 1316)

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0401**
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 Getty
Senator Brochin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0401**
SPONSOR: Sen Pugh, et al
SUBJECT: Motor Vehicles – Towing Practices and Procedures

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 Getty
Senator Brochin

The House appoints:
Delegate Niemann, Chairman
Delegate Malone, 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 0483**
SPONSOR: Sen Benson, et al
SUBJECT: Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities

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 0483**
SPONSOR: Sen Benson, et al
SUBJECT: Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities

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 Niemann, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0130**
SPONSOR: Sen Ferguson, et al
SUBJECT: Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations

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.

Delegate McIntosh moved the House recede on its amendment.

The motion was adopted.

SB0130/660015/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 130
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after "entry;" insert "providing that a certain housing authority in Baltimore City is not subject to an action brought under certain provisions of law;".

AMENDMENT NO. 2

On page 6, in line 26, after the second "subdivision" insert "**OR THE HOUSING AUTHORITY OF BALTIMORE CITY**".

House receded and the amendment was removed.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1317)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

BILL: **SB 0130**
SPONSOR: Sen Ferguson, et al
SUBJECT: Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations

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

The House of Delegates recedes from its position on SB 0130.

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) #49

Senate Bill 864 – Senator DeGrange

AN ACT concerning

Gaming – ~~Instant Bingo –~~ Electronic Machines – Regulation

FLOOR AMENDMENT

SB0864/743025/1
BY: Delegate Bromwell

AMENDMENTS TO SENATE BILL 864
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with "and" in line 31 down through "provisions" in line 32; and in line 33, before "and" insert "providing that this Act does not apply to the legal operation of amusement games licensed by certain counties;".

AMENDMENT NO. 2

On page 15, strike beginning with the colon in line 15 down through "(1)" in line 16; in line 17, strike "; and" and substitute a period; in line 18, strike "(2) shall include provisions providing for" and substitute "SECTION 7. AND BE IT FURTHER ENACTED, That this Act does not apply to"; and in line 20, strike "7." and substitute "8.".

The preceding 2 amendments were read only.

Delegate Ivey moved the previous question.

The motion was adopted by a roll call vote as follows:

Affirmative – 73 Negative – 54 (See Roll Call No. 1318)

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

Affirmative – 61 Negative – 63 (See Roll Call No. 1319)

FLOOR AMENDMENT

SB0864/943023/1
BY: Delegate Fisher

AMENDMENTS TO SENATE BILL 864
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with "creating" in line 9 down through "years;" in line 20 and substitute "specifying the manner of distribution of revenue from the State admissions and amusement tax on electronic bingo or electronic tip jars in Calvert County; imposing a certain State admissions and amusement tax rate on certain net proceeds from a certain machine, apparatus, or device; specifying the maximum rate of the Calvert County admissions and amusement tax applicable to net proceeds derived from electronic bingo or electronic tip jars; specifying the maximum rate of the admissions and amusement tax of any municipal corporation that is applicable to net proceeds derived from electronic bingo or electronic tip jars;"; strike beginning with

"requiring" in line 29 down through "correction;" in line 33 and substitute "providing for the termination of this Act;".

On page 3, strike in their entirety lines 6 through 11, inclusive; in line 14, strike "2–202" and substitute "2–202(a)"; and after line 16, insert:

"BY adding to
Article – Tax – General
Section 2–202(d)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 6, in line 18, strike "**JULY 1, 2007**" and substitute "**DECEMBER 31, 2008**"; in line 23, strike "**DECEMBER 31, 2007**" and substitute "**DECEMBER 31, 2008**"; in line 25, strike "**DECEMBER 31, 2007**" and substitute "**DECEMBER 31, 2009**"; and in line 27, strike "**FEBRUARY 28, 2008**" and substitute "**DECEMBER 31, 2009**".

AMENDMENT NO. 3

On pages 8 and 9, strike in their entirety the lines beginning with line 18 on page 8 through line 24 on page 9, inclusive.

On page 9, in line 29, strike "subsection" and substitute "**SUBSECTIONS**"; in the same line, after "(b)" insert "**AND (D)**".

On page 10, strike beginning with "**[**in" in line 3 down through "**5%**" in line 4 and substitute "**IN EXCESS OF 20%**"; and in line 13, strike "**(B)**" and substitute "**(D)**".

On pages 10 and 11, strike in their entirety the lines beginning with line 17 on page 10 down through line 21 on page 11 and substitute:

"**(1) THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 6% TO CALVERT COUNTY;**

(2) THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 2% TO THE TOWN OF CHESAPEAKE BEACH;

(3) THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 2% TO THE TOWN OF NORTH BEACH; AND

(4) THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 20% TO THE GENERAL FUND OF THE STATE.".

On page 14, strike in their entirety lines 9 through 16, inclusive, and substitute:

"(a–1) (1) Except as provided in paragraph (2) of this subsection, the rate of the State admissions and amusement tax **[**imposed on electronic bingo or electronic tip jars under § 4–102(d) of this subtitle is**] OF** 30% of the net proceeds subject to the tax **IS IMPOSED ON:**

(I) ELECTRONIC BINGO OR ELECTRONIC TIP JARS UNDER § 4–102(D) OF THIS SUBTITLE; AND

(II) A MACHINE, APPARATUS, OR DEVICE THAT DISPLAYS FACSIMILES OF BINGO CARDS THAT USERS MARK AND MONITOR ACCORDING TO NUMBERS CALLED ON THE PREMISES BY AN INDIVIDUAL WHERE THE USER IS OPERATING THE MACHINE.";

in line 17, strike "**(3)**" and substitute "**(2)**"; in line 23, strike "and"; in line 24, after "(ii)" insert "**EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH,**"; in line 24, strike "or municipal corporation"; and in line 27, after "2009" insert "**;**

(III) THE RATE OF THE CALVERT COUNTY ADMISSIONS AND AMUSEMENT TAX THAT IS APPLICABLE TO NET PROCEEDS DERIVED FROM ELECTRONIC BINGO OR ELECTRONIC TIP JARS MAY NOT EXCEED 2.5%; AND

(IV) THE RATE OF ANY MUNICIPAL CORPORATION ADMISSIONS AND AMUSEMENT TAX THAT IS APPLICABLE TO NET PROCEEDS DERIVED FROM ELECTRONIC BINGO OR ELECTRONIC TIP JARS MAY NOT EXCEED 2.5%".

AMENDMENT NO. 4

On page 15, strike in their entirety lines 9 through 21, inclusive, and substitute:

"SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012. It shall remain effective for a period of 4 years and, at the end of June 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 62 Negative – 73 (See Roll Call No. 1320)

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

Affirmative – 116 Negative – 20 (See Roll Call No. 1321)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

House Bill 1166 – Delegate Love

AN ACT concerning

Gaming – ~~Instant Bingo –~~ Electronic Machines – Regulation

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 120 Negative – 17 (See Roll Call No. 1322)

The Bill was then sent to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #22

CONSENT CALENDAR #13

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 358 – The President (By Request – Administration) and Senators Colburn, Currie, DeGrange, Garagiola, Kasemeyer, King, Madaleno~~,~~ ~~Manno~~, McFadden, Middleton, Peters, Pugh, and Rosapepe

AN ACT concerning

Public–Private Partnerships

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 Judiciary:

Senate Bill 414 – Senators Brochin, Klausmeier, Stone, and Zirkin

AN ACT concerning

Juvenile Law – Taking Child into Custody – Arrest Warrant

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 493 – Senator Gladden

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study – Study Period

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 532 – Senators Middleton, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Getty, Glassman, Jacobs, Jennings, Kittleman, Mathias, Peters, Pipkin, Reilly, Robey, Shank, and Simonaire

AN ACT concerning

Department of Planning – State Development Plan – Use and Conflicts of Law

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 636 – Senator Frosh

AN ACT concerning

Environment – Presumptive Impact Areas – ~~Damage~~ Contamination Caused by Gas Wells in Deep Shale Deposits

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 and the Committee on Economic Matters:

Senate Bill 873 – Senator Pugh

AN ACT concerning

~~Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund~~

Workgroup on Lead Liability Protection for Rental Property

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

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

Senate Bill 882 – Senator Jones–Rodwell

AN ACT concerning

~~Local Government~~ Baltimore City – Investment in Our Youth (IO–YOUth) ~~Programs~~ Pilot Program

The Bill was re–referred to the Committee on Environmental Matters and the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

Senate Bill 925 – Senator Gladden

AN ACT concerning

Criminal Procedure – Right of Appeal from Final Judgments – Conditional Guilty Plea

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 944 – Senator Jacobs

AN ACT concerning

Life–Threatening Injury by Motor Vehicle or Vessel While Impaired by a Controlled Dangerous Substance – Penalty
(Ava's Law)

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

Senate Bill 990 – Senator Mathias

AN ACT concerning

Ocean City Convention Center – Financial Obligations and Taxing Authority

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations and the Committee on Judiciary:

Senate Bill 995 – Senators Brinkley, Raskin, Colburn, Currie, Forehand, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Kittleman, Madaleno, Mathias, Montgomery, Peters, Pinsky, Pugh, Robey, Rosapepe, and Zirkin

EMERGENCY BILL

AN ACT concerning

Medical Marijuana ~~Oversight Commission~~ – Caregivers – Certificate of Qualifying Patient

The Bill was re–referred to the Committee on Health and Government Operations and the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

Senate Bill 999 – Senator Muse

AN ACT concerning

Labor and Employment – Abusive Work Environments in State Agencies – ~~Employee Remedies~~ Workgroup Study

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

Senate Bill 1030 – Senators Mathias, Colburn, Edwards, Glassman, Jones–Rodwell, Middleton, ~~and Raskin~~ Raskin, Klausmeier, Garagiola, Kittleman, and Pugh

AN ACT concerning

Small Business Development Center Network Fund – Minimum Appropriation

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

Senate Bill 1045 – Senator Muse

AN ACT concerning

Missing Children – Search Efforts and Collaboration (Phylicia's Law)

The Bill was re–referred to the Committee on Judiciary.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #26

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

Senate Bill 920 – Senators Raskin, Ferguson, Getty, McFadden, Miller, Ramirez, Robey, ~~and Simonaire~~ Simonaire, and Kittleman

AN ACT concerning

Ethics Online Disclosure Act of 2012

SB0920/230819/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 920
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "Internet" insert "through an online registration program"; strike beginning with "altering" in line 6 down through "Act;" in line 18 and substitute "providing that a legislator is not required to report certain information under certain circumstances if reporting the information would violate standards of client confidentiality or professional conduct; requiring a legislator to report to the Joint Ethics Committee certain information related to employment and business interests, under certain circumstances; prohibiting the Department of Legislative Services from posting on the Internet certain information reported to the Joint Ethics Committee; requiring the President of the Senate and the Speaker of the House of Delegates to jointly establish a workgroup to perform a certain review of the disclosure requirements of the Maryland Public Ethics Law; providing for the appointment of the workgroup; establishing the duties of the workgroup and requiring the workgroup to submit any recommended legislation to certain committees of the General Assembly on or before a certain date; making certain stylistic changes; providing for the termination of certain provisions of this Act;"; and in line 22, strike ", 15–513(c), 15–602, 15–606, 15–805, and 15–813" and substitute "and 15–513(b) and (c)".

On page 2, strike in their entirety lines 3 through 7, inclusive; and strike in their entirety lines 13 through 17, inclusive, and substitute:

"Preamble

WHEREAS, The Maryland General Assembly is a part–time legislature and many of its members have outside employment and investments; and

WHEREAS, As a result, real or perceived conflicts of interest will inevitably arise for members of the General Assembly; and

WHEREAS, For these reasons, the General Assembly is committed to maximum transparency in dealing with conflicts of interest by establishing for its members stringent requirements for annual financial disclosure and disclosure of conflicts of interest; and

WHEREAS, These important disclosure requirements must be balanced with the vital duty to safeguard personal information that could lead to identity theft or other criminal activity; now, therefore,".

AMENDMENT NO. 2

On pages 2 and 3, strike the lines beginning with line 31 on page 2 through line 21 on page 3, inclusive, and substitute:

"(2) As to any other conflict, the disqualification arising under § 15–511 of this subtitle is suspended if a legislator with an apparent or presumed conflict files with the Joint Ethics Committee a sworn statement that describes the circumstances of the apparent or presumed conflict and the legislation or class of legislation to which it relates and asserts the legislator is able to vote and otherwise participate in action relating to the legislation, fairly, objectively, and in the public interest.

(b) (1) Whenever a legislator files a statement for the suspension of the disqualification, the Joint Ethics Committee on its own motion may issue a statement concerning the propriety of the legislator's participation in the particular legislative action, with reference to the applicable ethical standards of this matter.

(2) The suspension of the disqualification by the filing of the statement is subject to further action by the Joint Ethics Committee if the question of conflict comes before it as to the same circumstances and the same legislator.".

AMENDMENT NO. 3

On page 4, in lines 7 and 8, strike "**BY PROMPTLY POSTING THE INFORMATION**"; in line 8, after "**INTERNET**" insert "**THROUGH AN ONLINE REGISTRATION PROGRAM**"; in line 17, after "(b)" insert "**(1)**"; in line 20, strike "(1)"

and substitute "**(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,**"; and in lines 26, 28, and 31, strike "(2)", "(3)", and "(i)", respectively, and substitute "**(II)**", "**(III)**", and "**1.**", respectively.

On page 5, in lines 1, 3, 5, 7, and 10, strike "1.", "2.", "(ii)", "(4)", and "(5)", respectively, and substitute "**A.**", "**B.**", "**2.**", "**(IV)**", "**(V)**", respectively.

AMENDMENT NO. 4

On page 5, after line 11, insert:

"**(VI) ANY PRIMARY EMPLOYMENT OR BUSINESS INTEREST AND THE EMPLOYER OF THE LEGISLATOR OR THE SPOUSE OF THE LEGISLATOR, EXCEPT FOR EMPLOYMENT AS A LEGISLATOR.**

(2) A LEGISLATOR, ON THE WRITTEN ADVICE OF THE COUNSEL TO THE JOINT ETHICS COMMITTEE, IS NOT REQUIRED TO REPORT ANY INFORMATION UNDER THIS PARAGRAPH IF REPORTING THE INFORMATION WOULD VIOLATE STANDARDS OF CLIENT CONFIDENTIALITY OR PROFESSIONAL CONDUCT.".

in line 20, after "**(D)**" insert "**(1)**"; in lines 21, 22, and 24, strike "**(1)**", "**(2)**", and "**(3)**", respectively, and substitute "**(I)**", "**(II)**", and "**(III)**", respectively; in line 24, after "**2013,**" insert "**AND EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**"; in lines 25 and 26, strike "**BY PROMPTLY POSTING THE INFORMATION**"; in line 26, after "**INTERNET**" insert "**THROUGH AN ONLINE REGISTRATION PROGRAM**"; and after line 26, insert:

"**(2) THE DEPARTMENT OF LEGISLATIVE SERVICES MAY NOT POST ON THE INTERNET INFORMATION RELATED TO CONSIDERATION RECEIVED THAT IS REPORTED UNDER SUBSECTION (B) OF THIS SECTION.**".

AMENDMENT NO. 5

On pages 5 through 12, strike in their entirety the lines beginning with line 27 on page 5 through line 2 on page 12, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The President of the Senate of Maryland and the Speaker of the Maryland House of Delegates jointly shall establish a workgroup during the 2012 interim to perform a comprehensive and coordinated review of the disclosure requirements of the Maryland Public Ethics Law as it applies to State and local governments.

(b) The President and the Speaker may appoint to the workgroup in their discretion:

(1) members of the General Assembly;

(2) representatives of the Maryland State Ethics Commission;

(3) representatives of State, county, and municipal governments;

(4) representatives of private sector agencies that promote and encourage government accountability;

(5) representatives of public sector employees' unions; and

(6) any other interested party.

(c) The workgroup shall:

(1) review current methods used to provide access to public ethics disclosures and consider any alternative methods that could be made available to citizens and interested parties to more easily access public ethics disclosures;

(2) consider options for verifiable notification of electronic or postal access into a public ethics disclosure to be made to the person who is the subject of the inquiry;

(3) consider the feasibility and desirability of requiring different levels of public ethics disclosure for different categories of persons based on the person's position of authority and policy making duties;

(4) review the information that is currently required to be disclosed and determine:

(i) additional information that should be required to be disclosed; and

(ii) information that is currently disclosed that no longer needs to be disclosed;

(5) consider the implications of current and any proposed disclosure requirements under the Maryland Public Ethics Law on counties and municipal corporations;

(6) review the composition, duties, and procedures of the Joint Ethics Committee;

(7) review any other aspect of the disclosure requirements under the Maryland Public Ethics Law; and

(8) on or before December 31, 2012, submit, in accordance with § 2–1246 of the State Government Article, any recommended legislation for the 2013 regular session to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee.".

AMENDMENT NO. 6

On page 12, in line 3, strike "2." and substitute "3."; and in line 4, strike "October 1, 2012" and substitute "June 1, 2012. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of May 31, 2013, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0134**
SPONSOR: Sen Conway

SUBJECT: State Real Estate Commission – Sunset Extension and Program Evaluation

The Senate still does not concur in the House amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Davis, Chair
Delegate Jameson
Delegate Schulz

The Senate appoints:
Senator Conway, Chairman
Senator Ferguson
Senator Reilly.

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 137 Members present.

(See Roll Call No. 1323)

ADJOURNMENT

At 12:43 P.M. on motion of Delegate Barve the House adjourned until 5:00 P.M. on Legislative Day April 5, 2012, Calendar Day Monday, April 9, 2012.

Annapolis, Maryland
Legislative Day: April 5, 2012
Calendar Day: Monday, April 9, 2012

The House met at 7:00 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Gail H. Bates of Howard County.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 1324)

The Journal of April 4, 2012 was read and approved.

EXCUSES:
Del. Barve – left early – legislative business
Del. Harrison – left early – illness
Del. Stocksdale – illness
Del. V. Turner – medical

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 190	Ch., Envir. Mat. Com.
HB 520	Del. Nathan–Pulliam
HB 724	Del. Kaiser
HB 924	Del. Beitzel
HB 1272	Del. A. Miller
HB 1304	Ch., Envir. Mat. Com.
HB 1305	Ch., Envir. Mat. Com.
HB 1316	Del. Hershey
HB 1326	Del. Norman
HB 1372	Ch., Envir. Mat. Com.
HB 1387	Del. Murphy

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 0644**
SPONSOR: Dels Oaks and Niemann
SUBJECT: Environment – Reducing the Incidence of Lead Poisoning

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 Beidle
Delegate Hogan

The Senate appoints:
Senator Frosh, 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: **HB 0762**
SPONSOR: Del Dumais
SUBJECT: Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Clippinger, Chair
Delegate Lee
Delegate McComas

The Senate appoints:
Senator Raskin, Chairman
Senator Getty
Senator Frosh.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 0865**
SPONSOR: Del Pena–Melnyk, et al
SUBJECT: State Procurement – Disclosure – Location of the Performance of Services

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 Pena–Melnyk, Chair
Delegate Oaks
Delegate Ready

The Senate appoints:
Senator Pinsky, Chairman
Senator Reilly
Senator Montgomery.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and ordered journalized.

AMENDED IN THE SENATE

House Bill 1218 – Delegate Ivey

AN ACT concerning

~~Public Charter Schools – Chartering Authorities, Application Requirements, Employees, and Facility Funding~~
Task Force to Study the Improvement of Maryland Public Charter Schools

Delegate Hixson moved that the House not concur in the Senate amendments.

HB1218/244837/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1218
(Third Reading File Bill)

On page 17, in line 31, after "Director" insert ";

(5) one representative of the Public School Superintendents' Association of Maryland, appointed by the Association";

in line 32, strike "(5)" and substitute "(6)"; in the same line, strike "nine" and substitute "10".

On page 18, in line 6, strike "and"; in line 9, after "administrators" insert "; and

(vi) one representative of a statewide children's organization";

strike beginning with "whether" in line 24 down through "funded" in line 26 and substitute "and develop a standardized policy for how county boards lease unused school buildings for use by charter schools and develop a standardized policy and terms and conditions under which an unused school building may be leased to a charter school"; in line 29, strike "and"; after line 29, insert:

"(6) review the performance of charter schools compared to traditional public schools;

(7) identify the primary causes of charter successes and failures in the State;

(8) study ways to integrate best practices between charter schools and noncharter schools operating within a local jurisdiction;

(9) to the extent possible, review how charter schools that receive private funding are utilizing this revenue;

(10) study how charter school facilities are being funded in the State;

(11) review and analyze whether the per pupil funding amount provided at elementary, middle, and high school levels in charter schools in the State, exceeds the per pupil funding amount available to traditional public schools, after considering the administrative overhead costs needed to support all public schools operating under the jurisdiction of a county board of education;

(12) evaluate the success and failure of charter schools in the State in attracting additional funding, increasing parent involvement, and maximizing other external resources;

(13) review the use of contract schools, transformation schools, and other similarly situated schools and compare models of these schools with the Maryland charter school model; and";

and in line 30, strike "(6)" and substitute "(14)".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1218**
SPONSOR: Del Ivey
SUBJECT: Task Force to Study the Improvement of Maryland Public Charter Schools

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 Luedtke, Chairman
Delegate Ivey, and
Delegate Myers.

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 1365**
SPONSOR: Chr JUD (Dept)
SUBJECT: Department of Juvenile Services – Restitution – Referral to the Central Collection Unit

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 Lee, Chair
Delegate Cluster
Delegate Conaway

The Senate appoints:
Senator Shank, Chairman
Senator Forehand
Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 134** SPONSOR: **Senator Conway**

SUBJECT: **State Real Estate Commission – Sunset Extension and Program Evaluation**

THIRD READING CALENDAR HOUSE NO. **28** 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 Economic Matters Committee Amendments (SB0134/963190/1) be rejected.

Senate Members:	House Members:
Chair, **Joan Carter Conway**	Chair, **Dereck E. Davis**
Bill Ferguson	**Sally Jameson**
Edward R. Reilly	**Kelly Schulz**

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 – 135 Negative – 0 (See Roll Call No. 1325)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 745** SPONSOR: **Senator Middleton**

SUBJECT: **Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company**

THIRD READING CALENDAR HOUSE NO. **24** SENATE NO. **38**

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 (SB0745/613894/2) be rejected.

(2) That the attached Conference Committee Amendments (SB0745/823820/1) be adopted.

SB0745/823820/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 745
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 33, strike "a"; and in line 34, strike "liability" and substitute "liabilities; requiring the Fund to begin paying a certain amount to the State Employee and Retiree Health and Welfare Benefits Fund on or before a certain date; requiring the Injured Workers' Insurance Fund and the Department of Budget and Management, on or before a certain date, to enter into a memorandum of agreement establishing the terms, conditions, and schedule for certain payments by the Fund".

AMENDMENT NO. 2

On page 17, in line 14, strike "**DISCLOSURES**" and substitute "**DISCLOSES**".

AMENDMENT NO. 3

On page 33, strike beginning with the second comma in line 23 down through "process" in line 25; after line 27, insert:

"(2) In determining the fair value of the items listed in paragraph (1) of this subsection, the study shall consider:

(i) additional costs the Fund incurred from the Fund's status as the insurer of last resort which required the Fund to provide workers' compensation insurance to businesses regardless of the degree of risk;

(ii) that the Fund is a nonprofit entity with profits passed on to its policyholders;

(iii) whether the benefit of the taxes not paid was passed on to policyholders since the Fund was not subject to the taxes;

(iv) that since the Fund only began advertising and paying commissions to licensed insurance producers beginning in 1996, the Fund's entire book of business was considered the residual market through 1995;

(v) that effective October 1, 2009, the Fund was statutorily required to serve as a competitive insurer in the marketplace, in addition to guaranteeing the availability of workers' compensation insurance in the State, serving as the workers' compensation insurer of last resort, and engaging only in the business of workers' compensation insurance in accordance with State law; and

(vi) that effective October 1, 2003, the Fund was required to be subject to risk–based capital standards.";

in line 28, strike "(2)" and substitute "(3)"; and strike in their entirety lines 29 through 31, inclusive.

On page 34, strike in their entirety lines 1 through 3, inclusive, and substitute:

"(i) any subsidy that the Fund provided to the State in connection with the State self–insured workers' compensation program; and";

in line 4, strike "(iii)" and substitute "(ii)"; and strike beginning with the semicolon in line 8 down through "dependents" in line 13.

AMENDMENT NO. 4

On page 35, in line 14, after "(i)" insert "1."; and in line 15, after "the" insert "Company's risk–based capital ratio is less than 700% of its authorized control level.

2. If the Company's risk–based capital ratio is 700% or higher than its authorized control level, an installment or other payment shall be suspended or delayed, and may not be paid, in any year in which the".

AMENDMENT NO. 5

On page 35, after line 33, insert:

"SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) (1) On or before December 1, 2012, the Injured Workers' Insurance Fund and the Department of Budget and Management shall enter into a memorandum of agreement establishing the terms, conditions, and schedule for payment by the Injured Workers' Insurance Fund of the projected costs for the State retiree health benefits of current and former Injured Workers' Insurance Fund employees.

(2) The Injured Workers' Insurance Fund shall be responsible for the payment of any costs incurred in calculating the Injured Workers' Insurance Fund's liability for retiree health benefits.

(b) On or before July 1, 2013, the Injured Workers' Insurance Fund, in accordance with the schedule established in the memorandum of agreement required under subsection (a) of this section, shall begin to pay to the State Employee and Retiree Health and Welfare Benefits Fund established under § 2–516 of the State Personnel and Pensions Article an amount sufficient to satisfy the projected costs for the State retiree health benefits of current and former Injured Workers' Insurance Fund employees, as determined by the actuary for the State Employee and Retiree Health Benefits Program.";

and in line 34, strike "9." and substitute "10.".

On page 36, in lines 1 and 3, strike "10." and "11.", respectively, and substitute "11." and "12.", respectively; and in line 7, strike "9 and 10" and substitute "10 and 11".

Senate Members:	House Members:
Chair, **Thomas M. Middleton**	Chair, **David D. Rudolph**
Delores G. Kelley	**Dereck E. Davis**
Katherine Klausmeier	**Sally Jameson**

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 – 94 Negative – 40 (See Roll Call No. 1326)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 856** SPONSOR: **Senator Raskin**

SUBJECT: **Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act**

THIRD READING CALENDAR HOUSE NO. **15** 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:

(1) That the House Judiciary Committee Amendments (SB0856/562011/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0856/443323/4) be adopted.

SB0856/443323/4
BY: Conference Committee

AMENDMENTS TO SENATE BILL 856
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 24, strike "**THE**" and substitute "**:**

(1) THE";

in lines 25 and 27, strike "**(1)**" and "**(2)**", respectively, and substitute "**(I)**" and "**(II)**", respectively; and in line 28, after "**CONFIDENTIAL**" insert "**; AND**

(2) THE MEDIATOR STATES IN WRITING TO ANY AND ALL PARTIES TO THE MEDIATION THAT THE MEDIATOR HAS READ AND, CONSISTENT WITH STATE LAW, WILL ABIDE BY THE MARYLAND STANDARD OF CONDUCT FOR MEDIATORS DURING THE MEDIATION".

AMENDMENT NO. 2

On page 4, in line 31, strike "**SERIOUS**".

AMENDMENT NO. 3

On page 5, in line 13, strike "**A MANIFEST**" and substitute "**AN**"; and strike beginning with the first "**IN**" in line 16 down through "**CONFIDENTIAL**" in line 17.

Senate Members:	House Members:
Chair, **Jamie Raskin**	Chair, **Luke Clippinger**
Joseph M. Getty	**Susan C. Lee**
Brian E. Frosh	**Susan K. McComas**

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 – 135 Negative – 0 (See Roll Call No. 1327)

The Bill was then returned to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0020**
SPONSOR: Sen Astle
SUBJECT: Vehicle Laws – Special and Commemorative Registration Plates

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Gladden, Chairman
Senator 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 0020**

SPONSOR: Sen Astle
SUBJECT: Vehicle Laws – Special and Commemorative Registration Plates

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Gladden, Chair
Senator Forehand
Senator Getty

The House appoints:
Delegate Malone, Chairman
Delegate Stein, 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 0335**
SPONSOR: Chr B&T (Jud Comp Comm)
SUBJECT: Judges' Retirement System – Contribution Rates for New Members

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 Jones–Rodwell, Chairman
Senator Madaleno

Senator Brinkley.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0335**
SPONSOR: Chr B&T (Jud Comp Comm)
SUBJECT: Judges' Retirement System – Contribution Rates for New Members

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 Jones–Rodwell, Chair
Senator Madaleno
Senator Brinkley

The House appoints:
Delegate Griffith, Chairman
Delegate Conway, and
Delegate Eckardt.

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 0506**
SPONSOR: Sen Raskin, et al
SUBJECT: Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

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 Brochin
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 0506**
SPONSOR: Sen Raskin, et al
SUBJECT: Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

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 Brochin
Senator Shank

The House appoints:
Delegate Malone, Chairman
Delegate Glenn, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0659**
SPONSOR: Sen Pinsky, et al
SUBJECT: State Procurement – Preference and Disclosure – Location of the Performance of Services

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 Pena–Melnyk, Chair
Delegate Oaks
Delegate Ready

The Senate appoints:
Senator Pinsky, Chairman
Senator Reilly
Senator Montgomery.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

CONCURRENCE CALENDAR #8

AMENDED IN THE SENATE

House Bill 232 – Delegates Tarrant, Branch, Clippinger, Conaway, Haynes, Mitchell, B. Robinson, Stukes, and Washington

AN ACT concerning

Baltimore City – Alcoholic Beverages License – Repeal of Voter Registration Requirement for Licensees

Delegate Davis moved that the House concur in the Senate amendments.

HB0232/414434/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 232
(Third Reading File Bill)

On page 1, in line 6, after "license" insert "that was granted on or before a certain date".

On page 2, in line 7, after "**COMPANY**" insert "**THAT WAS GRANTED ON OR BEFORE JUNE 1, 2012,**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 1328)

AMENDED IN THE SENATE

House Bill 392 – Delegates Hammen, Clippinger, and McHale

AN ACT concerning

Baltimore City – Alcoholic Beverages Licenses – Memorandum of Understanding

Delegate Davis moved that the House concur in the Senate amendments.

HB0392/844931/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 392
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "requiring" and substitute "authorizing"; in line 6, after the first "the" insert "substantial"; and in line 9, after "protest;" insert "defining a certain term;".

AMENDMENT NO. 2

On page 2, in line 18, after "**(2)**" insert "**(I) IN THIS PARAGRAPH, "COMMUNITY ASSOCIATION" MEANS:**

1. A NONPROFIT ASSOCIATION, CORPORATION, OR OTHER ORGANIZATION THAT IS:

A. COMPOSED OF RESIDENTS OF A COMMUNITY WITHIN WHICH A NUISANCE IS LOCATED;

B. OPERATED EXCLUSIVELY FOR THE PROMOTION OF SOCIAL WELFARE AND GENERAL NEIGHBORHOOD IMPROVEMENT AND ENHANCEMENT; AND

C. EXEMPT FROM TAXATION UNDER § 501(C)(3) OR (4) OF THE INTERNAL REVENUE CODE; OR

2. A NONPROFIT ASSOCIATION, CORPORATION, OR OTHER ORGANIZATION THAT IS:

A. COMPOSED OF RESIDENTS OF A CONTIGUOUS COMMUNITY THAT IS DEFINED BY SPECIFIC GEOGRAPHIC BOUNDARIES, WITHIN WHICH A NUISANCE IS LOCATED;

B. OPERATED FOR THE PROMOTION OF THE WELFARE, IMPROVEMENT, AND ENHANCEMENT OF THAT COMMUNITY; AND

C. IN GOOD STANDING WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.";

in lines 18 and 26, strike "**(I)**" and "**(II)**", respectively, and substitute "**(II)**" and "**(III)**", respectively; in line 23, strike "**SHALL**" and substitute "**MAY**"; and in line 24, after the first "**THE**" insert "**SUBSTANTIAL**".

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 – 124 Negative – 11 (See Roll Call No. 1329)

AMENDED IN THE SENATE

House Bill 770 – Delegate Davis

~~EMERGENCY BILL~~

AN ACT concerning

Public Service Commission – Electric Companies – New Generation Facilities and Customer Credits

Delegate Davis moved that the House concur in the Senate amendments.

HB0770/537478/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 770
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Credits" insert "and the Electric Universal Service Program"; in line 9, after the first "the" insert "Public Service"; strike beginning with "party" in line 9 down through "manner" in line 11 and substitute "Commission shall consider the adequacy of the current funding of the electric universal service program

in providing certain assistance; providing that certain funds deposited into the electric universal service fund are in addition to, and may not substitute for, certain funds"; and in line 14, after "credits" insert "and the Electric Universal Service Program".

AMENDMENT NO. 2

On pages 3 and 4, strike beginning with "**PARTY**" in line 35 on page 3 down through "**COMMISSION.**" in line 4 on page 4 and substitute "**COMMISSION SHALL CONSIDER THE ADEQUACY OF THE CURRENT FUNDING OF THE ELECTRIC UNIVERSAL SERVICE PROGRAM IN PROVIDING ASSISTANCE TO CUSTOMERS WHO QUALIFY UNDER THIS SECTION.**".

On page 4, in line 5, strike "**THE**" and substitute "**ANY**"; and in line 6, strike "**UNDER THIS SECTION**" and substitute "**AS A RESULT OF AN AGREEMENT WITH THE COMMISSION IN CONNECTION WITH A MERGER OR ACQUISITION OF AN ELECTRIC COMPANY OR AN AFFILIATE OF AN ELECTRIC COMPANY**".

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. 1330)

AMENDED IN THE SENATE

House Bill 1047 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Refillable Beer Containers
Ho. Co. 10–12

Delegate Davis moved that the House concur in the Senate amendments.

HB1047/284731/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1047
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Class" in line 5 down through "wine" in line 6 and substitute "certain alcoholic beverages"; strike beginning with "only" in line 8 down through "premises" in line 10; and in line 10, after the first semicolon, insert "requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements;".

AMENDMENT NO. 2

On page 2, in line 20, strike "**A B–SBW LICENSE**" and substitute "**ANY CLASS OF ALCOHOLIC BEVERAGES LICENSE ISSUED BY THE BOARD OF LICENSE COMMISSIONERS EXCEPT A CLASS C LICENSE AND A CLASS GC LICENSE**"; strike beginning with the colon in line 26 down through "**IN**" in line 27 and substitute "**IN**"; and strike beginning with the semicolon in line 28 down through "**PREMISES**" in line 30.

On page 3, in line 17, after "**OF**" insert "**AND HOURS OF SALE FOR**"; in line 18, strike "**IS**" and substitute "**ARE**"; in the same line, strike "**B–SBW**" and substitute "**ALCOHOLIC BEVERAGES**"; and strike in their entirety lines 20 and 21 and substitute:

"**(V) AN APPLICANT WHO HOLDS AN ALCOHOLIC BEVERAGES LICENSE WITHOUT AN OFF–SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE ALCOHOLIC BEVERAGES LICENSE THAT THE APPLICANT HOLDS.**".

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. 1331)

AMENDED IN THE SENATE

House Bill 1101 – The Speaker (By Request – Administration) and Delegates Barkley, Barnes, Guzzone, Hucker, Ivey, Malone, McHale, Ross, Valentino–Smith, and Vaughn

AN ACT concerning

Workers' Compensation – Medical Presumptions

Delegate Davis moved that the House concur in the Senate amendments.

HB1101/477270/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1101
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Presumptions" insert "and Study"; in line 5, strike "providing that certain" and substitute "altering the"; in the same line, after "cancers" insert "that"; and in line 7, after "manner;" insert "requiring the Department of Legislative Services, in consultation with and as agreed by certain stakeholders, to contract with a certain individual to conduct a certain study of certain types of cancers that certain individuals may contract in the line of duty; providing for the purpose of the study; providing that any funding needed to pay for the study shall be from sources other than the Department; requiring the Department to give certain notice to certain persons and entities under certain circumstances; requiring a certain individual to identify and review certain studies and other medical evidence, prepare a certain summary table, determine whether there is a certain benchmark, and consider certain matters; requiring the individual to consult with certain persons or entities under certain circumstances; requiring the individual to report to the Department on or before a certain date; requiring the Department to forward a certain report to certain committees of the General Assembly; requiring a certain organization, in consultation with certain persons and entities, to determine the statistics relating to certain individuals that should be kept for a certain purpose; providing for a delayed effective date for certain provisions of this Act; providing for the application and construction of certain provisions of this Act;".

AMENDMENT NO. 2

On page 3, in line 19, strike "pancreatic,".

AMENDMENT NO. 3

On page 5, after line 31, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) The Department of Legislative Services, in consultation with and as agreed by the affected stakeholders, shall contract with a medical expert affiliated with an academic research institution or organization to conduct a study of all types of cancers that firefighters, firefighting instructors, members of the Office of the State Fire Marshal, rescue squad members, and advanced life support unit members, as specified under the workers' compensation cancer presumption law, may contract in the line of duty, as compared to the general population.

(2) The purpose of the study is to provide guidance to the General Assembly as to the types of cancers firefighters and others are likely to contract in the line of duty in order for the General Assembly to determine which types of cancers should be included in the workers' compensation cancer presumption law.

(3) (i) Funding, if any, that may be needed to pay for the study shall be from sources other than the Department.

(ii) If adequate funding is not available to pay for the study, the Department shall notify the Governor, the affected stakeholders, and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Economic Matters Committee, that the Department is unable to contract with a medical expert affiliated with an academic research institution or organization to conduct the study, and requesting whether additional funding may be secured in order for the Department to proceed with contracting with a medical expert.

(b) In conducting the study, the medical expert shall:

(1) identify and review recent objective and statistically valid studies and other medical evidence relating to all types of cancers firefighters and others may contract in the line of duty;

(2) prepare a summary table ranking the likelihood of each type of cancer risk to firefighters and others, as compared to the general public;

(3) determine whether there is a benchmark that could be used to determine if a specific type of cancer should be included in the workers' compensation cancer presumption law; and

(4) consider other relevant matters that relate to the purpose of the study.

(c) In conducting the study, the medical expert shall consult with any person or entity that the medical expert determines appropriate.

(d) (1) On or before December 1, 2012, the medical expert conducting the study shall report the findings of the study to the Department of Legislative Services.

(2) On receipt of the report, the Department of Legislative Services shall forward the report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Association of Counties, in consultation with the Professional Firefighters of Maryland and any other entity or person the Association determines appropriate, shall determine the statistics that, as practicable, should be kept relating to firefighters and others who have contracted cancer in order to evaluate the impact of the workers' compensation cancer presumption law.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act:

(1) shall apply to claims filed for an occupational disease on or after June 1, 2013; and

(2) may not construed to apply to any claim filed before June 1, 2013.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect June 1, 2013.";

in line 32, strike "2." and substitute "6."; in the same line, after "That" insert ", except as provided in Section 5 of this Act,"; and in line 33, strike "July" 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 – 101 Negative – 33 (See Roll Call No. 1332)

AMENDED IN THE SENATE

House Bill 1269 – Delegates Barnes, Davis, and Hucker

AN ACT concerning

~~Public Utilities – Consumer Relations –~~ Public Service Commission – Study on Tenant Payment of Landlord Utility Bills

Delegate Davis moved that the House concur in the Senate amendments.

HB1269/637577/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1269
(Third Reading File Bill)

On page 6, in line 30, strike the second "and"; and in line 31, after "(7)" insert "representatives from a landlord association or a property owners association; and

(8)".

On page 7, in line 10, strike "minimize" and substitute "eliminate".

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 – 12 (See Roll Call No. 1333)

AMENDED IN THE SENATE

House Bill 215 – Delegates Stukes, Anderson, Boteler, Braveboy, Burns, Carter, Clippinger, Conaway, Glenn, Gutierrez, Hammen, Harrison, Haynes, Howard, McHale, Mitchell, Tarrant, Walker, ~~and Washington~~ Washington, and O'Donnell

AN ACT concerning

Local Government – Investment in Our Youth (IO–YOUth) Programs

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0215/939833/3
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 215
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Local Government" and substitute "Baltimore City"; in the same line, strike "Programs" and substitute "Pilot Program"; in line 3, strike "a county" and substitute "the Mayor and City Council of Baltimore"; in line 4, after "(IO–YOUth)" insert "Pilot"; in the same line, strike the first "a" and substitute "the"; in line 6, strike "a" and substitute "the"; in lines 7 and 8, strike "a certain county" and substitute "the City of Baltimore"; in line 9, strike "a county that establishes a Program" and substitute "the Mayor and City Council of Baltimore"; in line 10, after "Program;" insert "requiring the Mayor and City Council of Baltimore to establish a certain procedure for the disposition of certain funds remaining in the Program under certain circumstances;"; in lines 13 and 14, strike "a county that establishes a Program" and substitute "the Mayor and City Council of Baltimore"; in line 21, strike "certain counties" and substitute "the City of Baltimore"; and in line 22, strike "certain counties" and substitute "the City of Baltimore".

On page 2, in line 1, strike "a county that receives certain funds" and substitute "the Mayor and City Council of Baltimore"; strike beginning with ", except" in line 2 down through "circumstances" in line 4; in line 5, strike "a county" and substitute "the City of Baltimore"; in line 10, strike "a county" and substitute "the City of Baltimore"; in line 11, strike "certain counties" and substitute "the City of Baltimore"; in line 14, after "terms;" insert "providing for the termination of this Act;"; and strike in their entirety lines 16 through 21, inclusive, and substitute:

"BY adding to
The Charter of Baltimore City
Article II – General Powers
Section (67)
(2007 Replacement Volume, as amended)".

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 39 on page 2 through line 4 on page 7, inclusive, and substitute:

"The Charter of Baltimore City
Article II – General Powers

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:

(67)

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "EMPLOYER" HAS THE MEANING STATED IN § 3401 OF THE INTERNAL REVENUE CODE.

(II) "EMPLOYER" INCLUDES:

1. THE STATE AND ITS UNITS;

2. A COUNTY AND ITS UNITS; AND

3. A MUNICIPAL GOVERNMENT IN THE STATE.

(3) "NONPROFIT ORGANIZATION" MEANS AN ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501 OF THE INTERNAL REVENUE CODE.

(4) "PROGRAM" MEANS THE INVESTMENT IN OUR YOUTH (IO–YOUTH) PILOT PROGRAM.

(5) "SUMMER" MEANS THE PERIOD FROM JUNE 1 TO SEPTEMBER 30, INCLUSIVE, OF EACH YEAR.

(B) (1) THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY ESTABLISH AN INVESTMENT IN OUR YOUTH (IO–YOUTH) PILOT PROGRAM.

(2) THE PROGRAM SHALL BE ESTABLISHED AS A QUALIFIED ORGANIZATION ELIGIBLE TO RECEIVE TAX–DEDUCTIBLE CHARITABLE CONTRIBUTIONS UNDER § 170(C) OF THE INTERNAL REVENUE CODE.

(3) THE PURPOSE OF THE PROGRAM IS TO PROVIDE SUMMER JOBS FOR YOUTHS WHO ARE AT LEAST 14 YEARS OLD AND NOT MORE THAN 18 YEARS OLD.

(4) THE PROGRAM SHALL PROVIDE SUMMER JOBS FOR YOUTHS BY:

(I) HIRING YOUTHS TO WORK DURING THE SUMMER FOR THE CITY OF BALTIMORE; OR

(II) PROVIDING GRANTS TO NONPROFIT ORGANIZATIONS THAT WILL PROVIDE SUMMER JOBS FOR YOUTHS.

(5) THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL ESTABLISH A COMMITTEE TO CARRY OUT THE PROGRAM.

(6) THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL ESTABLISH A PROCEDURE FOR THE DISPOSITION OF ANY FUNDS REMAINING IN THE PROGRAM IN THE EVENT THAT THE PROGRAM IS TERMINATED.

(7) TO BE ELIGIBLE FOR A GRANT FROM THE PROGRAM, A NONPROFIT ORGANIZATION SHALL:

(I) OPERATE WITHIN THE CITY OF BALTIMORE; AND

(II) MEET ANY OTHER REQUIREMENT ESTABLISHED UNDER THE PROGRAM.

(8) A NONPROFIT ORGANIZATION THAT RECEIVES A GRANT FROM THE PROGRAM MAY NOT USE THE GRANT TO:

(I) EMPLOY YOUTHS WHO DO NOT RESIDE IN THE CITY OF BALTIMORE; OR

(II) PROVIDE JOBS AT SITES THAT ARE LOCATED OUTSIDE OF THE CITY OF BALTIMORE.

(C) (1) (I) NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED TO REQUIRE AN EMPLOYER TO MAKE A DEDUCTION FROM THE WAGE OF AN EMPLOYEE.

(II) ON WRITTEN REQUEST OF AN EMPLOYEE, AN EMPLOYER MAY MAKE A DEDUCTION FROM THE WAGE OF AN EMPLOYEE FOR THE BENEFIT OF THE PROGRAM.

(III) THE WRITTEN REQUEST PROVIDED BY AN EMPLOYEE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL INCLUDE THE AMOUNT OF THE DEDUCTION.

(2) (I) AN EMPLOYER SHALL:

1. DISTRIBUTE QUARTERLY TO THE CITY OF BALTIMORE ANY FUNDS DEDUCTED BY THE EMPLOYER FROM THE WAGE OF AN EMPLOYEE; AND

2. REPORT QUARTERLY TO THE CITY OF BALTIMORE THE NAME, ADDRESS, AND OTHER INFORMATION PROVIDED BY THE EMPLOYEE UNDER SUBSECTION (C)(1) OF THIS SECTION.

(II) THE AMOUNT OF FUNDS DISTRIBUTED TO THE CITY OF BALTIMORE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL EQUAL THE AMOUNT OF FUNDS DEDUCTED FROM THE WAGES OF EMPLOYEES WHO HAVE SUBMITTED A WRITTEN REQUEST AS PROVIDED IN SUBSECTION (C)(1) OF THIS SECTION.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL PAY THE FUNDS INTO THE SPECIAL FUND ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION.

(II) IF THE PROGRAM HAS ENDED, THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL FOLLOW THE PROCEDURE FOR THE DISPOSITION OF FUNDS REMAINING IN THE PROGRAM AS PROVIDED UNDER SUBSECTION (A)(6) OF THIS SECTION.

(4) THE CITY OF BALTIMORE MAY RECEIVE A DIRECT DONATION FROM A PERSON FOR THE BENEFIT OF THE PROGRAM.

(5) (I) THE CITY OF BALTIMORE SHALL PROVIDE A RECEIPT TO:

1. EACH EMPLOYEE WHOSE INFORMATION WAS REPORTED TO THE CITY OF BALTIMORE BY THE EMPLOYER UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

2. EACH PERSON FROM WHICH THE CITY OF BALTIMORE RECEIVES A DIRECT DONATION UNDER PARAGRAPH (4) OF THIS SUBSECTION.

(II) A RECEIPT PROVIDED BY THE CITY OF BALTIMORE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE A STATEMENT THAT THE AMOUNT OF THE DEDUCTION FROM THE EMPLOYEE'S WAGES OR THE AMOUNT OF THE DONATION IS TAX–DEDUCTIBLE UNDER § 170(C) OF THE INTERNAL REVENUE CODE.

(D) (1) THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL ESTABLISH A SPECIAL FUND TO BE USED TO FUND THE PROGRAM.

(2) THE PROGRAM SHALL BE FUNDED BY:

(I) FUNDS DISTRIBUTED TO THE CITY OF BALTIMORE UNDER SUBSECTION (C) OF THIS SECTION;

(II) FUNDS APPROPRIATED TO THE PROGRAM BY THE MAYOR AND CITY COUNCIL OF BALTIMORE; AND

(III) DONATIONS RECEIVED BY THE CITY OF BALTIMORE TO BE USED FOR THE PROGRAM.

(3) FUNDS IN THE SPECIAL FUND MAY BE USED ONLY FOR FUNDING THE PROGRAM.".

On page 8, in line 5, after the period insert "It shall remain effective for a period of 3 years and, at the end of September 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 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1334)

AMENDED IN THE SENATE

House Bill 472 – Delegates McIntosh and Feldman

AN ACT concerning

~~Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund~~
Workgroup on Lead Liability Protection for Rental Property

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0472/247975/1
BY: Finance Committee

AMENDMENT TO HOUSE BILL 472
(Third Reading File Bill)

On page 16, in line 27, strike "one member" and substitute "two members".

On page 17, in line 9, strike "retired judges and".

On page 18, in line 5, after "relevant" insert "insurance–related"; in line 6, after "study;" insert "and"; and strike beginning with "the" in line 7 down through "(6)" in line 11.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 123 Negative – 13 (See Roll Call No. 1335)

AMENDED IN THE SENATE

House Bill 283 – Chair, Health and Government Operations Committee and Delegate Elliott

AN ACT concerning

State Board of Pharmacy – Sunset Extension and Revisions

Delegate Hammen moved that the House concur in the Senate amendments.

HB0283/424031/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 283
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 6 down through "Board;" in line 10.

On page 2, in line 14, strike "12–204(d),".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 36 on page 2 through line 7 on page 3, 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 – 137 Negative – 0 (See Roll Call No. 1336)

AMENDED IN THE SENATE

House Bill 641 – Delegates Nathan–Pulliam, Branch, Braveboy, Burns, Costa, Elliott, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Kipke, Krebs, Morhaim, Murphy, Oaks, B. Robinson, Tarrant, ~~and V. Turner~~ V. Turner, Lee, Pena–Melnyk, Kach, Reznik, A. Kelly, and Cullison

AN ACT concerning

Hepatitis B and Hepatitis C Viruses – Public Awareness, Treatment, and Outreach

Delegate Hammen moved that the House concur in the Senate amendments.

HB0641/224138/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 641
(Third Reading File Bill)

On page 4, in line 15, after "**CONTROL**" insert "**AND PREVENTION**".

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. 1337)

AMENDED IN THE SENATE

House Bill 824 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – ~~Sunset Extension and Program Evaluation~~ Appointment and Term of Chair

Delegate Hammen moved that the House concur in the Senate amendments.

HB0824/114034/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 824
(Third Reading File Bill)

On page 1, in line 2, strike "and Allied Health Advisory Committees".

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. 1338)

AMENDED IN THE SENATE

House Bill 827 – Delegate Hubbard

AN ACT concerning

Polysomnographic Technologists – Education and Examination Requirements

Delegate Hammen moved that the House concur in the Senate amendments.

HB0827/204936/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 827
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "altering" in line 4 down through "organization;" in line 6.

AMENDMENT NO. 2

On page 2, strike line 9 in its entirety; strike beginning with "**HAVE**" in line 16 down through the colon in line 17; in line 18, strike the second "**A**" and substitute "**HAVE GRADUATED FROM A**"; in line 20, after the semicolon insert "**AND**"; strike beginning with "**A**" in line 21 down through "**RECOMMENDED**" in line 24 and substitute "**HAVE COMPLETED A CLINICAL COMPONENT OF AN EDUCATIONAL PROGRAM AS ESTABLISHED**"; and in line 25, after "**APPROVED**" insert "**BY**".

On page 3, strike line 14 in its entirety.

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. 1339)

AMENDED IN THE SENATE

House Bill 680 – Delegates Rosenberg, Luedtke, and Washington

AN ACT concerning

Education – ~~Development of Guidelines to Incorporate~~ Task Force to Explore Including Sustainable ~~Agricultural Education~~ Agriculture in Existing Curricular Areas

Delegate Hixson moved that the House concur in the Senate amendments.

HB0680/594234/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 680
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Including Sustainable" and substitute "Incorporating the Subject of"; in line 9, after "for" insert "incorporating the subject of agriculture,"; in line 10, after "issues" insert a comma; and in line 12, strike "include sustainable" and substitute "incorporate the subject of".

AMENDMENT NO. 2

On page 2, in line 5, after "**FOUNDATION,**" insert "**THE MARYLAND FARM BUREAU, THE MARYLAND GRAIN PRODUCERS ASSOCIATION, DELMARVA POULTRY INDUSTRY, INC., THE MARYLAND ASSOCIATION OF SOIL CONSERVATION DISTRICTS, THE MARYLAND PORK PRODUCERS ASSOCIATION, THE MARYLAND DAIRY INDUSTRY, INC.,**"; in line 6, strike "**SUSTAINABLE**"; in line 7, after "**FOR**" insert "**INCORPORATING THE SUBJECT OF AGRICULTURE,**"; and in line 9, after "**ISSUES**" insert a comma.

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 – 2 (See Roll Call No. 1340)

AMENDED IN THE SENATE

House Bill 764 – Delegates Frick, Afzali, Arora, Bobo, Carr, Clagett, DeBoy, Hixson, Howard, Lafferty, Luedtke, McMillan, Mizeur, Pendergrass, Stein, Stocksdale, Summers, ~~and Zucker~~ Zucker, and A. Miller

AN ACT concerning

Tax Credit Evaluation Act

Delegate Hixson moved that the House concur in the Senate amendments.

HB0764/759438/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 764
(Third Reading File Bill)

AMENDMENT NO. 1

On pages 2 and 3, strike in their entirety the lines beginning with line 19 on page 2 through line 12 on page 3, inclusive.

On page 3, in line 22, after "**(A)**" insert:

"**(1)** **IF A TAX CREDIT HAS A TERMINATION DATE PROVIDED FOR BY LAW, AN EVALUATION SHALL BE MADE OF THAT CREDIT ON OR BEFORE JULY 1 OF THE YEAR PRECEDING THE CALENDAR YEAR OF THE TERMINATION DATE.**

(2) **EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, AN EVALUATION SHALL BE MADE OF THE TAX CREDITS ON OR BEFORE THE DATES SPECIFIED IN SUBSECTIONS (B) THROUGH (E) OF THIS SECTION.**

(B)".

and in line 26, after "**ZONE);**" insert "**AND**

(2) **TITLE 6, SUBTITLE 4 OF THE ECONOMIC DEVELOPMENT ARTICLE, § 6–119 OF THE INSURANCE ARTICLE, AND § 10–714 OF THIS ARTICLE (ONE MARYLAND ECONOMIC DEVELOPMENT).**".

On pages 3 and 4, strike in their entirety the lines beginning with line 27 on page 3 through line 14 on page 4, inclusive.

On page 4, in line 15, strike "**(B)**" and substitute "**(C)**"; and after line 16, insert:

"**(1)** **§ 10–704 OF THIS ARTICLE (EARNED INCOME); AND**

(2) **§ 10–730 OF THIS ARTICLE (FILM PRODUCTION ACTIVITY).**".

On pages 4 and 5, strike in their entirety the lines beginning with line 17 on page 4 through line 3 on page 5, inclusive.

On page 5, in line 4, strike "**(C)**" and substitute "**(D)**"; after line 5, insert:

"**(1)** **§ 5A–303 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, § 6–105.2 OF THE INSURANCE ARTICLE, AND § 10–704.5 OF THIS ARTICLE (SUSTAINABLE COMMUNITIES); AND**

(2) **§ 10–721 OF THIS ARTICLE (QUALIFIED RESEARCH AND DEVELOPMENT EXPENSES).**";

strike beginning with "**(1)**" in line 6 down through "**RESOURCES).**" in line 22; in line 23, strike "**(D)**" and substitute "**(E)**"; and after line 24, insert:

"**(1) § 9–230 OF THE TAX – PROPERTY ARTICLE, § 6–116 OF THE INSURANCE ARTICLE, AND § 10–704.8 OF THIS ARTICLE (NEW JOB CREATING BUSINESSES); AND**

(2) § 10–726 OF THIS ARTICLE (BIOTECHNOLOGY INVESTMENT INCENTIVE).".

On pages 5 and 6, strike in their entirety the lines beginning with line 25 on page 5 through line 7 on page 6, inclusive.

AMENDMENT NO. 2

On page 6, in line 24, strike "**AND**"; and after line 25, insert:

"**(IV) THE SECRETARY, OR THE SECRETARY'S DESIGNEE, OF THE DEPARTMENT THAT ADMINISTERS THE TAX CREDIT UNDER EVALUATION; 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 – 98 Negative – 35 (See Roll Call No. 1341)

AMENDED IN THE SENATE

House Bill 1214 – Delegates Kaiser, Carr, A. Miller, and Stukes

AN ACT concerning

Education – Public ~~High~~ Schools – Maximum Student Enrollment Policy – Study

Delegate Hixson moved that the House concur in the Senate amendments.

HB1214/374839/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1214
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "on" in line 13 down through "Act;" in line 15 and substitute "during the first phase of a certain study of the adequacy of education funding in the State;"; and after line 22, insert:

"BY repealing and reenacting, with amendments,
Chapter 288 of the Acts of the General Assembly of 2002, as amended by
Chapter 397 of the Acts of the General Assembly of 2011
Section 7".

On page 2, in line 2, after "That" insert "the Laws of Maryland read as follows".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 30 and 31, inclusive, and substitute:

"Chapter 288 of the Acts of 2002, as amended by Chapter 397 of the Acts of 2011

SECTION 7. AND BE IT FURTHER ENACTED, That**[**, no**]:**

(A) **NO** later than June 30, 2014, the Maryland State Department of Education, in consultation with the Department of Budget and Management and the Department of Legislative Services, shall contract with a public or private entity to conduct a study of the adequacy of education funding in the State.

(B) **(1)** At a minimum, the adequacy study shall:

[(1)**]** **(I)** identify a base funding level for students without special needs;

[(2)**]** **(II)** per pupil weights for students with special needs to be applied to the base funding level; and

[(3)]**(III)** an analysis of the effect of concentrations of poverty on adequacy targets.

(2) DURING THE FIRST PHASE, THE ADEQUACY STUDY SHALL INCLUDE STUDY OF:".

On page 4, strike in their entirety lines 1 through 23, inclusive; and after line 23, insert:

"**(I) WHETHER COUNTIES CURRENTLY HAVE POLICIES REGARDING THE SIZE OF SCHOOLS, INCLUDING HIGH SCHOOLS, MIDDLE SCHOOLS, ELEMENTARY SCHOOLS, AND ALTERNATIVE SCHOOLS;**

(II) BEST PRACTICES IN OTHER STATES REGARDING SCHOOL SIZE;

(III) THE EDUCATIONAL AND EXTRACURRICULAR IMPACTS OF SCHOOL SIZE;

(IV) WHAT FACTORS CONTRIBUTE TO LARGE SCHOOL SIZES AND HOW MIGHT THE STATE MITIGATE THOSE FACTORS;

(V) WHAT WOULD BE THE IDEAL SIZE FOR HIGH SCHOOLS, MIDDLE SCHOOLS, ELEMENTARY SCHOOLS, AND ALTERNATIVE SCHOOLS;

(VI) WHAT PROCESS MIGHT HELP ENSURE APPROPRIATE PUBLIC INPUT INTO THE ESTABLISHMENT OF ANY SCHOOL SIZE STANDARD OR GUIDELINE;

(VII) WHETHER MODELS EXIST FOR THE CREATION OF SMALLER SCHOOLS, INCLUDING THE SUBDIVISION OF EXISTING SCHOOLS INTO MULTIPLE ADMINISTRATIVE UNITS WITHIN THE SAME CAMPUS, WHICH SHARE COMMON AREAS SUCH AS CAFETERIAS AND SPORTS FIELDS;

(VIII) THE POTENTIAL IMPACTS ON THE SCHOOL CONSTRUCTION PROGRAM OF ESTABLISHING STRICTER POLICIES REGARDING SMALLER SCHOOLS;

(IX) THE COSTS AND IMPACTS ON ZONING OF BUILDING NEW SCHOOLS AND HOW THOSE COSTS CAN BE REDUCED;

(X) SCHOOL BOUNDARIES AND ATTENDANCE AREAS AND HOW THOSE AFFECT SCHOOL SIZE; AND

(XI) WHETHER OPPORTUNITIES ARE AVAILABLE FOR ALTERNATIVE METHODS TO CREATE SPACE FOR SMALLER SCHOOLS, INCLUDING THE PURCHASE AND RENOVATION OF EXISTING BUILDINGS, WHERE AVAILABLE, AND INCLUDING SUBURBAN AND URBAN SCHOOL DESIGN.

(C) (1) The study shall be conducted in phases, with the first phase beginning no later than June 30, 2014, and the final phase being completed by December 1, 2016.

(2) The study shall incorporate standards from the common core curriculum adopted by the State Board of Education and 2 years of results from the new common core assessments, which are scheduled to be implemented beginning in the 2014–2015 school year.

(D) The Governor shall include sufficient funds in the State budget for the appropriate fiscal years for the Maryland State Department of Education to cover the costs of conducting the adequacy study.";

strike in their entirety lines 24 through 28, inclusive; and strike beginning with "It" in line 30 down through "effect." in line 32.

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. 1342)

CONCURRENCE CALENDAR #9

AMENDED IN THE SENATE

House Bill 19 – Delegate Kach

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Reservists

Delegate Conway moved that the House concur in the Senate amendments.

HB0019/819031/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 19
(Third Reading File Bill)

On page 3, in line 5, strike "**OF**" and substitute "**WITH**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131 Negative – 0 (See Roll Call No. 1343)

AMENDED IN THE SENATE

House Bill 84 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Reemployment of Retirees – Exemptions

Delegate Conway moved that the House concur in the Senate amendments.

HB0084/159831/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 84
(Third Reading File Bill)

On page 1, in line 7, strike "retires" and substitute "retirees".

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 – 135 Negative – 0 (See Roll Call No. 1344)

AMENDED IN THE SENATE

House Bill 362 – Delegates Rudolph and James

AN ACT concerning

Northeast Maryland Higher Education Advisory Board

Delegate Conway moved that the House concur in the Senate amendments.

HB0362/174235/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 362
(Third Reading File Bill)

On page 3, in line 19, after "**(1)**" insert "**(I)**"; in the same line, strike "**THE**" and substitute "**SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**"; and after line 20, insert:

"**(II) A MEMBER WHO IS A REPRESENTATIVE OF AN OUT–OF–STATE INSTITUTION MAY NOT SERVE AS CHAIR.**".

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 – 135 Negative – 0 (See Roll Call No. 1345)

AMENDED IN THE SENATE

House Bill 916 – Delegate Braveboy

AN ACT concerning

State Retirement and Pension System – Study of Asset Management

Delegate Conway moved that the House concur in the Senate amendments.

HB0916/629233/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 916
(Third Reading File Bill)

On page 3, in line 6, after "classes" insert ", consistent with the fiduciary responsibilities of the Investment Division of the State Retirement Agency"; and in line 9, after "Agency" insert ", that are consistent with the fiduciary responsibilities of the Investment Division of the State Retirement Agency".

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 – 0 (See Roll Call No. 1346)

THE COMMITTEE ON APPROPRIATIONS REPORT #16

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

Senate Bill 687 – ~~Senator Madaleno~~ Senators Madaleno and Simonaire

AN ACT concerning

Higher Education – Academic Program Action – Repeal of Application Fees

SB0687/324863/2

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 687
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "fees;" insert "providing for a delayed effective date;".

AMENDMENT NO. 2

On page 2, in line 23, strike "2012" and substitute "2013".

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 APPROPRIATIONS REPORT #18

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 990 – Senator Mathias

AN ACT concerning

Ocean City Convention Center – Financial Obligations and Taxing Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Jones moved to put **Senate Bill 990** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 109 Negative – 26 (See Roll Call No. 1347)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 990** was placed on Third Reading.

Senate Bill 990 – Senator Mathias

AN ACT concerning

Ocean City Convention Center – Financial Obligations and Taxing Authority

STATUS OF BILL: BILL ON 3RD READING

Read the third time and passed by yeas and nays as follows:

Affirmative – 112 Negative – 25 (See Roll Call No. 1348)

The Bill was then returned to the Senate.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #28

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1339 – Delegates McIntosh, Arora, Bobo, Cane, Cardin, Carr, Frush, Glenn, Hammen, Healey, Howard, Kramer, Lafferty, Lee, Luedtke, Stein, Summers, and Washington

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Qualifying Thermal Biomass Systems

HB1339/373894/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1339
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Qualifying"; in lines 4, 6, 9, and 13, in each instance, strike "qualifying"; in line 7, after "system" insert "is eligible to receive a certain renewable energy credit under certain circumstances; specifying that a certain person that is eligible to receive a certain renewable energy credit"; and in lines 7 and 8, strike "under certain circumstances" and substitute "equal to a certain amount".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 9 through 19, inclusive, and substitute:

"**(H–1)** **"THERMAL BIOMASS SYSTEM" MEANS A SYSTEM THAT:**

(1) **USES:**

(I) PRIMARILY ANIMAL MANURE, INCLUDING POULTRY LITTER, AND ASSOCIATED BEDDING TO GENERATE THERMAL ENERGY; AND

(II) FOOD WASTE OR QUALIFYING BIOMASS FOR THE REMAINDER OF THE FEEDSTOCK;

(2) IS USED IN THE STATE; AND

(3) COMPLIES WITH ALL APPLICABLE STATE AND FEDERAL STATUTES AND REGULATIONS, AS DETERMINED BY THE APPROPRIATE REGULATORY AUTHORITY.";

and in lines 25 and 26, strike "**, INCLUDING QUALIFYING THERMAL BIOMASS SYSTEMS**".

On page 3, in line 9, strike "and"; in line 10, after "fuel" insert "**; AND**

(12) THERMAL ENERGY FROM A THERMAL BIOMASS SYSTEM";

in lines 12, 18, 21, and 26, in each instance, strike "**QUALIFYING**"; after line 14, insert:

"**(2) (I) A PERSON THAT OWNS AND OPERATES A THERMAL BIOMASS SYSTEM THAT USES ANAEROBIC DIGESTION IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT.**

(II) A PERSON THAT OWNS AND OPERATES A THERMAL BIOMASS SYSTEM THAT USES A THERMOCHEMICAL PROCESS IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT IF THE PERSON DEMONSTRATES TO THE MARYLAND DEPARTMENT OF THE ENVIRONMENT THAT THE OPERATION OF THE THERMAL BIOMASS SYSTEM:

1. IS NOT SIGNIFICANTLY CONTRIBUTING TO LOCAL OR REGIONAL AIR QUALITY IMPAIRMENTS; AND

2. WILL SUBSTANTIALLY DECREASE EMISSIONS OF OXIDES OF NITROGEN BEYOND THAT ACHIEVED BY A DIRECT BURN COMBUSTION UNIT THROUGH THE USE OF PRECOMBUSTION TECHNIQUES, COMBUSTION TECHNIQUES, OR POSTCOMBUSTION TECHNIQUES.";

in lines 15, 20, and 25, strike "**(2)**", "**(3)**", and "**(4)**", respectively, and substitute "**(3)**", "**(4)**", and "**(5)**", respectively; in lines 15 and 16, strike "**OWNS AND OPERATES A QUALIFYING THERMAL BIOMASS SYSTEM**" and substitute "**IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT UNDER PARAGRAPH (2) OF THIS SUBSECTION**"; in line 19, after "**SYSTEM**" insert "**AND USED ON SITE**"; and strike beginning with "**OF**" in line 23 down through "**METROLOGY**" in line 24 and substitute "**ESTABLISHED BY THE COMMISSION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

Senate Bill 1004 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – ~~Qualifying~~ Thermal Biomass Systems

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis moved to put **Senate Bill 1004** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 132 Negative – 3 (See Roll Call No. 1349)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 1004** was placed on Third Reading.

Senate Bill 1004 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – ~~Qualifying~~ Thermal Biomass Systems

STATUS OF BILL: BILL ON 3RD READING

Read the third time and passed by yeas and nays as follows:

Affirmative – 126 Negative – 6 (See Roll Call No. 1350)

The Bill was then returned to the Senate.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

Senate Bill 1030 – Senators Mathias, Colburn, Edwards, Glassman, Jones–Rodwell, Middleton, ~~and Raskin~~ Raskin, Klausmeier, Garagiola, Kittleman, and Pugh

AN ACT concerning

Small Business Development Center Network Fund – Minimum Appropriation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 127 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Marine Gathering Permit – Establishment

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT NOT ADOPTED.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #27

Delegate McIntosh, Chair, for the Committee on Environmental Matters and Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

Senate Bill 873 – Senator Pugh

AN ACT concerning

~~Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund~~

Workgroup on Lead Liability Protection for Rental Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #28

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

Senate Bill 493 – Senator Gladden

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study – Study Period

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 Middleton, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Getty, Glassman, Jacobs, Jennings, Kittleman, Mathias, Peters, Pipkin, Reilly, Robey, Shank, and Simonaire

AN ACT concerning

Department of Planning – State Development Plan – Use and Conflicts of Law

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 636 – Senator Frosh

AN ACT concerning

Environment – Presumptive Impact Areas – ~~Damage~~ Contamination Caused by Gas Wells in Deep Shale Deposits

Favorable report 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:

Senate Bill 572 – Senator Rosapepe

AN ACT concerning

State Government – Commemorative Days – Crime Victims and Advocates

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #24

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 414 – Senators Brochin, Klausmeier, Stone, and Zirkin

AN ACT concerning

Juvenile Law – Taking Child into Custody – Arrest Warrant

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 925 – Senator Gladden

AN ACT concerning

Criminal Procedure – Right of Appeal from Final Judgments – Conditional Guilty Plea

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 944 – Senator Jacobs

AN ACT concerning

Life–Threatening Injury by Motor Vehicle or Vessel While Impaired by a Controlled Dangerous Substance – Penalty
(Ava's Law)

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 1045 – Senator Muse

AN ACT concerning

Missing Children – Search Efforts and Collaboration
(Phylicia's Law)

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS
REPORT #23

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 786 – Senators Muse and Ramirez

AN ACT concerning

~~**Foreclosure Prevention and Neighborhood Stabilization Act of 2012**~~

Real Property – Foreclosures and Mediation

The Bill was re–referred to the Committee on Environmental Matters.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 0457**
SPONSOR: Del Howard, et al
SUBJECT: Transportation – Highway Construction Training and Supportive Services

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 Howard, Chair
Delegate Luedtke
Delegate Boteler

The Senate appoints:
Senator Pugh, Chairman
Senator Glassman
Senator Mathias.

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 124 Members present.

(See Roll Call No. 1351)

ADJOURNMENT

At 7:52 P.M. on motion of Delegate Barve the House adjourned until 8:30 P.M. on Legislative Day April 6, 2012, Calendar Day Monday, April 9, 2012.

Annapolis, Maryland
Legislative Day: April 6, 2012
Calendar Day: Monday, April 9, 2012

The House met at 8:48 P.M. and pledged Allegiance to the Flag.

Prayer by Speaker Michael E. Busch of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1352)

The Journal of April 5, 2012 was read and approved.

EXCUSES:
Del. Harrison – left early – illness
Del. Morhaim – left briefly – a page was ill
Del. Stocksdale – illness
Del. V. Turner – medical

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #29

Delegate McIntosh, Chair, for the Committee on Environmental Matters and Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

Senate Bill 358 – The President (By Request – Administration) and Senators Colburn, Currie, DeGrange, Garagiola, Kasemeyer, King, Madaleno~~,~~ ~~Manno~~, McFadden, Middleton, Peters, Pugh, and Rosapepe

AN ACT concerning

Public–Private Partnerships

SB0358/240213/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 358

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "reports;" insert "requiring certain projects to comply with certain provisions of law; requiring a reporting agency to issue a public notice of solicitation for a public–private partnership under certain circumstances;"; and in line 16, after "entities;" insert "authorizing a reporting agency to reimburse a private entity for certain costs and pay a certain entity for the right to use a certain work product; requiring a reporting agency to adopt certain regulations that establish the process for the reimbursement of a private entity; prohibiting a reporting agency from reimbursing a private entity under certain circumstances;".

On page 2, in line 10, after "agreement;" insert "providing, under certain circumstances, that the provisions of the Minority Business Enterprise Program apply to public–private partnerships; prohibiting the Board of Public Works from approving a public–private partnership agreement until the reporting agency, in consultation with certain entities, establishes certain minority business enterprise goals and procedures; requiring that certain goals and procedures be based on the requirements of certain provisions of law;"; in line 13, after "Act;" insert "providing for the termination of certain provisions of this Act;"; in line 26, strike "10A–104" and substitute "10A–105"; in line 30, strike "10A–402" and substitute "10A–403"; after line 33, insert:

"BY repealing and reenacting, without amendments,
Article – Transportation
Section 4–205
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)";

and in line 36, strike "4–205 and".

AMENDMENT NO. 2

On page 7, in line 4, before "**IT**" insert "**(A)**"; in line 5, strike "**FOR INFRASTRUCTURE INITIATIVES FOR**" and substitute "**, IF APPROPRIATE, TO**"; in line 6, strike "**FURTHERING THE DEVELOPMENT AND MAINTENANCE OF**" and substitute "**DEVELOP AND STRENGTHEN THE STATE'S PUBLIC**"; in line 8, strike "**APPORTIONING**" and substitute "**APPORTION**"; in the same line, strike "**SECTOR**"; in the same line, strike the second "**THE**"; in line 9, strike "**SECTOR**" and substitute

"**SECTORS**"; strike beginning with "**IN**" in line 9 down through "**OF**" in line 10 and substitute "**WITH DEVELOPING AND STRENGTHENING PUBLIC**"; in line 11, strike "**FOSTERING**" and substitute "**FOSTER**"; in line 12, strike "**PROMOTING**" and substitute "**PROMOTE**"; after line 13, insert:

"**(B) IT IS THE PUBLIC POLICY OF THE STATE:**

(1) THAT A PRIVATE ENTITY THAT ENTERS INTO A PUBLIC–PRIVATE PARTNERSHIP WITH A REPORTING AGENCY COMPLY WITH THE LABOR AND EMPLOYMENT ARTICLE AND THE FEDERAL FAIR LABOR STANDARDS ACT; AND

(2) TO USE STATE EMPLOYEES TO PERFORM ALL STATE FUNCTIONS IN STATE–OPERATED FACILITIES IN PREFERENCE TO CONTRACTING WITH THE PRIVATE SECTOR TO PERFORM THOSE FUNCTIONS.";

in line 15, after "**(A)**" insert "**(1) (I)**"; in line 16, strike "**A PARTNERSHIP**" and substitute "**AN**"; in line 17, strike "**FUNCTION, SERVICE, OR**" and substitute "**PUBLIC INFRASTRUCTURE**"; and after line 19, insert:

"**(II) A PUBLIC–PRIVATE PARTNERSHIP AGREEMENT EXECUTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY INCLUDE PROVISIONS THAT ARE NECESSARY TO DEVELOP AND STRENGTHEN A PUBLIC INFRASTRUCTURE ASSET IN CONJUNCTION WITH A PUBLIC–PRIVATE PARTNERSHIP.**

(2) A UNIT OF STATE GOVERNMENT THAT IS NOT A REPORTING AGENCY MAY NOT ESTABLISH A PUBLIC–PRIVATE PARTNERSHIP UNDER PARAGRAPH (1) OF THIS SUBSECTION.".

On page 9, after line 5, insert:

"**10A–105.**

A PROJECT UNDERTAKEN BY A REPORTING AGENCY THROUGH A PUBLIC–PRIVATE PARTNERSHIP SHALL COMPLY WITH THE FOLLOWING

PROVISIONS, TO THE EXTENT THAT THE PROVISIONS ARE APPLICABLE TO THE PROJECT:

(1) § 3–602.1 OF THIS ARTICLE; AND

(2) THE ENVIRONMENT ARTICLE.".

AMENDMENT NO. 3

On page 10, in line 8, after "**WITHHOLD**" insert "**A PRIVATE ENTITY'S**"; and in the same line, after "**INFORMATION**" insert "**IN ACCORDANCE WITH § 10–617(D) OF THE STATE GOVERNMENT ARTICLE, RELATING TO:**

1. CONFIDENTIAL COMMERCIAL INFORMATION;

2. CONFIDENTIAL FINANCIAL INFORMATION; AND

3. TRADE SECRETS".

On page 12, in line 13, after "**WITHHOLD**" insert "**A PRIVATE ENTITY'S**"; and in the same line, after "**INFORMATION**" insert "**IN ACCORDANCE WITH § 10–617(D) OF THE STATE GOVERNMENT ARTICLE, RELATING TO:**

1. CONFIDENTIAL COMMERCIAL INFORMATION;

2. CONFIDENTIAL FINANCIAL INFORMATION; AND

3. TRADE SECRETS".

AMENDMENT NO. 4

On page 10, in line 21, strike "**A**" and substitute "**IF A REPORTING AGENCY INTENDS TO ESTABLISH A PUBLIC–PRIVATE PARTNERSHIP UNDER § 10A–103 OF THIS TITLE, THE**"; in the same line, strike "**MAY**" and substitute "**SHALL**"; and in line 22, strike "**A**" and substitute "**THE**".

On page 11, in line 4, after "**(E)**" insert "**(1)**"; in the same line, strike the colon; in line 5, strike "**(1)**"; in line 6, after "**A**" insert "**RESPONSE TO A PUBLIC NOTICE OF A**"; in the same line, strike "**; AND**" and substitute a period; after line 6, insert:

"**(2)** **A REPORTING AGENCY SHALL ADOPT REGULATIONS THAT ESTABLISH THE PROCESS FOR REIMBURSING A PRIVATE ENTITY UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

(3) **REGULATIONS ADOPTED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL:**

(I) **PROVIDE FOR THE REIMBURSEMENT OF A PRIVATE ENTITY BASED ON THE DOLLAR VALUE OF A PROJECT; AND**

(II) **SPECIFY A MAXIMUM DOLLAR AMOUNT THAT A REPORTING AGENCY MAY REIMBURSE A PRIVATE ENTITY FOR COSTS INCURRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**".

in line 7, strike "**(2)**" and substitute "**(4)** **A REPORTING AGENCY MAY**"; and after line 8, insert:

"**(5)** **A REPORTING AGENCY MAY NOT REIMBURSE A PRIVATE ENTITY FOR ANY PORTION OF THE COSTS INCURRED TO DEVELOP A SOLICITATION IF:**

(I) **THE PRIVATE ENTITY ENTERS INTO A PARTNERSHIP AGREEMENT WITH THE REPORTING AGENCY;**

(II) **THE PARTNERSHIP AGREEMENT ENTERED INTO UNDER ITEM (I) OF THIS PARAGRAPH IS APPROVED BY THE BOARD OF PUBLIC WORKS; AND**

(III) **THE SOLICITATION IS THE SUBJECT OF THE PARTNERSHIP AGREEMENT APPROVED BY THE BOARD OF PUBLIC WORKS UNDER ITEM (II) OF THIS PARAGRAPH.**".

On page 14, strike in their entirety lines 12 and 13; in lines 14, 16, 18, 22, and 25, strike "**(9)**", "**(10)**", "**(11)**", "**(12)**", and "**(13)**", respectively, and substitute "**(8)**", "**(9)**", "**(10)**", "**(11)**", and "**(12)**", respectively.

On page 15, in line 27, after "**(H)**" insert "**(1)**"; in the same line, strike "**THIS DIVISION II**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS DIVISION**"; after line 28, insert:

"**(2) TO THE EXTENT OTHERWISE REQUIRED BY LAW, THE FOLLOWING PROVISIONS OF THIS DIVISION APPLY TO A PUBLIC–PRIVATE PARTNERSHIP UNDER TITLE 10A OF THIS ARTICLE:**

(I) § 11–205 OF THIS SUBTITLE ("COLLUSION");

(II) § 11–205.1 OF THIS SUBTITLE ("FALSIFICATION, CONCEALMENT, ETC. OF MATERIAL FACTS");

(III) TITLE 12, SUBTITLE 4 OF THIS ARTICLE ("POLICIES AND PROCEDURES FOR EXEMPT UNITS");

(IV) § 13–219 OF THIS ARTICLE ("REQUIRED CLAUSES – NONDISCRIMINATION CLAUSE");

(V) TITLE 17, SUBTITLE 2 OF THIS ARTICLE ("PREVAILING WAGE RATES – PUBLIC WORK CONTRACTS"); AND

(VI) TITLE 18 OF THIS ARTICLE ("LIVING WAGE").";

and in line 30, strike the bracket.

On page 16, in line 36, strike the bracket.

AMENDMENT NO. 5

On page 18, after line 20, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

10A–403.

(A) THE FINDINGS AND EVIDENCE RELIED ON BY THE GENERAL ASSEMBLY FOR THE CONTINUATION OF THE MINORITY BUSINESS ENTERPRISE PROGRAM UNDER TITLE 14, SUBTITLE 3 OF THIS ARTICLE, AS ENACTED BY CHAPTER 253 OF THE ACTS OF 2011 AND CHAPTER _____(H.B. 1370) OF THE ACTS OF 2012, ARE HEREBY INCORPORATED.

(B) TO THE EXTENT PRACTICABLE AND PERMITTED BY THE UNITED STATES CONSTITUTION, THE PROVISIONS OF THE MINORITY BUSINESS ENTERPRISE PROGRAM UNDER TITLE 14, SUBTITLE 3 OF THIS ARTICLE SHALL APPLY TO PUBLIC–PRIVATE PARTNERSHIPS ESTABLISHED UNDER THIS TITLE.

(C) (1) THE BOARD OF PUBLIC WORKS MAY NOT APPROVE A PUBLIC–PRIVATE PARTNERSHIP AGREEMENT UNDER § 10A–203 OF THIS TITLE UNTIL THE REPORTING AGENCY, IN CONSULTATION WITH THE GOVERNOR'S OFFICE OF MINORITY AFFAIRS, THE OFFICE OF THE ATTORNEY GENERAL, AND THE PRIVATE ENTITY, ESTABLISHES REASONABLE AND APPROPRIATE MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS AND PROCEDURES FOR THE PROJECT.

(2) TO THE EXTENT PRACTICABLE, GOALS AND PROCEDURES ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE BASED ON THE REQUIREMENTS OF:

(I) TITLE 14, SUBTITLE 3 OF THIS ARTICLE, INCLUDING THE IMPLEMENTING OF REGULATIONS ADOPTED UNDER § 14–303 OF THIS ARTICLE; AND

(II) REGULATIONS ADOPTED SPECIFICALLY TO IMPLEMENT THIS SECTION.";

in line 21, strike "2." and substitute "3."; after line 22, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2012. It shall remain effective for a period of 4 years and, at the end of June 30, 2016, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.";

and in line 23, strike "3." and substitute "5.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh moved to put **Senate Bill 358** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 94 Negative – 39 (See Roll Call No. 1353)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 358** was placed on Third Reading.

Senate Bill 358 – The President (By Request – Administration) and Senators Colburn, Currie, DeGrange, Garagiola, Kasemeyer, King, Madaleno~~,~~ ~~Manno~~, McFadden, Middleton, Peters, Pugh, and Rosapepe

AN ACT concerning

Public–Private Partnerships

STATUS OF BILL: BILL ON 3RD READING

Read the third time and passed by yeas and nays as follows:

Affirmative – 91 Negative – 45 (See Roll Call No. 1354)

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 with amendments:

Senate Bill 1078 – Senator Dyson

AN ACT concerning

Election Law – Absentee Ballots – Internet or Facsimile Transmission

SB1078/215862/2

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 1078
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Election Law – Voting Rights and Procedures"; in line 3, after the first "of" insert "requiring a court to report certain information to the State Board of Elections when the court makes a certain finding that an individual under guardianship for mental disability cannot communicate a desire to participate in the voting process; requiring the State Board of Elections to establish guidelines for a subsequent election absentee ballot list; requiring certain forms for making an application for an absentee ballot to include certain information and require the voter to make a certain acknowledgement; requiring that a voter who receives an absentee ballot be provided the opportunity to request an absentee ballot for the next subsequent election in certain materials accompanying the absentee ballot; requiring that a voter who requests an absentee ballot for the next subsequent election be placed on the subsequent election absentee ballot list; requiring that an absentee ballot be sent to a voter on the subsequent election absentee ballot list for certain elections; requiring that a voter be removed from the subsequent election absentee ballot list under certain circumstances; requiring a voter who requests an absentee ballot for the next subsequent election to notify the local board with certain information under certain circumstances;"; strike beginning with "requiring" in line 5 down through "condition;" in line 7 and substitute "authorizing the State Board to provide an optional online ballot marking tool for the use of certain voters who choose to have an absentee ballot sent by the Internet; requiring an online ballot marking tool to satisfy certain certification requirements; requiring a local board to follow certain procedures during the canvass of votes cast using an online ballot marking tool;"; in line 9, after "ballot;" insert "authorizing the Attorney General to institute an action in a circuit court for injunctive relief to prohibit a person from engaging in or continuing to engage in certain violations of election law; providing that injunctive relief may be granted only to prevent certain violations of election law from affecting a pending election; requiring a circuit court to hear and determine an action for injunctive relief as soon as practicable; providing that the grant of injunctive relief does not preclude any other remedy available under State or federal law; providing that a circuit court shall have jurisdiction over any proceeding for injunctive relief; requiring a circuit court to exercise its jurisdiction without regard to whether a person asserting certain rights has exhausted any other

remedy available under law;"; in line 11, after "of" insert "certain provisions of"; in the same line, after "Act;" insert "defining a certain term;"; in the same line, strike "absentee ballots" and substitute "voting rights and procedures"; in line 14, after "1–101(q)" insert "and 16–201"; in line 19, after "Section" insert "3–504(a), 9–303, 9–305,"; in the same line, strike "9–308,"; and after line 21, insert:

"BY adding to
Article – Election Law
Section 9–305.1, 9–308.1, and 16–1003
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 2, after line 5, insert:

"3–504.

(a) (1) (i) Information from the agencies specified in this paragraph shall be reported to the State Administrator in a format and at times prescribed by the State Board.

(ii) The Department of Health and Mental Hygiene shall report the names and residence addresses (if known) of all individuals at least 16 years of age reported deceased within the State since the date of the last report.

(iii) The clerk of the circuit court for each county and the administrative clerk for each District Court shall report the names and addresses of all individuals convicted, in the respective court, of a felony since the date of the last report.

(iv) The clerk of the circuit court for each county shall report the former and present names and residence addresses (if known) of all individuals whose names have been changed by decree or order of the court since the date of the last report.

(V) A COURT SHALL REPORT THE NAME AND RESIDENCE ADDRESS OF AN INDIVIDUAL UNDER GUARDIANSHIP FOR MENTAL DISABILITY IF THE COURT FINDS THAT THE INDIVIDUAL CANNOT COMMUNICATE A DESIRE TO

PARTICIPATE IN THE VOTING PROCESS IN ACCORDANCE WITH § 3–102(B) OF THIS TITLE.

(2) The State Administrator shall make arrangements with the clerk of the United States District Court for the District of Maryland to receive reports of names and addresses, if available, of individuals convicted of a felony in that court.

9–303.

(a) The State Board shall establish guidelines for the administration of absentee voting by the local boards.

(b) The guidelines shall provide for:

(1) the application process;

(2) late application for absentee ballots;

(3) ballot security, including storage of returned ballots;

(4) determining timeliness of receipt of applications and ballots, including applications and ballots for overseas voters;

(5) the canvass process;

(6) notice of the canvass to candidates, political parties, campaign organizations, news media, and the general public;

(7) observers of the process;

(8) review of voted ballots and envelopes for compliance with the law and for machine tabulation acceptability;

(9) standards for disallowance of ballots during the canvass; **[**and**]**

(10) storage and retention of ballots following canvass and certification**; AND**

(11) THE SUBSEQUENT ELECTION ABSENTEE BALLOT LIST ESTABLISHED UNDER § 9–305.1 OF THIS SUBTITLE.

(c) The State Board shall:

(1) in consultation with the local boards, assess the guidelines before each primary election; and

(2) revise the guidelines if indicated.

9–305.

(a) An application for an absentee ballot, signed by the voter, may be made:

(1) on a form produced by the local board and supplied to the voter;

(2) on a form provided under federal law; or

(3) in a written request that includes:

(i) the voter's name and residence address; and

(ii) the address to which the ballot is to be mailed, if different from the residence address.

(b) Except for a late application under subsection (c) of this section, an application for an absentee ballot must be received by a local board not later than the Tuesday preceding the election, at the time specified in the guidelines.

(c) (1) Beginning on the Wednesday preceding the election, through the closing of the polls on election day, a registered voter or the voter's duly authorized agent may apply in person for an absentee ballot at the office of the local board.

(2) A special application for an absentee ballot issued under this subsection shall be supplied by the staff of the local board to the voter or the voter's duly authorized agent.

(3) The application shall be made under penalty of perjury but without a formal oath.

(4) After review of the application, the staff shall issue an absentee ballot to the voter or the voter's duly authorized agent.

(D) EACH WRITTEN FORM PRODUCED BY THE LOCAL BOARD AND SUPPLIED TO A VOTER FOR MAKING AN APPLICATION FOR AN ABSENTEE BALLOT SHALL:

(1) INCLUDE INFORMATION CONCERNING:

(I) THE CRITERIA FOR DETERMINING A VOTER'S QUALIFICATIONS TO VOTE AND A VOTER'S ELIGIBILITY TO VOTE IN AN ELECTION; AND

(II) THE PENALTIES REQUIRED UNDER STATE AND FEDERAL LAW FOR REGISTERING TO VOTE OR VOTING IN VIOLATION OF APPLICABLE LAW; AND

(2) REQUIRE THAT THE VOTER REQUESTING THE ABSENTEE BALLOT ACKNOWLEDGE RECEIPT OF THE INFORMATION REQUIRED UNDER ITEM (1) OF THIS SUBSECTION.

9–305.1.

(A) A VOTER WHO RECEIVES AN ABSENTEE BALLOT SHALL BE PROVIDED THE OPPORTUNITY TO REQUEST AN ABSENTEE BALLOT FOR THE NEXT SUBSEQUENT ELECTION IN THE WRITTEN MATERIALS ACCOMPANYING THE ABSENTEE BALLOT.

(B) A VOTER WHO REQUESTS AN ABSENTEE BALLOT FOR THE NEXT SUBSEQUENT ELECTION SHALL BE PLACED ON THE SUBSEQUENT ELECTION ABSENTEE BALLOT LIST.

(C) AN ABSENTEE BALLOT SHALL BE SENT TO EACH VOTER ON THE SUBSEQUENT ELECTION ABSENTEE BALLOT LIST FOR:

(1) THE REGULARLY SCHEDULED PRIMARY AND GENERAL ELECTION IMMEDIATELY FOLLOWING THE REQUEST; AND

(2) ANY INTERVENING SPECIAL ELECTIONS.

(D) A VOTER SHALL BE REMOVED FROM THE SUBSEQUENT ELECTION ABSENTEE BALLOT LIST IF THE VOTER IS REMOVED FROM THE STATEWIDE VOTER REGISTRY IN ACCORDANCE WITH TITLE 3, SUBTITLE 5 OF THIS ARTICLE.

(E) A VOTER WHO REQUESTS AN ABSENTEE BALLOT FOR THE NEXT SUBSEQUENT ELECTION SHALL NOTIFY THE LOCAL BOARD IF THE ABSENTEE BALLOT IS TO BE SENT TO AN ADDRESS THAT IS DIFFERENT THAN THE ADDRESS TO WHICH THE VOTER'S PREVIOUS ABSENTEE BALLOT WAS SENT.".

AMENDMENT NO. 3

On page 2, strike beginning with "**IF**" in line 18 down through "**SUBTITLE**" in line 23 and substitute "**IF REQUESTED BY A VOTER WITH DISABILITIES WHO ACKNOWLEDGES THAT THE ACCESSIBLE BALLOT MARKING TOOL SPECIFIED UNDER § 9–308.1 OF THIS SUBTITLE WILL ASSIST THE VOTER TO VOTE INDEPENDENTLY, THE LOCAL BOARD SHALL SEND THE BALLOT BY THE INTERNET**".

On page 3, strike in their entirety lines 9 through 26, inclusive, and substitute:

"**9–308.1.**

(A) (1) IN THIS SECTION, "ONLINE BALLOT MARKING TOOL" INCLUDES A SYSTEM THAT ALLOWS A VOTER TO:

(I) ACCESS A BLANK BALLOT THROUGH THE INTERNET;

(II) ELECTRONICALLY MARK THE BALLOT WITH THE VOTER'S SELECTIONS; AND

(III) PRINT A PAPER COPY OF THE MARKED BALLOT FOR MAILING TO A LOCAL BOARD.

(2) "ONLINE BALLOT MARKING TOOL" DOES NOT INCLUDE A SYSTEM THAT ALLOWS A VOTER TO ELECTRONICALLY TRANSMIT A VOTED BALLOT TO A LOCAL BOARD FOR TABULATION.

(B) THE STATE BOARD MAY PROVIDE AN OPTIONAL ONLINE BALLOT MARKING TOOL FOR THE USE OF A VOTER WITH DISABILITIES OR AN ABSENT UNIFORMED SERVICES VOTER OR AN OVERSEAS VOTER, AS THOSE TERMS ARE DEFINED IN THE FEDERAL UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT, WHO CHOOSES TO HAVE AN ABSENTEE BALLOT SENT BY THE INTERNET.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN ONLINE BALLOT MARKING TOOL SHALL SATISFY ALL APPLICABLE CERTIFICATION REQUIREMENTS UNDER § 9–102 OF THIS TITLE.

(2) THE ONLINE BALLOT MARKING TOOL IS NOT REQUIRED TO SATISFY THE REQUIREMENTS OF:

(I) § 9–102(D)(2) OF THIS TITLE UNLESS THE UNITED STATES ELECTION ASSISTANCE COMMISSION DETERMINES THAT ONLINE BALLOT MARKING TOOLS ARE SUBJECT TO CERTIFICATION UNDER FEDERAL LAW; OR

(II) § 9–102(F)(3) AND (H)(1) OF THIS TITLE.

(D) (1) THIS SUBSECTION APPLIES IF AN ONLINE BALLOT MARKING TOOL UTILIZES A BARCODE THAT IS USED TO GENERATE A BALLOT THAT IS ACCEPTABLE FOR MACHINE TABULATION.

(2) A LOCAL BOARD SHALL COMPARE THE VOTE IN EACH CONTEST ON THE BALLOT MARKED BY THE VOTER TO THE VOTE IN EACH CONTEST ON THE BALLOT GENERATED FROM THE BARCODE DURING THE CANVASS.

(3) IF THERE IS A DISCREPANCY IN ANY CONTEST BETWEEN THE VOTE ON THE BALLOT MARKED BY THE VOTER AND THE VOTE ON THE BALLOT

GENERATED FROM THE BARCODE, THE VOTE ON THE BALLOT MARKED BY THE VOTER SHALL BE CONSIDERED VALID AND SHALL BE COUNTED.".

AMENDMENT NO. 4

On page 4, after line 16, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

16–201.

(a) A person may not willfully and knowingly:

(1) (i) impersonate another person in order to vote or attempt to vote; or

(ii) vote or attempt to vote under a false name;

(2) vote more than once for a candidate for the same office or for the same ballot question;

(3) vote or attempt to vote more than once in the same election, or vote in more than one election district or precinct;

(4) vote in an election district or precinct without the legal authority to vote in that election district or precinct;

(5) influence or attempt to influence a voter's voting decision through the use of force, threat, menace, intimidation, bribery, reward, or offer of reward;

(6) influence or attempt to influence a voter's decision whether to go to the polls to cast a vote through the use of force, fraud, threat, menace, intimidation, bribery, reward, or offer of reward; or

(7) engage in conduct that results or has the intent to result in the denial or abridgement of the right of any citizen of the United States to vote on account of race, color, or disability.

(b) Except as provided in § 16–1002 of this title, a person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine of not more than $2,500 or imprisonment for not more than 5 years or both.

(c) A person who violates this section is subject to § 5–106(b) of the Courts Article.

16–1003.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE ATTORNEY GENERAL MAY INSTITUTE AN ACTION IN A CIRCUIT COURT OF THE STATE FOR INJUNCTIVE RELIEF IN ACCORDANCE WITH THE MARYLAND RULES TO PROHIBIT A PERSON FROM COMMITTING AN IMMINENT VIOLATION OR CONTINUING TO COMMIT A VIOLATION OF § 16–201 OF THIS TITLE.

(B) INJUNCTIVE RELIEF MAY BE GRANTED UNDER THIS SECTION ONLY TO PREVENT A VIOLATION OF § 16–201 OF THIS TITLE FROM AFFECTING A PENDING ELECTION.

(C) THE CIRCUIT COURT SHALL HEAR AND DETERMINE THE MATTER AS SOON AS PRACTICABLE AFTER FILING OF THE APPLICATION.

(D) THE GRANT OF A REMEDY BY THE CIRCUIT COURT UNDER THIS SECTION DOES NOT PRECLUDE ANY OTHER REMEDY AVAILABLE TO A PERSON UNDER STATE OR FEDERAL LAW.

(E) THE CIRCUIT COURT SHALL:

(1) HAVE JURISDICTION OVER ANY PROCEEDING INSTITUTED IN ACCORDANCE WITH THIS SECTION; AND

(2) EXERCISE ITS JURISDICTION WITHOUT REGARD TO WHETHER A PERSON ASSERTING A RIGHT UNDER THIS SECTION HAS EXHAUSTED ANY ADMINISTRATIVE OR OTHER REMEDY AVAILABLE TO THAT PERSON UNDER LAW.";

in lines 17 and 22, strike "2." and "3.", respectively, and substitute "3." and "4.", respectively; and in line 20, after the second "of" insert "Section 1 of".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB1078/943529/1
BY: Delegate Cardin

AMENDMENTS TO SENATE BILL 1078, AS AMENDED

AMENDMENT NO. 1

On pages 1 and 2 of the Committee on Ways and Means Amendments (SB1078/215862/2), in Amendment No. 1, strike beginning with "authorizing" in line 23 on page 1 down through "law;" in line 7 on page 2.

On page 2 of the Committee on Ways and Means Amendments, in line 7 of Amendment No. 1, strike "certain provisions of"; in line 10, strike "and 16–201"; in line 14, strike the first comma and substitute "and"; and in the same line, strike ", and 16–1003".

AMENDMENT NO. 2

In the Committee on Ways and Means Amendments, strike Amendment No. 4 in its entirety.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Cardin moved to put **Senate Bill 1078** on Third Reading on the same day in compliance with the Constitution.

The motion was rejected by a roll call vote as follows:

Affirmative – 91 Negative – 44 (See Roll Call No. 1355)

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 644** SPONSOR: **Delegate Oaks**

SUBJECT: **Environment – Reducing the Incidence of Lead Poisoning**

THIRD READING CALENDAR HOUSE NO. **31** SENATE NO. **38**

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 Judicial Proceedings Committee Amendments (HB0644/768075/1) be adopted.

(2) That the attached Senate Judicial Proceedings Amendments (HB0644/238072/1) be adopted.

(3) That the attached Conference Committee Amendments (HB0644/283520/1) be adopted.

HB0644/768075/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 644
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "date;" insert "exempting certain properties built between certain dates from certain requirements relating to certain risk reduction standards;"; and strike beginning with "establishing" in line 8 down through "evidence;" in line 10 and substitute "providing for the admissibility of certain evidence in certain actions for damages for alleged injury or loss caused by the ingestion of lead; requiring a court to require a certain party, the party's attorney, or both to pay certain costs under certain circumstances;".

On page 2, in line 4, after "6–801(b)," insert "6–817(a)(1) and (b)(1), 6–819(f),"; after line 6, insert:

"BY repealing
Article – Environment
Section 6–838

Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)";

and in line 9, strike "6–830.1" and substitute "6–838".

AMENDMENT NO. 2

On page 2, after line 33, insert:

"6–817.

(a) (1) **[**On**]** **EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE, ON** and after February 24, 2001, an owner of affected properties shall ensure that at least 50% of the owner's affected properties have satisfied the risk reduction standard specified in § 6–815(a) of this subtitle, without regard to the number of affected properties in which there has been a change in occupancy.

(b) (1) **[**On**]** **EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE, ON** and after February 24, 2006, an owner of affected properties shall ensure that 100% of the owner's affected properties in which a person at risk resides, and of whom the owner has been notified in writing, have satisfied the risk reduction standard specified in § 6–815(a) of this subtitle.

6–819.

(f) Except as provided in § 6–817(b) of this subtitle **AND EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE**, on and after February 24, 2006, an owner of affected properties shall ensure that 100% of the owner's affected properties in which a person at risk does not reside have satisfied the modified risk reduction standard.".

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 26 on page 3 through line 6 on page 4, inclusive, and substitute:

"**[**6–838.

(a) An owner of an affected property that is not in compliance with the provisions of Part IV of this subtitle during the period of residency of the person at risk is presumed to have failed to exercise reasonable care with respect to lead hazards during that period in an action seeking damages for alleged injury or loss caused by the ingestion of lead by a person at risk in the affected property.

(b) The owner has the burden of rebutting the presumption established under subsection (a) of this section by a preponderance of the evidence.]

6–838.

(A) (1) IN AN ACTION SEEKING DAMAGES FOR ALLEGED INJURY OR LOSS CAUSED BY THE INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY, EVIDENCE THAT THE OWNER OF THE AFFECTED PROPERTY WAS IN COMPLIANCE WITH THE PROVISIONS OF PART IV OF THIS SUBTITLE DURING THE PERIOD OF RESIDENCY OF THE PERSON AT RISK IS ADMISSIBLE AS EVIDENCE THAT THE OWNER EXERCISED REASONABLE CARE WITH RESPECT TO LEAD HAZARDS DURING THAT PERIOD.

(2) IN AN ACTION SEEKING DAMAGES FOR ALLEGED INJURY OR LOSS CAUSED BY THE INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY, EVIDENCE THAT THE OWNER OF THE AFFECTED PROPERTY WAS NOT IN COMPLIANCE WITH THE PROVISIONS OF PART IV OF THIS SUBTITLE DURING THE PERIOD OF RESIDENCY OF THE PERSON AT RISK IS ADMISSIBLE AS EVIDENCE THAT THE OWNER FAILED TO EXERCISE REASONABLE CARE WITH RESPECT TO LEAD HAZARDS DURING THAT PERIOD.

(B) IF A PARTY TO AN ACTION FOR DAMAGES ARISING FROM INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY ALLEGES OR DENIES THE TIME AND PLACE OF RESIDENCE OF THE PERSON AT RISK WITHOUT A GOOD FAITH BASIS FOR THE ALLEGATION OR DENIAL, THE COURT SHALL REQUIRE THE OFFENDING PARTY, THE PARTY'S ATTORNEY, OR BOTH TO PAY THE REASONABLE COSTS, INCLUDING ATTORNEY'S FEES, INCURRED BY THE ADVERSE PARTY IN OPPOSING THE ALLEGATION OR DENIAL.".

HB0644/238072/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 644, AS AMENDED

On page 1 of the Judicial Proceedings Committee Amendments (HB0644/768075/1), in line 4 of Amendment No. 2, strike "**1997**" and substitute "**1977**".

On page 2 of the Judicial Proceedings Committee Amendments, in lines 6 and 14, in each instance, strike "**1997**" and substitute "**1977**".

HB0644/283520/1
BY: Conference Committee

AMENDMENT TO HOUSE BILL 644, AS AMENDED
(Third Reading File Bill)

On page 3 of the Judicial Proceedings Committee Amendments (HB0644/768075/1), in the fifth line from the bottom of Amendment No. 3, after the second "**OF**" insert "**, OR VISITATION BY,**".

Senate Members:	House Members:
Chair, **Brian E. Frosh**	Chair, **Doyle L. Niemann**
Lisa A. Gladden	**Pamela Beidle**
Joseph M. Getty	**Patrick N. Hogan**

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 – 101 Negative – 35 (See Roll Call No. 1356)

The Bill was then sent to the Senate.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #30

Delegate McIntosh, Chair, for the Committee on Environmental Matters and Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

Senate Bill 882 – Senator Jones–Rodwell

AN ACT concerning

~~Local Government~~ Baltimore City – Investment in Our Youth (IO–YOUth) ~~Programs~~ Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #25

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1309 – Delegates Conway, Afzali, Aumann, Bates, Beitzel, Boteler, Cane, Cardin, Clagett, Eckardt, Elliott, Frush, Gaines, Haddaway–Riccio, Hogan, Jacobs, Kach, Lafferty, McComas, McConkey, McDermott, McIntosh, Myers, Niemann, O'Donnell, Otto, Ready, Schulz, Serafini, Weir, Wood, and Zucker

AN ACT concerning

Income Tax – Subtraction Modification – Enhanced Agricultural Management Equipment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

Senate Bill 976 – Senators Middleton, Astle, Brinkley, Colburn, Dyson, Edwards, Garagiola, Getty, Glassman, Jennings, Klausmeier, Manno, Mathias, Miller, Pipkin, ~~and Zirkin~~ Zirkin, Kasemeyer, Currie, DeGrange, Jones–Rodwell, King, Madaleno, McFadden, and Peters

AN ACT concerning

Income Tax – Subtraction Modification – Enhanced Agricultural Management Equipment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 1357)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #55

Senate Bill 920 – Senators Raskin, Ferguson, Getty, McFadden, Miller, Ramirez, Robey, ~~and Simonaire~~ Simonaire, and Kittleman

AN ACT concerning

Ethics Online Disclosure Act of 2012

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 4 (See Roll Call No. 1358)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 865** SPONSOR: **Delegate Pena–Melnyk**

SUBJECT: **State Procurement – Disclosure – Location of the Performance of Services**

THIRD READING CALENDAR HOUSE NO. **61** SENATE NO. **37**

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 Education, Health, and Environmental Affairs Committee amendments (HB0865/234933/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0865/763229/1) be adopted.

HB0865/763229/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 865
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "States;" insert "prohibiting a public employer from knowingly contracting for certain services unless the services are to be provided in the United States, except under certain circumstances; requiring the Board of Public Works to adopt certain regulations;"; and strike beginning with "providing" in line 15 down through "Act;" in line 16.

AMENDMENT NO. 2

On page 3, after line 23, insert:

"**(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PUBLIC EMPLOYER MAY NOT KNOWINGLY CONTRACT FOR THE FOLLOWING SERVICES UNLESS THE SERVICES ARE TO BE PROVIDED IN THE UNITED STATES:**

(I) ARCHITECTURAL SERVICES;

(II) CONSTRUCTION SERVICES;

(III) ENGINEERING SERVICES; OR

(IV) ENERGY PERFORMANCE CONTRACT SERVICES.

(2) A PUBLIC EMPLOYER MAY CONTRACT FOR SERVICES LISTED IN PARAGRAPH (1) OF THIS SUBSECTION THAT ARE PROVIDED OUTSIDE THE UNITED STATES, IF:

(I) THE SERVICES ARE NOT AVAILABLE IN THE UNITED STATES;

(II) THE PRICE OF THE SERVICES IN THE UNITED STATES EXCEEDS BY AN UNREASONABLE AMOUNT THE PRICE OF SERVICES PROVIDED OUTSIDE THE UNITED STATES; OR

(III) THE QUALITY OF THE SERVICES IN THE UNITED STATES IS SUBSTANTIALLY LESS THAN THE QUALITY OF COMPARABLY PRICED SERVICES PROVIDED OUTSIDE THE UNITED STATES.

(3) THE BOARD SHALL ADOPT REGULATIONS DEFINING THE FOLLOWING TERMS FOR THE PURPOSES OF THIS SUBSECTION:

(I) "UNREASONABLE AMOUNT"; AND

(II) "SUBSTANTIALLY LESS".".

On page 5, strike beginning with "It" in line 7 down through "effect." in line 9.

Senate Members:	House Members:
Chair, **Paul G. Pinsky**	Chair, **Joseline A. Pena–Melnyk**
Edward R. Reilly	**Nathaniel T. Oaks**
Karen S. Montgomery	**Justin Ready**

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 – 137 Negative – 1 (See Roll Call No. 1359)

The Bill was then sent to the Senate.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 1123 – Delegate Mizeur

AN ACT concerning

Environment – Presumptive Impact Areas – ~~Damage~~ Contamination Caused by Gas Wells in Deep Shale Deposits

STATUS OF BILL: BILL AMENDED IN THE SENATE. HOUSE CONCURRED IN THE SENATE AMENDMENTS.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 101 Negative – 36 (See Roll Call No. 1360)

The Bill was then sent to the Senate.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #81

House Bill 1339 – Delegates McIntosh, Arora, Bobo, Cane, Cardin, Carr, Frush, Glenn, Hammen, Healey, Howard, Kramer, Lafferty, Lee, Luedtke, Stein, Summers, and Washington

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – ~~Qualifying~~ Thermal Biomass Systems

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 5 (See Roll Call No. 1361)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #52

Senate Bill 80 – Senator Zirkin

AN ACT concerning

Courts – Evidence – Vehicle Repair Estimates

Delegate Davis moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 198 – Chair, Anne Arundel County Senators

AN ACT concerning

Courts and Judicial Proceedings – Circuit Court for Anne Arundel County – Fees for Appearance of Counsel

Read the third time and passed by yeas and nays as follows:

Affirmative – 120 Negative – 15 (See Roll Call No. 1362)

The Bill was then returned to the Senate.

Senate Bill 292 – Senators Garagiola, Astle, Benson, Brinkley, Colburn, DeGrange, Dyson, Ferguson, Forehand, Frosh, Glassman, Jacobs, Jennings, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, Middleton, Miller, Muse, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Rosapepe, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Education – Veterans of the Afghanistan and Iraq Conflicts Scholarship – Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1363)

The Bill was then returned to the Senate.

Senate Bill 362 – Senators Pugh, Benson, Conway, Currie, Forehand, Garagiola, Jones–Rodwell, Madaleno, McFadden, ~~and Stone~~ Stone, Ferguson, Pinsky, and Rosapepe

AN ACT concerning

Education – Age for Compulsory Public School Attendance – Exemptions

Read the third time and passed by yeas and nays as follows:

Affirmative – 88 Negative – 49 (See Roll Call No. 1364)

The Bill was then returned to the Senate.

Senate Bill 364 – Senator Ferguson

AN ACT concerning

Loan Assistance Repayment Program – Nancy Grasmick Teacher ~~Grant~~ Scholars

Read the third time and passed by yeas and nays as follows:

Affirmative – 125 Negative – 10 (See Roll Call No. 1365)

The Bill was then returned to the Senate.

Senate Bill 365 – Senators Garagiola, Astle, Benson, Colburn, Currie, DeGrange, Dyson, Ferguson, Forehand, Frosh, Glassman, Jennings, Kasemeyer, King, Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

Higher Education – ~~Volunteer Firefighters~~ The Charles W. Riley Fire and Emergency Medical Services Scholarship

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 1366)

The Bill was then returned to the Senate.

Senate Bill 674 – Senator Rosapepe

EMERGENCY BILL

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – ~~Local Approval and Reporting Requirements~~ Development or Review and Approval

Read the third time and passed by yeas and nays as follows:

Affirmative – 129 Negative – 7 (See Roll Call No. 1367)

The Bill was then returned to the Senate.

Senate Bill 708 – Senator Montgomery

AN ACT concerning

County Boards of Education – Green Product Cleaning Supplies – Written Policies

Read the third time and passed by yeas and nays as follows:

Affirmative – 125 Negative – 12 (See Roll Call No. 1368)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #51

Senate Bill 668 – Senators Mathias, Colburn, Middleton, and Pipkin

AN ACT concerning

Corporations and Associations – Electric Cooperatives – Electronic Notices and Voting

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 2 (See Roll Call No. 1369)

The Bill was then returned to the Senate.

Senate Bill 984 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 1370)

The Bill was then returned to the Senate.

Senate Bill 1006 – Senator Middleton

AN ACT concerning

Maryland Automobile Insurance Fund – Fund Producers – Commissions

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 1371)

The Bill was then returned to the Senate.

Senate Bill 1024 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Multiple Licenses

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 1372)

The Bill was then returned to the Senate.

Senate Bill 1059 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Comptroller – Departments of Liquor Control and Liquor Control Boards

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 1373)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #10

AMENDED IN THE SENATE

House Bill 1017 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

~~**Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company**~~
Task Force to Study Maryland Insurance of Last Resort Programs

Delegate Davis moved that the House concur in the Senate amendments.

HB1017/187370/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1017
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "its" insert "preliminary and final"; and in line 11, strike "a certain date" and substitute "certain dates".

AMENDMENT NO. 2

On page 4, in line 20, strike "and" and substitute:

"(ix) a representative of the Maryland Consumer Rights Coalition;

(x) a representative of the Insurance Agents and Brokers of Maryland; and";

in line 21, strike "(ix)" and substitute "(xi)".

On page 5, in line 29, after "(g)" insert:

"(1) On or before December 1, 2012, the Task Force shall report its preliminary findings to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article.

(2)";

in line 29, strike "2012" and substitute "2013"; and in the same line, after "its" insert "final".

On page 29, in line 34, in each instance, strike "2013" and substitute "2014".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 129 Negative – 6 (See Roll Call No. 1374)

CONCURRENCE CALENDAR #11

AMENDED IN THE SENATE

House Bill 456 – Delegates Reznik, Mizeur, Kipke, Donoghue, A. Kelly, and Ready

AN ACT concerning

Small Business Reserve Program – Definition of Small Business – Revision

Delegate Hammen moved that the House concur in the Senate amendments.

HB0456/423220/1
BY: Senator Conway

AMENDMENT TO HOUSE BILL 456
(Third Reading File Bill)

On page 1, strike beginning with "requiring" in line 7 down through "date;" in line 9.

On page 4, strike beginning with "That" in line 4 down through "ENACTED," in line 15.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 1375)

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 401** SPONSOR: **Senator Pugh**

SUBJECT: **Motor Vehicles – Towing Practices and Procedures**

THIRD READING CALENDAR HOUSE NO. **39** SENATE NO. **41**

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 Environmental Matters Committee Amendments (SB0401/230010/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0401/983427/1) be adopted.

SB0401/983427/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 401
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 9, after "circumstances;" insert "authorizing a tower to charge certain persons for the actual costs of providing certain notice;"; and in line 17, after "period;" insert "requiring the Motor Vehicle Administration to establish and maintain

a database containing certain addresses for certain insurers and make the database available to any tower free of charge;".

AMENDMENT NO. 2

On page 18, in line 11, before "**[**A**]**" insert "**(A)**"; in line 26, after "**STORAGE;**" insert "**AND**"; and strike beginning with the first "**AND**" in line 28 down through "**SECTION**" in line 32.

AMENDMENT NO. 3

On page 19, in line 12, strike "**72 HOURS**" and substitute "**3 DAYS, EXCLUSIVE OF DAYS THAT THE TOWING BUSINESS IS CLOSED,**"; in line 14, strike "**SECTION**" and substitute "**SUBSECTION**"; and in line 17, strike "**AND § 16–207 OF THE COMMERCIAL LAW ARTICLE**".

AMENDMENT NO. 4

On page 20, after line 10, insert:

"**(B) THE ADMINISTRATION SHALL:**

(1) ESTABLISH AND MAINTAIN A DATABASE CONTAINING THE PROPER ADDRESS FOR PROVIDING NOTICE TO AN INSURER UNDER SUBSECTION (A)(3) OF THIS SECTION FOR EACH INSURER AUTHORIZED TO WRITE A VEHICLE LIABILITY INSURANCE POLICY IN THE STATE; AND

(2) MAKE THE DATABASE AVAILABLE TO ANY TOWER FREE OF CHARGE.".

Senate Members:	House Members:
Chair, **Jamie Raskin**	Chair, **Doyle L. Niemann**
Joseph M. Getty	**James E. Malone, Jr.**
James Brochin	**Herb McMillan**

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 – 122 Negative – 13 (See Roll Call No. 1376)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 659** SPONSOR: **Senator Pinsky**

SUBJECT: **State Procurement – Preference and Disclosure – Location of the Performance of Services**

THIRD READING CALENDAR HOUSE NO. **25** SENATE NO. **38**

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 (SB0659/586085/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0659/473920/1) be adopted.

SB0659/473920/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 659
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Preference and"; in line 13, strike "the State or"; strike beginning with "a" in line 18 down through "term" in line 19 and substitute "certain terms"; and strike beginning with "preferences" in line 20 down through "and" in line 21.

On page 2, in line 2, strike "14–413" and substitute "12–110".

AMENDMENT NO. 2

On page 2, in line 23, strike "**14–413**" and substitute "**12–110**"; in line 24, after "**(A)**" insert "**(1)**"; in the same line, strike "**, "PUBLIC EMPLOYER"**" and substitute "**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) "PUBLIC EMPLOYER"";

in lines 25, 26, 27, 28, and 29, respectively, strike "**(1)**", "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", and "**(V)**", respectively; and after line 29, insert:

"**(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, "SERVICES" HAS THE MEANING STATED IN § 11–101(T) OF THIS ARTICLE.**

(II) "SERVICES" INCLUDES:

1. CONSTRUCTION–RELATED SERVICES;

2. ARCHITECTURAL SERVICES;

3. ENGINEERING SERVICES; OR

4. ENERGY PERFORMANCE CONTRACT SERVICES.".

On page 3, in line 6, strike "**ANTICIPATES THAT THE BIDDER**"; in line 7, after "**CONTRACTOR**" insert "**THAT**"; in line 8, strike "**WILL**" and substitute "**HAS PLANS, AT THE TIME THE BID IS SUBMITTED, TO**"; and in lines 9, 11, and 14, in each instance, strike "**THE STATE OR**".

Senate Members:	House Members:
Chair, **Paul G. Pinsky**	Chair, **Joseline A. Pena–Melnyk**

Edward R. Reilly	**Nathaniel T. Oaks**
Karen S. Montgomery	**Justin Ready**

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 – 137 Negative – 1 (See Roll Call No. 1377)

The Bill was then returned to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0680**
SPONSOR: Chr FIN (Dept)
SUBJECT: State Personnel Management System – Criminal History Records Check

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 Pugh, Chairman
Senator Glassman
Senator Mathias.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Delegate Proctor moved the House recede on its amendment.

The motion was adopted.

SB0680/924168/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 680
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "check;" insert "authorizing an appointing authority to require certain prospective and current employees to pay certain fees;".

AMENDMENT NO. 2

On page 2, after line 32, insert:

"**(4) THE APPOINTING AUTHORITY MAY REQUIRE THE PROSPECTIVE OR CURRENT EMPLOYEE FOR WHOM A RECORDS CHECK IS SOUGHT UNDER PARAGRAPH (1) OF THIS SUBSECTION TO PAY THE FEES DESCRIBED IN PARAGRAPH (3)(II) AND (III) OF THIS SUBSECTION.**".

On page 3, in lines 1 and 6, strike "**(4)**" and "**(5)**", respectively, and substitute "**(5)**" and "**(6)**", respectively.

House receded and the amendment was removed.

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 2 (See Roll Call No. 1378)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

BILL: **SB 0680**
SPONSOR: Chr FIN (Dept)
SUBJECT: State Personnel Management System – Criminal History Records Check

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates recedes from its position on SB 0680.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

Senate Bill 150 – The President (By Request – Administration)

Budget Bill

(Fiscal Year 2013)

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 150 – THE BUDGET BILL

(See Exhibit O of Appendix II)

CONFERENCE COMMITTEE REPORT ON SENATE BILL 150 – THE BUDGET BILL AND SENATE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit P of Appendix II)

Conference Committee Report read only.

Delegate Zucker moved the previous question.

The motion was adopted.

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 95 Negative – 43 (See Roll Call No. 1379)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

Senate Bill 151 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit Q of Appendix II)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 96 Negative – 41 (See Roll Call No. 1380)

The Bill was then returned to the Senate.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 70	Del. Kach
HB 319	Del. Proctor
HB 342	Del. Smigiel
HB 444	The Speaker
HB 753	Del. Kach
HB 866	Del. Feldman
HB 879	Del. Morhaim
HB 885	Del. Jameson
HB 975	Del. Kach
HB 1019	Del. Murphy
HB 1087	Del. Hixson
HB 1107	Del. Olszewski
HB 1219	Del. Boteler
HB 1223	Del. Guzzone
HB 1228	Del. Bohanan
HB 1261	Baltimore City Del.
HB 1278	Del. Cardin

HB 1356	Del. Barkley
HB 1445	Del. Stifler
HB 1457	Charles County Del.
HB 1463	Del. Griffith
HJ 3	Del. Morhaim

Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 457** SPONSOR: **Delegate Howard**

SUBJECT: **Transportation – Highway Construction Training and Supportive Services**

THIRD READING CALENDAR HOUSE NO. **11** SENATE NO. **43**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Finance Committee Amendments (HB0457/287479/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0457/913427/1) be adopted.

HB0457/913427/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 457
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Highway" insert "or Capital Transit"; in line 3, strike "State Highway Administration" and substitute "Maryland Department of Transportation"; in lines 5 and 9, in each instance, after "highway" insert "or capital transit"; in line 6, after "programs;" insert "requiring the Department to administer certain highway construction and supportive services programs in collaboration with the Governor's Workforce Investment Board for a certain purpose;"; in the same line,

strike "Administration" and substitute "Department and the Board"; in line 8, strike "a"; and in the same line, strike "term" and substitute "terms".

AMENDMENT NO. 2

On page 2, strike beginning with "**IN**" in line 9 down through "**HIGHWAYS**" in line 12 and substitute:

"**(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) "BOARD" MEANS THE GOVERNOR'S WORKFORCE INVESTMENT BOARD.

(3) "HIGHWAY OR CAPITAL TRANSIT CONSTRUCTION" MEANS ACTUAL CONSTRUCTION, PRELIMINARY ENGINEERING, PLANNING AND RESEARCH, OR ANY OTHER WORK OR ACTIVITY TO IMPLEMENT FEDERAL LAWS FOR THE ADMINISTRATION OF FEDERAL AID FOR HIGHWAYS OR CAPITAL TRANSIT PROJECTS.

(4) "WORKFORCE INVESTMENT AREA" HAS THE MEANING STATED IN § 11–503(N) OF THE LABOR AND EMPLOYMENT ARTICLE";

in line 13, strike "**ADMINISTRATION**" and substitute "**DEPARTMENT**"; in line 15, after "**HIGHWAY**" insert "**OR CAPITAL TRANSIT**"; after line 17, insert:

"**(C) THE DEPARTMENT SHALL ADMINISTER THE TRAINING PROGRAMS UNDER SUBSECTION (B) OF THIS SECTION IN COLLABORATION WITH THE BOARD TO ENSURE THAT HIGHWAY OR CAPITAL TRANSIT CONSTRUCTION TRAINING AND SUPPORTIVE SERVICES ARE PROVIDED TO THE GREATEST EXTENT FEASIBLE TO INDIVIDUALS IN EACH RELEVANT WORKFORCE INVESTMENT AREA.**";

in line 18, strike "**(C)**" and substitute "**(D)**"; in the same line, strike "**ADMINISTRATION**" and substitute "**DEPARTMENT AND BOARD**"; in line 22, strike "**ADMINISTRATION'S**" and substitute "**DEPARTMENT'S AND BOARD'S**"; in line 23, strike "**SUBSECTION (B)**" and substitute "**SUBSECTIONS (B) AND (C)**"; in line 26, after "**HIGHWAY**" insert "**OR CAPITAL TRANSIT**"; in line 28, strike

"**ADMINISTRATION HAS**" and substitute "**DEPARTMENT AND BOARD HAVE**"; in the same line, after "**ADMINISTERED**" insert "**IN EACH WORKFORCE INVESTMENT AREA, INCLUDING A DESCRIPTION OF:**

1. ANY ENTITIES, INSTITUTIONS, OR ORGANIZATIONS USED BY THE DEPARTMENT AND BOARD TO PROVIDE THE TRAINING AND SERVICES; AND

2. THE INDIVIDUALS AND ORGANIZATIONS THAT HAVE RECEIVED TRAINING AND SERVICES";

in line 29, after "**PROGRAMS**" insert "**IN EACH WORKFORCE INVESTMENT AREA**"; and strike beginning with "**BY**" in line 32 down through "**ADMINISTERING**" in line 33 and substitute "**IN EACH WORKFORCE INVESTMENT AREA TO CONDUCT AND ADMINISTER**".

Senate Members:	House Members:
Chair, **Catherine E. Pugh**	Chair, **Carolyn J. B. Howard**
Barry Glassman	**Eric G. Luedtke**
James N. Mathias, Jr.	**Joseph C. Boteler, III**

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 – 125 Negative – 10 (See Roll Call No. 1381)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 1382)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #56

Senate Bill 127 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Marine Gathering Permit – Establishment

FLOOR AMENDMENT

SB0127/253524/1
BY: Delegate Szeliga

AMENDMENT TO SENATE BILL 127
(Third Reading File Bill)

On page 3, in line 1, after "**EXCEED**" insert "**$50 OR**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 90 (See Roll Call No. 1383)

FLOOR AMENDMENT

SB0127/813822/1
BY: Delegate Szeliga

AMENDMENT TO SENATE BILL 127
(Third Reading File Bill)

On page 1, in line 8, after "period;" insert "requiring the Department to approve or disapprove a certain permit application within a certain period of time;".

On page 3, in line 3, after "**(3)**" insert "**(I)**"; and after line 4, insert:

"**(II) THE DEPARTMENT SHALL APPROVE OR DISAPPROVE THE APPLICATION WITHIN 7 DAYS AFTER RECEIPT.**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 93 (See Roll Call No. 1384)

FLOOR AMENDMENT

SB0127/153623/1
BY: Delegate McConkey

AMENDMENT TO SENATE BILL 127
(Third Reading File Bill)

On page 2, in line 18, after "**WHICH**" insert "**EITHER**"; and in line 19, after "**GUARD**" insert "**OR, AFTER REVIEW BY THE COAST GUARD, A PERMIT IS DEEMED UNNECESSARY**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 84 (See Roll Call No. 1385)

Read the third time and passed by yeas and nays as follows:

Affirmative – 83 Negative – 41 (See Roll Call No. 1386)

The Bill was then returned to the Senate.

Senate Bill 414 – Senators Brochin, Klausmeier, Stone, and Zirkin

AN ACT concerning

Juvenile Law – Taking Child into Custody – Arrest Warrant

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 2 (See Roll Call No. 1387)

The Bill was then returned to the Senate.

HOUSE SIMPLE RESOLUTION

House Simple Resolution 1 – The Speaker

A House Simple Resolution concerning

Maryland General Assembly – Session Extension

(See Exhibit R of Appendix II)

The House Simple Resolution was adopted by roll call vote as follows:

Affirmative – 93 Negative – 42 (See Roll Call No. 1388)

CONCURRENCE CALENDAR #14

AMENDED IN THE SENATE

House Bill 987 – Delegates Hucker, Bobo, Carr, Frush, Gilchrist, Glenn, Gutierrez, Holmes, Kramer, Lafferty, Luedtke, Niemann, S. Robinson, Waldstreicher, ~~and Zucker~~ Zucker, and Cardin

AN ACT concerning

Stormwater Management – Watershed Protection and Restoration Program

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0987/764638/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 987
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "adopt" insert "and implement"; in line 14, after "to" insert "establish and"; in line 16, after "manner;" insert "authorizing a county or municipality to use certain calculation methods to set a stormwater remediation fee;";

in line 20, after "to" insert "establish policies and procedures approved by the Department of the Environment to"; in the same line, after "a" insert "certain"; and in the same line, strike "in accordance with certain".

On page 2, in line 1, strike "policies and procedures"; in line 2, after "items;" insert "authorizing a county or municipality to monitor and verify the effectiveness of certain measures in a certain manner;"; and strike beginning with the first comma in line 2 down through "fee;" in line 6 and substitute "the assessment of a stormwater remediation fee on a property by both a county and a municipality; requiring a county to provide certain notice and a reasonable time to pass a certain ordinance before the county may impose a stormwater remediation fee on property located within a municipality; requiring a municipality to provide certain notice and a reasonable time for a county to discontinue collecting a certain stormwater remediation fee under certain circumstances;".

AMENDMENT NO. 2

On page 4, in line 12, strike "**PROPERTY**"; in the same line, after "**OWNERS**" insert "**OF PROPERTY LOCATED**"; and strike in their entirety lines 18 through 21, inclusive, and substitute:

"**(II) A COUNTY OR MUNICIPALITY MAY SET A STORMWATER REMEDIATION FEE UNDER THIS PARAGRAPH BASED ON:**

1. A FLAT RATE;

2. AN AMOUNT THAT IS GRADUATED, BASED ON THE AMOUNT OF IMPERVIOUS SURFACE ON EACH PROPERTY; OR

3. ANOTHER METHOD OF CALCULATION SELECTED BY THE COUNTY OR MUNICIPALITY.".

AMENDMENT NO. 3

On page 5, in line 7, strike "**(4)**" and substitute "**(3)**"; and in line 18, strike "**THAT IS BASED ON THE AMOUNT OF IMPERVIOUS SURFACE ON A PROPERTY**".

AMENDMENT NO. 4

On page 6, in line 6, strike "**ANNUALLY**"; and after line 9, insert:

"**(3) FOR THE PURPOSE OF MONITORING AND VERIFYING THE EFFECTIVENESS OF ON–SITE SYSTEMS, FACILITIES, SERVICES, OR ACTIVITIES UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION, A COUNTY OR MUNICIPALITY MAY:**

(I) CONDUCT ON–SITE INSPECTIONS;

(II) AUTHORIZE A THIRD PARTY, CERTIFIED BY THE DEPARTMENT, TO CONDUCT ON–SITE INSPECTIONS ON BEHALF OF THE COUNTY OR MUNICIPALITY; OR

(III) REQUIRE A PROPERTY OWNER TO HIRE A THIRD PARTY, CERTIFIED BY THE DEPARTMENT, TO CONDUCT AN ON–SITE INSPECTION AND PROVIDE TO THE COUNTY OR MUNICIPALITY THE RESULTS OF THE INSPECTION AND ANY OTHER INFORMATION REQUIRED BY THE COUNTY OR MUNICIPALITY.".

AMENDMENT NO. 5

On page 6, strike in their entirety lines 12 through 18, inclusive, and substitute:

"**(2) (I) BEFORE A COUNTY MAY IMPOSE A STORMWATER REMEDIATION FEE ON A PROPERTY LOCATED WITHIN A MUNICIPALITY, THE COUNTY SHALL:**

1. NOTIFY THE MUNICIPALITY OF THE COUNTY'S INTENT TO IMPOSE A STORMWATER REMEDIATION FEE ON PROPERTY LOCATED WITHIN THE MUNICIPALITY; AND

2. PROVIDE THE MUNICIPALITY REASONABLE TIME TO PASS AN ORDINANCE AUTHORIZING THE IMPOSITION OF A MUNICIPAL STORMWATER REMEDIATION FEE INSTEAD OF A COUNTY STORMWATER REMEDIATION FEE.

(II) IF A COUNTY CURRENTLY IMPOSES A STORMWATER REMEDIATION FEE ON PROPERTY LOCATED WITHIN A MUNICIPALITY AND THE MUNICIPALITY DECIDES TO IMPLEMENT ITS OWN STORMWATER REMEDIATION

FEE UNDER THIS SECTION OR § 4–204 OF THIS SUBTITLE, THE MUNICIPALITY SHALL:

1. NOTIFY THE COUNTY OF THE MUNICIPALITY'S INTENT TO IMPOSE ITS OWN STORMWATER REMEDIATION FEE; AND

2. PROVIDE THE COUNTY REASONABLE TIME TO DISCONTINUE THE COLLECTION OF THE COUNTY STORMWATER REMEDIATION FEE WITHIN THE MUNICIPALITY BEFORE THE MUNICIPALITY'S STORMWATER REMEDIATION FEE BECOMES EFFECTIVE.".

AMENDMENT NO. 6

On page 7, in line 7, strike "**A**" and substitute "**SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, A**".

On page 8, after line 4, insert:

"**(5) A COUNTY OR MUNICIPALITY MAY USE ITS LOCAL WATERSHED PROTECTION AND RESTORATION FUND AS AN ENVIRONMENTAL FUND, AND MAY DEPOSIT TO AND EXPEND FROM THE FUND ADDITIONAL MONEY MADE AVAILABLE FROM OTHER SOURCES AND DEDICATED TO ENVIRONMENTAL USES, PROVIDED THAT THE FUNDS RECEIVED FROM THE STORMWATER REMEDIATION FEE ARE EXPENDED ONLY FOR THE PURPOSES AUTHORIZED UNDER PARAGRAPH (4) OF THIS SUBSECTION.**";

in lines 5 and 8, strike "**(5)**" and "**(6)**", respectively, and substitute "**(6)**" and "**(7)**", respectively; in line 21, after "**(J)**" insert "**(1)**"; and after line 24, insert:

"**(2) A COUNTY OR MUNICIPALITY MAY ESTABLISH A SEPARATE HARDSHIP EXEMPTION PROGRAM OR INCLUDE A HARDSHIP EXEMPTION AS PART OF A SYSTEM OF OFFSETS ESTABLISHED UNDER SUBSECTION (F)(1) OF THIS SECTION.**".

The preceding 6 amendments were read and concurred in.

HB0987/813322/1
BY: Senator Raskin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 19, after "charges;" insert "exempting certain property from paying the stormwater remediation fee;".

AMENDMENT NO. 2

On page 4 of the bill, in line 10, after "**IN**" insert "**PARAGRAPH (2) OF THIS SUBSECTION AND**"; and in line 14, after "**(2)**" insert "**PROPERTY OWNED BY THE STATE, A UNIT OF STATE GOVERNMENT, A COUNTY, A MUNICIPALITY, OR A REGULARLY ORGANIZED VOLUNTEER FIRE DEPARTMENT THAT IS USED FOR PUBLIC PURPOSES MAY NOT BE CHARGED A STORMWATER REMEDIATION FEE UNDER THIS SECTION.**

(3)".

AMENDMENT NO. 3

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 1 of Amendment No. 3, strike "**(3)**" and substitute "**(4)**".

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 – 91 Negative – 45 (See Roll Call No. 1389)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #54

Senate Bill 252 – ~~**Senator Jones–Rodwell**~~ **Senators Jones–Rodwell and Pugh**

AN ACT concerning

Baltimore City Community Enhancement Transit–Oriented Development Fund

Delegate McIntosh moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 419 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Law – Litter Control ~~Regulations and Penalties~~ Law – Enforcement

Read the third time and passed by yeas and nays as follows:

Affirmative – 107 Negative – 22 (See Roll Call No. 1390)

The Bill was then returned to the Senate.

Senate Bill 544 – Senators Ramirez, Raskin, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Ferguson, Forehand, Frosh, Garagiola, Glassman, Jacobs, Jennings, King, Kittleman, Madaleno, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pinsky, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elected Officials – Removal from Office – Crimes

Delegate Ivey moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 627 – ~~Senator Conway~~ Senators Conway and Middleton

AN ACT concerning

Multiple Jurisdictions – Alcoholic Beverages – Class B and Class BLX Licenses – Restaurants

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 5 (See Roll Call No. 1391)

The Bill was then returned to the Senate.

Senate Bill 765 – Senators Mathias and Middleton

AN ACT concerning

~~Public Utilities – Consumer Relations –~~ Public Service Commission – Study on Tenant Payment of Landlord Utility Bills

Read the third time and passed by yeas and nays as follows:

Affirmative – 121 Negative – 15 (See Roll Call No. 1392)

The Bill was then returned to the Senate.

Senate Bill 791 – Senator Garagiola

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy and Solar Water Heating Systems

Read the third time and passed by yeas and nays as follows:

Affirmative – 129 Negative – 6 (See Roll Call No. 1393)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 506** SPONSOR: **Senator Raskin**

SUBJECT: **Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements**

THIRD READING CALENDAR HOUSE NO. **22** SENATE NO. **35**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Environmental Matters Committee Amendments (SB0506/620719/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0506/123021/1) be adopted.

SB0506/123021/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 506
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "establishing that" and substitute "altering"; strike beginning with "and" in line 7 down through "book" in line 8; and in line 9, strike "do not" and substitute "that".

AMENDMENT NO. 2

On page 3, in lines 7 and 19, in each instance, strike "**AND**"; in lines 8 and 20, in each instance, strike "**A**" and substitute "**:**

1. **A**";

and in lines 11 and 23, in each instance, after "**INSTRUCTION**" insert "**; AND**

2. AT LEAST 14 HOURS, 3 HOURS OF WHICH MUST OCCUR DURING THE PERIOD BEGINNING 30 MINUTES BEFORE SUNSET AND ENDING 30 MINUTES AFTER SUNRISE, OF BEHIND–THE–WHEEL DRIVING PRACTICE SUPERVISED BY AN INDIVIDUAL WHO:

A. HOLDS A VALID DRIVER'S LICENSE;

B. IS AT LEAST 21 YEARS OLD; AND

C. HAS BEEN LICENSED TO DRIVE FOR AT LEAST 3 YEARS; AND

(III) UNLESS THE INDIVIDUAL SUBMITS, IN ACCORDANCE WITH THE ADMINISTRATION'S REGULATIONS, A COMPLETED SKILLS LOG BOOK SIGNED BY EACH SUPERVISING DRIVER WHO CERTIFIES THAT THE INDIVIDUAL HAS SATISFACTORILY DEMONSTRATED A REQUIRED SKILL AND HAS COMPLETED THE DRIVING PRACTICE REQUIREMENTS UNDER THIS PARAGRAPH".

Senate Members:	House Members:
Chair, **Jamie Raskin**	Chair, **James E. Malone, Jr.**
James Brochin	**Cheryl D. Glenn**
Christopher B. Shank	**H. Wayne Norman, 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 – 131 Negative – 5 (See Roll Call No. 1394)

The Bill was then returned to the Senate.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #80

House Bill 15 – Delegate Glenn

AN ACT concerning

~~**Maryland Medical Marijuana Act**~~

Medical Marijuana – Caregiver – Affirmative Defense

Read the third time and passed by yeas and nays as follows:

Affirmative – 86 Negative – 42 (See Roll Call No. 1395)

The Bill was then sent to the Senate.

CONCURRENCE CALENDAR #12

AMENDED IN THE SENATE

House Bill 1411 – Delegates George, Frush, and Lafferty

AN ACT concerning

Environment – Water Management Administration – Wetlands and Waterways Program Fees

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1411/974335/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1411
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "modifications;" insert "prohibiting the Department of the Environment from requiring application fees for the installation of certain lifts or for certain maintenance, repair, or replacement under certain circumstances;".

AMENDMENT NO. 2

On page 8, in line 2, strike "**THE**" and substitute "**:**

(I) THE";

in the same line, after "**BOATLIFT**" insert "**, HOIST, OR PERSONAL WATERCRAFT LIFT**"; and in the same line, after "**PILINGS**" insert "**; OR**

(II) IF THE EXISTING STRUCTURE IS FUNCTIONAL AND THERE IS NO INCREASE IN THE ORIGINAL LENGTH, WIDTH, HEIGHT, OR CHANNELWARD ENCROACHMENT AUTHORIZED UNDER § 16–202, § 16–302, OR § 16–307 OF THIS ARTICLE, THE ROUTINE MAINTENANCE, REPAIR, OR REPLACEMENT OF:

1. A HIGHWAY STRUCTURE;

2. A PIER;

3. A BOATHOUSE;

4. A STRUCTURE ON A PIER;

5. A BULKHEAD;

6. A REVETMENT;

7. A TIDAL IMPOUNDMENT DIKE;

8. A WATER CONTROL STRUCTURE;

9. AN ABOVEGROUND TRANSMISSION FACILITY;

10. AN AGRICULTURAL DRAINAGE DITCH; OR

11. A HIGHWAY DRAINAGE DITCH".

AMENDMENT NO. 3

On page 8, strike beginning with "Except" in line 3 down through "the" in line 4 and substitute "**THE**"; and in line 6, strike "The" and substitute "**SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION, THE**".

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 – 112 Negative – 24 (See Roll Call No. 1396)

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 335** SPONSOR: **Ch., Budget & Tax**

SUBJECT: **Judges' Retirement System – Contribution Rates for New Members**

THIRD READING CALENDAR HOUSE NO. **36** SENATE NO. **27**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Appropriations Committee Amendments (SB0335/454068/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0335/293325/1) be adopted.

SB0335/293325/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 335
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "for New Members" and substitute "and Vesting Requirements"; strike beginning with "individuals" in line 3 down through "become" in line 4; in line 4, strike "on or after a certain date"; strike beginning with "altering" in line 5 down through "Act;" in line 7 and substitute "requiring individuals who become members of the Judges' Retirement System on or after a certain date to earn a certain amount of eligibility service before becoming eligible to receive certain retirement allowances; altering the calculation of a normal service retirement allowance for certain members in the Judges' Retirement System;"; in line 10, after "27–202" insert ", 27–401, and 27–402(c)"; strike in their entirety lines 13 through 18, inclusive; and after line 18, insert:

"BY repealing

Article – State Personnel and Pensions
Section 29–301
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 29–301
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 2, in line 3, strike the brackets; in the same line, strike "**SUBSECTIONS (B) AND (C)**"; in line 4, strike "6%" and substitute "**8%**"; and strike beginning with "**THE**" in line 5 down through "**(C)**" in line 8.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 10 through 22, inclusive, and substitute:

"27–401.

(A) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO IS A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2012.

(2) A member or former member is entitled to a retirement allowance:

[(1)**] (I)** on termination of service, if the member is at least 60 years old;

[(2)**] (II)** on the recommendation of the medical board, if the member or former member resigns because of disability;

[(3)**] (III)** when retired by order of the Court of Appeals; or

[(4)**] (IV)** at the age of 60 years, if the former member's termination of service occurred earlier.

(B) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.

(2) A MEMBER OR FORMER MEMBER IS ENTITLED TO A RETIREMENT ALLOWANCE:

(I) ON TERMINATION OF SERVICE, IF THE MEMBER IS AT LEAST 60 YEARS OLD AND HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE;

(II) ON THE RECOMMENDATION OF THE MEDICAL BOARD, IF THE MEMBER OR FORMER MEMBER RESIGNS BECAUSE OF DISABILITY;

(III) WHEN RETIRED BY ORDER OF THE COURT OF APPEALS; OR

(IV) AT THE AGE OF 60 YEARS, IF THE FORMER MEMBER'S TERMINATION OF SERVICE OCCURRED EARLIER AND THE FORMER MEMBER HAD AT LEAST 5 YEARS OF ELIGIBILITY SERVICE WHEN THE FORMER MEMBER TERMINATED SERVICE.

27–402.

(c) **(1) (I) THIS PARAGRAPH APPLIES ONLY TO AN INDIVIDUAL WHO IS A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2012.**

(II) On retirement under this subtitle by a retiree who has less than 16 years of service credit as a member, the retiree is entitled to a reduced retirement allowance that equals the retirement allowance computed under subsection (a) or (b) of this section multiplied by a fraction that has:

[(1)**]** **1.** for its numerator, the number of years of service credit as a member; and

[(2)**]** **2.** for its denominator, 16.

(2) (I) THIS PARAGRAPH APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.

(II) ON RETIREMENT UNDER THIS SUBTITLE BY A RETIREE WHO HAS AT LEAST 5 YEARS BUT LESS THAN 16 YEARS OF SERVICE CREDIT AS A MEMBER, THE RETIREE IS ENTITLED TO A REDUCED RETIREMENT ALLOWANCE THAT EQUALS THE RETIREMENT ALLOWANCE COMPUTED UNDER SUBSECTION (A) OR (B) OF THIS SECTION MULTIPLIED BY A FRACTION THAT HAS:

1. FOR ITS NUMERATOR, THE NUMBER OF YEARS OF SERVICE CREDIT AS A MEMBER; AND

2. FOR ITS DENOMINATOR, 16.

[29–301.

This subtitle does not apply to the Judges' Retirement System.**]**

29–301.

(A) THIS SECTION APPLIES ONLY TO A MEMBERS OF THE JUDGES' RETIREMENT SYSTEM WHO BECOMES A MEMBER ON OR AFTER JULY 1, 2012.

(B) (1) A MEMBER MAY ELECT TO RECEIVE A VESTED ALLOWANCE IF:

(I) THE MEMBER IS SEPARATED FROM EMPLOYMENT OTHER THAN BY DEATH OR RETIREMENT; AND

(II) THE MEMBER HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE.

(2) A MEMBER IS DEEMED TO HAVE ELECTED A VESTED ALLOWANCE, UNLESS THE MEMBER REQUESTS THE RETURN OF THE ACCUMULATED CONTRIBUTIONS BEFORE MEMBERSHIP ENDS.

(C) A VESTED ALLOWANCE IS A DEFERRED ALLOWANCE STARTING AT AGE 60.

(D) A VESTED ALLOWANCE:

(1) IS COMPUTED AS A RETIREMENT ALLOWANCE UNDER § 27–402 OF THIS ARTICLE ON THE BASIS OF THE FORMER MEMBER'S CREDITABLE SERVICE AT THE TIME OF SEPARATION FROM EMPLOYMENT; AND

(2) MAY BE PAID IN ONE OF THE OPTIONAL FORMS OF ALLOWANCES UNDER § 21–403 OF THIS ARTICLE, IF AT RETIREMENT, THE MEMBER DOES NOT HAVE A SPOUSE OR CHILD UNDER THE AGE OF 18.

(E) (1) IF A FORMER MEMBER WHO ELECTED A VESTED ALLOWANCE REQUESTS THE RETURN OF ACCUMULATED CONTRIBUTIONS BEFORE PAYMENT OF THE VESTED ALLOWANCE BEGINS, THE BOARD OF TRUSTEES SHALL RETURN THE ACCUMULATED CONTRIBUTIONS TO THE FORMER MEMBER.

(2) WHEN ACCUMULATED CONTRIBUTIONS ARE RETURNED TO A FORMER MEMBER, THE FORMER MEMBER IS NOT ENTITLED TO FURTHER BENEFITS ON ACCOUNT OF THE FORMER MEMBER'S PREVIOUS MEMBERSHIP.".

AMENDMENT NO. 4

On page 2, in line 23, strike "4." and substitute "2."; and strike beginning with the second comma in line 23 down through "Act," in line 24.

Senate Members:		House Members:	
Chair,	**Verna L. Jones–Rodwell**	Chair,	**Melony G. Griffith**
	Richard S. Madaleno, Jr.		**Norman H. Conway**
	David R. Brinkley		**Adelaide C. Eckardt**

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 – 122 Negative – 6 (See Roll Call No. 1397)

The Bill was then returned to the Senate.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 211	Del. Ivey

Journalized.

JOINT CHAIRMEN'S REPORT

REPORT ON THE FISCAL 2013 STATE OPERATING BUDGET (SENATE BILL 150) AND THE STATE CAPITAL BUDGET (SENATE BILL 151) AND RELATED RECOMMENDATIONS BY THE CHAIRMEN OF THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE – JOINT CHAIRMEN'S REPORT

(See Exhibit S of Appendix II)

CHIEF CLERK'S OFFICE RECEIPTS FOR BILLS DELIVERED TO THE GOVERNOR

(See Exhibit T of Appendix II)

At 12:02 A.M. on motion of Delegate Barve the House adjourned Sine Die.

House Rules are not available electronically.

Please see the printed Journal.