Journal of Proceedings

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House of Delegates

of

Maryland

2013 Regular Session

Volume IV
# 2013 HOUSE JOURNAL
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At 4:27 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Keith E. Haynes of Baltimore City.

**QUORUM CALL**

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

(See Roll Call No. 849)

**EXCUSES:**
Del. Carter – left early – illness
Del. Cluster – left early – illness
Del. Donoghue – left early – doctor’s appointment
Del. Malone – left early – illness
Del. McDonough – left early – illness
Del. Minnick – doctor’s appointment
Del. Myers – business
Del. Sophocleus – illness

**YEAS AND NAYS**

HOUSE BILLS PASSED IN THE SENATE

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HB 1330
Ch., Econ Matters Co.

Read and ordered journalized.

SPECIAL ORDERS

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

House Bill 525 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Economic Development – Baltimore Convention Facility – Operating Deficits

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

FLOOR AMENDMENT

HB0525/214860/1
BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 525
(First Reading File Bill)

On page 2, in lines 9 and 18, in each instance, strike “2024” and substitute “2019”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 516 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Conway, Ferguson, McFadden, and Pugh

AN ACT concerning

Economic Development – Baltimore Convention Facility – Operating Deficits

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

FLOOR AMENDMENT
AMENDMENT TO SENATE BILL 516
(Third Reading File Bill)

On page 2, in lines 14 and 23, in each instance, strike “2024” and substitute “2019”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #13

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

House Bill 986 – Delegate Hammen

AN ACT concerning State Board of Pharmacy – Sterile Compounding – Permits

HB0986/386888/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 986
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “permit;” insert “providing that a person that prepares and distributes sterile drug products into or within the State is not required to hold a sterile compounding permit but must hold certain other permits; authorizing the Board to waive certain requirements in accordance with regulations adopted by the Board; establishing the requirements that must be met for a waiver to be issued; requiring the Board to post certain waivers on its Web site; requiring the Board to include certain information for each waiver posted on its Web site; providing for the duration, renewal, and rescission of a waiver;”; in line 14, after “Board” insert “by
regulation.”; strike beginning with “in” in line 14 down through “category” in line 16 and substitute “based on risk”; and in line 31, after “prohibiting” insert “, with a certain exception.”.

On page 2, in line 3, after “Board,” insert “prohibiting, with a certain exception, a person from distributing sterile drug products in the State unless the sterile drug products are produced in a facility that holds a certain permit;”; in line 5, after “holders;” insert “requiring a wholesale distributor applicant or permit holder that prepares sterile drug products to submit to the Board, at certain times, a report of a certain inspection;”; in line 7, after “violations;” insert “authorizing the Board to phase in the requirements of certain provisions of this Act, with full implementation on or before a certain date; requiring the Board to report to the Governor and the General Assembly on the implementation of certain provisions of this Act;”; and in line 13, after “Permits”” insert “; and 12–6C–03.2”.

AMENDMENT NO. 2

On page 2, in line 26, strike “SECTION” and substitute “SUBTITLE”; in line 28, strike “(1)”; in line 29, strike “OR DEVICE” and substitute “ONLY”; in line 30, strike “(I)” and substitute “(1)”; in line 32, strike “/PHARMACIST”; and in line 33, strike “OR”.

On page 3, in line 1, strike “(II)” and substitute “(2)”; in line 3, strike the period and substitute “; OR”; strike beginning with “(2)” in line 4 down through “IN” in line 5 and substitute “(3) IN”; in lines 9 and 10, strike “APPLICANTS OR PERMIT HOLDERS LOCATED OUTSIDE THE STATE” and substitute “FACILITIES OR ENTITIES THAT PREPARE STERILE DRUG PRODUCTS”; in line 13, strike “STERILE WHEN ADMINISTERED TO PATIENTS” and substitute “PREPARED USING ASEPTIC TECHNIQUES”; in line 16, strike “PREPARATIONS ARE COMPOUNDED” and substitute “COMPOUNDING IS PERFORMED”; after line 16, insert:

“(F) "STERILE DRUG PRODUCT" MEANS A DRUG PRODUCT THAT:

(1) MUST BE PREPARED USING ASEPTIC TECHNIQUES; AND

(2) IS NOT REQUIRED TO BE PREPARED IN RESPONSE TO A PATIENT SPECIFIC PRESCRIPTION.”;

and in line 17, strike “(F)” and substitute “(G)”. 
AMENDMENT NO. 3

On page 4, after line 3, insert:

“(F) A PERSON THAT PREPARES AND DISTRIBUTES STERILE DRUG PRODUCTS INTO OR WITHIN THE STATE:

(1) IS NOT REQUIRED TO HOLD A STERILE COMPOUNDING PERMIT UNDER SUBSECTION (A) OR (C) OF THIS SECTION; AND

(2) SHALL HOLD:

(I) A MANUFACTURER’S PERMIT OR OTHER PERMIT DESIGNATED BY THE U.S. FOOD AND DRUG ADMINISTRATION TO ENSURE THE SAFETY OF STERILE DRUG PRODUCTS; AND

(II) A WHOLESALE DISTRIBUTOR’S PERMIT ISSUED BY THE BOARD UNDER SUBTITLE 6C OF THIS TITLE.

(G) (1) THE BOARD MAY WAIVE ANY REQUIREMENTS OF THIS SUBTITLE, INCLUDING THE REQUIREMENTS OF SUBSECTION (F) OF THIS SECTION, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.

(2) A WAIVER MAY BE ISSUED TO A STERILE COMPOUNDING FACILITY OR A PERSON DESCRIBED IN SUBSECTION (F) OF THIS SECTION ONLY:

(I) FOR SPECIFIED STERILE COMPOUNDED PREPARATIONS OR STERILE DRUG PRODUCTS FOR WHICH THERE IS A CLINICAL NEED, AS DETERMINED BY THE BOARD WITH INPUT FROM HEALTH CARE PROVIDERS IN THE STATE;

(II) IN EXIGENT CIRCUMSTANCES THAT, AS DETERMINED BY THE BOARD, OTHERWISE PREVENT HEALTH CARE PROVIDERS FROM OBTAINING, IN THE SIZE AND STRENGTH NEEDED, THE SPECIFIED STERILE COMPOUNDED PREPARATIONS OR STERILE DRUG PRODUCTS UNDER ITEM (I) OF THIS PARAGRAPH; AND
(III) If the sterile compounding facility or person described in subsection (f) of this section meets requirements established by the Board, including:

1. Provision of:

   A. Reports of inspections conducted by a designee or the U.S. Food and Drug Administration;

   B. A statement of compliance with USP 797;

   AND

   C. A review of adverse regulatory action;

   AND

2. Any other requirement as determined by the Board.

(3) (I) The Board shall post on its web site any waiver issued under this subsection.

(II) For each waiver posted on its web site, the Board shall include:

1. The name of the sterile compounding facility or other person receiving the waiver;

2. The sterile compounded preparation or sterile drug product for which the waiver is issued;

3. The basis for issuing the waiver;

4. The duration of the waiver; and
5. Any other information relating to the waiver or limitations on the waiver determined appropriate by the Board.

(4) Any waiver issued by the Board:

   (i) May not exceed 2 years in duration;

   (ii) May be renewed by the Board; and

   (iii) May be rescinded by the Board if the Board finds that any requirements of this subtitle are not met.

(5) (I) The Board shall include in the regulations adopted under paragraph (1) of this subsection requirements for documenting, in a record acceptable to the Board, the administration to a patient of a sterile compounded preparation or sterile drug product obtained under a waiver issued under this subsection.

   (II) The requirements shall include:

   1. Documentation of the lot number or other mechanism for identifying the sterile compounded preparation or sterile drug product for the purpose of tracing the sterile compounded preparation or sterile drug product back to the sterile compounding facility or other person that prepared it; or

   2. If documentation of the lot number or other identification mechanism is not feasible, documentation of the source of the sterile compounded preparation or sterile drug product for the purpose of tracking the sterile compounded preparation or sterile drug product back to the sterile compounding facility or other person that prepared it.”.
AMENDMENT NO. 4

On page 4, strike beginning with the colon in line 8 down through “FACILITY” in line 17 and substitute “ESTABLISH, BY REGULATION, REQUIREMENTS FOR APPLICANTS BASED ON RISK”.

On page 5, in lines 6 and 7, strike “THE SECOND ANNIVERSARY” and substitute “MAY 31 OF THE NEXT EVEN–NUMBERED YEAR”; in line 8, strike “AN ADDITIONAL” and substitute “A”; strike beginning with the colon in line 16 down through “A” in line 17 and substitute “A”; and strike beginning with the semicolon in line 18 down through “PERMIT” in line 20.

On page 6, in lines 4 and 5, strike “, FOR EACH STEREILE COMPOUNDING PERMIT CATEGORY”; strike beginning with the colon in line 21 down through “REQUIRED” in line 24 and substitute “WITH A FREQUENCY BASED ON RISK AS SET FORTH IN REGULATIONS ADOPTED”; in line 26, after “INCLUDE” insert a comma; in the same line, strike “PARAGRAPH” and substitute “ITEM”; and in line 27, strike “MICROBIAL” and substitute “A REVIEW IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD, OF:

(I) QUALITY ASSURANCE TESTING REPORTS; AND

(II) MICROBIAL”.

AMENDMENT NO. 5

On page 8, in line 31, after “SUBTITLE” insert “OR ANY REGULATION ADOPTED UNDER THIS SUBTITLE”.

On page 9, in line 21, strike “A” and substitute “(A) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A”; and after line 25, insert:

“(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PERSON MAY NOT DISTRIBUTE STEREILE DRUG PRODUCTS IN THE STATE UNLESS THE STEREILE DRUG PRODUCTS ARE PRODUCED IN A FACILITY THAT HOLDS A MANUFACTURER’S PERMIT OR OTHER PERMIT DESIGNATED BY THE U.S. FOOD AND DRUG ADMINISTRATION TO ENSURE THE SAFETY OF STEREILE DRUG PRODUCTS.
(C) A PERSON MAY DISPENSE OR DISTRIBUTE STERILE COMPOUNDED PREPARATIONS OR STERILE DRUG PRODUCTS IN THE STATE WITHOUT MEETING THE REQUIREMENTS OF SUBSECTION (A) OR (B) OF THIS SECTION ONLY IN ACCORDANCE WITH A WAIVER ISSUED BY THE BOARD UNDER § 12–4A–02 OF THIS SUBTITLE.”.

AMENDMENT NO. 6
On page 10, after line 3, insert:

“12–6C–03.2.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, A WHOLESALE DISTRIBUTOR APPLICANT OR PERMIT HOLDER THAT PREPARES STERILE DRUG PRODUCTS SHALL SUBMIT TO THE BOARD A REPORT OF AN INSPECTION CONDUCTED BY THE U.S. FOOD AND DRUG ADMINISTRATION OR A BOARD DESIGNEE:

(1) AT THE TIME OF APPLICATION; AND

(2) ON RENEWAL.

(B) THE INSPECTION REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE:

(1) CONDUCTED WITHIN 1 YEAR BEFORE THE DATE OF APPLICATION OR RENEWAL; AND

(2) DEMONSTRATE COMPLIANCE WITH APPLICABLE FEDERAL GOOD MANUFACTURING PRACTICE STANDARDS OR USP 797, AS DEFINED IN § 12–4A–01 OF THIS TITLE.

(C) AN APPLICANT OR PERMIT HOLDER IS RESPONSIBLE FOR OBTAINING AN INSPECTION TO MEET THE REQUIREMENTS OF THIS SECTION.”.

AMENDMENT NO. 7
On page 11, after line 11, insert:
“SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Pharmacy may phase in the requirements of Title 12, Subtitle 4A of the Health Occupations Article, as enacted by Section 1 of this Act, with full implementation to be completed on or before April 1, 2014.

SECTION 3. AND BE IT FURTHER ENACTED, That on or before January 1, 2014 the State Board of Pharmacy shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the implementation of Title 12, Subtitle 4A of the Health Occupations Article, as enacted by Section 1 of this Act.”;

in line 12, strike “2.” and substitute “4.”; and in line 13, strike “October” and substitute “July”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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


AN ACT concerning

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

HB1343/206984/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1343
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in the sponsor line, strike “and M. Washington” and substitute “M. Washington, Hammen, Pendergrass, Kipke, McDonough, Nathan–Pulliam, Elliott, Frank, Ready, and V. Turner”; and in line 7, after “certain” insert “legislators and”.
AMENDMENT NO. 2

On page 2, in line 4, after “include” insert “:

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

(ii) one member of the House of Delegates, appointed by the Speaker of the House;

(iii)”; in line 6, strike “legislators,”; in the same line, after “environmentalists” insert “; and

(iv) at least one representative of a manufacturing business in the State”;

and in line 7, after “workgroup” insert “described in paragraph (1)(iii) and (iv) of this subsection”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1353 – Delegates Oaks, Branch, Carter, and Vaughn

AN ACT concerning

Minority Business Enterprises – Goals and Subgoals

HB1353/646687/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1353
(First Reading File Bill)
AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vaughn” and substitute “Vaughn, Tarrant, V. Turner, Nathan–Pulliam, Pendergrass, Pena–Melnyk, and Morhaim”; in line 2, after “Enterprises –” insert “Participation and”; strike beginning with “Procurement” in line 3 down through “procurement” in line 11 and substitute “Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General, to establish guidelines for certain units of State government to consider when determining the appropriate minority business enterprise participation percentage goal for certain procurements; making certain conforming changes; altering the termination date for certain provisions of law concerning the minority business enterprise program; altering the dates by which the certification agency designated by the Board of Public Works for the minority business enterprise program, in consultation with the General Assembly and the Office of the Attorney General, is required to conduct a certain study of the minority business program and submit a certain report to the Legislative Policy Committee of the General Assembly; and generally relating to minority business enterprise participation and percentage goals and subgoals for certain procurements”; and strike lines 17 through 21, inclusive, and substitute:

“BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–302, 14–303, and 14–309
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Section 2”.

AMENDMENT NO. 2

On pages 4 and 5, strike beginning with line 25 on page 4 through line 35 on page 5, inclusive.

On page 5, after line 35, insert:

“14–302.

(a) (1) (i) Except for leases of real property, each unit shall structure procurement procedures, consistent with the purposes of this subtitle, to try to achieve
an overall percentage goal of the unit’s total dollar value of procurement contracts being made directly or indirectly to certified minority business enterprises.

(ii) 1. The overall percentage goal shall be established on a biennial basis by the Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General.

2. During any year in which there is a delay in establishing the overall goal, the previous year’s goal will apply.

(iii) 1. In consultation with the Secretary of Transportation and the Attorney General, the Special Secretary of Minority Affairs shall establish guidelines on a biennial basis for each unit to consider while determining whether to set subgoals for the minority groups listed in § 14–301(i)(1)(i)1, 2, 3, 4, and 6 of this subtitle.

2. During any year in which there is a delay in establishing the subgoal guidelines, the previous year’s subgoal guidelines will apply.

(iv) 1. The Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General, shall establish goals and subgoal guidelines that, to the maximum extent feasible, approximate the level of minority business enterprise participation that would be expected in the absence of discrimination.

2. In establishing overall goals and subgoal guidelines, the Special Secretary of Minority Affairs shall provide for public participation by consulting with minority, women’s, and general contractor groups, community organizations, and other officials or organizations that could be expected to have information concerning:

A. the availability of minority– and women–owned businesses;

B. the effects of discrimination on opportunities for minority– and women–owned businesses; and

C. the State’s operation of the Minority Business Enterprise Program.
(v) In establishing overall goals, the factors to be considered shall include:

1. the relative availability of minority- and women-owned businesses to participate in State procurement as demonstrated by the State’s most recent disparity study;

2. past participation of minority business enterprises in State procurement, except for procurement related to leases of real property; and

3. other factors that contribute to constitutional goal setting.

(vi) Notwithstanding § 12–101 of this article, the Special Secretary of Minority Affairs shall adopt regulations in accordance with Title 10, Subtitle 1 of the State Government Article setting forth the State’s overall goal.

(2) The Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General, shall establish guidelines for each unit to consider when determining the appropriate minority business enterprise participation percentage goal for a procurement contract in accordance with paragraph (3) of this subsection.

[(2)] (3) Each unit shall:

(i) consider the practical severability of all contracts and, in accordance with § 11–201 of this article, may not bundle contracts;

(ii) implement a program that will enable the unit to evaluate each contract to determine the appropriate minority business enterprise participation goals, if any, for the contract based on:

1. the potential subcontract opportunities available in the prime procurement contract;

2. the availability of certified minority business enterprises to respond competitively to the potential subcontract opportunities;
3. THE CONTRACT GOAL GUIDELINES ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION;  

3.  

4. the SUBGOAL guidelines established under paragraph [(1)(ii)](1)(III) of this subsection; and  

4.  

5. other factors that contribute to constitutional goal setting:  

(iii) monitor and collect data with respect to prime contractor compliance with contract goals; and  

(iv) institute corrective action when prime contractors do not make good–faith efforts to comply with contract goals.  

[(3)] (4) Units may not use quotas or any project goal–setting process that:  

(i) solely relies on the State’s overall numerical goal, or any other jurisdiction’s overall numerical goal; or  

(ii) fails to incorporate the analysis outlined in paragraph (2)(ii) of this subsection.  

[(4)] (5) (i) A woman who is also a member of an ethnic or racial minority group may be certified in that category in addition to the gender category.  

(ii) For purposes of achieving the goals in this subsection, a certified minority business enterprise may participate in a procurement contract and be counted as a woman–owned business, or as a business owned by a member of an ethnic or racial group, but not both, if the business has been certified in both categories.  

[(5)] (6) Each unit shall meet the maximum feasible portion of the State’s overall goal established in accordance with this subsection by using race–neutral measures to facilitate minority business enterprise participation in the procurement process.
If a unit establishes minority business enterprise participation goals for a contract, a contractor, including a contractor that is a certified minority business enterprise, shall:

(i) identify specific work categories appropriate for subcontracting;

(ii) at least 10 days before bid opening, solicit minority business enterprises, through written notice that:

1. describes the categories of work under item (i) of this paragraph; and

2. provides information regarding the type of work being solicited and specific instructions on how to submit a bid;

(iii) attempt to make personal contact with the firms in item (ii) of this paragraph;

(iv) offer to provide reasonable assistance to minority business enterprises to fulfill bonding requirements or to obtain a waiver of those requirements;

(v) in order to publicize contracting opportunities to minority business enterprises, attend prebid or preproposal meetings or other meetings scheduled by the unit; and

(vi) upon acceptance of a bid or proposal, provide the unit with a list of minority businesses with whom the contractor negotiated, including price quotes from minority and nonminority firms.

The Special Secretary of Minority Affairs shall:

(i) in consultation with the Secretary of Transportation and the Attorney General, establish procedures governing how the participation of minority business enterprise prime contractors is counted toward contract goals; and

(ii) notwithstanding § 12–101 of this article, adopt regulations setting forth the procedures established in accordance with this paragraph.
1. If a contractor, including a certified minority business enterprise, does not achieve all or a part of the minority business enterprise participation goals on a contract, the unit shall make a finding of whether the contractor has demonstrated that the contractor took all necessary and reasonable steps to achieve the goals, including compliance with paragraph (6) of this subsection.

2. A waiver of any part of the minority business enterprise goals for a contract shall be granted if a contractor provides a reasonable demonstration of good–faith efforts to achieve the goals.

(ii) If the unit determines that a waiver should be granted in accordance with subparagraph (i) of this paragraph, the unit may not require the contractor to renegotiate any subcontract in order to achieve a different result.

(iii) The head of the unit may waive any of the requirements of this subsection relating to the establishment, use, and waiver of contract goals for a sole source, expedited, or emergency procurement in which the public interest cannot reasonably accommodate use of those requirements.

(iv) 1. Except for waivers granted in accordance with subparagraph (iii) of this paragraph, when a waiver determination is made, the unit shall issue the determination in writing.

2. The head of the unit shall:

A. keep one copy of the waiver determination and the reasons for the determination; and

B. forward one copy of the waiver determination to the Governor’s Office of Minority Affairs.

(v) On or before July 31 of each year, each unit shall submit directly to the Board of Public Works and the Governor’s Office of Minority Affairs an annual report of waivers requested and waivers granted under this paragraph.

(vi) The report required under subparagraph (v) of this paragraph shall contain the following information on those contracts where the unit considered a contractor’s request for waiver of all or a portion of the minority business enterprise goals:
1. the contract titles, numbers, and dates;

2. the number of waiver requests received;

3. the number of waiver requests granted; and

4. any other information specifically requested by the Board.

[(9) (10) (i) 1. This paragraph applies to a bidder or offeror after submission of a bid or proposal and before the execution of a contract with an expected degree of minority business enterprise participation.

2. If the bidder or offeror determines that a minority business enterprise identified in the minority business enterprise participation schedule has become or will become unavailable or ineligible to perform the work required under the contract, the bidder or offeror shall notify the unit within 72 hours of making the determination.

(ii) 1. If a minority business enterprise identified in the minority business enterprise participation schedule submitted with a bid or offer has become or will become unavailable or ineligible to perform the work required under the contract, the bidder or offeror may submit a written request with the unit to amend the minority business enterprise participation schedule.

2. The request to amend the minority business enterprise participation schedule shall indicate the bidder’s or offeror’s efforts to substitute another certified minority business enterprise to perform the work that the unavailable or ineligible minority business enterprise would have performed.

(iii) A minority business enterprise participation schedule may not be amended unless:

1. the bidder or offeror provides a satisfactory explanation of the reason for inclusion of the unavailable or ineligible firm on the minority business enterprise participation schedule; and
2. the amendment is approved by the unit’s procurement officer after consulting with the unit’s minority business enterprise liaison.

[(10) (11)] (i) This paragraph applies after execution of a contract with an expected degree of minority business enterprise participation.

(ii) The minority business enterprise participation schedule, including any amendment, shall be attached to and made a part of the executed contract.

(iii) 1. A contractor may not terminate or otherwise cancel the contract of a certified minority business enterprise subcontractor listed in the minority business enterprise participation schedule without showing good cause and obtaining the prior written consent of the minority business enterprise liaison and approval of the head of the unit.

2. The unit shall send a copy of the written consent obtained under subsubparagraph 1 of this subparagraph to the Governor’s Office of Minority Affairs.

(iv) A minority business enterprise participation schedule may not be amended after the date of contract execution unless the request is approved by the head of the unit and the contract is amended.

[(11) (12)] If, during the performance of a contract, a certified minority business enterprise contractor or subcontractor becomes ineligible to participate in the Minority Business Enterprise Program because one or more of its owners has a personal net worth that exceeds the amount specified in § 14–301(i)(3) of this subtitle:

(i) that ineligibility alone may not cause the termination of the certified minority business enterprise’s contractual relationship for the remainder of the term of the contract; and

(ii) the certified minority business enterprise’s participation under the contract shall continue to be counted toward the program and contract goals.
(b) (1) The provisions of §§ 14–301(f) and 14–303 of this subtitle and subsection (a) of this section are inapplicable to the extent that any unit determines the provisions to be in conflict with any applicable federal program requirement.

(2) The determination under this subsection shall be included with the report required under § 14–305 of this subtitle.

14–303.

(a) (1) (i) In accordance with Title 10, Subtitle 1 of the State Government Article, the Board shall adopt regulations consistent with the purposes of this Division II to carry out the requirements of this subtitle.

(ii) The Board shall keep a record of information regarding any waivers requested in accordance with § [14–302(a)(8)(i)] 14–302(A)(9)(I) of this subtitle and subsection (b)(11) of this section and submit a copy of the record to the General Assembly on or before October 1 of each year, in accordance with § 2–1246 of the State Government Article.

(iii) The Board shall keep a record of the aggregate number and the identity of minority business enterprises that receive certification under the process established by the Board under subsection (b)(1) of this section and submit a copy of the record to the General Assembly on or before October 1 of each year, in accordance with § 2–1246 of the State Government Article.

(2) The regulations shall establish procedures to be followed by units, prospective contractors, and successful bidders or offerors to maximize notice to, and the opportunity to participate in the procurement process by, a broad range of minority business enterprises.

(b) These regulations shall include:

(1) provisions:

(i) designating one State agency to certify and decertify minority business enterprises for all units through a single process that meets applicable federal requirements, including provisions that promote and facilitate the submission of some or all of the certification application through an electronic process;
(ii) for the purpose of certification under this subtitle, that promote and facilitate certification of minority business enterprises that have received certification from the U.S. Small Business Administration or a county that uses a certification process substantially similar to the process established in accordance with item (i) of this item:

(iii) requiring the agency designated to certify minority business enterprises to complete the agency’s review of an application for certification and notify the applicant of the agency’s decision within 90 days of receipt of a complete application that includes all of the information necessary for the agency to make a decision; and

(iv) authorizing the agency designated to certify minority business enterprises to extend the notification requirement established under item (iii) of this item once, for no more than an additional 60 days, if the agency provides the applicant with a written notice and explanation;

(2) a requirement that the solicitation document accompanying each solicitation set forth the expected degree of minority business enterprise participation based, in part, on the factors set forth in § 14–302(a)(2)(ii) of this subtitle;

(3) a requirement that bidders or offerors complete a document setting forth the percentage of the total dollar amount of the contract that the bidder or offeror agrees will be performed by certified minority business enterprises;

(4) a requirement that the solicitation documents completed and submitted by the bidder or offeror in connection with its minority business enterprise participation commitment must be attached to and made a part of the contract;

(5) a requirement that all contracts containing minority business enterprise participation goals shall contain a liquidated damages provision that applies in the event that the contractor fails to comply in good faith with the provisions of this subtitle or the pertinent terms of the applicable contract;

(6) a requirement that the unit provide a current list of certified minority business enterprises to each prospective contractor;
(7) provisions to ensure the uniformity of requests for bids on subcontracts;

(8) provisions relating to the timing of requests for bids on subcontracts and of submission of bids on subcontracts;

(9) provisions designed to ensure that a fiscal disadvantage to the State does not result from an inadequate response by minority business enterprises to a request for bids;

(10) provisions relating to joint ventures, under which a bidder may count toward meeting its minority business enterprise participation goal, the minority business enterprise portion of the joint venture;

(11) consistent with § 14–302(a)(8) of this subtitle, provisions relating to any circumstances under which a unit may waive obligations of the contractor relating to minority business enterprise participation;

(12) provisions requiring a monthly submission to the unit by minority business enterprises acknowledging all payments received in the preceding 30 days under a contract governed by this subtitle;

(13) a requirement that a unit shall verify and maintain data concerning payments received by minority business enterprises, including a requirement that, upon completion of a project, the unit shall compare the total dollar value actually received by minority business enterprises with the amount of contract dollars initially awarded, and an explanation of any discrepancies therein;

(14) a requirement that a unit verify that minority business enterprises listed in a successful bid are actually participating to the extent listed in the project for which the bid was submitted;

(15) provisions establishing a graduation program based on the financial viability of the minority business enterprise, using annual gross receipts or other economic indicators as may be determined by the Board;

(16) a requirement that a bid or proposal based on a solicitation with an expected degree of minority business enterprise participation identify the specific commitment of certified minority business enterprises at the time of submission;
provisions promoting and providing for the counting and reporting of certified minority business enterprises as prime contractors;

provisions establishing standards to require a minority business enterprise to perform a commercially useful function on a contract;

a requirement that each unit work with the Governor’s Office of Minority Affairs to designate certain procurements as being excluded from the requirements of § 14–302(a) of this subtitle; and

other provisions that the Board considers necessary or appropriate to encourage participation by minority business enterprises and to protect the integrity of the procurement process.

The regulations adopted under this section shall specify that a unit may not allow a business to participate as if it were a certified minority business enterprise if the business’s certification is pending.

The provisions of §§ 14–301 through 14–305 of this subtitle, and any regulations adopted under those sections, shall be of no effect and may not be enforced after July 1, [2016] 2017.

Chapter 154 of the Acts of 2012

SECTION 2. AND BE IT FURTHER ENACTED, That the Certification Agency, in consultation with the General Assembly and the Office of the Attorney General, shall initiate a study of the Minority Business Enterprise Program to evaluate the Program’s continued compliance with the requirements of the Croson decision and any subsequent federal or constitutional requirements. In preparation for the study, the Board of Public Works may adopt regulations authorizing a unit of State government to required bidders and offerors to submit information necessary for the conduct of the study. The Board of Public Works may designate that certain information received in accordance with regulations adopted under this section shall be confidential. Notwithstanding that certain information may be designated by the Board of Public Works as confidential, the Certification Agency may provide the information to any person that is under contract with the Certification Agency to assist in conducting the
The study shall also evaluate race–neutral programs and other methods that can be used to address the needs of minority businesses. The final report on the study shall be submitted to the Legislative Policy Committee of the General Assembly, in accordance with § 2–1246 of the State Government Article, before September 30, [2015] 2016, so that the General Assembly may review the report before the [2016] 2017 Session.”.

AMENDMENT NO. 3

On page 6, strike in their entirety lines 1 through 19, inclusive; and in line 20, 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 Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1390 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs)

AN ACT concerning

Maryland Veterans Trust and Fund – Establishment

HB1390/386181/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1390
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Affairs)” insert “and Delegates Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Ready, Tarrant, and V. Turner”; in line 8, after “families,” insert “repealing requirements for the State Treasurer to invest the money in the Fund and for any investment earnings of the Fund to be credited to the Fund.”; and in line 14, after “investments,” insert
“exempting the Trust from certain provisions of law relating to procurement; making certain provisions of this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 4, in line 5, strike the second bracket; in the same line, strike the third bracket; and strike beginning with “; AND” in line 7 down through “ARTICLE” in line 10.

On page 9, after line 6 insert:

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

Article – State Government

9–913.

(g) The Fund consists of:

(1) gifts and grants that the Trust receives under § 9–914.2(a)(1) of this subtitle; [and]

(2) contributions to the Fund from the sale of tickets from instant ticket lottery machines under § 9–112(d) of this title; AND

(3) CONTRIBUTIONS TO THE FUND FROM THE INCOME TAX CHECKOFF SYSTEM ESTABLISHED UNDER § 2–114 OF THE TAX – GENERAL ARTICLE.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act is contingent on the taking effect of Chapter __ (H.B. 750) of the Acts of the General Assembly of 2013, and if Chapter __ (H.B. 750) does not become effective, Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.”;

in lines 7 and 13, strike “2.” and “3.”, respectively, and substitute “4.” and “5.”, respectively; and in line 13, after “That” insert “, except as provided in Section 3 of this Act.”.
AMENDMENT NO. 3

On page 4, strike in their entirety lines 18 through 20, inclusive; in line 21, strike the opening bracket; in the same line, strike “(h)” and substitute “(I)”; in the same line, strike “is supplemental to and”; and in line 23, before “(i)” insert an opening bracket.

On page 7, in line 28, strike “AUGUST” and substitute “AUGUST”.

On page 8, strike in their entirety lines 8 through 10, inclusive; in line 11, strike “(C)” and substitute “(B)”; and after line 13, insert:

“(C) IN EXERCISING ITS POWERS, THE TRUST IS EXEMPT FROM THE PROVISIONS OF DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE.”.

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 139 – Senator Conway

AN ACT concerning

Health Care Practitioners – Prescription Drug or Device Dispensing – Medical Facilities or Clinics That Specialize in Treatment Reimbursable Through Workers’ Compensation Insurance

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 188 – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, McFadden, Middleton, Montgomery, Muse, and Ramirez

AN ACT concerning
Minority Business Enterprises – Goals and Subgoals

SB0188/576486/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 188
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Enterprises – ” insert “Participation and”; in line 16, after “changes,” insert “altering the termination date for certain provisions of law concerning the minority business enterprise program; altering the dates by which the certification agency designated by the Board of Public Works for the minority business enterprise program, in consultation with the General Assembly and the Office of the Attorney General, to conduct a certain evaluation of the minority business program;”; and in line 17, after “participation” insert “and”.

On page 2, in line 8, strike “and 14–303” and substitute “, 14–303, and 14–309”; and after line 10, insert:

“BY repealing and reenacting, with amendments, 
Section 2”.

AMENDMENT NO. 2

On page 8, in line 11, strike “(1)(ii)” and substitute “(1)(III)”.

On page 15, after line 9, insert:

“14–309.

The provisions of §§ 14–301 through 14–305 of this subtitle, and any regulations adopted under those sections, shall be of no effect and may not be enforced after July 1, [2016] 2017.

Chapter 154 of the Acts of 2012
SECTION 2. AND BE IT FURTHER ENACTED, That the Certification Agency, in consultation with the General Assembly and the Office of the Attorney General, shall initiate a study of the Minority Business Enterprise Program to evaluate the Program’s continued compliance with the requirements of the Croson decision and any subsequent federal or constitutional requirements. In preparation for the study, the Board of Public Works may adopt regulations authorizing a unit of State government to required bidders and offerors to submit information necessary for the conduct of the study. The Board of Public Works may designate that certain information received in accordance with regulations adopted under this section shall be confidential. Notwithstanding that certain information may be designated by the Board of Public Works as confidential, the Certification Agency may provide the information to any person that is under contract with the Certification Agency to assist in conducting the study. The study shall also evaluate race–neutral programs and other methods that can be used to address the needs of minority businesses. The final report on the study shall be submitted to the Legislative Policy Committee of the General Assembly, in accordance with § 2–1246 of the State Government Article, before September 30, 2015, so that the General Assembly may review the report before the 2017 Session.

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 195 – Senators Kelley, Astle, Benson, Forehand, Glassman, Jacobs, Jones-Rodwell, Kittleman, Mathias, Middleton, Pugh, and Rosapepe

AN ACT concerning

Hospitals – Notice to Patients – Outpatient Status and Billing Implications

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 334 – Senators Jones–Rodwell, Benson, Brinkley, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Jacobs, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Peters, Pinsky, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, and Zirkin, Zirkin, Astle, Glassman, Pipkin, and Ramirez

AN ACT concerning

Mammograms – Dense Breast Tissue – Notification

SB0334/796082/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 334
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “prohibiting” in line 7 down through “notice;” in line 8.

AMENDMENT NO. 2
On page 3, strike beginning with “BEYOND” in line 15 down through “SUBSECTION” in line 16.

On page 4, strike in their entirety lines 9 through 11, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 346 – Senator Kelley

AN ACT concerning

Innovations in Aging Services Program – Commission on Aging – 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 with amendments:

**Senate Bill 380** – Senators Muse, Colburn, Conway, Dyson, Ferguson, Jacobs, Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pugh, Raskin, Simonaire, Stone, Young, and Zirkin; Zirkin, Astle, Garagiola, Glassman, Kelley, Kittleman, and Ramirez

AN ACT concerning

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

SB0380/206686/1
BY: Health and Government Operations Committee

**AMENDMENT TO SENATE BILL 380**
(Third Reading File Bill)

On page 2, in line 14, strike “and”; in line 16, after “environmentalists” insert “at least one representative of a manufacturing business in the State”; and in line 18, after “(1)(iii)” insert “and (iv)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 400** – Senator Glassman
AN ACT concerning

Environmental Health Specialists – Licensure Examinations – Applicant Qualifications and Waiver

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 599 – Senator Conway

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

SB0599/146889/1
BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 599
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 6 down through “circumstance;” in line 8; in line 12, after “requiring” insert “a contractor to accept”; in line 13, strike “bonds provided by” and substitute “bonding from”; in the same line, strike “to be accepted by a prime contractor”; and in line 14, after “circumstances;” insert “requiring certain agencies to provide certain notice on bid security to certain bidders;”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 6 down through “(1)” in line 7 and substitute a comma; in line 8, strike “A” and substitute “THE”; strike beginning with the semicolon in line 10 down through “BOND” in line 12; in line 23, strike “IT” and substitute “THE BOND”; in the same line, strike “IF” and substitute “AND”; and in the same line, strike “A PRIME CONTRACTOR” and substitute “;”.
(1) A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE; OR 

(2) THE MARYLAND SMALL BUSINESS DEVELOPMENT FINANCING AUTHORITY ESTABLISHED IN TITLE 5, SUBTITLE 5 OF THE ECONOMIC DEVELOPMENT ARTICLE”.

AMENDMENT NO. 3

On page 3, after line 10, insert:

“(C) IN A SOLICITATION OR PRE–BID CONFERENCE FOR A PROCUREMENT CONTRACT FOR SERVICES, SUPPLIES, OR CONSTRUCTION RELATED SERVICES WITH THE STATE, THE PROCUREMENT AGENCY SHALL PROVIDE NOTICE TO ALL BIDDERS THAT BID SECURITY SHALL BE:

(1) A BOND PROVIDED BY A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THIS STATE;

(2) A BOND PROVIDED BY AN INDIVIDUAL SURETY THAT MEETS THE REQUIREMENTS OF §§ 13–207 AND 13–216 OF THIS SUBTITLE AND § 17–104 OF THIS ARTICLE;

(3) CASH; OR

(4) ANOTHER FORM OF SECURITY:

(I) AUTHORIZED BY FEDERAL OR STATE REGULATION; OR

(II) THAT IS SATISFACTORY TO THE UNIT AWARDING THE CONTRACT.”;

and in line 12, strike “October” and substitute “July”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.
Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 617 – Senator Klausmeier**

AN ACT concerning

**Drug Therapy Management – Physician–Pharmacist Agreements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #8**

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

**Senate Bill 32 – Senator Colburn**

AN ACT concerning

**Alcoholic Beverages – Brewery License – On–Premises Consumption**

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

Delegate Healey, 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 90 – Senator Astle**

AN ACT concerning

**Natural Resources – Vessel Excise Tax – Maximum Tax**

**Motor Fuel Tax Distribution – Waterway Improvement Fund**

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

Delegate Healey, 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 390 – Senator Raskin**

AN ACT concerning
Health – Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading – Posting Requirement and Task Force

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

Delegate Healey, 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 436 – Senators Peters, DeGrange, Brinkley, Colburn, Currie, Edwards, and Robey, and Kittleman**

AN ACT concerning

**Recordation Taxes – Exemptions**

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

Delegate Healey, 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 672 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)**

**EMERGENCY BILL**

AN ACT concerning

**State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation**

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

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

**Senate Bill 721 – Senators Ramirez, Benson, Peters, and Rosapepe**

AN ACT concerning

**Police Training Commission – Membership – Police Chiefs’ Association of Prince George’s County**

The Bill was re–referred to the Committee on Judiciary.
Delegate Healey, 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 774 – Senators Mathias, Jennings, Klausmeier, Simonaire, and Young Young, Jones–Rodwell, and McFadden**

AN ACT concerning

*Income Tax – Subtraction Modification – Maryland Civil Air Patrol*

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

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

**Senate Bill 863 – Senator Zirkin Senators Zirkin and Glassman**

AN ACT concerning

*Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws*

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

Delegate Healey, 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 881 – Senator Middleton**

AN ACT concerning

*Community Health Resources Commission – Revisions*

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

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

**Senate Bill 930 – Senators Pugh, Conway, Ferguson, Middleton, Montgomery, Muse, Ramirez, and Young Young, Garagiola, Kelley, Klausmeier, and Mathias**

AN ACT concerning
Maryland Automobile Insurance Fund Property and Casualty Insurance –
Premium Payments – Acceptance of Premiums on Installment Payment Basis
and Premium Finance Agreements

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

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

**Senate Bill 949 – Senator Mathias**

AN ACT concerning

**Worcester County – Alcoholic Beverages**

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

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

**Senate Bill 1028 – Senator Klausmeier**

AN ACT concerning

**Baltimore County – Alcoholic Beverages – License Transfers**

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

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

**Senate Bill 1064 – Senator Middleton**

**EMERGENCY BILL**

AN ACT concerning


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

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

**Senate Bill 1068 – Senator Glassman**

AN ACT concerning
Commission to Study the Regulation of Payroll Services

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 281 – The President (By Request – Administration) and Senators Benson, Conway, Currie, Ferguson, Forehand, Frosh, Kelley, King, Madaleno, Manno, Montgomery, Peters, Pinsky, Ramirez, Raskin, Robey, Rosapepe, Young, and Zirkin, Zirkin, and Jones–Rodwell, Jones–Rodwell, and McFadden

AN ACT concerning

Firearm Safety Act of 2013

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

FLOOR AMENDMENT

SB0281/563221/1
BY: Delegate Dumais

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

On page 53, in lines 9, 11, 14, 17, 21, and 22, in each instance, before “FIREARM” insert “REGULATED”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0281/783627/1
BY: Delegate Dumais

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)
On page 38, in line 2, after “Guard” insert “while performing official duties”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0281/743421/1
BY: Delegate Oaks

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

On page 30, in line 1, after “(H)” insert “(1)”; in lines 3, 5, 6, and 7, strike “(1)”, “(2)”, “(I)”, and “(II)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; and after line 8, insert:

“(2) (I) An individual whose fingerprints have been submitted to the Central Repository, and whose application has been denied, may request that the record of the fingerprints be expunged by obliteration.

(II) Proceedings to expunge a record under this paragraph shall be conducted in accordance with § 10–105 of the Criminal Procedure Article.

(III) On receipt of an order to expunge a fingerprint record, the Central Repository shall expunge by obliteration the fingerprints submitted as part of the application process.”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0281/483927/1
BY: Delegate McDermott

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)
On page 27, strike beginning with “QUALIFICATION” in line 4 down through “THE” in line 6 and substitute “ORIENTATION COMPONENT THAT DEMONSTRATES THE PERSON’S SAFE OPERATION AND HANDLING OF A”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0281/503422/2
BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 1, in line 3, after “of” insert “prohibiting an inmate who is serving a sentence for a crime committed under circumstances in which the inmate used a firearm in the commission of the crime from earning diminution credits to reduce the term of confinement or being released from custody on probation or parole under certain circumstances;”.

On page 3, in line 41, after “Act;” insert “providing for the application of certain provisions of this Act;”; and after line 41, insert:

“BY repealing and reenacting, with amendments, Article – Correctional Services
Section 3–702 and 11–502
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2
On page 5, after line 6, insert:

“Article – Correctional Services
3–702.

(a) Subject to subsections (b) [and], (c), AND (D) of this section, § 3–711 of this subtitle, and Title 7, Subtitle 5 of this article, an inmate committed to the custody
of the Commissioner is entitled to a diminution of the inmate’s term of confinement as provided under this subtitle.

(b) An inmate who is serving a sentence for a violation of § 3–303, § 3–304, § 3–305, or § 3–306 of the Criminal Law Article involving a victim who is a child under the age of 16 years is not entitled to a diminution of the inmate’s term of confinement as provided under this subtitle.

(c) An inmate who is serving a sentence for a violation of § 3–307 of the Criminal Law Article involving a victim who is a child under the age of 16 years is not entitled to a diminution of the inmate’s term of confinement as provided under this subtitle, if the inmate was previously convicted of a violation of § 3–307 of the Criminal Law Article involving a victim who is a child under the age of 16 years.

(D) (1) IN THIS SUBSECTION, “FIREARM” HAS THE MEANING STATED IN § 5–101 OF THE PUBLIC SAFETY ARTICLE.

(2) THIS SUBSECTION DOES NOT APPLY TO AN INMATE SERVING A SENTENCE BASED SOLELY ON THE UNLAWFUL POSSESSION OF A FIREARM.

(3) AN INMATE WHO IS SERVING A SENTENCE FOR A CRIME COMMITTED UNDER CIRCUMSTANCES IN WHICH THE INMATE USED A FIREARM IN THE COMMISSION OF THE CRIME IS NOT ENTITLED TO:

(I) A DIMINUTION OF THE INMATE’S TERM OF CONFINEMENT AS PROVIDED UNDER THIS SUBTITLE;

(II) PROBATION; OR

(III) PAROLE.

11–502.

(a) Except as provided in subsections (b) and (c) of this section, an inmate who has been sentenced to a term of imprisonment shall be allowed deductions from the inmate’s term of confinement as provided under this subtitle for any period of presentence or postsentence confinement in a local correctional facility.
(b) (1) An inmate who is serving a sentence for a violation of § 3–303, § 3–304, § 3–305, or § 3–306 of the Criminal Law Article involving a victim who is a child under the age of 16 years may not be allowed deductions from the inmate’s term of confinement as provided under this subtitle for any period of presentence or postsentence confinement in a local correctional facility.

(2) This subsection may not be construed to require an inmate to serve a longer sentence of confinement than is authorized by the statute under which the inmate was convicted.

(c) (1) An inmate who is serving a sentence for a violation of § 3–307 of the Criminal Law Article involving a victim who is a child under the age of 16 years, who has previously been convicted of violating § 3–307 of the Criminal Law Article involving a victim who is a child under the age of 16 years, may not be allowed deductions from the inmate’s term of confinement as provided under this subtitle for any period of presentence or postsentence confinement in a local correctional facility.

(2) This subsection may not be construed to require an inmate to serve a longer sentence of confinement than is authorized by the statute under which the inmate was convicted.

(D) (1) IN THIS SUBSECTION, “FIREARM” HAS THE MEANING STATED IN § 5–101 OF THE PUBLIC SAFETY ARTICLE.

(2) THIS SUBSECTION DOES NOT APPLY TO AN INMATE SERVING A SENTENCE BASED SOLELY ON THE UNLAWFUL POSSESSION OF A FIREARM.

(3) AN INMATE WHO IS SERVING A SENTENCE FOR A CRIME COMMITTED UNDER CIRCUMSTANCES IN WHICH THE INMATE USED A FIREARM IN THE COMMISSION OF THE CRIME MAY NOT BE ALLOWED DEDUCTIONS FROM THE INMATE’S TERM OF CONFINEMENT, PROBATION, OR PAROLE FOR ANY PERIOD OF PRESENTENCE OR POSTSENTENCE CONFINEMENT IN A LOCAL CORRECTIONAL FACILITY.

(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO REQUIRE AN INMATE TO SERVE A LONGER SENTENCE OF CONFINEMENT THAN IS AUTHORIZED BY THE STATUTE UNDER WHICH THE INMATE WAS CONVICTED.
SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On page 60, after line 12, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of 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 inmate who committed an offense before the effective date of this Act.”;

in lines 4 and 13, strike “2.” and “3.”, respectively, and substitute “3.” and “5.”, respectively; and in lines 14 and 16, in each instance, strike “2” and substitute “3”.

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

Affirmative – 53  Negative – 83  (See Roll Call No. 850)

FLOOR AMENDMENT

SB0281/783224/1
BY:  Delegate Krebs

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill)

On page 57, in line 18, strike “1.”; in the same line, strike “16” and substitute “4”; and strike beginning with “OR” in line 19 down through “INSTRUCTOR;” in line 21.

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

Affirmative – 51  Negative – 83  (See Roll Call No. 851)

FLOOR AMENDMENT

SB0281/193523/2
BY:  Delegate Smigiel

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)
AMENDMENT NO. 1

On page 3, in line 41, after “Act;” insert “establishing the intent of the General Assembly that the Governor provide certain funding for the creation and promotion of a certain educational campaign;”.

AMENDMENT NO. 2

On page 60, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly, that the Governor provide sufficient funding in the fiscal year 2015 budget to allow the Department of Health and Mental Hygiene to create and promote an educational campaign to eliminate the stigma that discourages individuals from seeking assistance for mental health issues.”;

and in line 13, strike “3.” and substitute “4.”.

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

Affirmative – 45    Negative – 88    (See Roll Call No. 852)

FLOOR AMENDMENT

SB0281/463229/1
BY: Delegate Kipke

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 2, after “violence;” insert “providing that an individual may apply to become a registered voter when applying to the Secretary of State Police for the issuance or renewal of a handgun qualification license; establishing certain procedures and requirements regarding voter registration through the Secretary;”.

On page 2, in line 9, strike “of State Police”.

On page 3, in line 41, after “Act;” insert “making conforming changes;”.

On page 4, after line 6, insert:
“BY repealing and reenacting, with amendments, 

Article – Election Law

Section 3–201, 3–202(a)(4), 3–302(c), 3–303(c), and 3–304(a)

Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 3–203.1

Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 15, after line 29, insert:

“Article – Election Law

3–201.

(a) An individual may apply to become a registered voter:

(1) at a local board office or the State Board office;

(2) at a registration site administered by a local board;

(3) by mail;

(4) when applying to the Motor Vehicle Administration for the issuance, renewal, or modification of a driver’s license or identification card;

(5) WHEN APPLYING TO THE SECRETARY OF STATE POLICE FOR THE ISSUANCE OR RENEWAL OF A HANDGUN QUALIFICATION LICENSE:

[(5)] (6) when applying for services at a voter registration agency;

[(6)] (7) through the State Board’s online voter registration system; or
[(7) (8)] with the assistance of a volunteer authorized by the State or local board.

(b) An individual who is at least 18 years old or will be 18 years old on or before the day of the next succeeding general or special election may be a volunteer under subsection [(a)(7) (A)(8) of this section.


(a) (4) (i) A statewide voter registration application shall be produced exclusively by the State Board.

(ii) No other registration form may be used for registration purposes except:

1. a voter registration application produced by a local board with the approval of the State Board;

2. as provided in subsection (b) of this section;

3. as provided in § 3–203(b) of this subtitle;

4. AS PROVIDED IN § 3–203.1(B) OF THIS SUBTITLE;

5. any other form prescribed by federal law for voter registration; or

6. a federal write–in absentee ballot if used by a voter authorized to vote a federal write–in absentee ballot under federal law.

3–203.1.

(A) The Secretary of State Police shall provide the opportunity to apply to register to vote or update a voter registration record to each individual who applies for or renews a handgun qualification license.
(B) (1) The Secretary of State Police shall inquire orally or in writing whether the applicant wishes to register to vote or update a voter registration record during the transactions specified under subsection (A) of this section.

(2) If the applicant chooses to register to vote or to update a voter registration record:

   (i) All applicable information received by the Secretary of State Police in the course of completing a transaction under subsection (A) of this section shall be transferred to a voter registration application;

   (ii) Any additional necessary information shall be obtained by the Secretary of State Police and may not duplicate any information already obtained while completing a transaction under subsection (A) of this section; and

   (iii) A voter registration application with all of the applicant’s voter registration information shall be presented to the applicant to sign or affirm electronically.

(3) (i) An applicant may decline to register to vote, update the applicant’s voter registration record, or change the applicant’s name or address by:

   1. Affirmatively indicating as such on the application; or

   2. Failing to sign the voter registration application.

   (ii) The Secretary of State Police shall maintain declination information in a manner specified jointly by the Secretary of State Police and the State Board.
(4) Within 5 days of the receipt of an application under subsection (a) of this section, the Secretary of State Police shall forward to the State Board the voter registration information in a manner and format specified jointly by the Secretary of State Police and the State Board.

(C) (1) (I) In consultation with the Secretary of State Police, the State Board shall prepare a voter registration application to be used for voter registration through the Secretary of State Police.

(II) Except as provided in this section, the voter registration portion of the application may not require information that duplicates information required in the handgun qualification license portion of the application.

(2) The voter registration portion of the application shall:

(I) Contain the same information as the statewide voter registration application prescribed in § 3–202(a) of this subtitle; and

(II) Require only the minimum amount of information necessary, including the applicant’s telephone number:

1. To prevent duplicate voter registration;

and

2. To enable the appropriate election official to assess the eligibility of an applicant and to administer voter registration and other aspects of the election process.

(3) The application shall contain a box for the applicant to check, with the statement, “I do not wish to register to vote at this time”.
(D) The Secretary of State Police shall follow the procedures established jointly by the Secretary of State Police and the State Board to process the voter registration information received under this section.

(E) Information relating to the failure of an applicant for a handgun qualification license to register to vote may not be used for any purpose other than the maintenance of registration statistics.

3–302.

(c) A voter registration application that is received by the local board after the close of registration shall be considered timely received for the next election provided:

(1) there is sufficient evidence, as determined by the local board pursuant to regulations adopted by the State Board, that the application was mailed on or before registration was closed for that election; or

(2) the application was submitted by the voter to the Motor Vehicle Administration, the Secretary of State Police, a voter registration agency, another local board, or the State Board prior to the close of registration.

3–303.

(c) If a local board receives a request for a party affiliation change after the close of registration, the local board shall make the change and it shall become effective for the next election provided:

(1) there is sufficient evidence, as determined by the local boards pursuant to regulations adopted by the State Board, that the request was mailed on or before the close of registration for that election; or

(2) the request was submitted by the voter to the Motor Vehicle Administration, the Secretary of State Police, a voter registration agency,
another local board, or the State Board on or before the close of registration for that election.

3–304.

(a) (1) Notification of a change of address or of a change of name may be made:

(i) by information provided on a voter registration application by the same methods provided for registration pursuant to Subtitle 2 of this title;

(ii) by written notice, signed by the voter and sent by mail or otherwise delivered to the local board in the county where the voter’s current voter registration address is located or to which the voter has moved;

(iii) by making application in person at the office of the local board in the county where the voter’s current voter registration address is located or to which the voter has moved;

(iv) by information on a voter authority card or other appropriate form filled out in a polling place; [or]

(v) by changing a name or address with the Motor Vehicle Administration; OR

(VI) BY CHANGING A NAME OR ADDRESS WITH THE SECRETARY OF STATE POLICE.

(2) Except as provided by regulations adopted by the State Board, name and address changes may not be processed when registration is closed.”.

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

Affirmative – 48 Negative – 82 (See Roll Call No. 853)

FLOOR AMENDMENT

SB0281/763828/2
BY: Delegate Beitzel
AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

On page 12, in line 7, strike “OR”; and in line 14, after “SYSTEMS” insert “; OR

(10) PURCHASE, POSSESSION, AND TRANSPORT TO OR FROM A FIRING RANGE OR SERVICE RIFLE MATCH FOR THE EXCLUSIVE PURPOSE OF COMPETITION SHOOTING OR MATCH SHOOTING”.

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

Affirmative – 55    Negative – 76    (See Roll Call No. 854)

FLOOR AMENDMENT

SB0281/923821/1
BY: Delegate Dwyer

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 3, in line 38, after “terms;” insert “altering a certain definition;”.

AMENDMENT NO. 2
On page 7, strike beginning with “ASSAULT” in line 30 down through “ARTICLE” in line 31 and substitute “OF THE FOLLOWING SPECIFIC ASSAULT WEAPONS OR THEIR COPIES, REGARDLESS OF WHICH COMPANY PRODUCED AND MANUFACTURED THAT ASSAULT WEAPON:

(1) AMERICAN ARMS SPECTRE DA SEMIAUTOMATIC CARBINE;

(2) AK–47 IN ALL FORMS;

(3) ALGIMEC AGM–1 TYPE SEMI–AUTO;

(4) AR 100 TYPE SEMI–AUTO;

(5) AR 180 TYPE SEMI–AUTO;
(6) **ARGENTINE L.S.R. SEMI–AUTO;**

(7) **AUSTRALIAN AUTOMATIC ARMS SAR TYPE SEMI–AUTO;**

(8) **AUTO–ORDNANCE THOMPSON M1 AND 1927 SEMI–AUTOMATICS;**

(9) **BARRETT LIGHT .50 CAL. SEMI–AUTO;**

(10) **BERETTA AR70 TYPE SEMI–AUTO;**

(11) **BUSHMASTER SEMI–AUTO RIFLE;**

(12) **CALICO MODELS M–100 AND M–900;**

(13) **CIS SR 88 TYPE SEMI–AUTO;**

(14) **CLARIDGE HI TEC C–9 CARBINES;**


(16) **DAEWOO MAX 1 AND MAX 2, AKA AR 100, 110C, K–1, AND K–2;**

(17) **DRAGUNOV CHINESE MADE SEMI–AUTO;**

(18) **FAMAS SEMI–AUTO (.223 CALIBER);**

(19) **FEATHER AT–9 SEMI–AUTO;**

(20) **FN LAR AND FN FAL ASSAULT RIFLE;**

(21) **FNC SEMI–AUTO TYPE CARBINE;**
(22) F.I.E./FRANCHI LAW 12 AND SPAS 12 ASSAULT SHOTGUN;

(23) STEYR–AUG–SA SEMI–AUTO;

(24) GALIL MODELS AR AND ARM SEMI–AUTO;

(25) HECKLER AND KOCH HK–91 A3, HK–93 A2, HK–94 A2 AND
     A3;

(26) HOLMES MODEL 88 SHOTGUN;

(27) AVTOMAT KALASHNIKOV SEMIAUTOMATIC RIFLE IN ANY
     FORMAT;

(28) MANCHESTER ARMS “COMMANDO” MK–45, MK–9;

(29) MANDELL TAC–1 SEMI–AUTO CARBINE;

(30) MOSSBERG MODEL 500 BULLPUP ASSAULT SHOTGUN;

(31) STERLING MARK 6;

(32) P.A.W.S. CARBINE;

(33) RUGER MINI–14 FOLDING STOCK MODEL (.223 CALIBER);

(34) SIG 550/551 ASSAULT RIFLE (.223 CALIBER);

(35) SKS WITH DETACHABLE MAGAZINE;

(36) AP–74 COMMANDO TYPE SEMI–AUTO;

(37) SPRINGFIELD ARMORY BM–59, SAR–48, G3, SAR–3, M–21
     SNIPER RIFLE, M1A, EXCLUDING THE M1 GARAND;

(38) STREET SWEEPER ASSAULT TYPE SHOTGUN;
(39) **STRIKER 12 ASSAULT SHOTGUN IN ALL FORMATS**;

(40) **UNIQUE F11 SEMI–AUTO TYPE**;

(41) **DAEWOO USAS 12 SEMI–AUTO SHOTGUN**;

(42) **UZI 9MM CARBINE OR RIFLE**;

(43) **VALMET M–76 AND M–78 SEMI–AUTO**;

(44) **WEAVER ARMS “NIGHTHAWK” SEMI–AUTO CARBINE; OR**

(45) **WILKINSON ARMS 9MM SEMI–AUTO “TERRY”**.

**AMENDMENT NO. 3**

On page 21, strike beginning with the colon in line 3 down through “(1)” in line 4.

On pages 21 through 24, strike beginning with the semicolon in line 4 on page 21 down through ““Terry”” in line 5 on page 23.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 46  Negative – 81  (See Roll Call No. 855)

**FLOOR AMENDMENT**

**SB0281/133326/1**

BY:  Delegate Afzali

**AMENDMENT TO SENATE BILL 281**

(Third Reading File Bill – Committee Reprint)

On page 21, strike beginning with the first “Colt” in line 22 down through “rifle” in line 23 and substitute “RESERVED”.

The preceding amendment was read and rejected by a roll call vote as follows:
Amendments to Senate Bill 281

(Third Reading File Bill – Committee Reprint)

**AMENDMENT NO. 1**

On page 2, strike beginning with “prohibiting” in line 18 down through “circumstances,” in line 30; and in line 30, strike “certain fees” and substitute “a certain fee”.

On page 3, strike beginning with “authorizing” in line 30 down through “circumstances;” in line 32.

On page 4, in line 19, strike “5–101,”; after line 22, insert:

“BY repealing and reenacting, without amendments,

Article – Public Safety

Section 5–101(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”; in line 25, strike “5–117.1” and substitute “5–101(b–1)”; and strike in their entirety lines 29 through 33, inclusive.

**AMENDMENT NO. 2**

On page 18, strike in their entirety lines 10 and 11.

On pages 18 through 23, strike in their entirety the lines beginning with line 21 on page 18 through line 23 on page 23, inclusive.

On pages 25 through 31, strike in their entirety the lines beginning with line 7 on page 25 through line 27 on page 31, inclusive.

On page 31, in line 31, strike the brackets.
On page 33, in line 17, strike “AND”; in lines 20 and 24, in each instance, strike the bracket; in line 21, strike “(x)” and substitute “(XV)”; and strike beginning with the semicolon in line 24 down through “LICENSE” in line 26.

On pages 33 and 34, strike in their entirety the lines beginning with line 27 on page 33 through line 6 on page 34.

On page 48, in lines 20 and 21, strike “GRANTING A LICENSE TO POSSESS” and substitute “AUTHORIZING THE POSSESSION OF”.

On page 56, in lines 27 and 28, strike “HAS THE MEANING STATED IN § 5–101 OF THIS TITLE” and substitute “MEANS A CERTIFIED FIREARMS INSTRUCTOR WHO:

(1) IS RECOGNIZED BY THE MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSIONS;

(2) HAS A QUALIFIED HANDGUN INSTRUCTOR LICENSE ISSUED BY THE SECRETARY; OR

(3) HAS A CERTIFICATION ISSUED AND RECOGNIZED BY A NATIONAL ORGANIZATION”.

On page 59, strike in their entirety lines 7 through 12, inclusive.

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

Affirmative – 51  Negative – 83  (See Roll Call No. 857)

FLOOR AMENDMENT

SB0281/513625/1
BY:  Delegate O’Donnell

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

On page 38, in line 25, after “A” insert “REGULATED”.
The preceding amendment was read only.

Delegate O'Donnell moved to make the Bill and Amendments a Special Order for Wednesday.

The motion was rejected by a roll call vote as follows:

Affirmative – 45    Negative – 87    (See Roll Call No. 858)

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

Affirmative – 55    Negative – 78    (See Roll Call No. 859)

FLOOR AMENDMENT

SB0281/113226/1
BY: Delegate McMillan

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “making” in line 3 on page 1 down through “violence;” in line 2 on page 2.

On page 2, strike beginning with “prohibiting” in line 5 down through “circumstances;” in line 33; and strike beginning with “making” in line 36 down through “penalties;” in line 39.

On page 3, strike beginning with “requiring” in line 2 down through “circumstances;” in line 25; strike beginning with “requiring” in line 27 down through “duties;” in line 37; and strike beginning with “requiring” in line 38 down through “Act;” in line 41.

On pages 3 and 4, strike in their entirety the lines beginning with line 42 on page 3 through line 6 on page 4, inclusive.

On page 4, strike in their entirety lines 12 through 16, inclusive; in line 19, strike “3–208, 5–101, 5–110(a) and (b), 5–114(a), 5–115,;” in line 20, strike “5–120,;” in the same line, strike “5–143,” and substitute “and”; in the same line, strike “5–205,” and substitute “5–205”; in the same line, strike “5–206, 5–301, and 5–306”; in line 25,
strike “5–117.1,”; in the same line, strike “5–133.1,”; strike “5–133.3,” and substitute “and 5–133.3”; and strike beginning with “5–143,” in line 25 down through “5–146” in line 26.

On pages 4 and 5, strike in their entirety the lines beginning with line 29 on page 4 through line 4 on page 5, inclusive.

**AMENDMENT NO. 2**

On pages 5 through 15, strike in their entirety the lines beginning with line 7 on page 5 through line 29 on page 15, inclusive.

On pages 16 through 31, strike in their entirety the lines beginning with line 15 on page 16 through line 27 on page 31, inclusive.

On pages 33 and 34, strike in their entirety the lines beginning with line 27 on page 33 through line 28 on page 34, inclusive.

On page 38, strike in their entirety lines 22 through 31, inclusive.

On pages 50 through 53, strike in their entirety the lines beginning with line 9 on page 50 through line 31 on page 53, inclusive.

On pages 56 through 60, strike in their entirety the lines beginning with line 8 on page 56 through line 12 on page 60, inclusive.

On page 60, in line 13, strike “3.” and substitute “2.”; and strike beginning with “Section” in line 14 down through “effect.” in line 16.

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

Affirmative – 45   Negative – 85   (See Roll Call No. 860)

FLOOR AMENDMENT

SB0281/103322/1
BY:  Delegate Kipke

**AMENDMENTS TO SENATE BILL 281**
(Third Reading File Bill – Committee Reprint)
AMENDMENT NO. 1

On page 3, strike beginning with “requiring” in line 27 down through “circumstances;” in line 30 and substitute “altering a certain list of criteria, a finding of which requires the Secretary of State Police to issue a certain handgun permit to a person, to include a finding that the person has demonstrated competence with a handgun by presenting certain evidence; repealing the requirement that the Secretary find that a person has a good and substantial reason to wear, carry, or transport a handgun before issuing a handgun permit to the person;”.

AMENDMENT NO. 2

On page 57, strike in their entirety lines 14 through 28, inclusive, and substitute:

“(5) HAS DEMONSTRATED COMPETENCE WITH A HANDGUN BY PRESENTING EVIDENCE OF:

(I) PARTICIPATION IN AN ORGANIZED SHOOTING COMPETITION APPROVED BY THE DEPARTMENT OF STATE POLICE;

(II) CURRENT MEMBERSHIP IN OR AN HONORABLE DISCHARGE FROM THE ARMED FORCES OF THE UNITED STATES OR THE NATIONAL GUARD;

(III) CURRENT EMPLOYMENT WITH OR RETIREMENT FROM A LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY;

(IV) COMPLETION OF A HUNTER SAFETY COURSE RECOGNIZED BY ANY STATE;

(V) COMPLETION OF A FIREARMS SAFETY TRAINING COURSE APPROVED BY THE MARYLAND POLICE TRAINING COMMISSION OR A SIMILAR AGENCY OF ANOTHER STATE;

(VI) COMPLETION OF A FIREARMS SAFETY TRAINING COURSE APPROVED BY A NATIONALLY RECOGNIZED TRAINING ORGANIZATION;
(VII) COMPLETION OF A FIREARMS SAFETY TRAINING COURSE OFFERED BY A LAW ENFORCEMENT AGENCY, HIGHER EDUCATION INSTITUTION, OR PUBLIC OR PRIVATE INSTITUTION THAT USES INSTRUCTORS CERTIFIED BY THE NATIONAL RIFLE ASSOCIATION TO TEACH THE COURSE;

(VIII) POSSESSION OF A VALID OUT-OF-STATE PERMIT TO CARRY A CONCEALED HANDGUN FOR WHICH THE APPLICANT HAD TO COMPLETE A FIREARMS SAFETY TRAINING COURSE;

(IX) CURRENT OR FORMER POSSESSION OF A PERMIT TO CARRY, WEAR, OR TRANSPORT A HANDGUN ISSUED UNDER THIS SUBTITLE, UNLESS THE PERMIT WAS REVOKED UNDER § 5–310 OF THIS SUBTITLE; OR

(X) POSSESSION OF A STATE QUALIFIED HANDGUN INSTRUCTOR CERTIFICATION ISSUED BY THE DEPARTMENT OF STATE POLICE; AND”.

AMENDMENT NO. 3

On page 58, strike in their entirety lines 7 through 25, inclusive; in line 26, strike the brackets; and in the same line, strike “(C)”.

On page 59, in line 7, strike “(D)” and substitute “(C)”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 52    Negative – 80    (See Roll Call No. 861)

FLOOR AMENDMENT

SB0281/513824/2
BY: Delegate Hough

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

On page 28, strike in their entirety lines 17 through 20, inclusive; in lines 21 and 24, strike “(II)” and “(III)”, respectively, and substitute “(I)” and “(II)”,
respectively; and in lines 28 and 29, strike “(3)(II) AND (III)” and substitute “(3)(I) AND (II)”.

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

Affirmative – 51   Negative – 79   (See Roll Call No. 862)

FLOOR AMENDMENT

SB0281/623229/1
BY: Delegate McComas

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 1, in line 6, after “limitations;” insert “authorizing a certain person who is licensed by another state to carry or transport a handgun to and from a certain destination under certain circumstances;”.

AMENDMENT NO. 2
On page 7, in line 17, strike “or”; and in line 25, after “station” insert “;

(10) THE CARRYING OF A HANDGUN ON THE PERSON OR IN A VEHICLE WHILE THE PERSON IS TRANSPORTING THE HANDGUN THROUGH THIS STATE BETWEEN STATES WHERE THE PERSON IS LICENSED TO CARRY OR TRANSPORT A HANDGUN, IF THE HANDGUN IS UNLOADED AND CARRIED IN AN ENCLOSED CASE OR AN ENCLOSED HOLSTER; OR

(11) THE CARRYING OF A HANDGUN ON THE PERSON OR IN A VEHICLE BETWEEN THE PERSON’S RESIDENCE IN THIS STATE AND ANOTHER STATE, IF:

(i) THE PERSON IS LICENSED BY THAT STATE TO CARRY A HANDGUN; AND

(ii) THE HANDGUN IS UNLOADED AND CARRIED IN AN ENCLOSED CASE OR AN ENCLOSED HOLSTER”.
The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 49  Negative – 82  (See Roll Call No. 863)

FLOOR AMENDMENT

SB0281/613928/1
BY:  Delegate Impallaria

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 2, in line 2, after “violence;” insert “requiring the court to notify a certain defendant of certain consequences under certain circumstances;”.

On page 3, in line 40, after “date;” insert “providing that a certain offense may only be considered a conviction for certain purposes if the offense occurred on or after a certain date;”.

On page 4, after line 6, insert:

“BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–220(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2
On page 15, after line 29, insert:

“Article – Criminal Procedure

6–220.

(1) When a defendant pleads guilty or nolo contendere or is found guilty of a crime, a court may stay the entering of judgment, defer further proceedings, and place the defendant on probation subject to reasonable conditions if:
the court finds that the best interests of the defendant and the public welfare would be served; and

(ii) the defendant gives written consent after determination of guilt or acceptance of a nolo contendere plea.

(2) Subject to paragraphs (3) and (4) of this subsection, the conditions may include an order that the defendant:

(i) pay a fine or monetary penalty to the State or make restitution; or

(ii) participate in a rehabilitation program, the parks program, or a voluntary hospital program.

(3) Before the court orders a fine, monetary penalty, or restitution, the defendant is entitled to notice and a hearing to determine the amount of the fine, monetary penalty, or restitution, what payment will be required, and how payment will be made.

(4) Any fine or monetary penalty imposed as a condition of probation shall be within the amount set by law for a violation resulting in conviction.

(5) As a condition of probation, the court may order a person to a term of custodial confinement or imprisonment.

(6) Before granting a stay and entering a judgment under this section for an offense that would result in the defendant being considered to be convicted of a disqualifying crime under § 5–101 of the Public Safety Article, the court shall notify the defendant of the consequences relating to firearm possession of consenting to and receiving a stay of entry of judgment.”.

On page 60, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That a person who receives a probation before judgment for an offense may only be considered to have been convicted of a disqualifying crime for purposes of Title 5, Subtitle 1 of the Public Safety Article if the offense occurs on or after October 1, 2013.”;
and line 13, strike “3.” and substitute “4.”.

The preceding 2 amendments were read only.

Delegate McMillan moved the previous question.

The motion was adopted.

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

Affirmative – 36     Negative – 93   (See Roll Call No. 864)

FLOOR AMENDMENT

SB0281/233521/2
BY: Delegate McDermott

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering a certain exception to the prohibition against carrying a deadly weapon on public school property;”.

On page 4, in line 3, after “Section” insert “4–102.”; and in the same line, after “4–203(b)” insert a comma.

AMENDMENT NO. 2

On page 5, after line 7, insert:

“4–102.

(a) This section does not apply to:

(1) a law enforcement officer [in the regular course of the officer’s duty];

(2) a person hired by a county board of education specifically for the purpose of guarding public school property;
(3) a person engaged in organized shooting activity for educational purposes; or

(4) a person who, with a written invitation from the school principal, displays or engages in a historical demonstration using a weapon or a replica of a weapon for educational purposes.

(b) A person may not carry or possess a firearm, knife, or deadly weapon of any kind on public school property.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $1,000 or both.

(2) A person who is convicted of carrying or possessing a handgun in violation of this section shall be sentenced under Subtitle 2 of this title.”.

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

Affirmative – 57  Negative – 57  (See Roll Call No. 865)

FLOOR AMENDMENT

SB0281/103426/1
BY: Delegate Krebs

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 1, in line 3, after “of” insert “authorizing a local school system to create a certain exception to the prohibition against carrying a deadly weapon on public school property for an off–duty law enforcement officer;”.

On page 4, in line 3, after “Section” insert “4–102.”; and in the same line, after “4–203(b)” insert a comma.

AMENDMENT NO. 2
On page 5, after line 7, insert:
“4–102.

(a) This section does not apply to:

(1) a law enforcement officer in the regular course of the officer’s duty;

(2) a person hired by a county board of education specifically for the purpose of guarding public school property;

(3) a person engaged in organized shooting activity for educational purposes; or

(4) a person who, with a written invitation from the school principal, displays or engages in a historical demonstration using a weapon or a replica of a weapon for educational purposes.

(b) (1) Except as provided in paragraph (2) of this subsection, a person may not carry or possess a firearm, knife, or deadly weapon of any kind on public school property.

(2) A local school system may exempt off-duty law enforcement officers from the provisions of this section.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $1,000 or both.

(2) A person who is convicted of carrying or possessing a handgun in violation of this section shall be sentenced under Subtitle 2 of this title.”

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

Affirmative – 56  Negative – 72  (See Roll Call No. 866)

FLOOR AMENDMENT

SB0281/533728/2
BY: Delegate Impallaria

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 3, in line 25, after “circumstances;” insert “requiring the Administrative Office of the Courts to provide a certain written notice to individuals who received a probation before judgment for certain offenses before a certain date;”.

AMENDMENT NO. 2

On page 60, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Administrative Office of the Courts shall give written notice to each person who, before October 1, 2013, received a probation before judgment in the State for a crime of violence, except for assault in the second degree, or a domestically related crime as defined in § 6–233 of the Criminal Procedure Article informing the person that the person may not possess a regulated firearm.”;

and in line 13, strike “3.” and substitute “4.”.

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

SB0281/193623/1
BY: Delegate Schulz

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “providing that a certain handgun instructor or shooting range is immune from certain damages that result from the provision of a certain firearms safety training course under certain circumstances;”.

On page 3, after line 41, insert:

“BY adding to

Article – Courts and Judicial Proceedings
Section 5–427
Annotated Code of Maryland
AMENDMENT NO. 2

On page 5, after line 6, insert:

“Article – Courts and Judicial Proceedings

5–427.

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

(2) “HANDGUN QUALIFICATION LICENSE” HAS THE MEANING STATED IN § 5–101 OF THE PUBLIC SAFETY ARTICLE.

(3) “QUALIFIED HANDGUN INSTRUCTOR” HAS THE MEANING STATED IN § 5–101 OF THE PUBLIC SAFETY ARTICLE.

(4) “SECRETARY” MEANS THE SECRETARY OF STATE POLICE OR THE SECRETARY’S DESIGNEE.

(B) A QUALIFIED HANDGUN INSTRUCTOR OR SHOOTING RANGE IS IMMUNE FROM ANY CIVIL LIABILITY THAT RESULTS FROM THE PROVISION OF A FIREARMS SAFETY TRAINING COURSE APPROVED BY THE SECRETARY IN ACCORDANCE WITH TITLE 5 OF THE PUBLIC SAFETY ARTICLE.”.

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

Affirmative – 42  Negative – 84  (See Roll Call No. 867)

FLOOR AMENDMENT

SB0281/673924/1
BY: Delegate Vitale

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)
On page 59, in line 9, after “(I)” insert “(II)”; in line 10, after “SECTION;” insert “OR

(II) IS IN POSSESSION OF A HUNTING LICENSE ISSUED UNDER TITLE 10, SUBTITLE 3 OF THE NATURAL RESOURCES ARTICLE;”.

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

Affirmative – 47  Negative – 79  (See Roll Call No. 868)

FLOOR AMENDMENT

SB0281/403922/1
BY: Delegate Szeliga

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 1, in line 17, strike “altering” and substitute “exempting certain persons from a certain provision of law relating to”.

On page 2, strike beginning with “or” in line 1 down through “ammunition” in line 2.

AMENDMENT NO. 2
On page 9, in lines 12 and 27, in each instance, strike “10” and substitute “20”.

On page 15, in lines 4 and 11, in each instance, strike the brackets; and in the same lines, in each instance, strike “10”.

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

Affirmative – 47  Negative – 79  (See Roll Call No. 869)

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #2
AMENDED IN THE SENATE
House Bill 860 – Baltimore City Delegation

AN ACT concerning

Baltimore City Public Schools Construction Authority and Revitalization Act of 2013

Delegate Conway moved that the House concur in the Senate amendments.

HB0860/169739/1
BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 860
(Third Reading File Bill)

On page 66, in line 17, strike “2” and substitute “5”.

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 – 102  Negative – 30  (See Roll Call No. 870)

QUORUM CALL

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

(See Roll Call No. 871)

ADJOURNMENT

At 10:24 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 28, 2013, Calendar Day Wednesday, April 3, 2013.
The House met at 10:46 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Eric M. Bromwell of Baltimore County.

**QUORUM CALL**

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

(See Roll Call No. 872)

The Journal of March 27, 2013 was read and approved.

**EXCUSES:**
Del. Carter – illness
Del. Donoghue – late – medical
Del. Minnick – funeral

**MESSAGE FROM THE SENATE**

**FIRST READING OF SENATE BILLS**

**Senate Bill 902 – Senators Muse and Zirkin**

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

FOR the purpose of authorizing an aggrieved individual, occupant, a dependant of an occupant, or a prospective tenant who otherwise meets the requirements for tenancy to commence a civil action to obtain relief for a violation of the Maryland Accessibility Code by a person that operates with regard to a building of four or more dwelling units under certain circumstances; requiring an occupant, a dependant of an occupant, or a prospective tenant who otherwise meets the requirements for tenancy to provide a certain written notice to a property manager, landlord, or rental agent before filing a complaint under this Act; authorizing a court that finds that a violation of the Maryland Accessibility Code has occurred to grant certain relief and award certain costs and damages under certain circumstances; correcting an obsolete reference; defining a certain
and generally relating to private enforcement actions brought by aggrieved individuals under the Maryland Accessibility Code.

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 12–202
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 1010 – Senators Brinkley, Forehand, Kelley, King, Kittleman, Klausmeier, Madaleno, Middleton, Pipkin, and Pugh

AN ACT concerning

Children with Developmental Disabilities in State Custody – Continuation of Placement and Services

FOR the purpose of continuing the jurisdiction of a juvenile court over a child who is medically fragile, has a developmental disability, and is committed to the custody of a local department of social services for a certain period of time after the child attains 21 years of age for the court to review, as necessary, the content, implementation, and enforcement of certain plans; requiring the juvenile court to review a certain transition plan and change the plan if necessary to ensure that the Developmental Disabilities Administration provides a certain level of care, supervision, and treatment services for a certain child; requiring a certain local department of social services at certain times to coordinate with the Administration to plan for the transfer of responsibility for the case management, care, supervision, and treatment of a certain child at a certain time, to notify the Administration of the date when a certain child will require certain services to begin, and to develop jointly with the Administration a transition plan that ensures continuity of a certain child’s residential placement and maintains a certain level of care, supervision, and treatment services and placement support for the child a certain level of services; requiring the Administration to coordinate with each local department to plan for the transfer of responsibility for the case management, care, supervision, and treatment of certain children; prohibiting the Department of Health and Mental Hygiene from requiring a certain child to submit an application for certain services in certain circumstances; requiring the Administration, after receiving a certain notice, at certain times to develop jointly with a local department a transition plan that ensures continuity of a certain child’s residential placement and maintains a certain level of care, supervision, and treatment services and placement support for the child a certain level of services, to submit the transition plan to the court that has jurisdiction over the child, to develop and approve a certain individual service plan for the child, to
enter into a certain service funding plan, to investigate, license, approve, or otherwise qualify a certain residence, and to implement and continue for a certain time period a certain individual service plan and level of support and funding for the child; defining certain terms; and generally relating to medically fragile children with developmental disabilities.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(a), (e), (f), (g), (i), (k), (l), (p), and (bb)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–804
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–823.1
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 1–101(a), (f), and (g)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Family Law
Section 5–327.1 and 5–525.3
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–328
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(a) and (c), 7–101(a), (b), (e), and (n), and 7–403
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)
BY adding to
   Article – Health – General
   Section 7–804
   Annotated Code of Maryland
   (2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 1039 – The President (By Request – Commission to Study Campaign Finance Law) and Senators Ferguson and Benson

AN ACT concerning

Campaign Finance Reform Act of 2013

FOR the purpose of altering certain definitions; authorizing the State Board of Elections to audit certain account books, records, and statements; requiring an individual to establish an authorized candidate campaign committee before filing a declaration of intent; prohibiting a political committee from receiving or disbursing money if there is a vacancy in certain offices of the committee; prohibiting a candidate from remaining a member of a slate or joining a slate providing that a candidate may join a slate or continue as a member of a slate only under certain circumstances; authorizing the establishment of legislative party caucus committees; providing that the State Board satisfies certain notice requirements by sending notices to certain addresses; authorizing a central committee of a political party or legislative party caucus committee to establish an administrative account; establishing requirements for the functioning of administrative accounts; altering the circumstances under which a campaign contribution receipt must be issued; altering certain limits on the aggregate amount of contributions a person may make in an election cycle; requiring that certain contribution limits and certain transfer limits be adjusted in a certain manner at certain times; providing that contributions by two or more business entities be considered as being made by one contributor under certain circumstances; providing that certain limits on transfers between campaign finance entities do not apply to certain campaign finance entities; establishing a limit on the amount of transfers a slate may make in an election cycle to the authorized candidate campaign committees of its members; establishing a limit on the amount of transfers a legislative party caucus committee may make in an election cycle to the authorized candidate campaign committee of a candidate the legislative party caucus committee seeks to elect; requiring certain political action committees to include certain information on the face of a check transferring funds to another campaign finance entity; authorizing certain officials to deposit a contribution during a session of the General Assembly under certain circumstances; repealing a certain provision relating to expenditures made by a campaign finance entity located outside the State;
requiring an out-of-state political committee to register and file reports with the State Board that include certain information at certain times and in a certain manner; altering certain requirements for contributions received from the sale of a raffle ticket, spin, or chance at a campaign fundraising event; prohibiting an authorized candidate campaign committee from reporting more than a certain amount of certain contributions in an election cycle on its campaign finance reports without providing certain information about each contribution; authorizing a political committee to report certain contributions collected in a certain manner on its campaign finance reports without providing certain information about each contribution under certain circumstances; repealing certain provisions relating to the filing of campaign finance reports or affidavits by authorized candidate campaign committees of candidates for election to the central committee of a political party; altering certain definitions in the law governing disclosure of independent expenditures and electioneering communications; requiring a person who makes a certain amount of independent expenditures or electioneering communications to register and file certain reports with the State Board within a certain time; requiring an independent expenditure or electioneering communication report to identify persons who made donations of a certain amount to the person making the independent expenditure or electioneering communication; requiring a person to file an amended independent expenditure or electioneering communication report under certain circumstances; authorizing the State Board to assess certain civil penalties for failure to file properly an independent expenditure or electioneering communication report; requiring a campaign finance entity to file a campaign finance report on a certain date immediately preceding a general election; providing that the authorized candidate campaign committee of a candidate for election to the central committee of a political party is required to file certain campaign finance reports and is not required to file any other campaign finance reports; requiring a political committee that makes only independent expenditures or electioneering communications to file campaign finance reports at certain times and subject to certain sanctions; requiring a campaign finance entity to file an amended campaign finance report under certain circumstances; providing for certain fees and other sanctions for late filing of an amended campaign finance report; altering certain fees for late filing of a campaign finance report; requiring that a late filing fee be paid by a campaign finance entity except under certain circumstances; authorizing the governing body of a county to establish a system of public campaign financing for elective offices in the executive or legislative branches of county government; specifying certain requirements for a county system of public campaign financing; authorizing the State Board to assess a civil penalty for certain violations of campaign finance law; providing for the maximum amount of a civil penalty and requirements for issuing, paying, and contesting a civil penalty; authorizing a person who is assessed a civil penalty to elect to stand trial for the violation in District Court; requiring the State Prosecutor to assume responsibility for prosecuting a violation in District Court; providing for the procedures to be followed in the District Court; providing that a civil penalty is not a criminal conviction; altering certain definitions in the law governing
disclosure of contributions by persons doing public business; altering certain requirements relating to certain statements of contributions by persons doing public business; transferring responsibility for waiving certain disclosure requirements applicable to persons doing public business from the Attorney General to the State Board; requiring a person doing public business to maintain certain records for a certain period of time; requiring a governmental entity to verify that a person doing public business with the governmental entity to certify that the person has filed a certain statement of contributions before allowing the person to begin performance of a contract under certain circumstances; requiring a governmental entity to notify the State Board of persons doing public business with the governmental entity who are required to file a certain statement of contributions within a certain period of time; requiring certain participating organizations, as defined, making certain contributions or donations or certain disbursements to register with the State Board and file a certain report under certain circumstances; altering the deadline date for certain candidates to file a certificate of candidacy; altering the date by which the State Board shall certify the content and arrangement of a certain ballot; requiring a person doing public business to file an amended statement of contributions under certain circumstances; authorizing the State Board to impose certain fees for late filing of a statement of contributions by a person doing public business in a certain manner; authorizing the State Board to adopt regulations implementing the law governing disclosure of contributions by persons doing public business; extending the statute of limitations for a misdemeanor constituting a criminal offense under the State election laws; providing for the application of the extension of the statute of limitations under this Act; making technical and clarifying corrections; defining certain terms; making the provisions of this Act severable; providing for a delayed effective date for certain provisions of this Act; and generally relating to campaign finance.

BY repealing and reenacting, with amendments,

Article – Election Law
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)
BY repealing
   Article – Election Law
   Section 13–301
   Annotated Code of Maryland
   (2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
   Article – Election Law
   Section 14–102, 14–103, 14–106, and 14–108
   Annotated Code of Maryland
   (2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
   Article – Courts and Judicial Proceedings
   Section 5–106(f) and (h)
   Annotated Code of Maryland
   (2006 Replacement Volume and 2012 Supplement)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #11

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

Senate Bill 4 – Senator Pugh

AN ACT concerning

   State Personnel – Applicants for Employment – Criminal History Records Checks

SB0004/114767/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 4
(Third Reading File Bill)

AMENDMENT NO. 1
On page 2, in line 9, strike “OR”; and in line 11, after “CHECK” insert “; OR
(3) A POSITION IN THE OFFICE OF THE SHERIFF FOR ANY COUNTY”.

AMENDMENT NO. 2

On page 3, strike beginning with the second comma in line 9 down through “Act,” in line 10.

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 63 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Maryland Higher Education Commission – Institutional Renewal Fees and Religious Educational Institutions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 369 – Senator Edwards

AN ACT concerning

Garrett County – Bonds for Garrett County Memorial Hospital

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 431 – Senator King

AN ACT concerning
Delegate Simmons moved to make the Bill and Report a Special Order for Thursday. The motion was adopted.

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

**Senate Bill 458 – Calvert County Senators**

AN ACT concerning

**Calvert County – Public Facilities Bonds**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 477 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Employment of Retirees – Required Break in Service**

SB0477/414660/1
BY: Appropriations Committee

**AMENDMENT TO SENATE BILL 477**
(Third Reading File Bill)

On page 11, in line 20, after “BASIS” insert a comma.

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:
Mar. 28, 2013 Maryland House of Delegates

Senate Bill 508 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington 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 588 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 686 – Senator Garagiola

AN ACT concerning

Family Investment Program – Earned Income Disregard Pilot Program

SB0686/954567/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 686
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “number of counties for participation” and substitute “type of county to participate”; in line 6, after “Program;” insert “requiring the Department of Human Resources to select and inform participants; specifying certain eligibility requirements for participation in the program;”; in the same line, strike “a” and substitute “the”; and in line 12, after “term;” insert “providing for a delayed effective date;”.
AMENDMENT NO. 2

On page 2, in line 19, after “(C)” insert “(1)”; in the same line, after “SELECT” insert “ONE COUNTY THAT HAS MORE THAN ONE DISTRICT OFFICE”; strike beginning with the colon in line 20 down through “COUNTY” in line 22; after line 22, insert:

“(2) THE DEPARTMENT SHALL:

(I) SELECT AND ASSIGN ELIGIBLE INDIVIDUALS TO THE PILOT PROGRAM; AND

(II) INFORM SELECTED PARTICIPANTS OF THE ASSIGNMENT.

(3) TO BE ELIGIBLE TO PARTICIPATE IN THE PILOT PROGRAM AN INDIVIDUAL:

(I) MAY NOT RECEIVE TEMPORARY CASH ASSISTANCE BETWEEN MAY 1, 2014 AND SEPTEMBER 30, 2014; AND

(II) SHALL APPLY AND QUALIFY FOR TEMPORARY CASH ASSISTANCE ON OR AFTER OCTOBER 1, 2014.”;

and in line 24, strike “COUNTIES” and substitute “COUNTY”.

AMENDMENT NO. 3

On page 2, in line 27, strike “PILOT PROGRAM” and substitute “FIP”; and after line 29 insert:

“(2) NOTWITHSTANDING § 5–310(a) OF THIS SUBTITLE, FOR ELIGIBLE RECIPIENTS WHO OBTAIN UNSUBSIDIZED EMPLOYMENT AND WORK LESS THAN 25 HOURS A WEEK, THE AMOUNT OF ASSISTANCE SHALL BE COMPUTED BY COUNTING NO MORE THAN 4 WEEKS OF EARNED INCOME IN ANY MONTH AND DISREGARDING 40% OF THAT EARNED INCOME.”.

AMENDMENT NO. 4
On page 3, in line 1, strike “(2)” and substitute “(3)”; and in line 2, strike “EMPLOYMENT” and substitute “EMPLOYMENT AND WORK AT LEAST 25 HOURS A WEEK”.

AMENDMENT NO. 5
On page 3, in line 20, strike “2015” and substitute “2016”; and in line 25, strike “2016” and substitute “2017”.

AMENDMENT NO. 6
On page 4, in line 2, strike “2013” and substitute “2014”; and in line 3, strike “2016” and substitute “2017”.

The preceding 6 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 752 – Senator Robey
Senators Robey, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez

AN ACT concerning

Department of Budget and Management – Foster Youth Summer Internship Pilot Program

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 764 – Senator Conway

AN ACT concerning

Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth

SB0764/234765/1
AMENDMENTS TO SENATE BILL 764
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 8, after “a” insert “general”; in the same line, after “of” insert “knowledge about the”; in line 9, strike “including a lack” and substitute “such as the availability”; in line 13, strike “The foster care system is” and substitute “Current systems are”; in line 15, strike “child welfare” and substitute “child-servicing”; in the same line, strike “too old to enter foster care” and substitute “not eligible for existing programs and services”; in line 17, strike “foster or adoptive parents” and substitute “parental figures”; in line 18, strike “foster” and substitute “congregate”; and in line 19, after “secure,” insert “affordable.”

AMENDMENT NO. 2

On page 2, in line 25, after “(a)” insert “In this section, “unaccompanied homeless youth” means an individual who:

(1) is between the ages of 14 and 25 years;

(2) lacks a fixed, regular, and adequate nighttime residence; and

(3) is not in the physical custody of a parent or guardian.

(b)”; in line 27, strike “(b)” and substitute “(c)”.

On page 3, in line 3, strike “and”; after line 3, insert:

“(7) the State Superintendent of Schools, or the State Superintendent’s designee; and”;

and in line 4, strike “(7)” and substitute “(8)”.

AMENDMENT NO. 3

BY: Appropriations Committee
On page 3, strike in their entirety lines 6 and 7; in lines 8, 11, and 14, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “(ii)”, “(iii)”, and “(iv)”, respectively; strike in its entirety line 16; after line 16, insert:

“(d) The representative from the Governor’s Office for Children shall serve as Chair of the Task Force.”;

in lines 17, 19, and 23, strike “(d)”, “(e)”, and “(f)”, respectively, and substitute “(e)”, “(f)”, and “(g)”, respectively; strike beginning with “Department” in line 17 down through “Hygiene” in line 18 and substitute “Governor’s Office for Children”; in line 24, after “(1)” insert “compile existing information on and”; in the same line, strike “and study”; in line 25, strike “between 13 and 25 years of age”; in the same line, strike “evaluate” and substitute “identify”; after line 26, insert:

“(2) identify gaps in public and private sector programs and resources currently available to meet the needs of unaccompanied homeless youth;”;

in lines 27 and 30, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively; in line 27, strike “evaluate” and substitute “compile”; and in line 28, after “including” insert “the causes of homelessness in this population and”.

AMENDMENT NO. 4

On page 4, in line 5, strike “(4)” and substitute “(5)”; in line 7, strike “(g)” and substitute “(h)”; and in the same line, strike “December” and substitute “November”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 841 – The President (By Request – Administration) and Senators Benson, Conway, Currie, Garagiola, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Middleton, Montgomery, Muse, Pinsky, Pugh, Ramirez, and Stone

AN ACT concerning

Higher Education Fair Share Act
Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #17

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

Senate Bill 86 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources) and Senators Frosh, Brochin, Forehand, Gladden, Jacobs, Muse, Raskin, Stone, and Zirkin

AN ACT concerning

Voluntary Placement for Former Children in Need of Assistance

Favorable report adopted.

Delegate O'Donnell moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

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

Senate Bill 109 – Senators Kelley, DeGrange, Forehand, Getty, Jacobs, Jones–Rodwell, Kasemeyer, Manno, Mathias, Middleton, Montgomery, Muse, Pinsky, Raskin, Reilly, Robey, Rosapepe, Shank, Stone, and Young

AN ACT concerning

Criminal Law – Controlled Dangerous Substances – Research – Synthetic Cannabinoids – Cannabimimetic Agents – Prohibition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 198 – Senator Frosh

AN ACT concerning

Estates and Trusts – Family Allowance
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 239 – The President (By Request – Maryland Judiciary) and Senators Garagiola and Pipkin**

AN ACT concerning

Judgeships – Court of Special Appeals, Circuit Courts, and District 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 258 – Senator Shank**

AN ACT concerning

Correctional Services – Inmate Earnings – Compensation for Victims of Crime

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 332 – Senator Gladden**

AN ACT concerning

Estates and Trusts – Special and Supplemental Needs Trusts – Regulations by State Agencies

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 489 – Senators Shank and Getty

AN ACT concerning

Estates and Trusts – Slayer’s Statute
(Ann Sue Metz Law)

SB0489/692516/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 489
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 14, after the semicolon insert “providing that a person may allege in a civil proceeding that another person is disqualified for certain purposes; providing a certain period of limitations for filing a certain civil action; providing that a certain civil proceeding shall be stayed under certain circumstances;”; in line 16, after “is” insert “admissible in a civil proceeding and”; in line 17, after the first semicolon insert “authorizing certain persons to seek a certain determination and other relief;”; in the same line, strike “court” and substitute “trier of fact”; in the same line, after the second semicolon insert “clarifying that this Act does not affect a right to a jury trial that otherwise exists; making certain conforming changes relating to certain statutory provisions concerning the common law Slayer’s Rule;”; and in line 19, strike “the killing of” and substitute “killing, conspiring to kill, or procuring the killing of”.

AMENDMENT NO. 2
On page 1, after line 19, insert:

“BY repealing and reenacting, with amendments,
   Article – Courts and Judicial Proceedings
   Section 10–919
   Annotated Code of Maryland
   (2006 Replacement Volume and 2012 Supplement)

   BY repealing and reenacting, without amendments,
   Article – Estates and Trusts
   Section 2–105(b)
   Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 3
On page 2, after line 2, insert:

“Article – Courts and Judicial Proceedings

10–919.

(a) After all right to appeal has been exhausted, a judgment of conviction establishing criminal accountability for the felonious and intentional killing of a decedent:

(1) Is admissible in a [subsequent] civil proceeding in which the Common Law Slayer’s Rule is raised as an issue; and

(2) Conclusively establishes that the convicted individual feloniously and intentionally killed the decedent.

(b) This section may not be construed to prohibit a [court] TRIER OF FACT, in the absence of a criminal conviction, from determining by a preponderance of the evidence in a civil proceeding that a killing was felonious and intentional.”.

AMENDMENT NO. 4
On page 2, after line 3, insert:

“2–105.

(b) At the request of an interested person made within the time determined by the court, the issue of fact may be determined by a court of law. When the request is made before the court has determined the issue of fact, the court shall transmit the issue to a court of law.”.

AMENDMENT NO. 5
On page 3, after line 11, insert:

“(E) (1) (I) IN A CIVIL PROCEEDING A PERSON MAY ALLEGED THAT ANOTHER PERSON IS A DISQUALIFIED PERSON.
(II) A PERSON MAY NOT FILE A CIVIL ACTION ALLEGING THAT ANOTHER PERSON IS A DISQUALIFIED PERSON AFTER THE LATER OF:

1. 3 YEARS FROM THE DATE OF THE DECEDENT’S DEATH; OR

2. IF THE ALLEGED DISQUALIFIED PERSON IS CRIMINALLY CHARGED WITHIN 3 YEARS FROM THE DATE OF THE DECEDENT’S DEATH WITH FELONIOUSLY AND INTENTIONALLY KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF THE DECEDENT, 1 YEAR FROM THE DATE THAT THE CRIMINAL CHARGE IS FILED.

(2) ON REQUEST OF A PARTY IN A CIVIL PROCEEDING IN WHICH A PERSON IS ALLEGED TO BE A DISQUALIFIED PERSON, THE CIVIL PROCEEDING SHALL BE STAYED PENDING A FINAL JUDGMENT IN A CASE IN WHICH THE ALLEGED DISQUALIFIED PERSON IS CRIMINALLY CHARGED WITH FELONIOUSLY AND INTENTIONALLY KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF THE DECEDENT.

(3) (I) FOR PURPOSES OF THIS SECTION, ONLY A PERSON WHO WOULD BE ENTITLED TO OBTAIN PROPERTY IF ANOTHER PERSON IS FOUND TO BE A DISQUALIFIED PERSON, OR THE PERSON’S REPRESENTATIVE, MAY PROVIDE NOTICE TO A THIRD PARTY THAT ANOTHER PERSON IS A DISQUALIFIED PERSON.

(II) FOR PURPOSES OF THIS SECTION, A PERSON DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH OR THE PERSON’S REPRESENTATIVE MAY NOT PROVIDE NOTICE TO A THIRD PARTY THAT A PERSON IS A DISQUALIFIED PERSON LATER THAN THE TIME FOR FILING A CIVIL ACTION DESCRIBED IN THIS SUBSECTION.”.

AMENDMENT NO. 6

On page 3, in lines 12, 18, and 32, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(F)(1)”, “(G)”, and “(H)”, respectively.

On page 4, in line 1, strike “(H)” and substitute “(J)”. 
AMENDMENT NO. 7
On page 3, after line 17, insert:

“(2) A THIRD PARTY, INCLUDING AN INSURANCE COMPANY, A BANK, OR ANY OTHER OBLIGOR, WHO FILES AN INTERPLEADER REGARDING AN AMOUNT OWED MAY NOT BE LIABLE TO AN ALLEGED DISQUALIFIED PERSON FOR WRONGFUL DISHONOR OR ANY OTHER CLAIM RELATING TO THE AMOUNT OWED.”.

AMENDMENT NO. 8
On page 3, in line 18, strike “PERSON” and substitute “THIRD PARTY”.

AMENDMENT NO. 9
On page 3, after line 36, insert:

“(1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AN INTERESTED PERSON OR A NAMED BENEFICIARY OF A LIFE INSURANCE POLICY ON THE DECEDENT OR OTHER CONTRACTUAL ARRANGEMENT WITH THE DECEDENT MAY SEEK A DETERMINATION IN THE PROPER COURT, BY DECLARATORY JUDGMENT OR OTHERWISE, THAT THE PERSON OR NAMED BENEFICIARY IS NOT A DISQUALIFIED PERSON AND OTHER RELIEF.”.

AMENDMENT NO. 10
On page 4, in line 2, after “KILLING” insert “, CONSPIRING TO KILL, OR PROCURING THE KILLING OF A DECEDENT IS ADMISSIBLE IN A CIVIL PROCEEDING IN WHICH A PERSON IS ALLEGED TO BE A DISQUALIFIED PERSON AND”.

AMENDMENT NO. 11
On page 4, in line 3, after “A” insert “FINAL”; strike beginning with the second “OF” in line 3 down through “KILLING” in line 4 and substitute “DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION”; in line 4, strike “COURT” and substitute “TRIER OF FACT IN A CIVIL PROCEEDING”; in line 5, strike “THE KILLING WAS FELONIOUS AND INTENTIONAL” and substitute “A PERSON FELONIOUSLY AND INTENTIONALLY KILLED, CONSPIRED TO KILL, OR PROCURED THE KILLING OF THE DECEDENT”;

and after line 6, insert:
“(3) **NOTHING IN THIS SECTION AFFECTS A RIGHT TO A JURY TRIAL WHICH OTHERWISE EXISTS.**”.

The preceding 11 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 505 – Senator Zirkin**

AN ACT concerning

**Criminal Procedure – Bail Bonds – Cash Bail**

SB0505/582810/1

BY: House Judiciary Committee

**AMENDMENT TO SENATE BILL 505**

(Third Reading File Bill)

On page 1, in line 4, after “defendant” insert “, by an individual.”.

On page 2, in line 10, after “DEFENDANT” insert “, BY AN INDIVIDUAL.”.

On page 3, in line 15, after “DEFENDANT” insert “, BY AN INDIVIDUAL.”.

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 536 – Senators Shank and Zirkin**

AN ACT concerning

**Department of Juvenile Services – Graduated Responses – Report**
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 624** – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)

AN ACT concerning

**Identity Fraud – Medical Health Information and Health Care Records**

SB0624/522819/1

BY: House Judiciary Committee

**AMENDMENT TO SENATE BILL 624**

(Third Reading File Bill)

On page 4, in line 13, strike “MEDICAL” and substitute “HEALTH”; and line 14, strike “SERVICES” and substitute “HEALTH CARE”.

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 86** – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources) and Senators Frosh, Brochin, Forehand, Gladden, Jacobs, Muse, Raskin, Stone, and Zirkin

AN ACT concerning

**Voluntary Placement for Former Children in Need of Assistance**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.
Delegate O'Donnell 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 #25

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

Senate Bill 128 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees

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 129 – Senators Glassman and Jacobs

EMERGENCY BILL

AN ACT concerning

Harford County – Alcoholic Beverages – Class H–CC (Corporate Club/Conference Center) License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 131 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County Liquor Control Board – Reserve Account

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

AN ACT concerning

Landscape Architects – License Renewal – Continuing Professional Competency Requirement

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 321** – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – License Fees

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 349** – Senators Colburn and Mathias

AN ACT concerning

Wicomico County Liquor Act of 2013

SB0349/553499/1

BY: Economic Matters Committee

**AMENDMENTS TO SENATE BILL 349**
(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 17, after “beverages” insert “without meals; authorizing the holder to sell alcoholic beverages”.

AMENDMENT NO. 2
On page 5, strike beginning with the comma in line 8 down through “FOOD,” in line 9.

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 371 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Sunday 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:

Senate Bill 629 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Allegany County – Video Lottery Facility Sales and Consumption

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 634 – Senators Peters, Currie, DeGrange, Glassman, Kittleman, Klausmeier, and Robey

AN ACT concerning
Commercial Law – Self-Service Storage Facilities

SB0634/863396/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 634
(Third Reading File Bill)

On page 4, in line 6, after “(2)” insert “(I)”); and after line 11, insert:

“(II) IF THE OPERATOR NOTIFIES THE OCCUPANT OF THE DEFAULT BY ELECTRONIC MAIL AT THE OCCUPANT’S LAST KNOWN ADDRESS AND DOES NOT RECEIVE A RESPONSE OR A CONFIRMATION OF DELIVERY SENT FROM THE OCCUPANT’S ELECTRONIC MAIL ADDRESS, THE OPERATOR SHALL SEND A SECOND NOTICE OF DEFAULT TO THE OCCUPANT BY VERIFIED MAIL TO THE OCCUPANT’S LAST KNOWN POSTAL ADDRESS.”.

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 697 – Senator Raskin

AN ACT concerning

Corporations and Associations – 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 758 – Senators Ramirez and Kelley

AN ACT concerning

Labor and Employment – Lien for Unpaid Wages – Establishment
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 767 – Senator Edwards**

AN ACT concerning

Garrett County – Alcoholic Beverages – Licenses, Permits, and Other Authorizations

SB0767/903393/1
BY: Economic Matters Committee

**AMENDMENT TO SENATE BILL 767**
(Third Reading File Bill)

On page 11, in line 28, strike “A STATE” and substitute “THE STATE”.

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 888 – Senator Garagiola Senators Garagiola, Klausmeier, and Muse**

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs and the Process for Assisting Individuals with Disabilities at Local Departments of Social Services

SB0888/493690/1
BY: Economic Matters Committee

**AMENDMENTS TO SENATE BILL 888**
AMENDMENT NO. 1

On page 2, in lines 2 and 4, in each instance, strike “three” and substitute “two”; in line 16, strike “the American Cancer Society” and substitute “All Shades of Pink”; after line 18, insert:

“(v) one representative of the Leukemia and Lymphoma Society;”;

in lines 19, 20, 22, 23, and 24, strike “(v), “(vi)” “(vii)” “(viii)”, and “(ix)”, respectively, and substitute “(vi)”, “(vii)”, “(viii)”, “(ix)”, and “(x)”, respectively; in line 19, strike “three” and substitute “two”; in line 23, strike “and”; and in line 24, after “services” insert “: and

(xi) at least two representatives of cancer treatment centers in the State who perform patient navigation services”.

AMENDMENT NO. 2

On page 3, in line 28, after “injury” insert “, including individuals undergoing treatment for cancer;”.

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 955 – Senator Brinkley

AN ACT concerning

Alcoholic Beverages – Refillable Containers – Class 5 Manufacturer’s License

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 39 – Senator Colburn**

AN ACT concerning

**Motor Vehicle Registration – Special Vintage Reproduction Registration Plate**

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 60 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Housing and Community Development)**

AN ACT concerning

**Community Development Administration – Residential Mortgage Loans – Financial Assistance for Families of Limited Income**

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

AN ACT concerning

**Environment – Public Hearings – Notice 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 62 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Community Legacy Program – Application Requirements – Approval by Authorized Designee

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

AN ACT concerning

Controlled Hazardous Substance Vehicles – Display of Certificates

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 73 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Piling, Poles, Mill Logs, and Similar Cargo – Length, Overhang, and Fastening Standards

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 75 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)

AN ACT concerning

Motor Vehicle Administration – Investigative Division – Issuance of Citations

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 212 – Senators Edwards, Astle, and Shank

AN ACT concerning

Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities

SB0212/920710/1
BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 212
(Third Reading File Bill)

On page 2, in line 13, strike “PARAGRAPH (2) OF THIS SUBSECTION” and substitute “SUBSECTION (B) OF THIS SECTION”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 302 – Senators Glassman and Simonaire

AN ACT concerning

Environment – Water Pollution Control – Reporting and Penalties
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 339 – Senators Robey, Kasemeyer, King, Madaleno, Montgomery, Peters, and Young**

AN ACT concerning

**Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties**

**SB0339/200913/1**

BY: Environmental Matters Committee

**AMENDMENTS TO SENATE BILL 339**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 11, before “altering” insert “repealing certain provisions of law that apply certain prohibitions involving the use of a wireless communication device to certain operators of certain motor vehicles only if the motor vehicle is in motion; providing that certain prohibitions against the use of a wireless communication device while operating a motor vehicle apply only if the vehicle is in the travel portion of the roadway;”.

On page 2, in line 20, after “vehicle” insert “IN THE TRAVEL PORTION OF THE ROADWAY”.

On page 4, in lines 4 and 9, in each instance, strike “motion” and substitute “THE TRAVEL PORTION OF THE ROADWAY”.

**AMENDMENT NO. 2**

On page 1, in line 13, before “prohibiting” insert “repealing a certain provision of law”; and in lines 14 and 15, strike “second or subsequent” and substitute “first”.

On page 4, strike in their entirety lines 13 through 27, inclusive, and substitute:
“(e) A police officer may enforce this section only as a secondary action when the police officer detains a driver for a suspected violation of another provision of the Code.

(f) (1) A person convicted of a violation of this section is subject to the following penalties:

   (i) For a first offense, a fine of not more than $40; and

   (ii) For a second or subsequent offense, a fine of $100.

(2) For a first offense under this section, points may not be assessed against the individual under § 16–402 of this article unless the offense contributes to an accident.

(g) The court may waive a penalty under subsection (f) THE PENALTY FOR A VIOLATION of this section for a person who:”.

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 464 – Senator Klausmeier**

EMERGENCY BILL

AN ACT concerning Natural Resources – Aquaculture – Shellfish Nursery Permits

Favorable report adopted.

Delegate O’Donnell moved to make the Bill a Special Order for Thursday.

The motion was adopted.
Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

Senate Bill 486 – Senators Brinkley, DeGrange, Robey, and Young

AN ACT concerning

Short-Term Rental of Motorcycles – Sales and Use Tax and Motor Vehicle 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 with amendments:

Senate Bill 547 – Senators Middleton and Frosh

AN ACT concerning

Natural Resources – Nuisance Organisms – Penalties

SB0547/260812/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 547
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “authorizing” in line 6 down through “circumstances;” in line 8.

AMENDMENT NO. 2
On page 2, strike in their entirety lines 14 through 23, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.
Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 600 – Senator Garagiola**

AN ACT concerning

Vehicle Laws – Electric Vehicles

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 621 – Senators Raskin, Astle, Forehand, Frosh, Gladden, Jennings, King, Shank, and Stone**

AN ACT concerning

Vehicles Laws – Emergency Vehicles – Motorcades and Escorts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON WAYS AND MEANS REPORT #18**

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

**House Bill 1004 – Delegates Cardin, Stocksdale, Aumann, Boteler, Dwyer, Eckardt, Frank, Glass, Impallaria, McConkey, McDonough, Murphy, Sophocleus, and Waldstreicher**

AN ACT concerning

Income Tax – Subtraction Modification – Maryland Civil Air Patrol

HB1004/205669/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1004
(First Reading File Bill)
On page 1, in the sponsor line, strike “and Waldstreicher” and substitute “Waldstreicher, Afzali, and Walker”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1325 – Delegate Wood

AN ACT concerning

Transportation – Capital Projects – Life Cycle Cost Analysis

HB1325/665969/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1325
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “capital” and substitute “pavement”; in line 6, strike “submit a report of” and substitute “utilize”; strike beginning with “to” in line 7 down through “Works” in line 8; and in line 9, strike “capital” and substitute “pavement”.

AMENDMENT NO. 2

On page 5, in line 10, strike “CAPITAL” and substitute “PAVEMENT CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR RESURFACING”; in line 11, strike “$5,000,000” and substitute “$1,000,000”; strike beginning with “SUBMIT” in line 25 down through “ON” in line 26 and substitute “UTILIZE”; strike beginning with “TO” in line 26 down through “BOARD” in line 27; and strike beginning with “REQUIRING” in line 28 down through “BOARD” in line 29.

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 279 – The President (By Request – Administration) and Senators
Raskin, Benson, Conway, Ferguson, Forehand, Frosh, Garagiola, King, Klausmeier, Madaleno, Pinsky, Pugh, Rosapepe, Young, and Zirkin
Zirkin, Montgomery, Gladden, Kasemeyer, Jones–Rodwell, Manno,
Mcfadden, Muse, and Peters

AN ACT concerning

Election Law – Improving Access to Voting

SB0279/965060/1
BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 279
(Third Reading File Bill)

AMENDMENT NO. 1
On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 12 on page 2, inclusive, and substitute:

“FOR the purpose of requiring an individual who applies to register to vote or update an existing voter registration online to provide certain information; providing an exception to the voter registration deadline to allow an individual to register to vote or update an existing voter registration address and vote during early voting; requiring proof of residency to register or update an existing voter registration address during early voting; providing the types of acceptable proof; requiring the State Board of Elections to adopt regulations and establish procedures for the administration of voter registration during early voting; providing for certain methods of requesting an absentee ballot, including through the use of an accessible online application; requiring an individual who requests an absentee ballot online to provide certain information; requiring a local board of elections to provide a voter with an absentee ballot in the manner requested by the voter; authorizing the State Board to provide an accessible optional online ballot marking tool; specifying certain certification requirements for the ballot marking tool; requiring a local board to follow certain procedures during the canvass of votes cast using an online ballot marking tool; authorizing
an absentee ballot to be sent by the Internet or facsimile transmission and requiring certain information to be provided with the ballot; altering the number of early voting centers for a county with a certain number of registered voters; altering the dates and times for early voting during certain elections; increasing the amount of a certain fine that may be imposed for certain violations of election law; requiring the State Board to conduct a certain analysis of extending the early voting period and submit the analysis to certain committees of the General Assembly on or before a certain date; requiring the State Board to review and conduct an analysis of wait times at polling places and submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the State Board to conduct a certain usability and accessibility evaluation of an online ballot marking tool and submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the State Board to engage an independent consultant to study and make recommendations on improving the security of certain technology used in the conduct of elections; requiring the independent consultant to submit a certain report to certain committees of the General Assembly on or before a certain date; defining a certain term; providing for a delayed effective date for certain provisions of this Act; and generally relating to election law and improving access to voting.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–204.1, 3–302, 9–305, 9–306, 9–310, 10–301.1, and 16–201

Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 3–305 and 9–308.1

Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 11, strike in their entirety the lines beginning with line 15 on page 2 through line 20 on page 11, inclusive, and substitute:

“Article – Election Law
3–204.1.

(a) The State Board may operate an online voter registration system that allows an individual to electronically:

(1) apply to become a registered voter; or

(2) change the individual’s name, address, or party affiliation in the individual’s existing voter registration record.

(b) To apply to register to vote through the online voter registration system, an individual shall:

(1) complete the electronic voter registration application;

(2) affirmatively attest, subject to the penalties of perjury, that the information contained in the voter registration application is true and that the applicant meets all of the qualifications to become a registered voter;

(3) provide one of the following:

(i) a Maryland driver’s license number or Maryland identification card number, THE LAST FOUR DIGITS OF THE INDIVIDUAL’S SOCIAL SECURITY NUMBER, AND OTHER INFORMATION IDENTIFIED BY THE STATE BOARD THAT IS NOT GENERALLY AVAILABLE TO THE PUBLIC BUT IS READILY AVAILABLE TO THE INDIVIDUAL; or

(ii) if the individual is an absent uniformed services voter or overseas voter as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act and does not have a Maryland driver’s license or Maryland identification card, a Social Security number; and

(4) affirmatively consent to the use of one of the following as the individual’s signature for the application being submitted:

(i) the electronic copy of the individual’s signature that is on file with the Motor Vehicle Administration; or

(ii) the individual's Social Security number.
(c) To change an individual’s name, address, or party affiliation in the individual’s existing voter registration record, an individual shall:

(1) complete the electronic voter registration application;

(2) affirmatively attest, subject to the penalties of perjury, that the information contained in the voter registration application is true and that the applicant meets all of the qualifications to be a registered voter;

(3) provide one of the following:

(i) a Maryland driver’s license number or Maryland identification card number, the last four digits of the individual’s Social Security number, and other information identified by the State Board that is not generally available to the public but is readily available to the individual; or

(ii) a Maryland voter identification number on the individual’s voter notification card; or

(iii) if the individual is an absent uniformed services voter or overseas voter as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act and does not have a Maryland driver’s license or Maryland identification card, a Social Security number; and

(4) affirmatively consent to the use of one of the following as the individual’s signature for the application being submitted:

(i) the electronic copy of the individual’s signature that is on file with the Motor Vehicle Administration; or

(ii) the electronic copy of the individual’s signature that is on file in the statewide voter registration list; or

(iii) the individual’s Social Security number.
(d) The Motor Vehicle Administration shall transmit an electronic copy of an individual’s driver’s license or identification card signature to the State Board within 5 days of being notified by the State Board that the individual submitted a voter registration application through the online voter registration system.

(e) The State Board may:

(1) take any additional measures it deems necessary to ensure the integrity and accuracy of voter registration applications submitted through the online voter registration system; and

(2) adopt any regulations necessary to administer the online voter registration system.

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

Article – Election Law

3–302.

(a) [Registration] EXCEPT AS PROVIDED UNDER § 3–305 OF THIS SUBTITLE, REGISTRATION is closed beginning at 9 p.m. on the 21st day preceding an election until the 11th day after that election.

(b) A voter registration application received when registration is closed shall be accepted and retained by a local board, but the registration of the applicant does not become effective until registration reopens.

(c) A voter registration application that is received by the local board after the close of registration shall be considered timely received for the next election provided:

(1) there is sufficient evidence, as determined by the local board pursuant to regulations adopted by the State Board, that the application was mailed on or before registration was closed for that election; or
(2) the application was submitted by the voter to the Motor Vehicle Administration, a voter registration agency, another local board, or the State Board prior to the close of registration.

3–305.

(A) DURING EARLY VOTING, AN INDIVIDUAL MAY APPEAR IN PERSON AT AN EARLY VOTING CENTER IN THE INDIVIDUAL’S COUNTY OF RESIDENCE AND APPLY TO REGISTER TO VOTE OR CHANGE THE VOTER’S ADDRESS ON AN EXISTING VOTER REGISTRATION.

(B) (1) WHEN APPLYING TO REGISTER TO VOTE OR CHANGE AN ADDRESS ON AN EXISTING REGISTRATION DURING EARLY VOTING, THE APPLICANT SHALL PROVIDE PROOF OF RESIDENCY.

(2) THE APPLICANT SHALL PROVE RESIDENCY BY SHOWING THE ELECTION JUDGE:

(i) A MARYLAND DRIVER’S LICENSE OR MARYLAND IDENTIFICATION CARD THAT CONTAINS THE APPLICANT’S CURRENT ADDRESS; OR

(ii) IF THE APPLICANT DOES NOT HAVE A DRIVER’S LICENSE OR IDENTIFICATION CARD THAT CONTAINS THE APPLICANT’S CURRENT ADDRESS, A COPY OF AN OFFICIAL DOCUMENT THAT:

1. MEETS THE REQUIREMENTS ESTABLISHED BY THE STATE BOARD; AND

2. CONTAINS THE APPLICANT’S NAME AND CURRENT ADDRESS.

(C) (1) WHEN AN INDIVIDUAL APPLIES TO REGISTER TO VOTE AT AN EARLY VOTING CENTER, THE ELECTION JUDGE SHALL DETERMINE WHETHER THE APPLICANT RESIDES IN THE COUNTY IN WHICH THE APPLICANT APPLIED AND IS QUALIFIED TO BECOME A REGISTERED VOTER.
(2) If the voter is a resident of the county and is qualified to register to vote, the election judge shall:

(I) issue the voter a voting authority card;

(II) have the voter sign the voter authority card; and

(III) issue the voter a ballot.

(D) (1) When a voter applies to change the voter’s address during early voting, the election judge shall determine whether the voter resides in the county in which the voter seeks to vote.

(2) If the voter is a resident of the county, the election judge shall:

(I) issue the voter a voting authority card;

(II) have the voter sign the voter authority card; and

(III) issue the voter the appropriate ballot for the voter’s new address.

(E) The State Board shall adopt regulations and procedures in accordance with the requirements of this section for the administration of voter registration during early voting.

SECTION 3. And be it further enacted, That the Laws of Maryland read as follows:

Article – Election Law

9–305.
(a) An application for an absentee ballot, signed by the voter, may be made by completing and submitting:

(1) on a form produced by the local board and supplied to the voter, the State Board approved absentee ballot application;

(2) on a form provided under federal law; or

(3) in a written request that includes:

   (i) the voter’s name, residence address, and signature; and

   (ii) the address to which the ballot is to be mailed, if different from the residence address; OR

(4) as specified in subsection (c) of this section, the accessible online absentee ballot application provided by the State Board.

(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:

(1) if the voter requests the absentee ballot be sent by mail or facsimile transmission, not later than the Tuesday preceding the election, at the time specified in the guidelines;

(2) if the voter requests the absentee ballot be sent by the internet, not later than the Friday preceding the election, at the time specified in the guidelines; or

(3) if the voter or the voter’s duly authorized agent applies for an absentee ballot in person at the local board office, not later than the closing of the polls on election day.
(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.

(C) THE ONLINE ABSENTEE BALLOT APPLICATION PROVIDED BY THE
STATE BOARD SHALL REQUIRE THE APPLICANT TO PROVIDE:

(1) A MARYLAND DRIVER’S LICENSE NUMBER OR MARYLAND
IDENTIFICATION CARD NUMBER, THE LAST FOUR DIGITS OF THE APPLICANT’S
SOCIAL SECURITY NUMBER, AND OTHER INFORMATION IDENTIFIED BY THE
STATE BOARD THAT IS NOT GENERALLY AVAILABLE TO THE PUBLIC BUT IS
READILY AVAILABLE TO THE APPLICANT; OR

(2) IF THE APPLICANT IS AN ABSENT UNIFORMED SERVICES
VOTER OR OVERSEAS VOTER AS DEFINED IN THE FEDERAL UNIFORMED AND
OVERSEAS CITIZENS ABSENTEE VOTING ACT AND DOES NOT HAVE A
MARYLAND DRIVER’S LICENSE OR MARYLAND IDENTIFICATION CARD, A SOCIAL
SECURITY NUMBER.

9–306.

(a) Promptly after receipt of an application, the election director shall review
the application and determine whether the applicant qualifies to vote by absentee
ballot.

(b) If the applicant qualifies to vote by absentee ballot, the local board shall
[send] PROVIDE the ballot BY ONE OF THE FOLLOWING METHODS REQUESTED BY
THE VOTER:
(1) MAIL;

(2) FACSIMILE TRANSMISSION;

(3) THE INTERNET; OR

(4) BY HAND DURING AN IN–PERSON TRANSACTION.

(C) ONCE BALLOTS ARE AVAILABLE, THE LOCAL BOARD SHALL PROVIDE THE BALLOT TO A QUALIFIED APPLICANT:

(1) as soon as practicable after receipt of the request; or

(2) [if the ballots have not been received from the printer, as soon as practicable after the local board receives delivery of the ballots] IMMEDIATELY FOR AN IN–PERSON TRANSACTION WITH A VOTER OR THE VOTER’S DULY AUTHORIZED AGENT.

[(c)] (D) (1) If the members of the local board determine that the applicant is not entitled to vote by absentee ballot, the local board shall notify the applicant as soon as practicable after receipt of the application of the reasons for the rejection.

(2) (i) The local board may delegate the determination under paragraph (1) of this subsection to the staff of the local board.

(ii) If the determination has been delegated, the applicant may appeal the rejection to the members of the local board, who shall decide the appeal as expeditiously as practicable.

[(d)] (E) Not more than one absentee ballot may be issued to a voter unless the election director of the local board has reasonable grounds to believe that an absentee ballot previously issued to the voter has been lost, destroyed, or spoiled.

9–308.1.

(A) IN THIS SECTION:
(1) \textit{“ONLINE BALLOT MARKING TOOL”} includes a system that allows a voter to:

(I) access a blank ballot through the \textsc{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; and

(2) \textit{“ONLINE BALLOT MARKING TOOL”} does not include a system that is capable of storing, tabulating, or transmitting votes or voted ballots by electronic or electromagnetic means through the \textsc{internet}.

(B) The \textsc{state board} may provide an accessible optional online ballot marking tool for use by a voter who requested to have the absentee ballot sent by the \textsc{internet}.

(C) (1) Except as provided in paragraph (2) of this subsection, the \textsc{state board} shall certify that an online ballot marking tool satisfies all of the certification requirements under \S\ 9–102(d) of this title before approving an online ballot marking tool for use by voters.

(2) An online ballot marking tool is not required to satisfy the requirements of:

(I) \S\ 9–102(d)(2) of this title if the U.S. \textsc{election assistance commission} has not approved specific performance and test standards for online ballot marking tools; or

(II) \S\ 9–102(d)(1)(III) of this title.
(D) (1) This subsection applies if an online ballot marking tool utilizes a bar code 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 bar code 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 bar code, the vote on the ballot marked by the voter shall be considered valid and shall be counted.

9–310.

(a) (1) This subsection applies only to an absentee ballot that is sent by mail.

(2) An absentee ballot shall be enclosed in specially printed envelopes, the form and content of which shall be prescribed by the State Board.

[(b) (1)] (3) (1) A local board may use either two envelopes or three envelopes.

[(2)] (II) If two envelopes are used, the inner envelope shall be designated the “ballot/return envelope”, and, when issued, it shall fit inside the envelope designated the “outgoing envelope”.

[(3)] (III) If three envelopes are used, the innermost envelope shall be designated the “ballot envelope”, which shall fit inside the envelope designated the “return envelope”, both of which, when issued, shall fit inside the envelope designated the “outgoing envelope”.

[(c)] (4) When voted and returned to the local board, an absentee ballot shall be enclosed in a ballot envelope or ballot/return envelope, on which has been printed an oath prescribed by the State Board.
(B) **IF AN ABSENTEE BALLOT IS SENT BY THE INTERNET OR FACSIMILE TRANSMISSION, THE LOCAL BOARD SHALL PROVIDE THE VOTER WITH AN ENVELOPE TEMPLATE, THE OATH PRESCRIBED BY THE STATE BOARD, AND INSTRUCTIONS FOR MARKING AND RETURNING THE ABSENTEE BALLOT.**

10–301.1.

(a) Except as provided under Title 9, Subtitle 3 of this article, during any regularly scheduled primary or general election a voter may vote:

(1) in the voter’s assigned precinct on election day; or

(2) at an early voting center in the voter's county of residence on any early voting day in accordance with this section.

(b) (1) Each county shall have at least one early voting center established in the county as prescribed in this subsection.

(2) A county with fewer than [150,000] **125,000** registered voters shall have one early voting center established in the county.

(3) A county with more than [150,000] **125,000 REGISTERED VOTERS** but fewer than 300,000 registered voters shall have three early voting centers established in the county.

(4) A county with more than 300,000 registered voters **BUT FEWER THAN 450,000 REGISTERED VOTERS** shall have five early voting centers established in the county.

(5) **A COUNTY WITH MORE THAN 450,000 REGISTERED VOTERS SHALL HAVE EIGHT EARLY VOTING CENTERS.**

(6) **IN ADDITION TO THE EARLY VOTING CENTERS REQUIRED IN THIS SUBSECTION, EACH COUNTY MAY ESTABLISH ONE ADDITIONAL EARLY VOTING CENTER IF THE STATE BOARD, IN COLLABORATION WITH THE LOCAL BOARD, AND THE GOVERNING BODY OF THE COUNTY AGREE TO ESTABLISH AN ADDITIONAL EARLY VOTING CENTER.**
(c) No later than 6 months before a primary election, the State Board, in collaboration with the local board in each county, shall designate each early voting center in that county.

(d) Each early voting center shall be open for voting as follows:

1. for the 2010 gubernatorial primary and general elections:
   (i) beginning the second Friday before a primary or general election through the Thursday before the elections, but excluding Sunday; and
   (ii) during the hours between 10 a.m. and 8 p.m.; and

2. for the 2012 presidential primary and general elections:
   (i) beginning the second Saturday before a primary or general election through the Thursday before the elections; and
   (ii) 1. during the hours between 10 a.m. and 8 p.m. on the Saturday and the Monday through the Thursday during the early voting period; and
   2. during the hours between 12 noon and 6 p.m. on the Sunday during the early voting period.

(1) BEGINNING THE SECOND THURSDAY BEFORE A PRIMARY OR GENERAL ELECTION THROUGH THE THURSDAY BEFORE THE ELECTION; AND

(2) DURING THE FOLLOWING HOURS:

1. IN A PRESIDENTIAL GENERAL ELECTION, DURING THE HOURS BETWEEN 8 A.M. AND 8 P.M. EACH EARLY VOTING DAY; AND

2. IN ALL OTHER ELECTIONS, DURING THE HOURS BETWEEN 10 A.M. AND 8 P.M. EACH EARLY VOTING DAY.

(e) Each early voting center shall satisfy the requirements of § 10–101 of this title.
Beginning 30 days prior to each early voting period the State Board and each local board shall undertake steps to inform the public about early voting and the location of early voting centers in each county, including:

1. a series of public service media announcements;
2. mailings to all registered voters in each county; and
3. other measures as appropriate.

Except as expressly provided in this section, any provision of this article that applies to voting on election day also applies to early voting.

The State Board shall adopt regulations and guidelines in accordance with the requirements of this section for the conduct of early voting.

A person may not willfully and knowingly:

1. impersonate another person in order to vote or attempt to vote; or
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 abridgment 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] $5,000 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.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The State Board of Elections shall conduct a detailed analysis of options and administrative requirements for extending the early voting period to the Sunday before election day.

(b) As part of its analysis under subsection (a) of this section, the State Board shall evaluate at least the following options:

(1) supplying paper supplemental lists with the names of voters who voted at an early voting center to polling places on election day; and

(2) updating the electronic poll books used on election day with the names of voters who voted at an early voting center.

(c) The analysis shall address the following:

(1) technical changes required to support early voting through the Sunday before election day;

(2) the impact of extending early voting to the Sunday before election day on other election procedures;
(3) an estimate of the fiscal impact of extending early voting to the Sunday before election day; and

(4) the potential effect on voter turnout of extending the early voting period to the Sunday before election day.

(d) The State Board shall consult with elections officials in at least 5 other states that offer early voting through the Sunday before election day and complete a written analysis of the policies and practices of those states and how they might be applied in Maryland.

(e) The State Board shall submit a report of its findings and recommendations, including the information required under subsection (d) of this section, on or before December 31, 2013, to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means in accordance with § 2–1246 of the State Government Article.

SECTION 5. AND BE IT FURTHER ENACTED, That the State Board of Elections shall:

(a) (1) review the maximum wait times for Maryland voters in the 2010 and 2012 primary and general elections and identify the causes for wait times of more than 30 minutes; and

(2) propose target maximum wait times for voters at early voting centers and polling places at primary and general elections in the State;

(b) review and conduct a detailed analysis concerning the deployment of voting equipment and related infrastructure and the staffing practices and procedures utilized by local boards of election at early voting centers during the early voting period and at polling places on election day to determine what adjustments could be implemented to reduce the maximum wait times at early voting centers during the early voting period and polling places on election day to 30 minutes or, alternatively, to 60 minutes;

(c) if it determines that additional voting equipment and related infrastructure and staff are needed to reduce the maximum wait times at early voting centers during the early voting period and polling places on election day to 30 minutes
or, alternatively, to 60 minutes, provide an estimate of the fiscal costs of implementing each of those standards; and

(d) on or before December 31, 2013, submit a report of its findings and recommendations to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means in accordance with § 2–1246 of the State Government Article.

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The State Board of Elections shall conduct an accessibility and usability evaluation of the online ballot marking tool authorized under this Act to assess its accessibility and usability by voters with disabilities, including:

(1) a public demonstration of the system; and

(2) an evaluation by individuals representing a cross–section of voters with disabilities.

(b) The State Board shall conduct the accessibility and usability evaluation under this section before approving an online ballot marking tool for use by voters with disabilities.

(c) The State Board shall submit a report summarizing the results of the evaluation under this section on or before December 31, 2013, to the Senate Education, Health, and Environmental Affairs Committee and House Committee on Ways and Means in accordance with § 2–1246 of the State Government Article.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) The State Board of Elections shall engage an independent consultant to study and make recommendations on improving the security of:

(1) online delivery and marking of absentee ballots and the return and tabulation of absentee ballots that are delivered and marked electronically;

(2) other online voter services, including online voter registration and online absentee ballot applications; and
(3) any other voting technology specified by the State Board.

(b) The independent consultant shall submit a report of its findings and recommendations on or before December 31, 2013, to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means in accordance with § 2–1246 of the State Government Article.

SECTION 8. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2016.

SECTION 9. AND BE IT FURTHER ENACTED, That except as provided in Section 8 of this Act, this Act shall take effect July 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.

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

**Senate Bill 535 – Senators Shank, Edwards, and Young**

AN ACT concerning

Washington County – Amusement Devices – Tip Jars

**SB0535/975966/1**

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 535
(Third Reading File Bill)

On page 7, in line 19, strike “July” and substitute “October”.

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 542 – Senators Young, Jacobs, Raskin, and Shank

AN ACT concerning

Election Law – Polling Places – Electioneering

SB0542/105068/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 542
(Third Reading File Bill)

On page 3, in lines 1, 4, 17, and 20, in each instance, strike “5” and substitute “7”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 730 – Senators King, Colburn, Garagiola, and Manno

AN ACT concerning

Recordation and Transfer Taxes – Low Income Housing Projects – Controlling Interest

SB0730/655969/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 730
(Third Reading File Bill)
On page 2, in line 23, strike “SUBSECTION (A–1)” and substitute “SUBSECTIONS (A–1) AND (B)”; in the same line, after “SECTION” insert a comma; and in line 24, strike beginning with “AND” through “section,”.

On page 3, in line 10, strike “EXCEPT as provided in”.

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 900 – Senator Jones–Rodwell**

AN ACT concerning

**Baltimore City – Community Development Projects – Payment in Lieu of Taxes Agreements – Economic Development Projects**

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 905 – Senator DeGrange Senators DeGrange and McFadden**

AN ACT concerning

**Video Lottery Facilities – Table Game 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 917 – Senator Edwards**

AN ACT concerning

**Allegany County – Video Lottery Terminals – Distribution 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 and Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 945 – Senator Pinsky**

AN ACT concerning

Higher Education – Maryland Longitudinal Data System – Governing Board and Data Transfers

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 947 – Senator Jennings**

EMERGENCY BILL

AN ACT concerning

Baltimore County – Property Tax Credit – Bowerman–Loreley Beach Community Association, Inc.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 961 – Senator Peters**

AN ACT concerning

Horse Racing – Special Takeout and Bowie Race Course Training Center

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

YEAS AND NAYS
### HOUSE BILLS PASSED IN THE SENATE

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Read and ordered journalized.

### HOUSE BILLS PASSED IN THE SENATE

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HB 950                             Del. Dumais
HB 1070                            Prince George’s Del.
HB 1171                            Cecil County Del.
HB 1211                            Del. Schulz
HB 1240                            Howard County Del.

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 873)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #66

House Bill 525 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Economic Development – Baltimore Convention Facility – Operating Deficits

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

   Affirmative – 103   Negative – 30   (See Roll Call No. 874)

The Bill was then sent to the Senate.

House Bill 986 – Delegate Hammen

AN ACT concerning

State Board of Pharmacy – Sterile Compounding – Permits

Read the third time and passed by yeas and nays as follows:
The Bill was then sent to the Senate.


M. Washington, Hammen, Pendergrass, Kipke, McDonough, Nathan–Pulliam, Elliott, Frank, Ready, and V. Turner

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 – 136     Negative – 0     (See Roll Call No. 876)

The Bill was then sent to the Senate.

House Bill 1353 – Delegates Oaks, Branch, Carter, and Vaughn

Vaughn, Tarrant, V. Turner, Nathan–Pulliam, Pendergrass, Pena–Melnyk, and Morhaim

AN ACT concerning

Minority Business Enterprises – Participation and Goals and Subgoals

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

Affirmative – 134     Negative – 2     (See Roll Call No. 877)

The Bill was then sent to the Senate.

House Bill 1390 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs) and Delegates Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Ready, Tarrant, and V. Turner

AN ACT concerning

Maryland Veterans Trust and Fund – Establishment

Read the third time and passed by yeas and nays as follows:
Affirmative – 138     Negative – 0     (See Roll Call No. 878)

The Bill was then sent to the Senate.

House Bill 1475 – Delegates Cluster, Boteler, Bromwell, DeBoy, Impallaria, Malone, and Olszewski Baltimore County Delegation

SECOND PRINTING

AN ACT concerning

Baltimore County – Correctional Officers’ Bill of Rights

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

Affirmative – 137     Negative – 0     (See Roll Call No. 879)

The Bill was then sent to the Senate.

SPECIAL ORDERS

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

Senate Bill 86 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources) and Senators Frosh, Brochin, Forehand, Gladden, Jacobs, Muse, Raskin, Stone, and Zirkin

AN ACT concerning

Voluntary Placement for Former Children in Need of Assistance

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

FLOOR AMENDMENT

SB0086/823829/1

BY:   Delegate O’Donnell

AMENDMENT TO SENATE BILL 86
(Third Reading File Bill)

On page 1, in line 2, strike “Former Children in Need of Assistance” and substitute “Individuals Who Are Former CINAs”; and in line 4, after “certain” insert “individual who is a”.

The preceding amendment was read and rejected.

Read the second time and ordered prepared for Third Reading.

House Bill 1173 – Delegates Kramer, Arora, Carr, Conaway, Frick, George, Guzzone, Luedtke, Rudolph, Simmons, and Wood

AN ACT concerning

Electric and Gas Companies – On-Bill Financing Small Business Energy Assistance Act

STATUS OF BILL: BILL ON 3RD READING.

Delegate O'Donnell moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #23

Senate Bill 281 – The President (By Request – Administration) and Senators Benson, Conway, Currie, Ferguson, Forehand, Frosh, Kelley, King, Madaleno, Manno, Montgomery, Peters, Pinsky, Ramirez, Raskin, Robey, Rosapepe, Young, and Zirkin Zirkin, and Jones–Rodwell Jones–Rodwell, and McFadden

AN ACT concerning

Firearm Safety Act of 2013

FLOOR AMENDMENT

SB0281/923327/1
BY: Delegate Dumais

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)
AMENDMENT NO. 1
On page 1, in line 3, after “of” insert “establishing a certain exception to the prohibition against carrying a deadly weapon on public school property;”.

On page 4, in line 3, after “Section” insert “4–102.”; and in the same line, after “4–203(b)” insert a comma.

AMENDMENT NO. 2
On page 5, after line 7, insert:

“4–102.

(a) This section does not apply to:

(1) a law enforcement officer in the regular course of the officer’s duty;

(2) AN OFF–DUTY LAW ENFORCEMENT OFFICER WHO IS A PARENT, GUARDIAN, OR VISITOR OF A STUDENT ATTENDING A SCHOOL LOCATED ON THE PUBLIC SCHOOL PROPERTY, PROVIDED THAT:

(I) THE OFFICER IS DISPLAYING THE OFFICER’S BADGE OR CREDENTIAL; AND

(II) THE WEAPON CARRIED OR POSSESSED BY THE OFFICER IS CONCEALED;

[(2)](3) a person hired by a county board of education specifically for the purpose of guarding public school property;

[(3)](4) a person engaged in organized shooting activity for educational purposes; or

[(4)](5) a person who, with a written invitation from the school principal, displays or engages in a historical demonstration using a weapon or a replica of a weapon for educational purposes.

(b) A person may not carry or possess a firearm, knife, or deadly weapon of any kind on public school property.
(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $1,000 or both.

(2) A person who is convicted of carrying or possessing a handgun in violation of this section shall be sentenced under Subtitle 2 of this title.”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0281/123422/1
BY: Delegate Dumais

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 10, in lines 31 and 32, strike “MEMBERS OF THE MARYLAND DEFENSE FORCE,”.

On page 25, in line 15, strike the first comma and substitute “OR”; and in lines 15 and 16, strike “, OR THE MARYLAND DEFENSE FORCE”.

On page 26, in line 5, strike the first comma and substitute “OR”; and in lines 5 and 6, strike “, OR THE MARYLAND DEFENSE FORCE”.

AMENDMENT NO. 2

On page 26, in line 17, strike “(I)”; in the same line, strike “OR”; and strike in their entirety lines 18 through 20, inclusive.

On page 32, in line 1, strike “1.”; in the same line, strike “OR”; and strike in their entirety lines 2 through 4, inclusive.

The preceding 2 amendments were read only.

Delegate O’Donnell moved to make the Bill and Amendments a Special Order for the end of today’s business.
The motion was rejected by a roll call vote as follows:

Affirmative – 52  Negative – 85  (See Roll Call No. 880)

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

SB0281/423625/3
BY: Delegate Dumais

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 12, in line 12, after “FACILITY” insert “OR ENTITY”.

On page 14, in line 22, after “FACILITY” insert “OR ENTITY”.

AMENDMENT NO. 2
On page 13, in lines 5 and 6, strike “OR PLACED A VERIFIABLE PURCHASE ORDER FOR” and substitute “HAS A PURCHASE ORDER FOR, OR COMPLETED AN APPLICATION TO PURCHASE”; and in line 10, strike “CONTINUE TO”.

AMENDMENT NO. 3
On page 21, in lines 1 and 2, strike “AND RECOGNIZED BY A NATIONAL ORGANIZATION” and substitute “BY A NATIONALLY RECOGNIZED FIREARMS ORGANIZATION”.

The preceding 3 amendments were read and adopted.

FLOOR AMENDMENT

SB0281/173823/1
BY: Delegate Oaks

AMENDMENT TO SENATE BILL 281, AS AMENDED

In Delegate Oaks’ Amendment (SB0281/743421/1), in line 13, after “PROCESS” insert “.”
(IV) AN INDIVIDUAL MAY NOT BE CHARGED A FEE FOR THE EXPUNGEMENT OF A FINGERPRINT RECORD IN ACCORDANCE WITH THIS PARAGRAPH”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0281/283523/1
BY: Delegate Dumais

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

On page 18, in line 20, after “JUDGMENT” insert “:

(I);

and in the same line, after “DEGREE” insert “; OR

(II) THAT WAS EXPUNGED UNDER TITLE 10, SUBTITLE 1 OF THE CRIMINAL PROCEDURE ARTICLE”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0281/863423/1
BY: Delegate McComas

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

On page 26, in line 19, after “OF” insert “OR HAS RECEIVED A DD FORM 214 DEMONSTRATING AN HONORABLE DISCHARGE FROM”.

On page 32, in line 3, after “OF” insert “OR HAS RECEIVED A DD FORM 214 DEMONSTRATING AN HONORABLE DISCHARGE FROM”.
On page 58, in line 14, after “MEMBER” insert “OR”; in the same line, strike the first comma; in lines 14 and 15, strike “, OR HONORABLY DISCHARGED MEMBER”; and in line 15, after “OF” insert “, OR HAS RECEIVED A DD FORM 214 DEMONSTRATING AN HONORABLE DISCHARGE FROM.”.

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

Affirmative – 50    Negative – 85    (See Roll Call No. 881)

FLOOR AMENDMENT

SB0281/533728/2
BY: Delegate Impallaria

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 3, in line 25, after “circumstances;” insert “requiring the Administrative Office of the Courts to provide a certain written notice to individuals who received a probation before judgment for certain offenses before a certain date;”.

AMENDMENT NO. 2
On page 60, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Administrative Office of the Courts shall give written notice to each person who, before October 1, 2013, received a probation before judgment in the State for a crime of violence, except for assault in the second degree, or a domestically related crime as defined in § 6–233 of the Criminal Procedure Article informing the person that the person may not possess a regulated firearm.”;

and in line 13, strike “3.” and substitute “4.”.

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

Affirmative – 45    Negative – 82    (See Roll Call No. 882)

FLOOR AMENDMENT
On page 25, in line 16, strike “OR”; and in line 20, after “EXPLOSIVES” insert “; OR

(5) A DEALER OR ANY OTHER PERSON WHO TRANSFERS OR RECEIVES A HANDGUN FOR WHICH A VERIFIABLE PURCHASE ORDER WAS PLACED BEFORE OCTOBER 1, 2013”.

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

   Affirmative – 45   Negative – 87   (See Roll Call No. 883)

FLOOR AMENDMENT

SB0281/143224/1
BY: Delegate Cluster

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 2, in line 30, after “circumstances;” insert “requiring police firing ranges to be made available to certain qualified handgun instructors for certain purposes;”.

AMENDMENT NO. 2
On page 31, after line 25, insert:

“(N) POLICE FIRING RANGES IN THE STATE SHALL BE MADE AVAILABLE TO QUALIFIED HANDGUN INSTRUCTORS PROVIDING FIREARMS SAFETY TRAINING COURSES THAT SATISFY TRAINING COURSES THAT SATISFY THE TRAINING REQUIREMENTS OF THIS SECTION.”;

and in line 26, strike “(N)” and substitute “(O)”. 
On page 59, after line 12, insert:

“(E) Police firing ranges in the State shall be made available to qualified handgun instructors providing firearms safety training courses that satisfy the training requirements of this section.”.

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

Affirmative – 50  Negative – 82  (See Roll Call No. 884)

FLOOR AMENDMENT

SB0281/283721/2
BY: Delegate Wilson

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 6, after “limitations;” insert “altering certain penalties concerning certain prohibitions against wearing, carrying, or transporting a handgun;”.

On page 4, in line 3, strike “4–203(b)” and substitute “4–203”.

AMENDMENT NO. 2

On page 5, after line 29, insert:

“(a) (1) Except as provided in subsection (b) of this section, a person may not:

(i) wear, carry, or transport a handgun, whether concealed or open, on or about the person;

(ii) wear, carry, or knowingly transport a handgun, whether concealed or open, in a vehicle traveling on a road or parking lot generally used by the public, highway, waterway, or airway of the State;
(iii) violate item (i) or (ii) of this paragraph while on public school property in the State; or

(iv) violate item (i) or (ii) of this paragraph with the deliberate purpose of injuring or killing another person.

(2) There is a rebuttable presumption that a person who transports a handgun under paragraph (1)(ii) of this subsection transports the handgun knowingly.”.

On page 7, after line 25, insert:

“(c) (1) A person who violates this section is guilty of a [misdemeanor] FELONY and on conviction is subject to the penalties provided in this subsection.

(2) If the person has not previously been convicted under this section, § 4–204 of this subtitle, or § 4–101 or § 4–102 of this title:

(i) except as provided in item (ii) of this paragraph, the person is subject to imprisonment for not less than [30 days] 1 YEAR and not exceeding [3] 5 years [or] AND a fine of not less than $250 and not exceeding $2,500 [or both; or

(ii) if the person violates subsection (a)(1)(iii) of this section, the person shall be sentenced to imprisonment for not less than 90 days].

(3) (i) If the person has previously been convicted once under this section, § 4–204 of this subtitle, or § 4–101 or § 4–102 of this title:

1. except as provided in item 2 of this subparagraph, the person is subject to imprisonment for not less than 1 year and not exceeding 10 years; or

2. if the person violates subsection (a)(1)(iii) of this section, the person is subject to imprisonment for not less than 3 years and not exceeding 10 years.

(ii) The court may not impose less than the applicable minimum sentence provided under subparagraph (i) of this paragraph.
If the person has previously been convicted more than once under this section, § 4–204 of this subtitle, or § 4–101 or § 4–102 of this title, or of any combination of these crimes:

1. except as provided in item 2 of this subparagraph, the person is subject to imprisonment for not less than 3 years and not exceeding 10 years; or

2. A. if the person violates subsection (a)(1)(iii) of this section, the person is subject to imprisonment for not less than 5 years and not exceeding 10 years; or

B. if the person violates subsection (a)(1)(iv) of this section, the person is subject to imprisonment for not less than 5 years and not exceeding 10 years.

The court may not impose less than the applicable minimum sentence provided under subparagraph (i) of this paragraph.”.

The preceding 2 amendments were read only.

Delegate McHale moved the previous question.

The motion was adopted.

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

Affirmative – 49  Negative – 84  (See Roll Call No. 885)

FLOOR AMENDMENT

SB0281/503529/1
BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 1, in line 3, after “of” insert “decreasing the number of days per month that an inmate serving a term of confinement that includes a consecutive or concurrent sentence for a crime of possession of a regulated firearm by a certain
person prohibited from possessing a regulated firearm is allowed as a deduction in advance from the inmate’s term of confinement.”.

On page 3, in line 38, after “terms;” insert “making stylistic changes;” and after line 41, insert:

“BY repealing and reenacting, with amendments,

Article – Correctional Services
Section 3–704
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2
On page 5, after line 6, insert:

“Article – Correctional Services

3–704.

(a) An inmate shall be allowed a deduction in advance from the inmate’s term of confinement.

(b) (1) The deduction allowed under subsection (a) of this section shall be calculated:

(i) from the first day of commitment to the custody of the Commissioner through the last day of the inmate’s term of confinement;

(ii) except as provided in paragraph (2) of this subsection, at the rate of 10 days for each calendar month; and

(iii) on a prorated basis for any portion of a calendar month.

[2] If an inmate’s term of confinement includes a consecutive or concurrent sentence for a crime of violence as defined in § 14–101 of the Criminal Law Article or a crime of manufacturing, distributing, dispensing, or possessing a controlled dangerous substance in violation of §§ 5–602 through 5–609, § 5–612, or § 5–613 of the Criminal Law Article, the deduction described in subsection (a) of this section shall be calculated at the rate of 5 days for each calendar month.]
(2) The deduction described in subsection (a) of this section shall be calculated at the rate of 5 days for each calendar month if an inmate’s term of confinement includes a consecutive or concurrent sentence for:

(i) A crime of violence as defined in § 14–101 of the Criminal Law Article;

(ii) A crime of manufacturing, distributing, dispensing, or possessing a controlled dangerous substance in violation of §§ 5–602 through 5–609, § 5–612, or § 5–613 of the Criminal Law Article; or

(iii) A crime of possessing a regulated firearm by a person in violation of § 5–133(c) of the Public Safety Article.

(c) A deduction under this section may not be allowed for a period during which an inmate does not receive credit for service of the inmate’s term of confinement, including a period:

(1) during which the inmate’s sentence is stayed;

(2) during which the inmate is not in the custody of the Commissioner because of escape; or

(3) for which the Maryland Parole Commission has declined to grant credit after revocation of parole or mandatory supervision.”.

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

Affirmative – 53   Negative – 73   (See Roll Call No. 886)

FLOOR AMENDMENT

SB0281/903920/1
BY: Delegate McComas

AMENDMENTS TO SENATE BILL 281
AMENDMENT NO. 1
On page 3, in line 41, after “Act;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2
On page 12, in line 32, strike “OCTOBER 1, 2013” and substitute “APRIL 1, 2014”.

On page 13, in line 7, strike “OCTOBER 1, 2013” and substitute “APRIL 1, 2014”.

On page 60, in lines 4 and 5, strike “October 1, 2013” and substitute “April 1, 2014”; in line 14, strike “October 1, 2013” and substitute “April 1, 2014”; and in line 15, strike “September 30, 2016” and substitute “March 31, 2017”.

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

Affirmative – 48    Negative – 81    (See Roll Call No. 887)

FLOOR AMENDMENT

SB0281/643328/1
BY: Delegate McComas

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 3, in line 27, after “certificate;” insert “altering the period of time within which the Secretary is required to issue a certain handgun permit;”.

AMENDMENT NO. 2
On page 57, in line 3, strike “a reasonable time” and substitute “30 DAYS”.

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

Affirmative – 48    Negative – 78    (See Roll Call No. 888)

FLOOR AMENDMENT
AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 3, in line 41, after “Act,” insert “declaring the intent of the General Assembly that the Governor provide certain funding for certain mental health services;”.

AMENDMENT NO. 2
On page 60, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Governor provide sufficient funding in the budget for fiscal year 2015 and for each fiscal year thereafter, to provide mental health services to individuals who were receiving mental health services from long-term mental health facilities and who discontinued or discontinue receiving the services because the long-term mental health facility ceases to operate as a mental health facility.”;

and in line 13, strike “3.” and substitute “4.”.

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

Affirmative – 43  Negative – 84  (See Roll Call No. 889)

FLOOR AMENDMENT

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 3, in line 41, after “Act,” insert “requiring the Health and Government Operations Committee to convene a certain workgroup for a certain purpose; requiring a certain workgroup to submit a certain report;”.

SB0281/753428/2
BY: Delegate Smigiel

SB0281/443126/2
BY: Delegate Smigiel
AMENDMENT NO. 2
On page 60, after line 12, insert:

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

(a) The Health and Government Operations Committee shall convene a workgroup to:

(1) study the manner in which mental health services providers are compensated for mental health services through Medicaid and Medicare in the State; and

(2) make recommendations on improvements to ensure that mental health services providers are adequately compensated for services provided to individuals using Medicaid or Medicare.

(b) On or before October 1, 2014, the workgroup shall report its findings and recommendations to the Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article.”;

and in line 13, strike “3.” and substitute “4.”.

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

Affirmative – 37 Negative – 88 (See Roll Call No. 890)

FLOOR AMENDMENT

SB0281/423527/2
BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 1, strike line 2 in its entirety and substitute “Task Force to Study Handguns and Assault Weapons”.

On pages 1 through 3, strike beginning with “making” in line 3 on page 1 down through “firearms” in line 41 on page 3 and substitute “establishing a Task Force to
Study Handguns and Assault Weapons; providing for the membership, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving 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 the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Handguns and Assault Weapons”.

On pages 3 through 5, strike in their entirety the lines beginning with line 42 on page 3 through line 4 on page 5, inclusive.

On page 5, in line 6, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2
On pages 5 through 60, strike in their entirety the lines beginning with line 7 on page 5 through line 16 on page 60, inclusive, and substitute:

“(a) There is a Task Force to Study Handguns and Assault Weapons.

(b) The Task Force consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

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

(3) the Secretary of State Police, or the Secretary’s designee; and

(4) the following members appointed by the Governor:

   (i) one representative of the Johns Hopkins Center for Gun Policy and Research;

   (ii) one representative of the Maryland State’s Attorney’s Association;

   (iii) one representative of the National Alliance on Mental Illness of Maryland;
(iv) one representative of a community organization;

(v) one representative of a hunting club or organization;

(vi) one representative of a local police department; and

(vii) one representative of a second amendment advocacy organization.

(c) The Governor shall designate the chair of the Task Force.

(d) The Governor’s Office of Crime Control and Prevention shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) identify and review any data or studies indicating:

(i) the accessibility of handguns and assault weapons to individuals, including youth and individuals convicted of a felony;

(ii) the number of handguns and assault weapons owned by individuals;

(iii) the number and types of handguns and assault weapons in circulation in the State;

(iv) the number of crimes committed locally and nationally that involved a handgun or an assault weapon;
(v) any trends in the use of handguns or assault weapons during the commission of crimes; and

(vi) the effectiveness of handgun and assault weapon laws of other states;

(2) study the adequacy of State laws and policies relating to handguns and assault weapons, including:

(i) access of individuals to handguns and assault weapons;

(ii) the penalties for crimes involving handguns and assault weapons;

(iii) the storage of handguns and assault weapons; and

(iv) the transfer of handguns and assault weapons; and

(3) make recommendations regarding whether existing laws and policies relating to handguns and assault weapons adequately protect and serve the public.

(g) On or before December 1, 2013, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013. It shall remain effective for a period of 1 year 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 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 44    Negative – 83    (See Roll Call No. 891)

FLOOR AMENDMENT

SB0281/193723/2
BY: Delegate Parrott
AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

On page 8, in line 20, after “(D)” insert “(1)”; in lines 21, 22, and 23, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; and after line 23, insert:

“(2) “ASSAULT WEAPON” DOES NOT INCLUDE A FIREARM THAT IS DESIGNED TO USE RIMFIRE AMMUNITION.”.

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

Affirmative – 45  Negative – 88  (See Roll Call No. 892)

FLOOR AMENDMENT

SB0281/123422/1
BY: Delegate Dumais

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 10, in lines 31 and 32, strike “MEMBERS OF THE MARYLAND DEFENSE FORCE.”.

On page 25, in line 15, strike the first comma and substitute “OR”; and in lines 15 and 16, strike “, OR THE MARYLAND DEFENSE FORCE”.

On page 26, in line 5, strike the first comma and substitute “OR”; and in lines 5 and 6, strike “, OR THE MARYLAND DEFENSE FORCE”.

AMENDMENT NO. 2

On page 26, in line 17, strike “(1)”; in the same line, strike “OR”; and strike in their entirety lines 18 through 20, inclusive.

On page 32, in line 1, strike “1.”; in the same line, strike “OR”; and strike in their entirety lines 2 through 4, inclusive.
The preceding 2 amendments were read and adopted by a roll call vote as follows:

Affirmative – 83   Negative – 53   (See Roll Call No. 893)

FLOOR AMENDMENT

SB0281/163628/1
BY: Delegate Bromwell

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

On page 38, in line 25, after “FIREARM” insert “AS DESCRIBED IN § 5–101(R)
OF THIS SUBTITLE”.

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

Affirmative – 53   Negative – 83   (See Roll Call No. 894)

Delegate Cane moved the previous question.

The motion was adopted.

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

Affirmative – 78   Negative – 61   (See Roll Call No. 895)

The Bill was then returned to the Senate.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

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Read and ordered journalized.

**HOUSE BILLS PASSED IN THE SENATE**

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Read and ordered journalized.

**HOUSE BILLS PASSED IN THE SENATE**

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HB 1216                            Del. A. Kelly
HB 1252                            Del. A. Kelly
HB 1315                            Del. Clagett

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

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<tr>
<td>HB 733</td>
<td>The Speaker</td>
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</tbody>
</table>
MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 479 – Senators Gladden and Forehand

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible

FOR the purpose of authorizing a certain person to file a petition for expungement of certain records if the person was found not criminally responsible under any State or local law that prohibits certain acts; specifying that a petition for expungement based on a finding of not criminally responsible under this Act may not be filed within a certain period of time; providing that a person is not entitled to expungement if the petition is based on a finding of not criminally responsible and the person, since the finding of not criminally responsible, has been convicted of a certain crime or is a defendant in a pending criminal proceeding; and generally relating to expungement of criminal records.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 10-105(a), (c)(7), and (e)(4)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Procedure
Section 10-105(c)(7)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 896)
ADJOURNMENT

At 5:37 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 29, 2013, Calendar Day Thursday, April 4, 2013.
Annapolis, Maryland
Legislative Day: March 29, 2013
Calendar Day: Thursday, April 4, 2013

The House met at 10:15 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jill P. Carter of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 897)

The Journal of March 28, 2013 was read and approved.

EXCUSES:
Del. Donoghue – medical
Del. Stifler – illness

AMENDED IN THE SENATE

House Bill 101 – The Speaker (By Request – Administration)

AN ACT concerning


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

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE TO THE MARYLAND SENATE – 2013 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit P of Appendix II)

SENATE BUDGET AND TAXATION COMMITTEE REPRINT TO HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit Q of Appendix II)
The preceding amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL:    HB 0101
SPONSOR:    The Spkr (Admin)
SUBJECT:  Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2013

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

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

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

Delegate Jones, Chair
Delegate Conway
Delegate Griffith
Delegate Bohanan
Delegate Eckardt

In addition, the House has appointed in advisory capacity: Delegates Guzzone, Haynes, James and Zucker.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1372 – Delegates Jones and Griffith

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations
Delegate Conway moved that the House not concur in the Senate amendments.

HB1372/419530/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1372
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike in their entirety lines 15 through 19, inclusive.

On page 2, after line 17, insert:

“BY repealing and reenacting, with amendments,
Section 1(3) Item ZA00(C)”.

On page 3, after line 14, insert:

“BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Section 1(3) Item ZA00(S)”;

in line 33, strike “and (AL)” and substitute “(AL), and (BJ)”; and in line 34, strike “and (AV)” and substitute “(AV), and (AW)”.

On page 4, in line 7, after “(F),” insert “(L),”; in line 10, strike “ZA02(AB),”; in the same line, strike “(J),”; in line 11, strike “(T),”; and in the same line, strike “(X),”.

AMENDMENT NO. 2
On page 5, strike in their entirety lines 15 through 35, inclusive.

AMENDMENT NO. 3
On page 7, in line 37, strike the opening bracket; in line 38, strike the closing bracket; in line 39, strike “OF $225,000”; and in line 40, after “County,” insert “AND
THE BOARD OF DIRECTORS OF THE HISTORIC PERRY HALL MANSION, INC.”.
AMENDMENT NO. 4

On page 7, after line 7, insert:


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

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(C) Babe Ruth Birthplace and Museum. Provide a grant to the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. to assist in the design, construction, renovation, and equipping of improvements to the Babe Ruth Birthplace and Museum. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2013] 2014 (Baltimore City)........................................................................................................ 250,000”.

AMENDMENT NO. 5

On page 12, after line 34, insert:


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

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(S) [Robert E. Lee Park| PERRY HALL GYMNASIUM PROJECT. Provide a grant to the County Executive and County Council of Baltimore County ON BEHALF OF THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS for the PLANNING, design, construction, and capital equipping of improvements to [Robert E. Lee Park| THE PERRY HALL GYMNASIUM 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”.

AMENDMENT NO. 6
On page 11, in line 4, strike “483” and substitute “485”.

AMENDMENT NO. 7
On page 15, in line 19, strike the opening bracket; in line 21, strike “[OF $50,000”; in line 24, strike the opening bracket; and in line 28, strike the closing bracket.

AMENDMENT NO. 8
On page 16, in line 3, strike the opening bracket; in line 5, strike “[OF $25,000”; in line 8, strike the opening bracket; and in line 12, strike the closing bracket.

AMENDMENT NO. 9
On page 16, in line 16, strike “(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES”; and after line 32, insert “(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES”.

AMENDMENT NO. 10
On page 18, strike in their entirety lines 29 and 30; in line 32, strike the opening bracket; in line 33, strike the closing bracket; in line 34, strike “OF $175,000”; in line 37, strike the opening bracket; and in line 38, strike the closing bracket and substitute a period.

AMENDMENT NO. 11
On page 19, before line 27, insert:

“(BJ) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. 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 Prince George’s County Boys and Girls Club, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard, signs, and stands FOR THE CAPITOL HEIGHTS AND SEAT PLEASANT BOYS AND GIRLS CLUB FIELD, located in Prince George’s County. 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. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Prince George’s County)..............................................................

**AMENDMENT NO. 12**
On page 22, after line 14, insert:

“(AW) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s County Boys and Girls Club, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard, signs, and stands for the Capitol Heights and Seat Pleasant Boys and Girls Club field, located in Prince George’s County. 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. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Prince George’s County).............................................................. 25,000”.

**AMENDMENT NO. 13**
On page 23, after line 3, insert:

“(L) Maryland Science Center – Planetarium Improvements. Provide a grant to the Board of Trustees of the Maryland Science Center, Inc. for the renovation and capital equipping of the planetarium, 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 REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT** (Prince George’s County).............................................................. 75,000”.
(Baltimore City).......................................................................................... 550,000”.

AMENDMENT NO. 14
On page 27, strike in their entirety lines 31 through 39, inclusive.

AMENDMENT NO. 15
On page 31, strike in their entirety lines 31 through 39, inclusive.

AMENDMENT NO. 16
On page 32, strike in their entirety lines 19 through 26, inclusive.

AMENDMENT NO. 17
On pages 32 and 33, strike in their entirety the lines beginning with line 41 on page 32 through line 9 on page 33, inclusive.

The preceding 17 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL:   HB 1372
SPONSOR:    Dels Jones and Griffith
SUBJECT:    Prior Authorizations of State Debt to Fund Capital Projects – Alterations

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

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

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

Delegate Jones, Chairman
Delegate Conway, and
Delegate Griffith.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk
Read and adopted.

MESSAGE FROM THE SENATE

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

BILL: SB 0160
SPONSOR: Sen Frosh, et al
SUBJECT: Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption

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 Zirkin
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 0160
SPONSOR: Sen Frosh, et al
SUBJECT: Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption

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 Zirkin
Senator Shank

The House appoints:
Delegate Dumais, Chairman
Delegate Clippinger, and
Delegate Cluster.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

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

BILL: SB 0419
SPONSOR: Sen Frosh, et al
SUBJECT: Civil Actions – Examination in Aid of Enforcement – Procedure After Arrest for Failure to Appear

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 Stone
Senator Frosh.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary
MESSAGE TO THE SENATE

BILL: SB 0419
SPONSOR: Sen Frosh, et al
SUBJECT: Civil Actions – Examination in Aid of Enforcement – Procedure After Arrest for Failure to Appear

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 Stone
Senator Frosh

The House appoints:
Delegate Anderson, Chairman
Delegate Valentino–Smith, and
Delegate McComas.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

SPECIAL ORDERS

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

Senate Bill 431 – Senator King

AN ACT concerning

Higher Education – University System of Maryland – Quasi–Endowments
STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT NOT ADOPTED.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 464 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

Natural Resources – Aquaculture – Shellfish Nursery Permits

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

Read the second time and ordered prepared for Third Reading.

House Bill 1173 – Delegates Kramer, Arora, Carr, Conaway, Frick, George, Guzzone, Luedtke, Rudolph, Simmons, and Wood

AN ACT concerning

Electric and Gas Companies – On-Bill Financing
Small Business Energy Assistance Act

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 98    Negative – 40    (See Roll Call No. 898)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 899)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:
THIRD READING CALENDAR (SENATE BILLS) #17

Senate Bill 6 – Senator Colburn

AN ACT concerning

Dorchester County – Restriction on Sunday Gaming – Repeal

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

Affirmative – 133    Negative – 3    (See Roll Call No. 900)

The Bill was then returned to the Senate.

Senate Bill 144 – Senator Kasemeyer

AN ACT concerning

Property Tax Credit – Historically and Architecturally Valuable Property

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

Affirmative – 137    Negative – 0    (See Roll Call No. 901)

The Bill was then returned to the Senate.

Senate Bill 158 – Senators Conway, Ferguson, Gladden, Jones–Rodwell, McFadden, and Pugh

EMERGENCY BILL

AN ACT concerning

Homestead Tax Credit – Eligibility Verification and Application – Extension

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

Affirmative – 135    Negative – 0    (See Roll Call No. 902)

The Bill was then returned to the Senate.

Senate Bill 164 – Senator Pipkin

AN ACT concerning
Queen Anne’s County – Property Tax Credit – Commercial Investment and Economic Development

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

Affirmative – 137     Negative – 1    (See Roll Call No. 903)

The Bill was then returned to the Senate.

Senate Bill 171 – Senator Forehand

AN ACT concerning

Election Law – Special Elections – Voting by Mail

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

Affirmative – 93     Negative – 45    (See Roll Call No. 904)

The Bill was then returned to the Senate.

Senate Bill 282 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senator McFadden

EMERGENCY BILL

AN ACT concerning

Video Lottery Facilities – Employee Licenses – Crimes of Moral Turpitude or Gambling

Delegate Davis moved the previous question.

The motion was adopted.

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

Affirmative – 90     Negative – 46    (See Roll Call No. 905)

The Bill was then returned to the Senate.

Senate Bill 315 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Gaming Permits
Read the third time and passed by yeas and nays as follows:

Affirmative – 136  Negative – 0  (See Roll Call No. 906)

The Bill was then returned to the Senate.

Senate Bill 506 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Technology–Related Businesses – Payment in Lieu of Taxes Agreements

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

Affirmative – 139  Negative – 0  (See Roll Call No. 907)

The Bill was then returned to the Senate.

Senate Bill 573 – Senators Robey, Kasemeyer, Kittleman, and Mathias

AN ACT concerning

County Property Tax – Personal Property Rate

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

Affirmative – 139  Negative – 0  (See Roll Call No. 908)

The Bill was then returned to the Senate.

Senate Bill 639 – Senators Manno, Forehand, and Raskin

Raskin, Kasemeyer, McFadden, Jones–Rodwell, Brinkley, Madaleno, Edwards, King, Peters, Robey, Colburn, and DeGrange

AN ACT concerning

Civil Rights Tax Relief Act

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

Affirmative – 138  Negative – 0  (See Roll Call No. 909)

The Bill was then returned to the Senate.

Senate Bill 656 – Senator Miller

Senators Miller and Dyson
AN ACT concerning

Calvert County – Property Tax – Natural Gas Facility

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

Affirmative – 136    Negative – 0    (See Roll Call No. 910)

The Bill was then returned to the Senate.

Senate Bill 840 – Senator Stone

AN ACT concerning

Voting – Notice of Election by Specimen Ballot

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

Affirmative – 136    Negative – 0    (See Roll Call No. 911)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE


AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

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

HB1303/298975/1

BY:    Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1303
(Third Reading File Bill)

On page 2, in line 12, strike “$3,000,000”; and in line 14, after “ARTICLE” insert “:

(1) $1,000,000 IN FISCAL YEAR 2014:
(II) $1,500,000 IN FISCAL YEAR 2015;

(III) $2,000,000 IN FISCAL YEAR 2016; AND

(IV) $500,000 IN FISCAL YEAR 2017 AND THEREAFTER”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 1303
SPONSOR: Del Dumais, et al
SUBJECT: Maryland Legal Services Corporation Funding – Abandoned Property Funds

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 Guzzone, Chairman
Delegate Zucker, and
Delegate McConkey.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #17

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

AN ACT concerning

Vehicle Laws – Unlawful Use of Off-Highway Recreational Vehicles –
Administrative Penalties

HB0801/930313/1
BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 801
(First Reading File Bill)

On page 4, in line 4, after “(3)” insert “(I)”; in lines 4 and 5, strike “§ 13–401(B)(2) OF THIS ARTICLE OR”; in lines 6 and 7, strike “§ 13–401(B)(2) OF THIS ARTICLE OR”; in lines 8 and 9, strike “(i)” and “(ii)”, respectively, and substitute “1.” and “2.”, respectively; and after line 10, insert:

“(II) ON RECEIPT OF A NOTICE DESCRIBED UNDER § 13–401(B)(2) OF THIS ARTICLE, THE ADMINISTRATION SHALL SUSPEND THE LICENSE OF AN INDIVIDUAL DESCRIBED UNDER § 13–401(B)(2) OF THIS ARTICLE:

1. FOR A FIRST OFFENSE, FOR 6 MONTHS; AND

2. FOR A SECOND OR SUBSEQUENT OFFENSE, FOR 1 YEAR.”

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 929 – Delegates Malone and McMillan
AN ACT concerning

Motor Vehicles – Speed Monitoring Systems – Local Jurisdictions

HB0929/970416/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 929
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “clarifying” in line 3 down through “use” in line 5 and substitute “altering the standards and requirements for the required warning period for violations recorded by speed monitoring systems; establishing that speed monitoring systems placed in certain areas may only be placed on highways with a certain minimum speed limit”; in line 7, strike “stationary”; in line 8, after “systems;” insert “requiring certain local jurisdictions to designate certain persons to act in a certain liaison capacity; altering the standards and requirements for daily self–tests and annual calibrations for speed monitoring systems; requiring certain local jurisdictions to designate a certain program administrator; requiring a contract for a certain speed monitoring system to include certain provisions; establishing certain training requirements;”; and in line 10, after “officer;” insert “expanding the application of the prohibition against a speed monitoring system contractor’s fee being contingent on the number of citations issued or paid; providing that, except under certain circumstances, existing obligations, contracts, or contract rights may not be impaired by this Act; defining certain terms;”.

AMENDMENT NO. 2

On page 2, in line 7, after “(i)” insert ““**ERRORNEOUS VIOLATION**” MEANS A POTENTIAL VIOLATION SUBMITTED BY A SPEED MONITORING SYSTEM CONTRACTOR FOR REVIEW BY AN AGENCY THAT IS:

1. **CLEARLY NOT SUPPORTED BY THE AVAILABLE EVIDENCE OR APPLICABLE LAW; OR**

2. **BASED ON A TECHNICAL VARIABLE FOR WHICH THE CONTRACTOR IS RESPONSIBLE.**
(II) “Erroneous violation” includes:

1. A potential violation based on inaccurate radar imaging, including the phenomenon known as the “radar effect”; or

2. A potential violation based on a recorded image that is generated by a speed monitoring system that is at an improper distance or angle or in improper focus.

(III) “Erroneous violation” does not include a potential violation that an agency is unable to validate but otherwise complies with applicable laws and contract provisions.

(4) (1)”;

in line 13, strike “(4)” and substitute “(5) “Program administrator” means an employee or representative of the local jurisdiction designated by the local jurisdiction to oversee a contract with a speed monitoring system contractor.

(6)”;

after line 26, insert:

“(7) “School zone” means a designated roadway segment within up to a half-mile radius of a school for any of grades kindergarten through grade 12 that is approaching, adjacent to, or beyond school buildings or grounds where school related activity occurs, including:

1. Travel by students to or from school on foot or by bicycle; or

2. The dropping off or picking up of students by school buses or other vehicles.”;
and in line 27, strike “(5)” and substitute “(8)”.  

On page 3, in line 1, strike “(6)” and substitute “(9)”.  

AMENDMENT NO. 3  
On page 4, strike beginning with “for” in line 13 down through “warning” in line 16 and substitute “IF THE LOCAL JURISDICTION MOVES OR PLACES A MOBILE OR STATIONARY SPEED MONITORING SYSTEM TO OR AT A LOCATION WHERE A SPEED MONITORING SYSTEM HAD NOT PREVIOUSLY BEEN MOVED OR PLACED, THE LOCAL JURISDICTION MAY NOT ISSUE A CITATION FOR A VIOLATION RECORDED BY THAT SPEED MONITORING SYSTEM:

1.  UNTIL SIGNAGE IS INSTALLED IN ACCORDANCE WITH SUBPARAGRAPH (VII) OF THIS PARAGRAPH; AND

2.  FOR AT LEAST THE FIRST 15 CALENDAR DAYS AFTER THE SIGNAGE IS INSTALLED”;

in lines 24 and 25, strike “established under § 21–803.1 of this subtitle” and substitute “WITH A POSTED SPEED LIMIT OF AT LEAST 20 MILES PER HOUR”; and in line 33, strike “stationary”.  

AMENDMENT NO. 4  
On page 5, after line 18, insert:

“(IX) 1.  A LOCAL JURISDICTION THAT AUTHORIZES A PROGRAM OF SPEED MONITORING SYSTEMS SHALL DESIGNATE AN OFFICIAL OR EMPLOYEE TO INVESTIGATE AND RESPOND TO QUESTIONS OR CONCERNS ABOUT THE LOCAL JURISDICTION’S SPEED MONITORING SYSTEM PROGRAM.

2.  BEFORE THE DEADLINE FOR CONTESTING LIABILITY UNDER THIS SECTION, THE LOCAL DESIGNEE MAY REVIEW AND, IF A CITATION IS DETERMINED TO BE AN ERRONEOUS VIOLATION, VOID A SPEED MONITORING SYSTEM CITATION.

3.  A LOCAL DESIGNEE MAY NOT BE EMPLOYED BY A SPEED MONITORING SYSTEM CONTRACTOR OR HAVE BEEN INVOLVED IN ANY
PREVIOUS REVIEW UNDER THIS SECTION OF SPEED MONITORING SYSTEM CITATIONS.

4. ON RECEIPT OF A QUESTION OR CONCERN FROM A PERSON, THE LOCAL DESIGNEE SHALL PROVIDE A WRITTEN ANSWER OR RESPONSE TO THE PERSON WITHIN A REASONABLE TIME.

5. A LOCAL JURISDICTION SHALL MAKE ANY WRITTEN QUESTIONS OR CONCERNS RECEIVED UNDER THIS SUBPARAGRAPH, AND ANY SUBSEQUENT ANSWERS OR RESPONSES, AVAILABLE FOR PUBLIC INSPECTION.”.

AMENDMENT NO. 5

On page 5, in line 2, after “IS” insert “PROXIMATE TO A SIGN THAT”; in line 3, strike “PROXIMATE TO A SIGN THAT indicates” and substitute “INDICATES”; in line 5, strike “IN” and substitute “IS IN”; in line 29, after “performed” insert “OR REVIEWED AND EVALUATED”; and in the same line, before “self–test” insert “DAILY”.

On page 6, in line 2, after “laboratory” insert “THAT IS:

1. SELECTED BY THE LOCAL JURISDICTION; AND

2. UNAFFILIATED WITH THE MANUFACTURER OF THE SPEED MONITORING SYSTEM”.

AMENDMENT NO. 6

On page 6, after line 7, insert:

“(5) IF A LOCAL JURISDICTION AUTHORIZES A PROGRAM OF SPEED MONITORING SYSTEMS UNDER THIS SECTION:

(i) THE LOCAL JURISDICTION SHALL DESIGNATE A PROGRAM ADMINISTRATOR, WHO MAY NOT BE AN EMPLOYEE OR REPRESENTATIVE OF THE SPEED MONITORING SYSTEM CONTRACTOR; AND

(ii) THE CONTRACT WITH THE SPEED MONITORING SYSTEM CONTRACTOR SHALL INCLUDE THE FOLLOWING PROVISIONS:
1. For potential violations submitted by a contractor for review by an agency, if more than 5% of the violations in a calendar year are erroneous violations, then the contractor shall be subject to liquidated damages for each erroneous violation equal to at least 50% of the fine amount for the erroneous violation, plus any reimbursements paid by the local jurisdiction; and

2. The local jurisdiction may cancel a contract with a contractor if the contractor violates the contract beyond a threshold specified in the contract or violates the law in implementing the contract.

(6) (i) The Maryland Association of Chiefs of Police, in consultation with the Maryland Sheriff’s Association and the Administration, shall develop a training program concerning the oversight and administration of a speed monitoring program by a local jurisdiction, including a curriculum of best practices in the State.

(ii) 1. A program administrator shall participate in the training program established under this paragraph before a local jurisdiction initially implements a speed monitoring program and subsequently at least once every 2 years.

2. If a local jurisdiction designates a new program administrator, the new program administrator shall participate in the next available training program.”.

AMENDMENT NO. 7

On page 10, in line 1, after “contractor” insert “IN ANY MANNER”; in the same line, after “system” insert “OR ADMINISTERS OR PROCESSES CITATIONS GENERATED BY A SPEED MONITORING SYSTEM”; in line 2, after “contingent” insert “ON A PER–TICKET BASIS”; and in line 4, after “That” insert “, except as provided in Section 3 of this Act, a presently existing obligation, contract, or contract right may
not be impaired in any way by this Act and this Act does not abrogate any current obligation, contract, or contract right in existence before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That on or after October 1, 2014, but before the termination date of an obligation, contract, or contract right existing on the effective date of this Act, a local jurisdiction may alter without penalty an obligation, contract, or contract right existing on the effective date of this Act to comply with the provisions of this Act if the governing body of the local jurisdiction provides in writing that the alteration would serve the public interest.

SECTION 4. AND BE IT FURTHER ENACTED, That”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Smigiel moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

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

House Bill 1139 – Delegate Frush

AN ACT concerning

Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Compensation of Dealers

HB1139/540111/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1139
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Compensation of” and substitute “Relationship with”; in line 4, after “of” insert “prohibiting, except under certain circumstances, a manufacturer, distributor, or factory branch from requiring, attempting to require, coercing, or attempting to coerce a dealer to purchase certain goods or services from
certain vendors under certain circumstances; providing for the construction of a certain prohibition under this Act; repealing a requirement that certain factors be considered in determining whether a dealer has been reasonably compensated;”; strike beginning with “requiring” in line 11 down through “Act;” in line 13; in line 19, strike “a” and substitute “certain”; strike beginning with “prohibiting” in line 24 down through “costs;” in line 25; in lines 25 and 26, strike “or threatening to take”; strike beginning with “prohibiting” in line 27 down through “programs;” in line 28; in line 29, after “work;” insert “altering a certain provision relating to denial of a dealer’s claim to prohibit a manufacturer from basing a denial on certain technical or administrative errors under certain circumstances; repealing the authority of the Motor Vehicle Administrator to require a certain licensee to pay a certain fine for certain violations relating to the compensation of dealers;”; in line 30, strike “compensation of” and substitute “relationships between”; in the same line, strike “by” and substitute “and motor vehicle”; and after line 31, insert:

“BY adding to

Article – Transportation
Section 15–207(k)
Annotated Code of Maryland
(2012 Replacement Volume)”.

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

“15–207.

K (I) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AND EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, A MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH MAY NOT, DIRECTLY OR THROUGH AN AGENT, AN EMPLOYEE, AN AFFILIATE, OR A REPRESENTATIVE, REQUIRE, ATTEMPT TO REQUIRE, COERCE, OR ATTEMPT TO COerce BY AGREEMENT, PROGRAM, INCENTIVE PROVISION, OR OTHERWISE, A DEALER TO PURCHASE GOODS OR SERVICES FOR THE CONSTRUCTION, RENOVATION, OR MODIFICATION OF A FACILITY FROM A VENDOR DESIGNATED BY THE MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH.

(II) A MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH MAY OFFER A DEALER THE OPTION TO OBTAIN GOODS OR SERVICES
UNDER THIS SUBSECTION OF SUBSTANTIALLY SIMILAR QUALITY AND DESIGN FROM A VENDOR CHOSEN BY THE DEALER SUBJECT TO APPROVAL BY THE MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH.

(2) A MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH MAY NOT UNREASONABLY WITHHOLD THE APPROVAL REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO ALLOW A DEALER OR VENDOR TO:

(I) DIRECTLY OR INDIRECTLY ELIMINATE OR IMPAIR IN ANY WAY A MANUFACTURER’S INTELLECTUAL PROPERTY RIGHTS OR REASONABLE BUSINESS REQUIREMENTS; OR

(II) ERECT OR MAINTAIN SIGNS THAT DO NOT CONFORM TO THE INTELLECTUAL PROPERTY USAGE GUIDELINES OF THE MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH.

(4) THIS SUBSECTION DOES NOT APPLY IF A MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH PROVIDES A CREDIT OR STIPEND FOR, OR OTHER REIMBURSEMENT OF, A SUBSTANTIAL PORTION OF THE COST OF THE GOODS OR SERVICES OBTAINED UNDER THIS SECTION UNDER AN AGREEMENT MADE BEFORE THE BEGINNING OF CONSTRUCTION, RENOVATION, OR MODIFICATION OF THE FACILITY.”.

AMENDMENT NO. 3
On page 3, strike beginning with “The” in line 7 down through “(2)” in line 21; in line 23, after “FOR” insert “WARRANTY”; in line 24, strike “WARRANTY”; and in line 31, strike “(3)” and substitute “(2)”.

AMENDMENT NO. 4
On page 4, in lines 2 and 6, in each instance, strike “SIMILAR”; in lines 3 and 6, in each instance, after “REPAIRS” insert “OF A LIKE KIND”; in lines 7 and 30, strike “(4)” and “(5)”, respectively, and substitute “(3)” and “(4)”, respectively; in lines 7 and 32, in each instance, strike “(3)” and substitute “(2)”; in line 14, strike “60” and substitute “90”; in lines 18 and 19, strike “AVERAGE LABOR RATE” and substitute
“ARITHMETIC MEAN OF LABOR RATES AS REFLECTED IN QUALIFYING REPAIR ORDERS”; in line 20, strike “AGGREGATE” and substitute “ARITHMETIC MEAN OF THE”; strike beginning with “A” in line 22 down through “(IV)” in line 25; and in line 26, strike “6 MONTHS” and substitute “1 YEAR”.

AMENDMENT NO. 5

On page 5, in line 3, after “EVENTS” insert “, PROMOTIONS, OR SERVICE CAMPAIGNS”; in line 8, strike beginning with “AT” through “AGENCIES,” and substitute “FOR”; in line 16, after “RECONDITIONING;” insert “OR”; strike beginning with the semicolon in line 17 down through “VEHICLE” in line 21; in lines 22 and 28, strike “(6)” and “(7)”, respectively, and substitute “(5)” and “(6)”, respectively; in line 29, strike “(4)” and substitute “(3)”; and in the same line, strike the comma.

AMENDMENT NO. 6

On page 6, in line 1, strike “FAIR,”; strike beginning with the second comma in line 1 down through “OR” in line 5 and substitute “;”.

(II) THE LICENSEE SHALL APPROVE OR REBUT THE DEALER’S SUBMISSION WITHIN 30 DAYS OF RECEIPT.

(III) IF THE LICENSEE APPROVES A DEALER’S SUBMISSION, THE LICENSEE SHALL BEGIN COMPENSATING THE DEALER UNDER THE SCHEDULE WITHIN 30 DAYS FOLLOWING APPROVAL.”;

in lines 6, 9, 12, and 17, strike “2.,” “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively; in line 7, after “LICENSEE,” insert “THE SCHEDULE OF COMPENSATION SUBMITTED BY THE DEALER SHALL GO INTO EFFECT”; in line 10, strike “BE” and substitute “;”.

1. BE”;

in line 11, after “SCHEDULE” insert “; AND

2. CONSIST OF REASONABLY SUBSTANTIATING EVIDENCE THAT THE DECLARED RATE IS MATERIALLY INACCURATE OR UNREASONABLE IN LIGHT OF THE PRACTICES OF ALL OTHER SAME LINE-MAKE DEALERS IN THE CITY OR COMMUNITY OR IN AN ECONOMICALLY SIMILAR AREA
OF THE STATE IF NO OTHER SAME LINE–MAKE DEALERS EXIST IN THE CITY OR COMMUNITY”;

in line 16, after “RESOLUTION” insert “UNLESS OTHERWISE PROVIDED FOR IN THE AGREEMENT OR BY THE FINDER OF FACT”; in line 19, strike “(4)” and substitute “(3)”; in line 20, strike “ISSUE” and substitute “ISSUES”; in the same line, strike the second “THE” and substitute “;

A. THE”; 

in line 22, after “INACCURATE” insert “AND”

B. THE DECLARED RATE IS UNREASONABLE IN LIGHT OF THE PRACTICES OF ALL OTHER SAME LINE–MAKE DEALERS IN THE CITY OR COMMUNITY OR IN AN ECONOMICALLY SIMILAR AREA OF THE STATE IF NO OTHER SAME LINE–MAKE DEALERS EXIST IN THE CITY OR COMMUNITY”;

after line 25, insert:

“(VII) 1. A LICENSEE MAY VERIFY ONCE A YEAR THAT A DEALER’S EFFECTIVE RATES HAVE NOT DECREASED.

2. IF A LICENSEE FINDS THAT A DEALER’S EFFECTIVE RATES HAVE DECREASED, THE LICENSEE MAY REDUCE THE WARRANTY REIMBURSEMENT RATE PROSPECTIVELY.”;

in line 26, strike “(8)” and substitute “(7)”; in line 27, strike “CALCULATE” and substitute “DIRECTLY OR INDIRECTLY CALCULATE”; and in line 28, after “PERCENTAGE” insert “ON A WARRANTY REIMBURSEMENT RATE SUBMISSION BY THE LICENSEE’S DEALER UNDER THIS SECTION”.

AMENDMENT NO. 7

On page 7, strike beginning with “OTHER” in line 2 down through “STATEMENTS” in line 3 and substitute “THE DEALER’S OR OTHER DEALERS’ WARRANTY COMPENSATION”; strike beginning with “PRE–DELIVERY” in line 5 down through “APPLICATIONS” in line 8 and substitute “WARRANTY FULFILLMENT”; in line 9, after “DEALER” insert “UNLESS THE PART IS USED FOR
SPECIFIC, LIMITED REPAIR SITUATIONS”; strike beginning with “RECOVER” in line 13 down through “(V)” in line 16; in line 16, strike “OR THREATEN TO TAKE”; strike beginning with “OR” in line 17 down through the comma in line 18; and in line 22, after “SUBTITLE;” insert “OR”.

AMENDMENT NO. 8
On pages 7 and 8, strike beginning with the semicolon in line 24 on page 7 down through “SUBTITLE” in line 3 on page 8 and substitute “;

(V) CONDUCT ANY WARRANTY OR RETAIL CUSTOMER REPAIR AUDIT, OR OTHER SERVICE–RELATED AUDIT, SOLELY BECAUSE THE DEALER MAKES A REQUEST FOR WARRANTY REIMBURSEMENT AT RETAIL RATES IN THE ORDINARY COURSE OF BUSINESS; OR

(VI) ESTABLISH, IMPLEMENT, ENFORCE, OR APPLY ANY POLICY, STANDARD, RULE, PROGRAM, OR INCENTIVE REGARDING THE COMPENSATION DUE UNDER THIS SECTION OTHER THAN IN A UNIFORM MANNER AMONG THE LICENSEE’S DEALERS IN THE STATE”.

AMENDMENT NO. 9
On page 8, in lines 4, 8, 17, and 21, strike “(9)”, “(10)”, “(11)”, and “(12)”, respectively, and substitute “(8)”, “(9)”, “(10)”, and “(11)”, respectively; in lines 4 and 5 strike “(2)” and “(8)”, respectively, and substitute “(1)” and “(7)”, respectively; strike beginning with “A” in line 17 down through “claim” in line 20 and substitute “A MANUFACTURER MAY NOT BASE A DENIAL OF A DEALER’S CLAIM SOLELY ON THE DEALER’S CLERICAL ERROR, INCIDENTAL FAILURE TO COMPLY WITH A SPECIFIC CLAIM PROCESSING REQUIREMENT, OR OTHER TECHNICAL OR ADMINISTRATIVE ERROR, PROVIDED THAT THE DEALER CORRECTS THE CLAIM IN ACCORDANCE WITH THE LICENSEE GUIDELINES”.

AMENDMENT NO. 10
On page 9, strike beginning with the colon in line 3 down through “May” in line 6 and substitute “MAY”.

The preceding 10 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 24 – Senator Pipkin**

AN ACT concerning

_Queen Anne’s 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 53 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

_Department of Agriculture – Administrative Review of Contested Cases_

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 72 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

_Motor Vehicles – Damage to Highways from Overweight or Oversized Vehicles – Liability and Penalties_

SB0072/170219/1
BY: Environmental Matters Committee

**AMENDMENTS TO SENATE BILL 72**
(Third Reading File Bill)
AMENDMENT NO. 1
On page 1, in line 10, after “establishing” insert “a”; and in line 11, strike “penalties” and substitute “penalty”.

AMENDMENT NO. 2
On page 2, in line 22, strike “THE LESSER OF”; in the same line, strike “$50,000 OR” and substitute “$10,000”; in lines 22 and 23, strike “THE TOTAL COST OF THE DAMAGE TO THE STATE”; and in lines 23 and 24, strike “, COUNTY, OR MUNICIPAL HIGHWAY”.

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

AN ACT concerning

Department of Agriculture – State Chemist 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 with amendments:

Senate Bill 207 – Senators Brochin, Klausmeier, Muse, Peters, and Zirkin

AN ACT concerning

Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

SB0207/490412/1

BY: Environmental Matters Committee
AMENDMENTS TO SENATE BILL 207
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 2, strike “and Work Zone Speed Control”; in the same line, after “Systems” insert “– Local Jurisdictions”; strike beginning with “definition” in line 3 down through the second “systems” in line 20 and substitute “standards and requirements for the required warning period for violations recorded by speed monitoring systems; establishing that speed monitoring systems placed in certain areas may only be placed on highways with a certain minimum speed limit; applying certain notice and signage standards for unmanned local stationary speed monitoring systems to all local speed monitoring systems; altering the standards for signage required for local stationary speed monitoring systems; requiring certain local jurisdictions to designate certain persons to act in a certain liaison capacity; altering the standards and requirements for daily self–tests and annual calibrations for speed monitoring systems; requiring certain local jurisdictions to designate a certain program administrator; requiring a contract for a certain speed monitoring system to include certain provisions; establishing certain training requirements; clarifying that a certificate alleging that a certain speeding violation occurred is required to be sworn to or affirmed by a certain law enforcement officer; expanding the application of the prohibition against a speed monitoring system contractor’s fee being contingent on the number of citations issued or paid; providing that, except under certain circumstances, existing obligations, contracts, or contract rights may not be impaired by this Act; defining certain terms; and generally relating to speed monitoring systems operated by local jurisdictions”; and strike lines 23 and 24 in their entirety and substitute “Section 21–809”.

AMENDMENT NO. 2
On pages 2 through 6, strike in their entirety the lines beginning with line 12 on page 2 through line 22 on page 6, inclusive, and substitute:

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

(2) “Agency” means:

(i) A law enforcement agency of a local political subdivision that is authorized to issue a citation for a violation of the Maryland Vehicle Law or of local traffic laws or regulations; or
(ii) For a municipal corporation that does not maintain a police force, an agency established or designated by the municipal corporation to implement this subtitle using speed monitoring systems in accordance with this section.

(3) (i) “**Erroneous Violation**” means a potential violation submitted by a speed monitoring system contractor for review by an agency that is:

1. **Clearly not supported by the available evidence or applicable law; or**

2. **Based on a technical variable for which the contractor is responsible.**

(ii) “**Erroneous Violation**” includes:

1. A potential violation based on inaccurate radar imaging, including the phenomenon known as the “**Radar Effect**”; or

2. A potential violation based on a recorded image that is generated by a speed monitoring system that is at an improper distance or angle or in improper focus.

(iii) “**Erroneous Violation**” does not include a potential violation that an agency is unable to validate but otherwise complies with applicable laws and contract provisions.

(4) (i) “Owner” means the registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of 6 months or more.

(ii) “Owner” does not include:

1. A motor vehicle rental or leasing company; or

2. A holder of a special registration plate issued under Title 13, Subtitle 9, Part III of this article.
“PROGRAM ADMINISTRATOR” means an employee or representative of the local jurisdiction designated by the local jurisdiction to oversee a contract with a speed monitoring system contractor.

“Recorded image” means an image recorded by a speed monitoring system:

(i) On:

1. A photograph;
2. A microphotograph;
3. An electronic image;
4. Videotape; or
5. Any other medium; and

(ii) Showing:

1. The rear of a motor vehicle;
2. At least two time-stamped images of the motor vehicle that include the same stationary object near the motor vehicle; and
3. On at least one image or portion of tape, a clear and legible identification of the entire registration plate number of the motor vehicle.

“SCHOOL ZONE” means a designated roadway segment within up to a half–mile radius of a school for any of grades kindergarten through grade 12 that is approaching, adjacent to, or beyond school buildings or grounds where school related activity occurs, including:

(i) Travel by students to or from school on foot or by bicycle; or
(II) THE DROPPING OFF OR PICKING UP OF STUDENTS BY SCHOOL BUSES OR OTHER VEHICLES.

[(5)] (8) “Speed monitoring system” means a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12 miles per hour above the posted speed limit.

[(6)] (9) “Speed monitoring system operator” means a representative of an agency or contractor that operates a speed monitoring system.

(b) (1) (i) A speed monitoring system may not be used in a local jurisdiction under this section unless its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing.

(ii) Before a county may use a speed monitoring system on a State highway at a location within a municipal corporation, the county shall:

1. Obtain the approval of the State Highway Administration;

2. Notify the municipal corporation of the State Highway Administration’s approval of the use of a speed monitoring system at that location; and

3. Grant the municipal corporation 60 days from the date of the county’s notice to the municipal corporation to enact an ordinance authorizing the municipal corporation instead of the county to use a speed monitoring system at that location.

(iii) 1. This subparagraph applies only in Prince George’s County.

2. In the county, a municipal corporation may implement and use a speed monitoring system consistent with the requirements of this subsection on a county highway at a location within its corporate limits if the municipal corporation:
A. Submits to the county a plan describing the boundary of the applicable school zone and the proposed location of the speed monitoring system; and

B. Requests and receives permission from the county to use the speed monitoring system at the proposed location.

3. If the county fails to respond to the request within 60 days, the municipal corporation may implement and use the speed monitoring system as described in the plan submission.

4. The county may not:

A. Unreasonably deny a request under this subparagraph; or

B. Place exactions, fees, or unreasonable restrictions on the implementation and use of a speed monitoring system under this subparagraph.

5. The county shall state in writing the reasons for any denial of a request under this subparagraph.

6. A municipal corporation may contest in the circuit court a county denial of a request under this subparagraph.

(iv) In Prince George’s County, if a municipal corporation has established a school zone that is within one–quarter mile of a school zone established in another municipal corporation, the municipal corporation may not implement or use a speed monitoring system in that school zone unless it has obtained the approval of the other municipal corporation.

(v) An ordinance or resolution adopted by the governing body of a local jurisdiction under this paragraph shall provide that [for a period of at least 30 days after the first speed monitoring system is placed in the local jurisdiction, a violation recorded by any speed monitoring system in the local jurisdiction may be enforced only by the issuance of a warning] IF THE LOCAL JURISDICTION MOVES OR PLACES A MOBILE OR STATIONARY SPEED MONITORING SYSTEM TO OR AT A LOCATION WHERE A SPEED MONITORING SYSTEM HAD NOT PREVIOUSLY BEEN
MOVED OR PLACED, THE LOCAL JURISDICTION MAY NOT ISSUE A CITATION FOR A VIOLATION RECORDED BY THAT SPEED MONITORING SYSTEM:

1. Until signage is installed in accordance with subparagraph (vii) of this paragraph; and

2. For at least the first 15 calendar days after the signage is installed.

(vi) This section applies to a violation of this subtitle recorded by a speed monitoring system that meets the requirements of this subsection and has been placed:

1. In Montgomery County, on a highway in a residential district, as defined in § 21–101 of this title, with a maximum posted speed limit of 35 miles per hour, which speed limit was established using generally accepted traffic engineering practices;

2. In a school zone [established under § 21–803.1 of this subtitle] with a posted speed limit of at least 20 miles per hour; or

3. In Prince George’s County, on that part of a highway located within the grounds of an institution of higher education as defined in § 10–101(h) of the Education Article, or within one–half mile of the grounds of a building or property used by the institution of higher education where generally accepted traffic and engineering practices indicate that motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the institution of higher education.

(vii) Before activating [an unmanned stationary] a speed monitoring system, the local jurisdiction shall:

1. Publish notice of the location of the speed monitoring system on its website and in a newspaper of general circulation in the jurisdiction;

2. Ensure that each sign that designates a school zone [indicates] is proximate to a sign that:
A. **INDICATES** that speed monitoring systems are in use in the school [zones] ZONE; AND

B. **IS IN ACCORDANCE WITH THE MANUAL AND SPECIFICATIONS FOR A UNIFORM SYSTEM OF TRAFFIC CONTROL DEVICES ADOPTED BY THE STATE HIGHWAY ADMINISTRATION UNDER § 25–104 OF THIS ARTICLE;** and

3. With regard to a speed monitoring system established based on proximity to an institution of higher education under paragraph (1)(vi)3 of this subsection, ensure that all speed limit signs approaching and within the segment of highway on which the speed monitoring system is located include signs that:

   A. Are in accordance with the manual and specifications for a uniform system of traffic control devices adopted by the State Highway Administration under § 25–104 of this article; and

   B. Indicate that a speed monitoring system is in use.

(viii) A speed monitoring system in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m.

(IX) 1. **A LOCAL JURISDICTION THAT AUTHORIZES A PROGRAM OF SPEED MONITORING SYSTEMS SHALL DESIGNATE AN OFFICIAL OR EMPLOYEE TO INVESTIGATE AND RESPOND TO QUESTIONS OR CONCERNS ABOUT THE LOCAL JURISDICTION’S SPEED MONITORING SYSTEM PROGRAM.**

2. **BEFORE THE DEADLINE FOR CONTESTING LIABILITY UNDER THIS SECTION, THE LOCAL DESIGNEE MAY REVIEW AND, IF A CITATION IS DETERMINED TO BE AN ERRONEOUS VIOLATION, VOID A SPEED MONITORING SYSTEM CITATION.**

3. **A LOCAL DESIGNEE MAY NOT BE EMPLOYED BY A SPEED MONITORING SYSTEM CONTRACTOR OR HAVE BEEN INVOLVED IN ANY PREVIOUS REVIEW UNDER THIS SECTION OF SPEED MONITORING SYSTEM CITATIONS.**
4. On receipt of a question or concern from a person, the local designee shall provide a written answer or response to the person within a reasonable time.

5. A local jurisdiction shall make any written questions or concerns received under this subparagraph, and any subsequent answers or responses, available for public inspection.

   (2) (i) A speed monitoring system operator shall complete training by a manufacturer of speed monitoring systems in the procedures for setting up and operating the speed monitoring system.

   (ii) The manufacturer shall issue a signed certificate to the speed monitoring system operator on completion of the training.

   (iii) The certificate of training shall be admitted as evidence in any court proceeding for a violation of this section.

   (3) A speed monitoring system operator shall fill out and sign a daily set-up log for a speed monitoring system that:

   (i) States that the speed monitoring system operator successfully performed or reviewed and evaluated the manufacturer–specified DAILY self-test of the speed monitoring system prior to producing a recorded image;

   (ii) Shall be kept on file; and

   (iii) Shall be admitted as evidence in any court proceeding for a violation of this section.

   (4) (i) A speed monitoring system shall undergo an annual calibration check performed by an independent calibration laboratory that is:

1. Selected by the local jurisdiction; and

2. Unaffiliated with the manufacturer of the speed monitoring system.
(ii) The independent calibration laboratory shall issue a signed certificate of calibration after the annual calibration check that:

1. Shall be kept on file; and

2. Shall be admitted as evidence in any court proceeding for a violation of this section.

(5) If a local jurisdiction authorizes a program of speed monitoring systems under this section:

(I) The local jurisdiction shall designate a program administrator, who may not be an employee or representative of the speed monitoring system contractor; and

(II) The contract with the speed monitoring system contractor shall include the following provisions:

1. For potential violations submitted by a contractor for review by an agency, if more than 5% of the violations in a calendar year are erroneous violations, then the contractor shall be subject to liquidated damages for each erroneous violation equal to at least 50% of the fine amount for the erroneous violation, plus any reimbursements paid by the local jurisdiction; and

2. The local jurisdiction may cancel a contract with a contractor if the contractor violates the contract beyond a threshold specified in the contract or violates the law in implementing the contract.

(6) (I) The Maryland Association of Chiefs of Police, in consultation with the Maryland Sheriff’s Association and the Administration, shall develop a training program concerning the oversight and administration of a speed monitoring program by a
LOCAL JURISDICTION, INCLUDING A CURRICULUM OF BEST PRACTICES IN THE STATE.

(II) 1. A PROGRAM ADMINISTRATOR SHALL PARTICIPATE IN THE TRAINING PROGRAM ESTABLISHED UNDER THIS PARAGRAPH BEFORE A LOCAL JURISDICTION INITIALLY IMPLEMENTS A SPEED MONITORING PROGRAM AND SUBSEQUENTLY AT LEAST ONCE EVERY 2 YEARS.

2. IF A LOCAL JURISDICTION DESIGNATES A NEW PROGRAM ADMINISTRATOR, THE NEW PROGRAM ADMINISTRATOR SHALL PARTICIPATE IN THE NEXT AVAILABLE TRAINING PROGRAM.

(c) (1) Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is recorded by a speed monitoring system while being operated in violation of this subtitle.

(2) A civil penalty under this subsection may not exceed $40.

(3) For purposes of this section, the District Court shall prescribe:

(i) A uniform citation form consistent with subsection (d)(1) of this section and § 7–302 of the Courts Article; and

(ii) A civil penalty, which shall be indicated on the citation, to be paid by persons who choose to prepay the civil penalty without appearing in District Court.

(d) (1) Subject to the provisions of paragraphs (2) through (4) of this subsection, an agency shall mail to an owner liable under subsection (c) of this section a citation that shall include:

(i) The name and address of the registered owner of the vehicle;

(ii) The registration number of the motor vehicle involved in the violation;
(iii) The violation charged;

(iv) The location where the violation occurred;

(v) The date and time of the violation;

(vi) A copy of the recorded image;

(vii) The amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(viii) A signed statement by a duly authorized law enforcement officer employed by or under contract with an agency that, based on inspection of recorded images, the motor vehicle was being operated in violation of this subtitle;

(ix) A statement that recorded images are evidence of a violation of this subtitle;

(x) Information advising the person alleged to be liable under this section of the manner and time in which liability as alleged in the citation may be contested in the District Court; and

(xi) Information advising the person alleged to be liable under this section that failure to pay the civil penalty or to contest liability in a timely manner:

1. Is an admission of liability;

2. May result in the refusal by the Administration to register the motor vehicle; and

3. May result in the suspension of the motor vehicle registration.

(2) An agency may mail a warning notice instead of a citation to the owner liable under subsection (c) of this section.

(3) Except as provided in subsection (f)(4) of this section, an agency may not mail a citation to a person who is not an owner.
(4) Except as provided in subsection (f)(4) of this section, a citation issued under this section shall be mailed no later than 2 weeks after the alleged violation if the vehicle is registered in this State, and 30 days after the alleged violation if the vehicle is registered in another state.

(5) A person who receives a citation under paragraph (1) of this subsection may:

(i) Pay the civil penalty, in accordance with instructions on the citation, directly to the political subdivision; or

(ii) Elect to stand trial in the District Court for the alleged violation.

(e) (1) A certificate alleging that the violation of this subtitle occurred and the requirements under subsection (b) of this section have been satisfied, sworn to, or affirmed by [an agent or employee of] A DULY AUTHORIZED LAW ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT WITH an agency, based on inspection of recorded images produced by a speed monitoring system, shall be evidence of the facts contained in the certificate and shall be admissible in a proceeding alleging a violation under this section without the presence or testimony of the speed monitoring system operator who performed the requirements under subsection (b) of this section.

(2) If a person who received a citation under subsection (d) of this section desires the speed monitoring system operator to be present and testify at trial, the person shall notify the court and the State in writing no later than 20 days before trial.

(3) Adjudication of liability shall be based on a preponderance of evidence.

(f) (1) The District Court may consider in defense of a violation:

(i) Subject to paragraph (2) of this subsection, that the motor vehicle or the registration plates of the motor vehicle were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation;
(ii) Subject to paragraph (3) of this subsection, evidence that the person named in the citation was not operating the vehicle at the time of the violation; and

(iii) Any other issues and evidence that the District Court deems pertinent.

(2) To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner shall submit proof that a police report regarding the stolen motor vehicle or registration plates was filed in a timely manner.

(3) To satisfy the evidentiary burden under paragraph (1)(ii) of this subsection, the person named in the citation shall provide to the District Court a letter, sworn to or affirmed by the person and mailed by certified mail, return receipt requested, that:

(i) States that the person named in the citation was not operating the vehicle at the time of the violation; and

(ii) Includes any other corroborating evidence.

(4) (i) If the District Court finds that the person named in the citation was not operating the vehicle at the time of the violation or receives evidence under paragraph (3) of this subsection identifying the person driving the vehicle at the time of the violation, the clerk of the court shall provide to the agency issuing the citation a copy of any evidence substantiating who was operating the vehicle at the time of the violation.

(ii) On receipt of substantiating evidence from the District Court under subparagraph (i) of this paragraph, an agency may issue a citation as provided in subsection (d) of this section to the person who the evidence indicates was operating the vehicle at the time of the violation.

(iii) A citation issued under subparagraph (ii) of this paragraph shall be mailed no later than 2 weeks after receipt of the evidence from the District Court.
(g) If a person liable under this section does not pay the civil penalty or contest the violation, the Administration:

(1) May refuse to register or reregister the motor vehicle cited for the violation; or

(2) May suspend the registration of the motor vehicle cited for the violation.

(h) A violation for which a civil penalty is imposed under this section:

(1) Is not a moving violation for the purpose of assessing points under § 16–402 of this article;

(2) May not be recorded by the Administration on the driving record of the owner or driver of the vehicle;

(3) May be treated as a parking violation for purposes of § 26–305 of this article; and

(4) May not be considered in the provision of motor vehicle insurance coverage.

(i) In consultation with the appropriate local government agencies, the Chief Judge of the District Court shall adopt procedures for the issuance of citations, the trial of civil violations, and the collection of civil penalties under this section.

(j) (1) An agency or an agent or contractor designated by the agency shall administer and process civil citations issued under this section in coordination with the District Court.

(2) If a contractor IN ANY MANNER operates a speed monitoring system OR ADMINISTERS OR PROCESSES CITATIONS GENERATED BY A SPEED MONITORING SYSTEM on behalf of a local jurisdiction, the contractor’s fee may not be contingent ON A PER–TICKET BASIS on the number of citations issued or paid.

SECTION 2. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, a presently existing obligation, contract, or contract right may
not be impaired in any way by this Act and this Act does not abrogate any current obligation, contract, or contract right in existence before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That on or after October 1, 2014, but before the termination date of an obligation, contract, or contract right existing on the effective date of this Act, a local jurisdiction may alter without penalty an obligation, contract, or contract right existing on the effective date of this Act to comply with the provisions of this Act if the governing body of the local jurisdiction provides in writing that the alteration would serve the public interest.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Malone moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

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

Senate Bill 671 – Senator Conway Senators Conway and Dyson

AN ACT concerning

Land Use – Local Comprehensive Planning and Zoning Cycle

SB0671/270111/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 671
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “requiring” in line 20 down through “circumstances;” in line 22; and in line 23, after “circumstances;” insert “providing for a certain construction of this Act; requiring a local jurisdiction to comply with certain provisions of law concerning growth tiers except under certain circumstances;”.


AMENDMENT NO. 2

On page 3, in line 24, strike “ZONING AND ORDINANCES” and substitute “COMPREHENSIVE REZONING”; in line 26, after “ANY” insert “SIGNIFICANT”; in line 27, strike “OR”; in the same line, after the second “PROGRAMS” insert “, OR STATE REQUIREMENTS”; and strike beginning with “SMART” in line 31 down through “IN” in line 32 and substitute “IMPLEMENTATION OF”.

On page 4, in line 2, strike “SCHEDULED, PLANNED, AND” and substitute “A SUMMARY OF ANY”.

AMENDMENT NO. 3

On page 6, in line 23, strike “Notwithstanding” and substitute “If a local jurisdiction chooses to adopt growth tiers under Title 1, Subtitle 5 of the Land Use Article, and notwithstanding”; in line 25, strike “under Title 1, Subtitle 5 of the Land Use Article”; in line 29, after “jurisdiction” insert “adopts a growth tier but”; in the same line, strike “all of”; in the same line, strike “tiers” and substitute “tier”; and strike beginning with “section” in line 30 down through “and” in line 32.

On page 7, in line 1, strike “(2) the growth tiers” and substitute “section, the growth tier”; and after line 2, insert:

“(c) This Act may not be construed as requiring a local jurisdiction to adopt, amend, or repeal growth tiers under Title 1, Subtitle 5 of the Land Use Article.

(d) Except as provided in subsection (a) of this section, a local jurisdiction shall comply with Title 1, Subtitle 5 of the Land Use Article when adopting growth tiers.”.

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 742 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senator Ferguson
AN ACT concerning

Vehicle Laws – Residential Parking in Baltimore City

Favorable report adopted.

Delegate Malone moved to make the Bill a Special Order for Saturday.

The motion was adopted.

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

**Senate Bill 965 – Senator Rosapepe**

AN ACT concerning

Maryland Smart Growth Investment Fund Workgroup

SB0965/440311/1

BY: Environmental Matters Committee

**AMENDMENTS TO SENATE BILL 965**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 14, strike “the Laws of Maryland read as follows”.

On page 2, in line 25, strike “moneys” and substitute “money”.

**AMENDMENT NO. 2**

On page 2, after line 6, insert:

“(5) the Secretary of Budget and Management, or the Secretary’s designee;”;

in lines 7 and 8, strike “(5)” and “(6)”, respectively, and substitute “(6)” and “(7)”, respectively; and strike in their entirety lines 9 and 10.

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 JUDICIARY REPORT #18

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

Senate Bill 356 – Senators Pugh, Benson, Conway, Currie, Forehand, Jones–Rodwell, King, Klausmeier, Madaleno, Ramirez, and Zirkin

AN ACT concerning

Ex–Offender Business Development Program Study

SB0356/862617/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 356
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 7, after “identify” insert “certain”.

AMENDMENT NO. 2
On page 1, strike beginning with the colon in line 16 down through “(ii)” in line 18.

On page 2, in line 1, after “identify” insert “nongovernmental”; and in the same line, strike “to invest in ex–offender businesses 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 Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 715 – Senators Ramirez, Benson, Currie, Ferguson, Forehand, Garagiola, Gladden, King, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, and Raskin
AN ACT concerning

Maryland Highway Safety Act of 2013

Favorable report adopted.

Delegate Vallario 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 1001 – Senator Ramirez

AN ACT concerning

Family Law – Protective Orders – Notification of Service – Sunset Extension

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. 912)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #67

House Bill 1004 – Delegates Cardin, Stocksdale, Aumann, Boteler, Dwyer, Eckardt, Frank, Glass, Impallaria, McConkey, McDonough, Murphy, Sophocleus, and Waldstreicher, Waldstreicher, Afzali, and Walker

AN ACT concerning

Income Tax – Subtraction Modification – Maryland Civil Air Patrol

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 sent to the Senate.

House Bill 1325 – Delegate Wood

AN ACT concerning

Transportation – Capital Projects – Life Cycle Cost Analysis

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

Affirmative – 128   Negative – 9   (See Roll Call No. 914)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #18

Senate Bill 408 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Special Deputy Sheriffs – Insurance Coverage

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

Affirmative – 138   Negative – 0   (See Roll Call No. 915)

The Bill was then returned to the Senate.

Senate Bill 424 – Senator Mathias

AN ACT concerning

Somerset County – Emergency Burning Ban – Adoption and Enforcement

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 462 – Senator Simonaire

AN ACT concerning
Environment – Wetlands and Waterways Authorizations – Installation of Personal Watercraft Lifts

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

Affirmative – 139     Negative – 0     (See Roll Call No. 917)

The Bill was then returned to the Senate.

Senate Bill 563 – Senator Simonaire

AN ACT concerning

Environment – Permit Applications – Notice – Neighboring Jurisdictions and Public Utilities – Notice to Neighboring Jurisdictions of Applications

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

Affirmative – 138     Negative – 0     (See Roll Call No. 918)

The Bill was then returned to the Senate.

Senate Bill 586 – Senators Middleton and Dyson, Dyson, Conway, Benson, Ferguson, Jennings, Montgomery, Pinsky, Reilly, Simonaire, and Young

AN ACT concerning

Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region

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

Affirmative – 139     Negative – 0     (See Roll Call No. 919)

The Bill was then returned to the Senate.

Senate Bill 662 – Senators Mathias and Colburn

AN ACT concerning

Natural Resources – Commercial Fishing – Licensing

Read the third time and passed by yeas and nays as follows:
The Bill was then returned to the Senate.

Senate Bill 766 – Senator Edwards

AN ACT concerning

Business Occupations – Oil and Gas Land Professionals – Registration

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

Affirmative – 138 Negative – 0 (See Roll Call No. 921)

The Bill was then returned to the Senate.

Senate Bill 820 – Senator Benson (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund) and Senators Rosapepe, Astle, Conway, Jennings, Madaleno, Manno, Montgomery, Pinsky, Pugh, Raskin, Stone, Young, and Zirkin

AN ACT concerning

Animal Welfare – Spay/Neuter Fund – Establishment

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

Affirmative – 113 Negative – 25 (See Roll Call No. 922)

The Bill was then returned to the Senate.

Senate Bill 897 – Senator Klausmeier

AN ACT concerning

Consumer Protection – Security Freezes – Children in Foster Care Settings

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

Affirmative – 139 Negative – 0 (See Roll Call No. 923)

The Bill was then returned to the Senate.

Senate Bill 969 – Senators Glassman, Dyson, and Mathias

AN ACT concerning
Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

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

Affirmative – 139     Negative – 0     (See Roll Call No. 924)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #19

Senate Bill 2 – Senator Colburn

EMERGENCY BILL

AN ACT concerning

    Dorchester County – Turkey Hunting on Public Land – Sundays

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

Affirmative – 129     Negative – 8     (See Roll Call No. 925)

The Bill was then returned to the Senate.

Senate Bill 21 – Senator Klausmeier

AN ACT concerning

    Natural Resources – Aquaculture Coordinating Council – Reporting Date

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

Affirmative – 139     Negative – 0     (See Roll Call No. 926)

The Bill was then returned to the Senate.

Senate Bill 25 – Senators Forehand and Klausmeier

AN ACT concerning

    Vehicle Laws – Title and Registration – Transfer to Surviving Spouse

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

Affirmative – 139     Negative – 0     (See Roll Call No. 927)
The Bill was then returned to the Senate.

**Senate Bill 27** – Senator Astle Senators Astle, Miller, Conway, Pinsky, Rosapepe, Benson, Young, and Ferguson

AN ACT concerning

Chesapeake Conservation Corps Program – Extension

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

Affirmative – 130    Negative – 7    (See Roll Call No. 928)

The Bill was then returned to the Senate.

**Senate Bill 85** – Chair, Finance Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Port Commission – Management Personnel Appointments – Operating and Managing Port Facilities

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

Affirmative – 137    Negative – 0    (See Roll Call No. 929)

The Bill was then returned to the Senate.

**Senate Bill 98** – Senator Klausmeier

AN ACT concerning

Business Regulation – Other Tobacco Products – Wholesalers – License Fee Exception for Cigarette Subwholesalers

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

Affirmative – 137    Negative – 2    (See Roll Call No. 930)

The Bill was then returned to the Senate.

**Senate Bill 154** – Senator Mathias

AN ACT concerning
Somerset County – County Treasurer – Abolishment and Transfer of Functions to the County Supervisor of Tax Collection

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

Affirmative – 138  Negative – 1  (See Roll Call No. 931)

The Bill was then returned to the Senate.

Senate Bill 155 – Senator Mathias

AN ACT concerning

Somerset County – Sale of Small Boat Harbor Dock

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

Affirmative – 138  Negative – 0  (See Roll Call No. 932)

The Bill was then returned to the Senate.

Senate Bill 161 – Senator Kelley

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

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

Affirmative – 139  Negative – 0  (See Roll Call No. 933)

The Bill was then returned to the Senate.

Senate Bill 217 – Senator Klausmeier (By Request – Baltimore County Administration)

AN ACT concerning

Vehicle Laws – Registration Plates for Individuals with Disabilities – Parking in Baltimore County

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

Affirmative – 135  Negative – 2  (See Roll Call No. 934)

The Bill was then returned to the Senate.
THIRD READING CALENDAR (SENATE BILLS) #20

Senate Bill 55 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Private Career Schools – Solicitor Permits – Repeal

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

Affirmative – 138     Negative – 0     (See Roll Call No. 935)

The Bill was then returned to the Senate.

Senate Bill 56 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Unauthorized Institutions of Postsecondary Education – Transcripts, Diplomas, and Grade Reports – Penalties

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

Affirmative – 139     Negative – 0     (See Roll Call No. 936)

The Bill was then returned to the Senate.

Senate Bill 67 – Chair, Budget and Taxation Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

Central Collection Unit – Monitoring and Recording of Telephone Calls – Training and Quality Control Purposes

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

Affirmative – 139     Negative – 0     (See Roll Call No. 937)

The Bill was then returned to the Senate.

Senate Bill 153 – Senator Currie
AN ACT concerning

Higher Education – Academic Credit for Military Education, Training, and Experience

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

Affirmative – 139  Negative – 0  (See Roll Call No. 938)

The Bill was then returned to the Senate.

Senate Bill 226 – Senators Pugh, Benson, Currie, Dyson, Jones–Rodwell, Kasemeyer, Kelley, McFadden, Muse, and Robey

AN ACT concerning

Morgan State University – Board of Regents – Length and Limitation of Terms

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

Affirmative – 137  Negative – 0  (See Roll Call No. 939)

The Bill was then returned to the Senate.

Senate Bill 269 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Correction of Errors in Benefits

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

Affirmative – 138  Negative – 0  (See Roll Call No. 940)

The Bill was then returned to the Senate.

Senate Bill 414 – Senators King, Benson, Currie, Forehand, Garagiola, Jennings, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, and Pugh, Pugh, and Frosh, and Muse

AN ACT concerning

Higher Education – Tuition Waiver – Foster Care Recipients
Read the third time and passed by yeas and nays as follows:

   Affirmative – 139   Negative – 0   (See Roll Call No. 941)

The Bill was then returned to the Senate.

Senate Bill 470 – Senator Mathias

AN ACT concerning

   Employees’ Pension System – Somerset County Economic Development Commission – Eligible Governmental Unit

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

   Affirmative – 139   Negative – 0   (See Roll Call No. 942)

The Bill was then returned to the Senate.

Senate Bill 474 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

   State Retirement and Pension System – Funding Method and Amortization of Unfunded Liabilities or Surpluses

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

   Affirmative – 138   Negative – 0   (See Roll Call No. 943)

The Bill was then returned to the Senate.

Senate Bill 476 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

   State Retirement and Pension System – Unused Sick Leave Calculation – Clarification

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

   Affirmative – 139   Negative – 0   (See Roll Call No. 944)

The Bill was then returned to the Senate.
Senate Bill 674 – Senators Edwards and Mathias

AN ACT concerning

Employees’ Pension System – Elected or Appointed Officials – Optional Membership

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 741 – Senators Jones–Rodwell

AN ACT concerning

State Retirement and Pension System – Board of Trustees

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 751 – Senator Robey

AN ACT concerning

State Police Retirement System – Reemployment of Retirees

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

Affirmative – 138  Negative – 0  (See Roll Call No. 947)

The Bill was then returned to the Senate.

Senate Bill 801 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension Systems – Cost–of–Living Adjustments – Simplification and Clarification

Read the third time and passed by yeas and nays as follows:
Affirmative – 139   Negative – 0   (See Roll Call No. 948)

The Bill was then returned to the Senate.

Senate Bill 809 – Senator Frosh

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

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

   Affirmative – 126   Negative – 11   (See Roll Call No. 949)

The Bill was then returned to the Senate.

Senate Bill 813 – Senator Shank   Senators Shank and Edwards

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

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

   Affirmative – 139   Negative – 0   (See Roll Call No. 950)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #21

Senate Bill 516 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Conway, Ferguson, McFadden, and Pugh

AN ACT concerning

Economic Development – Baltimore Convention Facility – Operating Deficits

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

   Affirmative – 103   Negative – 36   (See Roll Call No. 951)

The Bill was then returned to the Senate.
THIRD READING CALENDAR (SENATE BILLS) #22

Senate Bill 139 – Senator Conway

AN ACT concerning

Health Care Practitioners – Prescription Drug or Device Dispensing – Medical Facilities or Clinics That Specialize in Treatment Reimbursable Through Workers’ Compensation Insurance

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

Affirmative – 138  Negative – 0  (See Roll Call No. 952)

The Bill was then returned to the Senate.

Senate Bill 188 – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, McFadden, Middleton, Montgomery, Muse, and Ramirez

AN ACT concerning

Minority Business Enterprises – Goals and Subgoals

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

Affirmative – 136  Negative – 2  (See Roll Call No. 953)

The Bill was then returned to the Senate.

Senate Bill 195 – Senators Kelley, Astle, Benson, Forehand, Glassman, Jacobs, Jones–Rodwell, Kittleman, Mathias, Middleton, Pugh, and Rosapepe

AN ACT concerning

Hospitals – Notice to Patients – Outpatient Status and Billing Implications

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

Affirmative – 139  Negative – 0  (See Roll Call No. 954)

The Bill was then returned to the Senate.

Senate Bill 334 – Senators Jones–Rodwell, Benson, Brinkley, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Jacobs, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden,
Mammograms – Dense Breast Tissue – Notification

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 346 – Senator Kelley

AN ACT concerning

Innovations in Aging Services Program – Commission on Aging – Responsibilities

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

  Affirmative – 139  Negative – 0  (See Roll Call No. 956)

The Bill was then returned to the Senate.

Senate Bill 380 – Senators Muse, Colburn, Conway, Dyson, Ferguson, Jacobs, Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pugh, Raskin, Simonaire, Stone, Young, and Zirkin

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 – 138  Negative – 0  (See Roll Call No. 957)

The Bill was then returned to the Senate.

Senate Bill 400 – Senator Glassman

AN ACT concerning
Environmental Health Specialists – Licensure Examinations – Applicant Qualifications and Waiver

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

Affirmative – 138 Negative – 0 (See Roll Call No. 958)

The Bill was then returned to the Senate.

Senate Bill 599 – Senator Conway

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

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

Affirmative – 138 Negative – 0 (See Roll Call No. 959)

The Bill was then returned to the Senate.

Senate Bill 617 – Senator Klausmeier

AN ACT concerning

Drug Therapy Management – Physician–Pharmacist Agreements

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

Affirmative – 139 Negative – 0 (See Roll Call No. 960)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #28

Senate Bill 279 – The President (By Request – Administration) and Senators Raskin, Benson, Conway, Ferguson, Forehand, Frosh, Garagiola, King, Klausmeier, Madaleno, Pinsky, Pugh, Rosapepe, Young, and Zirkin

Zirkin, Montgomery, Gladden, Kasemeyer, Jones–Rodwell, Manno, McFadden, Muse, and Peters

AN ACT concerning

Election Law – Improving Access to Voting

Read the third time and passed by yeas and nays as follows:
The Bill was then returned to the Senate.

Senate Bill 535 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Amusement Devices – Tip Jars

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

Affirmative – 134  Negative – 2  (See Roll Call No. 962)

The Bill was then returned to the Senate.

Senate Bill 542 – Senators Young, Jacobs, Raskin, and Shank

AN ACT concerning

Election Law – Polling Places – Electioneering

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

Affirmative – 137  Negative – 0  (See Roll Call No. 963)

The Bill was then returned to the Senate.

Senate Bill 730 – Senators King, Colburn, Garagiola, and Manno

AN ACT concerning

Recordation and Transfer Taxes – Low Income Housing Projects – Controlling Interest

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

Affirmative – 139  Negative – 0  (See Roll Call No. 964)

The Bill was then returned to the Senate.

Senate Bill 900 – Senator Jones–Rodwell

AN ACT concerning
Baltimore City – Community Development Projects – Payment in Lieu of Taxes Agreements – Economic Development Projects

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 905 – Senator DeGrange Senators DeGrange and McFadden

AN ACT concerning

   Video Lottery Facilities – Table Game Proceeds

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

Affirmative – 116   Negative – 20   (See Roll Call No. 966)

The Bill was then returned to the Senate.

Senate Bill 917 – Senator Edwards

AN ACT concerning

   Allegany County – Video Lottery Terminals – Distribution of Proceeds

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

Affirmative – 137   Negative – 0   (See Roll Call No. 967)

The Bill was then returned to the Senate.

Senate Bill 945 – Senator Pinsky

AN ACT concerning

   Higher Education – Maryland Longitudinal Data System – Governing Board and Data Transfers

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

The motion was adopted.

Senate Bill 947 – Senator Jennings

EMERGENCY BILL
AN ACT concerning

Baltimore County – Property Tax Credit – Bowerman–Loreley Beach Community Association, Inc.

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

Affirmative – 138  Negative – 0  (See Roll Call No. 968)

The Bill was then returned to the Senate.

Senate Bill 961 – Senator Peters

AN ACT concerning

Horse Racing – Special Takeout and Bowie Race Course Training Center

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

Affirmative – 136  Negative – 0  (See Roll Call No. 969)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

House Bill 929 – Delegates Malone and McMillan

AN ACT concerning

Motor Vehicles – Speed Monitoring Systems – Local Jurisdictions

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. CONAWAY ADOPTED.

FLOOR AMENDMENT

HB0929/883227/1

BY:  Delegate Conaway

AMENDMENT TO HOUSE BILL 929

(First Reading File Bill)
On page 1, in the sponsor line, strike “and McMillan” and substitute “McMillan, and Conaway”.

The preceding amendment was read and adopted.

Delegate Smigiel moved to make the Bill a Special Order for next session.

The motion was adopted.

**Senate Bill 207 – Senators Brochin, Klausmeier, Muse, Peters, and Zirkin**

AN ACT concerning

Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

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

Delegate Malone moved to make the Bill a Special Order for next session.

The motion was adopted.

**YEAS AND NAYS**

HOUSE BILLS PASSED IN THE SENATE

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Read and ordered journalized.
MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 422 – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Gladden, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Stone, and Young

AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

FOR the purpose of requiring public school employers in all jurisdictions of the State to negotiate with certain employee organizations designated as the exclusive representatives for the public school employees a requirement of a certain service or representation fee to be charged to nonmembers; exempting certain employees from certain requirements for paying service or representation fees; requiring certain public school employers and certain exclusive bargaining representatives to negotiate whether service or representation fees are applicable to certain employees under certain circumstances; providing for the ratification of certain contracts in certain counties by certain employees after a certain date; providing a certain exception and requirement for noncertificated employees whose religious beliefs are opposed to joining or financially supporting a collective bargaining organization; requiring the exclusive representative to establish and maintain a certain procedure; requiring the public school employer to deduct a certain fee from the earnings of nonmember employees in accordance with a certain schedule; excluding certain negotiated fees from certain requirements and further negotiations; making conforming changes; providing for the application of this Act; and generally relating to representation fees for public school employees.

BY repealing and reenacting, with amendments,

Article – Education
Section 6–407(c) and 6–504
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing

Article – Education
Section 6–407(d), (e), and (f)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education
Section 6–407(d), (e), and (f)
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 482 – Senator Manno

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs

FOR the purpose of altering the amount an individual or corporation may claim as a credit against the State income tax for certain costs incurred to obtain federal security clearances and to construct or renovate certain sensitive compartmented information facilities in the State; altering the total amount of credits that the Department of Business and Economic Development may approve for any calendar year; authorizing an individual or corporation to claim as a credit against the State income tax certain rental expenses under certain circumstances; and generally relating to a credit against the State income tax for costs related to federal security clearances.

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–732(b) and (c)(2)(i)
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 592 – Senators Frosh, Benson, Forehand, King, Madaleno, Manno, Montgomery, Pinsky, Raskin, Rosapepe, Stone, and Young

AN ACT concerning

Natural Resources – Shark Fins – Restriction on Possession or Distribution

FOR the purpose of prohibiting a person from possessing, selling, offering for sale, trading, or distributing a shark fin; exempting a certain person, museum, college, or university from the prohibition against possessing a shark fin under certain circumstances; requiring the Department of Natural Resources to adopt regulations to implement this Act; defining certain terms; and generally relating to a restriction on the possession or distribution of a shark fin.

BY adding to

Article – Natural Resources
Read the first time and referred to the Committee on Rules and Executive Nominations.

Senate Bill 675 – Senators Manno, Benson, Forehand, Frosh, Montgomery, Pinsky, and Young

AN ACT concerning

Maryland Pesticide Reporting and Information Act Workgroup

FOR the purpose of requiring the Department of Agriculture to adopt certain regulations regarding reporting on the use, release, sale, and purchase of certain pesticides; requiring certain persons that use, release, sell, or purchase certain pesticides to submit certain reports to the Department; requiring the reports to contain certain information; requiring certain restricted-use pesticide reports to be submitted at least semi-annually in a manner required by the Department; requiring certain pesticide reports to be submitted annually beginning on a certain date; requiring the Department to establish the format of the reports; requiring the Department to adopt regulations for standard naming conventions for certain chemicals and products; requiring a person that withholds certain information from a certain report to notify the Department and provide a certain explanation; establishing that this Act does not relieve a person from certain reporting requirements under federal, State, or local laws; authorizing the Department to inspect certain records; requiring certain records to be made available to the Department for inspection at a certain time; requiring the Department to provide notice of a certain inspection of records to a certain person; requiring the Department to serve as the repository for certain records; authorizing the Department to delegate certain data management functions; authorizing the Department to share data management resources with other State departments; requiring the Department to establish a system, including an electronic reporting system for the submission of reports; requiring the online electronic reporting system to allow certain information to be reported; authorizing the Department to establish a certain policy regarding electronic reporting; authorizing the Department to adopt regulations regarding the public availability of certain information; requiring the Department to adopt regulations to ensure that certain data will not result in the association of the data with a certain person; requiring the Department to adopt regulations to protect the identity of certain persons; limiting access to certain reports to certain persons; prohibiting access to certain reports unless certain requirements are met; requiring the availability of certain administrative and judicial review under certain circumstances; creating a Pesticide Use and Release Fund; providing for the administration of the Fund; requiring the Fund to be used for certain purposes; requiring the Fund to have an annual revenue
target; requiring the Department to set the revenue target and adjust the target based on certain conditions; requiring the Department to place a certain surcharge on certain fees; requiring the surcharge fees to be deposited into the Fund; requiring the Department to establish a tracking system for certain pesticide purchases; defining certain terms; declaring certain findings of the General Assembly; and generally relating to pesticide use and release reporting, establishing the Maryland Pesticide Reporting and Information Workgroup; providing for the composition, cochairs, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding the establishment of a pesticide use database; requiring the Workgroup to report its preliminary and final findings and recommendations to certain committees of the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Maryland Pesticide Reporting and Information Workgroup.

**BY repealing and reenacting, without amendments,**

**Article – Agriculture**

Section 5–101(g), 5–105, and 5–201(a), (c), (g), (j), (l), and (r)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

**BY adding to**

**Article – Agriculture**

Section 5–2A–01 through 5–2A–21 to be under the new subtitle “Subtitle 2A. Use, Release, Sale, and Purchase of Pesticides”

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 828 – Senator Madaleno Senator Madaleno, Jones–Rodwell, and McFadden**

AN ACT concerning

St. Mary’s College of Maryland – Tuition Freeze and DeSousa–Brent Scholars Completion Grant

FOR the purpose of prohibiting the Board of Trustees of St. Mary’s College of Maryland from increasing the undergraduate resident student tuition rates in certain academic years; requiring the Governor to appropriate a certain amount
to St. Mary’s College of Maryland from a certain fund in certain fiscal years; requiring a certain calculation for a certain fiscal year to include certain funds; establishing a DeSousa–Brent Scholars Completion Grant; stating the purpose of a certain grant; prohibiting a certain appropriation from being included in a certain calculation for certain fiscal years except in certain circumstances; requiring a certain report by a certain date; defining certain terms; and generally relating to St. Mary’s College of Maryland.

BY adding to
Article – Education
Section 14–410 and 14–411
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 1037 – Senators King, Brinkley, Colburn, Currie, DeGrange, Edwards, Garagiola, Jones–Rodwell, Kasemeyer, Madaleno, Manno, Middleton, Miller, Peters, and Robey Robey, and McFadden

AN ACT concerning

Public Safety – Response to a State Disaster or Emergency – Licensing and Taxes

FOR the purpose of providing that certain out-of-state businesses and out-of-state employees may not be considered to have established a presence in the State that would subject the businesses or employees to certain licensing, registration, or tax requirements; exempting certain out-of-state businesses and out-of-state employees from certain income taxes and withholding requirements; requiring certain out-of-state businesses and registered businesses to provide a certain statement containing certain information; defining certain terms; and generally relating to out-of-state businesses and out-of-state employees.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 14–203(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Public Safety
Section 14–219
Annotated Code of Maryland
(2011 Replacement of Volume and 2012 Supplement)
Read the first time and referred to the Committee on Rules and Executive Nominations.

Senate Bill 1051 – Senator Rosapepe Senators Rosapepe and Jones–Rodwell

AN ACT concerning

Maryland Private Sector Employees Pension Plan and Trust Task Force

FOR the purpose of establishing the Maryland Private Sector Employees Pension Plan for eligible private sector employees; establishing the Maryland Private Sector Employees Pension Trust; establishing the Maryland Private Sector Employees Pension Plan Board to manage, administer, and operate the Plan and the Trust; providing for the composition, chair, staffing, and terms of members of the Board; providing for the powers and duties of the Board; requiring the Board to adopt certain regulations; requiring the Plan to be audited annually; providing for the purpose and uses of the Trust; authorizing eligible employers to offer the Plan to eligible employees; requiring eligible employees to participate in the Plan unless written notice to opt out is provided to the Board; requiring certain accumulated contributions in the Trust to be used to purchase certain annuities for Plan participants; prohibiting an employee from withdrawing amounts from a Plan account until the date of the employee’s retirement; prohibiting the creation of any obligation on the State to provide certain guarantees under this Act; prohibiting the faith, credit, and taxing power of the State to be pledged to any debt or obligation under this Act; requiring certain conditions to be met before any plan, trust, administrative arrangement, or investment offering may be implemented; providing for the expiration of terms of certain initial Board members; defining certain terms; establishing the Maryland Private Sector Employees Pension Plan Workgroup Task Force; providing for the composition, chair, and staffing of the Workgroup Task Force to study and make recommendations regarding the implementation of a private sector employees pension plan and to report its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to the Maryland Private Sector Employees Pension Plan and the Maryland Private Sector Employees Pension Trust Task Force.

BY adding to

Article Labor and Employment
Section 12–101 through 12–502 to be under the new title “Title 12, Maryland Private Sector Employees Pension Plan and Trust”
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.
Senate Bill 1072 – Senator Middleton

AN ACT concerning

Linked Deposit Programs for Small Businesses and Minority Business Enterprises

FOR the purpose of altering the minimum interest rate that a loan may have in order to qualify under certain linked deposit programs; altering the interest rate that the State Treasurer may accept in making certain interest bearing deposits; authorizing the State Treasurer to make certain interest bearing deposits in any financial institution without certain security under certain circumstances; providing for the termination of certain provisions of this Act; and generally relating to the Linked Deposit Programs for Small Businesses and Minority Business Enterprises.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–211 and 6–212
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 970)

ADJOURNMENT

At 12:01 P.M. on motion of Delegate Barve the House adjourned until 4:00 P.M. on Legislative Day March 30, 2013, Calendar Day Thursday, April 4, 2013.
The House met at 4:59 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Mary Ann Love of Anne Arundel County.

QUORUM CALL

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

(See Roll Call No. 971)

The Journal of March 29, 2013 was read and approved.

EXCUSES:
Del. Bromwell – left early – medical
Del. Cardin – left briefly – emergency
Del. Clagett – business
Del. Donoghue – medical
Del. McDonough – left early – personal
Del. Norman – left briefly – business

YEAS AND NAYS

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

(See Roll Call No. 972)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #68


AN ACT concerning

Vehicle Laws – Unlawful Use of Off-Highway Recreational Vehicles – Administrative Penalties

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

Affirmative – 109    Negative – 26    (See Roll Call No. 973)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #69

House Bill 1139 – Delegate Frush

AN ACT concerning
Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Compensation of Relationship with Dealers

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

Affirmative – 134    Negative – 1    (See Roll Call No. 974)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #24

Senate Bill 4 – Senator Pugh

AN ACT concerning

State Personnel – Applicants for Employment – Criminal History Records Checks

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

Affirmative – 102    Negative – 34    (See Roll Call No. 975)

The Bill was then returned to the Senate.

Senate Bill 63 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Maryland Higher Education Commission – Institutional Renewal Fees and Religious Educational Institutions

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

Affirmative – 128    Negative – 9    (See Roll Call No. 976)

The Bill was then returned to the Senate.

Senate Bill 369 – Senator Edwards

AN ACT concerning

Garrett County – Bonds for Garrett County Memorial Hospital
Read the third time and passed by yeas and nays as follows:

Affirmative – 135  Negative – 0  (See Roll Call No. 977)

The Bill was then returned to the Senate.

Senate Bill 458 – Calvert County Senators

AN ACT concerning

Calvert County – Public Facilities Bonds

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

Affirmative – 139  Negative – 0  (See Roll Call No. 978)

The Bill was then returned to the Senate.

Senate Bill 477 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Employment of Retirees – Required Break in Service

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

Affirmative – 139  Negative – 0  (See Roll Call No. 979)

The Bill was then returned to the Senate.

Senate Bill 508 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Public Facilities Bonds

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

Affirmative – 138  Negative – 0  (See Roll Call No. 980)

The Bill was then returned to the Senate.

Senate Bill 588 – Carroll County Senators

AN ACT concerning
Carroll County – Public Facilities Bonds

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

Affirmative – 136    Negative – 0    (See Roll Call No. 981)

The Bill was then returned to the Senate.

Senate Bill 686 – Senator Garagiola

AN ACT concerning

Family Investment Program – Earned Income Disregard Pilot Program

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

Affirmative – 126    Negative – 13    (See Roll Call No. 982)

The Bill was then returned to the Senate.

Senate Bill 752 – Senators Robey, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez

AN ACT concerning

Department of Budget and Management – Foster Youth Summer Internship Pilot Program

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

Affirmative – 137    Negative – 0    (See Roll Call No. 983)

The Bill was then returned to the Senate.

Senate Bill 764 – Senator Conway

AN ACT concerning

Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth

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

Affirmative – 139    Negative – 0    (See Roll Call No. 984)

The Bill was then returned to the Senate.
Senate Bill 841 – The President (By Request – Administration) and Senators Benson, Conway, Currie, Garagiola, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Middleton, Montgomery, Muse, Pinsky, Pugh, Ramirez, and Stone

AN ACT concerning

Higher Education Fair Share Act

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

Affirmative – 94    Negative – 45    (See Roll Call No. 985)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #25

Senate Bill 109 – Senators Kelley, DeGrange, Forehand, Getty, Jacobs, Jones–Rodwell, Kasemeyer, Manno, Mathias, Middleton, Montgomery, Muse, Pinsky, Raskin, Reilly, Robey, Rosapepe, Shank, Stone, and Young

AN ACT concerning

Criminal Law – Controlled Dangerous Substances – Research – Synthetic Cannabinoids Cannabimimetic Agents – Prohibition

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

Affirmative – 139    Negative – 0    (See Roll Call No. 986)

The Bill was then returned to the Senate.

Senate Bill 198 – Senator Frosh

AN ACT concerning

Estates and Trusts – Family Allowance

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

Affirmative – 137    Negative – 0    (See Roll Call No. 987)

The Bill was then returned to the Senate.
Senate Bill 239 – The President (By Request – Maryland Judiciary) and Senators Garagiola and Pipkin

AN ACT concerning

Judgeships – Court of Special Appeals, Circuit Courts, and District Court

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

   Affirmative – 132   Negative – 5   (See Roll Call No. 988)

The Bill was then returned to the Senate.

Senate Bill 258 – Senator Shank

AN ACT concerning

Correctional Services – Inmate Earnings – Compensation for Victims of Crime

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

   Affirmative – 138   Negative – 0   (See Roll Call No. 989)

The Bill was then returned to the Senate.

Senate Bill 332 – Senator Gladden

AN ACT concerning

Estates and Trusts – Special and Supplemental Needs Trusts – Regulations by State Agencies

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

   Affirmative – 139   Negative – 0   (See Roll Call No. 990)

The Bill was then returned to the Senate.

Senate Bill 489 – Senators Shank and Getty

AN ACT concerning

Estates and Trusts – Slayer’s Statute
   (Ann Sue Metz Law)

Read the third time and passed by yeas and nays as follows:
Affirmative – 137  Negative – 0  (See Roll Call No. 991)

The Bill was then returned to the Senate.

Senate Bill 505 – Senator Zirkin

AN ACT concerning

Criminal Procedure – Bail Bonds – Cash Bail

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

Affirmative – 138  Negative – 0  (See Roll Call No. 992)

The Bill was then returned to the Senate.

Senate Bill 536 – Senators Shank and Zirkin

AN ACT concerning

Department of Juvenile Services – Graduated Responses – Report

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

Affirmative – 138  Negative – 0  (See Roll Call No. 993)

The Bill was then returned to the Senate.

Senate Bill 624 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)

AN ACT concerning

Identity Fraud – Medical Health Information and Health Care Records

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

Affirmative – 139  Negative – 0  (See Roll Call No. 994)

The Bill was then returned to the Senate.
Senate Bill 86 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources) and Senators Frosh, Brochin, Forehand, Gladden, Jacobs, Muse, Raskin, Stone, and Zirkin

AN ACT concerning

Voluntary Placement for Former Children in Need of Assistance

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

Affirmative – 139 Negative – 0 (See Roll Call No. 995)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE


AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

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

HB0372/439438/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 372
(Third Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, strike beginning with “PARTNERSHIP” in line 4 down through “PARTNERSHIP,” in line 5; in line 5, strike the second comma; in line 6, strike “PARTNER,”; in the same line, strike the second comma; strike beginning with
“PARTNERSHIP” in line 8 down through the first “INTEREST,” in line 9; and in line 9, strike the second comma.

AMENDMENT NO. 3
On page 3, in line 15, after “2013.” insert “It shall remain effective for a period of 5 years and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 0372
SPONSOR: Del Barve, et al
SUBJECT: Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

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 A. Miller, and
Delegate Serafini.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:
Senate Bill 715 – Senators Ramirez, Benson, Currie, Ferguson, Forehand, Garagiola, Gladden, King, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, and Raskin

AN ACT concerning

Maryland Highway Safety Act of 2013

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

FLOOR AMENDMENT

SB0715/943628/1
BY: Delegate George

AMENDMENTS TO SENATE BILL 715
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “date;” insert “requiring the Motor Vehicle Administration to obtain certain criminal records and require fingerprinting of certain applicants; authorizing the Administration to limit the locations at which an individual may apply for certain documents;”.

AMENDMENT NO. 2

On page 3, in line 4, strike “AND”; and in line 5, after “4.” insert “SUBMITS TO THE FINGERPRINTING AND CRIMINAL HISTORY RECORDS CHECKS REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION; AND

5.”;

and after line 20, insert:

“(4) THE ADMINISTRATION SHALL, FOR AN APPLICANT FOR A NEW IDENTIFICATION CARD, MOPED OPERATOR’S PERMIT, OR LICENSE TO DRIVE ISSUED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION:

(i) OBTAIN CRIMINAL RECORDS FROM THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;”
(II) REQUIRE THE APPLICANT TO BE FINGERPRINTED; AND

(III) FORWARD THE FINGERPRINTS THROUGH THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES FOR TRANSMITTAL TO THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.”.

AMENDMENT NO. 3

On page 4, in line 30, after “That” insert “the Motor Vehicle Administration may limit the locations at which an individual may apply for an identification card, a moped operator’s permit, or a license to drive that is not acceptable for federal purposes.

SECTION 3. AND BE IT FURTHER ENACTED, That”.

The preceding 3 amendments were read only.

Delegate Minnick moved the previous question.

The motion was rejected.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 56    Negative – 80    (See Roll Call No. 996)

FLOOR AMENDMENT

SB0715/233129/1
BY: Delegate Szeliga

AMENDMENTS TO SENATE BILL 715
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “statement;” insert “requiring the Motor Vehicle Administration to request certain verification from the Office of the Comptroller; requiring the Office of the Comptroller to provide certain verification within a certain period of time; authorizing the Administration to charge certain applicants a certain fee.”
AMENDMENT NO. 2

On page 3, after line 20, insert:

“(4) (I) THE ADMINISTRATION SHALL REQUEST VERIFICATION OF THE ACCURACY OF ANY DOCUMENTARY EVIDENCE PROVIDED UNDER PARAGRAPH (1)(II)3 OF THIS SUBSECTION FROM THE OFFICE OF THE COMPTROLLER.

(II) THE OFFICE OF THE COMPTROLLER SHALL SUBMIT THE VERIFICATION REQUESTED UNDER THIS PARAGRAPH TO THE ADMINISTRATION WITHIN 7 DAYS AFTER RECEIVING THE REQUEST.

(III) THE ADMINISTRATION MAY CHARGE A FEE TO AN APPLICANT TO COVER ANY ADDITIONAL COSTS ARISING OUT OF THE IMPLEMENTATION OF THIS PARAGRAPH.”.

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

Affirmative – 50   Negative – 78   (See Roll Call No. 997)

FLOOR AMENDMENT

SB0715/503929/1
BY: Delegate Impallaria

AMENDMENTS TO SENATE BILL 715
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “returns;” insert “requiring that certain documents that are not acceptable by federal agencies for official purposes expire within a certain period of time after issuance;”.

AMENDMENT NO. 2

On page 3, after line 20, insert:
“(4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A
DOCUMENT ISSUED UNDER THIS SUBSECTION SHALL EXPIRE WITHIN 1 YEAR
AFTER THE DATE IT WAS ISSUED.”.

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

Affirmative – 48  Negative – 85  (See Roll Call No. 998)

FLOOR AMENDMENT

SB0715/763927/1
BY:  Delegate Parrott

AMENDMENTS TO SENATE BILL 715
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 9, after “returns;” insert “requiring a certain applicant for an
identification card, a moped operator’s permit, or a driver’s license to provide certain
evidence of the applicant’s country of birth;”.

AMENDMENT NO. 2
On page 3, in line 4, strike “AND”; and in line 5, after “4.” insert “IN THE CASE
OF AN APPLICANT WHO IS NOT A CURRENT HOLDER OF AN IDENTIFICATION
CARD UNDER § 12–301 OF THIS ARTICLE, A MOPE D OPERATOR’S PERMIT UNDER
§ 16–104.2 OF THIS SUBTITLE, OR A LICENSE TO DRIVE ISSUED UNDER THIS
SUBTITLE, PROVIDES DOCUMENTARY EVIDENCE OF THE APPLICANT’S COUNTRY
OF BIRTH; AND

5.”.

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

Affirmative – 45  Negative – 84  (See Roll Call No. 999)

FLOOR AMENDMENT

SB0715/703424/1
BY:  Delegate McMillan
AMENDMENTS TO SENATE BILL 715
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “returns;” insert “requiring the Motor Vehicle Administration to verify with the Office of the Comptroller the accuracy of certain documentary evidence provided by certain applicants;”.

AMENDMENT NO. 2

On page 3, after line 20, insert:

“(4) The Administration shall verify with the Office of the Comptroller the accuracy of any documentary evidence relating to a Maryland income tax return provided under paragraph (1)(ii) of this subsection.”.

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

Affirmative – 50  Negative – 79  (See Roll Call No. 1000)

FLOOR AMENDMENT

SB0715/923427/1
BY: Delegate Krebs

AMENDMENT TO SENATE BILL 715
(Third Reading File Bill)

On page 3, in line 20, after “FIREARM” insert “OR FOR THE PURPOSES OF VOTING”.

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

Affirmative – 48  Negative – 84  (See Roll Call No. 1001)

FLOOR AMENDMENT

SB0715/923720/1
BY: Delegate McDonough

AMENDMENTS TO SENATE BILL 715
AMENDMENT NO. 1
On page 1, in line 9, after “returns;” insert “requiring an individual who holds a certain document to annually submit certain documentation to the Administration;”.

AMENDMENT NO. 2
On page 3, after line 20, insert:

“(4) **AN INDIVIDUAL WHO HOLDS A DOCUMENT ISSUED UNDER THIS SUBSECTION ANNUALLY SHALL SUBMIT DOCUMENTATION ACCEPTABLE TO THE ADMINISTRATION THAT THE INDIVIDUAL IS OPERATING A VEHICLE FOR WHICH THE SECURITY REQUIRED UNDER TITLE 17 OF THIS ARTICLE IS IN EFFECT.**”.

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

Affirmative – 50    Negative – 81    (See Roll Call No. 1002)

FLOOR AMENDMENT

SB0715/713623/1
BY: Delegate George

AMENDMENTS TO SENATE BILL 715
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 13, after “licenses” insert “be a certain color and”.

AMENDMENT NO. 2
On page 3, strike beginning with “INCLUDE” in line 18 down through “FIREARM” in line 20 and substitute “:

   (I) **BE A COLOR DESIGNATED BY THE ADMINISTRATION THAT DISTINGUISHES THE DOCUMENT FROM ONE THAT IS ACCEPTABLE BY FEDERAL AGENCIES FOR OFFICIAL PURPOSES:**
(II) On the front of the document, include a statement in at least 11 point red type font that states that the document is not acceptable by federal agencies for official purposes and may not be used to purchase a firearm; and

(III) On the back of the document, include a statement in at least 11 point type font that states that the document is not acceptable by federal agencies for official purposes and may not be used to purchase a firearm”.

AMENDMENT NO. 3
On page 4, in line 31, strike “2014” and substitute “2015”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 44  Negative – 89  (See Roll Call No. 1003)

FLOOR AMENDMENT

SB0715/923422/1
BY: Delegate Impallaria

AMENDMENTS TO SENATE BILL 715
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 9, after “returns;” insert “requiring a certain applicant for a certain document to submit a certain copy of the applicant’s driving record or certify that the applicant does not have a certain driving record;”.

AMENDMENT NO. 2
On page 3, in line 4, strike “AND”; and in line 5, after “4.” insert “A. SUBMITS A COPY OF THE APPLICANT’S DRIVING RECORD FROM THE APPLICANT’S COUNTRY OF ORIGIN; OR

B. CERTIFIES THAT THE APPLICANT DOES NOT HAVE A DRIVING RECORD IN THE APPLICANT’S COUNTRY OF ORIGIN; AND

5.”.
The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 47    Negative – 84    (See Roll Call No. 1004)

FLOOR AMENDMENT

SB0715/383429/1
BY: Delegate Parrott

AMENDMENTS TO SENATE BILL 715
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 9, after “returns;” insert “requiring a certain applicant for an identification card, a moped operator’s permit, or a driver’s license to provide a complete set of the applicant’s legible fingerprints;”.

AMENDMENT NO. 2
On page 3, in line 4, strike “AND”; and in line 5, after “4.” insert “In the case of an applicant who is not a current holder of an identification card under § 12–301 of this article, a moped operator’s permit under § 16–104.2 of this subtitle, or a license to drive issued under this subtitle, provides a complete set of the applicant’s legible fingerprints; and

5.”.

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

Affirmative – 50    Negative – 82    (See Roll Call No. 1005)

FLOOR AMENDMENT

SB0715/983321/1
BY: Delegate Szeliga

AMENDMENTS TO SENATE BILL 715
(Third Reading File Bill)
AMENDMENT NO. 1

On page 1, in line 9, after “returns;” insert “requiring a certain applicant for an identification card, a moped operator’s permit, or a driver’s license to provide certain documentation that the applicant has demonstrated at least a minimum level of proficiency on an approved English proficiency test;”.

AMENDMENT NO. 2

On page 3, in line 4, strike “AND”; and in line 5, after “4.” insert “PROVIDES DOCUMENTATION ACCEPTABLE TO THE ADMINISTRATION THAT THE APPLICANT HAS DEMONSTRATED AT LEAST A MINIMUM LEVEL OF PROFICIENCY ON AN ENGLISH PROFICIENCY TEST APPROVED BY THE ADMINISTRATION; AND

5.”.

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

Affirmative – 43    Negative – 86    (See Roll Call No. 1006)

Read the second time and ordered prepared for Third Reading.


AN ACT concerning

Vehicle Laws – Lawful Status Requirement – Repeal
(Maryland Highway Safety Act of 2013)

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

HB0789/152712/1
BY:   House Judiciary Committee

AMENDMENTS TO HOUSE BILL 789
(First Reading File Bill)
AMENDMENT NO. 1

On page 1, strike line 2 in its entirety; in line 3, strike the parentheses; and strike beginning with “repealing” in line 4 down through “Administration” in line 19 and substitute “authorizing the issuance, to new applicants, of identification cards, moped operators’ permits, and drivers’ licenses that are not acceptable by federal agencies for certain official purposes; requiring a certain applicant for an identification card, a moped operator’s permit, or a driver’s license to provide certain evidence that the applicant has filed certain Maryland income tax returns or has resided in Maryland for a certain period of time and been claimed as a dependent on certain Maryland income tax returns; repealing a provision of law that prohibits, after a certain date, the issuance or renewal of identification cards, moped operators’ permits, and drivers’ licenses that are not acceptable by federal agencies for certain official purposes; requiring that certain identification cards, moped operators’ permits, and drivers’ licenses include a certain statement; repealing a requirement that certain identification cards, moped operators’ permits, and drivers’ licenses that are not acceptable by federal agencies for certain official purposes expire by a certain date; providing for a delayed effective date; and generally relating to the issuance of identification cards, moped operators’ permits, and drivers’ licenses that are not acceptable by federal agencies for certain official purposes.”

On pages 1 and 2 strike in their entirety the lines beginning with line 20 on page 1 through line 10 on page 2, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Transportation
Section 16–122
Annotated Code of Maryland
(2012 Replacement Volume)”.  

AMENDMENT NO. 2

On page 2, strike beginning with “That” in line 12 down through the comma in line 14.

On pages 2 through 10, strike in their entirety the lines beginning with line 17 on page 2 through line 32 on page 10, inclusive, and substitute:

“16–122.”
(a) (1) Notwithstanding any other provision of this article, the Administration shall, subject to the provisions of this section, issue or renew an identification card, a moped operator’s permit, or a license to drive that is not acceptable by federal agencies for official purposes determined by the Secretary of the United States Department of Homeland Security if an applicant:

(i) 1. Has an unresolved non-match described under § 16–121 of this subtitle;

2. Meets the requirements concerning the non-match contained in regulations adopted by the Administration that are consistent with regulations adopted by the Secretary of the United States Department of Homeland Security; and

3. Would be otherwise eligible under this article for the issuance or renewal of an identification card under § 12–301 of this article, a moped operator’s permit under § 16–104.2 of this subtitle, or a license to drive under this title, but for the unresolved non-match; or

(ii) 1. Was the holder of an identification card under § 12–301 of this article, a moped operator’s permit under § 16–104.2 of this subtitle, or a license to drive under this subtitle issued or renewed by the Administration before April 19, 2009;

2.] Does not provide satisfactory documentary evidence that the applicant has lawful status or a valid Social Security number;

[3.] 2. Certifies that the applicant does not have a Social Security number; [and]

[4.] 3. IN THE CASE OF AN APPLICANT WHO IS NOT A CURRENT HOLDER OF AN IDENTIFICATION CARD UNDER § 12–301 OF THIS ARTICLE, A MOPED OPERATOR’S PERMIT UNDER § 16–104.2 OF THIS SUBTITLE, OR A LICENSE TO DRIVE ISSUED UNDER THIS SUBTITLE, PROVIDES DOCUMENTARY EVIDENCE THAT THE APPLICANT, FOR EACH OF THE PRECEDING 2 YEARS, HAS:

A. FILED A MARYLAND INCOME TAX RETURN; OR
B. RESIDED IN MARYLAND AND BEEN CLAIMED AS A DEPENDENT BY AN INDIVIDUAL WHO HAS FILED A MARYLAND INCOME TAX RETURN; AND

4. Would be otherwise eligible for issuance or renewal of an identification card under § 12–301 of this article, a moped operator’s permit under § 16–104.2 of this subtitle, or a license to drive issued under this subtitle, but for the absence of documentary evidence described in item [2] 1 of this item.

   (2) The Administration may not issue or renew an identification card, moped operator’s permit, or license to drive under paragraph (1)(ii) of this subsection on or after July 1, 2015.

   (3) An identification card, moped operator’s permit, or license to drive issued or renewed under paragraph (1)(ii) of this subsection on or after July 1, 2010, shall expire on July 1, 2015.

   (4) This subsection does not apply to any provision of law applicable to the issuance or renewal of a commercial driver’s license under this title.

(3) AN IDENTIFICATION CARD, A MOPED OPERATOR’S PERMIT, OR A LICENSE TO DRIVE THAT IS ISSUED UNDER THIS SUBSECTION SHALL INCLUDE A STATEMENT THAT THE DOCUMENT MAY NOT BE USED TO PURCHASE A FIREARM.

   (b) The Administration may require that an application for issuance or renewal of an identification card, a moped operator’s permit, or a license to drive under this section be made in person.

   (c) A person may not be a holder of an identification card, a moped operator’s permit, or a license to drive issued or renewed under this section if the person is the holder of any other identification card, moped operator’s permit, or license to drive issued or renewed under this section or any other section of this article.

   (d) Each identification card, moped operator’s permit, and license to drive issued or renewed in accordance with this section shall:
(1) Clearly state on its face and in its machine-readable zone that it is not acceptable by federal agencies for official purposes;

(2) Have a unique design or color indicator that clearly distinguishes it from the design or color of an identification card under § 12–301 of this article, a moped operator’s permit under § 16–115 of this subtitle, or any license to drive under any other section of this subtitle; and

(3) Be of the size and design that the Administration requires, tamperproof, to the extent possible, and contain:

   (i) The name and address of the applicant;

   (ii) The birth date of the applicant;

   (iii) The gender of the applicant;

   (iv) A description of the applicant;

   (v) A color photograph of the applicant taken by the procedure that the Administration requires;

   (vi) The expiration date of the identification card, moped operator’s permit, or license to drive;

   (vii) The signature of the applicant; and

   (viii) The signature and seal of the issuing agent.

(e) An identification card, a moped operator’s permit, or a license to drive issued or renewed under this section shall expire at the end of a period that is equivalent to the expiration period applicable for an identification card under § 12–301 of this article, a moped operator’s permit under § 16–115 of this subtitle, or a license to drive under this subtitle.

(f) Except as otherwise expressly provided by law, an identification card, a moped operator’s permit, or a license to drive issued under this section may be used for any purpose as legal identification of the holder to whom the identification card, moped operator’s permit, or license to drive is issued.
(g) The Administration may establish a fee for the issuance or renewal of an identification card, a moped operator’s permit, or a license to drive issued or renewed under this section.

(h) Except as expressly provided in this section, this section does not limit the application of any other provision of this article to an identification card, a moped operator’s permit, or a license to drive issued under this section.”.

AMENDMENT NO. 3

On page 10, in line 33, strike “5.” and substitute “2.”; and in line 34, strike “October 1, 2013” and substitute “January 1, 2014”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

AMENDED IN THE SENATE

House Bill 286 – Delegates Niemann, Beidle, Glenn, and Lafferty

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

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

HB0286/558574/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 286

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “, costs, and attorney’s fees”; and in line 7, strike “providing for the application of this Act:”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 28 through 33, inclusive, and substitute:
“(1) CONSIST SOLELY OF DELINQUENT PERIODIC OR SPECIAL ASSESSMENTS; AND”.

On page 3, in line 5, after “OWNER” insert “FOR DELINQUENT PERIODIC OR SPECIAL ASSESSMENTS”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 7 through 9, inclusive; and in line 10, strike “3.” and substitute “2.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL:    HB 0286
SPONSOR:  Del Niemann, et al
SUBJECT:  Real Property – Common Ownership Communities – Foreclosure of Liens

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 Norman.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE
AN ACT concerning

Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties

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

HB0753/688374/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 753
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “repealing” in line 6 down through “roadway;” in line 11; in line 13, strike “repealing a certain provision of law”; and in line 14, strike “first” and substitute “second or subsequent”.

AMENDMENT NO. 2
On page 2, in lines 20 and 21, strike “IN THE TRAVEL PORTION OF THE ROADWAY”.

On page 4, in line 7, strike the brackets; in the same line, strike “THE TRAVEL PORTION OF THE ROADWAY”; in line 12, strike the brackets; in lines 12 and 13, strike “THE TRAVEL PORTION OF THE ROADWAY”; in line 19, after “(f)” insert a closing bracket; in line 21, strike “$40; and” and substitute “$75;”; in line 22, strike “or subsequent”; in the same line, strike “of $100” and substitute “OF NOT MORE THAN $125; AND

(III) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF NOT MORE THAN $175”;

in line 23, strike beginning with “For” through “points” and substitute “POINTS”; in line 26, strike “(g)” and substitute “(F)”; in the same line, in each instance, strike the bracket; and in lines 26 and 27, strike “THE PENALTY FOR A VIOLATION”.

Mar. 30, 2013 Maryland House of Delegates 2995
The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL:   **HB 0753**
SPONSOR: Del Malone, et al

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,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1340 – Delegates Stukes, Carter, Conaway, and Oaks

AN ACT concerning

Courts and Judicial Proceedings – Baltimore City Sheriff and Fees for Filing and Service of Process

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

**HB1340/948272/1**

BY: Judicial Proceedings Committee
AMENDMENTS TO HOUSE BILL 1340
(Third Reading File Bill)

AMENDMENT NO. 1
On page 3, after line 17, insert:

“5. **Employees in a Deputy Sheriff classification shall receive step increases for each year of service in the Sheriff’s Office.**”

AMENDMENT NO. 2
On page 3, in line 19, strike “$400” and substitute “$500”.

AMENDMENT NO. 3
On page 4, in line 21, strike “$20” and substitute “$10”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1340**
SPONSOR: Del Stukes, et al
SUBJECT: Courts and Judicial Proceedings – Baltimore City Sheriff and Fees for Filing and Service of Process

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

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

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

Delegate Healey, Chairman
Delegate Glenn, and
Delegate Otto.

Said Bill is returned herewith.

By Order,
SPECIAL ORDERS

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

House Bill 929 – Delegates Malone and McMillan

AN ACT concerning

Motor Vehicles – Speed Monitoring Systems – Local Jurisdictions

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. CONAWAY ADOPTED.

FLOOR AMENDMENT

HB0929/900617/1
BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 929, AS AMENDED

On page 7 of the Environmental Matters Committee Amendments (HB0929/970416/1), strike beginning with “on” in line 3 of Amendment No. 7 down through “interest” in line 8 and substitute “a local jurisdiction shall alter without penalty an obligation, contract, or contract right existing on October 1, 2013 to comply with the provisions of this Act by October 1, 2014”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0929/223226/1
BY: Delegate Smigiel

AMENDMENTS TO HOUSE BILL 929, AS AMENDED
(First Reading File Bill)
AMENDMENT NO. 1

Strike the Environmental Matters Committee Amendments (HB0929/970416/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, strike line 2 in its entirety and substitute “Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems – Repeal”; strike beginning with “clarifying” in line 3 down through “jurisdictions” in line 11 and substitute “repealing the authority of counties and municipalities in the State to use speed monitoring systems to enforce certain highway speed laws; repealing the authority to use work zone speed control systems to enforce certain highway speed laws within work zones; requiring the publishers of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct any references throughout the Code that are rendered incorrect by this Act and to describe any corrections in an editor’s note following the section affected; and generally relating to the repeal of provisions of law authorizing the use of speed monitoring and work zone speed control systems”; in line 12, strike “and reenacting, with amendments,”; and in line 14, after “21–809” insert “and 21–810”.

AMENDMENT NO. 3

On page 1 of the bill, in line 18, strike “the Laws of Maryland read as follows:” and substitute “Section(s) 21–809 and 21–810 of Article – Transportation of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That the publishers of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct any references throughout the Annotated Code that are rendered incorrect or obsolete by this Act, with no further action required by the General Assembly. The publishers shall adequately describe any such correction in an editor’s note following the section affected.”.

On pages 1 through 10 of the bill, strike in their entirety the lines beginning with line 19 on page 1 through line 3 on page 10, inclusive.

On page 10 of the bill, in line 4, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 50  Negative – 81  (See Roll Call No. 1007)
FLOOR AMENDMENT

HB0929/963726/1
BY: Delegate Glass

AMENDMENTS TO HOUSE BILL 929
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 8, before “clarifying” insert “requiring a certain agency to mail a warning notice instead of a citation for a first violation by the owner or driver recorded by a speed monitoring system in the local jurisdiction;”.

AMENDMENT NO. 2
On page 7, in line 19, after “(2)” insert “(I)”; in the same line, strike “An” and substitute “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN”; and after line 20, insert:

“(II) AN AGENCY SHALL MAIL A WARNING NOTICE INSTEAD OF A CITATION FOR A FIRST VIOLATION BY THE OWNER OR DRIVER RECORDED BY A SPEED MONITORING SYSTEM IN THE LOCAL JURISDICTION.”.

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

Affirmative – 49  Negative – 80  (See Roll Call No. 1008)

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

The motion was rejected by a roll call vote as follows:

Affirmative – 39  Negative – 77  (See Roll Call No. 1009)

Read the second time and ordered prepared for Third Reading.

Senate Bill 207 – Senators Brochin, Klausmeier, Muse, Peters, and Zirkin

AN ACT concerning

Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

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

SB0207/400714/1
BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 207, AS AMENDED

On page 18 of the Environmental Matters Committee Amendments (SB207/490412/1), strike beginning with “on” in line 12 of Amendment No. 2 down through “interest” in line 17 and substitute “a local jurisdiction shall alter without penalty an obligation, contract, or contract right existing on October 1, 2013 to comply with the provisions of this Act by October 1, 2014”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #3

AMENDED IN THE SENATE

House Bill 494 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Employment of Retirees – Required Break in Service

Delegate Conway moved that the House concur in the Senate amendments.

HB0494/489334/1
BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 494
(Third Reading File Bill)

On page 3, strike beginning with “BY” in line 4 down through “BASIS” in line 6; in line 7, after “retired” insert “, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:
(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER”.

On page 5, strike beginning with “BY” in line 24 down through “BASIS” in line 26; in line 27, after “retired” insert “, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER”.

On page 8, strike beginning with “BY” in line 25 down through “BASIS” in line 27; in line 28, after “retired” insert “, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER”.

On page 9, strike beginning with “BY” in line 16 down through “BASIS” in line 18; in line 19, after “retired” insert “, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR
(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER”.

On page 11, strike beginning with “BY” in line 3 down through “BASIS” in line 5; in line 5, after “RETIRED” insert “, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER”.

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. 1010)

AMENDED IN THE SENATE

House Bill 495 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Unused Sick Leave Calculation – Clarification

Delegate Conway moved that the House concur in the Senate amendments.

HB0495/479732/1
BY:  Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 495
(Third Reading File Bill)
On page 2, in line 19, strike “paragraph” and substitute “PARAGRAPHS (2) AND”; in line 21, after “(2)” insert “(I)”; and in the same line, strike “If” and substitute “IF A MEMBER HAS AT LEAST 11 DAYS BUT LESS THAN 22 DAYS OF UNUSED SICK LEAVE, THE MEMBER IS ENTITLED TO RECEIVE 1 MONTH OF CREDITABLE SERVICE.

(II) IF A MEMBER HAS AT LEAST 22 DAYS OF UNUSED SICK LEAVE, AND IF”.

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. 1011)

AMENDEd IN THE SENATE


AN ACT concerning

Higher Education Fair Share Act

Delegate Conway moved that the House concur in the Senate amendments.

HB0863/917473/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 863
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “that” in line 6 down through “president’s” in line 8 and substitute “employees of certain institutions of higher education to furnish written proof of certain payments to the President of the institution or the President’s”.

AMENDMENT NO. 2

On page 2, in line 18, after “1.” insert “A.”; in the same line, strike “OR,” and substitute “; OR

B.”;

in line 19, strike “LISTED” and substitute “OF HIGHER EDUCATION SPECIFIED”; in the same line, strike “PRESIDENT” and substitute “PRESIDENT”; and in line 20, strike “PRESIDENT’S” and substitute “PRESIDENT’S”.

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 – 94   Negative – 42   (See Roll Call No. 1012)

AMENDED IN THE SENATE

House Bill 342 – Delegates Hucker, Barkley, Love, Olszewski, and Vaughn

AN ACT concerning

   Homeowner’s or Renter’s Insurance and Private Passenger Motor Vehicle Insurance – Bundling Requirement – Prohibited

Delegate Davis moved that the House concur in the Senate amendment.

HB0342/337173/1

BY:  Finance Committee

AMENDMENT TO HOUSE BILL 342

(Third Reading File Bill)
On page 2, in line 3, after “(1)” insert “**THIS SUBSECTION APPLIES TO HOMEOWNER’S INSURANCE, RENTER’S INSURANCE, AND PRIVATE PASSENGER MOTOR VEHICLE INSURANCE.**

\[(2)\];

in lines 10 and 17, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

The preceding amendment was read only.

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

The motion was adopted.

**AMENDED IN THE SENATE**

**House Bill 1072 – Prince George’s County Delegation**

AN ACT concerning

**Alcoholic Beverages – City of Laurel – Sales by License Holders**

PG 308–13

Delegate Davis moved that the House concur in the Senate amendment.

**HB1072/714632/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENT TO HOUSE BILL 1072**

(Third Reading File Bill)

On page 2, in line 6, strike “**ITEMS**” and substitute “**SUBPARAGRAPHS**”.

The preceding amendment was read only.

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

The motion was adopted.
AMENDED IN THE SENATE

House Bill 1205 – Delegate Rudolph

AN ACT concerning

Task Force to Study of Captive Insurers

Delegate Davis moved that the House concur in the Senate amendment.

HB1205/867577/1
BY: Finance Committee

AMENDMENT TO HOUSE BILL 1205
(Third Reading File Bill)

On page 3, in line 24, strike “(h)” and substitute “(d)”.

The preceding amendment was read only.

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

The motion was adopted.

AMENDED IN THE SENATE

House Bill 88 – Delegates Arora and Feldman, Feldman, Kramer, Beidle, Gilchrist, Glenn, Healey, McMillan, Niemann, Norman, and Stein

AN ACT concerning

Real Property – Refinance Mortgage – Priority over Junior Liens

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0088/668173/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 88
(Third Reading File Bill)

AMENDMENT NO. 1
On page 3, in line 14, after “PLUS” insert “AN AMOUNT TO PAY CLOSING COSTS NOT EXCEEDING”.

AMENDMENT NO. 2

On page 3, in line 20, strike “ON THE FIRST PAGE”; and in line 26, after the last period, insert:

“The interest rate provided for in the evidence of indebtedness secured by this refinance mortgage is lower than the applicable interest rate provided for in the evidence of indebtedness secured by the deed of trust/mortgage/other security instrument being refinanced.”

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. 1013)

AMENDED IN THE SENATE

House Bill 957 – Delegates Rosenberg and Carr, Carr, Healey, and Glenn

AN ACT concerning

Housing – Elderly – Accessible Housing for Senior Homeowners Programs, Older Adults, and Individuals with Disabilities

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0957/164737/1
BY:  Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 957
(Third Reading File Bill)

On page 11, in line 33, after “Development,” insert “the Maryland Department of Disabilities.”

The preceding amendment was read and concurred in.
The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136     Negative – 0     (See Roll Call No. 1014)

CONCURRENCE CALENDAR #4

AMENDED IN THE SENATE

House Bill 328 – Delegates Feldman, Afzali, Aumann, Barkley, Barve, Boteler, Dumais, George, Impallaria, A. Kelly, Lee, and Luedtke

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

Delegate Hixson moved that the House concur in the Senate amendments.

HB0328/509437/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 328
(Third Reading File Bill)

On page 3, in line 2, strike “AN” and substitute “A QUALIFIED”; and in line 3, strike “BY A QUALIFIED INVESTOR WHO RECEIVED A CREDIT”.

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 – 114     Negative – 23     (See Roll Call No. 1015)

AMENDED IN THE SENATE

House Bill 791 – Delegates McHale and Malone

AN ACT concerning

Tax Credits – Electric Vehicles – Extensions
Delegate Hixson moved that the House concur in the Senate amendments.

HB0791/109331/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 791
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “time;” insert “altering the amount of credit that certain vehicles may claim;” and in line 12, after “year;” insert “altering a certain definition;”.

AMENDMENT NO. 2

On page 4, in line 29, after “hour;” insert “AND”.

AMENDMENT NO. 3

On page 5, strike beginning with the semicolon in line 8 down through “2014” in line 10; in line 11, after “(b)” insert “This section applies only to a plug-in electric drive vehicle that is titled by the taxpayer on or after October 1, 2010, but before July 1, 2014.

(c)”; in line 13, strike “(c)” and “(e), respectively, and substitute “(D)” and “(F)”, respectively; in line 16, strike “$2,000” and substitute “:

(1) $600 for a vehicle with a battery capacity of at least 4.0 kilowatt–hours but not more than 10.0 kilowatt–hours;

(2) $700 for a vehicle with a battery capacity of at least 10.1 kilowatt–hours but not more than 15.0 kilowatt–hours; and

(3) $1,000 for a vehicle with a battery capacity of at least 15.0 kilowatt–hours”;
and in lines 16, 17, 20, and 26, strike “(c)”, “(d)”, “(e)”, and “(f)”, respectively, and substitute “(D)”, “(E)”, “(F)”, and “(G)”, respectively.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131 Negative – 6 (See Roll Call No. 1016)

AMENDED IN THE SENATE


AN ACT concerning

Task Force to Study the Impact of Expanding Credit and Noncredit Courses for Students with Intellectual and Developmental Disabilities

Delegate Hixson moved that the House concur in the Senate amendments.

HB0813/194135/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 813
(Third Reading File Bill)

On page 2, in line 12, after “(7)” insert “the President of a community college, appointed by the Maryland Association of Community Colleges, or the President’s designee”; in line 14, before the first “the” insert “(8)”; in lines 16, 18, and 20, strike “(8)”, “(9)”, and “(10)”, respectively, and substitute “(9)”, “(10)”, and “(11)”, respectively; in line 21, after “designee” insert “and”; and strike in their entirety lines 22 and 23, inclusive.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:
Affirmative – 137    Negative – 0    (See Roll Call No. 1017)

AMENDED IN THE SENATE

House Bill 1155 – Delegates Branch, Barve, Hixson, Luedtke, Myers, F. Turner, and Walker

AN ACT concerning

Video Lottery Facilities – Table Game Proceeds

Delegate Hixson moved that the House concur in the Senate amendments.

HB1155/599236/1
BY:    Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1155
(Third Reading File Bill)

On page 2, in line 15, strike “October” and substitute “June”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 109    Negative – 26    (See Roll Call No. 1018)

CONFERENCE COMMITTEE REPORT

House Bill 100 – The Speaker (By Request – Administration)

Budget Bill
(Fiscal Year 2014)

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 100 – THE BUDGET BILL AND HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit T of Appendix II)

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL 100 – THE BUDGET BILL
Conference Committee Report read only.

Delegate Conway moved to make the Bill a Special Order for next session.

The motion was adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 102 SPONSOR: The Speaker

SUBJECT: Budget Reconciliation and Financing Act of 2013

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 100 – THE BUDGET BILL AND HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit T of Appendix II)

THIRD READING CALENDAR HOUSE NO. 26 SENATE NO. r/s

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Budget and Taxation Committee Amendments (HB0102/879732/1) be rejected.

(2) That the Budget and Taxation Committee Floor Amendment (HB0102/269832/1) be rejected.

(3) That the Amendments by Senator Brinkley (HB0102/603426/1) be rejected.

(4) That the attached Conference Committee Amendments (HB0102/443525/1) be adopted.

HB0102/443525/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 102
(Third Reading File Bill)
AMENDMENT NO. 1

On page 1, in line 14, after “costs;” insert “providing that certain regulations and licensing requirements of the State Lottery and Gaming Control Commission supersede certain county fees or regulations and licensing requirements;”; in line 17, before “altering” insert “providing that a certain supplemental grant to a certain county board of education may not be less than a certain amount; providing certain grants to certain county boards of education under certain circumstances;”; and in line 25, after “Agency;” insert “altering a certain maximum fee for commissioning a notary public; altering a certain maximum fee that may be set for certain notarial acts;”.

On page 2, in line 12, after “Comptroller;” insert “altering certain required transfers of funds; requiring the reversion of certain funds to the Fair Campaign Financing Fund under certain circumstances; altering the calculation of certain State distributions made to certain counties and Baltimore City based on per capita yield of county income taxes; altering the minimum rate for the county income tax for a county to qualify for a certain grant; repealing a certain obsolete provision;”; in line 13, before “setting” insert “allowing an individual or corporation a credit against the State income tax for the expense of registering certain qualified vehicles; providing for the amount of the credit;”; in line 23, after “circumstances;” insert “prohibiting merit increases for State employees before a certain date, except under certain circumstances; requiring certain reports to be submitted to certain committees of the General Assembly on or before a certain date; requiring the Secretary of the Environment to convene a certain workgroup and to make a certain report; requiring the Comptroller to make certain income tax distributions without making certain adjustments; requiring the Comptroller to submit a report on a certain account and certain interest imposed on tax deficiencies and refunds on or before a certain date; prohibiting the reversion to the General Fund of certain funds under certain circumstances;”; in line 24, strike “making conforming changes;”; and in line 25, after “severable;” insert “providing for the application of certain provisions of this Act; making certain provisions of this Act subject to a certain contingency; providing for the effective dates of certain provisions of this Act; providing for the termination of certain provisions of this Act;”.

On page 3, strike in their entirety lines 4 through 8, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 12–301.1(d)
in line 11, after “Section” insert “5–202(e) and (i) and”; in line 26, after “9–112(d)(4)” insert “, 18–103(e)(3), and 18–112”; in line 31, strike “2–202(a) and”; and in line 36, after “2–606(g)” insert “and 10–733”.

On page 4, after line 25, insert:

“BY repealing and reenacting, with amendments,

Chapter 487 of the Acts of the General Assembly of 2009, as amended by
Chapter 484 of the Acts of the General Assembly of 2010
Section 38(b)

BY repealing and reenacting, without amendments,

Chapter 487 of the Acts of the General Assembly of 2009, as amended by
Chapter 484 of the Acts of the General Assembly of 2010 and Chapters
Section 38(a) and (c)

BY adding to

Chapter 487 of the Acts of the General Assembly of 2009, as amended by
Chapter 484 of the Acts of the General Assembly of 2010 and Chapters
Section 38(m)

BY repealing and reenacting, with amendments,

Chapter 1 of the Acts of the First Special Session of the General Assembly of
2012
Section 9

BY repealing and reenacting, without amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101(b)(2) and (3) and (d)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Local Government
Section 16–501(a) and (c)(3)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 472) of the Acts of the General Assembly of
2013)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 16–501(b) and (e)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 472) of the Acts of the General Assembly of
2013)”.

AMENDMENT NO. 2
On page 9, strike in their entirety lines 7 through 13, inclusive.

On page 11, strike in their entirety lines 2 through 19, inclusive.

AMENDMENT NO. 3
On page 9, after line 6, insert:

“Article – Criminal Law

12–301.1.

(d) (1) The Commission may determine:

[(1)] (I) that a county’s licensing and regulatory process for
electronic gaming devices is equivalent to the State licensing and regulatory process
required under this section; and

[(2)] (II) that a county license for owning, operating, or
manufacturing an electronic gaming device in that county is equivalent to a State
license.
(2) If the Commission does not make a determination under paragraph (1) of this subsection, the regulations and licensing requirements of the Commission shall supersede:

(i) the application of any county fees or regulations and licensing requirements for electronic gaming devices under this subsection; or

(ii) a requirement for a county license for owning, operating, or manufacturing an electronic gaming device under this subsection.”.

AMENDMENT NO. 4

On page 9, after line 14, insert:


(e) (1) In this subsection, “State financial assistance for public education” means the total financial assistance provided by the State to a county board under the following programs:

(i) Funding for the foundation program under this section;

(ii) In fiscal year 2009, 50% of the funding received under the GCEI adjustment grant program under subsection (f) of this section and in fiscal year 2010, 60% of the funding received under the GCEI adjustment grant program under subsection (f) of this section;

(iii) Transportation aid under § 5–205 of this subtitle;

(iv) Funding for compensatory education under § 5–207 of this subtitle;

(v) Funding for students with limited English proficiency under § 5–208 of this subtitle;
(vi)  Funding for special education students under § 5–209 of this subtitle;

(vii) Funding for the guaranteed tax base program under § 5–210 of this subtitle;

(viii) 50% of the State payments for retirement contributions for employees of a local school system in accordance with the provisions of Division II of the State Personnel and Pensions Article; and

(ix) Funding for supplemental grants under this subsection.

(2) (i) For fiscal years 2009 and 2010 only, the State shall provide a supplemental grant to a county board that does not receive at least a 1% increase in State financial assistance for public education over the amount received by the county board in the previous fiscal year.

(ii) The supplemental grant under this paragraph shall be the amount necessary to increase a county board’s State financial assistance for public education by 1% over the amount received by the county board in the previous fiscal year.

(3) (I) [For] Subject to subparagraph (II) of this paragraph, for fiscal year 2011, and each fiscal year thereafter, a county board shall receive a supplemental grant equal to the amount the county board received under paragraph (2) of this subsection in the prior fiscal year.

(II) A supplemental grant may not be less than zero.

(i) (1) In this subsection, “total direct education aid” means the total financial assistance provided by the State to a county board under the following programs:

(i) Funding for the foundation program including funds for the Geographic Cost of Education under this section;

(ii) Transportation aid under § 5–205 of this subtitle;
(iii) Funding for compensatory education under § 5–207 of this subtitle; 
(iv) Funding for students with limited English proficiency under § 5–208 of this subtitle; 
(v) Funding for special education students under § 5–209 of this subtitle; 
(vi) Funding for the guaranteed tax base program under § 5–210 of this subtitle; and 
(vii) Funding for grants provided under this subsection.

(2) For fiscal year 2012 only, if a county board’s total direct education aid in the current fiscal year is less than the prior fiscal year by more than 6.5%, then the State shall provide a grant to the county board in an amount necessary to ensure that a decrease in total direct education aid is not more than 6.5%.

(3) For fiscal year 2013 only, if a county board’s total direct education aid in the current fiscal year is less than the prior fiscal year by more than 5%, then the State shall provide a grant to the county board in an amount necessary to ensure that a decrease in total direct education aid is not more than 5%.

(4) FOR FISCAL YEAR 2014 ONLY, IF A COUNTY BOARD’S TOTAL DIRECT EDUCATION AID IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR FISCAL YEAR BY MORE THAN 1%, THEN THE STATE SHALL PROVIDE A GRANT TO THE COUNTY BOARD EQUAL TO 25% OF THE DECREASE IN TOTAL DIRECT EDUCATION AID FROM THE PRIOR FISCAL YEAR TO THE CURRENT FISCAL YEAR.”.

AMENDMENT NO. 5
On page 10, after line 32, insert:

“18–103.

(e) Each notary shall pay to the clerk:
(i) a fee of $1 for qualifying the notary and registering the name, address, and commission expiration date of the notary; and

(ii) a fee of [§10] $11 or a lesser amount as prescribed by the Secretary of State for the commission issued.

18–112.

(a) The Secretary of State shall adopt regulations to establish fees, not to exceed [§2] $4 for an original notarial act, and an appropriate lesser amount for the repetition of that original notarial act or to make a copy of the matter addressed by that original notarial act.

(b) A notary public may charge 19 cents per mile, or a higher amount set by regulation of the Secretary of State, and a fee not to exceed $5, as compensation for travel required for the performance of a notarial act.”.

AMENDMENT NO. 6

On page 15, after line 6, insert:


(b) Subject to subsection (c) of this section, up to [§2,000,000] $1,750,000 of the balance in the Fund may be transferred to the Maryland Information Technology Development Project Fund (program F50A01.01) for the purpose of funding the purchase of a new Optical Scan Voting System.


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

(a) The General Assembly finds that the Fair Campaign Financing Fund established under § 15–103 of the Election Law Article cannot operate as originally contemplated.

(c) A transfer under this section may not reduce the balance in the Fund below $1,000,000.

(2) ANY FUNDS TRANSFERRED FROM THE FAIR CAMPAIGN FINANCING FUND TO THE STATE BOARD OF ELECTIONS UNDER THIS SUBSECTION THAT ARE NOT USED TO CONDUCT THE STUDIES REQUIRED UNDER CHAPTER ____ (H.B. 224/S.B. 279) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2013 MAY NOT BE RETAINED BY THE STATE BOARD OF ELECTIONS AND SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.

Chapter 1 of the Acts of the First Special Session of 2012

SECTION 9. AND BE IT FURTHER ENACTED, That:

(1) The Governor shall include in the budget bill for fiscal year 2014 the transfer of [$2,000,000] $1,750,000 from the Fair Campaign Financing Fund to the Maryland Information Technology Development Project Fund (program F50A01.01) that was authorized by Section 38 of Chapter 487 of the Acts of 2009 for the purpose of funding the purchase of a new Optical Scan Voting System.

(2) It is the intent of the General Assembly that, beginning in fiscal year 2015, each county pay its share of one-half of any further cost of acquiring and operating the Optical Scan Voting System as required under Chapter 564 of the Acts of 2001.”.

AMENDMENT NO. 7

On page 15, before line 7, insert:

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

Article 24 – Political Subdivisions – Miscellaneous Provisions
(a) (1) Subject to subsection (d) of this section, for each fiscal year, the Comptroller shall distribute to a county the amount determined for each county under this section.

(2) The amount a county shall receive under this section in any fiscal year shall be based on the county income tax collected from individuals for the taxable year that ended in the second prior fiscal year, from returns filed through November 1 immediately preceding the applicable fiscal year, as determined by the Comptroller.

(b) (2) [i] Subject to subparagraph (ii) of this paragraph, if the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

[ii] For fiscal year 2012 only, if the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 77% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 77% of the statewide per capita yield, as rounded to the nearest dollar.

(3) A county may not receive a distribution under this subsection if the county tax rate in that county was less than 2.4%:

(i) For the taxable year that ended in the second prior fiscal year; or

(ii) For any subsequent taxable year through the taxable year that ends in the current fiscal year.

(d) (1) [For] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.
(2)  (I) If a County or Baltimore City has a County income tax rate of at least 2.8% but less than 3%, the County or Baltimore City may receive a minimum of 20% of the amount determined under subsection (B)(2) of this section.

(II) If a County or Baltimore City has a County income tax rate of at least 3% but less than 3.2%, the County or Baltimore City may receive a minimum of 40% of the amount determined under subsection (B)(2) of this section.

(III) If a County or Baltimore City has a County income tax rate of at least 3.2%, the County or Baltimore City may receive a minimum of 60% of the amount determined under subsection (B)(2) of this section.

SECTION 3. AND BE IT FURTHER ENacted, That the Laws of Maryland read as follows:

Article – Local Government

16–501.

(a) Subject to subsection (e) of this section, for each fiscal year, the Comptroller shall pay to an eligible county a grant in the amount determined under subsection (c)(3) of this section.

(b) A county may not receive a grant under subsection (a) of this section if the county’s income tax rate was less than [2.4%] 2.6%:

(1) for the taxable year that ended in the second prior fiscal year; or

(2) for any subsequent taxable year through the taxable year that ends in the current fiscal year.

(c) (3) If the per capita yield of the county income tax for a county determined under paragraph (2)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (2)(ii) of this
subsection, the Comptroller shall determine the amount that would increase the
county per capita yield to equal 75% of the statewide per capita yield, as rounded to
the nearest dollar.

(e) (1) [For] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
SUBSECTION, FOR fiscal year 2011 and each subsequent fiscal year, the distribution
provided to any county or Baltimore City under this section may not exceed the
amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (I) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY
INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR
BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT
dETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY
INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR
BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT
dETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY
INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY
RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER
SUBSECTION (C)(3) OF THIS SECTION.”.

AMENDMENT NO. 8
On page 15, after line 8, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland
read as follows:

Article – Tax – General

10–733.

(A) IN THIS SECTION, “QUALIFIED VEHICLE” MEANS A CLASS F
(TRACTOR) VEHICLE DESCRIBED UNDER § 13–923 OF THE TRANSPORTATION
ARTICLE THAT IS TITLED AND REGISTERED IN THE STATE.
(B) **Subject to the limitations of this section, an individual or a corporation may claim a credit against the State income tax for the expense of registering a qualified vehicle in the State.**

(C) **For any taxable year, the credit allowed under this section may not exceed the lesser of:**

1. **$400 for each qualified vehicle; or**
2. **the State income tax for that taxable year.**

(2) **The unused amount of the credit may not be carried over to any other taxable year.**

On page 18, before line 4, insert:

“SECTION 22. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect September 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2013, but before January 1, 2017, contingent on the taking effect of an increased toll structure at Maryland toll facilities. If an increased toll structure at Maryland toll facilities does not take effect on or before September 1, 2013, Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.”

**AMENDMENT NO. 9**

On page 17, strike in their entirety lines 8 through 15, inclusive.

**AMENDMENT NO. 10**

On page 17, in line 36, after “Fund.” insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) Except as otherwise provided in this section, State employees employed by any entity, including the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland, may not receive merit increases before April 1, 2014.”
(b) This provision does not affect:

(1) salaries for constitutional officers or members of the General Assembly;

(2) increases necessary for the retention of faculty in the University System of Maryland, Morgan State University, or St. Mary’s College of Maryland;

(3) payments under a collective bargaining agreement negotiated with an accredited representative in accordance with § 7–601 of the Transportation Article; or

(4) for fiscal year 2014 only, operationally critical staff.

(c) On or before December 1, 2013, in accordance with § 2–1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

(d) On or before December 1, 2013, in accordance with § 2–1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all Executive Branch staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.”.

AMENDMENT NO. 11

On page 17, after line 36, insert:

“SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 1, 2013, the Governor may transfer $3,500,000 of the funds in the Oil Contaminated Site Environmental Cleanup Fund established under § 4–704 of the Environment Article to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund established under § 4–411 of the Environment Article.”
SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before December 31, 2013, the Governor may transfer the remaining balance in the Oil Contaminated Site Environmental Cleanup Fund established under § 4–704 of the Environment Article to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund established under § 4–411 of the Environment Article.

SECTION 16. AND BE IT FURTHER ENACTED, That:

(a) The Secretary of the Environment shall convene a workgroup consisting of representatives of the various sectors of the petroleum marketing industry and representatives from appropriate public and private entities to review and assess the long–term funding needs of the oil pollution programs in the State.

(b) On or before December 31, 2013, the Department of the Environment shall report the findings and recommendations of the workgroup convened under subsection (a) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the presiding officers of the House and the Senate, the House Environmental Matters Committee, and the Senate Education, Health, and Environmental Affairs Committee.”.

AMENDMENT NO. 12

On page 17, before line 37, insert:

“SECTION 17. AND BE IT FURTHER ENACTED, That:

(a) The Comptroller, for scheduled distributions of county income tax to counties or municipalities during fiscal year 2014, shall make those distributions without adjustments for refunds or related changes resulting from amended income tax returns for previous tax years that are determined to be extraordinary or anomalous. Any adjustments that would ordinarily be administered by the Comptroller in fiscal year 2014 shall instead be administered in subsequent reconciliation distributions.

(b) The Comptroller shall:

(1) evaluate the impacts of recent changes to the Local Reserve Account established to comply with § 2–606 of the Tax – General Article, including the
process by which revenue is distributed from the Account and the current and future
unfunded liabilities for the Account;

(2) study the impacts of altering interest paid on tax deficiencies and
refunds imposed under §§ 13–603 and 13–604 of the Tax – General Article; and

(3) report specific findings and any recommendations to the Governor
and, in accordance with § 2–1246 of the State Government Article, the General
Assembly on or before December 31, 2013.”.

AMENDMENT NO. 13
On page 17, in line 37, before “SECTION” insert:

“SECTION 18. AND BE IT FURTHER ENACTED, That funds reduced under
Section 42 of Chapter _____ (H.B. 100) of the Acts of the General Assembly of 2013
may not revert to the General Fund but shall be held in reserve unless transferred as
provided in that section.”.

AMENDMENT NO. 14
On page 12, in line 15, strike “SECTION” and substitute “SUBSECTION”.

On page 15, in lines 9, 19, 22, and 26, strike “2.,” “3.,” “4.,” and “5.,” respectively, and
substitute “5.,” “6.,” “7.,” and “8.,” respectively.

On page 16, in line 34, strike “6.” and substitute “9.”.

On page 17, in line 1, after “Article” insert “to the General Fund”; and in lines
16, 25, 33, and 37, strike “8.”, “9.”, “10.”, and “11.”, respectively, and substitute “10.”,
“11.”, “12.”, and “19.”, respectively.

On page 18, after line 3, insert:

“SECTION 20. AND BE IT FURTHER ENACTED, That Section 2 of this Act
shall take effect July 1, 2013.

SECTION 21. AND BE IT FURTHER ENACTED, That Section 3 of this Act
shall take effect on the taking effect of Chapter _____ (H.B. 472) of the Acts of the
General Assembly of 2013. If Section 3 of this Act takes effect, Section 2 of this Act
shall be abrogated and of no further force and effect.”;
in line 4, strike “12.” and substitute “23.”; and in the same line, after “That” insert “, except as otherwise provided in this Act.”.

<table>
<thead>
<tr>
<th>Senate Members:</th>
<th>House Members:</th>
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<tbody>
<tr>
<td>Chair, <strong>Edward J. Kasemeyer</strong></td>
<td>Chair, <strong>Norman H. Conway</strong></td>
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<td>James E. DeGrange, Sr.</td>
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<td>Richard S. Madaleno, Jr.</td>
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<td>David R. Brinkley</td>
<td>Adelaide C. Eckardt</td>
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</tbody>
</table>

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

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

Conference Committee Report read only.

Delegate Conway moved to make the Bill a Special Order for next session.

The motion was adopted.

**MESSAGE FROM THE SENATE**

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

BILL: **HB 0101**
SPONSOR: The Spkr (Admin)
SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2013
The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Jones, Chair
Delegate Conway
Delegate Griffith
Delegate Bohanan
Delegate Eckardt

In addition, the House has appointed in advisory capacity: Delegates Guzzone, Haynes, James and Zucker.

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 FROM THE SENATE

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

BILL: HB 1372
SPONSOR: Dels Jones and Griffith
SUBJECT: Prior Authorizations of State Debt to Fund Capital Projects – Alterations

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

The House has appointed:
Delegate Jones, Chair
Delegate Conway  
Delegate Griffith

The Senate appoints:
Senator DeGrange, Chairman
Senator Kasemeyer
Senator Peters.

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 135 Members present.

(See Roll Call No. 1019)

**ADJOURNMENT**

At 8:11 P.M. on motion of Delegate Barve the House adjourned until 10:30 A.M. on Legislative Day March 31, 2013, Calendar Day Friday, April 5, 2013.
The House met at 10:58 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 138 Members present.

(See Roll Call No. 1020)

The Journal of March 30, 2013 was read and approved.

EXCUSES:
Del. Smigiel – medical
Del. Walker – business

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 481 – Senators Manno, Madaleno, and Raskin

AN ACT concerning

Income Tax Credit–Home Generators

FOR the purpose of allowing an individual a credit against the State income tax for the expense of purchasing a certain generator, providing for the number of credits an individual may claim, providing that the credit may not exceed a certain amount; making the credit refundable; requiring the Comptroller to adopt certain regulations; defining a certain term; providing for the application of this Act; and generally relating to an income tax credit for the expense incurred to purchase a certain generator establishing the Task Force to Study the Implementation of Tax Benefits for Emergency Preparedness; 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 the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Implementation of Tax Benefits for Emergency Preparedness Equipment.

BY adding to
Article – Tax – General
Section 10–733
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 341 – Senator Madaleno Senators Madaleno and Simonaire

AN ACT concerning

Higher Education – Academic Program Action – Repeal of Application Fees and Report

FOR the purpose of repealing the authority of the Maryland Higher Education Commission to impose certain application fees; requiring the Commission to report, to certain committees of the General Assembly on certain dates, on certain requests made for approval of certain program action in certain periods of time; and generally relating to application fees for approval of academic program actions taken by certain institutions of higher education and reports on requests for approval of academic program action.

BY repealing and reenacting, without amendments,
Article – Education
Section 11–105(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 11–105(o)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 566 – Senator Brinkley
AN ACT concerning

Motor Vehicle Registration—Exception for All-Terrain and Utility–Terrain Vehicles

Vehicle Laws – Unregistered Emergency Vehicles – Operating on Highways

FOR the purpose of authorizing, under certain circumstances, the operation of certain all-terrain and utility terrain vehicles on highways without the vehicle being registered under the Maryland Vehicle Law; requiring a person operating an unregistered all-terrain or utility terrain vehicle on a highway to maintain certain evidence of liability insurance in the vehicle; prohibiting a person from operating an unregistered all-terrain or utility terrain vehicle on a highway for which the posted maximum speed limit exceeds a certain limit; providing that the Maryland Vehicle Law does not preclude a local authority from authorizing an emergency vehicle not subject to registration to operate on a highway under its jurisdiction while performing an emergency service; and generally relating to the operation of unregistered all-terrain and utility–terrain emergency vehicles not subject to registration on highways in the State.

BY repealing and reenacting, without amendments,

Article – Transportation
Section 13–402(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to

Article – Transportation
Section 13–402(h–1)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 25–102(a)(16) and (17)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to

Article – Transportation
Section 25–102(a)(18)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.
Senate Bill 791 – Senator Kelley

AN ACT concerning

Juvenile Law – Dispositions – Placement Guidance

FOR the purpose of prohibiting the juvenile court, except under certain circumstances, from committing a child who has committed a certain offense to the Department of Juvenile Services for out–of–home placement; providing for the construction of this Act; and generally relating to juvenile law.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–19(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 872 – Senator Jacobs

AN ACT concerning

Criminal Procedure – Venue for Prosecution of Murder and Manslaughter

FOR the purpose of authorizing a prosecution of a person for a violation of certain provisions of law prohibiting murder and manslaughter to be brought in a certain county in which the body or parts of the body were found under certain circumstances; and generally relating to the venue for prosecution of murder and manslaughter.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 4–201
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 988 – Senator Muse

AN ACT concerning

Crimes – Threat of Mass Violence
FOR the purpose of prohibiting a person from threatening to commit, or causing to be committed, a certain crime of violence that would place others at substantial risk of death or serious physical injury if there are certain probable consequences of the threat; establishing that this Act applies to a threat made by oral or written communication or electronic mail; establishing that a person who violates this Act is guilty of the felony misdemeanor of making a threat of mass violence; establishing a penalty for a violation of this Act; requiring a court to order a person convicted under this Act to reimburse certain persons; providing for the venue for a prosecution under this Act; defining certain terms; and generally relating to the felony misdemeanor of making a threat of mass violence.

BY adding to
Article – Criminal Law
Section 3–1001 to be under the new subtitle “Subtitle 10. Threat of Mass Violence”
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #12

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

Senate Bill 224 – Senators Pugh, Conway, Garagiola, Glassman, and Montgomery

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Bona Fide Wellness Program and Wellness Promotion

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 510 – Senator Pinsky

AN ACT concerning
Institutions of Higher Education – Fully Online Distance Education Programs – Regulation

SB0510/884660/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 510
(Third Reading File Bill)

AMENDMENT NO. 1
On pages 1 and 2, strike beginning with “altering” in line 25 on page 1 down through “policy;” in line 5 on page 2.

On page 2, in line 25, strike “11–202.2” and substitute “11–202.2(a), (b), (c), (f), and (g)”.

AMENDMENT NO. 2
On pages 6 and 7, strike in their entirety the lines beginning with line 25 on page 6 through line 31 on page 7, inclusive.

On page 8, in lines 1 and 6, in each instance, strike the brackets; in line 1, strike “(G)”; and in line 6, strike “(H)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #26
Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 1387 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Banquet Facility 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 32 – Senator Colburn**

AN ACT concerning

**Alcoholic Beverages – Brewery License – On-Premises Consumption**

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 392 – Cecil County Senators**

AN ACT concerning

**Cecil County – Alcoholic Beverages – Refillable Containers**

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 471 – Senator Mathias**

AN ACT concerning

**Somerset County – Alcoholic Beverages – Location Restrictions**

SB0471/223298/1
BY: Economic Matters Committee

**AMENDMENTS TO SENATE BILL 471**
(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 2, strike “Location Restrictions” and substitute “Selling Near Schools, Places of Worship, Public Libraries, and Youth Centers”; in line 3, strike “creating an exception” and substitute “making certain exceptions”; in the same line, strike “in” and substitute “against the”; in the same line, after “County” insert “Board
of License Commissioners”; in line 4, strike “against”; in the same line, strike “at an establishment” and substitute “for certain establishments”; in line 5, strike “a certain distance” and substitute “300 feet”; and in line 6, after “to” insert “the issuance of a license to sell”.

AMENDMENT NO. 2

On page 1, in line 17, strike “In” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN”.

On page 2, strike beginning with “UNLESS:” in line 2 down through “ESTABLISHMENT” in line 8 and substitute:

“(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO:

(1) A LICENSED ESTABLISHMENT THAT EXISTED BEFORE THE SCHOOL, CHURCH OR OTHER PLACE OF WORSHIP, PUBLIC LIBRARY, OR YOUTH CENTER WAS BUILT WITHIN 300 FEET OF THE LICENSED ESTABLISHMENT; AND

(II) AN ESTABLISHMENT WHOSE PREVIOUS OWNER WAS THE HOLDER OF A LICENSE TO SELL ALCOHOLIC BEVERAGES”.

AMENDMENT NO. 3

On page 2, in line 12, strike “July” and substitute “October”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 949 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages
AMENDMENT TO SENATE BILL 949
(Third Reading File Bill)

On page 1, in line 18, strike “the Director of”.

On page 2, strike in their entirety lines 14 through 18, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 957 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Banquet Facility License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #27

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

House Bill 621 – Delegates Niemann and Hucker

AN ACT concerning

Maryland Energy Administration – Regulated Sustainable Energy Contract Program

HB0621/333995/1
BY: Economic Matters Committee
AMENDMENTS TO HOUSE BILL 621
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after “program;” insert “requiring the Administration to ensure that financing authorized under this Act complies with certain provisions;”; and in line 24, after “actions;” insert “establishing a time period during which a certain person may object to a regulated sustainable energy contract; requiring that an objection made to a regulated sustainable energy contract be in writing and addressed to certain persons; prohibiting a regulated sustainable energy contract from becoming effective if certain requirements are met;”.

On page 2, in line 5, after “Act;” insert “prohibiting a lien imposed by a certain qualified contractor from taking priority over a lien, mortgage, deed of trust, or other security interest that is already attached to the property; prohibiting a party that holds a recorded mortgage or deed of trust on a certain property from being charged for any amount due on a certain regulated sustainable energy contract; requiring payment on a certain regulated sustainable energy contract to resume when the property subject to the regulated sustainable energy contract is sold or transferred to a certain person;”.

AMENDMENT NO. 2

On page 3, in line 9, after “THAT” insert “;

(1)”; and in line 10, after “SUBTITLE” insert “; AND

(2) DOES NOT EXCEED $30,000”.

On page 4 in line 9 and on page 7 in line 7, strike “12–1049” and substitute “12–1029”.

On page 6, in line 5, strike “AND”; and in line 6, after “PROGRAM” insert “; AND

(3) NOTWITHSTANDING THE PROVISIONS IN THIS SUBTITLE, SHALL ENSURE THAT ANY FINANCING AUTHORIZED UNDER THIS SUBTITLE
SHALL COMPLY WITH APPLICABLE PROVISIONS IN TITLE 12, SUBTITLES 1, 3, 4, 6, 9, AND 10 OF THE COMMERCIAL LAW ARTICLE”.

AMENDMENT NO. 3

On page 6, in line 11, strike “(B)” and substitute “(D)”; in line 12, after “PROPERTY” insert “EXPECTED TO BE”; strike beginning with the colon in line 13 down through “(II)” in line 17 and substitute a comma; strike beginning with “AT” in line 19 down through “EFFECTIVE” in line 20; in line 20, after “OF” insert “:

1.

in line 20, after “THE” insert “EXPECTED”; in line 21, after “EXISTENCE” insert “AND TERMS”; in the same line, after “CONTRACT” insert “; AND

2. THE RIGHT OF THE PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST TO OBJECT TO THE CONTRACT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION”;

in line 22, after “(B)” insert “(1) A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST ON PROPERTY THAT WOULD BE SUBJECT TO A REGULATED SUSTAINABLE ENERGY CONTRACT HAS 30 DAYS FROM RECEIPT OF THE NOTICE REQUIRED UNDER SUBSECTION (A)(2) OF THIS SECTION TO OBJECT TO THE CONTRACT.

(2) ANY OBJECTION TO THE CONTRACT ON THE PART OF A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST ON THE PROPERTY MUST BE IN WRITING AND ADDRESSED TO THE OWNER OF THE PROPERTY AND THE QUALIFIED CONTRACTOR.

(C) IF AN OBJECTION IS MADE UNDER SUBSECTION (B) OF THIS SECTION BY A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST ON THE PROPERTY, THE REGULATED SUSTAINABLE ENERGY CONTRACT MAY NOT BECOME EFFECTIVE AND IF EXECUTED SHALL BE VOID.

(D)”;
in line 29, after “(II)” insert “A REQUIREMENT THAT, IF THERE IS NO OBJECTION BY A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST, THE REGULATED SUSTAINABLE ENERGY CONTRACT BE RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED;

(III)”;

and strike beginning with “AND” in line 29 down through “SECTION” in line 30.

On page 7, in line 1, strike “(III)” and substitute “(IV)”; in line 19, strike “AND”; and in line 25, after “PROPERTY” insert “; AND

(4) THE REGULATED SUSTAINABLE ENERGY CONTRACT HAS NOT BEEN OBJECTED TO UNDER § 9–20C–04(B) OF THIS SUBTITLE BY A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST ON THE PROPERTY THAT WOULD BE SUBJECT TO THE REGULATED SUSTAINABLE ENERGY CONTRACT”.

On page 8, in line 3, strike “A” and substitute “SUBJECT TO § 9–20C–08 OF THIS SUBTITLE, A”; in line 14, strike “ARE” and substitute “IS”; in line 19, strike “A” and substitute “(A)(1) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; and after line 25, insert:

“(2) A LIEN IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT TAKE PRIORITY OVER A LIEN, MORTGAGE, DEED OF TRUST, OR OTHER SECURITY INTEREST THAT IS ALREADY ATTACHED TO THE PROPERTY.

(B) IF A PROPERTY SUBJECT TO A REGULATED SUSTAINABLE ENERGY CONTRACT IS FORECLOSED UNDER TITLE 7, SUBTITLE 1 OF THE REAL PROPERTY ARTICLE, ANY DEFICIENCY DUE AS A RESULT OF A LIEN ARISING FROM THE REGULATED SUSTAINABLE ENERGY CONTRACT SHALL BE:

(1) ADDED TO THE TOTAL BALANCE DUE ON THE CONTRACT; AND

(2) SUBJECT TO PERIODIC PAYMENT AS PROVIDED IN THE CONTRACT.
(C) (1) **If a party that holds a recorded mortgage or deed of trust on a property subject to a regulated sustainable energy contract acquires the property through foreclosure, the party may not be charged for any amount due on the regulated sustainable energy contract.**

(2) **Payment on a regulated sustainable energy contract shall resume when the property subject to the regulated sustainable energy contract is sold or transferred to a person who is not related to the person who held the recorded mortgage or deed of trust when the property was foreclosed.**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Aumann moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

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

**House Bill 1124 – Delegates Stein, Cardin, and Morhaim**

AN ACT concerning

**Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws**

**HB1124/623390/1**

BY: Economic Matters Committee

**AMENDMENTS TO HOUSE BILL 1124**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 4, after “to” insert “evaluate a certain process and criteria that the U.S. Secretary of Transportation would use to review an application for the Commission to”; in line 7, after “laws;” insert “requiring the Commission to make a**
certain determination”; in line 9, after “Transportation” insert “under certain circumstances and in accordance with certain regulations”; in line 11, after “laws;” insert “authorizing the Commission to charge a certain owner a certain fee for certain inspections of gas pipelines”; strike beginning with “requiring” in line 11 down through “Act;” in line 23; strike beginning with “providing” in line 24 down through “Commission;” in line 25; and in line 28, strike “through 15–108” and substitute “and 15–102”.

AMENDMENT NO. 2

On page 2, in line 12, after “(D)” insert “(1)”; in lines 15, 18, and 20, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; after line 20, insert:

“(2) “GAS PIPELINE” DOES NOT INCLUDE ANY TRANSMISSION LINE OR DISTRIBUTION LINE CONSTRUCTED, OWNED, OR OPERATED BY A PUBLIC SERVICE COMPANY.”;

and strike in their entirety lines 25 through 28, inclusive.

On page 3, in line 1, strike “THE” and substitute “(1) ON OR BEFORE DECEMBER 1, 2013, THE”; in the same line, strike “, THROUGH” and substitute “SHALL:

(I) EVALUATE THE PROCESS AND CRITERIA THE U.S. SECRETARY OF TRANSPORTATION WOULD USE TO REVIEW AN APPLICATION FOR CERTIFICATION OR AGREEMENT WITH THE U.S. SECRETARY OF TRANSPORTATION UNDER 49 U.S.C. CHAPTER 601 WITH RESPECT TO INTERSTATE PIPELINES LOCATED WITHIN THE STATE; AND

(II) DETERMINE WHETHER IT IS IN THE PUBLIC INTEREST FOR THE COMMISSION TO APPLY FOR”;

in line 3, strike “SHALL” and substitute “TO”; in line 4, after “TO” insert “INTERSTATE”; after line 5, insert:

“(2) IF THE COMMISSION DETERMINES THAT IT IS IN THE PUBLIC INTEREST FOR THE COMMISSION TO ACT FOR THE U.S. SECRETARY OF
TRANSPORTATION TO IMPLEMENT 49 U.S.C. CHAPTER 601 WITH RESPECT TO INTERSTATE PIPELINES LOCATED WITHIN THE STATE, THE COMMISSION SHALL, ON OR BEFORE JANUARY 1, 2014, APPLY FOR CERTIFICATION OR AGREEMENT WITH THE U.S. SECRETARY OF TRANSPORTATION.”;

in line 6, strike “THE COMMISSION SHALL” and substitute “IF THE COMMISSION ENTERS INTO A CERTIFICATION OR AGREEMENT WITH THE U.S. SECRETARY OF TRANSPORTATION TO ACT FOR THE U.S. SECRETARY OF TRANSPORTATION TO IMPLEMENT 49 U.S.C. CHAPTER 601 WITH RESPECT TO INTERSTATE PIPELINES LOCATED WITHIN THE STATE, THE COMMISSION SHALL, IN ACCORDANCE WITH FEDERAL REGULATIONS”; in line 8, strike “FEDERAL” and substitute “U.S.”; in line 13, after “MAY” insert “;

(1)”;

and in line 15, after “LAW” insert “; AND

(2) CHARGE AN OWNER OF AN INTERSTATE GAS PIPELINE A FEE TO RECOVER THE COSTS OF THE INSPECTIONS OF THE OWNER’S INTERSTATE GAS PIPELINES LOCATED WITHIN THE STATE, LESS ANY GRANTS PROVIDED THROUGH THE U.S. DEPARTMENT OF TRANSPORTATION FOR INSPECTING INTERSTATE PIPELINES”.

AMENDMENT NO. 3

On pages 3 through 5, strike in their entirety the lines beginning with line 16 on page 3 down through line 27 on page 5 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on completion of its evaluation and determination under § 15–102(a) of the Public Safety Article, as enacted by Section 1 of this Act, the Public Service Commission shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on its findings and conclusions.”.

On page 6, in line 1, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.
Delegate O'Donnell moved to make the Bill a Special Order for later today.

The motion was adopted.

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

House Bill 1187 – Delegate Hucker

AN ACT concerning

Public Utilities – Solar Photovoltaic Systems

HB1187/203494/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1187
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “specifying” in line 3 down through “necessity,” in line 9 and substitute “requiring a person to file a certain application for approval to construct a certain generating station at least a certain time before construction commences”; in line 10, after the first “a” insert “certain”; strike beginning with “based” in line 11 down through “deposit” in line 14; in lines 22 and 23, strike “and certificates of public convenience and necessity”; and strike in their entirety lines 24 through 28, inclusive.

AMENDMENT NO. 2
On pages 2 through 7, strike in their entirety the lines beginning with line 18 on page 2 through line 23 on page 7, inclusive.

AMENDMENT NO. 3
On page 7, in line 25, strike “(1)” in the same line, strike “SUBSECTION” and substitute “SECTION”; in lines 27 and 30, strike “(I)” and “(II),” respectively, and substitute “(1)” and “(2),” respectively; in line 28, strike “AND NOT MORE THAN 10 MEGAWATTS”; and after line 32, insert:
“(B) (1) A PERSON SHALL FILE AN APPLICATION FOR APPROVAL TO CONSTRUCT A GENERATING STATION UNDER § 7–207.1 OF THIS SUBTITLE AT LEAST 6 MONTHS BEFORE CONSTRUCTION COMMENCES.”.

On page 8, strike beginning with “If” in line 1 down through the first “The” in line 3 and substitute “The”; in line 3, strike “The person” and substitute “A PERSON WHO FILES AN APPLICATION FOR APPROVAL TO CONSTRUCT A GENERATING STATION”; strike in their entirety lines 5 through 25, inclusive; in line 26, strike “(D)” and substitute “(C)”; in line 27, strike “SUBSECTIONS (A) AND” and substitute “SUBSECTION”; in line 28, strike “begins a project within 3 years” and substitute “DEMONSTRATES TO THE COMMISSION THAT THE PERSON IS FULLY AUTHORIZED TO COMMENCE CONSTRUCTION WITHIN 18 MONTHS”; strike beginning with “or” in line 29 down through “NECESSITY” in line 30; in line 31, after “DEPOSIT” insert “, LESS REASONABLE ADMINISTRATIVE COSTS”; and in line 33, strike “BEGIN A PROJECT WITHIN 3 YEARS” and substitute “COMMENCE CONSTRUCTION WITHIN 18 MONTHS”.

On page 9, strike beginning with “or” in line 1 down through “NECESSITY” in line 2; in line 7, after “article” insert “, LESS REASONABLE ADMINISTRATIVE COSTS”; in line 9, strike “BEGIN WITHIN 3 YEARS” and substitute “COMMENCE CONSTRUCTION WITHIN 18 MONTHS”; and strike beginning with “OR” in line 10 down through “NECESSITY” in line 11.

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 1386 – Delegate Haddaway–Riccio

AN ACT concerning

Task Force to Study Licensing and Continuing Education Requirements for Electricians

HB1386/333690/1
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1386
(First Reading File Bill)

On page 2, in line 4, after “board” insert “that licenses journeyman electricians;

(iii) one representative of a local electrical board with an established continuing education program;

(iv) one representative of the National Electrical Contractors Association”;

in lines 5, 6, 8, and 10, strike “(iii)”, “(iv)”, “(v)”, and “(vi)”, respectively, and substitute “(v)”, “(vi)”, “(vii)”, and “(viii)”, respectively; strike beginning with “review” in line 21 down through “subsection” in line 24 and substitute “review appropriate approaches for the licensure of electricians at the State and local level to protect citizens and provide for efficiency of electrical services across county lines;

(3) if a new approach to licensure is deemed appropriate, consider how this change affects electricians currently licensed at the State and local level, and the boards that currently oversee licensure at the State and local level”;

in line 26, strike “and”; and in line 28, after “electricians” insert “;

(6) make findings and recommendations regarding the effect of statewide licensing on barriers to entry into the electrician marketplace; and

(7) make findings and recommendations as to the causal link between a continuing education program and benefits to the professional practice of an electrician”.

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 12 – Senator Zirkin
AN ACT concerning

  Labor and Employment – Leave – Deployment of Family Members in the Armed Forces

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

AN ACT concerning

  Maryland Home Improvement Commission – Membership, Quorum, and Meetings, and Reports

SB0066/513894/1
BY:  Economic Matters Committee

AMENDMENTS TO SENATE BILL 66
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the first semicolon insert “requiring the Governor to remove a member of the Commission if the member does not attend at least a certain number of certain Commission meetings, subject to an exception; requiring certain notice to be provided to the Governor; requiring the Governor to appoint a successor under certain circumstances;”; and in line 12, after “8–202(a)” insert “and (g)”.

AMENDMENT NO. 2

On page 2, after line 10, insert:

  “(g)  (1)  The Governor may remove a member for incompetence or misconduct.
(2) Except as provided in paragraph (3) of this subsection and subject to paragraph (4) of this subsection, the Governor shall remove a member if the member did not attend at least two-thirds of the Commission meetings held during the prior year while the member was serving on the Commission.

(3) The Governor may allow a member to continue serving if the member has been unable to attend meetings for reasons satisfactory to the Governor and the reasons are made public.

(4) In accordance with § 8–501 of the State Government Article, the chairman shall provide notice to the Governor and the Governor shall appoint a successor.”.

AMENDMENT NO. 3

On page 2, in line 12, strike “A” and substitute “(I) Subject to subparagraph (II) of this paragraph, A”; and after line 13, insert:

“(II) A quorum may not be fewer than 4 members.”.

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:

Senate Bill 82 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Elevator Safety Review Board – Third-Party Inspectors – Certification

SB0082/883696/1

BY: Economic Matters Committee
AMENDMENT TO SENATE BILL 82
(Third Reading File Bill)

On page 4, in line 1, after “AGENCIES” insert “OR THE AMERICAN NATIONAL STANDARDS INSTITUTE”.

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 313 – Senator Astle**

AN ACT concerning

**Workers’ Compensation – Anne Arundel County Deputy Sheriff**

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 446 – Senators Pugh, Benson, Conway, Forehand, Madaleno, McFadden, Montgomery, and Peters Peters, Garagiola, and Ramirez**

AN ACT concerning

**Homeowner’s or Renter’s Insurance and Private Passenger Motor Vehicle Insurance – Bundling Requirement – Prohibited**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 757 – Senator Ramirez Senators Ramirez and Garagiola**

AN ACT concerning

**Maryland Occupational Safety and Health Act – Discrimination Against Employee – Complaints**
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 784 – Senator Benson**

AN ACT concerning

**Employment Discrimination – Reasonable Accommodations for Disabilities Due to Pregnancy**

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 797 – Senator Middleton**

AN ACT concerning


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 863 – Senator Zirkin Senators Zirkin and Glassman**

AN ACT concerning

**Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws**

Favorable report adopted.
Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:
AN ACT concerning Public Utilities – Solar Photovoltaic Systems

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

AN ACT concerning Task Force to Study Licensing and Continuing Education Requirements for Electricians

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

AN ACT concerning Commission to Study the Regulation of Payroll Services

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:

AN ACT concerning Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws
STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Kach moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

MESSAGE FROM THE SENATE

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

BILL: **HB 0286**
SPONSOR: Del Niemann, et al
SUBJECT: Real Property – Common Ownership Communities – Foreclosure of Liens

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 Norman

The Senate appoints:
Senator Muse, Chairman
Senator Zirkin
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

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

BILL: **HB 1303**
SPONSOR: Del Dumais, et al
SUBJECT: Maryland Legal Services Corporation Funding – Abandoned Property Funds

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 Guzzone, Chair
Delegate Zucker
Delegate McConkey

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 FROM THE SENATE

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

BILL: HB 1340
SPONSOR: Del Stukes, et al
SUBJECT: Courts and Judicial Proceedings – Baltimore City Sheriff and Fees for Filing and Service of Process

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 Healey, Chair
Delegate Glenn
Delegate Otto

The Senate appoints:
Senator Gladden, Chairman
Mar. 31, 2013

Senator Muse
Senator Getty.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

SPECIAL ORDERS

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

AMENDED IN THE SENATE

House Bill 342 – Delegates Hucker, Barkley, Love, Olszewski, and Vaughn

AN ACT concerning

Homeowner’s or Renter’s Insurance and Private Passenger Motor Vehicle Insurance – Bundling Requirement – Prohibited

STATUS OF BILL: BILL AMENDED IN THE SENATE. AMENDMENTS NOT CONCURRED IN.

Delegate Davis moved that the House concur in the Senate amendments.

HB0342/387173/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 342
(Third Reading File Bill)

On page 2, in line 3, after “(1)” insert “THIS SUBSECTION APPLIES TO HOMEOWNER’S INSURANCE, RENTER’S INSURANCE, AND PRIVATE PASSENGER MOTOR VEHICLE INSURANCE.

(2)”;
in lines 10 and 17, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

   Affirmative – 137     Negative – 0     (See Roll Call No. 1021)

AMENDED IN THE SENATE

House Bill 1072 – Prince George’s County Delegation

AN ACT concerning

   Alcoholic Beverages – City of Laurel – Sales by License Holders
   PG 308-13

STATUS OF BILL:  BILL AMENDED IN THE SENATE. AMENDMENTS NOT CONCURRED IN.

Delegate Davis moved that the House concur in the Senate amendments.

HB1072/714632/1

BY:   Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1072
   (Third Reading File Bill)

   On page 2, in line 6, strike “ITEMS” and substitute “SUBPARAGRAPHS”.

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. 1022)

AMENDED IN THE SENATE

House Bill 1205 – Delegate Rudolph
AN ACT concerning

Task Force to Study of Captive Insurers

STATUS OF BILL: BILL AMENDED IN THE SENATE. AMENDMENTS NOT CONCURRED IN.

Delegate Davis moved that the House concur in the Senate amendments.

HB1205/867577/1
BY: Finance Committee

AMENDMENT TO HOUSE BILL 1205
(Third Reading File Bill)

On page 3, in line 24, strike “(h)” and substitute “(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 – 137  Negative – 0  (See Roll Call No. 1023)

CONCURRENCE CALENDAR #5

AMENDED IN THE SENATE

House Bill 374 – Delegates Malone, Glenn, Frush, and Norman

AN ACT concerning

Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0374/533721/1
BY: Senator Stone

AMENDMENT TO HOUSE BILL 374
(Third Reading File Bill)
On page 2, in line 28, strike “July” and substitute “October”.

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. 1024)

AMENDED IN THE SENATE

House Bill 420 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Payment of Tolls

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0420/827274/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 420
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “authorizing” in line 9 down through “violators;” in line 10.

AMENDMENT NO. 2
On page 7, in line 13, after “LAW;” insert “AND”; and strike beginning with the semicolon in line 15 down through “AUTHORITY” in line 18.

The preceding 2 amendments were read and concurred in.

HB0420/843124/1
BY: Senator Pugh

AMENDMENTS TO HOUSE BILL 420
(Third Reading File Bill)

AMENDMENT NO. 1
On page 2, strike in their entirety lines 2 through 6, inclusive.

AMENDMENT NO. 2
On page 3, strike in their entirety lines 4 through 13, 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 – 136     Negative – 0     (See Roll Call No. 1025)

AMENDED IN THE SENATE

House Bill 523 – Delegates Myers, Afzali, Boteler, Hogan, Jacobs, Krebs, McComas, McConkey, W. Miller, Norman, Otto, Schulz, Serafini, Smigiel, and Stockdale

AN ACT concerning

Short–Term Rental of Motorcycles

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0523/799637/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 523
(Third Reading File Bill)

On page 1, in line 2, after “Motorcycles” insert “– Sales and Use Tax and Motor Vehicle Law”.

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. 1026)

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

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Read and ordered journalized.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #18

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

Senate Bill 366 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Conway, Ferguson, McFadden, and Pugh

AN ACT concerning

Baltimore City – Extinguishment or Redemption of Ground Rents

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 575 – Senators Simonaire, Benson, Dyson, Ferguson, Jennings, Montgomery, Reilly, and Young

AN ACT concerning

Environment – Maryland Clean Water Fund – Uses Annual Report
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 642 – Senators Muse, Conway, Forehand, Gladden, Ramirez, and Robey, Robey, Brochin, Frosh, Jacobs, and Raskin**

AN ACT concerning

**Residential Real Property – Prohibition on Nonjudicial Evictions**

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 696 – Senator Stone**

AN ACT concerning

**Manufactured Homes – Affixation to Real Property – Liens**

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 748 – Senator Middleton**

AN ACT concerning

**Agriculture – Nutrient Management – Waters of the State Limiting Applicability**

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 750 – Senator Robey**

AN ACT concerning

Public Safety – Maryland Building Performance Standards – Local Wind Design and Wind–Borne Debris Standards

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 814 – Senator Shank**

AN ACT concerning

Washington County – Salary and Expense Study Commission – Updating Salary Provisions – Membership

SB0814/770219/1

BY: Environmental Matters Committee

**AMENDMENT TO SENATE BILL 814**

(Third Reading File Bill)

On page 1, in line 2, strike “and Expense”; in line 3, after “Salary” insert “and Expense”; and in line 8, strike “Board of”.

On page 6, in lines 8 and 9, strike “BOARD OF”.

On page 8, in line 24, strike “BOARD OF”; and in lines 25 and 26, strike “BOARD DETERMINES” and substitute “COUNTY COMMISSIONERS DETERMINE”.

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 846 – Senator Conway**

AN ACT concerning

**Courts – Baltimore City Sheriff and Fees for Filing and Service of Process**

**SB0846/190716/1**

BY: Environmental Matters Committee

**AMENDMENTS TO SENATE BILL 846**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 3, strike in their entirety lines 15 through 17, inclusive.

**AMENDMENT NO. 2**

On page 3, in line 19, strike “$500” and substitute “$400”.

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 854 – Senator Edwards**

AN ACT concerning

**Environment – Gas and Oil Drilling – Financial Assurance**

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 1029 – Senators Middleton, Dyson, and Jennings, and Glassman

AN ACT concerning

Maryland Agricultural Certainty Program

SB1029/840917/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 1029
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 46, after “committee” insert “to monitor and provide oversight on certain policies and standards,”; and in the same line, after “regulations” insert a comma.

AMENDMENT NO. 2

On page 8, in line 29, after “CERTIFICATION” insert “, INCLUDING THIS SUBTITLE AND THE TERMS AND CONDITIONS OF THE CERTAINTY AGREEMENT ENTERED INTO UNDER THIS SUBTITLE”.

AMENDMENT NO. 3

On page 12, in line 35, strike “THE” and substitute “ON OR BEFORE DECEMBER 31, 2014, AND EACH DECEMBER 31 THEREAFTER, THE”.

AMENDMENT NO. 4

On page 13, in lines 4, 27, and 29, in each instance, strike “STAKEHOLDER” and substitute “OVERSIGHT”; and in line 27, strike “A” and substitute “AN”.

On page 14, in line 1, strike “STAKEHOLDER” and substitute “OVERSIGHT”; after line 1, insert:

“(1) MONITOR AND PROVIDE OVERSIGHT ON THE DEVELOPMENT AND IMPLEMENTATION OF POLICIES AND STANDARDS RELATING TO THE PROGRAM;”;

SB1029/840917/1

BY: Environmental Matters Committee
in lines 2 and 4, strike “(1)” and “(2)”, respectively, and substitute “(2)” and “(3)”, respectively; and in line 4, strike “4 YEARS” and substitute “YEAR”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Mizeur moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

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:

House Bill 874 – Delegates Rosenberg and Simmons

AN ACT concerning

Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms – 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 335 – Senators Klausmeier, Brinkley, Ferguson, and Young

AN ACT concerning

Health Occupations – Funeral Establishments – Preparation and Holding Rooms

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 358 – Senator Conway

AN ACT concerning

State Board of Morticians and Funeral Directors – Authority to Discipline – Funeral Establishment Licenses

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 460 – Senators Conway and Middleton

AN ACT concerning

Health Occupations – Physician Assistants – Authority to Practice

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 463 – Senator Conway

AN ACT concerning

State Board of Morticians and Funeral Directors – Apprentice Sponsors, Funeral Establishment Licenses, and Supervising Morticians

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 610 – Senators Klausmeier, Brinkley, Madaleno, and Montgomery, Montgomery, Astle, Garagiola, Glassman, Kelley, Kittleman, Mathias, Middleton, Pipkin, Pugh, and Ramirez

AN ACT concerning
Health – Overdose Response Program – Establishment

SB0610/226782/1
BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 610
(Third Reading File Bill)

AMENDMENT NO. 1
On page 2, in line 6, strike “or other”.

AMENDMENT NO. 2
On page 7, in line 24, strike “OR OTHER”; and in line 25, after “ARTICLE” insert “SOLELY”.

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 811 – Senator Rosapepe

AN ACT concerning

Procurement – Investment Activities in Iran – Board of Public Works Authority to Adopt 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 951 – Senator Benson

AN ACT concerning
Health Occupations – Polysomnographic Technologists – Licensure and Discipline

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 954 – Senator Benson

AN ACT concerning

Maryland Board of Physicians – Authority to Issue Temporary Licenses and Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #19

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

House Bill 1031 – Delegates Hixson, Arora, Barve, Carr, Feldman, Gutierrez, Lee, Luedtke, A. Miller, Mizeur, and S. Robinson

AN ACT concerning

Estate Tax and Income Tax – Qualifying Income Interest for Life and Subtraction Modification for Health Insurance and Medical Expenses

HB1031/545163/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1031
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Qualifying Income Interest for Life” and substitute “Marital Deduction”; in line 3, strike “and Medical Expenses”; strike beginning with
“altering” in line 4 down through “State” in line 6 and substitute “providing that, for purposes of calculating Maryland estate tax, the surviving spouse of a decedent shall include any individual to whom, at the time of the decedent’s death, the decedent was lawfully married under State law”; strike beginning with “the” in line 7 down through “circumstances;” in line 8 and substitute “certain costs incurred by a taxpayer to provide health insurance for the taxpayer’s spouse;”; in line 12, strike “the costs of” and substitute “certain”; strike beginning with “and” in line 12 down through “individual” in line 13 and substitute “costs”; and in line 16, strike “(b)(6)” and substitute “(b)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 20, inclusive, and substitute:

“(b) (1) Except as provided in paragraphs (2) through [(7)] (8) of this subsection and subsection (c) of this section, after the effective date of an Act of Congress described in subsection (a) of this section, the Maryland estate tax shall be determined using:

(i) the federal credit allowable by § 2011 of the Internal Revenue Code as in effect before the reduction or repeal of the federal credit pursuant to the Act of Congress; and

(ii) other provisions of federal estate tax law as in effect on the date of the decedent’s death.

(2) Except as provided in paragraphs (3) through [(7)] (8) of this subsection and subsection (c) of this section, if the federal estate tax is not in effect on the date of the decedent’s death, the Maryland estate tax shall be determined using:

(i) the federal credit allowable by § 2011 of the Internal Revenue Code as in effect before the reduction or repeal of the federal credit pursuant to the Act of Congress; and

(ii) other provisions of federal estate tax law as in effect on the date immediately preceding the effective date of the repeal of the federal estate tax.

(3) (i) Notwithstanding any increase in the unified credit allowed against the federal estate tax for decedents dying after 2003, the unified credit used for determining the Maryland estate tax may not exceed the applicable credit amount
corresponding to an applicable exclusion amount of $1,000,000 within the meaning of § 2010(c) of the Internal Revenue Code.

(ii) The Maryland estate tax shall be determined without regard to any deduction for State death taxes allowed under § 2058 of the Internal Revenue Code.

(iii) Unless the federal credit allowable by § 2011 of the Internal Revenue Code is in effect on the date of the decedent’s death, the federal credit used to determine the Maryland estate tax may not exceed 16% of the amount by which the decedent’s taxable estate, as defined in § 2051 of the Internal Revenue Code, exceeds $1,000,000.

(4) (i) With regard to an election to value property as provided in § 2032 of the Internal Revenue Code, if a federal estate tax return is not required to be filed:

1. an irrevocable election made on a timely filed Maryland estate tax return shall be deemed to be an election as required by § 2032(d) of the Internal Revenue Code;

2. the provisions of § 2032(c) of the Internal Revenue Code do not apply; and

3. an election may not be made under item 1 of this subparagraph unless that election will decrease:

   A. the value of the gross estate; and

   B. the Maryland estate tax due with regard to the transfer of a decedent’s Maryland estate.

(ii) An election to value property as provided in § 2032 of the Internal Revenue Code for Maryland estate tax purposes must be the same as the election made for federal estate tax purposes.

(5) (i) With regard to an election to treat property as marital deduction qualified terminable interest property in calculating the Maryland estate tax, an irrevocable election made on a timely filed Maryland estate tax return shall be
deemed to be an election as required by § 2056(b)(7)(B)(i), (iii), and (v) of the Internal Revenue Code.

(ii) An election under this paragraph made on a timely filed Maryland estate tax return shall be recognized for purposes of calculating the Maryland estate tax even if an inconsistent election is made for the same decedent for federal estate tax purposes.

(6) (i) For purposes of calculating Maryland estate tax, a decedent shall be deemed to have had a qualifying income interest for life under § 2044(a) of the Internal Revenue Code with regard to any property for which a marital deduction qualified terminable interest property election was made for the decedent’s predeceased spouse on a timely filed Maryland estate tax return under paragraph (5) of this subsection.

(ii) For the purpose of apportioning Maryland estate tax under § 7–308 of this subtitle, any property as to which a decedent is deemed to have had a qualifying income interest for life under subparagraph (i) of this paragraph shall be deemed to be included in both the estate and the taxable estate of the decedent.

(7) For purposes of calculating Maryland estate tax, amounts allowable under § 2053 or § 2054 of the Internal Revenue Code as a deduction in computing the taxable estate of a decedent may not be allowed as a deduction or as an offset against the sales price of property in determining gain or loss if the amount has been allowed as a deduction in computing the federal taxable income of the estate or of any other person.


AMENDMENT NO. 3

On page 2, in line 29, strike “AND OTHER MEDICAL EXPENSES”; strike beginning with “AN” in line 29 down through the first “INDIVIDUAL” in line 30, and
substitute “A TAXPAYER”; in line 31, strike the colon and substitute “AND TAXPAYER ARE RECOGNIZED BY THE STATE AS LAWFULLY MARRIED.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 32 on page 2 through line 5 on page 3, inclusive, and substitute:

“(2) THE SUBTRACTION UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT EXCEED THE COST OF A HEALTH INSURANCE PREMIUM THAT:

(i) IS PAID BY THE TAXPAYER OR THE EMPLOYER OF THE TAXPAYER TO PROVIDE COVERAGE FOR THE TAXPAYER’S SPOUSE; AND

(ii) IS SUBJECT TO FEDERAL INCOME TAX UNDER THE INTERNAL REVENUE CODE.”.

AMENDMENT NO. 4

On page 3, in line 7, after “2012” insert “, and Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2012”; in line 8, strike “except as provided in” and substitute “subject to”; and strike beginning with “and” in line 9 down through “2012” in line 10.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1073 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County Board of Education – Financial Literacy Curriculum – Graduation Requirement

PG 419–13

HB1073/215562/1

BY: Committee on Ways and Means
AMENDMENTS TO HOUSE BILL 1073
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 3, strike “– Graduation Requirement”; in line 5, strike “requiring” and substitute “authorizing”; strike beginning with “as” in line 6 down through the first “curriculum” in line 7 and substitute “to be offered to all students in a certain grade”; in line 8, strike “requiring” and substitute “authorizing”; in line 9, strike “high” and substitute “middle”; in the same line, after “County” insert “beginning in a certain school year”; strike beginning with “requiring” in line 9 down through “County;” in line 11; and strike beginning with “that” in line 12 down through “school” in line 13.

AMENDMENT NO. 2
On page 2, in line 1, strike “SHALL” and substitute “MAY”; in line 2, strike “SEMESTER–LONG” and substitute “HANDS–ON”; strike beginning with “AS” in line 2 down through “CURRICULUM” in line 3 and substitute “TO BE OFFERED TO ALL STUDENTS IN THE EIGHTH GRADE”; and strike in their entirety lines 6 through 17, inclusive, and substitute:

“(1) **IDENTIFICATION OF SERVICES PROVIDED BY FINANCIAL INSTITUTIONS;**

(2) **DEBIT CARDS AND THEIR USES;**

(3) **INTEREST AND CREDIT;**

(4) **SAVINGS AND INVESTING;**

(5) **THE DIFFERENCES AMONG SALES, INCOME, AND PROPERTY TAXES, AND THE PURPOSE OF EACH TYPE OF TAX;**

(6) **THE BASIC PRINCIPLES OF SOCIAL SECURITY;**

(7) **NET MONTHLY INCOME; AND**
(8) HOUSEHOLD BUDGETING.”.

AMENDMENT NO. 3

On page 2, in line 18, strike “THE” and substitute “BEGINNING IN THE 2013–2014 SCHOOL YEAR, THE”; in the same line, strike “SHALL” and substitute “MAY”; in line 20, strike “HIGH” and substitute “MIDDLE”; and strike in their entirety lines 21 and 22.

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 1502 – Delegates Healey, Barve, Boteler, George, Hixson, Howard, Ivey, A. Miller, V. Turner, and A. Washington

AN ACT concerning

Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools

HB1502/555662/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1502
(First Reading File Bill)

On page 1, in line 24, strike “and”; and after line 24, insert:

“(4) the State Comptroller, or the State Comptroller’s designee; and”.

On page 2, in line 1, strike “(4)” and substitute “(5)”.

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 54** – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Maryland Higher Education Commission – Scholarship Funds – Technical Alterations

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

AN ACT concerning

Adult Education and Literacy Services – High School Diploma by Examination – Eligibility 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 with amendments:

**Senate Bill 70** – Chair, Budget and Taxation Committee (By Request – Departmental – Business and Economic Development)

EMERGENCY BILL

AN ACT concerning

Business and Economic Development – Enterprise Fund and Invest Maryland Program

SB0070/305066/1

BY: Committee on Ways and Means
AMENDMENTS TO SENATE BILL 70
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 7, after “circumstances;” insert “restricting to a certain percentage the Department’s allocation of designated capital in certain side car funds under the Invest Maryland Program; requiring the Maryland Venture Fund Authority to consider whether the State’s investment in an applicant for venture firm certification under the Invest Maryland Program would exceed a certain percentage of total investments in the applicant;”; and in line 14, after “definition;” insert “defining a certain term;”.

AMENDMENT NO. 2
On page 2, in line 3, after “6–501(n)” insert “and (p), 6–511, 6–518(a)(1),”.

AMENDMENT NO. 3
On page 6, in line 14, after “(p)” insert “SIDE CAR AFFILIATE” MEANS AN ENTITY CONTROLLED BY OR UNDER COMMON CONTROL WITH A VENTURE FIRM THAT IS FORMED SOLELY FOR THE PURPOSE OF INVESTING ALONGSIDE THE VENTURE FIRM.

(Q)

AMENDMENT NO. 4
On page 6, after line 17, insert:

“6–511.

(a) All designated capital from purchasers shall be deposited into the Enterprise Fund to be invested as provided in this subtitle.

(b) The Department shall allocate designated capital as follows:

(1) 67% to one or more venture firms to fund the making of qualified investments based on the criteria set forth in this subtitle, PROVIDED, THAT NOT MORE THAN 20% OF THIS AMOUNT MAY BE INVESTED IN THE SIDE CAR FUND AFFILIATES OF THE VENTURE FIRMS; and
(2) 33% to the Enterprise Fund, to be allocated:

(i) $250,000 to the Rural Maryland Council for its operational expenses;

(ii) 75% of the remaining amount to fund the making of qualified investments in qualified businesses under the existing policies and procedures of the Enterprise Fund under Title 5, Subtitle 6 of this article; and

(iii) 25% of the remaining amount to the Financing Authority Equity Participation Investment Program, to be invested in qualified businesses in accordance with the policies and procedures of the Financing Authority under Title 5, Subtitle 5, Part V of this article.

(c) It is the goal of the State that a portion of the designated capital received under subsection (b)(2)(ii) of this section be used to make qualified investments in qualified businesses located in rural areas of the State.

(d) As soon as practicable after the Department receives each installment of designated capital, the Department and each venture firm that has been allocated designated capital shall enter into a contract under which the allocated amount of designated capital will be transferred by the Department to the venture firm for investment as provided in this subtitle.

(e) The Department shall secure the commitment of the purchasers in accordance with § 6–512 of this subtitle.

6–518.

(a) In selecting applicants for venture firm certification, the Authority shall consider:

(1) the management structure of the applicant, including:

(i) the investment experience of the principals;

(ii) the applicant’s reputation in the venture firm industry and the applicant’s ability to attract co–investment capital and syndicate investments in qualified businesses in the State;
(iii) the knowledge, experience, and capabilities of the applicant in subject areas relevant to venture-stage businesses in the State; [and]

(iv) the tenure and turnover history of principals and senior investment professionals of the applicant; AND

(V) WHETHER THE STATE’S INVESTMENT IN THE APPLICATION UNDER THIS PROGRAM WOULD EXCEED 15% OF THE TOTAL INVESTED IN THE APPLICANT BY ALL INVESTORS, INCLUDING INVESTMENTS IN ANY SIDE CAR FUND AFFILIATES;”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 90 – Senator Astle

AN ACT concerning

Natural Resources – Vessel Excise Tax – Maximum Tax Motor Fuel Tax Distribution – Waterway Improvement Fund

SB0090/335669/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 90
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 3 in its entirety and substitute “Natural Resources – Vessel Excise Tax – Waterway Improvement Fund”; in line 4, after “of” insert “limiting the amount of the vessel excise tax to a certain amount for each vessel;”; in line 8, after “Fund;” insert “requiring the Department of Natural Resources to submit reports on or before certain dates describing the effect of the limitation on the vessel excise tax as enacted by this Act; establishing the Task Force to Study Enhancing Boating and
the Boating Industry in Maryland; 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 evaluate options and make recommendations for enhancing boating and growing the boating industry; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing that the altered distribution of motor fuel tax revenue as enacted by this Act applies only under certain circumstances; providing for the termination of certain provisions of this Act; strike line 9 in its entirety and substitute “vessel excise tax and the Waterway Improvement Fund.”; and after line 14, insert:

“BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 8–716(c)
Annotated Code of Maryland
(2012 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, after line 22, insert:

“Article – Natural Resources
8–716.

(c) (1) [Except] SUBJECT TO THE LIMITATION UNDER PARAGRAPH (3) OF THIS SUBSECTION AND EXCEPT as provided in § 8–715(d) of this subtitle and in subsections (e) and (f) of this section, and in addition to the fees prescribed in subsection (b) of this section, an excise tax is levied at the rate of 5% of the fair market value of the vessel on:

(i) The issuance of every original certificate of title required for a vessel under this subtitle;

(ii) The issuance of every subsequent certificate of title for the sale, resale, or transfer of the vessel;

(iii) The sale within the State of every other vessel; and
(iv) The possession within the State of a vessel used or to be used principally in the State.

(2) Notwithstanding the provisions of this subsection, no tax is paid on issuance of any certificate of title if the owner of the vessel for which a certificate of title is sought was the owner of the vessel prior to June 1, 1965, or paid Maryland sales and use tax on the vessel as required by law at the time of acquisition. The Department may require the applicant for titling to submit satisfactory proof that the applicant owned the vessel prior to June 1, 1965.

(3) The excise tax imposed under this subsection may not exceed $15,000 for any vessel.

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

On page 3, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Natural Resources shall submit a report on or before August 1 of 2014, 2015, and 2016 to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly that describes the effect of the limitation on the vessel excise tax enacted by Section 1 of this Act during the preceding fiscal year on:

(1) the number and type of vessels registered in the State; and

(2) the health of the boating industry.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force to Study Enhancing Boating and the Boating Industry in Maryland.

(b) The Task Force consists of the Secretary of the Department of Natural Resources or the Secretary’s designee, who shall serve as the chair of the Task Force, and the following individuals appointed by the Secretary:

(1) one representative of the Marine Trades Association of Maryland:
one representative of the Department of Business and Economic Development;

one representative of the Maryland Association of Counties;

one representative of the Maryland Municipal League;

one representative of the Boat Owner’s Association of the United States;

one representative of the Recreational Boating and Fishing Foundation;

one representative of the Chesapeake Bay Yacht Clubs Association;

one representative from the Maryland Boat Act Advisory Committee;

one individual representing paddle sports; and

one representative of a local tourism board or visitor bureau in a county that borders the Chesapeake Bay.

The Department of Natural Resources shall provide staff for the Task Force.

A member of the Task Force:

may not receive compensation as a member of the Task Force; but

is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

The Task Force shall:

evaluate options and make recommendations for enhancing boating and growing the boating industry in the State; and
(2) consider the following:

(i) incentives to encourage boats to register in the State and use marinas and boat yards for recreation, repair, and outfitting in the State;

(ii) the impact of modifying the State vessel excise tax rate and boat registration fees;

(iii) the expenditure and use of the Waterway Improvement Fund and its benefits to the general boating public and the State’s boating industry;

(iv) the impact on the boating industry and the general boating public of decreased State and federal spending on boating access;

(v) the costs and needs of maintaining and improving public boating infrastructure and boating safety; and

(vi) any other matter that the Task Force agrees will enhance boating in the State.

(f) On or before September 1, 2015, the Task Force shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding Section 1 of this Act, except as otherwise provided in this section, the altered distribution of revenue from the motor fuel tax under the provisions of Title 2, Subtitle 11 of the Tax – General Article as enacted by this Act does not apply until any Consolidated Transportation Bonds that were issued by the Department of Transportation before July 1, 2013, no longer remain outstanding and unpaid. In any fiscal year for which funds are appropriated by the General Assembly to pay the amount due and payable in that fiscal year for the principal of and interest on the Department of Transportation’s Consolidated Transportation Bonds that were issued before July 1, 2013, the revenue from the motor fuel tax shall be distributed as provided in Title 2, Subtitle 11 of the Tax – General Article as enacted by this Act.”;

in line 13, strike “2.” and substitute “6.”; and in line 14, after “2013.” insert “Sections 1 and 4 of this Act shall remain effective for a period of 3 years and, at the end of 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 Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

Senate Bill 124 – Senators Peters, Astle, Brinkley, Brochin, Colburn, Currie, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, Kittleman, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Raskin, Simonaire, and Zirkin

DeGrange

AN ACT concerning

Income Tax Credit for Qualifying Employees – Sunset Repeal and Expansion

SB0124/225063/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 124

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “allowing” in line 5 down through “Act” in line 7 and substitute “declaring the intent of the General Assembly”; and in line 9, strike “and certain qualified veterans”.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 17 on page 3 through line 4 on page 5, inclusive.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 5 through 7, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Labor, Licensing, and Regulation, the
Department of Disabilities, and the Department of Veterans Affairs make every effort to promote and market the Qualifying Employees with Disabilities Tax Credit to Maryland employers.”; in line 8, strike “4.” and substitute “3.”; and strike beginning with “, except” in line 8 down through “Act,” in line 9.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0124/695369/1
BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 124
(Third Reading File Bill)

On page 2, strike in their entirety lines 13 through 17, inclusive.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 202 – Senators King, Brinkley, Currie, Garagiola, Madaleno, Manno, Peters, Ramirez, Raskin, and Robey

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

SB0202/895969/1
BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 202
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 8, strike “providing for the termination of this Act;”.
AMENDMENT NO. 2

On page 3, strike beginning with “It” in line 14 down through “effect.” in line 16.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 436 – Senators Peters, DeGrange, Brinkley, Colburn, Currie, Edwards, and Robey Robey, and Kittleman**

AN ACT concerning

    Recordation Taxes – Exemptions

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 484 – Senators Dyson, Astle, Colburn, Conway, Jacobs, Madaleno, Manno, Pinsky, Pipkin, and Simonaire**

AN ACT concerning

    Income Tax Credit – Oyster Shell Recycling

SB0484/245467/1
BY: Committee on Ways and Means

**AMENDMENTS TO SENATE BILL 484**
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “regulations;” insert “providing that the credit allowed under this Act is subject to the Tax Credit Evaluation Act;”; and in line 10, after “Act;” insert “providing for the termination of this Act;”.
AMENDMENT NO. 2
On page 1, after line 11, insert:

“BY repealing and reenacting, with amendments,
Article – Tax – General
Section 1–303(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)”. 

AMENDMENT NO. 3
On page 1, after line 19, insert:

“1–303.

(e) On or before July 1, 2017, an evaluation shall be made of the tax credits under:

(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); AND

(3) § 10–724.1 OF THIS ARTICLE (OYSTER SHELL RECYCLING).”.

AMENDMENT NO. 4
On page 2, after line 17, insert:

“(C) (1) THE TOTAL AMOUNT OF CREDITS APPROVED BY THE DEPARTMENT UNDER SUBSECTION (B)(1) OF THIS SECTION MAY NOT EXCEED $50,000 FOR ANY CALENDAR YEAR.

(2) IF THE TOTAL AMOUNT OF CREDITS APPLIED FOR BY ALL INDIVIDUALS AND CORPORATIONS UNDER SUBSECTION (B)(1) OF THIS SECTION EXCEEDS THE MAXIMUM SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL APPROVE A CREDIT UNDER SUBSECTION (B)(1) OF THIS SECTION FOR EACH APPLICANT IN AN AMOUNT
EQUAL TO THE PRODUCT OF MULTIPLYING THE CREDIT APPLIED FOR BY THE APPLICANT TIMES A FRACTION:

(I) THE NUMERATOR OF WHICH IS THE MAXIMUM SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) THE DENOMINATOR OF WHICH IS THE TOTAL OF ALL CREDITS APPLIED FOR BY ALL APPLICANTS UNDER SUBSECTION (B)(1) OF THIS SECTION IN THE CALENDAR YEAR.”;

and in line 18, strike “(C)” and substitute “(D)”.

AMENDMENT NO. 5

On page 2, in line 27, after “2012.” insert “It shall remain effective for a period of 5 years and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 658 – Senators King, Brinkley, Currie, Ferguson, Garagiola, Manno, Montgomery, Raskin, and Robey Robey, Jones–Rodwell, and McFadden

AN ACT concerning Estate Tax and Income Tax – Qualifying Income Interest for Life Marital Deduction and Subtraction Modification for Health Insurance and Medical Expenses

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 774 – Senators Mathias, Jennings, Klausmeier, Simonaire, and Young Young, Jones–Rodwell, and McFadden
AN ACT concerning

Income Tax – Subtraction Modification – Maryland Civil Air Patrol

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 779 – Senator King

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

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 963 – Senators Mathias, Edwards, and Astle

AN ACT concerning

Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools

SB0963/665367/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 963
(Third Reading File Bill)

On page 2, in line 4, strike “and”; after line 4, insert:

“(4) the State Comptroller, or the State Comptroller’s designee; and”;

and in line 5, strike “(4)” and substitute “(5)”.

The preceding amendment was read and adopted.
Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #28

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

**House Bill 1534** – Delegates Frush, Barnes, Cardin, Conway, DeBoy, Gaines, Jameson, Kipke, Myers, Pena–Melnyk, Schuh, and Stukes

**EMERGENCY BILL**

AN ACT concerning


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 370** – Senator Edwards

**EMERGENCY BILL**

AN ACT concerning

Garrett County – County Commissioners – Industrial Wind Energy Conversion Systems

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 930** – Senators Pugh, Conway, Ferguson, Middleton, Montgomery, Muse, Ramirez, and Young Young, Garagiola, Kelley, Klausmeier, and Mathias

AN ACT concerning
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 1028 – Senator Klausmeier**

AN ACT concerning

*Baltimore County – Alcoholic Beverages – License Transfers*

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 1064 – Senator Middleton**

EMERGENCY BILL

AN ACT concerning


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 100 – The Speaker (By Request – Administration)**

AN ACT concerning

*Budget Bill*  
(Fiscal Year 2014)

STATUS OF BILL: CONFERENCE COMMITTEE REPORT NOT ADOPTED.
Conference Committee Report on House Bill 100 – The Budget Bill
and House Bill 102 – The Budget Reconciliation and Financing Act

(See Exhibit T of Appendix II)

Report of the Conference Committee on House Bill 100 – The Budget Bill

(See Exhibit U of Appendix II)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

   Affirmative – 103   Negative – 36   (See Roll Call No. 1027)

The Bill was then sent to the Senate.

CONFERENCE COMMITTEE REPORT

House Bill 102 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2013

STATUS OF BILL: CONFERENCE COMMITTEE REPORT NOT ADOPTED.

Conference Committee Report on House Bill 100 – The Budget Bill
and House Bill 102 – The Budget Reconciliation and Financing Act

(See Exhibit T of Appendix II)

BILL NO.: HB 102    SPONSOR: The Speaker

SUBJECT: Budget Reconciliation and Financing Act of 2013

THIRD READING CALENDAR    HOUSE NO. 26    SENATE NO. r/s

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met
and, after full and free conference, recommends:
(1) That the Budget and Taxation Committee Amendments (HB0102/879732/1) be rejected.

(2) That the Budget and Taxation Committee Floor Amendment (HB0102/269832/1) be rejected.

(3) That the Amendments by Senator Brinkley (HB0102/603426/1) be rejected.

(4) That the attached Conference Committee Amendments (HB0102/443525/1) be adopted.

HB0102/443525/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 102
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 14, after “costs;” insert “providing that certain regulations and licensing requirements of the State Lottery and Gaming Control Commission supersede certain county fees or regulations and licensing requirements;”; in line 17, before “altering” insert “providing that a certain supplemental grant to a certain county board of education may not be less than a certain amount; providing certain grants to certain county boards of education under certain circumstances;”; and in line 25, after “Agency;” insert “altering a certain maximum fee for commissioning a notary public; altering a certain maximum fee that may be set for certain notarial acts;”.

On page 2, in line 12, after “Comptroller;” insert “altering certain required transfers of funds; requiring the reversion of certain funds to the Fair Campaign Financing Fund under certain circumstances; altering the calculation of certain State distributions made to certain counties and Baltimore City based on per capita yield of county income taxes; altering the minimum rate for the county income tax for a county to qualify for a certain grant; repealing a certain obsolete provision;”; in line 13, before “setting” insert “allowing an individual or corporation a credit against the State income tax for the expense of registering certain qualified vehicles; providing for the amount of the credit;”; in line 23, after “circumstances;” insert “prohibiting merit increases for State employees before a certain date, except under certain circumstances; requiring certain reports to be submitted to certain committees of the General Assembly on or before a certain date; requiring the Secretary of the Environment to convene a certain workgroup and to make a certain report; requiring...
the Comptroller to make certain income tax distributions without making certain adjustments; requiring the Comptroller to submit a report on a certain account and certain interest imposed on tax deficiencies and refunds on or before a certain date; prohibiting the reversion to the General Fund of certain funds under certain circumstances;” in line 24, strike “making conforming changes;” and in line 25, after “severable;” insert “providing for the application of certain provisions of this Act; making certain provisions of this Act subject to a certain contingency; providing for the effective dates of certain provisions of this Act; providing for the termination of certain provisions of this Act.

On page 3, strike in their entirety lines 4 through 8, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 12–301.1(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement);”

in line 11, after “Section” insert “5–202(e) and (i) and”; in line 26, after “9–112(d)(4)” insert “, 18–103(e)(3), and 18–112”; in line 31, strike “2–202(a) and”; and in line 36, after “2–606(g)” insert “and 10–733”.

On page 4, after line 25, insert:

“BY repealing and reenacting, with amendments,

Chapter 487 of the Acts of the General Assembly of 2009, as amended by
Chapter 484 of the Acts of the General Assembly of 2010
Section 38(b)

BY repealing and reenacting, without amendments,

Chapter 487 of the Acts of the General Assembly of 2009, as amended by
Chapter 484 of the Acts of the General Assembly of 2010 and Chapters
Section 38(a) and (c)

BY adding to

Chapter 487 of the Acts of the General Assembly of 2009, as amended by
Chapter 484 of the Acts of the General Assembly of 2010 and Chapters
Section 38(m)

BY repealing and reenacting, with amendments,

Chapter 1 of the Acts of the First Special Session of the General Assembly of 2012
Section 9

BY repealing and reenacting, without amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101(b)(2) and (3) and (d)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Local Government
Section 16–501(a) and (c)(3)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,

Article – Local Government
Section 16–501(b) and (e)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 472) of the Acts of the General Assembly of 2013)’’.

AMENDMENT NO. 2

On page 9, strike in their entirety lines 7 through 13, inclusive.

On page 11, strike in their entirety lines 2 through 19, inclusive.

AMENDMENT NO. 3
On page 9, after line 6, insert:

“Article – Criminal Law

12–301.1.

(d) (1) The Commission may determine:

[(1)] (I) that a county’s licensing and regulatory process for electronic gaming devices is equivalent to the State licensing and regulatory process required under this section; and

[(2)] (II) that a county license for owning, operating, or manufacturing an electronic gaming device in that county is equivalent to a State license.

(2) IF THE COMMISSION DOES NOT MAKE A DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE REGULATIONS AND LICENSING REQUIREMENTS OF THE COMMISSION SHALL SUPERSEDE:

(I) THE APPLICATION OF ANY COUNTY FEES OR REGULATIONS AND LICENSING REQUIREMENTS FOR ELECTRONIC GAMING DEVICES UNDER THIS SUBSECTION; OR

(II) A REQUIREMENT FOR A COUNTY LICENSE FOR OWNING, OPERATING, OR MANUFACTURING AN ELECTRONIC GAMING DEVICE UNDER THIS SUBSECTION.”.

AMENDMENT NO. 4

On page 9, after line 14, insert:


(e) (1) In this subsection, “State financial assistance for public education” means the total financial assistance provided by the State to a county board under the following programs:

(i) Funding for the foundation program under this section;
(ii) In fiscal year 2009, 50% of the funding received under the GCEI adjustment grant program under subsection (f) of this section and in fiscal year 2010, 60% of the funding received under the GCEI adjustment grant program under subsection (f) of this section;

(iii) Transportation aid under § 5–205 of this subtitle;

(iv) Funding for compensatory education under § 5–207 of this subtitle;

(v) Funding for students with limited English proficiency under § 5–208 of this subtitle;

(vi) Funding for special education students under § 5–209 of this subtitle;

(vii) Funding for the guaranteed tax base program under § 5–210 of this subtitle;

(viii) 50% of the State payments for retirement contributions for employees of a local school system in accordance with the provisions of Division II of the State Personnel and Pensions Article; and

(ix) Funding for supplemental grants under this subsection.

(2) (i) For fiscal years 2009 and 2010 only, the State shall provide a supplemental grant to a county board that does not receive at least a 1% increase in State financial assistance for public education over the amount received by the county board in the previous fiscal year.

(ii) The supplemental grant under this paragraph shall be the amount necessary to increase a county board’s State financial assistance for public education by 1% over the amount received by the county board in the previous fiscal year.

(3) (I) [For] **SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR** fiscal year 2011, and each fiscal year thereafter, a county board
shall receive a supplemental grant equal to the amount the county board received under paragraph (2) of this subsection in the prior fiscal year.

**(II)** A SUPPLEMENTAL GRANT MAY NOT BE LESS THAN ZERO.

(i) (1) In this subsection, “total direct education aid” means the total financial assistance provided by the State to a county board under the following programs:

(i) Funding for the foundation program including funds for the Geographic Cost of Education under this section;

(ii) Transportation aid under § 5–205 of this subtitle;

(iii) Funding for compensatory education under § 5–207 of this subtitle;

(iv) Funding for students with limited English proficiency under § 5–208 of this subtitle;

(v) Funding for special education students under § 5–209 of this subtitle;

(vi) Funding for the guaranteed tax base program under § 5–210 of this subtitle; and

(vii) Funding for grants provided under this subsection.

(2) For fiscal year 2012 only, if a county board’s total direct education aid in the current fiscal year is less than the prior fiscal year by more than 6.5%, then the State shall provide a grant to the county board in an amount necessary to ensure that a decrease in total direct education aid is not more than 6.5%.

(3) For fiscal year 2013 only, if a county board’s total direct education aid in the current fiscal year is less than the prior fiscal year by more than 5%, then the State shall provide a grant to the county board in an amount necessary to ensure that a decrease in total direct education aid is not more than 5%. 
(4) For fiscal year 2014 only, if a county board’s total direct education aid in the current fiscal year is less than the prior fiscal year by more than 1%, then the State shall provide a grant to the county board equal to 25% of the decrease in total direct education aid from the prior fiscal year to the current fiscal year.”.

AMENDMENT NO. 5

On page 10, after line 32, insert:

“18–103.

(e) (3) Each notary shall pay to the clerk:

(i) a fee of $1 for qualifying the notary and registering the name, address, and commission expiration date of the notary; and

(ii) a fee of [$10] $11 or a lesser amount as prescribed by the Secretary of State for the commission issued.

18–112.

(a) The Secretary of State shall adopt regulations to establish fees, not to exceed [$2] $4 for an original notarial act, and an appropriate lesser amount for the repetition of that original notarial act or to make a copy of the matter addressed by that original notarial act.

(b) A notary public may charge 19 cents per mile, or a higher amount set by regulation of the Secretary of State, and a fee not to exceed $5, as compensation for travel required for the performance of a notarial act.”.

AMENDMENT NO. 6

On page 15, after line 6, insert:


(b) Subject to subsection (c) of this section, up to [$2,000,000] $1,750,000 of the balance in the Fund may be transferred to the Maryland Information Technology
Development Project Fund (program F50A01.01) for the purpose of funding the purchase of a new Optical Scan Voting System.


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

(a) The General Assembly finds that the Fair Campaign Financing Fund established under § 15–103 of the Election Law Article cannot operate as originally contemplated.

(c) A transfer under this section may not reduce the balance in the Fund below $1,000,000.

(M) (1) Subject to paragraph (2) of this subsection and notwithstanding any other provision of law, on or before June 30, 2014, the Governor may transfer by budget amendment an amount not exceeding $250,000 of the balance in the Fair Campaign Financing Fund to the State Board of Elections for the purpose of conducting the studies required under Chapter ___ (H.B. 224/S.B. 279) of the Acts of the General Assembly of 2013.

(2) Any funds transferred from the Fair Campaign Financing Fund to the State Board of Elections under this subsection that are not used to conduct the studies required under Chapter ___ (H.B. 224/S.B. 279) of the Acts of the General Assembly of 2013 may not be retained by the State Board of Elections and shall revert to the Fair Campaign Financing Fund.

Chapter 1 of the Acts of the First Special Session of 2012

SECTION 9. AND BE IT FURTHER ENACTED, That:

(1) The Governor shall include in the budget bill for fiscal year 2014 the transfer of [$2,000,000] $1,750,000 from the Fair Campaign Financing Fund to the Maryland Information Technology Development Project Fund (program F50A01.01)
that was authorized by Section 38 of Chapter 487 of the Acts of 2009 for the purpose of funding the purchase of a new Optical Scan Voting System.

(2) It is the intent of the General Assembly that, beginning in fiscal year 2015, each county pay its share of one-half of any further cost of acquiring and operating the Optical Scan Voting System as required under Chapter 564 of the Acts of 2001.”.

AMENDMENT NO. 7

On page 15, before line 7, insert:

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

Article 24 – Political Subdivisions – Miscellaneous Provisions

9–1101.

(a) (1) Subject to subsection (d) of this section, for each fiscal year, the Comptroller shall distribute to a county the amount determined for each county under this section.

(2) The amount a county shall receive under this section in any fiscal year shall be based on the county income tax collected from individuals for the taxable year that ended in the second prior fiscal year, from returns filed through November 1 immediately preceding the applicable fiscal year, as determined by the Comptroller.

(b) (2) [i] Subject to subparagraph (ii) of this paragraph, if the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

[ii] For fiscal year 2012 only, if the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 77% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that
would increase the county per capita yield to equal 77% of the statewide per capita yield, as rounded to the nearest dollar.]

(3) A county may not receive a distribution under this subsection if the county tax rate in that county was less than [2.4%] 2.6%:

(i) For the taxable year that ended in the second prior fiscal year; or

(ii) For any subsequent taxable year through the taxable year that ends in the current fiscal year.

(d) [For] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (I) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

(a) Subject to subsection (e) of this section, for each fiscal year, the Comptroller shall pay to an eligible county a grant in the amount determined under subsection (c)(3) of this section.

(b) A county may not receive a grant under subsection (a) of this section if the county’s income tax rate was less than $2.6%:

(1) for the taxable year that ended in the second prior fiscal year; or

(2) for any subsequent taxable year through the taxable year that ends in the current fiscal year.

(c)(3) If the per capita yield of the county income tax for a county determined under paragraph (2)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (2)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

(e) (1) [For] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (I) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY
RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.”.

AMENDMENT NO. 8
On page 15, after line 8, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

10–733.

(A) IN THIS SECTION, “QUALIFIED VEHICLE” MEANS A CLASS F (TRACTOR) VEHICLE DESCRIBED UNDER § 13–923 OF THE TRANSPORTATION ARTICLE THAT IS TITLED AND REGISTERED IN THE STATE.

(B) SUBJECT TO THE LIMITATIONS OF THIS SECTION, AN INDIVIDUAL OR A CORPORATION MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR THE EXPENSE OF REGISTERING A QUALIFIED VEHICLE IN THE STATE.

(C) (1) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:

(1) $400 FOR EACH QUALIFIED VEHICLE; OR

(II) THE STATE INCOME TAX FOR THAT TAXABLE YEAR.

(2) THE UNUSED AMOUNT OF THE CREDIT MAY NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.”.

On page 18, before line 4, insert:

“SECTION 22. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect September 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2013, but before January 1, 2017, contingent on the taking effect of an increased toll structure at Maryland toll facilities. If an increased
toll structure at Maryland toll facilities does not take effect on or before September 1, 2013, Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.”.

AMENDMENT NO. 9
On page 17, strike in their entirety lines 8 through 15, inclusive.

AMENDMENT NO. 10
On page 17, in line 36, after “Fund.” insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) Except as otherwise provided in this section, State employees employed by any entity, including the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland, may not receive merit increases before April 1, 2014.

(b) This provision does not affect:

(1) salaries for constitutional officers or members of the General Assembly;

(2) increases necessary for the retention of faculty in the University System of Maryland, Morgan State University, or St. Mary’s College of Maryland;

(3) payments under a collective bargaining agreement negotiated with an accredited representative in accordance with § 7–601 of the Transportation Article; or

(4) for fiscal year 2014 only, operationally critical staff.

(c) On or before December 1, 2013, in accordance with § 2–1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.
(d) On or before December 1, 2013, in accordance with § 2–1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all Executive Branch staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.”.

AMENDMENT NO. 11

On page 17, after line 36, insert:

“SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 1, 2013, the Governor may transfer $3,500,000 of the funds in the Oil Contaminated Site Environmental Cleanup Fund established under § 4–704 of the Environment Article to the Maryland Oil Disaster Containment, Clean–Up and Contingency Fund established under § 4–411 of the Environment Article.

SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before December 31, 2013, the Governor may transfer the remaining balance in the Oil Contaminated Site Environmental Cleanup Fund established under § 4–704 of the Environment Article to the Maryland Oil Disaster Containment, Clean–Up and Contingency Fund established under § 4–411 of the Environment Article.

SECTION 16. AND BE IT FURTHER ENACTED, That:

(a) The Secretary of the Environment shall convene a workgroup consisting of representatives of the various sectors of the petroleum marketing industry and representatives from appropriate public and private entities to review and assess the long–term funding needs of the oil pollution programs in the State.

(b) On or before December 31, 2013, the Department of the Environment shall report the findings and recommendations of the workgroup convened under subsection (a) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the presiding officers of the House and the Senate, the House Environmental Matters Committee, and the Senate Education, Health, and Environmental Affairs Committee.”.
AMENDMENT NO. 12
On page 17, before line 37, insert:

“SECTION 17. AND BE IT FURTHER ENACTED, That:

(a) The Comptroller, for scheduled distributions of county income tax to counties or municipalities during fiscal year 2014, shall make those distributions without adjustments for refunds or related changes resulting from amended income tax returns for previous tax years that are determined to be extraordinary or anomalous. Any adjustments that would ordinarily be administered by the Comptroller in fiscal year 2014 shall instead be administered in subsequent reconciliation distributions.

(b) The Comptroller shall:

(1) evaluate the impacts of recent changes to the Local Reserve Account established to comply with § 2–606 of the Tax – General Article, including the process by which revenue is distributed from the Account and the current and future unfunded liabilities for the Account;

(2) study the impacts of altering interest paid on tax deficiencies and refunds imposed under §§ 13–603 and 13–604 of the Tax – General Article; and

(3) report specific findings and any recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on or before December 31, 2013.”.

AMENDMENT NO. 13
On page 17, in line 37, before “SECTION” insert:

“SECTION 18. AND BE IT FURTHER ENACTED, That funds reduced under Section 42 of Chapter ______ (H.B. 100) of the Acts of the General Assembly of 2013 may not revert to the General Fund but shall be held in reserve unless transferred as provided in that section.”.

AMENDMENT NO. 14
On page 12, in line 15, strike “SECTION” and substitute “SUBSECTION”.
On page 15, in lines 9, 19, 22, and 26, strike “2.”, “3.”, “4.”, and “5.”, respectively, and substitute “5.”, “6.”, “7.”, and “8.”, respectively.

On page 16, in line 34, strike “6.” and substitute “9.”.

On page 17, in line 1, after “Article” insert “to the General Fund”; and in lines 16, 25, 33, and 37, strike “8.”, “9.”, “10.”, and “11.”, respectively, and substitute “10.”, “11.”, “12.”, and “19.”, respectively.

On page 18, after line 3, insert:

“SECTION 20. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2013.

SECTION 21. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect on the taking effect of Chapter ____ (H.B. 472) of the Acts of the General Assembly of 2013. If Section 3 of this Act takes effect, Section 2 of this Act shall be abrogated and of no further force and effect.”;

in line 4, strike “12.” and substitute “23.”; and in the same line, after “That” insert “, except as otherwise provided in this Act,”.

Senate Members:  

Chair, Edward J. Kasemeyer  

Verna L. Jones–Rodwell  

James E. DeGrange, Sr.  

Richard S. Madaleno, Jr.  

David R. Brinkley

House Members:  

Chair, Norman H. Conway  

John L. Bohanan, Jr.  

Melony G. Griffith  

Guy Guzzone  

Adelaide C. Eckardt

Read in the Senate:  

Read in the House of Delegates:  

Amendment Office Delivers Report to:  

(X) Chief Clerk
Conference Committee Report read and adopted. Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 103      Negative – 36  (See Roll Call No. 1028)

The Bill was then sent to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #9
CONSENT CALENDAR #7

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

Senate Bill 479 – Senators Gladden and Forehand

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible

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

Delegate Healey, 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 482 – Senator Manno

AN ACT concerning

   Income Tax Credit – Security Clearances – Employer Costs

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

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

Senate Bill 592 – Senators Frosh, Benson, Forehand, King, Madaleno, Manno, Montgomery, Pinsky, Raskin, Rosapepe, Stone, and Young

AN ACT concerning

   Natural Resources – Shark Fins – Restriction on Possession or Distribution
The Bill was re-referred to the Committee on Environmental Matters.

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

Senate Bill 675 – Senators Manno, Benson, Forehand, Frosh, Montgomery, Pinsky, and Young

AN ACT concerning

Maryland Pesticide Reporting and Information Act Workgroup

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

Delegate Healey, 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 702 – Senators Madaleno, Raskin, Conway, DeGrange, Garagiola, Klausmeier, Manno, Robey, and Simonaire

AN ACT concerning

Maryland Public Art Initiative Program – Revisions Selection of Art for Capital Projects

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

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

Senate Bill 828 – Senator Madaleno Senators Madaleno, Jones–Rodwell, and McFadden

AN ACT concerning

St. Mary’s College of Maryland – Tuition Freeze and DeSousa–Brent Scholars Completion Grant

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

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

Senate Bill 861 – Senator Zirkin Senators Zirkin and Forehand
AN ACT concerning

**Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties**

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

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

**Senate Bill 902 – Senators Muse and Zirkin**

AN ACT concerning

**Statewide Building Codes – Maryland Accessibility Code – Enforcement**

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

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

**Senate Bill 931 – Senators Stone, Kelley, and Zirkin**

AN ACT concerning

**Baltimore County – Orphans’ Court Judges – Salary**

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

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

**Senate Bill 991 – Senator Raskin**

**EMERGENCY BILL**

AN ACT concerning

**Criminal Procedure – Citation Authority**

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

Delegate Healey, 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 1010 – Senators Brinkley, Forehand, Kelley, King, Kittleman, Klausmeier, Madaleno, Middleton, Pipkin, and Pugh

AN ACT concerning

Children with Developmental Disabilities in State Custody – Continuation of Placement and Services

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

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

Senate Bill 1052 – Senator Kittleman

AN ACT concerning

Criminal Law – Electronic Harassment of a Minor Misuse of Interactive Computer Service (Grace’s Law)

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

Delegate Healey, 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 1067 – Senators Klausmeier, Benson, Conway, Forehand, Gladden, Jacobs, Jones–Rodwell, Kelley, King, Montgomery, and Pugh Pugh, Dyson, Ferguson, Jennings, Pinsky, Reilly, Rosapepe, Simonaire, and Young

AN ACT concerning

Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution

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

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

Senate Bill 1072 – Senator Middleton

AN ACT concerning
Linked Deposit Programs for Small Businesses and Minority Business Enterprises

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

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #10

Delegate Healey, 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 175 – Senators Kelley, Benson, Colburn, Manno, Montgomery, Reilly, and Rosapepe Rosapepe, Conway, Ferguson, and Pinsky

AN ACT concerning

State Government – Commemorative Days – Maryland Centenarians Day

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

QUORUM CALL

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

(See Roll Call No. 1029)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #70

AN ACT concerning

**Vehicle Laws – Lawful Status Requirement – Repeal**

(Maryland Highway Safety Act of 2013)

Delegate Vaughn moved the previous question.

The motion was adopted.

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

Affirmative – 82    Negative – 56    (See Roll Call No. 1030)

The Bill was then sent to the Senate.

**House Bill 929 – Delegates Malone and McMillan, McMillan, and Conaway**

AN ACT concerning

**Motor Vehicles – Speed Monitoring Systems – Local Jurisdictions**

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

Affirmative – 111    Negative – 28    (See Roll Call No. 1031)

The Bill was then sent to the Senate.

**SPECIAL ORDERS**

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

**House Bill 1124 – Delegates Stein, Cardin, and Morhaim**

AN ACT concerning

**Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws**

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

FLOOR AMENDMENT

**HB1124/273025/1**

BY:    Delegate Kach
AMENDMENT TO HOUSE BILL 1124
(First Reading File Bill)

On page 1, in the sponsor line, strike “and Morhaim” and substitute “Morhaim, and Kach”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 621 – Delegates Niemann and Hucker

AN ACT concerning

Maryland Energy Administration – Regulated Sustainable Energy Contract Program

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

FLOOR AMENDMENT

HB0621/623028/2
BY: Delegate Aumann

AMENDMENTS TO HOUSE BILL 621
(First Reading File Bill)

AMENDMENT NO. 1
On page 2, in line 1, after “obligation;” insert “requiring a certain person selling or transferring a certain property to provide written notice to the person acquiring the property that the person acquiring the property shall assume a certain obligation;”.

AMENDMENT NO. 2
On page 8, in line 3, after “(B)” insert “(1)”; and after line 7, insert:

“(2) A PERSON SELLING OR TRANSFERRING A PROPERTY SUBJECT TO A REGULATED SUSTAINABLE ENERGY CONTRACT SHALL PROVIDE WRITTEN NOTICE TO THE PERSON ACQUIRING THE PROPERTY THAT THE PERSON ACQUIRING THE PROPERTY SHALL ASSUME THE OBLIGATION TO PAY THE
QUALIFIED CONTRACTOR IN ACCORDANCE WITH THE RATE AND PAYMENT SCHEDULES IN THE REGULATED SUSTAINABLE ENERGY CONTRACT.”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB0621/473828/2
BY: Delegate McConkey

AMENDMENT TO HOUSE BILL 621
(First Reading File Bill)

On page 4, in lines 7 and 8, strike “A MANNER SUBSTANTIALLY SIMILAR TO” and substitute “THE SAME MANNER AS”.

On page 7, in lines 5 and 6, strike “A MANNER SUBSTANTIALLY SIMILAR TO” and substitute “THE SAME MANNER AS”.

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

Affirmative – 36  Negative – 96  (See Roll Call No. 1032)

Read the second time and ordered prepared for Third Reading.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #33

Senate Bill 207 – Senators Brochin, Klausmeier, Muse, Peters, and Zirkin

AN ACT concerning

Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

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

Affirmative – 106  Negative – 29  (See Roll Call No. 1033)

The Bill was then returned to the Senate.
Senate Bill 715 – Senators Ramirez, Benson, Currie, Ferguson, Forehand, Garagiola, Gladden, King, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, and Raskin

AN ACT concerning

Maryland Highway Safety Act of 2013

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

Affirmative – 82   Negative – 55   (See Roll Call No. 1034)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

Senate Bill 1029 – Senator Middleton Senators Middleton, Dyson, and Jennings Jennings, and Glassman

AN ACT concerning

Maryland Agricultural Certainty Program

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

FLOOR AMENDMENT

SB1029/413521/1
BY: Delegate Mizeur

AMENDMENTS TO SENATE BILL 1029
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “Program;” insert “authorizing the Department of Agriculture to certify up to a certain number of agricultural operations under the Program;”.

On page 3, in line 1, after “terms;” insert “requiring a certain committee to evaluate the Program and make certain recommendations to the General Assembly within a certain period of time;”.

**AMENDMENT NO. 2**

On page 4, in line 12, strike “AND”; and in line 14, after “PROGRAM” insert “;

AND

(3) **MAY CERTIFY UP TO 50 AGRICULTURAL OPERATIONS UNDER THE PROGRAM**.

**AMENDMENT NO. 3**

On page 14, in line 12, after “That” insert “the oversight committee established under Title 8, Subtitle 10 of the Agriculture Article, as enacted by Section 1 of this Act, shall evaluate the Maryland Agricultural Certainty Program established under Section 1 of this Act and, within 1 year of the date on which the Department of Agriculture reaches 50 certified agricultural operations, report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the oversight committee’s recommendations regarding the continuation of the Program and whether additional agricultural operations should be certified.

SECTION 4. AND BE IT FURTHER ENACTED, That”.

The preceding 3 amendments were read and rejected.

**FLOOR AMENDMENT**

**SB1029/793725/1**

BY: Delegate Mizeur

**AMENDMENTS TO SENATE BILL 1029**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 2, in line 33, after “person;” insert “stating that the identity protection measures maintained by the Department of Agriculture do not prohibit the public from inspecting certain information;”.

**AMENDMENT NO. 2**
On page 12, in line 6, after “(A)” insert “(1)”; and after line 12, insert:

“(2) The provisions of paragraph (1) of this subsection do not prohibit the inspection of the following information relating to an agricultural operation certified under the Program when requested by the public under the Maryland Public Information Act:

(I) the type of farming conducted at the agricultural operation;

(II) the agricultural operation’s acreage and location within the Chesapeake Bay Watershed;

(III) the agricultural operation’s soil information, including any soil test results;

(IV) the agricultural operation’s crop management practices, including crop type, planting methods, and method, timing, and level of fertilizer application; and

(V) the Department’s methodology and calculations for making the determinations under § 8–1004(b) of this subtitle.”.

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

Affirmative – 17   Negative – 115   (See Roll Call No. 1035)

FLOOR AMENDMENT

SB1029/143726/1
BY: Delegate Cardin

AMENDMENTS TO SENATE BILL 1029
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 13, after “met;” insert “prohibiting the Department of Agriculture from certifying a concentrated animal feeding operation under the Program;”.

AMENDMENT NO. 2
On page 5, in line 16, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”.

On page 6, in line 7, after “(2)” insert “THE DEPARTMENT MAY NOT CERTIFY A CONCENTRATED ANIMAL FEEDING OPERATION UNDER THE PROGRAM.

(3)”.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

SB1029/373829/2
BY: Delegate Frick

AMENDMENTS TO SENATE BILL 1029
(Third Reading File Bill)

AMENDMENT NO. 1
On page 3, in line 1, after “frequency;” insert “stating that the Department of Agriculture is not liable for certain damages and may not indemnify an agricultural operation for certain damages;”; and in line 5, strike “8–1013” and substitute “8–1014”.

AMENDMENT NO. 2
On page 14, after line 6, insert:

“8–1014.

THE DEPARTMENT:

(1) IS NOT LIABLE FOR ANY DAMAGES ARISING FROM MODIFICATIONS TO, SUSPENSION OF, OR TERMINATION OF THE PROGRAM; AND
(2) **MAY NOT INDEMNIFY AN AGRICULTURAL OPERATION FOR DAMAGES ARISING FROM MODIFICATIONS TO, SUSPENSION OF, OR TERMINATION OF THE PROGRAM.**

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

Affirmative – 15  Negative – 112  (See Roll Call No. 1036)

Read the second time and ordered prepared for Third Reading.

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #30**

**Senate Bill 431 – Senator King**

AN ACT concerning

**Higher Education – University System of Maryland – Quasi-Endowments**

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

Affirmative – 136  Negative – 0  (See Roll Call No. 1037)

The Bill was then returned to the Senate.

**Senate Bill 464 – Senator Klausmeier**

**EMERGENCY BILL**

AN ACT concerning

**Natural Resources – Aquaculture – Shellfish Nursery Permits**

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

Affirmative – 138  Negative – 0  (See Roll Call No. 1038)

The Bill was then returned to the Senate.
THIRD READING CALENDAR (SENATE BILLS) #31

Senate Bill 24 – Senator Pipkin
AN ACT concerning

Queen Anne’s County – Deer Hunting on Private Property – Sundays

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

Affirmative – 119     Negative – 16     (See Roll Call No. 1039)

The Bill was then returned to the Senate.

Senate Bill 53 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)
AN ACT concerning

Department of Agriculture – Administrative Review of Contested Cases

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

Affirmative – 138     Negative – 0     (See Roll Call No. 1040)

The Bill was then returned to the Senate.

Senate Bill 72 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)
AN ACT concerning

Motor Vehicles – Damage to Highways from Overweight or Oversized Vehicles – Liability and Penalties

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

Affirmative – 138     Negative – 0     (See Roll Call No. 1041)

The Bill was then returned to the Senate.

Senate Bill 180 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)
AN ACT concerning

Department of Agriculture – State Chemist Fund
Read the third time and passed by yeas and nays as follows:

Affirmative – 137  Negative – 1  (See Roll Call No. 1042)

The Bill was then returned to the Senate.

Senate Bill 671 – Senator Conway  Senators Conway and Dyson

AN ACT concerning

Land Use – Local Comprehensive Planning and Zoning Cycle

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

Affirmative – 136  Negative – 3  (See Roll Call No. 1043)

The Bill was then returned to the Senate.

Senate Bill 965 – Senator Rosapepe

AN ACT concerning

Maryland Smart Growth Investment Fund Workgroup

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

Affirmative – 98  Negative – 40  (See Roll Call No. 1044)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #32

Senate Bill 356 – Senators Pugh, Benson, Conway, Currie, Forehand, Jones–Rodwell, King, Klausmeier, Madaleno, Ramirez, and Zirkin

AN ACT concerning

Ex–Offender Business Development Program Study

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

Affirmative – 120  Negative – 16  (See Roll Call No. 1045)

The Bill was then returned to the Senate.
Senate Bill 1001 – Senator Ramirez

AN ACT concerning

Family Law – Protective Orders – Notification of Service – Sunset Extension

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

Affirmative – 136   Negative – 1   (See Roll Call No. 1046)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #27

Senate Bill 39 – Senator Colburn

AN ACT concerning

Motor Vehicle Registration – Special Vintage Reproduction Registration Plate

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

Affirmative – 139   Negative – 0   (See Roll Call No. 1047)

The Bill was then returned to the Senate.

Senate Bill 60 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Community Development Administration – Residential Mortgage Loans – Financial Assistance for Families of Limited Income

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

Affirmative – 133   Negative – 5   (See Roll Call No. 1048)

The Bill was then returned to the Senate.

Senate Bill 61 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning
Environment – Public Hearings – Notice Requirement

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

Affirmative – 139  Negative – 0  (See Roll Call No. 1049)

The Bill was then returned to the Senate.

Senate Bill 62 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Community Legacy Program – Application Requirements – Approval by Authorized Designee

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

AN ACT concerning

Controlled Hazardous Substance Vehicles – Display of Certificates

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

Affirmative – 138  Negative – 0  (See Roll Call No. 1051)

The Bill was then returned to the Senate.

 Senate Bill 73 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Piling, Poles, Mill Logs, and Similar Cargo – Length, Overhang, and Fastening Standards
Read the third time and passed by yeas and nays as follows:

Affirmative – 127     Negative – 9     (See Roll Call No. 1052)

The Bill was then returned to the Senate.

Senate Bill 75 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)

AN ACT concerning

Motor Vehicle Administration – Investigative Division – Issuance of Citations

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

Affirmative – 138     Negative – 0     (See Roll Call No. 1053)

The Bill was then returned to the Senate.

Senate Bill 212 – Senators Edwards, Astle, and Shank

AN ACT concerning

Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities

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

Affirmative – 138     Negative – 0     (See Roll Call No. 1054)

The Bill was then returned to the Senate.

Senate Bill 302 – Senators Glassman and Simonaire

AN ACT concerning

Environment – Water Pollution Control – Reporting and Penalties

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

Affirmative – 137     Negative – 0     (See Roll Call No. 1055)

The Bill was then returned to the Senate.

Senate Bill 339 – Senators Robey, Kasemeyer, King, Madaleno, Montgomery, Peters, and Young
AN ACT concerning

Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties

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

   Affirmative – 109   Negative – 29    (See Roll Call No. 1056)

The Bill was then returned to the Senate.

Senate Bill 486 – Senators Brinkley, DeGrange, Robey, and Young

AN ACT concerning

Short-Term Rental of Motorcycles – Sales and Use Tax and Motor Vehicle Law

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 returned to the Senate.

Senate Bill 547 – Senators Middleton and Frosh

AN ACT concerning

Natural Resources – Nuisance Organisms – Penalties

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

   Affirmative – 138   Negative – 0    (See Roll Call No. 1058)

The Bill was then returned to the Senate.

Senate Bill 600 – Senator Garagiola

AN ACT concerning

Vehicle Laws – Electric Vehicles

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

   Affirmative – 130   Negative – 7    (See Roll Call No. 1059)
The Bill was then returned to the Senate.

Senate Bill 621 – Senators Raskin, Astle, Forehand, Frosh, Gladden, Jennings, King, Shank, and Stone

AN ACT concerning

Vehicles Laws – Emergency Vehicles – Motorcades and Escorts

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

Affirmative – 138     Negative – 0     (See Roll Call No. 1060)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 701 – Senators Jones–Rodwell, Frosh, Currie, Forehand, McFadden, Muse, and Pugh

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

FOR the purpose of authorizing a person to request the court to shield certain court records and police records relating to a certain conviction be shielded at a certain time; providing that, if a certain person is convicted of a new crime during a certain time period, a certain original conviction is not eligible for shielding unless the new conviction becomes eligible for shielding; providing that a person may shield only one stand–alone conviction or unit of convictions per lifetime; requiring the Court of Appeals, by rule, to establish procedures relating to the filing of a certain request for shielding; prohibiting the Maryland Judiciary Case Search from in any way referring to the existence of specific records shielded in accordance with this Act; providing that a conviction that has been shielded in accordance with this Act may not be considered a conviction for certain purposes; prohibiting a person authorized to access a shielded record under this Act from disclosing any information from a shielded record to a person who is not authorized to access shielded records under this Act; prohibiting an employer from requiring a person who applies for employment to disclose certain shielded information at a certain time or discharging or refusing to hire a person solely because the person refused to disclose certain information, with a certain exception; prohibiting an educational institution from requiring a person who applies for admission to the institution to disclose certain shielded information at a certain time or expelling
or refusing to admit a person solely because the person refused to disclose certain information; prohibiting a unit, an official, or an employee of the State or a political subdivision of the State from requiring a person who applies for a license, permit, registration, or governmental service to disclose certain shielded information at a certain time or denying a person’s application for a license, permit, registration, or governmental service solely because the person refused to disclose certain information; establishing penalties for a violation of this Act; requiring a certain custodian to deny inspection of criminal records and police records relating to the conviction of a crime that has been shielded under this Act; providing that this Act does not apply to a conviction of a felony or any misdemeanor requiring registration as a sex offender under certain provisions of law a certain conviction; providing that a shielded record shall remain fully accessible by certain persons; defining certain terms; and generally relating to the shielding of court records and police records.

BY adding to
Article – Criminal Procedure
Section 10–301 through 10–306 to be under the new subtitle “Subtitle 3. Shielding”
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Government
Section 10–616(v)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 1061)

ADJOURNMENT

At 3:16 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Legislative Day April 1, 2013, Calendar Day Saturday, April 6, 2013.
The House met at 11:32 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Darren M. Swain of Prince George’s County.

QUORUM CALL

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

(See Roll Call No. 1062)

The Journal of March 31, 2013 was read and approved.

EXCUSES:
Del. Bates – business
Del. Donoghue – medical
Del. Dumais – personal
Del. Dwyer – personal
Del. Impallaria – illness
Del. McDonough – business
Del. Myers – personal
Del. Stifler – illness
Del. Walker – business

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

<table>
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<tr>
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<td>HB 4</td>
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<td>HB 98</td>
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Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

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HB 708  Del. McIntosh
HB 716  Del. Tarrant
HB 723  Del. Tarrant
HB 730  Del. Parrott
HB 767  Del. Frush
HB 769  Del. Malone
HB 793  Del. Hucker
HB 816  Allegany County Del.
HB 823  Del. M. Washington
HB 828  Del. Beitzel
HB 858  Del. Waldstreicher
HB 868  Del. Murphy
HB 877  Del. Morhaim
HB 879  Del. Hubbard
HB 891  Del. McConkey
HB 900  Del. Kach
HB 905  Del. Kach
HB 921  Del. Valentino–Smith
HB 936  Del. S. Robinson
HB 980  Del. V. Turner
HB 983  Del. Hixson
HB 994  Del. Schuh
HB 999  Worcester County Del.
HB 1009 Del. Reznik
HB 1012 Del. Wilson
HB 1019 Del. Jameson
HB 1076 Del. Eckardt
HB 1121 Del. Kipke
HB 1131 Del. Hixson
HB 1148 Del. Luedtke
HB 1168 Del. Hixson
HB 1170 Del. Lafferty
HB 1176 Del. Hixson
HB 1237 Del. Bromwell
HB 1253 Del. Jacobs
HB 1257 Del. McIntosh

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

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<td>HB 1440</td>
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MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 447 – Senators Pugh, Astle, and Garagiola

AN ACT concerning

Business Regulation – Introduction of Additives into Gasoline – Authorization

FOR the purpose of authorizing the Comptroller to authorize any person who holds a certain dealer license to introduce an additive into gasoline for resale under certain circumstances; providing for the content of certain regulations; and generally relating to authorization to introduce additives into gasoline.

BY repealing and reenacting, with amendments,
   Article – Business Regulation
   Section 10–308
   Annotated Code of Maryland
   (2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 627 – Senators Ramirez and Manno, Manno, and Garagiola

AN ACT concerning

Maryland Energy Administration – Regulated Sustainable Energy Contract Program

FOR the purpose of authorizing the Maryland Energy Administration to create a Regulated Sustainable Energy Contract Program to authorize qualified contractors to provide residential renewable energy installations and residential energy efficiency measures to residential property owners under certain regulated sustainable energy contracts; stating the intent of the General Assembly; requiring the Administration to manage, supervise, and administer a certain Program; requiring the Administration to adopt certain regulations under certain circumstances; authorizing the Administration to enter into certain contracts; authorizing the Administration to collect certain reasonable
fees from qualified contractors; authorizing the Administration to authorize certain qualified contractors to enter into certain regulated sustainable energy contracts with certain persons, directly bill certain persons, and enforce payment under a certain regulated sustainable energy contract according to certain provisions; authorizing the Administration to limit certain authorizations in a certain manner or to authorize more than one qualified contractor to operate in a certain territory or offer certain products; requiring the Administration to perform a certain study before developing and implementing a certain Program; authorizing the Administration to develop and implement a test or pilot program; requiring the Administration to ensure that financing authorized under this Act complies with certain provisions; requiring a regulated sustainable energy contract to meet certain requirements established by the Administration and to require certain actions; establishing a time period during which a certain person may object to a regulated sustainable energy contract; requiring that an objection made to a regulated sustainable energy contract be in writing and addressed to certain persons; prohibiting a regulated sustainable energy contract from becoming effective if certain requirements are met; requiring the Administration, by regulation or order, to establish certain requirements for a certain regulated sustainable energy contract; prohibiting a certain qualified contractor from entering into a certain regulated sustainable energy contract unless certain conditions have been met; authorizing a property owner to subject property to a certain regulated sustainable energy contract by recording or authorizing the recordation of the regulated sustainable energy contract in a certain manner; providing that a person that acquires property subject to a certain regulated sustainable energy contract assumes a certain obligation; authorizing the Administration to revoke a certain authorization if the Administration makes a certain determination; authorizing a certain qualified contractor to collect payments that are in arrears under a certain regulated sustainable energy contract, by the imposition of a lien on a certain property in accordance with the Maryland Contract Lien Act; prohibiting a lien imposed by a certain qualified contractor from taking priority over a lien, mortgage, deed of trust, or other security interest that is already attached to the property; prohibiting a party that holds a recorded mortgage or deed of trust on a certain property from being charged for any amount due on a certain regulated sustainable energy contract; requiring payment on a certain regulated sustainable energy contract to resume when the property subject to the regulated sustainable energy contract is sold or transferred to a certain person; adding a certain regulated sustainable energy contract recorded under a certain provision of law to the definition of a “contract” under the Maryland Contract Lien Act; requiring the Administration to report to the General Assembly on or before a certain date; defining certain terms; and generally relating to the Regulated Sustainable Energy Contract Program.

BY adding to Article – State Government Section 9–20C–01 through 9–20C–08 to be under the new subtitle “Subtitle 20C. Regulated Sustainable Energy Contracts”
Senate Bill 1016 – Senator Frosh

Senators Frosh, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Ramirez, and Pugh

AN ACT concerning

Clean Energy Loan Programs – Private Lenders – Collection of Loan Payments

FOR the purpose of authorizing a private lender to provide capital for a commercial loan provided under a local Clean Energy Loan Program; providing that, with the consent of any holder of a mortgage or deed of trust on the property, a county or municipality may collect loan payments owed on a commercial loan to a private lender or to a county or municipality through a surcharge on a property owner’s property tax bill; providing that an unpaid surcharge constitutes a lien against the property on which it is imposed under certain circumstances; providing that certain provisions of law that apply to a tax lien also apply to a certain lien created under this Act; defining a certain term; providing for the effective date of this Act; and generally relating to the collection of commercial loan payments owed to private lenders under local Clean Energy Loan Programs.

BY repealing and reenacting, without amendments,

Article – Local Government
Section 1–1102 and 1–1104
Annotated Code of Maryland
(As enacted by Chapter ___ (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 1–1103, 1–1101, 1–1103, and 1–1105
Annotated Code of Maryland
(As enacted by Chapter ___ (H.B. 472) of the Acts of the General Assembly of 2013)

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

House Bill 101 – The Speaker (By Request – Administration)

AN ACT concerning


REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit V of Appendix II)

Conference Committee Report read only.

Delegate Conway moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 1063)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #38

Senate Bill 54 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)
AN ACT concerning

Maryland Higher Education Commission – Scholarship Funds – Technical Alterations

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1064)

The Bill was then returned to the Senate.

Senate Bill 58 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

ABSENT: Senators Albritton, Mikler, Mize and Williams

AN ACT concerning

Adult Education and Literacy Services – High School Diploma by Examination – Eligibility Requirements

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

Affirmative – 129 Negative – 0 (See Roll Call No. 1065)

The Bill was then returned to the Senate.

Senate Bill 70 – Chair, Budget and Taxation Committee (By Request – Departmental – Business and Economic Development)

EMERGENCY BILL

AN ACT concerning

Business and Economic Development – Enterprise Fund and Invest Maryland Program

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 107 Negative – 25 (See Roll Call No. 1066)

The Bill was then returned to the Senate.

Senate Bill 90 – Senator Astle
AN ACT concerning

Natural Resources – Vessel Excise Tax – Maximum Tax
Motor Fuel Tax Distribution – Waterway Improvement Fund

FLOOR AMENDMENT

SB0090/145560/1
BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 90, AS AMENDED

On page 6 of the Committee on Ways and Means Amendments (SB0090/335669/1), in Amendment No. 2, strike beginning with “that” in line 1 down through “2013” in line 2.

The preceding amendment was read and adopted.

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

Affirmative – 129   Negative – 0   (See Roll Call No. 1067)

The Bill was then returned to the Senate.

Senate Bill 124 – Senators Peters, Astle, Brinkley, Brochin, Colburn, Currie, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, Kittleman, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Raskin, Simonaire, and Zirkin

AN ACT concerning

Income Tax Credit for Qualifying Employees – Sunset Repeal and Expansion

FLOOR AMENDMENT

SB0124/695369/3
BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 124
(Third Reading File Bill)
On page 1, in line 2, strike “and Expansion”.

The preceding amendment was read and adopted.

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

Affirmative – 131  Negative – 0  (See Roll Call No. 1068)

The Bill was then returned to the Senate.

Senate Bill 202 – Senators King, Brinkley, Currie, Garagiola, Madaleno, Manno, Peters, Ramirez, Raskin, and Robey

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

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

Affirmative – 132  Negative – 0  (See Roll Call No. 1069)

The Bill was then returned to the Senate.

Senate Bill 436 – Senators Peters, DeGrange, Brinkley, Colburn, Currie, Edwards, Robey, and Kittleman

AN ACT concerning

Recordation Taxes – Exemptions

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

Affirmative – 132  Negative – 0  (See Roll Call No. 1070)

The Bill was then returned to the Senate.

Senate Bill 484 – Senators Dyson, Astle, Colburn, Conway, Jacobs, Madaleno, Manno, Pinsky, Pipkin, and Simonaire

AN ACT concerning

Income Tax Credit – Oyster Shell Recycling

Read the third time and passed by yeas and nays as follows:
The Bill was then returned to the Senate.

Senate Bill 658 – Senators King, Brinkley, Currie, Ferguson, Garagiola, Manno, Montgomery, Raskin, Robey, Jones–Rodwell, and McFadden

AN ACT concerning

Estate Tax and Income Tax – Qualifying Income Interest for Life Marital Deduction and Subtraction Modification for Health Insurance and Medical Expenses

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

  Affirmative – 132     Negative – 0     (See Roll Call No. 1071)

The Bill was then returned to the Senate.

Senate Bill 774 – Senators Mathias, Jennings, Klausmeier, Simonaire, Young, Jones–Rodwell, and McFadden

AN ACT concerning

Income Tax – Subtraction Modification – Maryland Civil Air Patrol

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

  Affirmative – 132     Negative – 0     (See Roll Call No. 1072)

The Bill was then returned to the Senate.

Senate Bill 779 – Senator King

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

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

  Affirmative – 104     Negative – 28     (See Roll Call No. 1073)

The Bill was then returned to the Senate.

Senate Bill 963 – Senators Mathias, Edwards, and Astle
AN ACT concerning

Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools

Delegate Kaiser moved to reconsider the vote by which Senate Bill 963 was ordered printed for Third Reading.

The motion was adopted.

Delegate Kaiser moved to withdraw Committee Amendments #SB0963/665367/1.

The preceding amendment was withdrawn.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser moved to put Senate Bill 963 on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

   Affirmative – 109     Negative – 12     (See Roll Call No. 1075)

Two–thirds of the Delegates elected having voted in the affirmative, Senate Bill 963 was placed on Third Reading.

Senate Bill 963 – Senators Mathias, Edwards, and Astle

AN ACT concerning

Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools

STATUS OF BILL: BILL ON 3RD READING (RECONSIDERED).

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

   Affirmative – 124     Negative – 6     (See Roll Call No. 1076)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #40

Senate Bill 1029 – Senator Middleton Senators Middleton, Dyson, and Jennings Jennings, and Glassman
AN ACT concerning

Maryland Agricultural Certainty Program

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

Affirmative – 105    Negative – 27    (See Roll Call No. 1077)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #71

House Bill 874 – Delegates Rosenberg and Simmons

AN ACT concerning

Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms – Extension

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

Affirmative – 121    Negative – 8    (See Roll Call No. 1078)

The Bill was then returned to the Senate.

House Bill 1031 – Delegates Hixson, Arora, Barve, Carr, Feldman, Gutierrez, Lee, Luedtke, A. Miller, Mizeur, and S. Robinson

AN ACT concerning

Estate Tax and Income Tax – Qualifying Income Interest for Life Marital Deduction and Subtraction Modification for Health Insurance and Medical Expenses

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

Affirmative – 130    Negative – 0    (See Roll Call No. 1079)

The Bill was then sent to the Senate.

House Bill 1073 – Prince George’s County Delegation

AN ACT concerning
Prince George’s County Board of Education – Financial Literacy Curriculum  
  – Graduation Requirement  
  PG 419–13

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

  Affirmative – 128   Negative – 0   (See Roll Call No. 1080)

The Bill was then sent to the Senate.

House Bill 1187 – Delegate Hucker

AN ACT concerning  
  Public Utilities – Solar Photovoltaic Systems

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

  Affirmative – 130   Negative – 0   (See Roll Call No. 1081)

The Bill was then sent to the Senate.

House Bill 1386 – Delegate Haddaway–Riccio

AN ACT concerning  
  Task Force to Study Licensing and Continuing Education Requirements for  
  Electricians

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

  Affirmative – 132   Negative – 0   (See Roll Call No. 1082)

The Bill was then sent to the Senate.

House Bill 1387 – Frederick County Delegation

AN ACT concerning  
  Frederick County – Alcoholic Beverages – Banquet Facility License

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

  Affirmative – 126   Negative – 0   (See Roll Call No. 1083)

The Bill was then sent to the Senate.
House Bill 1502 – Delegates Healey, Barve, Boteler, George, Hixson, Howard, Ivey, A. Miller, V. Turner, and A. Washington

AN ACT concerning

Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools

Delegate Kaiser moved to reconsider the vote by which House Bill 1502 was ordered printed for Third Reading.

The motion was adopted.

The preceding amendment was withdrawn.

Read the second time and ordered prepared for Third Reading.

House Bill 1534 – Delegates Frush, Barnes, Cardin, Conway, DeBoy, Gaines, Jameson, Kipke, Myers, Pena–Melnyk, Schuh, and Stukes

EMERGENCY BILL

AN ACT concerning


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

Affirmative – 132    Negative – 0    (See Roll Call No. 1084)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #72

House Bill 621 – Delegates Niemann and Hucker

AN ACT concerning

Maryland Energy Administration – Regulated Sustainable Energy Contract Program

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

Affirmative – 108    Negative – 22    (See Roll Call No. 1085)

The Bill was then sent to the Senate.
House Bill 1124 – Delegates Stein, Cardin, and Morhaim

AN ACT concerning

Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws

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

Affirmative – 124     Negative – 7  (See Roll Call No. 1086)

The Bill was then sent to the Senate.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #19

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

House Bill 1482 – Delegate Cane

AN ACT concerning

Hunting – Domesticated, Stray, or Feral Animals – Prohibited Acts

HB1482/910012/1
BY:  Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1482
(First Reading File Bill)

AMENDMENT NO. 1

In line 2, strike “, Stray, or Feral”; in line 4, strike “or a stray or feral animal”; in line 5, after “wildlife” insert “in certain areas”; and after line 6, insert:

“BY repealing and reenacting, without amendments,

   Article – Natural Resources
   Section 10–410(g)
Annotated Code of Maryland
(2012 Replacement Volume)”.

AMENDMENT NO. 2
After line 14, insert:

“10–410.

(g) (1) Except as provided in paragraph (2) of this subsection, a person, other than the owner or occupant, while hunting for any wild bird or mammal may not shoot or discharge any firearm or other deadly weapon within 150 yards, known as the “safety zone,” of a dwelling house, residence, church, or other building or camp occupied by human beings, or shoot at any wild bird or mammal while it is within this area, without the specific advance permission of the owner or occupant.

(2) For archery hunters in Carroll County or Frederick County, the safety zone described in paragraph (1) of this subsection extends for 50 yards from a dwelling house, residence, church, or any other building or camp occupied by human beings.

(3) During any open hunting season, a person, other than the owner or occupant, may not hunt or chase willfully any wild bird or mammal within the safety zone without the specific advance permission of the owner or occupant.”;

in line 18, strike “any” and substitute “:

(1) ANY”;

in line 19, strike “DOMESTICATED ANIMAL,”; in lines 19 and 20, strike “OR ANY STRAY OR FERAL ANIMAL” and substitute “; OR

(II) A DOMESTICATED ANIMAL THAT IS IN A SAFETY ZONE ESTABLISHED UNDER § 10–410(G) OF THIS SUBTITLE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 11 – Senator Astle
AN ACT concerning

Natural Resources – State Boat Act – Expiration of Temporary Certificate of Boat Number

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 199 – Senator Frosh Senators Frosh and Klausmeier

AN ACT concerning

Real Property – Refinance Mortgage – Priority over Junior Liens

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 344 – Senators Middleton and Frosh

AN ACT concerning

Potomac River Fisheries Commission – Inspection Tax and Penalty

SB0344/940210/1
BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 344  
(Third Reading File Bill)

On page 2, in lines 23 and 24, strike “[one thousand dollars ($1,000.00)] $3,000” and substitute “THREE THOUSAND DOLLARS ($3,000)”.

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 524 – Senator Colburn**

AN ACT concerning

Wetlands and Riparian Rights – Licenses and Permits for Nonwater-Dependent Projects on State or Private Wetlands

SB0524/810912/1
BY: Environmental Matters Committee

**AMENDMENTS TO SENATE BILL 524**
(Third Reading File Bill)

**AMENDMENT NO. 1**
On page 1, strike beginning with “authorizing” in line 15 down through “Assembly;” in line 23.

**AMENDMENT NO. 2**
On page 2, strike in their entirety lines 28 through 31, inclusive.

**AMENDMENT NO. 3**
On page 22, strike beginning with “Section” in line 18 down through “2013;” in line 20 and substitute “Section 1 of 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 State wetlands license or private wetlands permit issued by the Board of Public Works or the Department of the Environment or any building permit or other approval issued by a local jurisdiction before the effective date of this Act;”.

On page 23, in line 17, strike “pier or a”; in the same line, strike “structure on a pier” and substitute “project”; in line 19, strike “July 1, 1989” and substitute “January 1, 2013”; and on pages 23 through 25, strike in their entirety the lines beginning with line 25 on page 23 through line 2 on page 25, inclusive.

On page 25, in line 3, strike “6.” and substitute “3.”.

The preceding 3 amendments were read and adopted.
Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 526 – Senators Colburn and Pipkin**

AN ACT concerning

   Counties and Municipalities – Required Legislation or Regulations – Adoption by Reference

SB0526/900416/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 526
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 6, before “and” insert “providing that this Act does not affect any requirement that a county or municipality form and maintain a local program, plan, or standard required under any State law or regulation and does not grant more authority than is granted by a State law or regulation that authorizes local options;”.

AMENDMENT NO. 2
On page 2, in line 15, strike “NOTWITHSTANDING ANY OTHER LAW” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION”; in line 17, after “STRICT” insert “OR EFFECTIVE”; and after line 26, insert:

“(C) THE AUTHORIZATION UNDER SUBSECTION (A) OF THIS SECTION:

(1) DOES NOT AFFECT ANY REQUIREMENT THAT A COUNTY OR MUNICIPALITY FORM AND MAINTAIN A LOCAL PROGRAM, PLAN, OR STANDARD, INCLUDING IMPLEMENTATION AND ENFORCEMENT PROCESSES, REQUIRED UNDER ANY STATE LAW OR ANY REGULATION ADOPTED UNDER THE AUTHORITY OF THAT LAW; AND
(2) IF A STATE LAW OR REGULATION ADOPTED UNDER THE AUTHORITY OF THAT LAW AUTHORIZES LOCAL OPTIONS, DOES NOT GRANT MORE AUTHORITY THAN IS GRANTED BY THAT LAW OR REGULATION.”.

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

Senate Bill 849 – Senators Ramirez, Colburn, Currie, King, Madaleno, Manno, and Middleton

Middleton, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh

AN ACT concerning

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

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 1031 – Senator Colburn

AN ACT concerning

Hunting – Domesticated, Stray, or Feral Animals – Prohibited Acts

SB1031/910716/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 1031
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “wildlife” insert “in certain areas”; and after line 6, insert:
“BY repealing and reenacting, without amendments, 
Article – Natural Resources 
Section 10–410(g) 
Annotated Code of Maryland 
(2012 Replacement Volume)”. 

AMENDMENT NO. 2 
On page 1, after line 14, insert: 

“10–410.  

(g) (1) Except as provided in paragraph (2) of this subsection, a person, other than the owner or occupant, while hunting for any wild bird or mammal may not shoot or discharge any firearm or other deadly weapon within 150 yards, known as the “safety zone,” of a dwelling house, residence, church, or other building or camp occupied by human beings, or shoot at any wild bird or mammal while it is within this area, without the specific advance permission of the owner or occupant. 

(2) For archery hunters in Carroll County or Frederick County, the safety zone described in paragraph (1) of this subsection extends for 50 yards from a dwelling house, residence, church, or any other building or camp occupied by human beings. 

(3) During any open hunting season, a person, other than the owner or occupant, may not hunt or chase willfully any wild bird or mammal within the safety zone without the specific advance permission of the owner or occupant.”. 

AMENDMENT NO. 3 
On page 2, in line 1, strike “any” and substitute “: 

(I) ANY”; 

in line 2, strike “DOMESTICATED ANIMAL,”; and in line 3, before the period, insert “: OR 

(II) A DOMESTICATED ANIMAL THAT IS IN A SAFETY ZONE ESTABLISHED UNDER § 10–410(G) OF THIS SUBTITLE”.
The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1049 – Senators Mathias and Astle

AN ACT concerning

Recycling – Apartment Buildings and Condominiums – Ocean City

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #21

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

Senate Bill 587 – Senators Garagiola, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Higher Education – Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship

SB0587/265761/2

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 587
(Third Reading File Bill)
On page 4, in line 13, strike “(I)”; strike beginning with “FOR” in line 13 down through “MAY” in line 14 and substitute “MAY”; in line 24, strike “MANAGEMENT; AND” and substitute “MANAGEMENT.”; and strike in their entirety lines 25 through 32, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #15

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

House Bill 34 – Delegate Aumann

AN ACT concerning

State Government – Commemorative Day – German–American Heritage Day

HB0034/296488/1
BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 34
(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Aumann” and substitute “Delegates Aumann, Kipke, McDonough, Oaks, and Pena–Melnyk”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 77 – Delegate McHale
AN ACT concerning

State Government – Commemorative Month – Irish American Heritage Month

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 778 – Delegates Conway, Costa, Jacobs, Malone, Morhaim, Otto, Rudolph, and Wood

AN ACT concerning

Local Government – Fire, Rescue, and Ambulance Funds – Distribution of Money to Volunteer Companies

HB0778/486988/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 778
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in the sponsor line, strike “and Wood” and substitute “Wood, Hubbard, and Krebs”; strike beginning with “of” in line 2 down through “Companies” in line 3; in line 12, after “report,” insert “establishing a Workgroup to Study the Laws and Policies Related to the Distribution of Money to Volunteer and Career Companies; providing for the membership and duties of the Workgroup; providing for the designation of a chair of the Workgroup; prohibiting members of the Workgroup from receiving compensation; authorizing members to receive certain reimbursement; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; and in line 12, after “Act;” insert “providing for the termination of certain provisions of this Act.”.

AMENDMENT NO. 2
On page 8, after line 2, insert:
“SECTION 2. AND BE IT FURTHER ENACTED. That:

(a) There is a Workgroup to Study the Laws and Policies Related to the Distribution of Money to Volunteer and Career Companies.

(b) The Workgroup consists of the following members:

(1) two members from the Senate of Maryland, appointed by the President of the Senate on or before July 1, 2013;

(2) two members of the House of Delegates, appointed by the Speaker of the House on or before July 1, 2013;

(3) a representative of the Maryland State Firemen's Association;

(4) a representative of the Maryland Fire Chiefs Association;

(5) a representative of the Metropolitan Fire Chiefs Council of the State of Maryland; and

(6) a representative of the Professional Firefighters of Maryland.

(c) On or before July 1, 2013, the Governor shall appoint a chair of the Workgroup from among its members.

(d) A member of the Workgroup:

(1) may not receive compensation for serving as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(e) The Workgroup shall:

(1) study the adequacy of State laws and policies related to the distribution of money to volunteer and career fire companies; and
consider and make recommendations regarding options for the distribution of State funds to volunteer and career fire companies.

On or before December 1, 2013, the Workgroup shall submit a final report of its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Budget and Taxation Committee and the House Appropriations Committee.”;

in line 3, strike “2.” and substitute “3.”; and in line 4, after “2013.” insert “Section 2 of this Act shall remain effective for a period of 5 months and, at the end of November 30, 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 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:


AN ACT concerning Governmental Procedures – Security and Protection of Information

HB0959/916887/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 959
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “a resident's” and substitute “an individual's”; in lines 4, 5 and 6, 7, and 10, in each instance, strike “or private”; in line 4, strike “resident” and substitute “individual”; in lines 7 and 10, in each instance, strike “a
resident” and substitute “an individual”; in line 11, strike “and” and substitute “; requiring, except under certain circumstances, a unit or, under certain circumstances, a nonaffiliated third party to”; strike beginning with “establishing” in line 25 down through “regulations;” in line 28 and substitute “providing that a unit or nonaffiliated third party that complies with certain provisions of federal law is deemed to be in compliance with this Act.”.

On page 2, in line 1, strike “applicability” and substitute “application”; in the same line, strike “a certain provision of”; in the same line, after “Act;” insert “providing for a delayed effective date;”; and in line 6, strike “10–1309” and substitute “10–1308”.

AMENDMENT NO. 2

On page 2, in line 17, strike “ENCRYPTED” and substitute “ENCRYPTION”; in line 18, after “TRANSIT” insert a comma; in the same line, strike “AN ENCRYPTION” and substitute “A”; strike beginning with “HAS” in line 19 down through “INCLUDING” in line 20 and substitute “;”

(1) IS CERTIFIED TO MEET OR EXCEED THE LEVEL THAT HAS BEEN ADOPTED BY”;

in line 22, strike “, WHICH” and substitute “; AND

(2)”;

and in line 25, strike “(1)”.

On pages 2 and 3, strike beginning with “ANY” in line 25 on page 2 down through “ACT” in line 3 on page 3 and substitute “AN INDIVIDUAL’S FIRST NAME OR FIRST INITIAL AND LAST NAME, PERSONAL MARK, OR UNIQUE BIOMETRIC OR GENETIC PRINT OR IMAGE, IN COMBINATION WITH ONE OR MORE OF THE FOLLOWING DATA ELEMENTS:

(1) A SOCIAL SECURITY NUMBER;

(2) A DRIVER’S LICENSE NUMBER, STATE IDENTIFICATION CARD NUMBER, OR OTHER INDIVIDUAL IDENTIFICATION NUMBER ISSUED BY A UNIT;
(3) A passport number or other identification number issued by the United States government;

(4) an individual taxpayer identification number; or

(5) a financial or other account number, a credit card number, or a debit card number that, in combination with any required security code, access code, or password, would permit access to an individual’s account”.

On page 3, strike in their entirety lines 4 through 14, inclusive; and in line 15, strike “(E)” and substitute “(D)”.

On pages 3 and 4, strike beginning with “THAT” in line 17 on page 3 down through “BUSINESS” in line 9 on page 4.

AMENDMENT NO. 3

On page 4, in lines 10 and 17, strike “(F)” and “(H)”, respectively, and substitute “(E)” and “(F)”, respectively; strike in their entirety lines 13 through 16, inclusive; in line 18, strike “, legislative, or judicial”; in line 19, strike the second “AN” and substitute “a public”; in the same line, after “institution” insert “of higher education”; in line 21, after “Bi–County” insert “, regional, or multicity”; in line 22, after “public” insert “corporation or”; after line 23, insert:

“10–1302.

(A) This subtitle does not apply to personal information that:

(1) is publicly available information that is lawfully made available to the general public from federal, state, or local government records;

(2) an individual has consented to have publicly disseminated or listed;
(3) EXCEPT FOR A MEDICAL RECORD THAT A PERSON IS
PROHIBITED FROM REDISCLOSING UNDER § 4–302(D) OF THE HEALTH –
GENERAL ARTICLE, IS DISCLOSED IN ACCORDANCE WITH THE FEDERAL
HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT; OR

(4) IS DISCLOSED IN ACCORDANCE WITH THE FEDERAL FAMILY
EDUCATIONAL RIGHTS AND PRIVACY ACT.

(B) THIS SUBTITLE DOES NOT APPLY TO THE LEGISLATIVE OR
JUDICIAL BRANCH OF STATE GOVERNMENT.”;

in line 24, strike “10–1302.” and substitute “10–1303.”, and in line 30, strike “AND SIZE”.

On page 4 in line 25, on page 5 in lines 7 and 15, on page 6 in line 9, on page 8 in line 11, and on page 9 in line 3, in each instance, strike “A RESIDENT” and substitute “AN INDIVIDUAL”.

On page 4 in lines 26 and 28, on page 5 in lines 9, 15, 20, 23, and 30 and 31, on page 6 in lines 4 and 17, on page 8 in line 22, on page 9 in line 18, and on page 10 in lines 5 and 6, in each instance, strike “OR PRIVATE”.

On page 4 in line 26, on page 6 in line 19, on page 7 in lines 26, 27, and 32, on page 8 in line 13, and on page 9 in line 4, in each instance, strike “RESIDENT” and substitute “INDIVIDUAL”.

On page 5 in line 5, and on page 6 in lines 9, 12, and 31, in each instance, strike “PRIVATE” and substitute “PERSONAL”.

On page 5, in lines 4 and 25, strike “10–1303.” and “10–1304.”, respectively, and substitute “10–1304.” and “10–1305.”, respectively; in line 10, strike “AND SIZE”; in line 11, after “CONTRACT” insert “OR AGREEMENT”; in line 12, strike “JANUARY” and substitute “JULY”; in line 16, in each instance, after “CONTRACT” insert “OR AGREEMENT”; in the same line, after “BY” insert “WRITTEN”; and strike beginning with the first “THE” in line 26 down through “BREACH” in line 28 and substitute “BREACH”.

On page 6 in line 30, and on page 7 in line 4, in each instance, after “A” insert “NONAFFILIATED THIRD”.

AMENDMENT NO. 4

On page 6, in line 1, strike “(II)” and substitute “(2)”; strike in their entirety lines 6 and 7; strike beginning with “RESIDENT” in line 13 down through “FRAUD” in line 14 and substitute “INDIVIDUAL HAS RESULTED IN OR IS LIKELY TO RESULT IN THE MISUSE OF THE INFORMATION”; in line 15, strike “If” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF”; in line 16, strike “THE UNAUTHORIZED ACQUISITION” and substitute “MISUSE”; in the same line, strike “RESIDENT’S” and substitute “INDIVIDUAL’S”; in lines 17 and 33, in each instance, strike “CREATED” and substitute “OCCURRED”; in lines 17 and 34, in each instance, strike “REASONABLY”; in lines 18 and 34, in each instance, strike “CREATE A MATERIAL RISK OF IDENTITY FRAUD” and substitute “OCCUR”; in line 18, after “UNIT” insert “OR THE NONAFFILIATED THIRD PARTY, IF AUTHORIZED UNDER A WRITTEN CONTRACT OR AGREEMENT WITH THE UNIT,”; after line 19, insert:

“(II) UNLESS THE UNIT OR NONAFFILIATED THIRD PARTY KNOWS THAT THE ENCRYPTION KEY HAS BEEN BROKEN, A UNIT OR THE NONAFFILIATED THIRD PARTY IS NOT REQUIRED TO NOTIFY AN INDIVIDUAL UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF:

1. THE PERSONAL INFORMATION OF THE INDIVIDUAL WAS SECURED BY ENCRYPTION OR REDACTED; AND

2. THE ENCRYPTION KEY HAS NOT BEEN COMPROMISED OR DISCLOSED.”;

strike beginning with the comma in line 22 down through “DAYS” in line 23; and in line 33, strike “RESIDENT’S PRIVATE” and substitute “INDIVIDUAL’S PERSONAL”.

On page 7, in lines 1 and 2 and 17, in each instance, strike “, BUT NOT LATER THAN 45 DAYS”; in line 2, strike “UNIT” and substitute “NONAFFILIATED THIRD PARTY”; in line 7, strike “SUBSECTIONS” and substitute “SUBSECTION”; and in lines 7 and 8, strike “AND (C)”.

On page 8, in line 16, strike “STATEWIDE” and substitute “APPROPRIATE”.

On page 9, strike beginning with “AND” in line 7 down through “SECTION” in line 8; in line 11, strike “§ 10–1301(H)(1)” and substitute “§ 10–1301(F)(1)”; in lines 20 and 23, strike “10–1305.” and “10–1306.”, respectively, and substitute “10–1306.” and “10–1307.”, respectively; and in line 24, strike “§ 10–1304” and substitute “§ 10–1305”.

AMENDMENT NO. 5

On page 10, in line 1, strike “10–1307.” and substitute “10–1308.”; strike beginning with “(A)” in line 2 down through “AFFILIATE” in line 11 and substitute “A UNIT OR NONAFFILIATED THIRD PARTY”; and in line 13, after “ACCURATE” insert “CREDIT”.

On pages 10 and 11, strike in their entirety the lines beginning with line 20 on page 10 through line 3 in page 11, inclusive.

On page 11, in line 5, strike “October 1, 2013” and substitute “July 1, 2014”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1231 – Delegates McMillan, Cardin, and Serafini

AN ACT concerning

State Aid – Business Transparency and Financial Disclosure Act

HB1231/766286/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1231

(First Reading File Bill)
AMENDMENT NO. 1
On page 1, in the sponsor line, strike “Delegates McMillan, Cardin, and Serafini” and substitute “Delegate McMillan”.

AMENDMENT NO. 2
On page 2, in line 15, after “(7)” insert “(I)”; in the same line, strike “PERSON” and substitute “BUSINESS”; after line 17, insert “(II) “RECIPIENT CORPORATION” DOES NOT INCLUDE AN INDIVIDUAL.”; in lines 18 and 19, strike “EXPENDITURE OF PUBLIC FUNDS” and substitute “STATE AID”; in line 19, strike “$25,000” and substitute “$50,000 PROVIDED TO A RECIPIENT CORPORATION”; in line 20, strike “BONDS, GRANTS,”; in line 21, strike “TAX INCREMENT FINANCING,”; in lines 21 and 22, strike “LAND PRICE SUBSIDIES,”; in line 29, after “BODY” insert “AS PROVIDED IN THIS SUBSECTION”; after line 29, insert:

“(2) (I) IF THE GRANTING BODY IS THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT, THE DEPARTMENT SHALL REQUIRE A RECIPIENT CORPORATION THAT RECEIVES A STATE SUBSIDY UNDER ANY OF THE FOLLOWING PROGRAMS TO FILE A DISCLOSURE REPORT:

1. THE JOB CREATION TAX CREDIT;

2. THE ONE MARYLAND TAX CREDIT;

3. THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE AUTHORITY AND FUND (MEDAAF) PROGRAM FINANCIAL ASSISTANCE FOR SIGNIFICANT STRATEGIC ECONOMIC DEVELOPMENT OPPORTUNITIES AND LOCAL ECONOMIC DEVELOPMENT OPPORTUNITIES; AND

4. THE ECONOMIC DEVELOPMENT OPPORTUNITIES PROGRAM FUND (EDOPF).

(II) THE DISCLOSURE REPORT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE THE FOLLOWING INFORMATION:

1. FOR THE JOB CREATION TAX CREDIT AND THE ONE MARYLAND TAX CREDIT:
A. THE NAMES OF THE TAXPAYERS THAT RECEIVED FINAL TAX CERTIFICATES IN THE REPORTING YEAR;

B. THE NUMBER OF JOBS CERTIFIED; AND

C. THE AGGREGATE AND AVERAGE WAGES FOR THOSE JOBS;

2. FOR THE ONE MARYLAND TAX CREDIT, THE TOTAL START–UP AND PROJECT COSTS CERTIFIED FOR EACH APPLICANT IN THE REPORTING YEAR; AND

3. FOR THE MEDAAF AND EDOPF ASSISTANCE, THE NUMBER OF JOBS RETAINED AND NEW JOBS CREATED FOR EACH TRANSACTION SETTLED DURING THE REPORTING YEAR.

(III) A RECIPIENT CORPORATION THAT IS REQUIRED TO FILE AN ANNUAL PROXY STATEMENT WITH THE FEDERAL SECURITIES AND EXCHANGE COMMISSION SHALL ALSO PROVIDE INFORMATION ON THE TYPE AND AMOUNT OF COMPENSATION PAID TO ITS CHIEF EXECUTIVE OFFICER, CHIEF FINANCIAL OFFICER, AND ITS THREE OTHER MOST HIGHLY COMPENSATED EXECUTIVE OFFICERS.

and in line 30, strike “(2) THE GRANTING BODY” and substitute “(3) IF THE GRANTING BODY IS AN ENTITY OTHER THAN THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT, THE ENTITY”.

AMENDMENT NO. 3

On page 3, in line 11, after “JOBS” insert “WHICH ARE”; in line 12, after “CREATED” insert “OR RETAINED”; in line 13, after “SUBSIDY” insert “, IF APPLICABLE”; in line 15, after “YEAR” insert “, IF THE PURPOSE OF THE SUBSIDY IS RELATED TO JOB CREATION OR RETENTION”; in lines 17 and 18, strike beginning with “TOTAL” in line 17 down through “$100,000” in line 18 and substitute “RECIPIENT CORPORATION IS REQUIRED TO FILE AN ANNUAL PROXY STATEMENT WITH THE FEDERAL SECURITIES AND EXCHANGE COMMISSION”; in
On page 4, in lines 5, 10, and 12, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(5)”, “(6)”, and “(7)”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1348 – Chair, Health and Government Operations Committee (By Request – Department of Legislative Services)**

AN ACT concerning

Maryland Program Evaluation Act – Revisions and Clarifications

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 83 – Chair, Finance Committee (By Request – Departmental – Aging)**

AN ACT concerning

Department of Aging – Aging and Disability Resource Center Program – Maryland Access Point

**SB0083/426084/1**

BY: Health and Government Operations Committee
AMENDMENTS TO SENATE BILL 83
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 4, after “of” insert “adding to the duties of the Secretary of Aging”; in line 11, after “the” insert “Secretary of Aging and the”; and after line 11, insert:

“BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–204
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)”.

AMENDMENT NO. 2
On page 1, after line 20, insert:

“10–204.

(a) The Secretary shall administer the programs and activities that the federal government delegates to the State under the Older Americans Act of 1965 that are not otherwise committed by law to another unit of State government.

(b) The Secretary:

(1) is a member of the Governor’s Executive Council; and

(2) shall cooperate with and receive the cooperation of State, federal, and local governmental units to carry out the purposes of this title.

(c) The Secretary shall:

(1) evaluate the service needs of seniors in the State;

(2) determine the extent to which existing public and private programs meet the needs of seniors;

(3) establish priorities for meeting the needs of seniors;
coordinate, subject to existing law, [and] assess and evaluate, AND EDUCATE THE PUBLIC AND PROFESSIONALS ABOUT all State and local programs and services, both public and private, that relate and are important to the well-being of seniors in the State, including programs and services in the areas of:

(i) income maintenance;

(ii) public health;

(iii) mental health;

(iv) housing and urban development;

(v) employment;

(vi) education;

(vii) recreation; and

(viii) rehabilitation of seniors with physical or mental disabilities; and

(5) develop a statewide plan incorporating local plans for a comprehensive and coordinated system of health, social, and community services for seniors, including housing and institutional and noninstitutional care.

(d) The Secretary shall:

(1) represent the interests of seniors by serving as an advocate at all levels of government;

(2) consult with and advise the secretaries of the principal departments of State government about the programs and services for seniors that are the primary responsibility of those departments;

(3) consult with the Commission on Aging on all matters pertaining to programs for seniors;
(4) provide consultation and technical assistance to communities and civic groups developing local services for seniors;

(5) maintain a clearinghouse of information related to the interests of seniors; and

(6) review and recommend policies to the Governor on publicly funded plans and programs that affect seniors.”.

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 151 – Senator Colburn

EMERGENCY BILL

AN ACT concerning

Hospitals – Outpatient Services – Off-Site Facility – Rate Regulation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 230 – Senators Getty and Ferguson

AN ACT concerning

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

Senate Bill 273 – The President (By Request – Administration) and Senators Benson, Colburn, DeGrange, Dyson, Edwards, Ferguson, Forehand, Garagiola, Jacobs, Jones–Rodwell, Kelley, Klausmeier, Madaleno, Manno, Mathias, Miller, Montgomery, Peters, Pugh, Ramirez, Raskin, Robey, Stone, and Young Young, Conway, Rosapepe, Jennings, and Simonaire

AN ACT concerning Veterans Full Employment Act of 2013

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 355 – Senators Pugh, Jones–Rodwell, and Madaleno Madaleno, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Ramirez

AN ACT concerning

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

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 401 – Senator Dyson

AN ACT concerning

Pharmacists – Administration of Vaccinations – Expanded Authority and Reporting 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 459 – Senators Conway and Middleton

AN ACT concerning

Health Occupations – Dental Hygienists – Provision of Services Without Supervision at a Community-Based Health Fair

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 581 – Senators Kelley, Benson, Brinkley, Forehand, Klausmeier, Madaleno, Middleton, Montgomery, Pinsky, and Pugh. Pugh, Astle, Garagiola, Glassman, Kittleman, Mathias, and Ramirez

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Consumer Bill of Rights Notice and Authorization Forms

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 582 – Senators Kelley, Benson, Brinkley, Forehand, Klausmeier, Madaleno, Middleton, Montgomery, Pinsky, and Pugh. Pugh, Astle, Garagiola, Glassman, Kittleman, Mathias, and Ramirez

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Utilization Review Criteria and Standards

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 593 – Senator Montgomery

AN ACT concerning

Health Occupations Boards – License Renewal, Investigation of Alleged Violations, and Immunity from Liability

SB0593/396785/1
BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 593
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in lines 9 and 10, strike “subject to a certain exception”; and strike beginning with “an” in line 12 down through “registration” in line 13 and substitute “certain renewal notices, licenses, permits, certifications, or registrations under certain circumstances”.

AMENDMENT NO. 2
On page 3, strike beginning with “EXCEPT” in line 10 down through “DISCONTINUE” in line 11 and substitute “DISCONTINUE”; in lines 21 and 22, strike “; (I)”; in line 22, strike “AN” and substitute “AN”; strike beginning with “; AND” in line 23 down through “MAIL” in line 26; and after line 26, insert:

“(D) IF A BOARD CHOoses TO SEND RENEwAL NOTICEs OR RENEwED LICENSEs, PERMITs, CERTIFICATIONs, OR REGISTRATIONs EXCLUSIVELY BY ELECTRONIC MAIL UNDER SUBSECTION (C) OF THIS SECTION, THE BOARD SHALL, ON REQUEST OF THE LICENSEE, PERMIT HOLDER, CERTIFICATE HOLDER, OR REGISTRANT, SEND BY FIRST-CLASS MAIL:

(1) THE RENEwAL NOTICE; OR

(2) THE RENEwed LICENSE, PERMIT, CERTIFICATION, OR REGISTRATION.”.
AMENDMENT NO. 3

On page 13, in line 20, strike “5–722” and substitute “5–723”.

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 595 – Senators Montgomery and Benson

AN ACT concerning

State Board of Pharmacy – Wholesale Distribution – 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 745 – Senator Middleton

AN ACT concerning

Public Safety – 9–1–1 Emergency Telephone Systems – Prepaid Service – Collection of Surcharge

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 761 – Senator Montgomery

EMERGENCY BILL

AN ACT concerning
Health Occupations – State Board of Pharmacy – Waivers – Pharmacies That Only Dispense Devices

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 Pugh Senators Pugh, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pipkin, and Ramirez

AN ACT concerning

Task Force on the Use of Telehealth to Improve Maryland Health Care

SB0776/866884/1
BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 776
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike line 2 in its entirety and substitute “Telemedicine Task Force – Maryland Health Care Commission”; and strike beginning with “establishing” in line 3 down through “Care” in line 10 and substitute “declaring the intent of the General Assembly that the Maryland Health Care Commission, in conjunction with the Maryland Health Quality and Cost Council, continue to study the use of telehealth throughout the State through the Telemedicine Task Force; requiring the Task Force to consist of certain advisory groups and undertake certain activities; and requiring the Commission, on or before certain dates, to submit certain reports of the Task Force to the Governor and certain legislative committees”.

AMENDMENT NO. 2
On pages 1 through 5, strike beginning with “(a)” in line 13 on page 1 down through the period in line 20 on page 5 and substitute:

“(a) It is the intent of the General Assembly that the Maryland Health Care Commission, in conjunction with the Maryland Health Quality and Cost Council,
continue to study the use of telehealth throughout the State through the Telemedicine Task Force.

(b) The Task Force shall:

(1) consist of three existing advisory groups:

(i) the clinical advisory group;

(ii) the technology solutions and standards advisory group; and

(iii) the financial and business model advisory group;

(2) identify opportunities to use telehealth to improve health status and care delivery in the State that includes an analysis of:

(i) underserved population areas;

(ii) applications for cost–effective telehealth;

(iii) innovative service models for diverse care settings to include chronic and acute care; and

(iv) innovative payment models;

(3) assess factors related to telehealth that includes an analysis of:

(i) supportive uses of electronic health records and health information exchange;

(ii) multimedia uses of products and services for patient engagement, education, and outcomes;

(iii) health professional productivity, resources, and shortages;

(iv) emerging technology and standards for security; and

(v) public and private grant funding;
identify strategies for telehealth deployment in rural areas of the State to increase access to health care and meet any increased demand for health care due to the implementation of the Patient Protection and Affordable Care Act; and

study any other topic the Maryland Health Care Commission finds necessary to make recommendations regarding the use of telehealth in the State.

The Maryland Health Care Commission shall submit 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:

(1) on or before January 1, 2014, an interim report of the Task Force findings and recommendations; and

(2) on or before December 1, 2014, a final report of the Task Force findings and recommendations.”.

On page 5, in line 22, strike “June” and substitute “July”; in the same line, strike “3” and substitute “2”; in line 23, strike “May 31” and substitute “June 30”; and in the same line, strike “2016” and substitute “2015”.

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 798 – Senators Middleton, Astle, Colburn, Edwards, Kittleman, Mathias, Montgomery, and Pugh Pugh, Garagiola, Glassman, Kelley, Klausmeier, Muse, Pipkin, and Ramirez

AN ACT concerning

Hospitals – Credentialing and Privileging Process – Telemedicine

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 832 – Senator Ferguson**

AN ACT concerning  

**Child Care Centers – Dispute Resolution**  

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 899 – Senators Mathias, Brinkley, Colburn, DeGrange, Edwards, Forehand, Glassman, Jennings, Manno, Middleton, Montgomery, Simonaire, and Stone**  

Stone, Dyson, Young, Reilly, Rosapepe, Benson, and Pinsky

AN ACT concerning  

**Local Government – Fire, Rescue, and Ambulance Funds – Distribution of Money to Volunteer Companies**  

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 904 – Senator Klausmeier**

AN ACT concerning  

**Health Insurance – Vision Services – Provider Contracts and Delivery Systems**  

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 942 – Senator Reilly

EMERGENCY BILL

AN ACT concerning

State Board of Physicians – Licensing Qualifications – Additional Training
Exemption Consultation, Qualification for Licensure, License Renewal, and
Representation to the Public

SB0942/356082/2
BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 942
(Third Reading File Bill)

On page 5 in line 12 and on page 6 in line 6, in each instance, strike “DAYS” and substitute “CONSECUTIVE DAYS WITHIN A CALENDAR YEAR”.

On page 7, in line 18, after “EDUCATION” insert “OR THE AMERICAN
OSTEOPATHIC ASSOCIATION”; in line 20, strike the first “IN” and substitute “;

1. IN”;

in the same line, strike “, WITH” and substitute “;

2. WITH”; 

in line 21, after “APPLICATION;” insert “AND”; strike beginning with “(II)” in line 22 down through “OCCURRED” in line 23 and substitute:

“3. THAT OCCURRED”;

in line 25, strike “(III)” and substitute “(II)”; in the same line, strike “NO” and substitute “HAS NO”; in the same line, strike “IS”; in the same line, strike “OR HAS BEEN” and substitute “AND HAS HAD NO DISCIPLINARY ACTION”; and in line 26, after “APPLICANT” insert “THAT WOULD BE GROUNDS FOR DISCIPLINE UNDER § 14–404 OF THIS TITLE”.
On page 8, in line 11, after “(b)” insert “(1)”; in the same line, strike “At” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AT”; in lines 14, 15, 16, 18, and 19, strike “(1)”, “(i)”, “(ii)”, “(iii)”, and “(2)”, respectively, and substitute “(I)”, “1.”, “2.”, “3.”, and “(II)”, respectively; and after line 20, insert:

“(2) IF THE BOARD CHOOSES TO SEND RENEWAL NOTICES EXCLUSIVELY BY ELECTRONIC MAIL UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL SEND A RENEWAL NOTICE BY FIRST-CLASS MAIL TO A LICENSEE ON REQUEST OF THE LICENSEE.”.

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:

Senator Bill 981 – Senator Montgomery

AN ACT concerning

State Board of Physicians – Quasi–Judicial Powers – Revision

SB0981/456084/1
BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 981
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 2, after “Powers” insert “and the Board of Review”; in the same line, strike “Revision” and substitute “Revisions”; in line 8, after “law;” insert “repealing the authority for certain persons to appeal certain decisions to the Board of Review, followed by a certain appeal; specifying that certain persons may take certain judicial appeals;”; in line 9, strike “quasi–judicial powers of the”; and in line 12, after “14–206” insert “and 14–408”.

AMENDMENT NO. 2
On page 3, after line 3, insert:
“14–408.

(a) Except as provided in this section for an action under § 14–404 of this subtitle or § 14–5A–17 of this title, any person aggrieved by a final decision of the Board in a contested case, as defined in the Administrative Procedure Act, may:

(1) Appeal that decision to the Board of Review; and

(2) Then take any further appeal allowed by the Administrative Procedure Act.

(b)(1) Any person aggrieved by a final decision of the Board IN A CONTESTED CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE ACT, [under § 14–404 of this subtitle or § 14–5A–17 of this title may not appeal to the Secretary or Board of Review but] may take a direct judicial appeal.

(2) The appeal shall be made as provided for judicial review of final decisions in the Administrative Procedure Act.

[(c)(B)] An order of the Board may not be stayed pending review.

[(d)(C)] The Board may appeal from any decision that reverses or modifies its order.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**AMENDED IN THE SENATE**

House Bill 184 – Delegates Lafferty, Beidle, Bromwell, Cardin, Haddaway-Riccio, Hershey, Holmes, Jacobs, Luedtke, McIntosh, Niemann, O'Donnell, Otto, S. Robinson, and Stein

AN ACT concerning

Income Tax Credit – Oyster Shell Recycling
Delegate Hixson moved that the House not concur in the Senate amendments.

HB0184/309936/1
BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 184
(Third Reading File Bill)

On page 1, strike beginning with “providing” in line 9 down through “Act;” in line 11; and strike in their entirety lines 13 through 17, inclusive.

On page 2, strike in their entirety lines 5 through 11, inclusive.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 0184
SPONSOR: Del Lafferty, et al
SUBJECT: Income Tax Credit – Oyster Shell Recycling

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 Barve, Chairman
Delegate Branch, and
Delegate Afzali.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.
AMENDED IN THE SENATE


AN ACT concerning

Consumer Protection – Security Freezes – Children in Foster Care Settings

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

HB1297/377777/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1297
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 20, strike “prohibiting” and substitute “authorizing”; and in lines 20 and 21, strike “from charging” and substitute “to charge”.

On page 2, in line 15, after “consumer;” insert “requiring the Department of Juvenile Services to review certain provisions of law, make a certain determination, and report certain information to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2
On page 6, in line 30, strike “NOT”; in the same line, after “A” insert “REASONABLE”; in the same line, after “FEE” insert “, NOT EXCEEDING $5,”; and in line 31, strike “ANY SERVICE PERFORMED” and substitute “EACH PLACEMENT OR REMOVAL OF A SECURITY FREEZE FOR A PROTECTED CONSUMER”.

On page 7, in line 32, after “SUBTITLE” insert “, INCLUDING PROVIDING CONTACT INFORMATION OF ORGANIZATIONS THAT MAY PROVIDE ASSISTANCE TO THE PROTECTED CONSUMER IN REMOVING A SECURITY FREEZE”.
AMENDMENT NO. 3

On page 8, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2013, the Department of Juvenile Services shall:

(1) review Title 14, Subtitle 12 of the Commercial Law Article, including § 14–1212.3, as enacted by Section 1 of this Act;

(2) determine whether it is practicable, appropriate, and necessary for the protection of the consumer records of children who are in custody of the Department to allow the Department to make a request to a consumer reporting agency for a security freeze for the consumer record of each child who is in custody of the Department; and

(3) report its findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.”;

and in line 13, strike “3.” and substitute “4.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 1297
SPONSOR: Del Zucker, et al
SUBJECT: Consumer Protection – Security Freezes – Children in Foster Care Settings

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,

Sylvia Siegert
Chief Clerk
MESSAGE FROM THE SENATE

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

BILL: SB 0161
SPONSOR: Sen Kelley
SUBJECT: Real Property – Common Ownership Communities – Foreclosure of Liens

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 Muse, Chairman
Senator Zirkin
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 0161
SPONSOR: Sen Kelley
SUBJECT: Real Property – Common Ownership Communities – Foreclosure of Liens

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 Muse, Chair
Senator Zirkin
Senator Shank

The House appoints:
Delegate Niemann, Chairman
Delegate Beidle, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 1087)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #34

Senate Bill 32 – Senator Colburn

AN ACT concerning

Alcoholic Beverages – Brewery License – On–Premises Consumption

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

Affirmative – 130    Negative – 0    (See Roll Call No. 1088)

The Bill was then returned to the Senate.

Senate Bill 224 – Senators Pugh, Conway, Garagiola, Glassman, and Montgomery
AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Bona Fide Wellness Program and Wellness Promotion

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

Affirmative – 130    Negative – 0    (See Roll Call No. 1089)

The Bill was then returned to the Senate.

Senate Bill 392 – Cecil County Senators

AN ACT concerning

Cecil County – Alcoholic Beverages – Refillable Containers

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

Affirmative – 130    Negative – 0    (See Roll Call No. 1090)

The Bill was then returned to the Senate.

Senate Bill 471 – Senator Mathias

AN ACT concerning

Somerset County – Alcoholic Beverages – Location Restrictions

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

Affirmative – 128    Negative – 0    (See Roll Call No. 1091)

The Bill was then returned to the Senate.

Senate Bill 510 – Senator Pinsky

AN ACT concerning

Institutions of Higher Education – Fully Online Distance Education Programs – Regulation

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

Affirmative – 129    Negative – 0    (See Roll Call No. 1092)
The Bill was then returned to the Senate.

Senate Bill 949 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages

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

   Affirmative – 128   Negative – 0   (See Roll Call No. 1093)

The Bill was then returned to the Senate.

Senate Bill 957 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Banquet Facility License

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

   Affirmative – 129   Negative – 0   (See Roll Call No. 1094)

The Bill was then returned to the Senate.

THE COMMITTEE ON WAYS AND MEANS REPORT #20

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

House Bill 43 – Delegate Glass

AN ACT concerning

Income Tax Credit for Qualifying Employees – Sunset Repeal and Expansion

HB0043/735264/1

BY:   Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 43
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “allowing” in line 5 down through “Act” in line 7 and substitute “declaring the intent of the General Assembly”; and in line 9, strike “and certain qualified veterans”.

AMENDMENT NO. 2
On page 2, strike in their entirety lines 6 through 10, inclusive.

On pages 3 and 4, strike in their entirety the lines beginning with line 10 on page 3 through line 31 on page 4, inclusive.

AMENDMENT NO. 3
On page 5, strike in their entirety lines 1 through 3, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Labor, Licensing, and Regulation, the Department of Disabilities, and the Department of Veterans Affairs make every effort to promote and market the Qualifying Employees with Disabilities Tax Credit to Maryland employers.”;

in line 4, strike “4.” and substitute “3.”; and strike beginning with “, except” in line 4 down through “Act,” in line 5.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0043/555866/1
BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 43
(First Reading File Bill)

On page 1, in line 2, strike “and Expansion”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:
House Bill 1169 – Delegates Hucker, Barve, Cardin, Dumais, Kaiser, A. Kelly, Lee, Mizeur, Niemann, Rosenberg, V. Turner, and Valderrama

AN ACT concerning

Civil Rights Tax Relief 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 631 – Senators King, DeGrange, Forehand, Garagiola, Klausmeier, Manno, Miller, and Peters

SECOND PRINTING

AN ACT concerning

Hotel Rental Tax – Exemption – Lodging at a Corporate Training Center

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 815 – Senator Shank

AN ACT concerning

Nonpublic Schools Primary and Secondary Education – Epinephrine Availability and Use – Policy and Immunity

SB0815/205963/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 815
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 2, strike “Primary and Secondary Education” and substitute “Public and Nonpublic Schools”.

**AMENDMENT NO. 2**

On page 2, in line 21, strike “SIGNS AND”; strike beginning with “BY” in line 22 down through “ANAPHYLAXIS” in line 25; strike beginning with the comma in line 29 down through “TO” in line 30; and in line 30, strike the comma.

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

“(5) A REQUIREMENT THAT EACH PUBLIC SCHOOL DEVELOP AND IMPLEMENT A METHOD FOR NOTIFYING THE PARENTS OR GUARDIANS OF STUDENTS OF THE SCHOOL’S POLICY UNDER THIS SECTION AT THE BEGINNING OF EACH SCHOOL YEAR.”.

On page 4, in line 21, strike “AND”; after line 21, insert:

“(5) A REQUIREMENT THAT THE NONPUBLIC SCHOOL DEVELOP AND IMPLEMENT A METHOD FOR NOTIFYING THE PARENTS OR GUARDIANS OF STUDENTS OF THE SCHOOL’S POLICY UNDER THIS SECTION AT THE BEGINNING OF EACH SCHOOL YEAR; AND”;

and in line 22, strike “(5)” and substitute “(6)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 926 – Senator Pinsky**

AN ACT concerning

Education – State and Local Aid Program for Certification or Renewal of Certification – Sunset Repeal

Favorable report adopted.
Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 742 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senator Ferguson

AN ACT concerning

Vehicle Laws – Residential Parking in Baltimore City

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

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

The motion was adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #35

Senate Bill 12 – Senator Zirkin

AN ACT concerning

Labor and Employment – Leave – Deployment of Family Members in the Armed Forces

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

Affirmative – 131  Negative – 0  (See Roll Call No. 1095)

The Bill was then returned to the Senate.

Senate Bill 66 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning
Maryland Home Improvement Commission – Membership, Quorum, and Meetings, and Reports

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

Affirmative – 132     Negative – 0     (See Roll Call No. 1096)

The Bill was then returned to the Senate.

Senate Bill 82 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Elevator Safety Review Board – Third-Party Inspectors – Certification

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

Affirmative – 131     Negative – 0     (See Roll Call No. 1097)

The Bill was then returned to the Senate.

Senate Bill 313 – Senator Astle

AN ACT concerning

Workers’ Compensation – Anne Arundel County Deputy Sheriff

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

Affirmative – 128     Negative – 1     (See Roll Call No. 1098)

The Bill was then returned to the Senate.

Senate Bill 446 – Senators Pugh, Benson, Conway, Forehand, Madaleno, McFadden, Montgomery, and Peters

AN ACT concerning

Homeowner’s or Renter’s Insurance and Private Passenger Motor Vehicle Insurance – Bundling Requirement – Prohibited

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

Affirmative – 131     Negative – 0     (See Roll Call No. 1099)
The Bill was then returned to the Senate.

**Senate Bill 757 – Senator Ramirez** Senators Ramirez and Garagiola

AN ACT concerning

**Maryland Occupational Safety and Health Act – Discrimination Against Employee – Complaints**

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

The motion was adopted.

**Senate Bill 784 – Senator Benson**

AN ACT concerning

**Employment Discrimination – Reasonable Accommodations for Disabilities Due to Pregnancy**

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

- **Affirmative – 124**  
- **Negative – 8**  
  (See Roll Call No. 1100)

The Bill was then returned to the Senate.

**Senate Bill 797 – Senator Middleton**

AN ACT concerning


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

- **Affirmative – 129**  
- **Negative – 2**  
  (See Roll Call No. 1101)

The Bill was then returned to the Senate.

**Senate Bill 863 – Senator Zirkin** Senators Zirkin and Glassman

AN ACT concerning

**Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws**
Delegate Wilson moved to make the Bill a Special Order for Monday.

The motion was adopted.

Senate Bill 887 – Senator Garagiola

Senators Garagiola, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Ramirez, and Pugh

AN ACT concerning

Public Utilities – Solar Photovoltaic Systems

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

Affirmative – 132     Negative – 0     (See Roll Call No. 1102)

The Bill was then returned to the Senate.

Senate Bill 916 – Senator Klausmeier

AN ACT concerning

Task Force to Study Licensing and Continuing Education Requirements for Electricians

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

Affirmative – 131     Negative – 0     (See Roll Call No. 1103)

The Bill was then returned to the Senate.

Senate Bill 1068 – Senator Glassman

AN ACT concerning

Commission to Study the Regulation of Payroll Services

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

Affirmative – 130     Negative – 1     (See Roll Call No. 1104)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #36

Senate Bill 335 – Senators Klausmeier, Brinkley, Ferguson, and Young
AN ACT concerning

Health Occupations – Funeral Establishments – Preparation and Holding Rooms

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

Affirmative – 131     Negative – 0     (See Roll Call No. 1105)

The Bill was then returned to the Senate.

Senate Bill 358 – Senator Conway

AN ACT concerning

State Board of Morticians and Funeral Directors – Authority to Discipline – Funeral Establishment Licenses

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

Affirmative – 131     Negative – 0     (See Roll Call No. 1106)

The Bill was then returned to the Senate.

Senate Bill 460 – Senators Conway and Middleton

AN ACT concerning

Health Occupations – Physician Assistants – Authority to Practice

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

Affirmative – 131     Negative – 0     (See Roll Call No. 1107)

The Bill was then returned to the Senate.

Senate Bill 463 – Senator Conway

AN ACT concerning

State Board of Morticians and Funeral Directors – Apprentice Sponsors, Funeral Establishment Licenses, and Supervising Morticians

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

Affirmative – 131     Negative – 0     (See Roll Call No. 1108)
The Bill was then returned to the Senate.

Senate Bill 610 – Senators Klausmeier, Brinkley, Madaleno, and Montgomery
Montgomery, Astle, Garagiola, Glassman, Kelley, Kittleman, Mathias, Middleton, Pipkin, Pugh, and Ramirez

AN ACT concerning

Health – Overdose Response Program – Establishment

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

Affirmative – 132  Negative – 0  (See Roll Call No. 1109)

The Bill was then returned to the Senate.

Senate Bill 811 – Senator Rosapepe

AN ACT concerning

Procurement – Investment Activities in Iran – Board of Public Works
Authority to Adopt Regulations

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

Affirmative – 131  Negative – 1  (See Roll Call No. 1110)

The Bill was then returned to the Senate.

Senate Bill 951 – Senator Benson

AN ACT concerning

Health Occupations – Polysomnographic Technologists – Licensure and Discipline

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

Affirmative – 132  Negative – 0  (See Roll Call No. 1111)

The Bill was then returned to the Senate.

Senate Bill 954 – Senator Benson

AN ACT concerning
Maryland Board of Physicians – Authority to Issue Temporary Licenses and Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee

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

   Affirmative – 131   Negative – 0   (See Roll Call No. 1112)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #6

AMENDED IN THE SENATE


V. Turner, Hammen, Pendergrass, and Hubbard

AN ACT concerning

Task Force to Study Point–of–Care Testing for Lead Poisoning

Delegate Hammen moved that the House concur in the Senate amendments.

HB0303/207778/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 303
(Third Reading File Bill)

On page 3, in line 6, after “important” insert “relating to point–of–care testing”.

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 – 124   Negative – 0   (See Roll Call No. 1113)

AMENDED IN THE SENATE
House Bill 361 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Health Insurance – Conformity with and Implementation of Federal Patient Protection and Affordable Care Act

Delegate Hammen moved that the House concur in the Senate amendments.

HB0361/467578/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 361
(Third Reading File Bill)

AMENDMENT NO. 1
On pages 1 and 2, strike beginning with “disclosure” in line 24 on page 1 down through “for” in line 1 on page 2 and substitute “provisions of law regarding”.

On page 2, in line 29, after “State;” insert “repealing a certain provision of law that authorizes a carrier to cancel health insurance coverage made available in the individual market only through certain associations under certain circumstances;”.

On page 3, in line 27, strike “15–1105,”; in line 28, strike “15–1309(b)(5) and (6)” and substitute “15–1309(b)(6)”; in line 34, strike “and 15–1203” and substitute “, 15–1105, and 15–1203”; and in line 39, strike “15–1309(b)(7),”.

AMENDMENT NO. 2
On pages 13 through 15, strike in their entirety the lines beginning with line 32 on page 13 through line 25 on page 15.

On page 28, in line 4, strike “60” and substitute “30”.

On page 38, strike in their entirety lines 11 through 13, inclusive; and strike beginning with “where” in line 14 down through “(7)” in line 19.

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 – 86   Negative – 37   (See Roll Call No. 1114)

AMENDED IN THE SENATE

House Bill 890 – Delegate Bromwell  Delegates Bromwell, Hammen,
Pendergrass, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach,
A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks,
Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Health – Overdose Response Program – Establishment

Delegate Hammen moved that the House concur in the Senate amendments.

HB0890/307471/1
BY:    Finance Committee

AMENDMENTS TO HOUSE BILL 890
(Third Reading File Bill)

AMENDMENT NO. 1
   On page 2, in line 7, strike “or other”.

AMENDMENT NO. 2
   On page 7, in line 24, strike “OR OTHER”; and in line 25, after “ARTICLE”
   insert “SOLELY”.

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. 1115)

AMENDED IN THE SENATE

House Bill 934 – Delegates Lee, Conaway, Cullison, Dumais, Glenn, Gutierrez,
A. Kelly, A. Miller, Mizeur, Nathan–Pulliam, B. Robinson, S. Robinson,
 Delegate Hammen moved that the House concur in the Senate amendments.

HB0934/557372/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 934
(Third Reading File Bill)

On page 6, in line 2, strike the second “and”; and in line 3, after “(4)” insert “identify strategies for telehealth deployment in rural areas of the State to increase access to health care and meet any increased demand for health care due to the implementation of the Patient Protection and Affordable Care Act; and

(5)”.

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 – 127  Negative – 0  (See Roll Call No. 1116)

AMENDED IN THE SENATE


AN ACT concerning

Hospitals – Notice to Patients – Outpatient Status and Billing Implications

Delegate Hammen moved that the House concur in the Senate amendments.
On page 1, strike beginning with “AND” in line 19 down through “STATUS” in line 20 and substitute “, THE BILLING IMPLICATIONS OF THE OUTPATIENT STATUS, AND THE IMPACT OF THE OUTPATIENT STATUS ON THE PATIENT’S ELIGIBILITY FOR MEDICARE REHABILITATION SERVICES”.

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 – 126  Negative – 0  (See Roll Call No. 1117)

CONCURRENCE CALENDAR #7

AMENDED IN THE SENATE

House Bill 232 – Delegates Vitale, Costa, George, Kipke, McConkey, O'Donnell, Schuh, and Wilson

AN ACT concerning

Sales and Use Tax – Exemption – Parent–Teacher Organization Fundraisers

Delegate Hixson moved that the House concur in the Senate amendments.

HB0232/949735/1

BY:  Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 232
(Third Reading File Bill)

On page 1, in line 7, strike “nonprofit”.

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 – 127    Negative – 0    (See Roll Call No. 1118)

AMENDED IN THE SENATE


AN ACT concerning

Income Tax – Joint Returns – Married Couples

Delegate Hixson moved that the House concur in the Senate amendments.

HB0380/279930/1
BY:  Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 380
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “return;” insert “authorizing certain married individuals who meet certain requirements to use the head of household filing status for a certain purpose;”; in line 7, after “return;” insert “making a technical correction;”; and in line 15, after “Section” insert “10–105(c) and”.

AMENDMENT NO. 2

On page 2, after line 4, insert:

“10–105.
For a [husband and wife] MARRIED COUPLE filing a joint income tax return, the rates specified in subsection (a) of this section apply to the joint Maryland taxable income of the [husband and wife] MARRIED COUPLE.

in line 6, after “(A)” insert “(1)”; in the same line, strike “A” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A”; and after line 10, insert:

“(2) A MARRIED INDIVIDUAL WHO MEETS THE REQUIREMENTS FOR HEAD OF HOUSEHOLD FILING STATUS UNDER § 2(B) AND (C) OF THE INTERNAL REVENUE CODE MAY USE THAT FILING STATUS FOR THE PURPOSE OF FILING A MARYLAND INCOME TAX RETURN.”.

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 – 5 (See Roll Call No. 1119)

AMENDED IN THE SENATE


AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

Delegate Hixson moved that the House concur in the Senate amendments.

HB0667/947372/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 667
(Third Reading File Bill)
AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert “exempting certain employees from certain requirements for paying service or representation fees; requiring certain public school employers and certain exclusive bargaining representatives to negotiate whether service or representation fees are applicable to certain employees under certain circumstances; providing for the ratification of certain contracts in certain counties by certain employees after a certain date”; and in line 13, after “changes;” insert “providing for the application of this Act.”

On page 2, in line 9, after “6–407(d)” insert “, (e), and (f).”

AMENDMENT NO. 2

On page 2, in line 17, strike “THE” and substitute “SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE”.

On page 3, in line 34, strike “In Montgomery County, an” and substitute “AN”.

On page 5, after line 32, insert:

“(D) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(E) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(I) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(II) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.
(3) The implementing agreement that provides for a service or representation fee shall be ratified by a majority of votes cast by the employees eligible to vote under paragraph (2) of this subsection.”;

and in line 33, strike “(D)” and substitute “(F)”.

AMENDMENT NO. 3

On page 6, in line 7, strike “The” and substitute “Subject to subsection (E) of this section, the”; and in lines 29 and 31, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively.

On page 8, after line 17, insert:

“(E) When negotiating the implementation of a service or representation fee under this section, the public school employer and the exclusive bargaining representative shall first negotiate whether the fee is applicable to current employees.

(F) (1) This subsection applies to a county in which a service or representation fee was not negotiated before July 1, 2013.

(2) The following employees in a unit are eligible to vote on ratification of the implementing agreement that provides for a service or representation fee:

(I) Members of the employee organization; and

(II) Nonmembers affected by the service or representation fee.

(3) The implementing agreement that provides for a service or representation fee shall be ratified by a majority of votes cast by the employees eligible to vote under paragraph (2) of this subsection.”;

in line 18, strike “(E)” and substitute “(G)”; after line 22, insert:
“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to require any further negotiations regarding provisions of applicability to employees based on date of hire that are contained in an implementing agreement that provided for a service or representation fee negotiated before July 1, 2013.”;

and in line 23, strike “2.” and substitute “3.”.

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 – 92 Negative – 35 (See Roll Call No. 1120)

AMENDED IN THE SENATE

House Bill 1107 – Prince George’s County Delegation

AN ACT concerning

Task Force on the Membership and to Evaluate Best Practices for School Board Operation of the in Prince George’s County Board of Education PG 411–13

Delegate Hixson moved that the House concur in the Senate amendments.

HB1107/444332/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1107
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, at the top of the page, insert “EMERGENCY BILL”; strike beginning with “Task” in line 2 down through “in” in line 3; in line 3, after “County” insert “School System – Academic Revitalization and Management Effectiveness Initiative”; strike beginning with “establishing” in line 5 down through the period in line 22 and substitute “revising the composition of the Prince George’s County Board of Education; providing for the appointment of certain members of the county board by the County Executive of Prince George’s County and the Prince George’s County Council;
providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board; authorizing the appointed members of the county board to participate in certain votes relating to the student member; repealing certain provisions for the filling of a vacancy of certain members of the county board; authorizing the provision of compensation, health insurance, and other fringe benefits for appointed members of the county board; requiring the County Executive to appoint a chair and vice chair of the county board; requiring the County Executive to select the vice chair of the county board from among the elected members of the county board; providing for the terms of the chair and vice chair of the county board; requiring the affirmative vote of a certain number of members of the county board for the passage of a certain motion; establishing that, in Prince George’s County, the county superintendent is the Chief Executive Officer of the Prince George’s County public school system; authorizing the Chief Executive Officer to consolidate schools under certain circumstances; exempting Prince George’s County from certain provisions of law relating to county superintendents; subject to certain provisions of law, requiring the County Executive to select the Chief Executive Officer from a certain list recommended by a certain search committee; requiring the county board to appoint the Chief Executive Officer after agreement on certain contract terms; providing for the qualifications, term of office, reappointment, suspension, removal, and filling of a vacancy in the office of the Chief Executive Officer; providing for the compensation of the Chief Executive Officer; providing for the administration of the office of the Chief Executive Officer; requiring the Chief Executive Officer to immediately notify the County Executive and the county board in writing of certain criminal charges; establishing the purpose of the county board; establishing certain responsibilities, powers, and duties of the Chief Executive Officer, including hiring and setting the salary of certain executive officers and staff of the Prince George’s County public school system and entering into a certain memorandum of understanding with certain institutions of higher education; authorizing the Chief Executive Officer to delegate certain responsibilities; prohibiting the county board from implementing a certain policy or taking a certain action except by a certain vote, except in certain circumstances; requiring the County Executive and the County Council to appoint certain members and the chair and vice chair of the county board by a certain date; requiring that, to fill a certain vacancy, a certain search committee be appointed by a certain date and a certain chair of the county board include a certain requirement in the terms of the contract of a certain Chief Executive Officer; authorizing the selection and appointment of a certain Chief Executive Officer after a certain date to a certain term; requiring the Chief Executive Officer and the county board to hire a consultant to conduct a school utilization study and make certain recommendations to the Chief Executive Officer, county board, County Executive, and County Council on or before a
certain date; requiring the County Executive, Chief Executive Officer, and county board to submit an interim report on the implementation of this Act to certain committees of the General Assembly on or before a certain date; requiring the County Executive, Chief Executive Officer, and county board to submit a final report on academic progress and improvement in the management of the Prince George’s County public school system and make certain recommendations to certain committees of the General Assembly on or before a certain date; requiring the General Assembly to make a certain determination during a certain legislative session; making this Act an emergency measure; and generally relating to the academic revitalization and management of the Prince George’s County public school system.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–105, 3–114, 3–1002 through 3–1004, 4–101, 4–102(a), 4–120, 4–201, 4–202, 4–204, 4–206, and 6–201(a) and (b)

Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education

Section 4–201.1; and 4–401 through 4–403 to be under the new subtitle “Subtitle 4. Prince George’s County”

Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 2, after “That” insert “the Laws of Maryland read as follows”.

On pages 2 through 5, strike in their entirety the lines beginning with line 3 on page 2 through line 29 on page 5, inclusive, and substitute:

“Article – Education

3–105.

(a) Subsections (b), (c), and (d) of this section do not apply to a county if the number of members of the county board is regulated by other provisions of this title.
(b) If a county school system has an enrollment of less than 50,000 students, the county board shall have five members, except that:

(1) The Worcester County Board shall have the number of members provided in subsection (e) of this section;

(2) Any county board that had more than five members on July 1, 1969, shall retain that number of members; and

(3) The Wicomico County Board shall have the number of members provided in subsection (f) of this section.

(c) If a county school system has an enrollment of 50,000 students or more but less than 100,000 students, the county board shall have seven members.

(d) If a county school system has an enrollment of 100,000 students or more, the county board shall have nine members except as provided in § 3–901 of this title for Montgomery County AND § 3–1002 OF THIS TITLE FOR PRINCE GEORGE’S COUNTY.

(e) The Worcester County Board consists of seven voting members and one nonvoting student member from each public high school in the county.

(f) (1) The Wicomico County Board consists of seven members.

(2) The term of a member is 5 years.

(a) In the following counties, the members of the county board shall be elected:

(1) Allegany;

(2) Calvert;

(3) Carroll;

(4) Cecil;
In accordance with Subtitle 3A of this title, the members of the county board shall be a combination of members who are elected and appointed.

In Harford County, in accordance with Subtitle 6A of this title, the members of the county board shall be a combination of members who are elected and appointed.
(D) **IN PRINCE GEORGE’S COUNTY, IN ACCORDANCE WITH SUBTITLE 10 OF THIS TITLE, THE MEMBERS OF THE COUNTY BOARD SHALL BE A COMBINATION OF MEMBERS WHO ARE ELECTED AND APPOINTED.**

[(d)] (E) An individual subject to the authority of the county board may not serve as a member of the county board. At the time of filing a certificate of candidacy for election to a county board, a person shall certify to the local board of supervisors of elections whether or not he is subject to the authority of the county board. The Governor shall not issue a commission of election to a person who has certified affirmatively and who is elected to a county board until the member–elect offers proof that he is no longer subject to the authority of the county board.

[(e)] (F) The election of the county boards shall be held as provided in Subtitles 2 through 14 of this title and the Election Law Article. 3–1002.

(a)  (1) In this subtitle[. “elected] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “APPOINTED MEMBER” MEANS A MEMBER OF THE PRINCE GEORGE’S COUNTY BOARD APPOINTED UNDER SUBSECTION (F) OF THIS SECTION.

(3) “ELECTED member” means a member of the Prince George’s County Board elected from one of the nine school board districts described in § 3–1001 of this subtitle.

(b) The Prince George’s County Board consists of [10] 14 members as follows:

(1) Nine elected members, each of whom resides in a different school board district; [and]

(2) **FOUR APPOINTED MEMBERS; AND**

[(2)] (3) One student member selected under subsection [(f)(2)] (G)(2) of this section.
(c) (1) One member of the county board shall be elected from each of the nine school board districts described in § 3–1001 of this subtitle.

(2) From the time of filing as a candidate for election, each candidate shall be a registered voter of the county and a resident of the school board district the candidate seeks to represent.

(3) An elected county board member shall forfeit the office if the member:

(i) Fails to reside in the school board district from which the member was elected, unless this change is caused by a change in the boundaries of the district; or

(ii) Fails to be a registered voter of the county.

(4) A county board member may not hold another office of profit in county government during the member’s term.

(5) Each elected member of the county board shall be nominated by the registered voters of the member’s school board district.

(d) The elected members of the county board shall be elected:

(1) At the general election every 4 years as required by subsection (g) of this section; and

(2) By the voters of the school board district that each member represents.

(e) (1) If a candidate for the county board dies or withdraws the candidacy during the period beginning with the date of the primary and ending 70 days before the date of the general election, the Board of Elections shall:

(i) Replace the name of the deceased or withdrawn candidate on the ballot for the general election with the name of the candidate who received the next highest number of votes in the primary election; or
(ii) If a contested primary was not held, reopen the filing process to allow other persons to file as candidates.

(2) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, the Board of Elections shall add to the ballot for the general election the name of any person who files as a candidate in accordance with paragraph (1)(ii) of this subsection.

(ii) The Board of Elections may not add additional candidates to the ballot for the general election within 70 days before the date of the election.

(F) (1) The appointed members of the county board shall be appointed as follows:

(i) Three members shall be appointed by the county executive of Prince George’s County as follows:

1. One member shall possess a high level of knowledge and expertise concerning education;

2. One member shall possess a high level of business, finance, or higher education experience; and

3. One member shall possess a high level of knowledge and expertise concerning the successful administration of a large business, nonprofit, or governmental entity; and

(ii) The Prince George’s County Council shall appoint one member who is a parent of a student enrolled in the Prince George’s County public school system as of the date of the appointment of the member.

(2) Each appointed member of the county board shall be a resident of Prince George’s County.
(1) The student member shall be an eleventh or twelfth grade student in the Prince George’s County public school system during the student’s term in office.

(2) An eligible student shall file a nomination form at least 2 weeks before a special election meeting of the Prince George’s Regional Association of Student Governments. Nomination forms shall be made available in the administrative offices of all public senior high schools in the county, the office of student concerns, and the office of the president of the regional association. The delegates to the regional association annually shall elect the student member to the board at a special election meeting to be held each school year.

(3) The student member may vote on all matters before the board except those relating to:

- Capital and operating budgets;
- School closings, reopenings, and boundaries;
- Collective bargaining decisions;
- Student disciplinary matters;
- Teacher and administrator disciplinary matters as provided under § 6–202(a) of this article; and
- Other personnel matters.

(4) On an affirmative vote of a majority of the elected AND APPOINTED members of the county board, the board may determine if a matter before the board relates to a subject that the student member may not vote on under paragraph (3) of this subsection.

(5) Unless invited to attend by an affirmative vote of a majority of the elected AND APPOINTED members of the county board, the student member may not attend an executive session that relates to hearings on appeals of special education placements, hearings held under § 6–202(a) of this article, or collective bargaining.
(6) The Prince George’s Regional Association of Student Governments may establish procedures for the election of the student member of the county board.

(7) The election procedures established by the Prince George’s Regional Association of Student Governments are subject to the approval of the elected AND APPOINTED members of the county board.

[(g)] (H) (1) Except as provided in paragraph (2) of this subsection, an elected member serves for a term of 4 years beginning on the first Monday in December after the member’s election and until the member’s successor is elected and qualifies.

(2) The terms of the elected members are staggered as follows:

(i) The five elected members who received the lowest percentage of votes, as determined by the final vote count of the 2010 General Election as certified by the Board of Elections, shall serve for a term of 2 years; and

(ii) The other four members elected in the 2010 General Election shall serve for a term of 4 years.

(3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, AN APPOINTED MEMBER:

(I) SERVES FOR A TERM OF 4 YEARS BEGINNING ON THE DATE OF APPOINTMENT;

(II) MAY BE REAPPOINTED; AND

(III) SERVES UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED AS FOLLOWS:

(I) THE MEMBERS APPOINTED UNDER SUBSECTION (F)(1)(I)1 AND 2 OF THIS SECTION ON OR BEFORE JUNE 1, 2013, SHALL SERVE FOR AN INITIAL TERM OF 4 YEARS; AND
III. The member appointed under subsection (F)(1)(i)3 and (II) of this section on or before June 1, 2013, shall serve for an initial term of 2 years.

[(3)] (5) The student member serves for a term of 1 year beginning at the end of a school year.

[(4) (i) 1. A seat on the county board held by an elected member that becomes vacant more than 180 days before the end of that member’s term of office shall be filled for the remainder of the term at a special election.

2. A seat on the county board held by an elected member that becomes vacant 180 days or less before the end of that member’s term of office shall remain vacant until a successor is elected and qualifies.

(ii) 1. A. No later than 7 days after the occurrence of a vacancy on the county board that must be filled at a special election, the County Council shall adopt a resolution directing that a special primary election and special general election be held in the school board district where the vacancy occurs.

B. The County Council shall consult with the Board of Elections before adopting the resolution.

2. Subject to subparagraph (iii) of this paragraph, the County Council resolution shall specify:

A. The date by which a certificate of candidacy must be filed with the Board of Elections;

B. The date of the special primary election; and

C. The date of the special general election.

3. No later than 7 days after the adoption of the County Council resolution, the Board of Elections shall publish the information contained in the resolution once in at least one newspaper of general circulation.
1. A candidate shall file a certificate of candidacy with the Board of Elections no later than 28 days before a special primary election in order to appear on the ballot.

2. The following provisions are subject to subsubparagraph 3 of this subparagraph:

A. A special primary election shall be held on a Tuesday at least 45 days but no later than 60 days after the occurrence of a vacancy.

B. A special general election shall be held on a Tuesday at least 60 days but no later than 90 days after the occurrence of a vacancy.

3. A special election may not be held less than 30 days before a regularly scheduled election.

4. On the day of a special election, polling places shall be open from 7 a.m. to 8 p.m.

(iv) 1. No later than 10 days before a special primary election and special general election, the Board of Elections shall mail a specimen ballot to the household of each registered voter in the school board district where the vacancy occurs.

2. The specimen ballot shall include the names of the candidates in the order and form in which they are to appear on the ballot, together with a statement, not to exceed 500 words, provided by each candidate.

(v) 1. Prince George’s County shall fund a special election held under this paragraph.

2. The Board of Elections shall submit a request for a supplemental budget appropriation to the Director of the Office of Management and Budget to cover the cost of a special election no later than 60 days after the election.

(vi) A special election under this paragraph shall be governed by Title 8, Subtitle 8 of the Election Law Article and all other relevant provisions of law relating to the conduct of elections except as otherwise provided in this subtitle or where such construction would be unreasonable.
(6) (i) **SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF A SEAT HELD BY AN ELECTED MEMBER OF THE COUNTY BOARD BECOMES VACANT, THE COUNTY EXECUTIVE SHALL APPOINT A QUALIFIED INDIVIDUAL TO FILL THE SEAT FOR THE REMAINDER OF THE TERM.**

(II) **THE COUNTY COUNCIL SHALL REQUIRE A TWO–THIRDS VOTE OF ALL MEMBERS OF THE COUNTY COUNCIL TO REJECT AN APPOINTMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

[(h)] (i) (1) With the approval of the Governor, the State Board may remove a member of the county board for any of the following reasons:

(i) Immorality;

(ii) Misconduct in office;

(iii) Incompetency; or

(iv) Willful neglect of duty.

(2) Before removing a member, the State Board shall send the member a copy of the charges pending and give the member an opportunity within 10 days to request a hearing.

(3) If the member requests a hearing within the 10–day period:

(i) The State Board promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Board sends the member a notice of the hearing; and

(ii) The member shall have an opportunity to be heard publicly before the State Board in the member's own defense, in person or by counsel.

(4) A member removed under this subsection has the right to judicial review of the removal by the Circuit Court for Prince George's County based on an administrative record and such additional evidence as would be authorized by § 10–222(f) and (g) of the State Government Article.
3–1003.

(a) (1) From and after December 4, 2006, at the beginning of each member’s full term, the chair of the county board is entitled to receive $19,000 annually as compensation and the other elected AND APPOINTED members are each entitled to receive $18,000 annually as compensation.

(2) Each elected AND APPOINTED member of the county board may be provided health insurance and other fringe benefits regularly provided to employees of the Board of Education under the same terms and conditions extended to other employees of the Board of Education.

(b) (1) After submitting vouchers under the rules and regulations adopted by the county board, the chair and the other members, including the student member, are entitled to the allowances for travel and other expenses provided in the Prince George’s County budget.

(2) A member of the county board may not be reimbursed more than $7,000 in travel and other expenses incurred in a single fiscal year.

3–1004.

(a) (1) The [county board shall hold an annual meeting on the first Monday in December to elect] COUNTY EXECUTIVE SHALL APPOINT a chair and vice chair OF THE COUNTY BOARD from among [its] THE members OF THE COUNTY BOARD.

(2) THE COUNTY EXECUTIVE SHALL SELECT THE VICE CHAIR FROM AMONG THE ELECTED MEMBERS OF THE COUNTY BOARD.

(3) THE TERM OF THE CHAIR AND VICE CHAIR APPOINTED UNDER THIS SUBSECTION SHALL BE 2 YEARS.
(b) SUBJECT TO THE PROVISIONS OF § 4–403 OF THIS ARTICLE, THE AFFIRMATIVE VOTE OF THE MEMBERS OF THE COUNTY BOARD FOR THE PASSAGE OF A MOTION BY THE COUNTY BOARD SHALL BE:

(1) Except as otherwise provided in paragraph (2) of this subsection, the affirmative vote of the members of the county board for the passage of a motion by the county board shall be:

(i) Six EIGHT members when the student member is voting; or

(ii) Five SEVEN members when the student member is not voting.

(2) When there are two or more vacancies on the county board, the affirmative vote of the members of the county board for the passage of a motion by the board shall be:

(i) Five SEVEN members when the student member is voting; or

(ii) Four SIX members when the student member is not voting.

4–101.

(a) [Educational] SUBJECT TO THE PROVISIONS OF SUBTITLE 4 OF THIS TITLE, EDUCATIONAL matters that affect the counties shall be under the control of a county board of education in each county.

(b) Each county board shall seek in every way to promote the interests of the schools under its jurisdiction.

4–102.

(a) (1) Except in Baltimore City, the county superintendent is the executive officer, secretary, and treasurer of the county board.
(2) (i) In Baltimore City, the Chief Executive Officer of the Baltimore City Board of School Commissioners is the executive officer, secretary, and treasurer of the Board of School Commissioners.

(ii) The Chief Executive Officer shall have the powers and duties imposed under this article.

(iii) The Chief Executive Officer is not a public officer under the Constitution or the laws of the State.

(3) (I) In Prince George’s County, the county superintendent is the Chief Executive Officer of the Prince George’s County public school system.

(ii) The Chief Executive Officer is the executive officer, secretary, and treasurer of the county board.

(iii) The Chief Executive Officer shall have the powers and duties imposed under this article.

(iv) The Chief Executive Officer is not a public officer under the Constitution or the laws of the State.

[(3)] (4) A county superintendent is not a public officer under the Constitution or the laws of the State.

4-120.

(a) Except as provided in subsection (C) of this section, if a county board considers it practicable, it shall consolidate schools.

(b) Except as provided in subsection (C) of this section, each county board shall arrange for the transportation of students to and from consolidated schools.

(C) In Prince George’s County, the Chief Executive Officer shall have the authority to:
(1) **CONSOLIDATE SCHOOLS IF CONSIDERED PRACTICABLE; AND**

(2) **ARRANGE FOR THE TRANSPORTATION OF STUDENTS TO AND FROM CONSOLIDATED SCHOOLS.**

4–201.

(a) (1) This section does not apply to Baltimore City.

(2) **SUBSECTIONS (B), (C), (D), AND (F) OF THIS SECTION DO NOT APPLY IN PRINCE GEORGE’S COUNTY.**

(b) (1) The term of a county superintendent is 4 years beginning on July 1. A county superintendent continues to serve until a successor is appointed and qualifies.

(2) By February 1 of the year in which a term ends, the county superintendent shall notify the county board whether the superintendent is a candidate for reappointment.

(3) In the year in which a term begins, the county board shall appoint a county superintendent between February 1 and June 30. However, if the county board decides to reappoint the incumbent superintendent, the county board shall take final action at a public meeting no later than March 1 of that year.

(4) If a county board is unable to appoint a county superintendent by July 1 of a year in which a term begins, the provisions of subsection (d) of this section apply.

(c) (1) An individual may not be appointed as county superintendent unless he:

(i) Is eligible to be issued a certificate for the office by the State Superintendent;

(ii) Has graduated from an accredited college or university; and
(iii) Has completed 2 years of graduate work at an accredited college or university, including public school administration, supervision, and methods of teaching.

(2) The appointment of a county superintendent is not valid unless approved in writing by the State Superintendent.

(3) If the State Superintendent disapproves an appointment, he shall give his reasons for disapproval in writing to the county board.

(d) If a vacancy occurs in the office of county superintendent, the county board shall appoint an interim county superintendent who serves until July 1 after his appointment.

(e) (1) The State Superintendent may remove a county superintendent for:

(i) Immorality;

(ii) Misconduct in office;

(iii) Insubordination;

(iv) Incompetency; or

(v) Willful neglect of duty.

(2) Before removing a county superintendent, the State Superintendent shall send the county superintendent a copy of the charges against the county superintendent and give the county superintendent an opportunity within 10 days to request a hearing.

(3) If the county superintendent requests a hearing within the 10–day period:

(i) The State Superintendent promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Superintendent sends the county superintendent a notice of the hearing; and
(ii) The county superintendent shall have an opportunity to be heard publicly before the State Superintendent in the county superintendent’s own defense, in person or by counsel.

(f) On notification of pending criminal charges against a county superintendent as provided under § 4–206 of this subtitle, the county board may suspend the county superintendent with pay until the final disposition of the criminal charges.

4–201.1.

(A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.

(B) SUBJECT TO THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION, THE CHIEF EXECUTIVE OFFICER OF THE PRINCE GEORGE’S COUNTY PUBLIC SCHOOL SYSTEM SHALL BE:

(1) SELECTED BY THE COUNTY EXECUTIVE IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; AND

(2) APPOINTED BY THE COUNTY BOARD AFTER AGREEMENT ON CONTRACT TERMS NEGOTIATED BY THE CHAIR OF THE COUNTY BOARD.

(C) (1) THE COUNTY EXECUTIVE SHALL SELECT A CHIEF EXECUTIVE OFFICER FROM A LIST OF THREE NOMINEES RECOMMENDED BY A SEARCH COMMITTEE THAT IS COMPRISED OF:

(i) ONE MEMBER OF THE STATE BOARD, APPOINTED BY THE STATE SUPERINTENDENT; AND

(ii) TWO RESIDENTS OF PRINCE GEORGE’S COUNTY, APPOINTED BY THE GOVERNOR.

(2) THE SEARCH COMMITTEE SHALL BE CHAIRED BY A MEMBER SELECTED BY THE STATE SUPERINTENDENT.
(D) (1) **The term of the Chief Executive Officer is 4 years beginning on July 1.**

(2) **The Chief Executive Officer continues to serve until a successor is appointed and qualifies.**

(3) **By February 1 of the year in which a term ends, the Chief Executive Officer shall notify the County Executive and the County Board if the Chief Executive Officer is a candidate for reappointment.**

(4) (I) **In the year a term begins, the County Executive shall select a Chief Executive Officer between February 1 and June 1, and the County Board shall complete the appointment on or before June 30.**

   (II) **If the County Executive decides to select the incumbent Chief Executive Officer, the County Board shall complete the reappointment no later than March 1 of that year.**

(5) **If the County Board is unable to appoint a Chief Executive Officer by July 1 of the year a term begins, the provisions of subsection (f) of this section apply.**

(E) (1) **An individual may not be appointed as Chief Executive Officer unless the individual:**

   (I) **Is eligible to be issued a certificate for the office by the State Superintendent;**

   (II) **Has graduated from an accredited college or university; and**

   (III) **Has completed 2 years of graduate work at an accredited college or university, including public school administration, supervision, and methods of teaching.**
(2) The appointment of the Chief Executive Officer is not valid unless approved in writing by the State Superintendent.

(3) If the State Superintendent disapproves an appointment, the State Superintendent shall give the reasons for disapproval in writing to the County Board and the County Executive.

(F) If a vacancy occurs in the office of Chief Executive Officer, the County Executive shall select and the County Board shall appoint an interim Chief Executive Officer to serve until July 1 after the appointment.

(G) On notification of pending criminal charges against the Chief Executive Officer as provided under § 4–206 of this subtitle, the County Board may suspend the Chief Executive Officer with pay until the final disposition of the criminal charges.

4–202.

(a) (1) Except as provided in paragraph (2) of this subsection, each county superintendent is entitled to the compensation set by the County Board.

(2) In Prince George’s County, the Chief Executive Officer is entitled to the compensation set by the contract with the County Board.

(b) (1) The salary of a county superintendent may not be decreased during his term of office.

(2) Each county superintendent shall devote full time to public school business.

4–204.
(a) (1) [Acting] Except as provided in paragraph (2) of this subsection, acting under the rules and regulations of the county board, the county superintendent is responsible for the administration of his office.

(2) In Prince George’s County, the Chief Executive Officer is responsible for the administration of the office of the Chief Executive Officer, including hiring and setting the salaries of the executive staff.

(b) As the executive officer of the county board, the county superintendent shall see that the following are carried out:

(1) The laws relating to the schools;

(2) The applicable enacted and published bylaws of the State Board;

(3) The policies of the State Board;

(4) The rules and regulations of the county board; and

(5) The policies of the county board.

4–206.

(a) (1) [A] Except as provided in paragraph (2) of this subsection, a county superintendent shall immediately notify the county board in writing of any criminal charges that are punishable by a period of incarceration brought against the county superintendent.

(2) In Prince George’s County, the Chief Executive Officer shall immediately notify the County Executive and the county board in writing of any criminal charges that are punishable by a period of incarceration brought against the Chief Executive Officer.

(b) The notification required under subsection (a) of this section shall include a copy of all charging documents served on the county superintendent or the county superintendent’s counsel.
(c) Any county superintendent who violates subsections (a) and (b) of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $100 and revocation of any professional certification issued by the Department.

**SUBTITLE 4. PRINCE GEORGE’S COUNTY.**

4–401.

THE PURPOSE OF THE COUNTY BOARD IS TO:

(1) RAISE THE LEVEL OF ACADEMIC ACHIEVEMENT OF THE STUDENTS IN THE PRINCE GEORGE’S COUNTY PUBLIC SCHOOL SYSTEM; AND

(2) RAISE THE LEVEL OF ENGAGEMENT OF THE PARENTS, STUDENTS, AND COMMUNITY AS A WHOLE.

4–402.

(A) IN ADDITION TO THE OTHER POWERS GRANTED TO, AND DUTIES IMPOSED ON, A COUNTY SUPERINTENDENT UNDER THIS ARTICLE, THE CHIEF EXECUTIVE OFFICER HAS THE RESPONSIBILITIES AND POWERS SET FORTH IN THIS SECTION.

(B) THE CHIEF EXECUTIVE OFFICER SHALL BE RESPONSIBLE FOR:

(1) THE OVERALL ADMINISTRATION OF THE PRINCE GEORGE’S COUNTY PUBLIC SCHOOL SYSTEM;

(2) SUBJECT TO THE PROVISIONS OF TITLE 6 OF THIS ARTICLE, AND AFTER A BUDGET IS SUBMITTED BY THE COUNTY BOARD AND APPROVED BY THE COUNTY COUNCIL AT THE BEGINNING OF EACH FISCAL YEAR, THE DAY–TO–DAY MANAGEMENT AND OVERSIGHT OF THE FISCAL AFFAIRS OF THE PRINCE GEORGE’S COUNTY PUBLIC SCHOOL SYSTEM, INCLUDING THE MANAGEMENT OF ACTIVITIES RELATED TO:

(i) ADMINISTRATION;
(II) **Mid-level Administration**;

(III) **Instructional Salaries**;

(IV) **Textbooks and Other Classroom Instructional Supplies**;

(V) **Instructional Costs**;

(VI) **Special Education**;

(VII) **Student Personnel Services**;

(VIII) **Health Services**;

(IX) **Student Transportation**;

(X) **Operation of Plants and Equipment**;

(XI) **Plant Maintenance**;

(XII) **Fixed Charges**;

(XIII) **Food Services**; and

(XIV) **Capital Planning and Expenditures**; and

(3) **The development and implementation of the curriculum taught and the instruction provided in the Prince George’s County Public School System**.

(C) **The Chief Executive Officer**:

(1) **Shall hire and set the salaries of a Chief Operating Officer, a Chief Financial Officer, a Chief Academic Officer, a Chief**
OF STAFF, A BOARD LIAISON, AND ANY OTHER NECESSARY EXECUTIVE STAFF IN
THE OFFICE OF THE CHIEF EXECUTIVE OFFICER; AND

(2) MAY DELEGATE THE RESPONSIBILITIES ESTABLISHED UNDER
SUBSECTION (B) OF THIS SECTION TO APPROPRIATELY QUALIFIED INDIVIDUALS
AS DETERMINED AND DEEMED NECESSARY BY THE CHIEF EXECUTIVE OFFICER.

(D) (1) THE CHIEF EXECUTIVE OFFICER SHALL ENTER INTO A
MEMORANDUM OF UNDERSTANDING THAT RELATES TO THE PROVISION OF
POLICY ANALYSIS AND ADVICE TO THE COUNTY BOARD WITH THE FOLLOWING
INSTITUTIONS OF HIGHER EDUCATION:

(i) THE UNIVERSITY OF MARYLAND, COLLEGE PARK;

(ii) THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE;

(iii) BOWIE STATE UNIVERSITY; AND

(iv) PRINCE GEORGE'S COMMUNITY COLLEGE.

(2) THE CHIEF EXECUTIVE OFFICER MAY INCLUDE ADDITIONAL
INSTITUTIONS OF HIGHER EDUCATION IN THE MEMORANDUM OF
UNDERSTANDING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

4–403.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE
COUNTY BOARD MAY NOT IMPLEMENT A POLICY OR TAKE ANY ACTION THAT
CONTRADICTS THE DAY–TO–DAY MANAGEMENT AND OVERSIGHT OF THE FISCAL
AFFAIRS OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM BY THE
CHIEF EXECUTIVE OFFICER UNDER THIS SUBTITLE.

(B) EXCEPT FOR PERSONNEL MATTERS AND APPEALS OF PERSONNEL
MATTERS IN ACCORDANCE WITH §§ 4–205(C)(2) AND (3) OF THIS TITLE AND
6–202 OF THIS ARTICLE, THE COUNTY BOARD SHALL REQUIRE A TWO–THIRDS
VOTE OF ALL VOTING MEMBERS OF THE COUNTY BOARD TO TAKE AN ACTION THAT IS CONTRARY TO AN ACTION OF THE CHIEF EXECUTIVE OFFICER.

6–201.

(a) (1) Subject to paragraph (2) of this subsection, the county board shall employ individuals in the positions that the county board considers necessary for the operation of the public schools in the county.

(2) In Prince George’s County, the Chief Executive Officer of the Prince George’s County public school system shall hire and set the salaries of a Chief Operating Officer, a Chief Financial Officer, a Chief Academic Officer, a Chief of Staff, a Board Liaison, and any other necessary executive staff in the Office of the Chief Executive Officer.

(b) (1) Except as provided in subsection (a) of this section, the county superintendent shall nominate for appointment by the county board:

(i) All professional assistants of the office of county superintendent; and

(ii) All principals, teachers, and other certificated personnel.

(2) As to these personnel, the county superintendent shall:

(i) Assign them to their positions in the schools;

(ii) Transfer them as the needs of the schools require;

(iii) Recommend them for promotion; and

(iv) Suspend them for cause and recommend them for dismissal in accordance with § 6–202 of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That:
(a) The County Executive of Prince George’s County and the Prince George’s County Council shall appoint the new members and the chair and vice chair of the Prince George’s County Board of Education in accordance with §§ 3–1002 and 3–1004 of the Education Article, as enacted by Section 1 of this Act, as soon as practicable and no later than June 1, 2013.

(b) To fill the current vacancy in the office of the Prince George’s County Superintendent of Schools:

1. A search committee shall be appointed in accordance with § 4–201.1(c) of the Education Article, as enacted by Section 1 of this Act, as soon as practicable and no later than June 1, 2013;

2. In developing a list of three nominees recommended for the new Chief Executive Officer of the Prince George’s County public school system, the search committee shall review any data regarding potential candidates that has been collected and provided by a search firm since September 2012;

3. The chair of the Prince George’s County Board of Education, appointed by the County Executive under § 3–1004 of the Education Article, as enacted by Section 1 of this Act, shall negotiate the terms of the contract of the new Chief Executive Officer, including a requirement that the Chief Executive Officer attend the meetings of the County Executive’s Cabinet; and

4. Notwithstanding the dates set out in § 4–201.1(d) and (f) of the Education Article as enacted by Section 1 of this Act, the County Executive may select and the Prince George’s County Board of Education may appoint the new Chief Executive Officer after July 1, 2013, to a 4–year term ending June 30, 2017.

SECTION 3. AND BE IT FURTHER ENACTED, That the Chief Executive Officer of the Prince George’s County public school system and the Prince George’s County Board of Education shall hire a consultant to conduct a school utilization study and, on or before December 1, 2014, make recommendations regarding the geographical attendance areas for, or consolidation of, schools to the Chief Executive Officer, the county board, the County Executive of Prince George’s County, and the Prince George’s County Council.

SECTION 4. AND BE IT FURTHER ENACTED, That:
(a) On or before December 31, 2013, the County Executive of Prince George’s County, the Chief Executive Officer of the Prince George’s County public school system, and the Prince George’s County Board of Education shall submit an interim report on the implementation of this Act, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the House Committee on Ways and Means, the Prince George’s County Senators, and the Prince George’s County Delegation.

(b) On or before December 31, 2017, the County Executive, the Chief Executive Officer, and the Prince George’s County Board of Education shall submit a final report on academic progress and improvement in the management of the Prince George’s County public school system, and recommendations concerning the continuation, modification, or termination of the governance system established by this Act for the public school system, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the House Committee on Ways and Means, the Prince George’s County Senators, and the Prince George’s County Delegation.

(c) During the 2018 regular legislative session, the General Assembly shall deliberate and determine whether the provisions of this Act shall be terminated and of no further force and effect. If the General Assembly does not take any action to terminate this Act, the provisions of this Act shall continue to be in full force and effect.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act 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.”.

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 – 79    Negative – 47   (See Roll Call No. 1121)

Notation: House Bill 1107 passed but not with sufficient votes for an Emergency Measure. New effective date: June 1.
THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #20

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

House Bill 530 – Delegate Pena–Melnyk

AN ACT concerning

Education – School Vehicle – On–Board Attendant

HB0530/290313/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 530
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Vehicle – On–Board Attendant” and substitute “Vehicles – Authorized Riders”; strike beginning with “prohibiting” in line 3 down through “Education” in line 7 and substitute “prohibiting the driver of a school vehicle from allowing certain individuals to board or ride on the school vehicle, subject to certain exceptions; authorizing certain individuals to board or ride on a school vehicle under certain circumstances”; and in line 8, strike “school vehicle on–board attendants” and substitute “riders on school vehicles”.

AMENDMENT NO. 2

On page 2, strike beginning with “(B)” in line 1 through “(C)” in line 8 and substitute:

“(B) EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (D) OF THIS SECTION, A DRIVER OF A SCHOOL VEHICLE MAY NOT ALLOW AN INDIVIDUAL WHO IS NOT A STUDENT OR SCHOOL EMPLOYEE TO BOARD OR RIDE ON THE SCHOOL VEHICLE.

(C) AN INDIVIDUAL MAY BOARD AND RIDE ON A SCHOOL VEHICLE AS A SCHOOL VEHICLE ATTENDANT IF THE INDIVIDUAL:

(1) (I) IS AN EMPLOYEE OF THE LOCAL SCHOOL SYSTEM OR TRANSPORTATION COMPANY THAT OPERATES THE SCHOOL VEHICLE:
(II) IS OTHERWISE AUTHORIZED BY THE LOCAL SCHOOL SYSTEM TO ACT AS A SCHOOL VEHICLE ATTENDANT FOR A CHILD ON THE SCHOOL VEHICLE; OR

(III) IS A NURSE, AIDE, OR OTHER INDIVIDUAL ASSIGNED OR AUTHORIZED TO WORK WITH A STUDENT IN ACCORDANCE WITH THE STUDENT’S INDIVIDUALIZED EDUCATION PLAN, 504 PLAN, OR OTHER STUDENT–SPECIFIC WRITTEN PLAN; AND

(2) (I) IS IN POSSESSION OF PHOTO IDENTIFICATION THAT IDENTIFIES THE LOCAL SCHOOL SYSTEM OR TRANSPORTATION COMPANY THAT EMPLOYS THE INDIVIDUAL AS A SCHOOL VEHICLE ATTENDANT; OR

(II) IS IN POSSESSION OF PHOTO IDENTIFICATION OR ANOTHER DOCUMENT ISSUED BY THE LOCAL SCHOOL SYSTEM THAT AUTHORIZES THE INDIVIDUAL TO ACT AS A SCHOOL VEHICLE ATTENDANT FOR A CHILD ON THE SCHOOL VEHICLE.

[(b)] (D) AN INDIVIDUAL MAY BOARD AND RIDE ON A SCHOOL VEHICLE WITH THE WRITTEN PERMISSION OF THE LOCAL SCHOOL SYSTEM.

(E)’.

On page 2, in line 10, strike “AND SCHOOL VEHICLE ON–BOARD ATTENDANTS”.

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 59 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)
AN ACT concerning

Natural Resources – Fish and Fisheries

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 87 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation) and Senator Forehand

AN ACT concerning

Vehicle Laws – Seat Belts and Child Safety Seats

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 359 – Senators Pugh, Benson, Conway, Currie, Forehand, Jones–Rodwell, Kasemeyer, King, Klausmeier, Montgomery, and Ramirez

AN ACT concerning

Education – School Vehicle Attendant

SB0359/240911/1
BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 359
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Vehicle Attendant” and substitute “Vehicles – Authorized Riders”; strike beginning with “prohibiting” in line 3 down through “identification” in line 7 and substitute “prohibiting the driver of a school vehicle from
allowing certain individuals to board or ride on the school vehicle, subject to certain exceptions; authorizing certain individuals to board or ride on a school vehicle under certain circumstances”; and in line 7, strike “school vehicle attendants” and substitute “riders on school vehicles”.

**AMENDMENT NO. 2**

On page 2, in line 4, after “(B)” insert “EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (D) OF THIS SECTION, A DRIVER OF A SCHOOL VEHICLE MAY NOT ALLOW AN INDIVIDUAL WHO IS NOT A STUDENT OR SCHOOL EMPLOYEE TO BOARD OR RIDE ON THE SCHOOL VEHICLE.

(C);

in the same line, strike “NOT SERVE” and substitute “BOARD AND RIDE ON A SCHOOL VEHICLE”; in line 5, strike “UNLESS” and substitute “IF”; in line 22, strike “(C)” and substitute “(D) AN INDIVIDUAL MAY BOARD AND RIDE ON A SCHOOL VEHICLE WITH THE WRITTEN PERMISSION OF THE LOCAL SCHOOL SYSTEM.

(E).

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was withdrawn.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 592 – Senators Frosh, Benson, Forehand, King, Madaleno, Manno, Montgomery, Pinsky, Raskin, Rosapepe, Stone, and Young**

AN ACT concerning

Natural Resources – Shark Fins – Restriction on Possession or Distribution

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 675 – Senators Manno, Benson, Forehand, Frosh, Montgomery, Pinsky, and Young**

AN ACT concerning

**Maryland Pesticide Reporting and Information Act Workgroup**

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 729 – Calvert County Senators**

AN ACT concerning

**Calvert County – County Commissioners – Method of Election**

Favorable report adopted.

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

The motion was rejected by a roll call vote as follows:

Affirmative – 37  Negative – 84  (See Roll Call No. 1122)

FLOOR AMENDMENT

**SB0729/833220/1**

BY: Delegate O'Donnell

**AMENDMENT TO SENATE BILL 729**

(Third Reading File Bill)

On page 2, in line 4, strike “2014” and substitute “2018”.

The preceding amendment was read and rejected by a roll call vote as follows:
Affirmative – 38    Negative – 89    (See Roll Call No. 1123)

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 920 – Senator Dyson**

**EMERGENCY BILL**

AN ACT concerning

Chesapeake Bay Natural Resources – Submerged Land and Water Column Leases – Riparian Owners Herring Creek

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE SENATE**

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

BILL:     **SB 0751**
SPONSOR:  Sen Robey
SUBJECT:  State Police Retirement System – Reemployment of Retirees

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

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

**Senate Bill 751 – Senator Robey**

AN ACT concerning

State Police Retirement System – Reemployment of Retirees
Delegate Griffith moved the House recede on its amendment.

The motion was adopted.

SB0751/434064/1
BY: Appropriations Committee

AMENDMENT TO SENATE BILL 751
(Third Reading File Bill)

On page 1, in line 8, after “System;” insert “providing that a retiree of the State Police Retirement System who is reemployed by a participating governmental unit may receive certain service credit during the period of reemployment;”.

On page 3, in line 26, after “(f)” insert “(1) THIS SUBSECTION DOES NOT APPLY TO AN INDIVIDUAL WHO:

(I) IS RECEIVING A SERVICE RETIREMENT ALLOWANCE OR A VESTED ALLOWANCE; AND

(II) IS REEMPLOYED BY A PARTICIPATING GOVERNMENTAL UNIT.

(2)”. House receded and the amendment was removed.

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

Affirmative – 130  Negative – 0  (See Roll Call No. 1124)

MESSAGE TO THE SENATE

BILL:  SB 0751
SPONSOR:  Sen Robey
SUBJECT:  State Police Retirement System – Reemployment of Retirees

By the Majority Leader:
Ladies and Gentlemen of the Senate:
The House of Delegates recedes from its position on SB 0751.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #8

AMENDED IN THE SENATE

House Bill 126 – Delegate Davis

AN ACT concerning

Consumer Protection – Maryland Consumer Protection Act – Scope and Penalties

Delegate Davis moved that the House concur in the Senate amendments.

HB0126/857275/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 126
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “and” in line 2 down through “Penalties” in line 3; strike beginning with “establishing” in line 7 down through “Act” in line 10 and substitute “making this Act subject to a certain contingency; requiring the Division of Consumer Protection of the Office of the Attorney General to give a certain notice to the Department of Legislative Services under certain circumstances; providing that this Act shall be null and void and of no force and effect under certain circumstances”; strike beginning with “and” in line 11 down through “Act” in line 12; and in line 20, strike beginning with the first comma through “13–411”. 
On page 2, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2
On pages 2 and 3, strike in their entirety the lines beginning with line 24 on page 2 through line 15 on page 3, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) This Act is contingent on the appropriation of funds in the State budget for the Division of Consumer Protection of the Office of the Attorney General in an amount the Division determines is sufficient to enable the Division to perform any additional functions resulting from changes made to the Maryland Consumer Protection Act under Section 1 of this Act.

(b) The Division of Consumer Protection shall notify the Department of Legislative Services within 5 days after the Division makes the determination described in subsection (a) of this section.

(c) If notice of the Division of Consumer Protection’s determination is not received by the Department of Legislative Services on or before June 30, 2018, this Act shall be null and void without the necessity of further action by the General Assembly.”.

On page 3, in line 16, strike “2.” and substitute “3.”; and in the same line, after “That” insert “, subject to Section 2 of this Act,”.

The preceding 2 amendments were read and concurred in.

HB0126/833428/1
BY: Senator Middleton

AMENDMENTS TO HOUSE BILL 126, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1 of the bill, in line 7, after “organization;” insert “expanding the definition of “consumer goods” and “consumer services” under the Maryland Consumer Protection Act to include certain goods and services purchased, rented, or leased by a
certain organization for the benefit of members of the organization”; and in line 20, after “13–101(c)” insert “and (d)”.

On page 1 of the Finance Committee Amendments (HB0126/857275/1), in Amendment No. 1, strike beginning with “making” in line 3 down through “circumstances” in line 6.

AMENDMENT NO. 2
On page 2 of the bill, after line 23, insert:

“(d) (1) “Consumer credit”, “consumer debts”, “consumer goods”, “consumer realty”, and “consumer services” mean, respectively, credit, debts or obligations, goods, real property, and services which are primarily for personal, household, family, or agricultural purposes.

(2) “CONSUMER GOODS” AND “CONSUMER SERVICES” INCLUDE, RESPECTIVELY, GOODS AND SERVICES WHICH ARE PURCHASED, RENTED, OR LEASED BY A FRATERNAL, RELIGIOUS, CIVIC, PATRIOTIC, EDUCATIONAL, OR CHARITABLE ORGANIZATION FOR THE BENEFIT OF THE MEMBERS OF THE ORGANIZATION.”.

AMENDMENT NO. 3
In the Finance Committee Amendments, strike Amendment No. 2 in its entirety.

On pages 2 and 3 of the bill, strike in their entirety the lines beginning with line 24 on page 2 through line 15 on page 3, 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 – 126     Negative – 3     (See Roll Call No. 1125)

AMENDED IN THE SENATE

House Bill 347 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)
AN ACT concerning

Professional Engineers – Firm Permits

Delegate Davis moved that the House concur in the Senate amendments.

HB0347/124738/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 347
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 8, after “renewal” insert “and reinstatement”; in line 11, after “to” insert “deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or”.

On page 2, in line 9, strike “14–411,” and substitute “14–415.”

AMENDMENT NO. 2
On page 8, strike beginning with “IMPOSE” in line 4 down through “VIOLATION” in line 5 and substitute “DENY A PERMIT TO ANY APPLICANT, REPRIMAND A PERMIT HOLDER, OR SUSPEND OR REVOKE A PERMIT”; in line 7, after “PERMIT;” insert “OR”; strike beginning with “; OR” in line 9 down through “SUBTITLE” in line 12; after line 16, insert:

“(1) IN ADDITION TO A SANCTION IMPOSED UNDER SUBSECTION (A) OF THIS SECTION, THE BOARD MAY IMPOSE A PENALTY NOT EXCEEDING $5,000 FOR EACH:

(I) VIOLATION FOR WHICH A DENIAL, REPRIMAND, SUSPENSION, OR REVOCATION WAS IMPOSED UNDER SUBSECTION (A) OF THIS SECTION; AND

(II) FAILURE TO MEET OR CONTINUE TO MEET THE QUALIFICATIONS OR REQUIREMENTS SET FORTH IN THIS SUBTITLE.”;

in line 17, before “TO” insert “(2)”; in line 18, strike “SECTION” and substitute “SUBSECTION”; in lines 19, 20, 21, and 22, strike “(1), “(2), “(3), and “(4),
respectively, and substitute “(I)”, “(II)”, “(III)”, and “(IV)”, respectively; and in line 24, after “UNDER” insert “SUBSECTION (B) OF”.

On page 9, after line 27, insert:

“14–412.

A CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY WHOSE PERMIT HAS BEEN SUSPENDED OR REVOKED UNDER § 14–409 OF THIS SUBTITLE MAY NOT OFFER OR PROVIDE ENGINEERING SERVICES UNTIL THE SUSPENSION IS LIFTED OR THE PERMIT IS REINSTATED.

14–413.

(A) Subject to the provisions of this section, the Board may reinstate:

(1) A PERMIT THAT HAS BEEN REVOKED; OR

(2) BEFORE FULFILLMENT OF THE CONDITIONS OF THE SUSPENSION, A PERMIT THAT HAS BEEN SUSPENDED.

(B) A PERMIT MAY BE REINSTATED UNDER THIS SECTION ONLY IF:

(1) THE CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY WHOSE PERMIT HAS BEEN REVOKED OR SUSPENDED SUBMITS A WRITTEN REQUEST TO THE BOARD; AND

(2) THE CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

(C) THE BOARD, BY AN AFFIRMATIVE VOTE OF A MAJORITY OF ITS MEMBERS THEN SERVING, SHALL VOTE ON THE REQUEST FOR REINSTATEMENT OR LIFTING OF THE SUSPENSION WITHIN 60 DAYS AFTER RECEIPT OF THE REQUEST.
14–414.

THE BOARD MAY REINSTATE THE PERMIT OF A CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY THAT HAS FAILED TO RENEW THE PERMIT FOR ANY REASON IF THE CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY:

(1) OTHERWISE IS ENTITLED TO A PERMIT; AND

(2) PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

14–415.

AFTER THE BOARD REINSTATES A PERMIT, THE PERMIT HOLDER SHALL CONTINUE TO COMPLY WITH ALL APPLICABLE REQUIREMENTS SET FORTH IN THIS SUBTITLE.”.

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 – 103    Negative – 28   (See Roll Call No. 1126)

AMENDED IN THE SENATE

House Bill 650 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Prevailing Wage

MC/PG 112–13

Delegate Davis moved that the House concur in the Senate amendments.

HB0650/587772/1

BY:    Finance Committee
AMENDMENT TO HOUSE BILL 650
(Third Reading File Bill)

On page 1, in line 4, after “provisions” insert “of law”; in line 6, strike “under certain circumstances;” and substitute “by”; in the same line, strike “a certain” and substitute “the”; in line 7, after “definition” insert “of “public body” to include the Commission”; and strike beginning with “prevailing” in line 7 down through “by” in line 8 and substitute “applicability of the prevailing wage law to”.

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 – 96    Negative – 34    (See Roll Call No. 1127)

AMENDED IN THE SENATE

House Bill 955 – Delegates Jameson and Kaiser

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs

Delegate Davis moved that the House concur in the Senate amendments.

HB0955/387778/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 955
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 4, and 11, in each instance, after “Programs” insert “and the Process for Assisting Individuals with Disabilities at Local Departments of Social Services”.

AMENDMENT NO. 2

On page 1, in line 15, after “Programs” insert “and the Process for Assisting Individuals with Disabilities at Local Departments of Social Services”.
On page 2, in line 11, strike “the American Cancer Society” and substitute “All Shades of Pink”; in line 14, strike “Maryland Chamber of Commerce” and substitute “Leukemia and Lymphoma Society”; in line 16, strike “three” and substitute “two”; in line 17, strike “and”; in line 18, after “public” insert “;

(ix) one representative of a disability advocacy organization;

(x) two representatives of local departments of social services; and

(xi) at least two representatives of cancer treatment centers in the State who perform patient navigation services”;

and in line 20, after “Administration” insert “and the Department of Human Resources”.

On page 3, after line 22, insert:

“(6) study and make recommendations regarding the adequacy of the application processes utilized by local departments of social services to assist individuals who become disabled due to nonwork-related illness or injury, including individuals undergoing treatment for cancer, and who apply for assistance, including food stamps, temporary cash assistance, energy assistance benefits, temporary disability assistance benefits, and medical assistance;”;

and in lines 23 and 25, strike “(6)” and “(7)”, respectively, and substitute “(7)” and “(8)”, respectively.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 129    Negative – 0    (See Roll Call No. 1128)

AMENDED IN THE SENATE

House Bill 1215 – Delegate Walker

AN ACT concerning
Delegate Davis moved that the House concur in the Senate amendments.

HB1215/287373/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1215
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Appliances –” and substitute “Appliances and”; and in the same line, after “Enforcement” insert “Study”.

On pages 1 and 2, strike beginning with “requiring” in line 3 on page 1 down through “terms” in line 14 on page 2 and substitute “requiring the Consumer Protection Division of the Office of the Attorney General to conduct a study of the consumer protections available to purchasers of home appliances who seek enforcement of certain warranties; requiring the study to analyze certain complaints, evaluate whether certain requirements and remedies under State and federal law provide adequate protection to certain purchasers of home appliances, and make a certain determination; requiring the Consumer Protection Division to consult with certain persons in conducting its study; requiring the Consumer Protection Division to report certain findings and recommendations to certain committees of the General Assembly on or before a certain date”.

On page 2, strike in their entirety lines 16 through 21, inclusive.

AMENDMENT NO. 2

On page 2, in line 23, strike “the Laws of Maryland read as follows”.

On pages 2 through 6, strike in their entirety the lines beginning with line 24 on page 2 through line 19 on page 6, inclusive, and substitute:

“(a) (1) The Consumer Protection Division of the Office of the Attorney General shall conduct a study of the consumer protections available to purchasers of home appliances who seek enforcement of manufacturers’ express warranties on home appliances.
(2) The study shall:

(i) analyze complaints received by the Consumer Protection Division relating to home appliances;

(ii) evaluate whether existing requirements and remedies under State and federal law provide adequate protection to purchasers of home appliances who seek enforcement of manufacturers’ express warranties on home appliances; and

(iii) determine what, if any, changes to State law are needed to protect consumers who purchase home appliances that do not conform to the manufacturers’ express warranties.

(b) In conducting its study, the Consumer Protection Division shall consult with:

(i) consumers and representatives of consumer advocacy organizations;

(ii) manufacturers and retailers of home appliances;

(iii) the Association of Home Appliance Manufacturers; and

(iv) any other person that the Consumer Protection Division considers appropriate.

(c) On or before December 31, 2013, the Consumer Protection Division shall report, in accordance with § 2–1246 of the State Government Article, its findings and recommendations, including draft legislation, if any, to the Senate Finance Committee and the House Economic Matters Committee.”.

On page 6, in line 20, strike “3.” and substitute “2.”; and in line 21, strike “October” and substitute “July”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:
Affirmative – 98  Negative – 30  (See Roll Call No. 1129)

CONCURRENCE CALENDAR #9

AMENDED IN THE SENATE

House Bill 902 – Delegate Guzzone

AN ACT concerning

State Police Retirement System – Reemployment of Retirees

Delegate Conway moved that the House concur in the Senate amendments.

HB0902/189838/1

BY:  Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 902
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “providing” in line 8 down through “reemployment;” in line 10.

AMENDMENT NO. 2
On page 3, strike beginning with “(1)” in line 26 down through “UNIT.” in line 30.

On page 4, in line 1, strike “(2)”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131  Negative – 0  (See Roll Call No. 1130)

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:
House Bill 101 – The Speaker (By Request – Administration)

AN ACT concerning


REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit V of Appendix II)

STATUS OF BILL: CONFERENCE COMMITTEE REPORT NOT ADOPTED.

Conference Committee Report read and adopted.

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

Affirmative – 100    Negative – 31    (See Roll Call No. 1131)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 1132)

ADJOURNMENT

At 2:53 P.M. on motion of Delegate Barve the House adjourned until 12:00 P.M. on Legislative Day April 2, 2013, Calendar Day Monday, April 8, 2013.
The House met at 12:50 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cheryl D. Glenn of Baltimore City.

**QUORUM CALL**

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

(See Roll Call No. 1133)

The Journal of April 1, 2013 was read and approved.

**EXCUSES:**
Del. Dwyer – illness  
Del. Vallario – late – business

**MESSAGE FROM THE SENATE**

**FIRST READING OF SENATE BILLS**

Senate Bill 203 – Senators King, Brinkley, Colburn, Currie, Garagiola, Klausmeier, Madaleno, Manno, McFadden, Peters, Pugh, Robey, and Young

AN ACT concerning

**Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts and Small Business Refund**

FOR the purpose of defining “small business” as it relates to a certain refund in connection with a certain credit against the State income tax for certain research and development expenses incurred by an individual or corporation; altering the total amount of research and development credits that the Department of Business and Economic Development may approve in a calendar year; providing that certain unused credits by a small business may be claimed as a refund; providing for the application of this Act; and generally relating to certain credits against the State income tax based on certain expenses paid or incurred for certain research and development conducted in the State.
BY repealing and reenacting, with amendments,
    Article – Tax – General
    Section 10–721
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 799 – Senators Middleton, Astle, Conway, and Garagiola

AN ACT concerning

Energy – Landfill Diversion – Municipal Solid Waste Portfolio Standard
Environment – Solid Waste Management Practices – Maryland Recycling and Landfill Diversion Task Force

FOR the purpose of establishing a municipal solid waste portfolio standard; requiring the Department of the Environment to implement and manage a municipal solid waste portfolio standard for each county in the State during certain years; requiring each county to submit a certain report each year to the Department; requiring each county to pay certain compliance fees into the Maryland Strategic Energy Investment Fund under certain circumstances; limiting what the fees paid into the Fund may be used for; providing that the Department has certain power and authority to implement certain provisions of law; requiring that the Department, by a certain date, designate an individual to oversee compliance with the municipal solid waste portfolio standard requirements; stating the duties of the individual that oversees compliance with the municipal solid waste portfolio standard requirements; requiring the Department to provide a certain status report to the General Assembly, the Maryland Energy Administration, and the Public Service Commission on or before a certain date; requiring the Department to adopt regulations to implement the provisions of this Act; altering one of the purposes of the Maryland Strategic Energy Investment Program; requiring the Administration to provide funding assistance to implement the purposes of the municipal solid waste portfolio standard; adding compliance fees from the municipal solid waste portfolio standard as a revenue source for the Fund; requiring that the Administration use the Fund to provide assistance to implement the purposes of the municipal solid waste portfolio standard; requiring the Administration’s report on the uses and expenditures of the Fund include certain information related to the municipal solid waste portfolio standard; requiring each county and the Department of the Environment to adopt a certain solid waste management hierarchy; declaring the intent of the General Assembly that the State undertake certain actions relating to recycling and landfill disposal rates; establishing the Maryland Recycling and Landfill Diversion Task Force; providing for the composition, cochairs, 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 determine the aspirational statewide recycling goal and a recycling and landfill diversion portfolio standard that will reduce the amount of solid waste being sent to landfills; specifying certain duties of the Task Force; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before certain dates; providing for the termination of the Task Force; specifying the intent and certain findings of the General Assembly; defining certain terms; making conforming changes; and generally relating to the establishment of a municipal solid waste recycling and landfill diversion portfolio standard and the establishment of the Maryland Recycling and Landfill Diversion Task Force.

BY adding to

Article — Public Utilities
Section 7–801 through 7–807 to be under the new subtitle “Subtitle 8. Municipal Solid Waste Portfolio Standard”
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article — State Government
Section 9–20B–02
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article — State Government
Section 9–20B–03 through 9–20B–05 and 9–20B–12
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article — Environment
Section 9–504
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

Senate Bill 826 – Senators Kittleman and Robey

AN ACT concerning

Open Meetings Act – Violations and Penalties
FOR the purpose of requiring that a certain public body take a certain action if the State Open Meetings Law Compliance Board determines that a certain violation of the Open Meetings Act has occurred; providing that compliance with certain provisions of this Act is not an admission to a certain violation and may not be used as evidence in a certain proceeding; repealing a certain prohibition on the introduction of certain opinions issued by the Board as evidence in certain proceedings; altering certain penalties for certain violations; requiring a court to consider certain factors when determining the amount of a certain fine; and generally relating to the Open Meetings Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–502.5(i) and 10–511
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing
Article – State Government
Section 10–502.5(j)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–510(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 896 – Senator Conway

AN ACT concerning

State Board of Pharmacy – Sterile Compounding – Permits

FOR the purpose of requiring a sterile compounding facility to hold a sterile compounding permit issued by the State Board of Pharmacy before the sterile compounding facility may perform sterile compounding in the State; providing that a sterile compounding permit is required in addition to and does not replace certain other permits or licenses; requiring a sterile compounding facility that performs sterile compounding outside the State to hold a sterile compounding permit issued by the Board under certain circumstances; requiring a separate sterile compounding permit for each site at which sterile compounding is performed; prohibiting the transfer of a sterile compounding permit; providing that a person that prepares and distributes sterile drug
products into or within the State is not required to hold a sterile compounding permit but must hold certain other permits; authorizing the Board to waive certain requirements in accordance with regulations adopted by the Board; establishing the requirements that must be met for a waiver to be issued; requiring the Board to post certain waivers on its Web site; requiring the Board to include certain information for each waiver posted on its Web site; providing for the duration, renewal, and rescission of a waiver; requiring an applicant for a sterile compounding permit to satisfy the Board that the applicant will perform sterile compounding in accordance with certain requirements; requiring the Board, by regulation, to establish permit requirements in certain tiered permit categories and to require an applicant to obtain a permit in a certain category based on risk; establishing certain application requirements for a sterile compounding permit; prohibiting the Board from issuing a sterile compounding permit unless the Board or its designee conducts an inspection and finds that the sterile compounding facility meets certain requirements; requiring the Board to issue a sterile compounding permit to any applicant that meets certain requirements; providing for the expiration and renewal of a sterile compounding permit; requiring the Board to adopt regulations to carry out certain provisions of this Act; requiring the regulations to require or include certain provisions; establishing inspection and reporting requirements for sterile compounding applicants and permit holders; authorizing the Board to take certain disciplinary actions and impose certain fines for certain violations; providing that each violation is grounds for a separate fine; requiring the Board to pay certain fines into the State Board of Pharmacy Fund; providing for a certain hearing and a certain appeal; requiring the Board to report on its Web site and make available to the public on request certain information relating to certain actions of the Board; prohibiting, with a certain exception, a sterile compounding facility from operating in the State or allowing the sterile compounded preparations of the sterile compounding facility to be dispensed in the State unless the sterile compounding facility holds a sterile compounding permit issued by the Board; prohibiting, with a certain exception, a person from distributing sterile drug products in the State unless the sterile drug products are produced in a facility that holds a certain permit; requiring the Board to maintain and submit to the Secretary with a certain frequency certain information relating to sterile compounding permit holders; requiring a wholesale distributor applicant or permit holder that prepares sterile drug products to submit to the Board, at certain times, a report of a certain inspection; establishing certain criminal penalties and a certain civil fine for certain violations; authorizing the Board to phase in the requirements of certain provisions of this Act, with full implementation on or before a certain date; requiring the Board to report to the Governor and the General Assembly on the implementation of certain provisions of this Act; defining certain terms; repealing a certain obsolete provision of law; and generally relating to sterile compounding permits and the State Board of Pharmacy.

BY adding to
Article – Health Occupations
Section 12–4A–01 through 12–4A–11 to be under the new subtitle “Subtitle 4A. Sterile Compounding Permits”; and 12–6C–03.2 Annotated Code of Maryland (2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–707
Annotated Code of Maryland (2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 1065 – Senator Raskin (Chair, Workgroup to Conduct a Review of Disclosure Requirements of the Public Ethics Laws) and Senators Ferguson and Simonaire

AN ACT concerning Public Ethics – Public Officials, Local Governments, and Lobbyists – Training, Reporting, and Enforcement

FOR the purpose of requiring the State Ethics Commission to adopt certain model ethics provisions for school boards; providing that a model provision may be adopted by or imposed on a school board under certain circumstances; authorizing the State Ethics Commission to include certain limits on the disclosure of certain information in certain model ethics provisions; repealing a requirement that a certain regulated lobbyist attend a certain training course in a certain time period; altering the information related to employment and sources of earned income that a member of the General Assembly is required to report to the Joint Ethics Committee; prohibiting the Department of Legislative Services from posting certain information on the Internet; requiring that a regulated lobbyist complete a certain training course in a certain time period; requiring an individual who was a public official and registers as a regulated lobbyist in a certain time period to seek certain advice from the State Ethics Commission; authorizing the State Ethics Commission, after making a certain determination, to issue a certain order directing a county or municipal corporation to comply with certain provisions of the Public Ethics Law; authorizing the State Ethics Commission, after making a certain determination, to issue a certain order directing a school board to comply with certain provisions of the Public Ethics Law; authorizing the State Ethics Commission to petition a certain circuit court to compel a school board to comply with certain requirements; altering the duties, reporting requirements, and termination date of a certain workgroup established to study public ethics; and generally relating to public ethics, public officials, local governments, and lobbyists.
BY repealing and reenacting, with amendments,
  Article – State Government
  Section 15–205(b) and (e), 15–513(b) and (d), and 15–808
  Annotated Code of Maryland
  (2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
  Article – State Government
  Section 15–513(c) and (d) and 15–607(h) and (i)
  Annotated Code of Maryland
  (2009 Replacement Volume and 2012 Supplement)

BY adding to
  Article – State Government
  Section 15–716, 15–717, and 15–816
  Annotated Code of Maryland
  (2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
  Section 2 and 3

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

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #17

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

House Bill 1527 – Delegate Beidle

AN ACT concerning

Anne Arundel County – Human Relations – Violations of County Discrimination Laws

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 1535 – Delegate Jones
AN ACT concerning

Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution

HB1535/126384/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1535
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in lines 2 and 14, in each instance, after the second “the” insert “100th”; in line 4, after the fourth “the” insert “100th”; and in line 19, after the first “the” insert “100th”.

AMENDMENT NO. 2
On page 2, in lines 15 and 19, in each instance, after the second “THE” insert “100TH”.

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 47 – Senator Young Senators Young, Forehand, Garagiola, Klausmeier, Madaleno, Montgomery, Stone, Colburn, Benson, Dyson, Manno, Conway, Rosapepe, Ferguson, Jennings, and Simonaire

AN ACT concerning

Procurement – Maryland Buy American Steel and Purchase of American Manufactured Goods Act

SB0047/986485/1
BY: Health and Government Operations Committee
AMENDMENT TO SENATE BILL 47
(Third Reading File Bill)

On page 5, in line 4, after “INCLUDES” insert “:

1.;


2. INFORMATION TECHNOLOGIES AND TELECOMMUNICATIONS PRODUCTS AND TECHNOLOGIES THAT ARE USED FOR THE PURPOSES LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH”.

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 790 – Senator Manno

AN ACT concerning

Department of Health and Mental Hygiene – Advance Directive Registry – Fee and Date of Operation

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 1067 – Senators Klausmeier, Benson, Conway, Forehand, Gladden, Jacobs, Jones–Rodwell, Kelley, King, Montgomery, and Pugh. Pugh, Dyson, Ferguson, Jennings, Pinsky, Reilly, Rosapepe, Simonaire, and Young
AN ACT concerning

Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT
#11
CONSENT CALENDAR #8

Delegate Healey, 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 42 – Senators Montgomery, Colburn, Jones–Rodwell, King, Manno, Garagiola, Forehand, Madaleno, Raskin, and Currie Currie, Benson, Dyson, Ferguson, Jacobs, Kittleman, Klausmeier, Mathias, Muse, Pinsky, Rosapepe, and Young

AN ACT concerning

State Government – Commemorative Days – Maryland Emancipation Day

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

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

Senate Bill 341 – Senator Madaleno Senators Madaleno and Simonaire

AN ACT concerning

Higher Education – Academic Program Action – Repeal of Application Fees and Report

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

Delegate Healey, 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 385 – Senators Pugh, Astle, Ferguson, Forehand, Kasemeyer, Kelley, Kittleman, Klausmeier, Manno, Middleton, Peters, and Ramirez

AN ACT concerning

State Government – Health, Education, and Social Services Provider Data Warehouse – Submission of Documents in Electronic Form

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

Delegate Healey, 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 422 – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Gladden, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Stone, and Young

AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

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

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

Senate Bill 447 – Senators Pugh, Astle, and Garagiola

AN ACT concerning

Business Regulation – Introduction of Additives into Gasoline – Authorization

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

Delegate Healey, 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 481 – Senators Manno, Madaleno, and Raskin

AN ACT concerning

Income Tax Credit – Home Generators

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

Delegate Healey, 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 676 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)**

AN ACT concerning

**Governmental Procedures – Security and Protection of Information**

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

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

**Senate Bill 701 – Senators Jones–Rodwell, Frosh, Currie, Forehand, McFadden, Muse, and Pugh**

AN ACT concerning

**Criminal Records – Shielding – Nonviolent Misdemeanor Convictions**

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

Delegate Healey, 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 1066 – Senator Pugh**

AN ACT concerning

**Minority Business Enterprises – Not-for-Profit Entities**

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

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**CONCURRENCE CALENDAR #10**

**AMENDED IN THE SENATE**

House Bill 560 – The Speaker (By Request – Administration) and Delegates Bohanan, Busch, Cardin, Clagett, Conway, Gaines, Griffith, Guzzone,
Healey, Hixson, Howard, James, Lafferty, McIntosh, Mitchell, and Zucker

AN ACT concerning

Public–Private Partnerships

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0560/379036/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 560
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 12, after “reports;” insert “requiring certain public–private partnerships to be listed in the annual capital budget or the Consolidated Transportation Program;”; in line 13, after “reports;” insert “authorizing, under certain circumstances, certain legislative committees to request additional time to review the presolicitation report;”; and in line 15, after “circumstances;” insert “prohibiting the Board of Public Works from approving a public–private partnership that results in the State exceeding certain debt affordability guidelines;”.

AMENDMENT NO. 2
On page 5, in line 10, strike “A”; strike beginning with “PROJECT” in line 11 down through “21.01.03.03(D)” in line 11 and substitute “UNDER 21.01.03.03(B)(1)(D)”; and in line 12, after “REGULATIONS” insert “THAT IS NOT A PUBLIC–PRIVATE PARTNERSHIP AS DEFINED UNDER PARAGRAPH (1) OF THIS SUBSECTION”.

AMENDMENT NO. 3
On page 9, after line 14, insert:

“(D) ALL EXISTING PUBLIC–PRIVATE PARTNERSHIPS AND ANY PUBLIC–PRIVATE PARTNERSHIP THAT IS EXPECTED TO BE SOLICITED SHALL BE LISTED ANNUALLY AS APPROPRIATE IN THE ANNUAL CAPITAL BUDGET OR THE CONSOLIDATED TRANSPORTATION PROGRAM.”.

AMENDMENT NO. 4
On page 9, after line 30, insert:

“(D) THE BOARD OF PUBLIC WORKS MAY NOT APPROVE A PUBLIC–PRIVATE PARTNERSHIP THAT RESULTS IN THE STATE EXCEEDING ITS DEBT AFFORDABILITY GUIDELINES.”.

AMENDMENT NO. 5
On page 10, in line 15, after “(2)” insert “(1)”; after line 17, insert:

“(II) 1. IF THE TOTAL VALUE OF A PROPOSED PUBLIC–PRIVATE PARTNERSHIP REPORTED IN THE PRESOLICITATION REPORT UNDER PARAGRAPH (B)(1) OF THIS SUBSECTION EXCEEDS $500,000,000, THE BUDGET COMMITTEES MAY REQUEST AN ADDITIONAL 15 DAYS TO REVIEW AND COMMENT ON THE PRESOLICITATION REPORT.

2. THE REQUEST FOR ADDITIONAL TIME UNDER THIS SUBPARAGRAPH SHALL:

A. BE MADE IN WRITING TO THE GOVERNOR, THE DEPARTMENT OF BUDGET AND MANAGEMENT, AND THE REPORTING AGENCY; AND

B. INCLUDE THE REASON FOR THE REQUEST AND ANY PRELIMINARY ISSUES THE BUDGET COMMITTEES HAVE.”;

in line 21, after “ANTICIPATED” insert “VALUE OF THE PROPOSED PUBLIC–PRIVATE PARTNERSHIP;”; in line 22, after “STATE” insert a comma; and strike in their entirety lines 31 through 34, inclusive, and substitute:

“(IV) INCLUDE, IF RELEVANT AND TO THE EXTENT POSSIBLE, THE FOLLOWING INFORMATION PREPARED BY THE REPORTING AGENCY, IN CONSULTATION WITH THE DEPARTMENT OF BUDGET AND MANAGEMENT:

1. A PRELIMINARY ANALYSIS ON DEBT AFFORDABILITY;
2. A PRELIMINARY SUMMARY OF THE PROPOSED SOLICITATION PROCESS; AND

3. A STATEMENT OF INTENTION TO USE THE EXEMPTION FROM THE REQUIREMENTS OF DIVISION II OF THIS ARTICLE SET FORTH IN § 11–203 OF THIS ARTICLE;”.

AMENDMENT NO. 6
On page 11, in line 7, strike “45–DAY”; in line 17, strike “COMMITTEES HAVE HAD 45 DAYS TO” and substitute “COMMITTEES”; and in line 18, after “COMMENT” insert “PERIOD”.

AMENDMENT NO. 7
On page 12, strike beginning with the first comma in line 13 down through “PROCESS” in line 14.

AMENDMENT NO. 8
On page 13, in line 7, strike “DAYS” and substitute “DAYS”.

AMENDMENT NO. 9
On page 16, strike beginning with “SEASED” in line 31 down through “PROCESS” in line 32 and substitute “SOLICITATION PROCESS AS DESCRIBED UNDER SUBTITLE 2 OF THIS TITLE”.

AMENDMENT NO. 10
On page 17, in line 3, strike “10A–201(B)” and substitute “10A–203(B)”; and in line 8, strike “BID OR COMPETITIVE SEALED PROPOSAL”.

AMENDMENT NO. 11
On page 18, strike in their entirety lines 6 through 10, inclusive, and substitute:

“(10) THE TERMS AND CONDITIONS FOR AUDITS BY THE STATE, INCLUDING THE OFFICE OF LEGISLATIVE AUDITS, RELATED TO THE AGREEMENT’S FINANCIAL RECORDS AND PERFORMANCE;”.

AMENDMENT NO. 12
On page 22, strike in their entirety lines 20 and 21, and substitute:
“SECTION 3. AND BE IT FURTHER ENACTED, That this Act is intended to be prospective only and shall apply to public–private partnerships established on or after the effective date of this Act. Further provided that, nothing in this Act may be construed to apply to, authorize, or have any effect on an existing procurement, lease, sale or development agreement, and nothing in this Act is intended to affect or alter any pending litigation.”.

The preceding 12 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 – 117 Negative – 18 (See Roll Call No. 1134)

AMENDED IN THE SENATE


AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

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

HB1006/218474/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1006
(Third Reading File Bill)

On page 3, strike beginning with “HARASSMENT” in line 22 down through “ARTICLE” in line 23 and substitute “A PROSTITUTION OFFENSE UNDER § 11-306 OF THE CRIMINAL LAW ARTICLE”.

On page 4, strike beginning with “FAILING” in line 8 down through “ARTICLE” in line 9 and substitute “A TICKET SCALPING OFFENSE UNDER ANY STATE OR LOCAL LAW”.

The preceding amendment was read and not concurred in.
AMENDMENT TO HOUSE BILL 1006
(Third Reading File Bill)

On page 4, strike in their entirety lines 1 and 2; and in lines 3, 5, 8, and 10, strike “(14), “(15), “(16), and “(17), respectively, and substitute “(13), “(14), “(15), and “(16), respectively.

The preceding amendment was read and not concurred in.

AMENDMENTS TO HOUSE BILL 1006
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “shielding;” insert “providing that, if a person is convicted of another shieldable crime after a conviction has been shielded in accordance with certain provisions of law, the original conviction shall no longer be shielded;”.

AMENDMENT NO. 2

On page 5, after line 23, insert:

“(3) If a person is convicted of another shieldable crime after a conviction has been shielded in accordance with this subtitle, the original conviction shall no longer be shielded.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 1006
SPONSOR: Del Anderson, et al
SUBJECT: Criminal Records – Shielding – Nonviolent Misdemeanor Convictions
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 K. Kelly, and  
Delegate McComas.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

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

BILL:  HB 0753  
SPONSOR:  Del Malone, et al  

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 Brochin, Chairman  
Senator Raskin  
Senator Shank.
Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

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

BILL:    HB 0184
SPONSOR:    Del Lafferty, et al
SUBJECT:    Income Tax Credit – Oyster Shell Recycling

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 Barve, Chair
Delegate Branch
Delegate Afzali

The Senate appoints:
Senator Colburn, Chairman
Senator Robey
Senator Madaleno.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:
BILL:    HB 0372
SPONSOR:   Del Barve, et al
SUBJECT:    Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

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 Frick, Chair
Delegate A. Miller
Delegate Serafini

The Senate appoints:
Senator Peters, Chairman
Senator Robey
Senator DeGrange.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

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

BILL:    SB 0686
SPONSOR:   Sen Garagiola
SUBJECT:    Family Investment Program – Earned Income Disregard Pilot Program

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

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

Senator Garagiola, Chairman
Senator Glassman
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 0686
SPONSOR: Sen Garagiola
SUBJECT: Family Investment Program – Earned Income Disregard Pilot Program

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

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

The Senate has appointed:
Senator Garagiola, Chair
Senator Glassman
Senator Klausmeier

The House appoints:
Delegate James, Chairman
Delegate Haynes, and
Delegate Eckardt.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

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

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #26

Senate Bill 128 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1136)

The Bill was then returned to the Senate.

Senate Bill 129 – Senators Glassman and Jacobs

EMERGENCY BILL

AN ACT concerning

Harford County – Alcoholic Beverages – Class H-CC (Corporate Club/Conference Center) License

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1137)

The Bill was then returned to the Senate.

Senate Bill 131 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County Liquor Control Board – Reserve Account

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1138)
The Bill was then returned to the Senate.

**Senate Bill 280** – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Landscape Architects – License Renewal – Continuing Professional Competency Requirement

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

Affirmative – 103  Negative – 35  (See Roll Call No. 1139)

The Bill was then returned to the Senate.

**Senate Bill 321** – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – License Fees

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

Affirmative – 137  Negative – 0  (See Roll Call No. 1140)

The Bill was then returned to the Senate.

**Senate Bill 349** – Senators Colburn and Mathias

AN ACT concerning

Wicomico County Liquor Act of 2013

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

Affirmative – 136  Negative – 0  (See Roll Call No. 1141)

The Bill was then returned to the Senate.

**Senate Bill 371** – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Sunday Sales
Read the third time and passed by yeas and nays as follows:

Affirmative – 131  Negative – 3  (See Roll Call No. 1142)

The Bill was then returned to the Senate.

Senate Bill 629 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Allegany County – Video Lottery Facility Sales and Consumption

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

Affirmative – 134  Negative – 0  (See Roll Call No. 1143)

The Bill was then returned to the Senate.

Senate Bill 634 – Senators Peters, Currie, DeGrange, Glassman, Kittleman, Klausmeier, and Robey

AN ACT concerning

Commercial Law – Self-Service Storage Facilities

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

Affirmative – 138  Negative – 0  (See Roll Call No. 1144)

The Bill was then returned to the Senate.

Senate Bill 697 – Senator Raskin

AN ACT concerning

Corporations and Associations – Conversions

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

Affirmative – 137  Negative – 0  (See Roll Call No. 1145)

The Bill was then returned to the Senate.

Senate Bill 758 – Senators Ramirez and Kelley
AN ACT concerning

Labor and Employment – Lien for Unpaid Wages – Establishment

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

Affirmative – 104   Negative – 32   (See Roll Call No. 1146)

The Bill was then returned to the Senate.

Senate Bill 767 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Licenses, Permits, and Other Authorizations

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

Affirmative – 137   Negative – 0   (See Roll Call No. 1147)

The Bill was then returned to the Senate.

Senate Bill 888 – Senator Garagiola   Senators Garagiola, Klausmeier, and Muse

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs and the Process for Assisting Individuals with Disabilities at Local Departments of Social Services

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

Affirmative – 137   Negative – 0   (See Roll Call No. 1148)

The Bill was then returned to the Senate.

Senate Bill 955 – Senator Brinkley

AN ACT concerning

Alcoholic Beverages – Refillable Containers – Class 5 Manufacturer’s License

Read the third time and passed by yeas and nays as follows:
Affirmative – 137    Negative – 0    (See Roll Call No. 1149)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE

House Bill 253 – Washington County Delegation

AN ACT concerning

Washington County – Amusement Devices – Tip Jars

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

HB0253/589535/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 253
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 7, after “sticker;” insert “repealing a certain limit on the maximum amount a tip jar licensee may retain from gross profits;”.

AMENDMENT NO. 2
On page 6, in line 33, strike “the lesser of $45 or”.

AMENDMENT NO. 3
On page 7, in line 19, strike “October” and substitute “July”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL:    HB 0253
SPONSOR: Washington County Delegation
SUBJECT: Washington County – Amusement Devices – Tip Jars

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 Serafini, and
Delegate Walker.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1499 – The Speaker (By Request – Commission to Study Campaign Finance Law) and Delegates Cardin, George, and Summers

AN ACT concerning

Campaign Finance Reform Act of 2013

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

HB1499/744738/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1499
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 18, after “contributions” insert “under certain circumstances; providing an exception”; in line 21, after “time;” insert “requiring certain participating organizations, as defined, making certain contributions or donations or certain disbursements to register with the State Board and file a certain report under certain circumstances; altering the deadline date for certain candidates to file a certificate of candidacy; altering the date by which the State Board shall certify the content and

AMENDMENT NO. 2

On pages 4 and 5, strike the lines beginning with line 32 on page 4 through line 9 on page 5, inclusive.

On page 6, strike in their entirety lines 25 through 32, inclusive.

On pages 7 and 8, strike the lines beginning with line 33 on page 7 through line 5 on page 8, inclusive.

On pages 9 and 10, strike the lines beginning with line 13 on page 9 through line 1 on page 10, inclusive.

On pages 14 through 16, strike the lines beginning with line 31 on page 14 through line 23 on page 16, inclusive.

On pages 32 and 33, strike the lines beginning with line 6 on page 32 through line 19 on page 33, inclusive.

On pages 37 through 42, strike the lines beginning with line 21 on page 37 through line 2 on page 42, inclusive.

On page 49, after line 20, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

1–101.

(BB–1) “LEGISLATIVE PARTY CAUCUS COMMITTEE” MEANS A POLITICAL COMMITTEE THAT IS ESTABLISHED TO PROMOTE THE ELECTION OF CANDIDATES OF A SINGLE POLITICAL PARTY TO ONE OF THE TWO HOUSES OF THE GENERAL ASSEMBLY.
“Political action committee” means a political committee that is not:

(1) a political party;

(2) a central committee;

(3) a slate;

(4) A LEGISLATIVE PARTY CAUCUS COMMITTEE;

[(4)] (5) [a political committee organized and operated solely to support or oppose a single candidate] AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE; or

[(5)] (6) [a political committee organized and operated solely to support or oppose] a ballot issue COMMITTEE.

5–303.

(a) Except as provided in subsections (b) and (c) of this section:

(1) in the year in which the Governor is elected, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday [following the second Tuesday in April in the year in] THAT IS 24 WEEKS BEFORE THE DAY ON which the primary election will be held; and

(2) for any other regularly scheduled election, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday that is 83 days before the day on which the primary election will be held.

(b) A certificate of candidacy for an office to be filled by a special election under this article shall be received and filed in the office of the appropriate board not later than 5 p.m. on the Monday that is 3 weeks or 21 days prior to the date for the special primary election specified by the Governor in the proclamation for the special primary election.

(c) The certificate of candidacy for the election of a write–in candidate shall be filed by the earlier of:
(1) 7 days after a total expenditure of at least $51 is made to promote the candidacy by a campaign finance entity of the candidate; or

(2) 5 p.m. on the Wednesday preceding the day of the election for which the certificate is filed.

9–207.

(a) The State Board shall certify the content and arrangement of each ballot:

(1) for a primary election, no more than 11 days after the filing date provided in § 5–303 of this article;

(2) for a general election:

(i) in the year that the President of the United States is elected, at least 55 days before the election; and

(ii) in any other year, not more than 18 days after the primary election;

(3) for a special primary election, at least 18 days before the election; and

(4) for a special general election, not later than a date specified in the Governor’s proclamation.


(a) Unless otherwise expressly authorized by law, all campaign finance activity for an election under this article shall be conducted through a campaign finance entity.

(b) An individual may not file a certificate of candidacy or a declaration of intent under § 5–703 or § 5–703.1 of this article until the individual establishes, or causes to be established, an authorized political candidate campaign committee.
13–208.1.

(A) Each political party may establish one legislative party caucus committee for each House of the General Assembly.

(B) The State Board shall adopt regulations governing the establishment, structure, and operation of legislative party caucus committees.

13–220.1.

(A) Each central committee of a political party or legislative party caucus committee may establish one administrative account.

(B) Disbursements from an administrative account may be made only for nonelectoral purposes.

(C) A donation to an administrative account:

   (1) May be made only if the donor is aware that the donation will be used for nonelectoral purposes and consents to that use before making the donation; and

   (2) Is not subject to § 13–226(B) of this subtitle.

(D) A campaign finance entity may not make a transfer to an administrative account.

(E) The State Board shall adopt regulations that:

   (1) Define permissible nonelectoral disbursements from an administrative account; and

   (2) Require disclosure of:
(I) DONATIONS TO AN ADMINISTRATIVE ACCOUNT; AND

(II) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT.

13–234.

(a) A contribution of money may be made only by:

(1) check;

(2) credit card;

(3) cash, if the contribution does not exceed $100 IN AN ELECTION CYCLE; or

(4) an electronic method that the State Board authorizes by regulation.

(b) An electronic method of making a contribution that the State Board authorizes under this section shall ensure that:

(1) the identity of the person making the contribution may be verified;

(2) the transaction is secure; and

(3) there is an adequate record of the transaction.

13–235.

(a) This section applies to the following officials:

(1) the Governor;

(2) the Lieutenant Governor;

(3) the Attorney General;

(4) the Comptroller; and
(5) a member of the General Assembly.

(b) Except as provided in subsection (c) [or], (d), OR (E) of this section, during a regular session of the General Assembly an official described in subsection (a) of this section, or a person acting on behalf of the official, may not, as to a candidate for federal, State, or local office, or a campaign finance entity of the candidate or any other campaign finance entity organized under this title and operated in coordination with a candidate:

(1) receive a contribution;

(2) conduct a fund–raising event;

(3) solicit or sell a ticket to a fund–raising event; or

(4) deposit or use any contribution of money that was not deposited prior to the session.

(c) An official described in subsection (a) of this section, or a person acting on behalf of the official, is not subject to this section when engaged in activities solely related to the official’s election to an elective federal or local office for which the official is a filed candidate.

(d) Under the Public Financing Act, a gubernatorial ticket, during the year of the election only, may accept eligible private contributions and any disbursement of funds by the State Board that is based on the eligible private contributions.

(E) AN OFFICIAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION, OR A PERSON ACTING ON BEHALF OF THE OFFICIAL, MAY DEPOSIT A CONTRIBUTION DURING THE LEGISLATIVE SESSION IF THE CONTRIBUTION WAS MADE ELECTRONICALLY BEFORE THE START OF THE SESSION.

[(e)] (F) (1) As to a violation of this section, the campaign finance entity of the official in violation is liable for a civil penalty as provided in this subsection.

(2) The State Board, represented by the State Prosecutor, may institute a civil action in the circuit court for any county seeking the civil penalty provided in this subsection.
(3) A campaign finance entity that receives a contribution as a result of the violation shall:

(i) refund the contribution to the contributor; and

(ii) pay a civil penalty that equals the sum of $1,000 plus the amount of the contribution.

13–309.

(a) Subject to other provisions of this subtitle AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, a campaign finance entity shall file campaign finance reports as follows:

(1) except for a ballot issue committee, on or before the fourth Tuesday immediately preceding each primary election [except a presidential primary election];

(2) except for a ballot issue committee, on or before the second Friday immediately preceding a primary election;

(3) ON OR BEFORE THE LAST TUESDAY IN AUGUST IMMEDIATELY PRECEDING A GENERAL ELECTION;

[(3)] (4) for a ballot issue committee only, on or before the fourth Friday immediately preceding a general election;

[(4)] (5) on or before the second Friday immediately preceding a general election; and

[(5)] (6) on or before the third Tuesday after a general election.

(b) (1) A campaign finance entity is subject to subsection (a) of this section and this subsection only as to the election in which the entity designates that it will participate.

(2) In addition to the campaign finance reports required under subsection (a) of this section, but subject to paragraph (4) of this subsection, a
campaign finance entity shall file a campaign finance report on the third Wednesday in January.

(3) (i) If subsequent to the filing of its declaration under § 13–208(c)(3) of this title, a campaign finance entity participates in an election in which it was not designated to participate, the campaign finance entity shall file all campaign finance reports prescribed under subsection (a) of this section for that election.

(ii) A violation of subparagraph (i) of this paragraph constitutes a failure to file by the campaign finance entity, and the responsible officer is guilty of a misdemeanor and on conviction is subject to the penalties prescribed under Part VII of this subtitle.

(4) If a campaign finance entity has neither a cash balance nor an outstanding obligation at the end of a reporting period, a campaign finance report for that period, clearly marked as “final”, shall be filed on or before the due date, and no further report is required.

(c) In addition to the campaign finance reports required under subsection (a) of this section, a continuing political committee shall file a campaign finance report on the third Wednesday in January of each year the committee is in existence.

(D) An authorized candidate campaign committee of a candidate for election to the central committee of a political party:

(1) Shall file a campaign finance report on or before the third Tuesday after a gubernatorial primary election; and

(2) Except as provided in subsection (c) of this section and § 13–310 of this subtitle, is not required to file any other campaign finance reports.

13–604.1.

(A) In this section, “person” includes a political committee.
(B) **The State Board may impose a civil penalty in accordance with this section for the following violations:**

1. **Making a disbursement in a manner not authorized in §13–218(B)(2), (C), and (D) of this title;**

2. **Failure to maintain a campaign bank account as required in §13–220(A) of this title;**

3. **Making a disbursement by a method not authorized in §13–220(D) of this title;**

4. **Failure to maintain detailed and accurate account books and records as required in §13–221 of this title;**

5. **Failure to report all contributions received and expenditures made as required in §13–304(B) of this title;**

6. **Failure to include an authority line on campaign material as required in §13–401 of this title; or**

7. **Failure to retain a copy of campaign material as required in §13–403 of this title.**

(C) **A civil penalty imposed under this section for a violation specified in subsection (B) of this section is in addition to any other sanction provided by law.**

(D) **The amount of a civil penalty imposed under this section may not exceed $500 for each violation.**

(E) **The civil penalty is payable to the State Board by the person charged in a citation within 20 calendar days after service of the citation.**
(F)  (1) Subject to paragraphs (2) and (3) of this subsection, a civil penalty imposed under this section shall be paid by the campaign finance entity.

(2) If the campaign finance entity has insufficient funds with which to pay the full amount of the civil penalty in a timely manner, after the campaign account of the finance entity is exhausted the balance of the civil penalty is the joint and several liability of the responsible officers.

(3) If a violation is committed by a person not acting on behalf of, or at the request or suggestion of, a candidate or a campaign finance entity, the civil penalty shall be paid by the person who committed the violation.

(G) The State Board may issue a citation to any person the State Board believes is committing or has committed a violation specified in subsection (b) of this section.

(H) The citation shall be served on the defendant in accordance with the Maryland Rules.

(I) The citation shall contain:

(1) The certification by the State Board attesting to the truth of the matter set forth in the citation;

(2) The name and address of the person charged;

(3) The nature, time, and place of the violation;

(4) The manner in which the violation occurred;

(5) The amount of the penalty assessed;

(6) The manner, time, and location to pay the penalty;
(7) A statement that the person receiving the citation has a right to trial in the District Court; and

(8) The effect of failing to pay the assessed fine or of failing to demand a trial within the prescribed time.

(J) (1) A person charged in a citation may elect to stand trial for the violation by notifying the State Board in writing of the person’s intent to stand trial.

(2) The written notice shall be given at least 5 days before the date of payment as set forth in the citation.

(K) (1) On receipt of the written notice of intent to stand trial, the State Board shall forward to the State Prosecutor a copy of the citation and the written notice.

(2) The State Prosecutor shall forward to the District Court having venue a copy of the citation and the written notice.

(3) On receipt of the citation and the written notice:

(I) The State Prosecutor shall assume responsibility for prosecuting the violation; and

(II) The District Court shall schedule the case for trial, notify the defendant of the trial date, and summon the defendant to appear.

(L) (1) If a person charged in a citation fails to pay the penalty by the date of payment set forth in the citation and fails to deliver to the State Board the written notice of intent to stand trial, the person is liable for the assessed penalty.

(2) The State Prosecutor, on behalf of the State Board, may double the penalty to an amount not to exceed $1,000 and
REQUEST ADJUDICATION OF THE CASE THROUGH THE DISTRICT COURT BY FILING A DEMAND FOR JUDGMENT ON AFFIDAVIT.

(M) THE DEFENDANT’S FAILURE TO RESPOND TO THE SUMMONS OF THE DISTRICT COURT SHALL RESULT IN THE ENTRY OF JUDGMENT AGAINST THE DEFENDANT IN FAVOR OF THE STATE BOARD IN THE AMOUNT SET FORTH IN THE CITATION IF A PROPER DEMAND FOR JUDGMENT ON AFFIDAVIT HAS BEEN MADE.

(N) IF A PERSON IS FOUND BY THE DISTRICT COURT TO HAVE COMMITTED A VIOLATION:

(1) (I) THE DISTRICT COURT SHALL ORDER THE PERSON TO PAY THE PENALTY SET FORTH IN THE CITATION AND MAY DOUBLE THE AMOUNT OF THE PENALTY TO AN AMOUNT NOT TO EXCEED $1,000;

(II) THE PENALTY IMPOSED SHALL CONSTITUTE A JUDGMENT IN FAVOR OF THE STATE BOARD; AND

(III) IF THE PENALTY REMAINS UNPAID FOR 30 DAYS FOLLOWING THE DATE OF ITS ENTRY, THE JUDGMENT SHALL BE ENFORCEABLE IN THE SAME MANNER AND TO THE SAME EXTENT AS OTHER CIVIL JUDGMENTS FOR MONEY UNLESS THE COURT HAS SUSPENDED OR DEFERRED PAYMENT OF THE PENALTY AS PROVIDED IN ITEM (2) OF THIS SUBSECTION;

(2) THE DISTRICT COURT MAY SUSPEND OR DEFER THE PAYMENT OF ANY PENALTY UNDER CONDITIONS THAT THE COURT SETS;

(3) THE DEFENDANT SHALL BE LIABLE FOR THE COSTS OF THE PROCEEDINGS IN THE DISTRICT COURT; AND

(4) THE DISTRICT COURT MAY ORDER THE PERSON TO ABATE THE VIOLATION.

(O) IF A DEFENDANT FAILS TO PAY ANY PENALTY OR COST IMPOSED BY THE DISTRICT COURT WITHOUT GOOD CAUSE, THE DISTRICT COURT MAY PUNISH THE FAILURE AS CONTEMPT OF COURT.
(P) **ADJUDICATION OF A VIOLATION UNDER THIS SECTION:**

(1) IS NOT A CRIMINAL CONVICTION; AND

(2) DOES NOT IMPOSE ANY OF THE CIVIL DISABILITIES THAT ARISE FROM A CRIMINAL CONVICTION.

(Q) **IN A DISTRICT COURT PROCEEDING RELATING TO A VIOLATION UNDER THIS SECTION:**

(1) THE STATE PROSECUTOR HAS THE BURDEN TO PROVE THAT THE DEFENDANT HAS COMMITTED THE VIOLATION BY CLEAR AND CONVINCING EVIDENCE;

(2) THE DISTRICT COURT SHALL APPLY THE EVIDENTIARY STANDARDS AS PROVIDED BY LAW OR RULE FOR THE TRIAL OF CIVIL CAUSES;

(3) THE DISTRICT COURT SHALL ENSURE THAT THE DEFENDANT HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT THE DEFENDANT UNDERSTANDS THOSE CHARGES;

(4) THE DEFENDANT MAY CROSS–EXAMINE ALL WITNESSES WHO APPEAR AGAINST THE DEFENDANT, PRODUCE EVIDENCE OR WITNESSES IN THE DEFENDANT’S OWN BEHALF, OR TESTIFY IN THE DEFENDANT’S OWN BEHALF;

(5) THE DEFENDANT SHALL BE ENTITLED TO BE REPRESENTED BY COUNSEL OF THE DEFENDANT’S OWN SELECTION AND AT THE DEFENDANT’S OWN EXPENSE;

(6) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT GUILTY OF THE VIOLATION AS CHARGED; AND

(7) THE VERDICT OF THE DISTRICT COURT SHALL BE GUILTY OF A VIOLATION OR NOT GUILTY OF A VIOLATION, OR THE DISTRICT COURT MAY, BEFORE RENDERING JUDGMENT, PLACE THE DEFENDANT ON PROBATION.
(R) **The State Board shall consider the following in determining the amount of a penalty under this section:**

1. **The severity of the violation for which the penalty is to be assessed;**

2. **The good faith of the violator; and**

3. **Any history of prior violations.**

(S) **Penalties collected under this section shall be distributed to the General Fund of the State.”**

**AMENDMENT NO. 3**

On pages 11 and 12, strike in their entirety the lines beginning with line 12 on page 11 down through line 16 on page 12, inclusive.

On page 12, in line 17, strike the brackets; in the same line, strike “(E)”; and in line 20, strike “(F)” and substitute “(E)”.

On page 18, in line 30, strike “ORGANIZED” and substitute “REGISTERED AND FILES THE REPORTS”.

On page 19, in line 26, strike “AN AUTHORIZED CANDIDATE CAMPAIGN” and substitute “A POLITICAL”.

**AMENDMENT NO. 4**

On page 22, strike in their entirety lines 24 through 27, inclusive, and substitute:

“2. **An internal membership communication by a business or other entity to its stockholders or members and executive and administrative personnel and their immediate families, or by a membership entity, as defined under § 13–243 of this title, to its members, executive and administrative personnel and their immediate families; or**”. 


On page 24, in line 33, strike “IN” and substitute “(I) EXCEPTION AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN”.

On page 25, in lines 4 and 7, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 9, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN INDEPENDENT EXPENDITURE REPORT OR AN AMENDED INDEPENDENT EXPENDITURE REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. $100 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

On page 27, strike in their entirety lines 24 through 27, inclusive, and substitute:

“4. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13–243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”.

On page 30, in line 23, strike “IN” and substitute “(I) EXCEPTION AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN”; in lines 28 and 31, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 33, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN ELECTIONEERING COMMUNICATION REPORT OR AN AMENDED
ELECTIONEERING COMMUNICATION REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. $100 FOR EACH DAY OR PART OF A DAY THAT AN ELECTIONEERING COMMUNICATION REPORT OR AMENDED ELECTIONEERING COMMUNICATION REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

AMENDMENT NO. 5

On page 33, in lines 23 and 27, in each instance, after “POLITICAL” insert “ACTION”; in lines 23 and 24, strike “IF THE EXPENDITURES OF THE POLITICAL COMMITTEE ARE EXCLUSIVELY” and substitute “THAT EXCLUSIVELY MAKES”; in line 30, after “(D)” insert “(1)”; in the same line, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and after line 32, insert:

“(2) THE POLITICAL ACTION COMMITTEE SHALL INCLUDE ALL OF THE INFORMATION REPORTED ON A DISCLOSURE REPORT ON ITS REGULARLY FILED CAMPAIGN FINANCE REPORTS.”.

On page 34, strike in their entirety lines 1 through 10, inclusive, and substitute:

“(E) A POLITICAL ACTION COMMITTEE SHALL FILE A DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF $10,000 OR MORE ON CAMPAIGN MATERIAL DURING THE REPORTING PERIOD COVERED BY ITS NEXT CAMPAIGN FINANCE REPORT.

(F) A POLITICAL ACTION COMMITTEE SHALL FILE AN ADDITIONAL DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF $10,000 OR MORE ON CAMPAIGN MATERIAL FOLLOWING THE CLOSING DATE OF THE IMMEDIATELY PRECEDING DISCLOSURE REPORT FILED BY THE POLITICAL ACTION COMMITTEE.”;
in lines 13, 21, and 22, in each instance, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and in lines 16 and 17, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”.

On page 36, in line 12, after “(A)” insert “(1)”; and after line 15, insert:

“(2) WHEN ESTABLISHING A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR ELECTIVE OFFICES IN THE EXECUTIVE OR LEGISLATIVE BRANCHES OF COUNTY GOVERNMENT, THE GOVERNING BODY OF A COUNTY SHALL SPECIFY THE CRITERIA THAT IS TO BE USED TO DETERMINE WHETHER AN INDIVIDUAL IS ELIGIBLE FOR PUBLIC CAMPAIGN FINANCING.”.

AMENDMENT NO. 6

On page 34, after line 28, insert:

“13–309.2.

(A) IN THIS SECTION, “PARTICIPATING ORGANIZATION” MEANS ANY ENTITY THAT IS ORGANIZED UNDER § 501(C)(4) OR (6) OR § 527 OF THE INTERNAL REVENUE CODE AND MAKES:

(1) A CONTRIBUTION TO A CAMPAIGN FINANCE ENTITY FOR THE EXPRESS PURPOSE OF CAUSING THE CAMPAIGN FINANCE ENTITY TO MAKE A DISBURSEMENT IN THE STATE;

(2) A DONATION TO A PERSON FOR THE EXPRESS PURPOSE OF CAUSING THE PERSON TO MAKE AN INDEPENDENT EXPENDITURE OR A DISBURSEMENT FOR ELECTIONEERING COMMUNICATIONS IN THE STATE; OR

(3) A DONATION TO AN OUT–OF–STATE POLITICAL COMMITTEE FOR THE EXPRESS PURPOSE OF CAUSING THE POLITICAL COMMITTEE TO MAKE A DISBURSEMENT IN THE STATE.

(B) WITHIN 48 HOURS AFTER A PARTICIPATING ORGANIZATION MAKES A CONTRIBUTION, DONATION, OR DISBURSEMENT OF $6,000 OR MORE IN AN
ELECTION CYCLE THE PARTICIPATING ORGANIZATION SHALL FILE A REGISTRATION FORM WITH THE STATE BOARD.

(C) A PARTICIPATING ORGANIZATION SHALL FILE A REPORT WITH THE STATE BOARD IN THE YEAR OF THE ELECTION FOR WHICH IT IS PARTICIPATING FOR THE PERIODS AND ON OR BEFORE THE DATES THAT A CAMPAIGN FINANCE ENTITY FOR A CANDIDATE IS REQUIRED TO FILE A CAMPAIGN FINANCE REPORT UNDER THIS SUBTITLE.

(D) THE REPORT SHALL INCLUDE ALL DISBURSEMENTS MADE TO INFLUENCE AN ELECTION IN THE STATE AND EITHER:

(1) THE NAME, ADDRESS, AND OCCUPATION, IF ANY, OF THE FIVE DONORS WHO GAVE THE LARGEST AMOUNT OF MONEY TO THE PARTICIPATING ORGANIZATION TO INFLUENCE AN ELECTION IN THE STATE DURING THE 1 YEAR PERIOD THAT IMMEDIATELY PRECEDES THE DATE OF THE REPORT; OR

(2) IF THE PARTICIPATING ORGANIZATION MADE A FILING WITH THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION WITHIN 6 MONTHS OF THE DATE WHEN A REPORT OTHERWISE WOULD BE REQUIRED, DESCRIBE HOW THE PUBLIC MAY ACCESS VIA THE INTERNET THE PARTICIPATING ORGANIZATION’S REPORTS THAT DETAIL DISBURSEMENTS MADE AND DONATIONS RECEIVED.”.

AMENDMENT NO. 7

On page 47, in line 31, strike “A” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A”.

On page 48, in line 1, strike “REQUIRE” and substitute “; (I) REQUIRE”; in line 2, after “TITLE” insert “; AND”; in line 3, strike the period; in line 4, strike “(2) A GOVERNMENTAL ENTITY SHALL” and substitute “(II)”; in line 5, strike “OF THE NAMES AND CONTACT INFORMATION OF PERSONS” and substitute “IF A PERSON”; in lines 6 and 7, strike “WHO ARE REQUIRED” and substitute “FAILS”; strike beginning with “WITHIN” in line 8 down through “ENTITY” in line 9; and after line 9, insert:
“(2) This subsection does not apply to a contract for which notice of award has been posted on EMaryland Marketplace.”.

AMENDMENT NO. 8
On page 49, in lines 21, 25, and 31, strike “3.”, “4.”, and “5.”, respectively, and substitute “4.”, “5.”, and “6.”, respectively; in line 29, strike the second comma; in line 31, after “That” insert “Sections 1, 2, and 4 of”; and after line 32, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect October 1, 2013.”.

The preceding 8 amendments were read and not concurred in.

HB1499/623027/1
BY: Senator Ferguson

AMENDMENT TO HOUSE BILL 1499
(Third Reading File Bill)

On page 24, in line 12, strike “$10,000” and substitute “$6,000”.

On page 29, in line 34, strike “$10,000” and substitute “$6,000”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 1499
SPONSOR: The Spkr (Campaign Finance Comm), et al
SUBJECT: Campaign Finance Reform Act of 2013

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 Cardin, Chairman
Delegate Summers, and
Delegate George.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #16

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

House Bill 61 – Delegates McConkey and Waldstreicher

AN ACT concerning

State Brain Injury Trust Fund

HB0061/606788/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 61
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Waldstreicher” and substitute “, Waldstreicher, Barve, Hammen, Pendergrass, Bromwell, Cullison, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner”; strike beginning with “requiring” in line 10 down through “Fund;” in line 11; in line 11, after “terms;” insert “requiring the Department of Health and Mental Hygiene to report to the General Assembly on or before a certain date on certain issues related to the implementation of this Act; authorizing the Department to contract with a certain entity for a certain purpose; declaring the intent of the General Assembly regarding implementation of administration of the Fund;”.

On page 2, strike in their entirety lines 6 through 10, inclusive.
AMENDMENT NO. 2
On page 4, strike beginning with “MOTOR” in line 1 down through “(2)” in line 4; and in lines 5 and 6, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively.

On pages 5 and 6, strike in their entirety the lines beginning with line 28 on page 5 through line 22 on page 6, inclusive.

AMENDMENT NO. 3
On page 6, after line 22, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2014, the Department of Health and Mental Hygiene shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on:

(1) the expected date of implementation of Section 1 of this Act;

(2) the status of adoption of any rules or procedures relating to the administration of the Fund established under Section 1 of this Act; and

(3) any recommendations for legislation needed to allow for more efficient administration of the Fund established under Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene may contract with an outside entity to develop the rules and procedures relating to the administration of the Fund established under Section 1 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that implementation of administration of the Fund begin on or after July 1, 2014.”;

and in line 23, strike “2.” and substitute “5.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.
Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 869 – Delegate Hubbard**

AN ACT concerning

Community Health Resources Commission – Revisions

HB0869/136986/1
BY: Health and Government Operations Committee

**AMENDMENTS TO HOUSE BILL 869**
(First Reading File Bill)

**AMENDMENT NO. 1**
On page 1, in line 10, after “used” insert “, subject to certain conditions”; and in line 19, strike “19–2201(e)(1)” and substitute “19–2201(e)”.

**AMENDMENT NO. 2**
On page 3, in line 26, strike “The” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE”; and in line 32, strike the brackets.

On page 4, strike beginning with the semicolon in line 4 down through “STATE” in line 7; after line 7, insert:

“(2) (I) FOR FISCAL YEARS 2014, 2015, AND 2016, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE AUTHORIZED UNDER TITLE 20, SUBTITLE 14 OF THIS ARTICLE AND APPROVED BY THE COMMISSION IF NO LESS THAN $4,000,000 OF THE SUBSIDY REQUIRED UNDER § 14–106(D)(2)(II)2 OF THE INSURANCE ARTICLE IS USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(II) FOR FISCAL YEAR 2017 AND EACH FISCAL YEAR THEREAFTER, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE AUTHORIZED UNDER TITLE 20, SUBTITLE 14 OF THIS ARTICLE AND APPROVED BY THE COMMISSION IF NO LESS THAN $8,000,000 OF THE SUBSIDY REQUIRED
UNDER § 14–106(D)(2)(II)2 OF THE INSURANCE ARTICLE IS USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.

[(2)(3)] The funding for a unified data information system under paragraph (1)(iv) of this subsection shall be limited to:

(i) $500,000 in fiscal year 2006; and

(ii) $1,700,000 in fiscal year 2007 and annually thereafter.”;

and in line 9, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen moved to make the remainder of this report a Special Order until later this session.

The motion was adopted.

THE COMMITTEE ON JUDICIARY REPORT #20

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

Senate Bill 74 – Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Vessels – Operating While Under the Influence of or Impaired by Alcohol or Drugs

SB0074/532618/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 74
(Third Reading File Bill)
AMENDMENT NO. 1
On page 1, in line 5, after “vessel” insert “of a certain length,”; and in the same line, after “sail” insert “, and underway”.

AMENDMENT NO. 2
On page 2, in line 18, after “VESSEL” insert “AT LEAST 12 FEET IN LENGTH,”; and in the same line, after “SAIL” insert “, AND UNDERWAY”.

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 931 – Senators Stone, Kelley, and Zirkin**

AN ACT concerning

Baltimore County – Orphans’ Court Judges – Salary

**SB0931/722812/1**
BY: House Judiciary Committee

**AMENDMENT TO SENATE BILL 931**
(Third Reading File Bill)

On page 1, in line 17, after “(e)” insert “(1)”.

On page 2, in line 1, strike “$50,000.” and substitute “$43,000 BEGINNING JULY 1, 2014.

(2)”;

and in line 2, strike “$52,500” and substitute “$45,000 BEGINNING JULY 1, 2014”.

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 #22

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

Senate Bill 69 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Tobacco Products – Tobacco Tax – Exemptions and Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 286 SPONSOR: Delegate Niemann

SUBJECT: Real Property – Common Ownership Communities – Foreclosure of Liens

THIRD READING CALENDAR HOUSE NO. 37 SENATE NO. 8

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendments (HB0286/558574/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0286/483621/1) be adopted.

HB0286/483621/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 286
(Third Reading File Bill)
AMENDMENT NO. 1
On page 1, in line 6, strike “, costs,”; and in the same line, after “and” insert “certain reasonable costs and”.

AMENDMENT NO. 2
On page 2, in line 31, strike “COSTS” and substitute “REASONABLE COSTS”; and in line 32, strike “OR EFFORTS TO COLLECT” and substitute “AND NOT EXCEEDING THE AMOUNT OF”.

Senate Members:      House Members:

Chair,              Chair,            C. Anthony Muse       Doyle L. Niemann
Bobby A. Zirkin     Pamela Beidle
Christopher B. Shank Wayne Norman

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

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

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134    Negative – 4    (See Roll Call No. 1150)

The Bill was then sent to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 1303   SPONSOR: Delegate Dumais

SUBJECT: Maryland Legal Services Corporation Funding
– Abandoned Property Funds

THIRD READING CALENDAR      HOUSE NO. 37           SENATE NO. 8
Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

   (1) That the Judicial Proceedings Committee Amendment (HB1303/298975/1) be rejected.

   (2) That the attached Conference Committee Amendment (HB1303/603629/1) be adopted.

HB1303/603629/1
BY: Conference Committee

AMENDMENT TO HOUSE BILL 1303
(Third Reading File Bill)

On page 2, in line 12, strike “$3,000,000” and substitute “$1,500,000”.

Senate Members: House Members:

Chair, Brian E. Frosh Chair, Guy Guzzone

Lisa A. Gladden Craig J. Zucker

Joseph M. Getty Tony McConkey

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 – 131   Negative – 8  (See Roll Call No. 1151)

The Bill was then sent to the Senate.
THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #16

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


AN ACT concerning

Maryland Medical Assistance Program – Telemedicine

HB0931/986289/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 931
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 4, after “telemedicine” insert “under certain circumstances; requiring the Department of Health and Mental Hygiene to adopt regulations for a certain purpose”.

AMENDMENT NO. 2
On page 2, in line 1, after “(B)” insert “(1)”; in the same line, strike “UNLESS” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND UNLESS”; and after line 6, insert:

“(2) REIMBURSEMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION IS REQUIRED ONLY FOR A HEALTH CARE SERVICE THAT:

(I) IS MEDICALLY NECESSARY; AND

(II) IS PROVIDED:

1. FOR THE TREATMENT OF CARDIOVASCULAR DISEASE OR STROKE;
2. **IN AN EMERGENCY DEPARTMENT SETTING; AND**

3. **WHEN AN APPROPRIATE SPECIALIST IS NOT AVAILABLE.**

(3) **THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT 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 Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1356 – Delegates Cullison, Barve, Clippinger, Costa, Donoghue, Elliott, Frank, Gutierrez, Hubbard, Hucker, Kach, A. Kelly, Kipke, Krebs, Murphy, Oaks, Pena-Melnyk, Reznik, Stocksdale, and V. Turner**

AN ACT concerning

Health Care Practitioners – Identification Badge

**HB1356/186782/2**

BY: Health and Government Operations Committee

**AMENDMENTS TO HOUSE BILL 1356**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 5, strike “a certain exception” and substitute “certain exceptions”; in lines 5 and 6, strike “requiring each health occupation” and substitute “authorizing each health occupations”; strike beginning with the comma in line 6 down through “violation” in line 7; in line 8, after “name;” insert “providing that a violation may be reported to a certain health occupations board; authorizing a health occupations board to send certain letters in response to a reported violation;”; and in line 9, strike “administrative actions” and substitute “letters”.


AMENDMENT NO. 2

On page 2, in line 14, after “(1)” insert “(I)”; in line 16, strike “(2)” and substitute “(II)”; in line 18, after “OFFICE” insert “; OR

(2) THE PATIENT IS BEING SEEN IN:

(I) AN OPERATING ROOM OR OTHER SETTING WHERE SURGICAL OR OTHER INVASIVE PROCEDURES ARE PERFORMED; OR

(II) ANY OTHER SETTING WHERE MAINTAINING A STERILE ENVIRONMENT IS MEDICALLY NECESSARY”;

in line 19, strike “OCCUPATION BOARD SHALL” and substitute “OCCUPATIONS BOARD MAY”; strike in their entirety lines 21 through 26, inclusive; and in line 27, strike “(3) (I)” and substitute “(2)”.

On page 3, in lines 1 and 3, strike “1.” and “2.”, respectively, and substitute “(I)” and “(II)”, respectively; strike in their entirety lines 5 through 7, inclusive, and substitute:

“(3) A VIOLATION MAY BE REPORTED TO THE HEALTH OCCUPATIONS BOARD THAT LICENSED OR CERTIFIED THE HEALTH CARE PRACTITIONER.

(4) IN RESPONSE TO A REPORTED VIOLATION, A HEALTH OCCUPATIONS BOARD MAY SEND AN ADVISORY LETTER OR A LETTER OF EDUCATION TO THE HEALTH CARE PRACTITIONER.”;

and in line 8, strike “ADMINISTRATIVE ACTION TAKEN BY A HEALTH OCCUPATION” and substitute “ADVISORY LETTER OR LETTER OF EDUCATION SENT BY A HEALTH OCCUPATIONS”.

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 1388 – Delegate Haddaway–Riccio**

AN ACT concerning

**Honey – License Exemptions**

**HB1388/266085/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1388
(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike “Delegate Haddaway–Riccio” and substitute “Delegates Haddaway–Riccio, Hammen, Pendergrass, Bromwell, Cullison, Elliott, Frank, Kach, A. Kelly, Kipke, Krebs, Morhaim, Nathan–Pulliam, Oaks, Pena–Melyn, Ready, Reznik, Tarrant, and V. Turner”; in line 2, strike “Honey – License Exemptions” and substitute “Department of Health and Mental Hygiene – Study of Honey–Related Licenses and Permits”; strike beginning with “altering” in line 3 down through “permit” in line 7 and substitute “requiring the Department of Health and Mental Hygiene to study whether it is necessary to continue to require a certain license and permit for the sale, manufacturing, and processing of honey and herb mixtures, including flavored honey; requiring the Department to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act”; in line 7, after “to” insert “a study on license and permit requirements for the sale, manufacturing, and processing of”; and strike in their entirety lines 8 through 17, inclusive.

**AMENDMENT NO. 2**

On page 1, in line 19, strike “the Laws of Maryland read as follows”.

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 26 on page 2, inclusive, and substitute:

“(a) The Department of Health and Mental Hygiene shall study whether it is necessary to continue to require:
(1) a license for the sale of honey and herb mixtures, including flavored honey, at a farmer’s market or at a public festival or event; or

(2) an on-farm home processing plant license or permit is necessary for the manufacturing, processing, and sale of honey and herb mixtures, including flavored honey.

(b) On or before December 31, 2013, the Department shall report its findings and recommendations to the General Assembly in accordance with § 2–1246 of the State Government Article."

On page 2, in line 28, strike “October” and substitute “June”; and in the same line, after “2013.” insert “It shall remain effective for a period of 1 year and, at the end of May 31, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and 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 1481 – Delegate Waldstreicher

AN ACT concerning

Medical Records – Disclosure in Response to Compulsory Process

HB1481/906883/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1481
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “requiring” in line 7 down through “program;” in line 10.
AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 21 on page 4 through line 10 on page 5, inclusive; and in line 11, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1529 – Delegates Hammen and Pena–Melnyk

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Staff Agencies – Regulation

HB1529/706288/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1529

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 9, in each instance, before the first “health” insert “certain”.

AMENDMENT NO. 2

On page 2, in line 17, after “(4)” insert “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,”; in the same line, strike “HEALTH” and substitute “HEALTH”; in line 18, after “ARTICLE” insert “WHO:

1. IS A LICENSED PRACTICAL NURSE, REGISTERED NURSE, OR CERTIFIED NURSING ASSISTANT; OR

2. PRACTICES IN AN ALLIED HEALTH CARE FIELD, AS DEFINED BY THE OFFICE IN REGULATION.
(II) “HEALTH CARE PRACTITIONER” DOES NOT INCLUDE:

1. AN ACUPUNCTURIST;

2. A DENTIST;

3. A NURSE ANESTHETIST;

4. A NURSE MIDWIFE;

5. A NURSE PRACTITIONER;

6. A PHARMACIST;

7. A PHYSICIAN; OR

8. A PODIATRIST”;

and in lines 26 and 28, in each instance, after “facility” insert “OR ITS AFFILIATES”.

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

AN ACT concerning

Public Health – Prescription Drug Monitoring Program – Disclosure of Prescription Monitoring Data

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 390 – Senator Raskin

AN ACT concerning

Health – Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading – Posting Requirement and Task Force

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 496 – Senators Pugh, Forehand, Garagiola, Jones–Rodwell, Kelley, King, Madaleno, Montgomery, and Muse

Muse, Astle, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Pipkin, and Ramirez

AN ACT concerning

Maryland Medical Assistance Program – Telemedicine

SB0496/156484/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 496
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 4, after “telemedicine” insert “under certain circumstances; requiring the Department of Health and Mental Hygiene to adopt regulations for a certain purpose”.

AMENDMENT NO. 2
On page 2, in line 4, after “(B)” insert “(1)”; in the same line, strike “UNLESS” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND UNLESS”; and after line 9, insert:
“(2) Reimbursement under paragraph (1) of this subsection is required only for a health care service that:

(I) is medically necessary; and

(II) is provided:

1. for the treatment of cardiovascular disease or stroke;

2. in an emergency department setting; and

3. when an appropriate specialist is not available.

(3) The department shall adopt regulations to carry out 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 Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

Senate Bill 512 – Senators Montgomery, Benson, Forehand, Madaleno, Peters, Pinsky, and Ramirez

AN ACT concerning

Health Care Practitioners – Identification Badge

SB0512/696684/1
BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 512
(Third Reading File Bill)
AMENDMENT NO. 1

On page 1, in line 6, strike “requiring each health occupation” and substitute “authorizing each health occupations”; strike beginning with the comma in line 7 down through “violation” in line 8; in line 9, after “name;” insert “providing that a violation may be reported to a certain health occupations board; authorizing a health occupations board to send certain letters in response to a reported violation;”; and in line 10, strike “administrative actions” and substitute “letters”.

AMENDMENT NO. 2

On page 3, in line 1, strike “OCCUPATION BOARD SHALL” and substitute “OCCUPATIONS BOARD MAY”; strike in their entirety lines 3 through 8, inclusive; in line 9, strike “(3) (I)” and substitute “(2)”; in lines 12 and 14, strike “1.” and “2.”, respectively, and substitute “(I)” and “(II)”, respectively; strike in their entirety lines 16 through 18, inclusive, and substitute:

“(3) A VIOLATION MAY BE REPORTED TO THE HEALTH OCCUPATIONS BOARD THAT LICENSED OR CERTIFIED THE HEALTH CARE PRACTITIONER.

(4) IN RESPONSE TO A REPORTED VIOLATION, A HEALTH OCCUPATIONS BOARD MAY SEND AN ADVISORY LETTER OR A LETTER OF EDUCATION TO THE HEALTH CARE PRACTITIONER.”;

in line 19, strike “ADMINISTRATIVE ACTION TAKEN BY A HEALTH OCCUPATION” and substitute “ADVISORY LETTER OR LETTER OF EDUCATION SENT BY A HEALTH OCCUPATIONS”.

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 557 – Senator Stone

AN ACT concerning
Medical Records – Disclosure in Response to Compulsory Process – 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 632 – Senator King Senators King, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Ramirez, and Pugh

AN ACT concerning

State Brain Injury Trust Fund

SB0632/756487/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 632
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “terms;” insert “requiring the Department of Health and Mental Hygiene to report to the General Assembly on or before a certain date on certain issues related to the implementation of this Act; authorizing the Department to contract with a certain entity for a certain purpose; declaring the intent of the General Assembly regarding implementation of administration of the Fund;”.

AMENDMENT NO. 2

On page 6, after line 24, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2014, the Department of Health and Mental Hygiene shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on:

(1) the expected date of implementation of Section 1 of this Act;

(2) the status of adoption of any rules or procedures relating to the administration of the Fund established under Section 1 of this Act; and
any recommendations for legislation needed to allow for more efficient administration of the Fund established under Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene may contract with an outside entity to develop the rules and procedures relating to the administration of the Fund established under Section 1 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that implementation of administration of the Fund begin on or after July 1, 2014.

and in line 25, strike “2.” and substitute “5.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 672 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

EMERGENCY BILL

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – 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 702 – Senators Madaleno, Raskin, Conway, DeGrange, Garagiola, Klausmeier, Manno, Robey, and Simonaire

AN ACT concerning
Maryland Public Art Initiative Program – Revisions
Selection of Art for Capital Projects

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 769 – Senators Raskin, Madaleno, and Montgomery

AN ACT concerning

Health Benefit Plans – Proposed Rate Increases – Notice to Insureds

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 881 – Senator Middleton

AN ACT concerning

Community Health Resources Commission – 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 1026 – Senator Colburn

AN ACT concerning

Honey – License Exemptions

Department of Health and Mental Hygiene – Study of Honey–Related Licenses and Permits

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 1057 – Senator Middleton
Senators Middleton, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

EMERGENCY BILL

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Staff Agencies – Regulation

SB1057/236984/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 1057
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in lines 6 and 9, in each instance, before the first “health” insert “certain”; and in lines 14 and 15, strike “making this Act an emergency measure:”.

AMENDMENT NO. 2

On page 2, in line 24, after “(4)” insert “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,”; in the same line, strike “HEALTH” and substitute “HEALTH”; and in line 25, after “ARTICLE” insert “WHO:

1. IS A LICENSED PRACTICAL NURSE, REGISTERED NURSE, OR CERTIFIED NURSING ASSISTANT; OR

2. PRACTICES IN AN ALLIED HEALTH CARE FIELD, AS DEFINED BY THE OFFICE IN REGULATION.

(II) “HEALTH CARE PRACTITIONER” DOES NOT INCLUDE:

1. AN ACUPUNCTURIST;
2.  A DENTIST;

3.  A NURSE ANESTHETIST;

4.  A NURSE MIDWIFE;

5.  A NURSE PRACTITIONER;

6.  A PHARMACIST;

7.  A PHYSICIAN; OR

8.  A PODIATRIST”.

On page 3, in lines 3 and 5, in each instance, after “facility” insert “OR ITS AFFILIATES”.

AMENDMENT NO. 3

On page 10, strike beginning with the first “is” in line 20 down through “enacted” in line 23 and substitute “shall take effect October 1, 2013”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1152)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:
THIRD READING CALENDAR (HOUSE BILLS) #73

House Bill 1502 – Delegates Healey, Barve, Boteler, George, Hixson, Howard, Ivey, A. Miller, V. Turner, and A. Washington

SECOND PRINTING

AN ACT concerning

Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools

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

Affirmative – 132     Negative – 4     (See Roll Call No. 1153)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #74

House Bill 34 – Delegate Aumann, Delegates Aumann, Kipke, McDonough, Oaks, and Pena–Melnyk

AN ACT concerning

State Government – Commemorative Day – German–American Heritage Day

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

Affirmative – 134     Negative – 0     (See Roll Call No. 1154)

The Bill was then sent to the Senate.

House Bill 43 – Delegate Glass

AN ACT concerning

Income Tax Credit for Qualifying Employees – Sunset Repeal and Expansion

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

Affirmative – 137     Negative – 0     (See Roll Call No. 1155)

The Bill was then sent to the Senate.

House Bill 77 – Delegate McHale
AN ACT concerning

**State Government – Commemorative Month – Irish American Heritage Month**

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

Affirmative – 137     Negative – 0     (See Roll Call No. 1156)

The Bill was then sent to the Senate.

**House Bill 530 – Delegate Pena-Melnyk**

AN ACT concerning

**Education – School Vehicle – On-Board Attendant Vehicles – Authorized Riders**

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

Affirmative – 136     Negative – 2     (See Roll Call No. 1157)

The Bill was then sent to the Senate.


AN ACT concerning

**Local Government – Fire, Rescue, and Ambulance Funds – Distribution of Money to Volunteer Companies**

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

Affirmative – 139     Negative – 0     (See Roll Call No. 1158)

The Bill was then sent to the Senate.

**House Bill 959 – Delegate Lee (Commission on Maryland Cybersecurity Innovation and Excellence) and Delegates Bobo, Cullison, DeBoy, Dumais, Eckardt, Healey, Hough, McDonough, A. Miller, Mizeur, Pendergrass, B. Robinson, S. Robinson, Stockdale, F. Turner, and Valderrama**

AN ACT concerning
Governmental Procedures – Security and Protection of Information

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

Affirmative – 139     Negative – 0     (See Roll Call No. 1159)

The Bill was then sent to the Senate.

House Bill 1169 – Delegates Hucker, Barve, Cardin, Dumais, Kaiser, A. Kelly, Lee, Mizeur, Niemann, Rosenberg, V. Turner, and Valderrama

AN ACT concerning

Civil Rights Tax Relief Act

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

Affirmative – 138     Negative – 0     (See Roll Call No. 1160)

The Bill was then sent to the Senate.

House Bill 1231 – Delegates McMillan, Cardin, and Serafini Delegate McMillan

AN ACT concerning

State Aid – Business Transparency and Financial Disclosure Act

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

Affirmative – 139     Negative – 0     (See Roll Call No. 1161)

The Bill was then sent to the Senate.

House Bill 1348 – Chair, Health and Government Operations Committee (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Program Evaluation Act – Revisions and Clarifications

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

Affirmative – 138     Negative – 0     (See Roll Call No. 1162)

The Bill was then sent to the Senate.
House Bill 1482 – Delegate Cane

AN ACT concerning

Hunting – Domesticated, Stray, or Feral Animals – Prohibited Acts

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

Affirmative – 136  Negative – 2  (See Roll Call No. 1163)

The Bill was then sent to the Senate.

CONCURRENCE CALENDAR #11

AMENDED IN THE SENATE


AN ACT concerning

Minority Business Enterprises – Not-for-Profit Entities

Delegate Hammen moved that the House concur in the Senate amendments.

HB0048/874934/1
BY:  Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 48
(Third Reading File Bill)

On page 8, in line 5, strike “IS”; in line 6, after “(1)” insert “IS”; in the same line, strike the comma; in line 7, after “STATE” insert “;

(2)”;

in line 7, strike “THAT”; and in line 10, strike “(2)” and substitute “(3) IS”.

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. 1164)

AMENDED IN THE SENATE


Hammen, Pendergrass, Costa, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, Morhaim, Murphy, Nathan–Pulliam, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Procurement – Maryland Buy American Steel and Purchase of American Manufactured Goods Act

Delegate Hammen moved that the House concur in the Senate amendments.

HB0191/654330/1
BY:  Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 191
(Third Reading File Bill)

On page 5, in line 7, after “INCLUDES” insert “:

1.

in lines 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22, strike “1.

2.

in lines 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22, strike “1.

2.

INFORMATION TECHNOLOGIES AND TELECOMMUNICATIONS PRODUCTS AND TECHNOLOGIES THAT ARE USED FOR THE PURPOSES LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH”.

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 – 2    (See Roll Call No. 1165)

AMENDED IN THE SENATE


AN ACT concerning

Construction Contracts Awarded by Public Bodies – Retention of Percentage as Security

Delegate Hammen moved that the House concur in the Senate amendments.

HB0293/134636/1
BY:   Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 293
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “Construction” in line 2 down through “Security” in line 3 and substitute “State Finance and Procurement – Retention of Percentage of Contract – Security”; strike beginning with the second “the” in line 4 down through “circumstances” in line 7 and substitute “a certain percentage that may be retained by a public body under a certain contract under certain circumstances; repealing an authorization for a public body to retain a certain percentage of a certain contract under certain circumstances”; in line 8, after “Act;” insert “making stylistic changes;”; in the same line, strike “as security”; strike beginning with “the” in line 9 down through “body” in line 10 and substitute “contracts as security”; and in line 13, after “17–110” insert “(a) and (b)”.

AMENDMENT NO. 2
On page 2, strike in their entirety lines 22 through 34, inclusive.
On page 3, strike in their entirety lines 1 and 2; in line 5, after the second “any” insert “construction”; and in the same line, strike “entered into” and substitute “awarded”.

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 – 1  (See Roll Call No. 1166)

**AMENDED IN THE SENATE**

**House Bill 1096 – Delegate Hammen (Chair, Health and Government Operations Committee)**

**EMERGENCY BILL**

AN ACT concerning

**State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB1096/784830/1**

BY:  Education, Health, and Environmental Affairs Committee

**AMENDMENT TO HOUSE BILL 1096**

(Third Reading File Bill)

On page 31, in line 31, strike “; AND” and substitute a period.

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. 1167)

**AMENDED IN THE SENATE**
House Bill 1296 – Delegates Cullison and Frank

AN ACT concerning

State Board of Physicians – Quasi–Judicial Powers – Revision

Delegate Hammen moved that the House concur in the Senate amendments.

HB1296/484734/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1296
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 2, after “Powers” insert “and the Board of Review”; in the same line, strike “Revision” and substitute “Revisions”; in line 8, after “law;” insert “repealing the authority for certain persons to appeal certain decisions to the Board of Review, followed by a certain appeal; specifying that certain persons may take certain judicial appeals;”; in line 9, strike “quasi–judicial powers of the”; and in line 12, after “14–206” insert “and 14–408”.

AMENDMENT NO. 2
On page 3, after line 3, insert:

“14–408.

(a) [Except as provided in this section for an action under § 14–404 of this subtitle or § 14–5A–17 of this title, any person aggrieved by a final decision of the Board in a contested case, as defined in the Administrative Procedure Act, may:

(1) Appeal that decision to the Board of Review; and

(2) Then take any further appeal allowed by the Administrative Procedure Act.

(b)] (1) Any person aggrieved by a final decision of the Board IN A CONTESTED CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE ACT,
[under § 14–404 of this subtitle or § 14–5A–17 of this title may not appeal to the Secretary or Board of Review but] may take a direct judicial appeal.

(2) The appeal shall be made as provided for judicial review of final decisions in the Administrative Procedure Act.

[(c) (B)] An order of the Board may not be stayed pending review.

[(d) (C)] The Board may appeal from any decision that reverses or modifies its order.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138  Negative – 0  (See Roll Call No. 1168)

AMENDED IN THE SENATE

House Bill 1313 – Delegate Cullison

EMERGENCY BILL

AN ACT concerning

State Board of Physicians – Consultation, Qualification for Licensure, License Renewal, and Representation to the Public

Delegate Hammen moved that the House concur in the Senate amendments.

HB1313/834734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1313
(Third Reading File Bill)

On page 7, in line 17, strike “IN” and substitute “I:

1.  IN”;
in the same line, strike “, WITH” and substitute “;”:

2. \textbf{WITH};

in line 18, after “APPLICATION,” insert “AND”; strike beginning with “(II)” in line 19 down through “OCCURRED” in line 20 and substitute:

\textbf{“3. THAT OCCURRED”;}

in line 22, strike “(III)” and substitute “(II)”; in the same line, strike “NO” and substitute “HAS NO”; in the same line, strike “IS”; in the same line, strike “OR HAS BEEN” and substitute “AND HAS HAD NO DISCIPLINARY ACTION”; and in line 23, after “APPLICANT” insert “\textbf{THAT WOULD BE GROUNDS FOR DISCIPLINE UNDER \S 14–404 OF THIS TITLE}”.

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:

\begin{center}
\begin{tabular}{ll}
Affirmative & 139 \quad Negative & 0 \\
\end{tabular}
\end{center}

\textbf{THIRD READING FILE}

The presiding officer submitted the following Bills for Third Reading:

\textbf{THIRD READING CALENDAR (SENATE BILLS) #44}

Senate Bill 631 – Senators King, DeGrange, Forehand, Garagiola, Klausmeier, Manno, Miller, and Peters

SECOND PRINTING

AN ACT concerning

\textbf{Hotel Rental Tax – Exemption – Lodging at a Corporate Training Center}

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

\begin{center}
\begin{tabular}{ll}
Affirmative & 102 \quad Negative & 35 \\
\end{tabular}
\end{center}
The Bill was then returned to the Senate.

Senate Bill 815 – Senator Shank

AN ACT concerning

Nonpublic Schools – Primary and Secondary Education – Epinephrine Availability and Use – Policy and Immunity

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

   Affirmative – 137    Negative – 0     (See Roll Call No. 1171)

The Bill was then returned to the Senate.

Senate Bill 926 – Senator Pinsky

AN ACT concerning

Education – State and Local Aid Program for Certification or Renewal of Certification – Sunset Repeal

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

   Affirmative – 138    Negative – 0     (See Roll Call No. 1172)

The Bill was then returned to the Senate.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #30

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

House Bill 1431 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages Licenses – Towne Centre at Laurel
PG 320–13

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 682 – Senators Klausmeier and Middleton

AN ACT concerning

Portable Electronics Insurance – Compensation of Employees of Vendor
Vendor, Disclosures to Customers
Customers, and Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 1173)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #37**

Senate Bill 366 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Conway, Ferguson, McFadden, and Pugh

AN ACT concerning

Baltimore City – Extinguishment or Redemption of Ground Rents

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

Affirmative – 136     Negative – 0     (See Roll Call No. 1174)

The Bill was then returned to the Senate.

Senate Bill 575 – Senators Simonaire, Benson, Dyson, Ferguson, Jennings, Montgomery, Reilly, and Young

AN ACT concerning

Environment – Maryland Clean Water Fund – Uses Annual Report

Read the third time and passed by yeas and nays as follows:
Affirmative – 139  Negative – 0  (See Roll Call No. 1175)

The Bill was then returned to the Senate.

Senate Bill 642 – Senators Muse, Conway, Forehand, Gladden, Ramirez, and Robey

AN ACT concerning

Residential Real Property – Prohibition on Nonjudicial Evictions

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

Affirmative – 139  Negative – 0  (See Roll Call No. 1176)

The Bill was then returned to the Senate.

Senate Bill 696 – Senator Stone

AN ACT concerning

Manufactured Homes – Affixation to Real Property – Liens

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

Affirmative – 139  Negative – 0  (See Roll Call No. 1177)

The Bill was then returned to the Senate.

Senate Bill 748 – Senator Middleton

AN ACT concerning

Agriculture – Nutrient Management – Waters of the State Limiting Applicability

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

Affirmative – 137  Negative – 1  (See Roll Call No. 1178)

The Bill was then returned to the Senate.

Senate Bill 750 – Senator Robey

AN ACT concerning
Public Safety – Maryland Building Performance Standards – Local Wind Design and Wind–Borne Debris Standards

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

   Affirmative – 137   Negative – 2   (See Roll Call No. 1179)

The Bill was then returned to the Senate.

Senate Bill 814 – Senator Shank

AN ACT concerning

   Washington County – Salary and Expense Study Commission – Updating Salary Provisions – Membership

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

   Affirmative – 137   Negative – 1   (See Roll Call No. 1180)

The Bill was then returned to the Senate.

Senate Bill 846 – Senator Conway

AN ACT concerning

   Courts – Baltimore City Sheriff and Fees for Filing and Service of Process

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

   Affirmative – 110   Negative – 29   (See Roll Call No. 1181)

The Bill was then returned to the Senate.

Senate Bill 854 – Senator Edwards

AN ACT concerning

   Environment – Gas and Oil Drilling – Financial Assurance

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

   Affirmative – 138   Negative – 0   (See Roll Call No. 1182)

The Bill was then returned to the Senate.
THIRD READING CALENDAR (SENATE BILLS) #41

Senate Bill 11 – Senator Astle

AN ACT concerning

Natural Resources – State Boat Act – Expiration of Temporary Certificate of Boat Number

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

Affirmative – 138 Negative – 1 (See Roll Call No. 1183)

The Bill was then returned to the Senate.

Senate Bill 199 – Senator Frosh Senators Frosh and Klausmeier

AN ACT concerning

Real Property – Refinance Mortgage – Priority over Junior Liens

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1184)

The Bill was then returned to the Senate.

Senate Bill 344 – Senators Middleton and Frosh

AN ACT concerning

Potomac River Fisheries Commission – Inspection Tax and Penalty

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

Affirmative – 118 Negative – 19 (See Roll Call No. 1185)

The Bill was then returned to the Senate.

Senate Bill 524 – Senator Colburn

AN ACT concerning

Wetlands and Riparian Rights – Licenses and Permits for Nonwater-Dependent Projects on State or Private Wetlands

Read the third time and passed by yeas and nays as follows:
The Bill was then returned to the Senate.

Senate Bill 526 – Senators Colburn and Pipkin

AN ACT concerning

Counties and Municipalities – Required Legislation or Regulations – Adoption by Reference

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

Affirmative – 138  Negative – 0  (See Roll Call No. 1187)

The Bill was then returned to the Senate.

Senate Bill 587 – Senators Garagiola, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jacobs, Jennings, Jones-Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Higher Education – Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship

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

Affirmative – 138  Negative – 0  (See Roll Call No. 1188)

The Bill was then returned to the Senate.

Senate Bill 849 – Senators Ramirez, Colburn, Currie, King, Madaleno, Manno, and Middleton

AN ACT concerning

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

Read the third time and passed by yeas and nays as follows:
Affirmative – 138    Negative – 0    (See Roll Call No. 1189)

The Bill was then returned to the Senate.

**Senate Bill 1031 – Senator Colburn**

AN ACT concerning

**Hunting – Domesticated, Stray, or Feral Animals – Prohibited Acts**

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

Affirmative – 137    Negative – 2    (See Roll Call No. 1190)

The Bill was then returned to the Senate.

**Senate Bill 1049 – Senators Mathias and Astle**

AN ACT concerning

**Recycling – Apartment Buildings and Condominiums – Ocean City**

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

Affirmative – 114    Negative – 25    (See Roll Call No. 1191)

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. 1192)

**ADJOURNMENT**

At 2:10 P.M. on motion of Delegate Barve the House adjourned until 4:00 P.M. on Legislative Day April 3, 2013, Calendar Day Monday, April 8, 2013.
The House met at 4:43 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 104 Members present.

(See Roll Call No. 1193)

The Journal of April 2, 2013 was read and approved.

**EXCUSES:**
Del. Dwyer – illness
Del. McMillan – left briefly – business
Del. Valentino–Smith – left early – funeral

**QUORUM CALL**

The presiding officer announced a quorum call, showing 122 Members present.

(See Roll Call No. 1194)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (HOUSE BILLS) #75**

House Bill 1527 – Delegate Beidle

AN ACT concerning

**Anne Arundel County – Human Relations – Violations of County Discrimination Laws**
Read the third time and passed by yeas and nays as follows:

Affirmative – 121    Negative – 1    (See Roll Call No. 1195)

The Bill was then sent to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT
#12

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

Senate Bill 799 – Senators Middleton, Astle, Conway, and Garagiola

AN ACT concerning


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

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

Senate Bill 829 – Senators Miller, Garagiola, Currie, Kasey, Madaleno, Manno, McFadden, and Raskin

Raskin, Brinkley, Colburn, DeGrange, Edwards, Jones–Rodwell, King, Peters, and Robey

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Transportation Trust Fund – Financing – Use of Funds

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

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

Senate Bill 1016 – Senator Frosh

Senators Frosh, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Ramirez, and Pugh
AN ACT concerning

Clean Energy Loan Programs – Private Lenders – Collection of Loan Payments

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

QUORUM CALL

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 1196)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #76


AN ACT concerning

Maryland Medical Assistance Program – Telemedicine

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

Affirmative – 126  Negative – 0  (See Roll Call No. 1197)

The Bill was then sent to the Senate.

House Bill 1431 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages Licenses – Towne Centre at Laurel
PG 320–13

Read the third time and passed by yeas and nays as follows:
The Bill was then sent to the Senate.

House Bill 1535 – Delegate Jones

AN ACT concerning

Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution

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

Affirmative – 126 Negative – 0 (See Roll Call No. 1199)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #77


AN ACT concerning

State Brain Injury Trust Fund

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

Affirmative – 132 Negative – 0 (See Roll Call No. 1200)

The Bill was then sent to the Senate.

House Bill 869 – Delegate Hubbard

AN ACT concerning

Community Health Resources Commission – Revisions

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1201)

The Bill was then sent to the Senate.
House Bill 1356 – Delegates Cullison, Barve, Clippinger, Costa, Donoghue, Elliott, Frank, Gutierrez, Hubbard, Hucker, Kach, A. Kelly, Kipke, Krebs, Murphy, Oaks, Pena–Melnyk, Reznik, Stocksdale, and V. Turner

AN ACT concerning

Health Care Practitioners – Identification Badge

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

Affirmative – 132    Negative – 0   (See Roll Call No. 1202)

The Bill was then sent to the Senate.


AN ACT concerning

Honey – License Exemptions

Department of Health and Mental Hygiene – Study of Honey–Related Licenses and Permits

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

Affirmative – 131    Negative – 0   (See Roll Call No. 1203)

The Bill was then sent to the Senate.

House Bill 1481 – Delegate Waldstreicher

AN ACT concerning

Medical Records – Disclosure in Response to Compulsory Process

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

Affirmative – 135    Negative – 0   (See Roll Call No. 1204)

The Bill was then sent to the Senate.

House Bill 1529 – Delegates Hammen and Pena–Melnyk

AN ACT concerning
Department of Health and Mental Hygiene – Health Care Staff Agencies – Regulation

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

Affirmative – 135     Negative – 0     (See Roll Call No. 1205)

The Bill was then sent to the Senate.

THE COMMITTEE ON WAYS AND MEANS REPORT #23

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

Senate Bill 194 – Senators Kelley, Benson, Conway, Currie, Ferguson, Jones–Rodwell, King, Pugh, Reilly, and Young

AN ACT concerning

Education – Charter Schools – Study to Recommend Improvements to the Maryland Public Charter School Program

SB0194/135063/1
BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 194
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Program;” insert “requiring the Maryland State Department of Education to submit a report on the status of a certain study to the Governor and the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 2, in line 29, strike “2013” and substitute “2014”.

On page 4, after line 16, insert:

“(d) On or before December 1, 2013, the Maryland State Department of Education shall submit a report on the status of the study being conducted under
subsection (b) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, to the General Assembly.”;

in line 17, strike “(d)” and substitute “(e)”; in the same line, strike “2013” and substitute “2014”; in line 25, strike “1 year” and substitute “2 years”; and in line 26, strike “2014” and substitute “2015”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser moved to put **Senate Bill 194** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

<table>
<thead>
<tr>
<th>Affirmative</th>
<th>Negative</th>
</tr>
</thead>
<tbody>
<tr>
<td>132</td>
<td>2</td>
</tr>
</tbody>
</table>

(See Roll Call No. 1206)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 194** was placed on Third Reading.

**Senate Bill 194** – Senators Kelley, Benson, Conway, Currie, Ferguson, Jones–Rodwell, King, Pugh, Reilly, and Young

AN ACT concerning

**Education – Charter Schools – Study to Recommend Improvements to the Maryland Public Charter School Program**

STATUS OF BILL: BILL ON 3RD READING.

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

<table>
<thead>
<tr>
<th>Affirmative</th>
<th>Negative</th>
</tr>
</thead>
<tbody>
<tr>
<td>133</td>
<td>0</td>
</tr>
</tbody>
</table>

(See Roll Call No. 1207)

The Bill was then returned to the Senate.

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

**Senate Bill 422** – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Gladden, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Stone, and Young
AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 481 – Senators Manno, Madaleno, and Raskin

AN ACT concerning

Income Tax Credit—Home Generators


Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 740 – Senators Pinsky and Madaleno, Madaleno, and Currie

AN ACT concerning

College Readiness and Completion Act of 2013

SB0740/135665/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 740
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “College” insert “and Career”; in the same line, after “and” insert “College”; and in line 12, after “requirements;” insert “requiring certain students to enroll in a mathematics course in each year of high school; requiring the Department to adopt certain regulations;”.
On page 2, in line 3, after “system” insert “with certain benchmarks”; in line 9, strike “Commission” and substitute “governing board of a public institution of higher education, in consultation with the Commission.”; in line 11, strike “beginning on or before a certain date,”; in line 14, after “students;” insert “requiring a county board to pay a certain amount for a certain number of courses for a certain dually enrolled student under certain circumstances;”; in line 15, strike “student activities”; in line 18, strike “offer” and substitute “make”; in line 19, after “students” insert “aware of”; in line 25, after “to” insert “conduct a certain study and to”; in line 27, after “Services” insert “and to submit certain reports”; in line 29, after “date;” insert “expressing a certain legislative intent;” and in the same line, after “college” insert “and career”.

AMENDMENT NO. 2
On page 4, in line 4, strike “2014–2015” and substitute “2015–2016”; in line 8, after “WORK” insert “IN ENGLISH LANGUAGE ARTS, LITERACY, AND MATHEMATICS”; in line 12, strike “2015–2016” and substitute “2016–2017”; in line 14, after “COLLEGE” insert “AND CAREER”; in line 24, after “TO” insert “PARAGRAPH (2) OF THIS SUBSECTION AND”; in the same line, strike “(D)” and substitute “(E)” and after line 26, insert:

“(2) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT ESTABLISH THE MATHEMATICS AND MATH–RELATED COURSES THAT FULFILL THE REQUIREMENTS OF THIS SUBSECTION, WHICH MAY INCLUDE MATH–RELATED CAREER AND TECHNOLOGY PROGRAM COURSES.”.

On page 5, in line 1, strike “(2)” and substitute “(D)” and in line 3, strike “(D)” and substitute “(E)”.

On page 9, in line 3, strike “SENIOR”; in line 8, strike “30” and substitute “45”; in line 26, before “EACH” insert “(A)” and strike in their entirety lines 28 through 32, inclusive, and substitute:

“(1) DEVELOP A PATHWAY SYSTEM WHEREBY PUBLIC INSTITUTIONS OF HIGHER EDUCATION ESTABLISH GRADUATION PROGRESS BENCHMARKS FOR EACH ACADEMIC MAJOR AND FOR THE GENERAL EDUCATION PROGRAM FOR STUDENTS WHO HAVE NOT DECLARED A MAJOR.”.

On page 10, in line 1, after “EACH” insert “FIRST–TIME”; and after line 9, insert:
“(B) (1) The benchmarks established in subsection (a)(1) of this section shall specify the credit and course criteria that indicate satisfactory progress toward a degree.

(2) Academic units shall establish schedules for regular periodic reviews of student progress.

(3) Students who are in danger of falling behind the program benchmarks shall be required to consult with an academic advisor before registration.”.

On page 11, in line 14, strike “Commission” and substitute “Governing Board of a public institution of higher education, in consultation with the Commission,”.

On page 12, in line 26, strike “beginning on January 1, 2014, A” and substitute “A”; in line 29, after “(B)” insert “(1)”; and in the same line, strike “for” and substitute “subject to subsection (d) of this section, for”.

On page 13, in line 1, strike “Each course” and substitute “up to a maximum of four courses”; and in line 2, after “enrolled” insert “while a student in a public secondary school in the state”; in line 3, strike “(1)” and substitute “(1)”; in line 5, strike “(2)” and substitute “(II)”; in line 6, strike “(1)” and substitute “1.”; in line 9, strike “(II)” and substitute “2.”; after line 9, insert:

“(2) For each course in excess of four in which a dually enrolled student is enrolled, the county board shall pay:

(i) For a public senior institution of higher education, 90% of the cost of tuition; and

(ii) For a community college, the lesser of:

1. 5% of the target per pupil foundation amount established under § 5–202(a) of this article; or
2. 90% OF THE COST OF TUITION.

(3) IF THERE IS AN AGREEMENT BEFORE JULY 1, 2013, BETWEEN A PUBLIC SCHOOL AND A PUBLIC INSTITUTION OF HIGHER EDUCATION IN WHICH THE PUBLIC INSTITUTION OF HIGHER EDUCATION CHARGES LESS THAN 75% OF THE COST OF TUITION TO A DUALLY ENROLLED STUDENT, THE COUNTY BOARD SHALL PAY THE COST OF TUITION UNDER THE EXISTING AGREEMENT.

in line 22, after “(1)” insert “(I)”; in line 23, strike “STUDENT ACTIVITIES”; strike “50%” and substitute “90%”; in line 24, strike “(B)” and substitute “(B)(1)”; after line 24, insert:

“(II) A COUNTY BOARD MAY CHARGE A DUALLY ENROLLED STUDENT A FEE NOT TO EXCEED 100% OF THE AMOUNT PAID UNDER SUBSECTION (B)(2) OF THIS SECTION.”;

in line 28, strike “DEMONSTRATE FINANCIAL NEED” and substitute “ARE ELIGIBLE FOR FREE AND REDUCED PRICE MEALS”; and after line 28, insert:

“(D) IF THERE IS AN AGREEMENT BETWEEN A PUBLIC SCHOOL AND A PUBLIC INSTITUTION OF HIGHER EDUCATION IN WHICH A PUBLIC SCHOOL AGREES TO PAY FOR MORE THAN FOUR COURSES AT A PUBLIC INSTITUTION OF HIGHER EDUCATION FOR A DUALLY ENROLLED STUDENT, THE PUBLIC SCHOOL SHALL PAY FOR THE NUMBER OF COURSES UNDER THE AGREEMENT.”.

On page 14, in line 1, strike “OFFER” and substitute “MAKE”; and in line 2, after “REQUIREMENTS” insert “AWARE OF”.

On page 15, in lines 20 and 27, in each instance, after the first “COLLEGE” insert “AND CAREER”.

On page 16, in line 15, strike “2013” and substitute “2014”; in line 21, after “college” insert “and career”; and in line 22, after “Article” insert “, as enacted by Section 1 of this Act”.

On page 18, after line 7, insert:
“SECTION 8. AND BE IT FURTHER ENACTED, That the State Department of Education, in collaboration with the county boards of education and the Maryland Higher Education Commission, and with input from other stakeholders, shall study the transition courses required under Section 7–205.1 of the Education Article as enacted by Section 1 of this Act and examine the development, content, and implementation of transition courses to be delivered to students in the 12th grade who are not college and career ready at the end of 11th grade. The study shall include the alignment of transition courses with the Common Core State Curriculum as well as whether the courses should be credit-bearing and should be considered to meet the requirements for high school graduation. The study shall determine the appropriate assessment to be used to determine college and career readiness and include the number of credits toward graduation that students have accumulated upon entering 12th grade in each local education agency. The study shall also address how students’ level of college and career readiness will be reflected on high school transcripts. It is the intent of the General Assembly that separate high school diplomas not be established. A report including any recommendations shall be submitted to the Governor 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 no later than December 15, 2013.”;

and in line 8, strike “8.” and substitute “9.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser moved to put Senate Bill 740 on Third Reading on the same day in compliance with the Constitution.

The motion was rejected by a roll call vote as follows:

Affirmative – 87    Negative – 45    (See Roll Call No. 1208)

THE COMMITTEE ON APPROPRIATIONS REPORT #13

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

Senate Bill 429 – Carroll County Senators
AN ACT concerning

   Carroll County – Budgeting and Finance Procedures – Surplus Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 828 – Senator Madaleno, Senators Madaleno, Jones–Rodwell, and McFadden

AN ACT concerning

St. Mary’s College of Maryland – Tuition Freeze and DeSousa–Brent Scholars Completion Grant

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #31

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

House Bill 1011 – Delegates Jameson and Love

AN ACT concerning

   Portable Electronics Insurance – Compensation of Employees of Vendor – Disclosures to Customers

HB1011/433299/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1011
(First Reading File Bill)

AMENDMENT NO. 1

   On page 1, in line 2, strike “Vendor –” and substitute “Vendor,”; in line 3, strike “Customers” and substitute “Customers, and Study”; and in line 8, after
“circumstances;” insert “requiring the Maryland Insurance Commissioner to make certain determinations and review certain laws, practices, guidelines, and standards relating to limited lines insurance; requiring the Commissioner to keep track of certain complaints regarding the sales practices of vendor employees at point of sale; requiring the Commissioner to report certain findings and recommendations to certain committees of the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 1, after line 23, insert:

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

Article – Insurance”.

On page 3, after line 30, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Insurance Commissioner shall:

(1) determine the types of limited lines insurance that are authorized to be offered in other states;

(2) review the laws and practices of other states relating to the offering of limited lines insurance, including whether a license to sell a limited lines insurance policy is required, and whether and how employees of a licensee are compensated for selling a limited lines insurance policy;

(3) review the National Association of Insurance Commissioners’ guidelines and standards relating to the authorization of limited lines insurance;

(4) determine the appropriate regulatory structure, including consumer protections, for the sale of a limited lines insurance policy; and

(5) on or before December 1, 2013, report the Commissioner’s findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.
SECTION 4. AND BE IT FURTHER ENACTED, That the Maryland Insurance Commissioner shall:

(1) keep track of complaints from consumers regarding the sales practices of vendor employees at point of sale, including:

(i) the number of complaints;

(ii) a summary of the allegations contained in the complaints; and

(iii) the disposition of the complaints;

(2) based on the complaints under paragraph (1) of this section and any other information the Commissioner determines necessary, determine whether and how vendor employees should be compensated for selling a portable electronics limited lines insurance policy; and

(3) on or before January 1, 2017, report the Commissioner’s findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.”;

in line 31, strike “2.” and substitute “5.”; and in line 32, after “2013.” insert “Section 1 of this Act shall remain effective for a period of 4 years and, at the end of September 30, 2017, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and 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 351 – Senator Mathias**

AN ACT concerning

Somerset County – Alcoholic Beverages – Beer and Wine 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 553 – Senator Getty**

AN ACT concerning

  Tipped Employees – Payments or Deduction from Wages – Prohibition

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 736 – Senator Astle**

AN ACT concerning

  Insurance – Fraudulent Insurance Acts – Compensation for Deductible

SB0736/883195/1
BY: Economic Matters Committee

**AMENDMENTS TO SENATE BILL 736**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 3, strike “a person” and substitute “certain persons offering certain services for certain damages”; in line 4, after the second “compensate,” insert “with a certain intent”; and strike beginning with “as” in line 5 down through “services” in line 6.

**AMENDMENT NO. 2**

On page 2, strike beginning with “PERSON” in line 6 down through “SERVICES” in line 10 and substitute “CONTRACTOR OFFERING HOME REPAIR OR REMODELING SERVICES FOR DAMAGES TO A PRIVATE RESIDENCE CAUSED BY WEATHER, TO DIRECTLY OR INDIRECTLY PAY OR OTHERWISE COMPENSATE AN INSURED, OR OFFER OR PROMISE TO PAY OR COMPENSATE AN INSURED, WITH
THE INTENT TO DEFRAUD AN INSURER, FOR ANY PART OF THE INSURED’S DEDUCTIBLE UNDER THE INSURED’S PROPERTY OR CASUALTY INSURANCE POLICY, IF PAYMENT FOR THE SERVICES WILL BE MADE FROM THE PROCEEDS OF THE POLICY”.

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 1072 – Senator Middleton**

AN ACT concerning

   Linked Deposit Programs for Small Businesses and Minority Business Enterprises

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**CONFERENCE COMMITTEE REPORT**

BILL NO.: **HB 184**    SPONSOR: Delegate Lafferty

SUBJECT: **Income Tax Credit – Oyster Shell Recycling**

THIRD READING CALENDAR   HOUSE NO. 27   SENATE NO. 15

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the attached Senate Budget and Taxation Committee Amendments (HB0184/309936/1) be adopted.

HB0184/309936/1

BY: Budget and Taxation Committee
AMENDMENT TO HOUSE BILL 184
(Third Reading File Bill)

On page 1, strike beginning with “providing” in line 9 down through “Act;” in line 11; and strike in their entirety lines 13 through 17, inclusive.

On page 2, strike in their entirety lines 5 through 11, inclusive.

Senate Members:  
Chair, Richard F. Colburn
James N. Robey
Richard S. Madaleno, Jr.

House Members:  
Chair, Kumar P. Barve
Talmadge Branch
Kathy Afzali

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 – 135  Negative – 0  (See Roll Call No. 1209)

The Bill was then sent to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 753    SPONSOR: Delegate Malone


THIRD READING CALENDAR    HOUSE NO. 36    SENATE NO. 7

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 Judicial Proceedings Committee Amendments (HB0753/688374/1) be adopted.

HB0753/688374/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 753
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with “repealing” in line 6 down through “roadway,” in line 11; in line 13, strike “repealing a certain provision of law”; and in line 14, strike “first” and substitute “second or subsequent”.

AMENDMENT NO. 2
On page 2, in lines 20 and 21, strike “IN THE TRAVEL PORTION OF THE ROADWAY”.

On page 4, in line 7, strike the brackets; in the same line, strike “THE TRAVEL PORTION OF THE ROADWAY”; in line 12, strike the brackets; in lines 12 and 13, strike “THE TRAVEL PORTION OF THE ROADWAY”; in line 19, after “(f)” insert a closing bracket; in line 21, strike “$40; and” and substitute “$75;”; in line 22, strike “or subsequent”; in the same line, strike “of $100” and substitute “OF NOT MORE THAN $125; AND

(III) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF NOT MORE THAN $175”;

in line 23, strike beginning with “For” through “points” and substitute “POINTS”; in line 26, strike “(g)” and substitute “(F)”; in the same line, in each instance, strike the bracket; and in lines 26 and 27, strike “THE PENALTY FOR A VIOLATION”.

Senate Members: ____________________________  House Members: ____________________________
Chair, James Brochin
Chair, James E. Malone, Jr.

Jamie Raskin
Dana Stein

Christopher B. Shank
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 – 110   Negative – 28  (See Roll Call No. 1210)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

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

BILL:    HB 1006
SPONSOR:  Del Anderson, et al
SUBJECT:  Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

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 K. Kelly
Delegate McComas

The Senate appoints:
Senator Gladden, Chairman
Senator Jacobs
Senator Raskin.

Said Bill is returned herewith.
By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 1211)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #43

Senate Bill 83 – Chair, Finance Committee (By Request – Departmental – Aging)

AN ACT concerning

Department of Aging – Aging and Disability Resource Center Program – Maryland Access Point

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

Affirmative – 139   Negative – 0   (See Roll Call No. 1212)

The Bill was then returned to the Senate.

Senate Bill 151 – Senator Colburn

EMERGENCY BILL

AN ACT concerning

Hospitals – Outpatient Services – Off-Site Facility – Rate Regulation

Read the third time and passed by yeas and nays as follows:
Affirmative – 139  Negative – 0  (See Roll Call No. 1213)

The Bill was then returned to the Senate.

Senate Bill 230 – Senators Getty and Ferguson

AN ACT concerning

Open Meetings Act – Public Body – Definition

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

Affirmative – 140  Negative – 0  (See Roll Call No. 1214)

The Bill was then returned to the Senate.

Senate Bill 273 – The President (By Request – Administration) and Senators Benson, Colburn, DeGrange, Dyson, Edwards, Ferguson, Forehand, Garagiola, Jacobs, Jones–Rodwell, Kelley, Klausmeier, Madaleno, Manno, Mathias, Miller, Montgomery, Peters, Pugh, Ramirez, Raskin, Robey, Stone, and Young Young, Conway, Rosapepe, Jennings, and Simonaire

AN ACT concerning

Veterans Full Employment Act of 2013

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

Affirmative – 140  Negative – 0  (See Roll Call No. 1215)

The Bill was then returned to the Senate.

Senate Bill 355 – Senators Pugh, Jones–Rodwell, and Madaleno Madaleno, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Ramirez

AN ACT concerning

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

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

Affirmative – 140  Negative – 0  (See Roll Call No. 1216)

The Bill was then returned to the Senate.
Senate Bill 401 – Senator Dyson

AN ACT concerning

Pharmacists – Administration of Vaccinations – Expanded Authority and Reporting Requirements

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

   Affirmative – 140  Negative – 0  (See Roll Call No. 1217)

The Bill was then returned to the Senate.

Senate Bill 459 – Senators Conway and Middleton

AN ACT concerning

Health Occupations – Dental Hygienists – Provision of Services Without Supervision at a Community–Based Health Fair

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

   Affirmative – 140  Negative – 0  (See Roll Call No. 1218)

The Bill was then returned to the Senate.

Senate Bill 581 – Senators Kelley, Benson, Brinkley, Forehand, Klausmeier, Madaleno, Middleton, Montgomery, Pinsky, and Pugh, Pugh, Astle, Garagiola, Glassman, Kittleman, Mathias, and Ramirez

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Consumer Bill of Rights Notice and Authorization Forms

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

   Affirmative – 140  Negative – 0  (See Roll Call No. 1219)

The Bill was then returned to the Senate.

Senate Bill 582 – Senators Kelley, Benson, Brinkley, Forehand, Klausmeier, Madaleno, Middleton, Montgomery, Pinsky, and Pugh, Pugh, Astle, Garagiola, Glassman, Kittleman, Mathias, and Ramirez

AN ACT concerning
Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Utilization Review Criteria and Standards

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

   Affirmative – 139     Negative – 0     (See Roll Call No. 1220)

The Bill was then returned to the Senate.

Senate Bill 593 – Senator Montgomery

AN ACT concerning

   Health Occupations Boards – License Renewal, Investigation of Alleged Violations, and Immunity from Liability

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

   Affirmative – 140     Negative – 0     (See Roll Call No. 1221)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 1372     SPONSOR: Delegate Jones

SUBJECT: Prior Authorizations of State Debt to Fund Capital Projects – Alterations

THIRD READING CALENDAR     HOUSE NO. 62    SENATE NO. 5

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That Amendment Numbers 1, 2, 3, 7, 8, 10, and 14 through 17 of the attached Budget and Taxation Committee Amendments (HB1372/419530/1) be rejected.

(2) That Amendment Numbers 4, 5, 6, 9, and 11 through 13 of the attached Budget and Taxation Committee Amendments (HB1372/419530/1) be adopted.
(3) That the attached Conference Committee Amendments (HB1372/413829/1) be adopted.

HB1372/419530/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1372
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike in their entirety lines 15 through 19, inclusive.

On page 2, after line 17, insert:

“BY repealing and reenacting, with amendments,
Section 1(3) Item ZA00(C)”.

On page 3, after line 14, insert:

“BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Section 1(3) Item ZA00(S)”;

in line 33, strike “and (AL)” and substitute “(AL), and (BJ)” and in line 34, strike “and (AV)” and substitute “(AV), and (AW)”.

On page 4, in line 7, after “(F),” insert “(L),”; in line 10, strike “ZA02(AB),”; in the same line, strike “(J),”; in line 11, strike “(T),”; and in the same line, strike “(X),”.

AMENDMENT NO. 2
On page 5, strike in their entirety lines 15 through 35, inclusive.

AMENDMENT NO. 3
On page 7, in line 37, strike the opening bracket; in line 38, strike the closing bracket; in line 39, strike “OF $225,000”; and in line 40, after “County,” insert “AND THE BOARD OF DIRECTORS OF THE HISTORIC PERRY HALL MANSION, INC.”.
AMENDMENT NO. 4

On page 7, after line 7, insert:


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

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(C) Babe Ruth Birthplace and Museum. Provide a grant to the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. to assist in the design, construction, renovation, and equipping of improvements to the Babe Ruth Birthplace and Museum. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2013] 2014 (Baltimore City).............................................................. 250,000”.

AMENDMENT NO. 5

On page 12, after line 34, insert:


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

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(S) [Robert E. Lee Park] PERRY HALL GYMNASIUM PROJECT. Provide a grant to the County Executive and County Council of Baltimore County ON BEHALF OF THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS for the PLANNING, design, construction, and capital equipping of improvements to [Robert E. Lee Park] THE PERRY HALL GYMNASIUM 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”.

AMENDMENT NO. 6
On page 11, in line 4, strike “483” and substitute “485”.

AMENDMENT NO. 7
On page 15, in line 19, strike the opening bracket; in line 21, strike “[OF $50,000”; in line 24, strike the opening bracket; and in line 28, strike the closing bracket.

AMENDMENT NO. 8
On page 16, in line 3, strike the opening bracket; in line 5, strike “[OF $25,000”; in line 8, strike the opening bracket; and in line 12, strike the closing bracket.

AMENDMENT NO. 9
On page 16, in line 16, strike “(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES”; and after line 32, insert “(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES”.

AMENDMENT NO. 10
On page 18, strike in their entirety lines 29 and 30; in line 32, strike the opening bracket; in line 33, strike the closing bracket; in line 34, strike “OF $175,000”; in line 37, strike the opening bracket; and in line 38, strike the closing bracket and substitute a period.

AMENDMENT NO. 11
On page 19, before line 27, insert:

“(BJ) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. 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 Prince George’s County Boys and Girls Club, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard, signs, and stands FOR THE CAPITOL HEIGHTS AND SEAT PLEASANT BOYS AND GIRLS CLUB FIELD, located in
Prince George’s County. 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. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County).............................................................. 25,000”.

AMENDMENT NO. 12
On page 22, after line 14, insert:

“(AW) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s County Boys and Girls Club, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard, signs, and stands for the Capitol Heights and Seat Pleasant Boys and Girls Club field, located in Prince George’s County. 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. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County).............................................................. 75,000”.

AMENDMENT NO. 13
On page 23, after line 3, insert:

“(L) Maryland Science Center – Planetarium Improvements. Provide a grant to the Board of Trustees of the Maryland Science Center, Inc. for the renovation and capital equipping of the planetarium, 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 REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS
EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT
(Baltimore City)............................................................... 550,000”.

AMENDMENT NO. 14
On page 27, strike in their entirety lines 31 through 39, inclusive.

AMENDMENT NO. 15
On page 31, strike in their entirety lines 31 through 39, inclusive.

AMENDMENT NO. 16
On page 32, strike in their entirety lines 19 through 26, inclusive.

AMENDMENT NO. 17
On pages 32 and 33, strike in their entirety the lines beginning with line 41 on page 32 through line 9 on page 33, inclusive.

HB1372/413829/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1372
(Third Reading File Bill)

AMENDMENT NO. 1
On page 2, after line 17, insert:

“BY repealing and reenacting, with amendments,
Section 1(3) Item ZA00(C)”.

On page 3, after line 3, insert:

“BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by
Section 1(3) Item ZA02(BQ)”;

after line 14, insert:
“BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Section 1(3) ItemZA00(S)”;}

in line 33, strike “and (AL)” and substitute “(AL), and (BJ)”; and in line 34, strike “and
(AV)” and substitute “(AV), and (AW)”.  

On page 4, in line 7, after “(F),” insert “(L),”; in line 9, after “(Z),” insert “(AB),”; and in line 10, strike “ZA02(AB)”. 

AMENDMENT NO. 2

On page 7, in line 40, after “County,” insert “AND THE BOARD OF DIRECTORS
OF THE HISTORIC PERRY HALL MANSION, INC.”.

AMENDMENT NO. 3

On page 11, after line 3, insert:

Chapter 639 of the Acts of 2012

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

(3) ZA02 LOCAL HOUSE INITIATIVES

(BQ) Rosaryville Conservancy Tack House and Stables. Provide a grant [equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided.] OF $100,000 to the Board of Directors of the Rosaryville Conservancy, Inc. for the repair, renovation, and restoration of the tack house and stables located in the conservancy area on the grounds of the Mount Airy Mansion, located in Upper Marlboro[. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions and 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] (Prince George’s County).............................................................. 100,000”. 
AMENDMENT NO. 3
On page 18, strike in their entirety lines 29 and 30.

Senate Members:  
Chair, ____________

House Members:  
Chair, ____________

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Chair, James E. DeGrange, Sr.  
Chair, Adrienne A. Jones

Edward J. Kasemeyer  
Norman H. Conway

Douglas J. J. Peters  
Melony G. Griffith

_____________________________________________________________________________

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 – 133   Negative – 7   (See Roll Call No. 1222)

The Bill was then sent to the Senate.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #39

Senate Bill 370 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Garrett County – County Commissioners – Industrial Wind Energy Conversion Systems
Read the third time and passed by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 1223)

The Bill was then returned to the Senate.

Senate Bill 930 – Senators Pugh, Conway, Ferguson, Middleton, Montgomery, Muse, Ramirez, and Young

AN ACT concerning Maryland Automobile Insurance Fund Property and Casualty Insurance – Premium Payments – Acceptance of Premiums on Installment Payment Basis and Premium Finance Agreements

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

Affirmative – 137    Negative – 2    (See Roll Call No. 1224)

The Bill was then returned to the Senate.

Senate Bill 1028 – Senator Klausmeier

AN ACT concerning Baltimore County – Alcoholic Beverages – License Transfers

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1225)

The Bill was then returned to the Senate.

Senate Bill 1064 – Senator Middleton

EMERGENCY BILL


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

Affirmative – 140    Negative – 0    (See Roll Call No. 1226)

The Bill was then returned to the Senate.
THIRD READING CALENDAR (SENATE BILLS) #42

Senate Bill 595 – Senators Montgomery and Benson

AN ACT concerning

State Board of Pharmacy – Wholesale Distribution – Pharmacies

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

   Affirmative – 139     Negative – 0     (See Roll Call No. 1227)

The Bill was then returned to the Senate.

Senate Bill 745 – Senator Middleton

AN ACT concerning

Public Safety – 9-1-1 Emergency Telephone Systems – Prepaid Service – Collection of Surcharge

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

   Affirmative – 131     Negative – 8     (See Roll Call No. 1228)

The Bill was then returned to the Senate.

Senate Bill 761 – Senator Montgomery

EMERGENCY BILL

AN ACT concerning

Health Occupations – State Board of Pharmacy – Waivers – Pharmacies That Only Dispense Devices

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

   Affirmative – 140     Negative – 0     (See Roll Call No. 1229)

The Bill was then returned to the Senate.

Senate Bill 776 – Senator Pugh

Senators Pugh, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pipkin, and Ramirez
AN ACT concerning

Task Force on the Use of Telehealth to Improve Maryland Health Care

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

Affirmative – 140     Negative – 0     (See Roll Call No. 1230)

The Bill was then returned to the Senate.

Senate Bill 798 – Senators Middleton, Astle, Colburn, Edwards, Kittleman, Mathias, Montgomery, and Pugh

Pugh, Garagiola, Glassman, Kelley, Klausmeier, Muse, Pipkin, and Ramirez

AN ACT concerning

Hospitals – Credentialing and Privileging Process – Telemedicine

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

Affirmative – 139     Negative – 0     (See Roll Call No. 1231)

The Bill was then returned to the Senate.

Senate Bill 832 – Senator Ferguson

AN ACT concerning

Child Care Centers – Dispute Resolution

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

Affirmative – 138     Negative – 0     (See Roll Call No. 1232)

The Bill was then returned to the Senate.

Senate Bill 899 – Senators Mathias, Brinkley, Colburn, DeGrange, Edwards, Forehand, Glassman, Jennings, Manno, Middleton, Montgomery, Simonaire, and Stone

Stone, Dyson, Young, Reilly, Rosapepe, Benson, and Pinsky

AN ACT concerning

Local Government – Fire, Rescue, and Ambulance Funds – Distribution of Money to Volunteer Companies

Read the third time and passed by yeas and nays as follows:
Affirmative – 140   Negative – 0   (See Roll Call No. 1233)

The Bill was then returned to the Senate.

Senate Bill 904 – Senator Klausmeier

AN ACT concerning

Health Insurance – Vision Services – Provider Contracts and Delivery Systems

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

   Affirmative – 139   Negative – 0   (See Roll Call No. 1234)

The Bill was then returned to the Senate.

Senate Bill 942 – Senator Reilly

EMERGENCY BILL

AN ACT concerning

State Board of Physicians – Licensing Qualifications – Additional Training Exemption Consultation, Qualification for Licensure, License Renewal, and Representation to the Public

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

   Affirmative – 140   Negative – 0   (See Roll Call No. 1235)

The Bill was then returned to the Senate.

Senate Bill 981 – Senator Montgomery

AN ACT concerning

State Board of Physicians – Quasi–Judicial Powers – Revision

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

   Affirmative – 140   Negative – 0   (See Roll Call No. 1236)

The Bill was then returned to the Senate.
THIRD READING CALENDAR (SENATE BILLS) #45

Senate Bill 59 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Fish and Fisheries

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

Affirmative – 138  Negative – 0  (See Roll Call No. 1237)

The Bill was then returned to the Senate.

Senate Bill 87 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation) and Senator Forehand

AN ACT concerning

Vehicle Laws – Seat Belts and Child Safety Seats

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

Affirmative – 138  Negative – 0  (See Roll Call No. 1238)

The Bill was then returned to the Senate.

Senate Bill 359 – Senators Pugh, Benson, Conway, Currie, Forehand, Jones–Rodwell, Kasemeyer, King, Klausmeier, Montgomery, and Ramirez

AN ACT concerning

Education – School Vehicle Attendant

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

Affirmative – 137  Negative – 3  (See Roll Call No. 1239)

The Bill was then returned to the Senate.

Senate Bill 592 – Senators Frosh, Benson, Forehand, King, Madaleno, Manno, Montgomery, Pinsky, Raskin, Rosapepe, Stone, and Young

AN ACT concerning
Natural Resources – Shark Fins – Restriction on Possession or Distribution

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

Affirmative – 124     Negative – 14     (See Roll Call No. 1240)

The Bill was then returned to the Senate.

Senate Bill 675 – Senators Manno, Benson, Forehand, Frosh, Montgomery, Pinsky, and Young

AN ACT concerning

Maryland Pesticide Reporting and Information Act Workgroup

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

Affirmative – 106     Negative – 33     (See Roll Call No. 1241)

The Bill was then returned to the Senate.

Senate Bill 729 – Calvert County Senators

AN ACT concerning

Calvert County – County Commissioners – Method of Election

FLOOR AMENDMENT

SB0729/423927/1
BY:    Delegate O’Donnell

AMENDMENTS TO SENATE BILL 729
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 9, after “changes;” insert “submitting this Act to a referendum of the qualified voters of Calvert County;”.

AMENDMENT NO. 2
On page 2, after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That before this Act becomes effective it shall first be submitted to a referendum of the qualified voters of Calvert
County at a special election to be held on November 5, 2013. The cost of the special election shall be paid by the County governing body. The County governing body and the Calvert County Board of Elections shall do those things necessary and proper to provide for and hold the referendum required by this section. If a majority of the votes cast on the question are “For the referred law” the provisions of this Act shall become effective on the 30th day following the official canvass of votes for the referendum, but if a majority of the votes cast on the question are “Against the referred law” the provisions of this Act are of no effect and null and void.”;

in line 22, strike “2.” and substitute “3.”; in the same line, after “That” insert “, subject to the provisions of Section 2 of this Act and for the sole purpose of providing for the referendum required by Section 2 of this Act.”; and in line 23, strike “October” and substitute “July”.

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

Affirmative – 49  Negative – 88  (See Roll Call No. 1242)

FLOOR AMENDMENT

SB0729/123623/1
BY: Delegate Fisher

AMENDMENT TO SENATE BILL 729
(Third Reading File Bill)

On page 1, in line 2, strike “Method of Election” and substitute “My Way or the Highway Act of 2013”.

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

Affirmative – 43  Negative – 93  (See Roll Call No. 1243)

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

Affirmative – 93  Negative – 45  (See Roll Call No. 1244)

The Bill was then returned to the Senate.

Senate Bill 920 – Senator Dyson

EMERGENCY BILL
AN ACT concerning

Chesapeake Bay Natural Resources – Submerged Land and Water Column Leases – Riparian Owners Herring Creek

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1245)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #46

Senate Bill 47 – Senator Young Senators Young, Forehand, Garagiola, Klausmeier, Madaleno, Montgomery, Stone, Colburn, Benson, Dyson, Manno, Conway, Rosapepe, Ferguson, Jennings, and Simonaire

AN ACT concerning

Procurement – Maryland Buy American Steel and Purchase of American Manufactured Goods Act

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

Affirmative – 132    Negative – 2    (See Roll Call No. 1246)

The Bill was then returned to the Senate.

Senate Bill 69 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Tobacco Products – Tobacco Tax – Exemptions and Penalties

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

Affirmative – 131    Negative – 4    (See Roll Call No. 1247)

The Bill was then returned to the Senate.

Senate Bill 74 – Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)

AN ACT concerning
Vessels – Operating While Under the Influence of or Impaired by Alcohol or Drugs

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

Affirmative – 137   Negative – 0   (See Roll Call No. 1248)

The Bill was then returned to the Senate.

Senate Bill 790 – Senator Manno

AN ACT concerning

   Department of Health and Mental Hygiene – Advance Directive Registry – Fee and Date of Operation

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

Affirmative – 136   Negative – 0   (See Roll Call No. 1249)

The Bill was then returned to the Senate.

Senate Bill 931 – Senators Stone, Kelley, and Zirkin

AN ACT concerning

   Baltimore County – Orphans’ Court Judges – Salary

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

Affirmative – 132   Negative – 2   (See Roll Call No. 1250)

The Bill was then returned to the Senate.

Senate Bill 1067 – Senators Klausmeier, Benson, Conway, Forehand, Gladden, Jacobs, Jones–Rodwell, Kelley, King, Montgomery, and Pugh

Pugh, Dyson, Ferguson, Jennings, Pinsky, Reilly, Rosapepe, Simonaire, and Young

AN ACT concerning

   Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution

Read the third time and passed by yeas and nays as follows:
Affirmative – 139  Negative – 0  (See Roll Call No. 1251)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

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

BILL:     SB 0207
SPONSOR:  Sen Brochin, et al
SUBJECT:  Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

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 0207
SPONSOR:  Sen Brochin, et al
SUBJECT:  Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

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 Stein, and
Delegate McMillan.

Said Bill is returned herewith.

By Order,
Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

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

BILL: SB 0809
SPONSOR: Sen Frosh
SUBJECT: Maryland Legal Services Corporation Funding – Abandoned Property Funds

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

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

Senator Frosh, Chairman
Senator Gladden
Senator Getty.

Said Bill is returned herewith.

By Order,
William B. C. Addison, Jr.,
Secretary
MESSAGE TO THE SENATE

BILL:   SB 0809
SPONSOR:  Sen Frosh
SUBJECT:  Maryland Legal Services Corporation Funding – Abandoned Property Funds

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

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

The Senate has appointed:
Senator Frosh, Chair
Senator Gladden
Senator Getty

The House appoints:
Delegate Guzzone, Chairman
Delegate Zucker, and
Delegate McConkey.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

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

BILL:   SB 0897
SPONSOR:  Sen Klausmeier
SUBJECT:  Consumer Protection – Security Freezes – Children in Foster Care Settings
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 Klausmeier, Chairman
Senator Kittleman
Senator Garagiola.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL:    SB 0897
SPONSOR:  Sen Klausmeier
SUBJECT:  Consumer Protection – Security Freezes – Children in Foster Care Settings

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 Klausmeier, Chair
Senator Kittleman
Senator Garagiola

The House appoints:
Delegate Jameson, Chairman
Delegate Haddaway–Riccio, and
Delegate Schulz.

Said Bill is returned herewith.

By Order,
CONCURRENCE CALENDAR #12

AMENDED IN THE SENATE

House Bill 1159 – Delegates Kramer, Arora, Barkley, Bobo, Carr, Dumais, Luedtke, McDonough, Mizeur, Simmons, and Wood

AN ACT concerning

Electric Companies – Service Restoration – Prioritized Special Medical Needs Facilities

Delegate Davis moved that the House concur in the Senate amendments.

HB1159/137878/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1159
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 23, after “taking” insert “certain”; and in line 24, strike “an” and substitute “a certain”.

AMENDMENT NO. 2
On page 7, in line 4, after “FACILITIES” insert “, INCLUDING THE LICENSED CAPACITY OF EACH FACILITY,”.

On page 9, in line 16, strike “CORRECTIVE ACTION” and substitute “THE CORRECTIVE ACTION AUTHORIZED IN § 7–213(F)(2) OF THIS SUBTITLE”.

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 – 18   (See Roll Call No. 1252)

AMENDED IN THE SENATE

House Bill 1203 – Delegates Kramer and Simmons

AN ACT concerning

Homeowner’s or Renter’s Insurance – Underwriting and Policy Exclusions – Specific Breed or Size of Dog Notices

Delegate Davis moved that the House concur in the Senate amendments.

HB1203/557475/1
BY:  Finance Committee

AMENDMENTS TO HOUSE BILL 1203
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 2, strike “Underwriting and Policy Exclusions –” and substitute “Policy Exclusions for”; in line 3, strike “Breed or Size of Dog” and substitute “Breeds or Mixed Breeds of Dogs –”; in line 8, after “requiring” insert “certain”; strike beginning with “use” in line 9 down through the first “to” in line 10 and substitute “exclude coverage for losses caused by specific breeds or specific mixed breeds of dogs under”; in line 10, after “insurance” insert “policies”; in the same line, after “provide” insert “a”; in the same line, strike “notices” and substitute “notice”; in the same line, strike “the” and substitute “an”; in line 11, strike “under certain circumstances” and substitute “at certain times”; in line 12, strike “underwriting and”; and in line 14, strike “with” and substitute “without”.

AMENDMENT NO. 2
On page 3, in line 2, strike the brackets; strike beginning with the semicolon in line 4 down through “POLICY” in line 6; and strike in their entirety lines 13 through 30, inclusive, and substitute:

“(A) THIS SECTION APPLIES TO AN INSURER THAT OFFERS A HOMEOWNER’S INSURANCE OR RENTER’S INSURANCE POLICY IN THE STATE THAT DOES NOT PROVIDE COVERAGE FOR LOSSES CAUSED BY SPECIFIC BREEDS OR SPECIFIC MIXED BREEDS OF DOGS."
(B) AT THE TIME OF APPLICATION FOR OR ISSUANCE OF A POLICY OF HOMEOWNER’S INSURANCE OR RENTER’S INSURANCE, AND AT EACH RENEWAL OF A POLICY OF HOMEOWNER’S INSURANCE OR RENTER’S INSURANCE, AN INSURER SUBJECT TO THIS SECTION SHALL PROVIDE TO AN APPLICANT OR AN INSURED A WRITTEN NOTICE THAT:

(1) STATES THAT THE POLICY DOES NOT PROVIDE COVERAGE FOR LOSSES CAUSED BY SPECIFIC BREEDS OR SPECIFIC MIXED BREEDS OF DOGS; AND

(2) IDENTIFIES THE SPECIFIC BREEDS OR SPECIFIC MIXED BREEDS OF DOGS FOR WHICH THE POLICY DOES NOT PROVIDE COVERAGE.

(C) AN INSURER SUBJECT TO THIS SECTION MAY PROVIDE THE NOTICE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION IN THE ANNUAL STATEMENT REQUIRED UNDER § 19–205 OF THIS SUBTITLE.”.

On page 4, in line 3, strike “October 1, 2013” and substitute “January 1, 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 – 135     Negative – 0     (See Roll Call No. 1253)

AMENDED IN THE SENATE

House Bill 214 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne’s County – Deer Hunting on Private Property – Sundays

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0214/934439/1

BY:    Education, Health, and Environmental Affairs Committee
AMENDMENT TO HOUSE BILL 214
(Third Reading File Bill)

On page 1, strike beginning with “in” in line 3 down through “months” in line 5 and substitute “to hunt deer on private property in Queen Anne’s County using certain hunting equipment on certain Sundays during certain hunting seasons”; in line 5, after “to” insert “deer”; and in line 6, strike “in Queen Anne’s County”.

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. 1254)

AMENDED IN THE SENATE

House Bill 572 – Delegates Beidle and Frush

AN ACT concerning

Natural Resources – Tree Expert License – Qualifications

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0572/394335/1
BY:  Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 572
(Third Reading File Bill)

On page 3, in line 34, strike “the effective date” and substitute “on the taking effect of the termination”.

On page 4, in line 1, after “date” insert “of the termination”; and in line 2, after the second “effect” insert “of the termination”.

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 – 2     (See Roll Call No. 1255)

AMENDED IN THE SENATE

House Bill 720 – Washington County Delegation

AN ACT concerning

Washington County – Salary Study Commission – Updating Salary and
Expense Provisions – Membership

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0720/874635/1
BY:    Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 720
(Third Reading File Bill)

On page 1, in line 8, strike “Board of”.

On page 8, in line 24, strike “BOARD OF”; and in lines 25 and 26, strike
“BOARD DETERMINES” and substitute “COUNTY COMMISSIONERS DETERMINE”.

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. 1256)

AMENDED IN THE SENATE

House Bill 225 – The Speaker (By Request – Administration) and Delegates
AN ACT concerning

Veterans Full Employment Act of 2013

Delegate Hammen moved that the House concur in the Senate amendments.

HB0225/464438/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 225
(Third Reading File Bill)

On page 16, in line 9, after “EXPEDITE” insert “THE PROCESS FOR”.

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. 1257)

AMENDED IN THE SENATE

House Bill 698 – Delegates Pena–Melnyk, Braveboy, and A. Washington

AN ACT concerning

Ex–Offender Business Development Program Study

Delegate Vallario moved that the House concur in the Senate amendments.

HB0698/857072/1
BY: Finance Committee

AMENDMENT TO HOUSE BILL 698
(Third Reading File Bill)
On page 2, strike beginning with “to” in line 1 down through “and” in line 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 – 135   Negative – 2   (See Roll Call No. 1258)

AMENDED IN THE SENATE

House Bill 196 – Delegates Cardin, Morhaim, Reznik, Rosenberg, and M. Washington

AN ACT concerning

   Election Law – Special Elections – Voting by Mail

Delegate Hixson moved that the House concur in the Senate amendments.

HB0196/874133/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 196
(Third Reading File Bill)

On page 10, in line 18, strike “9–501(c)” and substitute “9–501(D)(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 – 95   Negative – 44   (See Roll Call No. 1259)

AMENDED IN THE SENATE

House Bill 1014 – Delegate Stein

AN ACT concerning

   Nonpublic Schools   Public and Nonpublic Schools – Epinephrine Availability and Use – Policy and Immunity
Delegate Hixson moved that the House concur in the Senate amendments.

HB1014/764034/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1014
(Third Reading File Bill)

On page 1, strike beginning with “providing” in line 7 down through “liability” in line 10 and substitute “providing that certain nurses and certain school personnel may not be held personally liable for certain acts or omissions”.

On page 2, in line 21, strike “SIGNS AND”; strike beginning with “BY” in line 22 down through “ANAPHYLAXIS” in line 25; strike beginning with the comma in line 29 down through “TO” in line 30; in line 30, strike the comma; and in line 31, after the semicolon, insert “AND”.

On page 3, in line 4, strike “: AND” and substitute a period; strike in their entirety lines 5 through 13, inclusive; and after line 13, insert:

“(D) EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, A SCHOOL NURSE OR OTHER SCHOOL PERSONNEL WHO RESPOND IN GOOD FAITH TO THE ANAPHYLACTIC REACTION OF A CHILD IN ACCORDANCE WITH THIS SECTION MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACT OR OMISSION IN THE COURSE OF RESPONDING TO THE REACTION.”.

On pages 4 and 5, strike in their entirety the lines beginning with line 33 on page 4 through line 3 on page 5, inclusive.

On page 5, after line 3, insert:

“(D) EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, SCHOOL PERSONNEL WHO RESPOND IN GOOD FAITH TO THE ANAPHYLACTIC REACTION OF A CHILD IN ACCORDANCE WITH THIS SECTION MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACT OR OMISSION IN THE COURSE OF RESPONDING TO THE REACTION.”.
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. 1260)

THE COMMITTEE ON WAYS AND MEANS REPORT #24

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

Senate Bill 304 – Senators Miller and Dyson

AN ACT concerning

   Calvert County – Election Judges – Compensation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 482 – Senator Manno

AN ACT concerning

   Income Tax Credit – Security Clearances – Employer Costs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #21

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

Senate Bill 383 – Senators Raskin, Benson, Colburn, Ferguson, Forehand, Frosh, Jones–Rodwell, King, Madaleno, Manno, Montgomery, Muse, Peters, Pugh, Ramirez, Rosapepe, and Stone

AN ACT concerning
Real Property – Stopping Fraud in Mortgage Assistance Relief Services Act of 2013

SB0383/300117/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 383
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 2, strike “Stopping Fraud in” and substitute “Maryland”; strike line 3 in its entirety; in line 4, strike “requiring certain mortgage assistance relief service providers to” and substitute “establishing that a mortgage assistance relief service provider providing mortgage assistance relief service in connection with a dwelling in the State that does not”; in line 5, after “law” insert “is in violation of this Act”; strike beginning with “making” in line 7 down through “provisions” in line 9 and substitute “authorizing the Commissioner to enforce the provisions of this Act by exercising certain powers and requiring a violator to take certain affirmative action under certain circumstances”; in line 11, strike “mortgage assistance relief services”; in lines 11 and 12, 13, and 14 and 15, in each instance, strike “certain provisions of”; in line 14, strike “actions” and substitute “violations of this Act”; in line 15, after “circumstances;” insert “making a violation of this Act an unfair or deceptive trade practice under the Maryland Consumer Protection Act and subject to certain enforcement and penalty provisions”; in the same line, after the second “certain” insert “attorney”; in line 16, after “exception” insert “in federal law”; in line 16, after “individuals;” insert “altering the definition of “credit services business” for purposes of certain provisions of law regulating credit services businesses to exclude, beginning on a certain date, certain mortgage assistance relief service providers;”; strike beginning with “establishing” in line 17 down through “circumstances” in line 18 and substitute “declaring the intent of the General Assembly”; after line 18, insert:

“BY repealing and reenacting, without amendments,

Article – Commercial Law
Section 14–1901(a) and (e)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 14–1901(e)(3)(viii) and (ix)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY adding to
Article – Commercial Law
Section 14–1901(e)(3)(x)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)”;

in line 22, before “Mortgage” insert “Maryland”; and in the same line, after “Services” insert “Act”.

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

“Article – Commercial Law

14–1901.

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

(e) (1) “Credit services business” means any person who, with respect to the extension of credit by others, sells, provides, or performs, or represents that such person can or will sell, provide, or perform, any of the following services in return for the payment of money or other valuable consideration:

(i) Improving a consumer’s credit record, history, or rating or establishing a new credit file or record;

(ii) Obtaining an extension of credit for a consumer; or

(iii) Providing advice or assistance to a consumer with regard to either subparagraph (i) or (ii) of this paragraph.

(3) “Credit services business” does not include:
(viii) Any consumer reporting agency as defined in the federal Fair Credit Reporting Act (15 U.S.C. §§ 1681 – 1681t) or in § 14–1201(e) of this title; [or]

(ix) An individual licensed by the Maryland Board of Public Accountancy when the individual renders services within the course and scope of practice by the individual as a certified public accountant and does not engage in the credit services business on a regular and continuing basis; OR

**(X)** BEGINNING JULY 1, 2013, A MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER REGULATED UNDER TITLE 7, SUBTITLE 5 OF THE REAL PROPERTY ARTICLE.”.

**AMENDMENT NO. 3**

On page 2, in line 6, before “MORTGAGE” insert “MARYLAND”; in the same line, after “SERVICES” insert “ACT”; strike in their entirety lines 24 and 25; in line 27, strike “(A)”; in the same line, strike “WHO OFFERS” and substitute “PROVIDING”; in line 29, strike “SHALL” and substitute “THAT DOES NOT”; and in line 30, strike the period.

On page 3, strike beginning with “(B)” in line 1 down through “SECTION” in line 2.

On page 5, in line 2, strike the first “THE” and substitute “;”

**(1)** THE”;

and in line 4, strike “, OR WITH THE” and substitute “IN THE STATE; OR

**(2)** THE”.

On page 6, in line 22, after “RELIEF” insert “SERVICES”.

**AMENDMENT NO. 4**

On page 6, strike beginning with the first “the” in line 23 down through the second “Act” in line 26 and substitute “it is the intent of the General Assembly, in enacting Title 7, Subtitle 5 of the Real Property Article in Section 1 of this Act, to implement in State law the consumer protections available under federal regulations
governing mortgage assistance relief service providers. This Act is not intended, and may not be construed, to have any effect on the authority of the Commissioner of Financial Regulation to regulate mortgage assistance relief service providers under Title 14, Subtitle 19 of the Commercial Law Article, or on any enforcement actions, including litigation, taken under that authority as it existed and based on actions that occurred before the effective date of this Act”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 902 – Senators Muse and Zirkin

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

SB0902/930216/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 902
(Third Reading File Bill)

On page 1, strike beginning with “defining” in line 13 down through “term;” in line 14.

On page 2, in line 3, strike “(1)”; strike beginning with the first “THE” in line 3 down through “(2)” in line 5 and substitute a comma; and strike in their entirety lines 7 through 12, inclusive.

On page 4, in lines 5 and 6, strike “;

(1)”;

and strike beginning with the semicolon in line 6 down through “PROPERTY” in line 8.
The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #18

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

House Bill 37 – Delegate Nathan–Pulliam

AN ACT concerning

State Government – Commemorative Days – Maryland Centenarians Day

HB0037/606181/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 37
(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Nathan–Pulliam” and substitute “Delegates Nathan–Pulliam, Pendergrass, Cullison, Elliott, Frank, Kach, A. Kelly, Morhaim, Murphy, Oaks, Pena–Melnyk, Reznik, Tarrant, and V. Turner”.

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 42 – Senators Montgomery, Colburn, Jones–Rodwell, King, Manno, Garagiola, Forehand, Madaleno, Raskin, and Currie Currie, Benson, Dyson, Ferguson, Jacobs, Kittleman, Klausmeier, Mathias, Muse, Pinsky, Rosapepe, and Young

AN ACT concerning
State Government – Commemorative Days – Maryland Emancipation Day

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 175 – Senators Kelley, Benson, Colburn, Manno, Montgomery, Reilly, and Rosapepe Rosapepe, Conway, Ferguson, and Pinsky

AN ACT concerning

State Government – Commemorative Days – Maryland Centenarians Day

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 385 – Senators Pugh, Astle, Ferguson, Forehand, Kasemeyer, Kelley, Kittleman, Klausmeier, Manno, Middleton, Peters, and Ramirez

AN ACT concerning

State Government – Health, Education, and Social Services Provider Data Warehouse – Submission of Documents in Electronic Form

SB0385/566389/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 385
(Third Reading File Bill)

On page 4, in line 32, strike “October 1, 2013” and substitute “January 1, 2014”.

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 676 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)

AN ACT concerning

Governmental Procedures – Security and Protection of Information

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 1066 – Senator Pugh

AN ACT concerning

Minority Business Enterprises – Not-for-Profit Entities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #32

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

Senate Bill 235 – Senators Ferguson, Conway, Gladden, Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Alcoholic Beverages – License Revocation

SB0235/223291/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 235
(Third Reading File Bill)
AMENDMENT NO. 1
On page 1, strike beginning with “prohibiting” in line 6 down through “prohibition;” in line 11 and substitute “specifying that in Baltimore City, an order by the Board of Liquor License Commissioners to revoke a license may be stayed, pending appeal, only by the court with which the appeal has been filed;”.

AMENDMENT NO. 2
On page 2, strike beginning with “THE” in line 11 down through “REVOKED” in line 13 and substitute “AN ORDER BY THE BOARD OF LIQUOR LICENSE COMMISSIONERS TO REVOKE A LICENSE MAY BE STAYED, PENDING APPEAL, ONLY BY THE COURT WITH WHICH THE APPEAL HAS BEEN FILED”; and strike in their entirety lines 14 through 17, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 374 – Senators Astle, Ferguson, Forehand, Garagiola, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, Ramirez, and Zirkin
AN ACT concerning

Consumer Protection Office of the Attorney General – Workgroup on Children’s Online Privacy Protection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

AMENDED IN THE SENATE

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

HB0014/518273/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 14
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 2, strike “Part–Time School Employees, Contractors, and Coaches –”; in line 3, after “Minors” insert “– School Employees”; strike beginning with “to” in line 6 down through “coaches” in line 9; and strike beginning with “who” in line 11 down through “program” in line 12 and substitute “under certain circumstances; providing that a certain violation under this Act is not included within a certain definition for a certain registry”.

On page 2, after line 4, insert:

“BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–701(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(o)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2
On page 3, strike beginning with the colon in line 6 down through “(I)” in line 7; in lines 8 and 9, strike “1.” and “2.”, respectively, and substitute “(i)” and “(ii)”, respectively; in line 9, strike the brackets; in the same line, strike “full–time”; strike beginning with “OR” in line 10 down through “A.” in line 11; strike beginning with “: OR” in line 12 down through the second “SCHOOL” in line 14; in line 15, strike “3.”
and substitute “(iii)”; strike beginning with “: OR” in line 16 down through “PROGRAM” in line 25; and in line 26, strike “COACH,”.

On page 4, in line 8, strike “(I)”; in line 9, after “person” insert “WHO IS EMPLOYED FULL–TIME AS A PERSON”; strike beginning with “, AS” in line 9 down through “SECTION,” in line 10; in line 11, after “who” insert “THE PERSON KNOWS”; strike in their entirety lines 13 through 19, inclusive; in line 20, strike “(I)”; in line 21, after “person” insert “WHO IS EMPLOYED FULL–TIME AS A PERSON”; in lines 21 and 22, strike “, AS DEFINED IN SUBSECTION (A)(1)(I) OF THIS SECTION,”; in line 23, after “who” insert “THE PERSON KNOWS”; strike in their entirety lines 25 through 31, inclusive, and substitute:

“(D) EXCEPT AS PROVIDED IN § 3–307(A) OF THIS SUBTITLE OR SUBSECTIONS (B) OR (C) OF THIS SECTION, A PERSON WHO IS EMPLOYED PART–TIME AS A PERSON IN A POSITION OF AUTHORITY WHO IS AT LEAST 8 YEARS OLDER THAN THE VICTIM MAY NOT ENGAGE IN SEXUAL CONTACT, A SEXUAL ACT, OR VAGINAL INTERCOURSE WITH A MINOR WHO THE PERSON KNOWS, AT THE TIME OF THE SEXUAL CONTACT, SEXUAL ACT, OR VAGINAL INTERCOURSE, IS A STUDENT ENROLLED AT A SCHOOL WHERE THE PERSON IN A POSITION OF AUTHORITY IS EMPLOYED.”;

and in line 32, strike “(d)” and substitute “(E)”.

AMENDMENT NO. 3
On page 5, after line 7, insert:

“Article – Criminal Procedure

11–701.

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

(o) “Tier I sex offender” means a person who has been convicted of:

(1) conspiring to commit, attempting to commit, or committing a violation of § 3–308(B) OR (C) of the Criminal Law Article;
conspiring to commit, attempting to commit, or committing a violation of § 3–902 or § 11–208 of the Criminal Law Article, if the victim is a minor;

a crime committed in a federal, military, tribal, or other jurisdiction that, if committed in this State, would constitute one of the crimes listed in item (1) or (2) of this subsection;

any of the following federal offenses:

(i) misleading domain names on the Internet under 18 U.S.C. § 2252B;

(ii) misleading words or digital images on the Internet under 18 U.S.C. § 2252C;

(iii) engaging in illicit conduct in foreign places under 18 U.S.C. § 2423(c);

(iv) failure to file a factual statement about an alien individual under 18 U.S.C. § 2424;

(v) transmitting information about a minor to further criminal sexual conduct under 18 U.S.C. § 2425;

(vi) sex trafficking by force, fraud, or coercion under 18 U.S.C. § 1591; or

(vii) travel with intent to engage in illicit conduct under 18 U.S.C. § 2423(b);

any military offense specified by the Secretary of Defense under Section 115(A)(8)(C)(i) of Public Law 105–119 (codified at 10 U.S.C. § 951 Note) that is similar to those offenses listed in item (4) of this subsection; or

a crime in a court of Canada, Great Britain, Australia, New Zealand, or any other foreign country where the United States Department of State has determined in its Country Reports on Human Rights Practices that an independent judiciary generally or vigorously enforced the right to a fair trial during the year in which the conviction occurred that, if the crime were committed in this
State, would constitute one of the crimes listed in items (1) through (5) of this subsection.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL:   HB 0014
SPONSOR:  Del Clippinger, et al
SUBJECT:  Crim Law – Part–Time Sch Empls, Contractors, and Coaches – Sexual Contact with Minors

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 Mitchell, and
Delegate Hough.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE


AN ACT concerning

Office of the Public Defender – Representation at Bail Hearing – Provisional

Delegate Vallario moved that the House not concur in the Senate amendments.
AMENDMENTS TO HOUSE BILL 153
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 6, strike “a”; and in line 7, strike “exception” and substitute “exceptions”.

AMENDMENT NO. 2
On page 2, in line 33, after “HEARING” insert “OR HAS BEEN DETERMINED ELIGIBLE FOR REPRESENTATION AFTER INDEPENDENT SUPERVISORY APPROVAL UNDER THIS TITLE BASED ON THE NEED OF THE INDIVIDUAL, INCLUDING A DETERMINATION OF:

A. THE NATURE, EXTENT, AND LIQUIDITY OF ASSETS OF THE INDIVIDUAL;

B. THE DISPOSABLE NET INCOME OF THE INDIVIDUAL;

C. THE NATURE OF THE OFFENSE CHARGED;

D. THE LENGTH AND COMPLEXITY OF THE PROCEEDINGS;

E. THE EFFORT AND SKILL REQUIRED TO GATHER PERTINENT INFORMATION; AND

F. ANY OTHER FORESEEABLE EXPENSE”.

The preceding 2 amendments were read and not concurred in.

HB0153/103225/1
BY: Senator Frosh
AMENDMENT TO HOUSE BILL 153, AS AMENDED

In the Judicial Proceedings Committee Amendments (HB0153/688379/2), in line 2 of Amendment No. 2, strike “SUPERVISORY”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 0153
SPONSOR: Del Anderson, et al
SUBJECT: Office of the Public Defender – Representation at Bail Hearing – Provisional

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 Swain, and
Delegate Smigiel.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 803 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning
Delegate Hixson moved that the House not concur in the Senate amendments.

HB0803/369135/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 803
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 24, strike “limiting the maximum amount of initial credit certificates”.

On page 2, strike beginning with “that” in line 1 down through “Fund:” in line 4.

AMENDMENT NO. 2
On page 7, strike in their entirety lines 14 through 22, inclusive, and substitute:

“(3) IF THE TAX CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE TOTAL TAX OTHERWISE PAYABLE BY THE QUALIFIED INVESTOR FOR THAT TAXABLE YEAR, THE QUALIFIED INVESTOR MAY CLAIM A REFUND IN THE AMOUNT OF THE EXCESS.”.

AMENDMENT NO. 3
On page 9, strike beginning with “FISCAL” in line 9 down through “THEREAFTER” in line 10 and substitute “EACH FISCAL YEAR”; and in line 20, strike “AND IN PARAGRAPH (5) OF THIS SUBSECTION”.

On page 10, strike in their entirety lines 7 through 14, inclusive.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 0803
SPONSOR: Chr W&M (Dept)
SUBJECT: Income Tax – Business and Economic Development – Cybersecurity Investment Incentive Tax Credit
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. Washington.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE


AN ACT concerning

Correctional Services – Pregnant Detainees and Inmates – Restraint Restrictions and Reporting

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

HB0829/768475/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 829
(Third Reading File Bill)
AMENDMENT NO. 1

On page 1, strike beginning with “it” in line 11 down through “that” in line 12; in line 12, strike “during labor and delivery should” and substitute “may”; and strike beginning with “providing” in line 14 down through “inmate;” in line 15.

AMENDMENT NO. 2

On page 5, strike beginning with “(A)” in line 12 down through “RESTRAINT” in line 14 and substitute “RESTRAINT”; in line 15, strike “PREGNANT”; and in the same line, strike “DURING LABOR AND DELIVERY SHALL” and substitute “KNOWN TO BE PREGNANT MAY”.

On pages 5 and 6, strike in their entirety the lines beginning with line 18 on page 5 through line 6 on page 6, inclusive.

AMENDMENT NO. 3

On page 8, strike beginning with “IN” in line 4 down through “PREGNANCY” in line 5 and substitute “PREGNANT”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 0829
SPONSOR: Del M. Washington, et al
SUBJECT: Correctional Services – Pregnant Detainees and Inmates – Restraint Restrictions

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 Valderrama, and
Delegate Glass.

Said Bill is returned herewith.
By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 853 – Delegate Dumais

AN ACT concerning

Family Law – Domestic Violence – Permanent Final Protective Orders

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

HB0853/358676/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 853
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “serve”; in line 5, strike “certain crimes” and substitute “a certain act of abuse”; in the same line, after “circumstances” insert “and who has served a certain period of time”; and strike beginning with “adding” in line 5 down through the second “of” in line 6 and substitute “altering the”.

AMENDMENT NO. 2

On page 2, in line 26, strike “SERVE”; strike beginning with “under” in line 26 down through “Article” in line 28; and in line 29, after “order” insert “AND HAS SERVED AT LEAST 12 MONTHS OF THE SENTENCE”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 0853
SPONSOR: Del Dumais
SUBJECT: Family Law – Domestic Violence – Permanent Final Protective Orders

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

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

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints Delegate Rosenberg, Chairman Delegate Carter, and Delegate Parrott.

Said Bill is returned herewith.

By Order,
Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1279 – Delegates Niemann, Bobo, Carr, Carter, Frush, Glenn, and Hubbard

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

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

HB1279/164033/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1279
(Third Reading File Bill)

On page 1, in line 13, after “reference;” insert “defining a certain term;”.
On page 2, in line 3, after “(a)” insert “(1)”; in the same line, strike the comma and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2)”; and after line 4, insert:

“(3) “HISTORIC PROPERTY” MEANS A QUALIFIED HISTORIC BUILDING OR FACILITY THAT IS:

(I) LISTED OR ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES; OR

(II) DESIGNATED AS HISTORIC UNDER STATE OR LOCAL LAW.”.

On page 3, in line 28, after “THAT” insert “;

(1)”; and in line 29, after “CODE” insert “; BUT

(II) IS NOT A HISTORIC PROPERTY”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB 1279
SPONSOR: Del Niemann, et al
SUBJECT: Statewide Building Codes – Maryland Accessibility Code – Enforcement

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 Hogan.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

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Read and ordered journalized.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT

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

Senate Bill 988 – Senator Muse

AN ACT concerning

Crimes – Threat of Mass Violence

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

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 372  SPONSOR: Delegate Barve

SUBJECT: Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

THIRD READING CALENDAR    HOUSE NO. 36    SENATE NO. 10

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:
(1) That the attached Budget and Taxation Committee Amendments Nos. 1 and 3 (HB0372/439438/1) be rejected.

(2) That the attached Budget and Taxation Committee Amendment No. 2 (HB0372/439438/1) be adopted.

HB0372/439438/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 372
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 8, after “Act;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2
On page 2, strike beginning with “PARTNERSHIP” in line 4 down through “PARTNERSHIP,” in line 5; in line 5, strike the second comma; in line 6, strike “PARTNER,”; in the same line, strike the second comma; strike beginning with “PARTNERSHIP” in line 8 down through the first “INTEREST,” in line 9; and in line 9, strike the second comma.

AMENDMENT NO. 3
On page 3, in line 15, after “2013.” insert “It shall remain effective for a period of 5 years and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

Senate Members:  
Chair, Douglas J. J. Peters  
James N. Robey  
James E. DeGrange, Sr.  

House Members:  
Chair, C. William Frick  
Aruna Miller  
Andrew A. Serafini  

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 – 127  Negative – 0  (See Roll Call No. 1261)

The Bill was then sent to the Senate.

THE COMMITTEE ON APPROPRIATIONS REPORT #14

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

House Bill 524 – Delegates Feldman, Arora, Barkley, Dumais, and Reznik

CONSTITUTIONAL AMENDMENT

AN ACT concerning

End the Gridlock

HB0524/154766/1
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 524  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Transportation Trust Fund – Use of Funds”; strike beginning with “relating” in line 3 down through “establishing” in line 11 and substitute “to establish”; strike beginning with “prohibiting” in line 13 down through “State;” in line 15 and substitute “prohibiting the transfer of funds in the Transportation Trust Fund to the General Fund or a special fund of the State except under certain circumstances;”; in line 15, strike “prohibit” and substitute “apply to”; in line 17, after “law” insert “or a transfer of funds in the Transportation Trust Fund to the Maryland Transportation Authority or the Maryland Transportation Authority Fund”; strike beginning with “requiring” in line 17 down through “funds;” in line 22 and substitute “authorizing funds in the
Transportation Trust Fund to be used for a purpose not related to transportation or transferred to the General Fund or a special fund of the State if the Governor and the General Assembly take certain actions;”; and in line 26, strike “and 53A”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 20, inclusive; and in line 22, strike “(F)” and substitute “(E)”.

On pages 3 and 4, strike in their entirety the lines beginning with line 1 on page 3 through line 29 on page 4, inclusive, and substitute:

“(C) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, FUNDS IN THE TRANSPORTATION TRUST FUND MAY NOT BE TRANSFERRED TO THE GENERAL FUND OR A SPECIAL FUND OF THE STATE.

(D) THIS SECTION DOES NOT APPLY TO:

(1) AN ALLOCATION OR USE OF HIGHWAY USER REVENUES FOR THE COUNTIES, MUNICIPALITIES, OR BALTIMORE CITY THAT IS AUTHORIZED UNDER TITLE 8, SUBTITLE 4 OF THE TRANSPORTATION ARTICLE; OR

(2) A TRANSFER OF FUNDS IN THE TRANSPORTATION TRUST FUND TO THE MARYLAND TRANSPORTATION AUTHORITY OR THE MARYLAND TRANSPORTATION AUTHORITY FUND.

(E) FUNDS IN THE TRANSPORTATION TRUST FUND MAY BE USED FOR A PURPOSE NOT RELATED TO TRANSPORTATION OR TRANSFERRED TO THE GENERAL FUND OR A SPECIAL FUND OF THE STATE IF:

(1) THE GOVERNOR, BY EXECUTIVE ORDER, DECLARES A FISCAL EMERGENCY EXISTS; AND

(2) THE GENERAL ASSEMBLY, BY LEGISLATION PASSED ON A YEA AND NAY VOTE SUPPORTED BY THREE–FIFTHS OF ALL THE MEMBERS ELECTED TO EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY, CONCURS WITH THE USE OR TRANSFER OF THE FUNDS.”.
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 the end of next session.

The motion was adopted.

SPECIAL ORDERS

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

Senate Bill 742 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senator Ferguson

AN ACT concerning

Vehicle Laws – Residential Parking in Baltimore City

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

Read the second time and ordered prepared for Third Reading.

Senate Bill 757 – Senator Ramirez Senators Ramirez and Garagiola

AN ACT concerning

Maryland Occupational Safety and Health Act – Discrimination Against Employee – Complaints

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 95    Negative – 42    (See Roll Call No. 1262)

The Bill was then returned to the Senate.

Senate Bill 863 – Senator Zirkin Senators Zirkin and Glassman

AN ACT concerning

Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws

STATUS OF BILL: BILL ON 3RD READING.
Read the third time and passed by yeas and nays as follows:

Affirmative – 134  Negative – 4  (See Roll Call No. 1263)

The Bill was then returned to the Senate.

Senate Bill 945 – Senator Pinsky

AN ACT concerning

Higher Education – Maryland Longitudinal Data System – Governing Board and Data Transfers

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 133  Negative – 6  (See Roll Call No. 1264)

The Bill was then returned to the Senate.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #47

Senate Bill 80 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Health – Prescription Drug Monitoring Program – Disclosure of Prescription Monitoring Data

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

Affirmative – 138  Negative – 0  (See Roll Call No. 1265)

The Bill was then returned to the Senate.

Senate Bill 390 – Senator Raskin

AN ACT concerning
Health – Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading – Posting Requirement and Task Force

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

Affirmative – 138   Negative – 0   (See Roll Call No. 1266)

The Bill was then returned to the Senate.

Senate Bill 496 – Senators Pugh, Forehand, Garagiola, Jones–Rodwell, Kelley, King, Madaleno, Montgomery, and Muse, Astle, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Pipkin, and Ramirez

AN ACT concerning

Maryland Medical Assistance Program – Telemedicine

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

Affirmative – 138   Negative – 0   (See Roll Call No. 1267)

The Bill was then returned to the Senate.

Senate Bill 512 – Senators Montgomery, Benson, Forehand, Madaleno, Peters, Pinsky, and Ramirez

AN ACT concerning

Health Care Practitioners – Identification Badge

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

Affirmative – 135   Negative – 0   (See Roll Call No. 1268)

The Bill was then returned to the Senate.

Senate Bill 557 – Senator Stone

AN ACT concerning

Medical Records – Disclosure in Response to Compulsory Process – Requirements

Read the third time and passed by yeas and nays as follows:
Affirmative – 138     Negative – 0     (See Roll Call No. 1269)

The Bill was then returned to the Senate.

Senate Bill 632 – Senator King Senators King, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Ramirez, and Pugh

AN ACT concerning

State Brain Injury Trust Fund

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

Affirmative – 138     Negative – 0     (See Roll Call No. 1270)

The Bill was then returned to the Senate.

Senate Bill 672 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

EMERGENCY BILL

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation

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

Affirmative – 139     Negative – 0     (See Roll Call No. 1271)

The Bill was then returned to the Senate.

Senate Bill 682 – Senators Klausmeier and Middleton

AN ACT concerning

Portable Electronics Insurance – Compensation of Employees of Vendor–Vendor, Disclosures to Customers, Customers, and Study

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

Affirmative – 138     Negative – 0     (See Roll Call No. 1272)

The Bill was then returned to the Senate.
Senate Bill 702 – Senators Madaleno, Raskin, Conway, DeGrange, Garagiola, Klausmeier, Manno, Robey, and Simonaire

AN ACT concerning

Maryland Public Art Initiative Program – Revisions Selection of Art for Capital Projects

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

Affirmative – 137  Negative – 1  (See Roll Call No. 1273)

The Bill was then returned to the Senate.

Senate Bill 769 – Senators Raskin, Madaleno, and Montgomery

AN ACT concerning

Health Benefit Plans – Proposed Rate Increases – Notice to Insureds

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

Affirmative – 139  Negative – 0  (See Roll Call No. 1274)

The Bill was then returned to the Senate.

Senate Bill 881 – Senator Middleton

AN ACT concerning

Community Health Resources Commission – Revisions

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

Affirmative – 138  Negative – 0  (See Roll Call No. 1275)

The Bill was then returned to the Senate.

Senate Bill 1026 – Senator Colburn

AN ACT concerning

Honey—License Exemptions
Department of Health and Mental Hygiene – Study of Honey–Related Licenses and Permits

Read the third time and passed by yeas and nays as follows:
Affirmative – 136  Negative – 0  (See Roll Call No. 1276)

The Bill was then returned to the Senate.

Senate Bill 1057 – Senator Middleton  Senators Middleton, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

EMERGENCY BILL

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Staff Agencies – Regulation

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

Affirmative – 135  Negative – 0  (See Roll Call No. 1277)

The Bill was then returned to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT

#14

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

Senate Bill 791 – Senator Kelley

AN ACT concerning

Juvenile Law – Dispositions – Placement Guidance

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

Delegate Healey, 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 896 – Senator Conway

AN ACT concerning

State Board of Pharmacy – Sterile Compounding – Permits

The Bill was re–referred to the Committee on Health and Government Operations.
CONCURRENCE CALENDAR #13

AMENDED IN THE SENATE

House Bill 291 – Delegate Feldman

AN ACT concerning

Real Property – Stopping Fraud in Maryland Mortgage Assistance Relief Services Act of 2013

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0291/688171/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 291
(Third Reading File Bill)

On pages 3 and 4, strike beginning with “MEANS” in line 28 on page 3 down through “DWELLING” in line 4 on page 4 and substitute “HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION.

(2) “MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER” INCORPORATES THE MEANINGS OF OTHER TERMS STATED IN 12 C.F.R. § 1015.2 TO THE EXTENT THOSE TERMS ARE USED TO ESTABLISH THE MEANING OF “MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER”.”

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. 1278)

AMENDED IN THE SENATE

House Bill 151 – Delegate A. Miller

AN ACT concerning

Delegate Hixson moved that the House concur in the Senate amendments.

HB0151/559538/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 151
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 1 in its entirety and substitute “Task Force on the Implementation of Tax Benefits for Emergency Preparedness Equipment”; and strike beginning with “establishing” in line 3 down through “exemptions” in line 8 and substitute “establishing the Task Force to Study the Implementation of Tax Benefits for Emergency Preparedness Equipment; 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 the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Implementation of Tax Benefits for Emergency Preparedness Equipment”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 9 on page 1 through line 22 on page 2, inclusive and substitute:

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

(a) There is a Task Force to Study Tax Benefits for Emergency Preparedness Equipment.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;
(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Comptroller, or the Comptroller’s designee;

(4) one representative from the Maryland chapter of AARP, designated by the Maryland AARP State president;

(5) the Chairman of the Public Service Commission, or the Chairman’s designee;

(6) the Secretary of the Department of Health and Mental Hygiene, or the Secretary’s designee;

(7) the Director of the Maryland Energy Administration, or the Director’s designee;

(8) the Director of the Maryland Emergency Management Agency, or the Director’s designee;

(9) the Director of the Governor’s Office of Homeland Security, or the Director’s designee; and

(10) the following members, appointed by the Governor:

(i) one member of the Maryland Retailers Association; and

(ii) one member of the public who is a customer of an electric utility.

(c) The Governor shall designate the chair of the Task Force.

(d) The Maryland Energy Administration, Maryland Emergency Management Agency, and Governor’s Office of Homeland Security shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but
(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study which members of the population would benefit from the implementation of:

   (i) an income tax credit to purchase electric generators; or

   (ii) a tax–free period for emergency preparedness equipment;

(2) study how individuals with physical difficulties, elderly individuals, and other individuals who are dependent on a consistent supply of power for medical purposes would benefit from the implementation of:

   (i) an income tax credit to purchase electric generators; or

   (ii) a tax–free period for emergency preparedness equipment;

(3) study whether commercial establishments would also benefit from an income tax credit to purchase electric generators or a tax–free period for emergency preparedness equipment and the costs of establishing the credit or tax–free period; and

(4) make recommendations regarding the implementation of an income tax credit for the purchase of electric generators or a tax–free period for emergency preparedness equipment, including:

   (i) qualifications for the credit;

   (ii) the amount of the credit to be granted; and

   (iii) the length of a tax–free period for emergency preparedness equipment.
(g) On or before December 1, 2013, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013. It shall remain effective for a period of 1 year 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 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. 1279)

AMENDED IN THE SENATE

House Bill 207 – Delegates Luedtke, Ivey, Kaiser, Myers, and A. Washington

AN ACT concerning

Education – Chronically Absent Students

Delegate Hixson moved that the House concur in the Senate amendments.

HB0207/684837/1

BY:   Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 207
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Chronically Absent” and substitute “Truant”; and in lines 4 and 6, in each instance, strike “chronically absent” and substitute “truant”.

AMENDMENT NO. 2

On page 1, in line 18, strike “CHRONICALLY ABSENT” and substitute “TRUANT”.
On page 2, in line 1, after “IS” insert “UNLAWFULLY”; strike beginning with “WITHIN” in line 10 down through “13A.08.01.04” in line 11 and substitute “AS DEFINED BY REGULATION”; in line 13, strike “CHRONICALLY ABSENT” and substitute “TRUANT”; and in line 30, strike “CHRONICALLY ABSENT” and substitute “TRUANT”.

On page 3, in line 9, strike “BUT WHO IS NOT A CHRONICALLY ABSENT STUDENT” and substitute “FOR BOTH LAWFUL AND UNLAWFUL PURPOSES, BUT IS NOT A TRUANT STUDENT”.

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 – 6 (See Roll Call No. 1280)

AMENDED IN THE SENATE

House Bill 224 – The Speaker (By Request – Administration) and Delegates Reznik, Barve, Bobo, Carr, Clagett, Davis, Dumais, Frick, Guzzone, Hucker, Lafferty, Luedtke, McHale, Mitchell, Rosenberg, Simmons, Tarrant, and M. Washington M. Washington, and Howard Howard, and Cardin

AN ACT concerning

Election Law – Improving Access to Voting

Delegate Hixson moved that the House concur in the Senate amendments.

HB0224/454231/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 224
(Third Reading File Bill)

On page 10, in line 23, after the first “OF” insert “;

(1)”;
and in line 25, after “TOOLS” insert “OR

(II) § 9–102(D)(1)(III) OF THIS TITLE”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 99  Negative – 40  (See Roll Call No. 1281)

AMENDED IN THE SENATE

House Bill 419 – Delegate Frick

AN ACT concerning

Personal Property Tax – Liens for Unpaid Tax

Delegate Hixson moved that the House concur in the Senate amendments.

HB0419/749534/1
BY:  Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 419
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “may” insert “elect to”; in line 8, after “circumstances;” insert “providing that a certain statutory lien shall be released under certain circumstances;”; in line 9, strike “share” and substitute “portion”; and in line 10, after “owed” insert “, including a certain share of certain penalties and interest.”.

AMENDMENT NO. 2

On page 3, in line 8, after “(1)” insert “(I)”; in line 10, after “MAY” insert “ELECT TO”; in line 11, strike the first “REQUIRED”; in the same line, after “NOTICE” insert “REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION”; in line 13, after “INTEREST” insert “AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION”; and after line 13, insert:
“(II) If the secured party pays the required pro rata portion of the personal property taxes due and owing, including a pro rata share of the accrued penalty and interest as provided in paragraph (3) of this subsection, the statutory lien on the secured property identified in the notice required by paragraph (2) of this subsection shall be released.”.

AMENDMENT NO. 3
On page 3, in line 14, strike “WITHIN” and substitute “NOT LATER THAN”; in line 21, strike “REPOSESSED” and substitute “SUBJECT TO REPOSSESSION”; in line 27, after “NUMBER” insert “OF THE BUSINESS THAT OWES PERSONAL PROPERTY TAXES”; in line 29, strike “WHERE” and substitute “OF”; in line 30, strike “WAS REPOSESSED” and substitute “SUBJECT TO REPOSSESSION”; in line 32, strike “REPOSESSED” and substitute “SUBJECT TO REPOSSESSION”; and in the same line, strike “AVAILABLE” and substitute “KNOWN”.

On page 4, strike beginning with the fourth “OF” in line 7 down through “ADVANCE” in line 8 and substitute “THE SECURED PARTY ESTABLISHED A SECURITY INTEREST IN THE PERSONAL PROPERTY”.

AMENDMENT NO. 4
On page 4, in line 15, strike “EXCEPT” and substitute “UNLESS A COUNTY OR MUNICIPALITY DISPUTES THE SECURED PARTY’S ESTIMATE”; in line 16, strike “WITHIN A REASONABLE PERIOD OF TIME”; in line 17, after “NOTICE” insert “AS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION”; in line 19, after “SUBSECTION” insert “, AND THE STATUTORY LIEN ON THE SECURED PROPERTY IDENTIFIED IN THE NOTICE UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE RELEASED”; in line 20, strike “IF A” and substitute “A”; in the same line, strike “DISPUTES” and substitute “MAY DISPUTE THE SECURED PARTY’S ESTIMATE OF”; in line 22, after the comma, insert “IF”; in line 23, strike “SHALL”; in line 24, strike “RESPOND” and substitute “RESPONS IN WRITING”; in the same line, after “PARTY” insert “NOT LATER THAN 45 DAYS AFTER THE SECURED PARTY PROVIDED NOTICE AS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION”; in line 25, after “THE” insert “PRO RATA”; in line 26, after “PROPERTY” insert “AS CALCULATED BY THE COUNTY OR MUNICIPALITY”; and in line 27, strike “MAKE” and substitute “MAKES”.
**AMENDMENT NO. 5**

On page 4, in lines 13, 17, and 21, in each instance, strike “SHARE” and substitute “PORTION”.

On page 6, in line 7, strike “SHARE” and substitute “PORTION”.

**AMENDMENT NO. 6**

On page 5, in lines 18, 29, and 34, in each instance, strike “REPOSSESSED” and substitute “SUBJECT TO REPOSSESSION”.

On page 6, in lines 3, 12, and 14, in each instance, strike “REPOSSESSED” and substitute “SUBJECT TO REPOSSESSION”; in line 9, strike “REPOSSESSED”; and in the same line, after “PROPERTY” and insert “SUBJECT TO REPOSSESSION”.

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 – 128  Negative – 9  (See Roll Call No. 1282)

**AMENDED IN THE SENATE**

**House Bill 526 – Delegates Summers, Cane, Clippinger, Frush, Gaines, Haynes, Hubbard, Ivey, Mitchell, Niemann, Stein, and Walker**

**AN ACT concerning**

**Higher Education – Maryland First Scholarship – Creation and Funding**

Delegate Hixson moved that the House concur in the Senate amendments.

**HB0526/484535/1**

BY:  Education, Health, and Environmental Affairs Committee

**AMENDMENTS TO HOUSE BILL 526**

(Third Reading File Bill)

**AMENDMENT NO. 1**
On page 1, in line 12, strike “a certain fund;” and substitute “the Maryland First Scholarship Fund; specifying the purpose of the Fund;”; in lines 13 and 17, in each instance, strike “a certain fund” and substitute “the Fund”; in lines 13, 16, 18, and 21, in each instance, strike “fund” and substitute “Fund”; in lines 19 and 20, strike “a certain fund” and substitute “the Fund”; in line 19, after “manner;” insert “specifying the contents of the Fund; specifying the purposes for which the Fund may be used;”; in the same line, strike “funds” and substitute “money”; and in line 23, before “defining” insert “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;”.

On page 2, after line 18, insert:

“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 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)69. and 70.
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)71.
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2
On page 5, strike in their entirety lines 7 and 8 and substitute:

“(2) THE PURPOSE OF THE FUND IS TO PROVIDE MONEY FOR SCHOLARSHIP AWARDS UNDER THIS SECTION AND FOR ADMINISTRATIVE EXPENSES INCURRED BY THE COMMISSION IN MAKING SCHOLARSHIP AWARDS UNDER THIS SECTION.”;

after line 24, insert:
“(8) **THE FUND CONSISTS OF:**

(i) **MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND:**

(ii) **GIFTS OR GRANTS RECEIVED BY THE COMMISSION FOR THE FUND:**

(iii) **INVESTMENT EARNINGS OF THE FUND; AND**

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

(9) **THE FUND MAY BE USED ONLY FOR:**

(i) **MAKING SCHOLARSHIP AWARDS UNDER THIS SECTION;**

and in lines 25 and 27, strike “(8)” and “(9)”, respectively, and substitute “(10)” and “(11)”, respectively.

AMENDMENT NO. 3

On page 7, after line 2, insert:

“Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise
entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

69. the Maryland Legal Services Corporation Fund; [and]

70. Mortgage Loan Servicing Practices Settlement Fund;

AND

71. THE MARYLAND FIRST SCHOLARSHIP FUND.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

    Affirmative – 135    Negative – 2    (See Roll Call No. 1283)

AMENDED IN THE SENATE


AN ACT concerning

Edward T. Conroy  Jean B. Cryor Memorial Scholarship – Eligibility Creation

Delegate Hixson moved that the House concur in the Senate amendments.

HB0963/104237/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 963
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, strike in its entirety line 2 and substitute “Edward T. Conroy and Jean B. Cryor Memorial Scholarship Programs”; in line 11, strike “authorizing” and substitute “requiring”; in line 17, after “study,” insert “making certain conforming changes to the Edward T. Conroy Memorial Scholarship Program; establishing a certain scholarship fund; providing that the fund is a special, nonlapsing fund that is not subject to certain provisions of law; requiring the State Treasurer to hold the fund and the Comptroller to account for the fund;”; in line 19, strike “certain terms” and substitute “a certain term”; and strike in its entirety line 20 and substitute “memorial scholarship programs.”

On page 2, strike in their entirety lines 5 through 10, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Education
Section 18–601 to be under the amended subtitle “Subtitle 6. Scholarships for Military and Public Safety Personnel and Their Dependents and the Dependents of Certain School Employees”
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement).”

AMENDMENT NO. 2
On pages 6 through 8, strike in their entirety the lines beginning with line 12 on page 6 through line 29 on page 8, inclusive, and substitute:


18–601.

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

(2) “Disabled public safety employee” means a State or local public safety employee who sustains an injury in the line of duty that:

(i) Precludes the individual from continuing to serve or be employed as a State or local public safety employee; and
(ii) In the case of a volunteer member of a fire department or ambulance or rescue company or squad, precludes the member from continuing to be employed in the nonpublic safety occupation in which the member is engaged at the time of the injury.

(3) "SCHOOL EMPLOYEE" INCLUDES AN EMPLOYEE OF A PUBLIC OR NONPUBLIC SCHOOL IN THE STATE.

[(3)] (4) "Surviving spouse" means a person who has not remarried.

[(4)] (5) “State or local public safety employee” means a person who is:

(i) A career or volunteer member of a:

1. Fire department;

2. Ambulance company or squad; or

3. Rescue company or squad;

(ii) A law enforcement officer;

(iii) A correctional officer; or

(iv) A member of the Maryland National Guard who was a resident of this State at the time of death.

[(5)] (6) “Victim of the September 11, 2001, terrorist attacks” means a Maryland resident who was killed as a result of the attacks on the World Trade Center in New York City, the attack on the Pentagon in Virginia, or the crash of United Airlines Flight 93 in Pennsylvania.

(b) There is a program of scholarships that are awarded by eligible postsecondary institutions under this section.

(c) (1) The [Program] PROGRAM FOR MILITARY AND PUBLIC SAFETY PERSONNEL AND THEIR ELIGIBLE DEPENDENTS is the Edward T. Conroy Memorial Scholarship Program.
(2) The program for eligible dependents of public and nonpublic school employees is the Jean B. Cryor Memorial Scholarship Program.

(d) A person may apply to an eligible postsecondary institution for a scholarship under this section if the person:

(1) (i) Is a resident of Maryland at the time of application; or

(ii) Was a resident of Maryland when an event described in paragraph (3) of this subsection occurred;

(2) (i) Is accepted for admission or enrolled in the regular undergraduate, graduate or professional program at an eligible institution; or

(ii) Is enrolled in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution; and

(3) (i) Is at least 16 years old and a son or daughter of a member of the armed forces who:

1. Died as a result of military service after December 7, 1941;

2. Suffered a service connected 100% permanent disability after December 7, 1941; or

3. Was declared to be a prisoner of war or missing in action, if that occurred on or after January 1, 1960, as a result of the Vietnam conflict, and if the child was born prior to or while the parent was a prisoner of war or missing in action;

(ii) Was a prisoner of war or missing in action, if that occurred on or after January 1, 1960, as a result of the Vietnam conflict and was a resident of this State at the time the person was declared to be a prisoner of war or missing in action;
(iii) 1. Is at least 16 years old and a son or daughter of any State or local public safety employee killed in the line of duty; or

2. Is the surviving spouse of any State or local public safety employee killed in the line of duty;

(iv) 1. Is a disabled public safety employee;

2. Is at least 16 years old and a son or daughter of a disabled public safety employee who sustains an injury in the line of duty that renders the public safety employee 100% disabled; or

3. Is the surviving spouse of a disabled public safety employee who sustains an injury in the line of duty that renders the public safety employee 100% disabled;

(v) Is a veteran, as defined under § 9–901 of the State Government Article, who:

1. Suffers a service connected disability of 25% or greater; and

2. Has exhausted or is no longer eligible for federal veterans’ educational benefits;

(vi) Is the surviving spouse of a member of the armed forces who suffered a service connected 100% permanent disability; [or]

(vii) Is at least 16 years old and a son or daughter of or the surviving spouse of a victim of the September 11, 2001, terrorist attacks;

(VIII) IS AT LEAST 16 YEARS OLD AND A SON OR DAUGHTER OF A SCHOOL EMPLOYEE WHO, AS A RESULT OF AN ACT OF VIOLENCE:

1. DIED IN THE LINE OF DUTY; OR

2. SUSTAINED AN INJURY IN THE LINE OF DUTY THAT RENDERED THE SCHOOL EMPLOYEE 100% DISABLED; OR
(IX) **IS THE SURVIVING SPOUSE OF A SCHOOL EMPLOYEE WHO, AS A RESULT OF AN ACT OF VIOLENCE:**

1. **DIED IN THE LINE OF DUTY; OR**

2. **SUSTAINED AN INJURY IN THE LINE OF DUTY THAT RENDERED THE SCHOOL EMPLOYEE 100% DISABLED.**

(e) A scholarship awarded under this section:

(1) May be used for the tuition and mandatory fees at any eligible institution; and

(2) May not:

(i) Exceed the equivalent annual tuition and mandatory fees of a resident undergraduate student at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore, with the highest annual expenses for a full-time resident undergraduate; and

(ii) Be less than the lesser of:

1. $3,000; or

2. The equivalent annual tuition and mandatory fees of a resident of the institution attended by the recipient of the scholarship.

(f) (1) Each postsecondary institution shall determine the eligibility of persons who apply to the institution for the Edward T. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program.

(2) Funds for the Edward T. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program shall be allocated by the Commission to each postsecondary institution based on the number of eligible recipients attending each institution.
(3) In October and February of each year, each postsecondary institution shall report to the Commission the number of eligible recipients attending the institution.

(4) The Commission shall allocate funds for awards to postsecondary institutions upon verification of eligible recipients attending the institutions.

(5) If funds cannot be allocated in the fiscal year in which awards are made, priority shall be given to allocating funds for those awards in the following fiscal year.

(g) (1) Each recipient of a scholarship under this section may hold the award for 5 years of full-time study or 8 years of part-time study.

(2) The number of eligible recipients under subsection (d)(3)(v) of this section shall be limited to 15 each year.

(3) An award provided under subsection (d)(3)(vi) of this section may not exceed the amount specified in subsection (e)(2) of this section when combined with any other scholarship received by a student based on the student’s status as a child or spouse of a victim of the September 11, 2001, terrorist attacks.

(h) (1) There is an Edward T. Conroy and Jean B. Cryor Scholarship Fund.

(2) The fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(3) The State Treasurer shall hold the fund and the Comptroller shall account for the fund.

(4) The Commission:

[(1)] (I) May accept any gift or grant from any person for the [Edward T. Conroy Scholarship Fund] FUND;

[(2)] (II) Shall use any gift or grant that it receives for a scholarship from the [Program] PROGRAMS; and
[(3) (III)] Shall deposit any gift or grant that it receives for the Program [PROGRAMS with the State Treasurer in a nonbudgeted account].

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138  Negative – 0  (See Roll Call No. 1284)

AMENDED IN THE SENATE


AN ACT concerning Community Colleges – Cade Funding Formula – Grants for English for Speakers of Other Languages Programs – Repeal of Total Amount Limitation

Delegate Hixson moved that the House concur in the Senate amendments.

HB0964/269134/1
BY:  Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 964
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “– Repeal of Total Amount Limitation”; and in line 4, strike “removing” and substitute “increasing”.

AMENDMENT NO. 2

On page 2, in lines 12, 13, 16, 21, and 28, in each instance, strike the bracket; in line 13, strike “THE”; in lines 17, 19, and 21, in each instance, strike “$6,000,000” and substitute “$8,000,000”; and in line 29, strike “FOR”.

On page 3, in lines 13, 17, 18, and 21, in each instance, strike the bracket; in line 14, strike “THE”; in line 18, strike “$1,000,000” and substitute “$1,333,000”; and in line 21, strike “FOR”.
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 – 113    Negative – 25    (See Roll Call No. 1285)

AMENDED IN THE SENATE

House Bill 1059 – Delegate Haynes

AN ACT concerning

Video Lottery Operation Licensees – Employee Data Collection

Delegate Hixson moved that the House concur in the Senate amendments.

HB1059/789737/1
BY:    Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1059
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Video” insert “Baltimore City – ”; in the same line, strike “Licensees” and substitute “Licensee”; in line 3, after “a” insert “certain”; in line 4, strike “its” and substitute “certain”; in line 7, after “to” insert “a certain”; and in the same line, strike “licensees” and substitute “licensee”.

AMENDMENT NO. 2

On page 2, in line 5, strike “ON OR BEFORE MARCH 31 OF EACH YEAR” and substitute “WITHIN 30 DAYS AFTER THE COMPLETION OF ITS FIRST YEAR OF OPERATIONS”; in line 6, after “LICENSEE” insert “IN BALTIMORE CITY”; in line 8, after “ITS” insert “STATE VIDEO LOTTERY”; and in the same line, strike the third “OF” and substitute “WHO WORKED IN THE STATE DURING”.

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. 1286)

AMENDED IN THE SENATE


Delegate Hixson moved that the House concur in the Senate amendments.

AN ACT concerning

Commission on Special Education Access and Equity

Delegate Hixson moved that the House concur in the Senate amendments.

HB1161/314437/1

BY:  Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1161

(Third Reading File Bill)

On page 3, in line 3, strike “and”; and in line 4, strike “Council” and substitute “Coalition; and

(xv) two representatives who are public school employees who work with and are familiar with the Individualized Education Plan process”.

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. 1287)

AMENDED IN THE SENATE

House Bill 1236 – Delegates Hixson and A. Miller, A. Miller, and Rosenberg

AN ACT concerning
Delegate Hixson moved that the House concur in the Senate amendments.

HB1236/929730/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1236
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 6, strike “defining certain terms; making conforming and”; in line 7, strike “stylistic changes;”; in line 8, strike “of” and substitute “and”; in line 11, strike “12–101(g) through (l),”; in the same line, strike “13–101(g) and (h), 13–103(a),”; in line 17, strike “12–101(a–1) and (g), 12–103(a–1),” and substitute “12–103(a–1)”; and in the same line, strike “13–101(a–1) and (g).”.

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 3 on page 2, inclusive.

AMENDMENT NO. 2
On pages 2 and 3, strike in their entirety the lines beginning with line 7 on page 2 through line 15 on page 3, inclusive.

On pages 4 and 5, strike in their entirety the lines beginning with line 4 on page 4 through line 10 on page 5, inclusive.

AMENDMENT NO. 3
On page 3, in line 30, after “ENTITY” insert “AS DEFINED IN § 12–117 OF THIS SUBTITLE”.

On page 5, in line 25, after “ENTITY” insert “AS DEFINED IN § 13–103 OF THIS TITLE”.

On page 6, in line 16, after “ENTITY” insert “AS DEFINED IN § 13–103 OF THIS TITLE”.

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 – 137    Negative – 1    (See Roll Call No. 1288)

AMENDED IN THE SENATE

House Bill 1455 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Property Tax – Payment in Lieu of Taxes Agreement

MC/PG 118–13

Delegate Hixson moved that the House concur in the Senate amendments.

HB1455/109230/1

BY:    Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1455
(Third Reading File Bill)

On page 1, in line 16, strike “providing for a delayed effective date;”.

On page 4, in line 2, strike “2014” and substitute “2013”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 1289)

AMENDED IN THE SENATE

House Bill 1513 – Delegate Hixson

AN ACT concerning
Public Safety – Response to a State Disaster or Emergency – Licensing and Taxes

Delegate Hixson moved that the House concur in the Senate amendments.

HB1513/589435/1
BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1513
(Third Reading File Bill)

On page 2, in line 16, strike “GOOD FAITH RESPONSE EFFORT IS REQUIRED” and substitute “WIDESPREAD UTILITY OUTAGE OCCURS”; and in line 31, after “SYSTEMS,” insert “WATER PIPELINES.”.

On page 4, in line 25, strike “October” and substitute “June”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135    Negative – 2    (See Roll Call No. 1290)

MESSAGE FROM THE SENATE

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

BILL:    SB 0339
SPONSOR: Sen Robey, et al

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

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Senate Bill 339 – Senators Robey, Kasemeyer, King, Madaleno, Montgomery, Peters, and Young

AN ACT concerning

Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties

Delegate Malone moved the House recede on its amendment.

The motion was adopted.

SB0339/200913/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 339
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, before “altering” insert “repealing certain provisions of law that apply certain prohibitions involving the use of a wireless communication device to certain operators of certain motor vehicles only if the motor vehicle is in motion; providing that certain prohibitions against the use of a wireless communication device while operating a motor vehicle apply only if the vehicle is in the travel portion of the roadway;”.

On page 2, in line 20, after “vehicle” insert “IN THE TRAVEL PORTION OF THE ROADWAY”.

On page 4, in lines 4 and 9, in each instance, strike “motion” and substitute “THE TRAVEL PORTION OF THE ROADWAY”.

AMENDMENT NO. 2

On page 1, in line 13, before “prohibiting” insert “repealing a certain provision of law”; and in lines 14 and 15, strike “second or subsequent” and substitute “first”.

On page 4, strike in their entirety lines 13 through 27, inclusive, and substitute:
“(e) A police officer may enforce this section only as a secondary action when the police officer detains a driver for a suspected violation of another provision of the Code.

(f) (1) A person convicted of a violation of this section is subject to the following penalties:

(i) For a first offense, a fine of not more than $40; and

(ii) For a second or subsequent offense, a fine of $100.

(2) For a first offense under this section, points may not be assessed against the individual under § 16–402 of this article unless the offense contributes to an accident.

(g) The court may waive the penalty under subsection (f).

THE PENALTY FOR A VIOLATION of this section for a person who:

House receded and the amendment was removed.

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

Affirmative – 108  Negative – 29 (See Roll Call No. 1291)

MESSAGE TO THE SENATE

BILL:    SB 0339
SPONSOR:  Sen Robey, et al

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

The House of Delegates recedes from its position on SB 0339.

Said Bill is returned herewith.

By Order,
Read and adopted.

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 161        SPONSOR: Senator Kelley

SUBJECT: Real Property – Common Ownership Communities – Foreclosure of Liens

THIRD READING CALENDAR      HOUSE NO. 19      SENATE NO. 15

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Environmental Matters Committee Amendments (SB0161/410213/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0161/293922/1) be adopted.

SB0161/293922/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 161
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Kelley” and substitute “Senators Kelley and Muse”;

in line 4, strike “, member,”;

in line 6, after “assessments” insert “and certain reasonable costs and attorney’s fees”;

and in the same line, after “circumstances,” insert “providing for the application of this Act;”.

AMENDMENT NO. 2
On page 2, in line 13, after “ARTICLE;” insert “OR”; strike beginning with “A” in line 14 down through “3.” in line 17; in line 27, strike “OF DELINQUENT” and substitute “OF:

1. DELINQUENT”;

in the same line, after “PERIODIC” insert “ASSESSMENTS”; and after line 28, insert:

“2. REASONABLE COSTS AND ATTORNEY’S FEES DIRECTLY RELATED TO THE FILING OF THE LIEN AND NOT EXCEEDING THE AMOUNT OF THE DELINQUENT ASSESSMENTS; AND”.

On pages 2 and 3, strike beginning with the comma in line 32 on page 2 down through “MEMBER,” in line 1 on page 3.

On page 3, strike beginning with “FOR” in line 1 down through “ASSESSMENTS” in line 2; after line 2, 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 lien filed before the effective date of this Act.”;

and in line 3, strike “2.” and substitute “3.”.

Senate Members: C. Anthony Muse
Chair, Bobby A. Zirkin
Christopher B. Shank

House Members: Doyle L. Niemann
Chair, Pamela Beidle
Wayne Norman

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

Amendment Office Delivers Report to: ( ) Chief Clerk
(X) Secretary, Senate
Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

   Affirmative – 138     Negative – 0     (See Roll Call No. 1292)

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. 1293)

ADJOURNMENT

At 6:54 P.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Legislative Day April 4, 2013, Calendar Day Monday, April 8, 2013.
The House met at 8:04 P.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 130 Members present.

(See Roll Call No. 1294)

The Journal of April 3, 2013 was read and approved.

**EXCUSES:**
Del. Dwyer – illness
Del. Valentino–Smith – late – funeral

**MESSAGE FROM THE SENATE**

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

BILL:  **HB 1499**
SPONSOR:  The Spkr (Campaign Finance Comm), et al
SUBJECT:  Campaign Finance Reform Act of 2013

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 Cardin, Chair
Delegate Summers
Delegate George

The Senate appoints:
Senator Ferguson, Chairman
Senator Dyson
Senator Jennings.
Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 743 – Senators Jones–Rodwell and Ferguson, Ferguson, Conway, McFadden, Gladden, and Pugh

AN ACT concerning

Baltimore City Public Schools Construction Authority and Revitalization Act of 2013

FOR the purpose of establishing the Baltimore City Public Schools Construction Authority; providing for the purpose, duties, membership, appointment, terms, and compensation of the Authority; requiring the Authority to appoint an executive director and establishing the duties of that position; authorizing the Authority to employ or retain employees or contractors as appropriate; authorizing the Authority, under certain circumstances, to acquire and take title to property, enter into contracts, fix and collect certain rents and other charges, mortgage or encumber a project and its site, make a loan, contract for certain services, and receive certain contributions and gifts; specifying that the Authority shall be responsible for certain school facilities construction and capital improvement projects; authorizing the Authority or other issuer of bonds to hold title to certain properties or improvements to certain properties under certain circumstances; specifying that certain expenses incurred by the Authority are payable only from certain funds; requiring certain audits of the Authority; requiring certain audits to be submitted by a certain date to certain entities; declaring the intent of the General Assembly that the Authority shall remain in existence as long as certain debt is outstanding; authorizing the issuance of certain bonds; setting certain requirements, guidelines, and procedures for the issuance of certain bonds; specifying that certain projects financed under this Act shall be approved by the Interagency Committee on School Construction; requiring the Authority, the Baltimore City Board of School Commissioners, and the Interagency Committee on School Construction to enter into a certain memorandum of understanding; limiting the amount of certain outstanding debt of the Authority; specifying that the Authority may secure certain bonds by a trust agreement and setting the requirements,
guidelines, and procedures for that trust agreement; authorizing certain financial entities to invest certain funds in certain bonds; specifying that certain bonds issued under this Act are not a debt, liability, moral obligation, or a pledge of the faith and credit of the State or any subdivision of the State; providing how proceeds from the sale of certain bonds may be expended; authorizing the issuance of refunding bonds and bond anticipation notes under certain circumstances and subject to certain provisions; exempting the Authority, its agent, lessee, and the principal and interest on certain bonds from State and local taxes; requiring the State to provide a certain block grant each year for school construction projects in Baltimore City; providing for the funding and an annual increase in the amount of funding for certain school construction projects in Baltimore City; specifying the uses for a certain block grant; authorizing the issuance of refunding bonds and bond anticipation notes under certain circumstances and subject to certain provisions; exempting the Authority, its agent, lessee, and the principal and interest on certain bonds from State and local taxes; requiring the State to provide a certain block grant each year for school construction projects in Baltimore City; providing for the funding and an annual increase in the amount of funding for certain school construction projects in Baltimore City; specifying the uses for a certain block grant; authorizing the Baltimore City Board of School Commissioners to acquire, construct, reconstruct, equip, maintain, repair, or renovate facilities at any location in Baltimore City through another entity acting as its agent and enter into contracts with public or private entities for such purposes; specifying that a transfer of a certain interest in a public school building in connection with financing the cost of improvements to that building is not a sale, lease, or disposal of that building; increasing the amount of bonds that the Baltimore City Board of School Commissioners may have outstanding; specifying that the amount of outstanding debt of the Baltimore City Board of School Commissioners does not include bonds issued by an entity other than the Board, including bonds issued by the Authority or other issuer of bonds; defining certain terms; authorizing the Maryland Health and Higher Educational Facilities Authority to issue bonds on behalf of the Authority; and generally relating to school construction projects in Baltimore City.

FOR the purpose of authorizing the Maryland Stadium Authority to issue bonds to finance the construction of or improvements to certain Baltimore City public school facilities in accordance with a certain 10-year plan for Baltimore City Public Schools and subject to certain limitations; specifying that the Authority and the Baltimore City Board of School Commissioners shall be responsible for certain public school facilities construction and improvement projects; prohibiting the interference with or limitation of the powers of the Authority and the Baltimore City Board of School Commissioners except under certain circumstances; specifying that certain expenses incurred by the Authority are payable only from certain funds; specifying that certain bonds issued under this Act are a limited obligation of the Authority payable solely from certain pledged money and are not a debt, liability, moral obligation, or a pledge of the faith and credit or taxing power of the State, the Authority, or any other governmental unit; requiring the Authority to obtain approval from the Board of Public Works before each issuance of bonds to finance improvements to Baltimore City public school facilities; requiring Baltimore City to deposit a certain amount of money into a certain fund by certain dates; requiring the Authority to transfer certain funds under certain circumstances; requiring the State Comptroller to withhold the distribution of certain income tax revenues to Baltimore City under certain circumstances; requiring the Authority to direct the State Comptroller to withhold certain payments to the Baltimore City Board of School Commissioners.

Commissioners and instead deposit that money into a certain fund under certain circumstances; requiring a certain joint report on or before a certain date year; providing for certain requirements for the Baltimore City Board of School Commissioners regarding certain buildable sites and certain operational responsibilities; requiring the Baltimore City Board of School Commissioners to obtain approval from the State Superintendent of Schools and the Board of Public Works prior to the disposal of certain facilities except in certain circumstances; providing for the payment of certain costs; requiring the Authority, Baltimore City, the Baltimore City Board of School Commissioners, and the Interagency Committee on School Construction to agree to a certain memorandum of understanding on or before a certain date; prohibiting the issuance of bonds to finance improvements to Baltimore City public school facilities unless the memorandum of understanding is signed by certain parties and the Baltimore City Board of School Commissioners has submitted a certain plan to certain committees of the General Assembly; specifying the requirements of the memorandum of understanding; requiring the State Superintendent of Schools to facilitate resolution in the event of a dispute of certain provisions in the memorandum of understanding; prohibiting the memorandum of understanding from taking effect until it is approved by the Board of Public Works; establishing the Baltimore City Public School Construction Financing Fund and the Baltimore City Public School Construction Facilities Fund as continuing, nonlapsing funds; specifying the contents of the funds and providing for the uses of the funds; exempting the funds from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; expanding the authority of the Authority to include acquiring property necessary to make improvements to certain facilities; requiring the Authority to perform certain actions related to Baltimore City public school facilities; limiting the amount of debt that may be issued by the Authority to finance certain public school construction projects in Baltimore City; including nontax supported debt in a certain debt limit; providing that money deposited in a certain fund may be used as security for a bond issue; altering certain provisions of law relating to closing on certain bond sales; authorizing the Baltimore City Board of School Commissioners to acquire, construct, reconstruct, equip, maintain, repair, or renovate facilities at any location in Baltimore City through the Authority acting as its agent and enter into certain related contracts; increasing the amount of bonds that the Baltimore City Board of School Commissioners may have outstanding; specifying that the amount of outstanding debt of the Baltimore City Board of School Commissioners does not include bonds issued by the Authority; specifying that a transfer of a certain interest in a public school building in connection with financing the cost of improvements to that building is not a sale, lease, or disposal of that building; altering the distribution of certain State lottery revenues and requiring the State Comptroller to distribute certain State lottery revenues into a certain fund; repealing the requirement for certain lotteries to be conducted for the benefit of the Authority; repealing certain advertising and ticket requirements related to certain lotteries conducted for the benefit of the Authority; altering the calculation of a certain
highest local appropriation for education under certain circumstances; requiring
 certain reports and notifications; declaring the intent of the General Assembly;
defining certain terms; providing for the effective dates of this Act; and
generally relating to public school construction and renovation projects in
Baltimore City.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–301 10–601, 10–620, 10–628, 10–634, and 10–639
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–629 through 10–633, 10–635, and 10–636
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY adding to
Article – Economic Development
Section 10–645, 10–646, 10–656, and 10–657
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 4–114, 4–115, 4–119, 4–126, 4–306.1, 4–306.2(a) and (b), and 5–301(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Education
Section 4–401 through 4–424 to be under the new subtitle “Subtitle 4. Baltimore
City Public Schools Construction Authority”; and 5–301(c–1)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 4–306.2(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)69. and 70.
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)71. and 72.
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–202(d)(1) through (5)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(d)(6)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of 2012)

BY repealing
Article – State Government
Section 9–120.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #16
Delegate Conway, Chair, for the Committee on Appropriations and Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

Senate Bill 829 – Senators Miller, Garagiola, Currie, Kaseemeyer, Madaleno, Manno, McFadden, and Raskin Raskin, Brinkley, Colburn, DeGrange, Edwards, Jones–Rodwell, King, Peters, and Robey

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Transportation Trust Fund – Financing – Use of Funds

SB0829/644367/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 829
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 2, strike “– Financing”; and strike beginning with “adding” in line 3 down through “Fund” in line 14 and substitute “proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation except under certain circumstances; prohibiting the transfer of funds in the Transportation Trust Fund to the General Fund or a special fund of the State except under certain circumstances; providing that this amendment does not apply to the allocation or use of certain funds in the Transportation Trust Fund for counties, municipalities, and Baltimore City as authorized by law or a transfer of funds in the Transportation Trust Fund to the Maryland Transportation Authority or the Maryland Transportation Authority Fund; authorizing funds in the Transportation Trust Fund to be used for a purpose not related to transportation or transferred to the General Fund or a special fund of the State if the Governor and the General Assembly take certain action; and submitting this amendment to the qualified voters of the State for their adoption or rejection”.

AMENDMENT NO. 2
On page 2, in line 4, strike “(F)” and substitute “(E)”.

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 33 on page 3, inclusive, and substitute:
“(C) **EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, FUNDS IN THE TRANSPORTATION TRUST FUND MAY NOT BE TRANSFERRED TO THE GENERAL FUND OR A SPECIAL FUND OF THE STATE.**

(D) **THIS SECTION DOES NOT APPLY TO:**

(1) **AN ALLOCATION OR USE OF HIGHWAY USER REVENUES FOR THE COUNTIES, MUNICIPALITIES, OR BALTIMORE CITY THAT IS AUTHORIZED UNDER TITLE 8, SUBTITLE 4 OF THE TRANSPORTATION ARTICLE; OR**

(2) **A TRANSFER OF FUNDS IN THE TRANSPORTATION TRUST FUND TO THE MARYLAND TRANSPORTATION AUTHORITY OR THE MARYLAND TRANSPORTATION AUTHORITY FUND.**

(E) **FUNDS IN THE TRANSPORTATION TRUST FUND MAY BE USED FOR A PURPOSE NOT RELATED TO TRANSPORTATION OR TRANSFERRED TO THE GENERAL FUND OR A SPECIAL FUND OF THE STATE IF:**

(1) **THE GOVERNOR, BY EXECUTIVE ORDER, DECLARES A FISCAL EMERGENCY EXISTS; AND**

(2) **THE GENERAL ASSEMBLY, BY LEGISLATION PASSED ON A YEA AND NAY VOTE SUPPORTED BY THREE–FIFTHS OF ALL THE MEMBERS ELECTED TO EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY, CONCURS WITH THE USE OR TRANSFER OF THE FUNDS.**

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 later today.

The motion was adopted.

**SPECIAL ORDERS**

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

**House Bill 524 – Delegates Feldman, Arora, Barkley, Dumais, and Reznik**
CONSTITUTIONAL AMENDMENT

AN ACT concerning

End the Gridlock

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

FLOOR AMENDMENT

HB0524/143727/1
BY: Delegate McMillan

AMENDMENTS TO HOUSE BILL 524, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike in their entirety the Appropriations Committee Amendments (HB0524/154766/1).

AMENDMENT NO. 2

On page 1 of the bill, in line 2, strike “End the Gridlock” and substitute “Dedicated State Funds Protection Act”; strike beginning with “relating” in line 3 down through “funds” in line 22 and substitute “prohibiting certain transfers of dedicated State funds to the General Fund except for certain purposes under certain circumstances; requiring the Governor to include certain provisions in the budget that provide for the repayment of certain dedicated State funds under certain circumstances within a certain period of time; defining a certain term”; and in line 26, strike “and 53A”.

AMENDMENT NO. 3

On pages 2 through 4 of the bill, strike in their entirety the lines beginning with line 3 on page 2 through line 29 on page 4, inclusive, and substitute:

“(A) IN THIS SECTION, “DEDICATED STATE FUNDS” MEANS REVENUES COLLECTED BY THE STATE THAT ARE DEDICATED BY LAW TO A SPECIFIC PURPOSE AS THE LAWS OF MARYLAND WERE IN EFFECT ON OR AFTER JULY 1, 2013.
(B) *Except as provided in subsection (C) of this section, dedicated State funds may be used only for the specific purposes that are set forth in law as the laws of Maryland were in effect on or after July 1, 2013, and may not be transferred to the General Fund.*

(C) *Dedicated State funds may be used for defense or relief purposes if:*

1. *The State is invaded by land, sea, or air, or a major catastrophe occurs;*

2. *The Governor:*
   - (I) *Proclaims a state of emergency;*
   - (II) * Declares that use of the funds for defense or relief purposes is necessary for the immediate preservation of the public health or safety; and*
   - (III) *Proposes a plan to repay the dedicated State funds within 5 years after the use of the funds, for any amounts used under the authority of this subsection; and*

3. *The General Assembly, by legislation passed on a yea and nay vote supported by three-fifths of all members elected to each of the two Houses of the General Assembly, concurs that the use of the funds for defense or relief purposes is necessary and approves the repayment plan proposed by the Governor.*

(D) *If the Governor includes a provision in the budget to transfer or divert revenues from dedicated State funds to the General Fund, the Governor shall also include a provision in the budget that provides for the repayment within 5 years of that transfer or diversion to the dedicated State funds from the General Fund.***
The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 53  Negative – 86  (See Roll Call No. 1295)

FLOOR AMENDMENT

HB0524/893523/1
BY: Delegate George

AMENDMENTS TO HOUSE BILL 524, AS AMENDED

AMENDMENT NO. 1
On page 1 of the Appropriations Committee Amendments (HB0524/154766/1), strike beginning with “a” in line 11 of Amendment No. 1 down through “actions” in line 13 and substitute “defense or relief purposes under certain circumstances if the Governor and the General Assembly take certain actions and provide for the repayment of the funds”.

AMENDMENT NO. 2
On page 2 of the Appropriations Committee Amendments, strike beginning with “A” in line 7 of Amendment No. 2 down through “(2)” in line 12 and substitute “DEFENSE OR RELIEF PURPOSES IF:

(1) THE STATE IS INVADED BY LAND, SEA, OR AIR, OR A MAJOR CATASTROPHE OCCURS;

(2) THE GOVERNOR:

(i) PROCLAIMS A STATE OF EMERGENCY;

(ii) DECLARES THAT USE OF THE FUNDS FOR DEFENSE OR RELIEF PURPOSES IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH OR SAFETY; AND

(iii) PROPOSES A PLAN TO REPAY TO THE TRANSPORTATION TRUST FUND, WITHIN 5 YEARS AFTER THE USE OF THE FUNDS, ANY AMOUNTS USED UNDER THE AUTHORITY OF THIS SUBSECTION; AND
and in lines 14 and 15, strike “WITH THE USE OR TRANSFER OF THE FUNDS” and substitute “THAT THE USE OF THE FUNDS FOR DEFENSE OR RELIEF PURPOSES IS NECESSARY AND APPROVES THE REPAYMENT PLAN PROPOSED BY THE GOVERNOR”.

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

Affirmative – 49   Negative – 90   (See Roll Call No. 1296)

Delegate O’Donnell moved to make the Bill a Special Order for later today.

The motion was adopted.

MESSAGE FROM THE SENATE

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

BILL:   HB 0803
SPONSOR: Chr W&M (Dept)
SUBJECT: Income Tax – Business and Economic Development – Cybersecurity Investment Incentive Tax Credit

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 Frick, Chair
Delegate Serafini
Delegate A. Washington

The Senate appoints:
Senator Manno, Chairman
Senator Brinkley
Senator Currie.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary
Read and ordered journalized.

CONCURRENCE CALENDAR #14

AMENDED IN THE SENATE


AN ACT concerning

Morgan State University – Board of Regents – Length and Limitation of Terms and Residency Requirement

Delegate Conway moved that the House concur in the Senate amendments.

HB0238/994239/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 238
(Third Reading File Bill)

On page 1, in line 6, strike “certain members” and substitute “a member”.

On page 2, in line 16, strike “1.”; strike beginning with “EXCEPT” in line 16 down through “A” in line 17 and substitute “A”; strike in their entirety lines 19 and 20; and in line 22, strike “4” and substitute “3”.

On page 3, in line 1, strike “.except for”; and in line 2, strike “who is an elected official, a member”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yea and nay as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 1297)
AMENDED IN THE SENATE

House Bill 145 – Delegate George Anne Arundel County Delegation

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container License

Delegate Davis moved that the House concur in the Senate amendments.

HB0145/734930/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 145
(Third Reading File Bill)

On page 2, in line 6, after the second “LICENSE” insert “, A CLASS B LICENSE.”.

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. 1298)

AMENDED IN THE SENATE

House Bill 669 – Delegates Vaughn, Barkley, Barnes, Davis, and Rudolph

AN ACT concerning

Business Regulation – Introduction of Additives into Gasoline – Authorization

Delegate Davis moved that the House concur in the Senate amendments.

HB0669/857375/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 669
(Third Reading File Bill)
AMENDMENT NO. 1
On page 1, strike beginning with “declaring” in line 6 down through “regulations;” in line 7 and substitute “providing for the content of certain regulations;”.

AMENDMENT NO. 2
On page 2, in line 17, strike “ANY OTHER”; in line 18, strike “REGULATIONS” and substitute “REGULATIONS:

1. ”;

in line 18, strike “GOVERNING” and substitute “THAT SPECIFY”; in the same line, strike “OF” and substitute “FOR”; in line 19, after “GASOLINE” insert “, SUCH AS IN–LINE BLENDING OR ANY METHOD EQUAL TO OR SUPERIOR TO IN–LINE BLENDING, AS DETERMINED BY THE COMPTROLLER; AND

2. THAT PROVIDE FOR THE PAYMENT OF THE MOTOR FUEL EXCISE TAX UNDER § 9–305 OF THE TAX – GENERAL ARTICLE BY A LICENSED DEALER”;

strike in their entirety lines 20 through 25, inclusive; and in line 26, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138  Negative – 0  (See Roll Call No. 1299)

AMENDED IN THE SENATE

House Bill 695 – Delegate Rudolph

AN ACT concerning

Homeowner’s Insurance – Anti–Concurrent Causation Clause – Prohibited

Delegate Davis moved that the House concur in the Senate amendments.
AMENDMENTS TO HOUSE BILL 695
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 2, strike “Prohibited” and substitute “Notice and Study”; in line 5, after “notice,” insert “providing that the notice is not part of the policy or contract of insurance and does not create a private right of action”; in line 6, strike “a”; and in line 7, strike “committee” and substitute “committees”.

AMENDMENT NO. 2
On page 2, in line 10, after “ACC” insert “clause”; strike beginning with “DESCRIBES” in line 11 down through “(4)” in line 13; in line 15, strike “[5]” and substitute “(4)”; after line 17, insert:

“(B) THE NOTICE UNDER SUBSECTION (A) OF THIS SECTION:

(1) IS NOT PART OF THE POLICY OR CONTRACT OF INSURANCE;

AND

(2) DOES NOT CREATE A PRIVATE RIGHT OF ACTION,”;

in line 18, strike “(B)” and substitute “(C)”; in line 21, after “Committee” insert “and the Senate Finance Committee”; in line 24, strike “Committee” and substitute “Committees”; in line 26, strike “clause (ACC)” and substitute “(ACC) clause”; in lines 27, 29, and 30, in each instance, after “ACC” insert “clause”; and in line 31, strike “5” and substitute “3”.

On page 3, in lines 1 and 3, after “ACC” insert “clause”; in line 4, strike the second “and”; in line 7, after “claims” insert “; and

(7) the adequacy of the notice required under § 19–215 of the Insurance Article, as enacted by Section 1 of this Act, in informing insureds about exclusions and the ACC clause and whether the notice should:
(i) provide an explanation of how the ACC clause may be applied; or

(ii) state that, if the insured would like an explanation of how the ACC clause may be applied, the insured should communicate with the insurer or the insurance producer, if the insurer has provided the information to the insurance producer”;

in line 9, after “Committee” insert “and staff of the Senate Finance Committee”; in lines 10 and 11, strike “requested by the Committee” and substitute “the Committees request the Maryland Insurance Administration to provide”; in line 12, strike “Committee” and substitute “Committees”; and in line 16, strike “October 1, 2013” and substitute “January 1, 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 – 137   Negative – 0   (See Roll Call No. 1300)

**AMENDED IN THE SENATE**

**House Bill 749 – Delegate Beitzel**

AN ACT concerning

Garrett County – Alcoholic Beverages – Licenses, Permits, and Other Authorizations

Delegate Davis moved that the House concur in the Senate amendments.

**HB0749/334137/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENT TO HOUSE BILL 749**

(Third Reading File Bill)

On page 12, in line 5, strike “A” and substitute “THE”; in the same line, strike “STATE” and substitute “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. 1301)

AMENDED IN THE SENATE

House Bill 409 – Delegates McIntosh, Bobo, Frush, Healey, Hubbard, Lafferty, Pendergrass, Sophocleus, and Stein

AN ACT concerning

Land Use – Local Governments – Comprehensive Planning and Zoning Cycles

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0409/694938/1
BY:  Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 409
(Third Reading File Bill)

AMENDMENT NO. 1
On page 2, strike beginning with “requiring” in line 7 down through “circumstances;” in line 8; and in line 10, after “circumstances;” insert “providing for a certain construction of this Act; requiring a local jurisdiction to comply with certain provisions of law concerning growth tiers except under certain circumstances;”.

AMENDMENT NO. 2
On page 4, in line 2, strike “ZONING AND ORDINANCES” and substitute “COMPREHENSIVE REZONING”; in line 4, after “ANY” insert “SIGNIFICANT”; in line 5, strike “OR”; in the same line, after the second “PROGRAMS” insert “, OR STATE REQUIREMENTS”; strike beginning with “SMART” in line 9 down through “IN” in line 10 and substitute “IMPLEMENTATION OF”; and in line 13, strike “SCHEDULED, PLANNED, AND” and substitute “A SUMMARY OF ANY”.

AMENDMENT NO. 3
On page 7, in line 2, strike “Notwithstanding” and substitute “If a local jurisdiction chooses to adopt growth tiers under Title 1, Subtitle 5 of the Land Use Article, and notwithstanding”; in line 4, strike “under Title 1, Subtitle 5 of the Land Use Article”; in line 8, after “jurisdiction” insert “adopts a growth tier but”; in the same line, strike “all of”; in the same line, strike “tiers” and substitute “tier”; strike beginning with “section” in line 9 down through “and” in line 11; in line 12, strike “(2) the growth tiers” and substitute “section, the growth tier”; and after line 13, insert:

“(c) This Act may not be construed as requiring a local jurisdiction to adopt, amend, or repeal growth tiers under Title 1, Subtitle 5 of the Land Use Article.

(d) Except as provided in subsection (a) of this section, a local jurisdiction shall comply with Title 1, Subtitle 5 of the Land Use Article when adopting growth tiers.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135   Negative – 4   (See Roll Call No. 1302)

AMENDED IN THE SENATE


AN ACT concerning

Vehicle Registration – Exception for All-Terrain and Utility-Terrain Vehicles – Use in Public Service

Vehicle – Unregistered Emergency Vehicles – Operating on Highways

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0680/458373/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 680
(Third Reading File Bill)
On page 1, in line 4, after “Vehicle” insert “Laws”; in line 13, strike “unregistered emergency vehicle” and substitute “emergency vehicle not subject to registration”; in line 15, strike “unregistered”; and in line 16, after “vehicles” insert “not subject to registration”.

On page 3, in line 26, strike “UNREGISTERED”; and in the same line, after “VEHICLE” insert “NOT SUBJECT TO REGISTRATION”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138    Negative – 1    (See Roll Call No. 1303)

AMENDED IN THE SENATE


AN ACT concerning

Maryland Pesticide Reporting and Information Act Workgroup

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0775/944731/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 775
(Third Reading File Bill)

AMENDMENT NO. 1

On page 15, after line 10, insert:

“(vi) one representative from the pesticide manufacturing industry;”;

in lines 11 and 12, strike “(vi)” and “(vii)”, respectively, and substitute “(vii)” and “(viii)”, respectively; after line 12, insert:
“(ix) one public health and toxicology expert;”;

and in lines 13 and 14, strike “(viii)” and “(ix)”, respectively, and substitute “(x)” and “(xi)”, respectively.

AMENDMENT NO. 2

On page 15, after line 25, insert:

“(2) determine the need for a data reporting program;”;

and in line 26, strike “(2)” and substitute “(3)”.

On page 16, in lines 1, 3, 5, 7, 9, 11, and 13, strike “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, and “(13)”, respectively; in line 12, strike “and”; and after line 12, insert:

“(10) study the current federal process to approve a pesticide for use;

(11) conduct a cost–benefit analysis of:

(i) implementing and maintaining a data reporting program;

and

(ii) any recommendations that will have an economic impact on the State;

(12) study the impacts of using organic pesticides on farms; and”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yea and nay as follows:

Affirmative – 110   Negative – 30   (See Roll Call No. 1304)

AMENDED IN THE SENATE

House Bill 857 – Delegate Waldstreicher
AN ACT concerning

Estates and Trusts – Posthumously Conceived Child

Delegate Vallario moved that the House concur in the Senate amendments.

HB0857/438675/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 857
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 5, after “times” insert “under certain circumstances”.

AMENDMENT NO. 2
On page 3, in line 4, strike “THE” and substitute “IF A DECEDED CONSENTED IN A WRITTEN RECORD TO USE OF THE DECEDED’S GENETIC MATERIAL FOR POSTHUMOUS CONCEPTION IN ACCORDANCE WITH THE REQUIREMENTS OF § 20–111 OF THE HEALTH – GENERAL ARTICLE, THE”; in lines 9 and 21, in each instance, strike “THE” and substitute “A”; in lines 15 and 19 and 20, in each instance, strike “AS DESCRIBED”; in lines 16 and 22, in each instance, strike the first “OF” and substitute “AFTER”; in line 21, strike “THE” and substitute “A”; and in line 24, strike the second “THE” and substitute “A”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 1305)

AMENDED IN THE SENATE

House Bill 909 – Delegates Valentino-Smith, Clippinger, Swain, and Valderrama

AN ACT concerning

Criminal Procedure – Venue for Prosecution of Murder and Manslaughter
Delegate Vallario moved that the House concur in the Senate amendments.

HB0909/808270/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 909
(Third Reading File Bill)

On page 3, in line 7, strike “§ 2-103,“.

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 – 3    (See Roll Call No. 1306)

AMENDED IN THE SENATE


AN ACT concerning

Juvenile Law – Dispositions – Placement Guidance

Delegate Vallario moved that the House concur in the Senate amendments.

HB0916/558073/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 916
(Third Reading File Bill)

On page 3, strike beginning with “THAT:” in line 24 down through “CHILD” in line 34, and substitute “THAT AN OUT–OF–HOME PLACEMENT IS NECESSARY FOR THE WELFARE OF THE CHILD OR IN THE INTEREST OF PUBLIC SAFETY”.

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 – 5 (See Roll Call No. 1307)

CONCURRENCE CALENDAR #17

AMENDED IN THE SENATE

House Bill 613 – Chair, Environmental Matters Committee and Chair, Ways and Means Committee (By Request – Departmental – Planning) and Delegate A. Washington

AN ACT concerning

Sustainable Communities – Designation and Financing

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0613/209135/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 613
(Third Reading File Bill)

AMENDMENT NO. 1
On page 3, after line 4, insert:

“BY adding to
Article – Housing and Community Development
Section 6–214
Annotated Code of Maryland
(2006 Volume and 2012 Supplement)”.

AMENDMENT NO. 2
On page 8, in line 1, strike “12–203” and substitute “12–203(B)”; and in line 2, strike “IDENTIFYING THE” and substitute “A”.

On page 11, in line 26, after “district” insert “OR A SUSTAINABLE COMMUNITY”.
AMENDMENT NO. 3

On page 18, after line 20, insert:

“6–214.

(A) Subject to subsection (b) of this section, a sustainable community shall receive priority for state funding under the:

(1) Community Legacy Program under this subtitle;

(2) Sustainable Communities Tax Credit Program for commercial properties under title 5A, subtitle 3 of the State Finance and Procurement Article;

(3) Neighborhood Business Development Program under subtitle 3 of this title;

(4) Maryland Historical Trust Grant Program under title 5A, subtitle 3 of the State Finance and Procurement Article; and

(5) African American Heritage Grant Program under title 5A, subtitle 3 of the State Finance and Procurement Article.

(B) Priority for state funding provided under subsection (a) of this section is available in a sustainable community only if:

(1) A political subdivision issues bonds, notes, or other similar instruments for that sustainable community under:

   (i) Title 21, subtitle 4, part II of the Local Government Article;

   (ii) Title 21, subtitle 5 of the Local Government Article; or
(III) **Title 12, Subtitle 2 of the Economic Development Article; Or**

(2) **A political subdivision demonstrates to the appropriate unit of State government that the political subdivision has funded infrastructure improvements in that sustainable community.**

On page 19, strike in their entirety lines 10 through 23, inclusive; in line 24, strike “4.” and substitute “3.”; and in line 30, strike “5.” and substitute “4.”.

On page 20, in line 22, strike “6.” and substitute “5.”.

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 – 27  (See Roll Call No. 1308)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #48**

Senate Bill 351 – Senator Mathias

AN ACT concerning

Somerset County – Alcoholic Beverages – Beer and Wine Tasting License

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

Affirmative – 139  Negative – 0  (See Roll Call No. 1309)

The Bill was then returned to the Senate.

Senate Bill 422 – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Gladden, Kelley, King, Klausmeier,
Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Stone, and Young

AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

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

Affirmative – 99  Negative – 41  (See Roll Call No. 1310)

The Bill was then returned to the Senate.

Senate Bill 429 – Carroll County Senators

AN ACT concerning

Carroll County – Budgeting and Finance Procedures – Surplus Funds

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

Affirmative – 139  Negative – 0  (See Roll Call No. 1311)

The Bill was then returned to the Senate.

Senate Bill 481 – Senators Manno, Madaleno, and Raskin

AN ACT concerning

Income Tax Credit – Home Generators


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

Affirmative – 140  Negative – 0  (See Roll Call No. 1312)

The Bill was then returned to the Senate.

Senate Bill 553 – Senator Getty

AN ACT concerning

Tipped Employees – Payments or Deduction from Wages – Prohibition

Read the third time and passed by yeas and nays as follows:
The Bill was then returned to the Senate.

Senate Bill 736 – Senator Astle

AN ACT concerning

Insurance – Fraudulent Insurance Acts – Compensation for Deductible

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

Affirmative – 137  Negative – 0  (See Roll Call No. 1314)

The Bill was then returned to the Senate.

Senate Bill 740 – Senators Pinsky and Madaleno, Madaleno, and Currie

AN ACT concerning

College Readiness and Completion Act of 2013

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

Affirmative – 92  Negative – 46  (See Roll Call No. 1315)

The Bill was then returned to the Senate.

Senate Bill 828 – Senator Madaleno Senators Madaleno, Jones–Rodwell, and McFadden

AN ACT concerning

St. Mary’s College of Maryland – Tuition Freeze and DeSousa–Brent Scholars Completion Grant

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

Affirmative – 140  Negative – 0  (See Roll Call No. 1316)

The Bill was then returned to the Senate.

Senate Bill 1072 – Senator Middleton

AN ACT concerning
Linked Deposit Programs for Small Businesses and Minority Business Enterprises

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

Affirmative – 135    Negative – 5    (See Roll Call No. 1317)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #78

House Bill 1011 – Delegates Jameson and Love

AN ACT concerning

Portable Electronics Insurance – Compensation of Employees of Vendor, Disclosures to Customers, and Study

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1318)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #79


AN ACT concerning

State Government – Commemorative Days – Maryland Centenarians Day

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1319)

The Bill was then sent to the Senate.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:
House Bill 524 – Delegates Feldman, Arora, Barkley, Dumais, and Reznik

CONSTITUTIONAL AMENDMENT

AN ACT concerning

End the Gridlock

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

FLOOR AMENDMENT

HB0524/973226/2
BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 524, AS AMENDED

AMENDMENT NO. 1
On page 1 of the Appropriations Committee Amendments (HB0524/154766/1), in line 13 of Amendment No. 1, after “actions;” insert “requiring the Governor to declare a fiscal emergency by an executive order after making a certain finding; providing for the termination of a certain fiscal emergency under certain circumstances; requiring an executive order declaring a fiscal emergency to include certain information; providing for the publication of a certain executive order declaring a fiscal emergency;”.

AMENDMENT NO. 2
On page 2 of the Appropriations Committee Amendments, in line 7 of Amendment No. 2, after “(E)” insert “(1)”; in lines 10 and 12, strike “(1)” and “(2)”; respectively, and substitute “(I)” and “(II)”, respectively; in line 11 of Amendment No. 2, after “EXISTS” insert “IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION”; and in line 15, after “FUNDS” insert “.

(2) (1) FOR PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION, IF THE GOVERNOR FINDS THAT A FISCAL EMERGENCY HAS DEVELOPED OR IS IMPENDING DUE TO ANY CAUSE, THE GOVERNOR SHALL DECLARE A FISCAL EMERGENCY BY EXECUTIVE ORDER.
(II) The fiscal emergency continues until the Governor:

1. finds that the threat or danger has passed or the emergency has been dealt with to the extent that emergency conditions no longer exist; and

2. terminates the fiscal emergency by executive order or proclamation.

(III) A fiscal emergency may not continue for longer than 30 days unless the Governor renews the fiscal emergency.

(iv) 1. The General Assembly by joint resolution may terminate a fiscal emergency at any time.

2. After the General Assembly terminates a fiscal emergency, the Governor shall issue an executive order or proclamation that terminates the fiscal emergency.

(V) Each executive order or proclamation that declares or terminates a fiscal emergency shall indicate:

(i) The nature of the emergency; and

(ii) The conditions that have brought about the fiscal emergency or that make possible the termination of the fiscal emergency.

(VI) Each executive order or proclamation shall be:

1. disseminated promptly by means calculated to publicize its contents; and

2. filed promptly with the State Archives"
The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 49  Negative – 89  (See Roll Call No. 1320)

FLOOR AMENDMENT

HB0524/373523/1
BY:  Delegate Impallaria

AMENDMENT TO HOUSE BILL 524, AS AMENDED

On page 2 of the Appropriations Committee Amendments (HB0524/154766/1), in line 11 of Amendment No. 2, strike “AND”; after line 11, insert:

“(2)  THE FUNDS WILL BE USED FOR A SINGLE IDENTIFIED PURPOSE WITHIN THE STATE’S OPERATING BUDGET; AND”;

and in line 12, strike “(2)” and substitute “(3)”.

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

Affirmative – 44  Negative – 87  (See Roll Call No. 1321)

FLOOR AMENDMENT

HB0524/783422/1
BY:  Delegate Krebs

AMENDMENTS TO HOUSE BILL 524, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1
Strike in their entirety the Appropriations Committee Amendments (HB0524/154766/1).

AMENDMENT NO. 2
On page 1 of the bill, in line 2, strike “End the Gridlock” and substitute “Transportation Trust Fund Protection Act”; strike beginning with “relating” in line 3 down through “law” in line 17 and substitute “to establish a Transportation Trust Fund to be used only for purposes relating to transportation with a certain exception;
prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State”; and in line 26, strike “and 53A”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 3 through 20, inclusive; and in line 22, strike “(F)” and substitute “(E)”.

On page 3, strike in their entirety lines 3 through 6, inclusive; and in line 7, strike “(E)” and substitute “(D)”.

On page 4, in line 13, strike “(F)” and substitute “(E)”; in line 15, after “(1)” insert “(I)”; in the same line, strike “, OR” and substitute “; OR (II)”;

and after line 29, insert:

“(F) LEGISLATION PASSED BY THE GENERAL ASSEMBLY UNDER SUBSECTION (E)(3) OF THIS SECTION SHALL CONTAIN ONLY THOSE PROVISIONS REQUIRED TO COMPLY WITH SUBSECTION (E)(3) OF THIS SECTION.”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 46  Negative – 84  (See Roll Call No. 1322)

FLOOR AMENDMENT

HB0524/293826/1
BY:  Delegate Conway

AMENDMENT TO HOUSE BILL 524
(First Reading File Bill)

On page 1, in the sponsor line, strike “and Reznik” and substitute “Reznik, Conway, Proctor, Bohanan, James, Gaines, Guzzone, Jones, Haynes, Gutierrez, Zucker, Griffith, DeBoy, Sophocleus, B. Robinson, Mizeur, and M. Washington”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT
AMENDMENTS TO HOUSE BILL 524, AS AMENDED

AMENDMENT NO. 1
On page 1 of the Appropriations Committee Amendments (HB0524/154766/1), in line 13 of Amendment No. 1, after “actions;” insert “requiring an Executive order declaring a fiscal emergency to include certain information;”.

AMENDMENT NO. 2
On page 2 of the Appropriations Committee Amendments, in line 7 of Amendment No. 2, after “(E)” insert “(1)”; in lines 10 and 12, strike “(1)” and “(2)” respectively, and substitute “(1)” and “(II)”, respectively; in line 11 of Amendment No. 2, after “EXISTS” insert “IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION”; and in line 15, after “FUNDS” insert “.

(2) FOR PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION, AN EXECUTIVE ORDER THAT DECLARES A FISCAL EMERGENCY SHALL INDICATE:

(I) THE NATURE OF THE EMERGENCY; AND

(II) THE CONDITIONS THAT HAVE BROUGHT ABOUT THE STATE OF EMERGENCY”.

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

Affirmative – 53 Negative – 82 (See Roll Call No. 1323)

Read the second time and ordered prepared for Third Reading.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

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Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 160 SPONSOR: Senator Frosh

SUBJECT: Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption

THIRD READING CALENDAR HOUSE NO. 12 SENATE NO. 36

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 (SB0160/922917/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0160/733825/2) be adopted.

SB0160/733825/2
BY: Conference Committee

AMENDMENTS TO SENATE BILL 160
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Dog” in line 2 down through “Presumption” in line 3 and substitute “Dog”; in line 4, after “of” insert “establishing that an owner of a dog is liable for damages for a personal injury to or the death of a minor under a certain age caused by a dog except under certain circumstances;”; strike beginning with “providing” in line 7 down through “evidence;” in line 8; and in line 9, after the semicolon insert “defining a certain term;”.

PM
AMENDMENT NO. 2

On page 2, after line 2, insert:

“(A) (1) **IN THIS SECTION, “OWNER OF A DOG” INCLUDES:**

(i) A CUSTODIAL PARENT OR GUARDIAN OF A MINOR WHO IS AN OWNER OF A DOG; AND

(ii) **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERSON WHO KEEPS OR HARBORS A DOG.**

(2) **“OWNER OF A DOG” DOES NOT INCLUDE A VETERINARY HOSPITAL, A COMMERCIAL KENNEL, AN ANIMAL SHELTER, A UNIT OF STATE OR LOCAL GOVERNMENT THAT CONDUCTS ANIMAL CONTROL, OR A PET SHOP, OR AN EMPLOYEE, ACTING IN THE COURSE OF EMPLOYMENT, OF A VETERINARY HOSPITAL, A COMMERCIAL KENNEL, AN ANIMAL SHELTER, A UNIT OF STATE OR LOCAL GOVERNMENT THAT CONDUCTS ANIMAL CONTROL, OR A PET SHOP AS TO A DOG BEING TREATED, BOARDED, SHELTERED, CONTROLLED, OR OFFERED FOR ADOPTION OR SALE.**

(B) **THIS SECTION DOES NOT APPLY TO A DOG BEING USED BY AN EMPLOYEE OF A GOVERNMENTAL UNIT IN MILITARY OR POLICE WORK, IF THE EMPLOYEE WAS COMPLYING WITH A WRITTEN POLICY ADOPTED BY THE GOVERNMENTAL UNIT ON THE NECESSARY AND APPROPRIATE USE OF A DOG IN MILITARY OR POLICE WORK AND THE PERSONAL INJURY OR DEATH OCCURRED AS A RESULT OF:**

(1) **REASONABLE USE OF FORCE; OR**

(2) **TRAINING OR A TRAINING EXERCISE IN SUPPORT OF THE DOG’S DUTIES IN MILITARY OR POLICE WORK.**

(C) (1) **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN OWNER OF A DOG IS LIABLE FOR DAMAGES FOR A PERSONAL INJURY TO OR THE DEATH OF A MINOR WHO IS UNDER THE AGE OF 13 YEARS**
CAUSED BY A DOG, REGARDLESS OF WHETHER THE DOG HAS SHOWN ANY VIOLENT OR DANGEROUS PROPENSITIES OR WHETHER THE OWNER KNEW OR SHOULD HAVE KNOWN OF THE DOG’S VIOLENT OR DANGEROUS PROPENSITIES.

(2) AN OWNER OF A DOG IS NOT LIABLE UNDER THIS SUBSECTION, IF AT THE TIME THE DOG CAUSED THE PERSONAL INJURY OR DEATH:

(I) THE MINOR WAS TRESPASSING ON THE REAL PROPERTY OF THE OWNER OF THE DOG AND CONSPICUOUSLY POSTED ON THE REAL PROPERTY WAS A SIGN OR WARNING STATING “BEWARE OF DOG”;

(II) THE MINOR WAS COMMITTING A DELINQUENT ACT ON THE REAL PROPERTY OF THE OWNER OF THE DOG THAT WOULD BE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT;

(III) THE MINOR WAS COMMITTING A DELINQUENT ACT AGAINST THE OWNER OF THE DOG THAT WOULD BE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT; OR

(IV) THE DOG WAS IN THE TEMPORARY CUSTODY OR CONTROL OF A VETERINARY HOSPITAL OR COMMERCIAL KENNEL.”.

AMENDMENT NO. 3

On page 2, in lines 3, 13, and 23, strike “(A)”, “(B)”, and “(C)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 3, after “(1)” insert “THIS SUBSECTION APPLIES TO:

(I) AN INDIVIDUAL AT LEAST 13 YEARS OLD; AND

(II) AN INDIVIDUAL UNDER THE AGE OF 13 IF THE OWNER OF A DOG IS NOT LIABLE UNDER SUBSECTION (C) OF THIS SECTION.

(2)”;
in line 8, strike “(2)” and substitute “(3)”; and strike in their entirety lines 10 through 12, inclusive.

AMENDMENT NO. 4

On page 2, in line 21, after “PROPERTY” insert “OTHER THAN THE OWNER OF THE DOG”.

Senate Members:                      House Members:

Chair,  Jamie Raskin                 Chair,  Kathleen M. Dumais

Bobby A. Zirkin                        Luke Clippinger

Christopher B. Shank                   John W. E. Cluster, 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.

Delegate Barve moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 1499     SPONSOR: The Speaker

SUBJECT: Campaign Finance Reform Act of 2013

THIRD READING CALENDAR       HOUSE NO. 13       SENATE NO. 39

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 (HB1499/744738/1) be rejected.

(2) That the attached Amendment by Senator Ferguson (HB1499/623027/1) be adopted.

(3) That the attached Conference Committee Amendments (HB1499/763923/1) be adopted.

HB1499/623027/1
BY: Senator Ferguson

AMENDMENT TO HOUSE BILL 1499
(Third Reading File Bill)

On page 24, in line 12, strike “$10,000” and substitute “$6,000”.

On page 29, in line 34, strike “$10,000” and substitute “$6,000”.

HB1499/763923/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1499
(Third Reading File Bill)

AMENDMENT NO. 1
On page 3, in line 18, after “contributions” insert “under certain circumstances; providing an exception”; in line 21, after “time;” insert “requiring certain participating organizations, as defined, making certain contributions or donations or certain disbursements to register with the State Board and file a certain report under certain circumstances; altering the deadline date for certain candidates to file a certificate of candidacy; requiring certain campaign finance entities to file a campaign finance report by a certain date; altering the date by which the State Board shall certify the content and arrangement of a certain ballot;”; in line 32, after “date” insert “for certain provisions of this Act”; in line 35, after “2–102,” insert “5–303, 9–207(a),”; and in line 43, after “13–309.1,” insert “13–309.2.”.

AMENDMENT NO. 2
On pages 4 and 5, strike the lines beginning with line 32 on page 4 through line 9 on page 5, inclusive.
On page 6, strike in their entirety lines 25 through 32, inclusive.

On pages 7 and 8, strike the lines beginning with line 33 on page 7 through line 5 on page 8, inclusive.

On pages 9 and 10, strike the lines beginning with line 13 on page 9 through line 1 on page 10, inclusive.

On pages 14 through 16, strike the lines beginning with line 31 on page 14 through line 23 on page 16, inclusive.

On pages 32 and 33, strike the lines beginning with line 6 on page 32 through line 19 on page 33, inclusive.

On pages 37 through 42, strike the lines beginning with line 21 on page 37 through line 2 on page 42, inclusive.

On page 49, after line 20, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

1–101.

(BB–1) “LEGISLATIVE PARTY CAUCUS COMMITTEE” MEANS A POLITICAL COMMITTEE THAT IS ESTABLISHED TO PROMOTE THE ELECTION OF CANDIDATES OF A SINGLE POLITICAL PARTY TO ONE OF THE TWO HOUSES OF THE GENERAL ASSEMBLY.

(ff) “Political action committee” means a political committee that is not:

(1) a political party;

(2) a central committee;

(3) a slate;
A LEGISLATIVE PARTY CAUCUS COMMITTEE;

[(4) (5)] a political committee organized and operated solely to support or oppose a single candidate] AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE; or

[(5) (6)] a political committee organized and operated solely to support or oppose] a ballot issue COMMITTEE.

5–303.

(a) Except as provided in subsections (b) and (c) of this section:

(1) in the year in which the Governor is elected, a certificate of candidacy shall be filed not later than 9 p.m. on the [Wednesday following the second Tuesday in April] LAST TUESDAY IN FEBRUARY in the year in which the primary election will be held; and

(2) for any other regularly scheduled election, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday that is 83 days before the day on which the primary election will be held.

(b) A certificate of candidacy for an office to be filled by a special election under this article shall be received and filed in the office of the appropriate board not later than 5 p.m. on the Monday that is 3 weeks or 21 days prior to the date for the special primary election specified by the Governor in the proclamation for the special primary election.

(c) The certificate of candidacy for the election of a write–in candidate shall be filed by the earlier of:

(1) 7 days after a total expenditure of at least $51 is made to promote the candidacy by a campaign finance entity of the candidate; or

(2) 5 p.m. on the Wednesday preceding the day of the election for which the certificate is filed.

9–207.
(a) The State Board shall certify the content and arrangement of each ballot:

(1) for a primary election, no more than 11 days after the filing date provided in § 5–303 of this article;

(2) for a general election:

   (i) in the year that the President of the United States is elected, at least 55 days before the election;
   and

   (ii) in any other year, not more than 18 days after the primary election;

(3) for a special primary election, at least 18 days before the election; and

(4) for a special general election, not later than a date specified in the Governor’s proclamation.


(a) Unless otherwise expressly authorized by law, all campaign finance activity for an election under this article shall be conducted through a campaign finance entity.

(b) An individual may not file a certificate of candidacy OR A DECLARATION OF INTENT UNDER § 5–703 OR § 5–703.1 OF THIS ARTICLE until the individual establishes, or causes to be established, an authorized [political] CANDIDATE CAMPAIGN committee.

13–208.1.

(A) EACH POLITICAL PARTY MAY ESTABLISH ONE LEGISLATIVE PARTY CAUCUS COMMITTEE FOR EACH HOUSE OF THE GENERAL ASSEMBLY.
THE STATE BOARD SHALL ADOPT REGULATIONS GOVERNING THE ESTABLISHMENT, STRUCTURE, AND OPERATION OF LEGISLATIVE PARTY CAUCUS COMMITTEES.

13–220.1.

(A) EACH CENTRAL COMMITTEE OF A POLITICAL PARTY OR LEGISLATIVE PARTY CAUCUS COMMITTEE MAY ESTABLISH ONE ADMINISTRATIVE ACCOUNT.

(B) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT MAY BE MADE ONLY FOR NONELECTORAL PURPOSES.

(C) A DONATION TO AN ADMINISTRATIVE ACCOUNT:

(1) MAY BE MADE ONLY IF THE DONOR IS AWARE THAT THE DONATION WILL BE USED FOR NONELECTORAL PURPOSES AND consents to THAT USE BEFORE MAKING THE DONATION; AND

(2) IS NOT SUBJECT TO § 13–226(B) OF THIS SUBTITLE.

(D) A CAMPAIGN FINANCE ENTITY MAY NOT MAKE A TRANSFER TO AN ADMINISTRATIVE ACCOUNT.

(E) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:

(1) DEFINE PERMISSIBLE NONELECTORAL DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT; AND

(2) REQUIRE DISCLOSURE OF:

(I) DONATIONS TO AN ADMINISTRATIVE ACCOUNT; AND

(II) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT.

13–234.
(a) A contribution of money may be made only by:

(1) check;

(2) credit card;

(3) cash, if the contribution does not exceed $100 IN AN ELECTION CYCLE; or

(4) an electronic method that the State Board authorizes by regulation.

(b) An electronic method of making a contribution that the State Board authorizes under this section shall ensure that:

(1) the identity of the person making the contribution may be verified;

(2) the transaction is secure; and

(3) there is an adequate record of the transaction.

13–235.

(a) This section applies to the following officials:

(1) the Governor;

(2) the Lieutenant Governor;

(3) the Attorney General;

(4) the Comptroller; and

(5) a member of the General Assembly.

(b) Except as provided in subsection (c) [or], (d), OR (E) of this section, during a regular session of the General Assembly an official described in subsection (a) of this section, or a person acting on behalf of the official, may not, as to a candidate
for federal, State, or local office, or a campaign finance entity of the candidate or any other campaign finance entity organized under this title and operated in coordination with a candidate:

(1) receive a contribution;

(2) conduct a fund–raising event;

(3) solicit or sell a ticket to a fund–raising event; or

(4) deposit or use any contribution of money that was not deposited prior to the session.

(c) An official described in subsection (a) of this section, or a person acting on behalf of the official, is not subject to this section when engaged in activities solely related to the official’s election to an elective federal or local office for which the official is a filed candidate.

(d) Under the Public Financing Act, a gubernatorial ticket, during the year of the election only, may accept eligible private contributions and any disbursement of funds by the State Board that is based on the eligible private contributions.

(E) An official described in subsection (a) of this section, or a person acting on behalf of the official, may deposit a contribution during the legislative session if the contribution was made electronically before the start of the session.

(F) (1) As to a violation of this section, the campaign finance entity of the official in violation is liable for a civil penalty as provided in this subsection.

(2) The State Board, represented by the State Prosecutor, may institute a civil action in the circuit court for any county seeking the civil penalty provided in this subsection.

(3) A campaign finance entity that receives a contribution as a result of the violation shall:

(i) refund the contribution to the contributor; and
(ii) pay a civil penalty that equals the sum of $1,000 plus the amount of the contribution.

13–309.

(a) Subject to other provisions of this subtitle AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, a campaign finance entity shall file campaign finance reports as follows:

1. EXCEPT FOR A BALLOT ISSUE COMMITTEE, ON OR BEFORE THE THIRD TUESDAY IN APRIL, IF THE CAMPAIGN FINANCE ENTITY DID NOT FILE THE ANNUAL CAMPAIGN FINANCE REPORT SPECIFIED UNDER SUBSECTION (B)(2) OF THIS SECTION ON THE IMMEDIATELY PRECEDING THIRD WEDNESDAY IN JANUARY:

2. [EXCEPT FOR A BALLOT ISSUE COMMITTEE, ON OR BEFORE THE FOURTH TUESDAY IMMEDIATELY PRECEDING EACH PRIMARY ELECTION [EXCEPT A PRESIDENTIAL PRIMARY ELECTION];]

3. [EXCEPT FOR A BALLOT ISSUE COMMITTEE, ON OR BEFORE THE SECOND FRIDAY IMMEDIATELY PRECEDING A PRIMARY ELECTION;]

4. ON OR BEFORE THE LAST TUESDAY IN AUGUST IMMEDIATELY PRECEDING A GENERAL ELECTION;

5. [FOR A BALLOT ISSUE COMMITTEE ONLY, ON OR BEFORE THE FOURTH FRIDAY IMMEDIATELY PRECEDING A GENERAL ELECTION;]

6. [ON OR BEFORE THE SECOND FRIDAY IMMEDIATELY PRECEDING A GENERAL ELECTION; AND]

7. [ON OR BEFORE THE THIRD TUESDAY AFTER A GENERAL ELECTION.]

(b) A campaign finance entity is subject to subsection (a) of this section and this subsection only as to the election in which the entity designates that it will participate.
(2) In addition to the campaign finance reports required under subsection (a) of this section, but subject to paragraph (4) of this subsection, a campaign finance entity shall file a campaign finance report on the third Wednesday in January.

(3) (i) If subsequent to the filing of its declaration under § 13-208(c)(3) of this title, a campaign finance entity participates in an election in which it was not designated to participate, the campaign finance entity shall file all campaign finance reports prescribed under subsection (a) of this section for that election.

(ii) A violation of subparagraph (i) of this paragraph constitutes a failure to file by the campaign finance entity, and the responsible officer is guilty of a misdemeanor and on conviction is subject to the penalties prescribed under Part VII of this subtitle.

(4) If a campaign finance entity has neither a cash balance nor an outstanding obligation at the end of a reporting period, a campaign finance report for that period, clearly marked as “final”, shall be filed on or before the due date, and no further report is required.

(c) In addition to the campaign finance reports required under subsection (a) of this section, a continuing political committee shall file a campaign finance report on the third Wednesday in January of each year the committee is in existence.

(D) AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE FOR ELECTION TO THE CENTRAL COMMITTEE OF A POLITICAL PARTY:

(1) SHALL FILE A CAMPAIGN FINANCE REPORT ON OR BEFORE THE THIRD TUESDAY AFTER A GOVERNORIAL PRIMARY ELECTION; AND

(2) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION AND § 13–310 OF THIS SUBTITLE, IS NOT REQUIRED TO FILE ANY OTHER CAMPAIGN FINANCE REPORTS.

13–604.1.
(A) **IN THIS SECTION, “PERSON” INCLUDES A POLITICAL COMMITTEE.**

(B) **THE STATE BOARD MAY IMPOSE A CIVIL PENALTY IN ACCORDANCE WITH THIS SECTION FOR THE FOLLOWING VIOLATIONS:**

1. **MAKING A DISBURSEMENT IN A MANNER NOT AUTHORIZED IN § 13–218(B)(2), (C), AND (D) OF THIS TITLE;**

2. **FAILURE TO MAINTAIN A CAMPAIGN BANK ACCOUNT AS REQUIRED IN § 13–220(A) OF THIS TITLE;**

3. **MAKING A DISBURSEMENT BY A METHOD NOT AUTHORIZED IN § 13–220(D) OF THIS TITLE;**

4. **FAILURE TO MAINTAIN DETAILED AND ACCURATE ACCOUNT BOOKS AND RECORDS AS REQUIRED IN § 13–221 OF THIS TITLE;**

5. **FAILURE TO REPORT ALL CONTRIBUTIONS RECEIVED AND EXPENDITURES MADE AS REQUIRED IN § 13–304(B) OF THIS TITLE;**

6. **FAILURE TO INCLUDE AN AUTHORITY LINE ON CAMPAIGN MATERIAL AS REQUIRED IN § 13–401 OF THIS TITLE; OR**

7. **FAILURE TO RETAIN A COPY OF CAMPAIGN MATERIAL AS REQUIRED IN § 13–403 OF THIS TITLE.**

(C) **A CIVIL PENALTY IMPOSED UNDER THIS SECTION FOR A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION IS IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW.**

(D) **THE AMOUNT OF A CIVIL PENALTY IMPOSED UNDER THIS SECTION MAY NOT EXCEED $500 FOR EACH VIOLATION.**

(E) **THE CIVIL PENALTY IS PAYABLE TO THE STATE BOARD BY THE PERSON CHARGED IN A CITATION WITHIN 20 CALENDAR DAYS AFTER SERVICE OF THE CITATION.**
(F) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A CIVIL PENALTY IMPOSED UNDER THIS SECTION SHALL BE PAID BY THE CAMPAIGN FINANCE ENTITY.

(2) IF THE CAMPAIGN FINANCE ENTITY HAS INSUFFICIENT FUNDS WITH WHICH TO PAY THE FULL AMOUNT OF THE CIVIL PENALTY IN A TIMELY MANNER, AFTER THE CAMPAIGN ACCOUNT OF THE FINANCE ENTITY IS EXHAUSTED THE BALANCE OF THE CIVIL PENALTY IS THE JOINT AND SEVERAL LIABILITY OF THE RESPONSIBLE OFFICERS.

(3) IF A VIOLATION IS COMMITTED BY A PERSON NOT ACTING ON BEHALF OF, OR AT THE REQUEST OR SUGGESTION OF, A CANDIDATE OR A CAMPAIGN FINANCE ENTITY, THE CIVIL PENALTY SHALL BE PAID BY THE PERSON WHO COMMITTED THE VIOLATION.

(G) THE STATE BOARD MAY ISSUE A CITATION TO ANY PERSON THE STATE BOARD BELIEVES IS COMMITTING OR HAS COMMITTED A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION.

(H) THE CITATION SHALL BE SERVED ON THE DEFENDANT IN ACCORDANCE WITH THE MARYLAND RULES.

(I) THE CITATION SHALL CONTAIN:

(1) THE CERTIFICATION BY THE STATE BOARD ATTESTING TO THE TRUTH OF THE MATTER SET FORTH IN THE CITATION;

(2) THE NAME AND ADDRESS OF THE PERSON CHARGED;

(3) THE NATURE, TIME, AND PLACE OF THE VIOLATION;

(4) THE MANNER IN WHICH THE VIOLATION OCCURRED;

(5) THE AMOUNT OF THE PENALTY ASSESSED;

(6) THE MANNER, TIME, AND LOCATION TO PAY THE PENALTY;
(7) A statement that the person receiving the citation has a right to trial in the District Court; and

(8) The effect of failing to pay the assessed fine or of failing to demand a trial within the prescribed time.

(J) (1) A person charged in a citation may elect to stand trial for the violation by notifying the State Board in writing of the person’s intent to stand trial.

(2) The written notice shall be given at least 5 days before the date of payment as set forth in the citation.

(K) (1) On receipt of the written notice of intent to stand trial, the State Board shall forward to the State Prosecutor a copy of the citation and the written notice.

(2) The State Prosecutor shall forward to the District Court having venue a copy of the citation and the written notice.

(3) On receipt of the citation and the written notice:

   (I) The State Prosecutor shall assume responsibility for prosecuting the violation; and

   (II) The District Court shall schedule the case for trial, notify the defendant of the trial date, and summon the defendant to appear.

(L) (1) If a person charged in a citation fails to pay the penalty by the date of payment set forth in the citation and fails to deliver to the State Board the written notice of intent to stand trial, the person is liable for the assessed penalty.
(2) The State Prosecutor, on behalf of the State Board, may double the penalty to an amount not to exceed $1,000 and request adjudication of the case through the District Court by filing a demand for judgment on affidavit.

(M) The defendant’s failure to respond to the summons of the District Court shall result in the entry of judgment against the defendant in favor of the State Board in the amount set forth in the citation if a proper demand for judgment on affidavit has been made.

(N) If a person is found by the District Court to have committed a violation:

(1) (I) The District Court shall order the person to pay the penalty set forth in the citation and may double the amount of the penalty to an amount not to exceed $1,000;

(II) The penalty imposed shall constitute a judgment in favor of the State Board; and

(III) If the penalty remains unpaid for 30 days following the date of its entry, the judgment shall be enforceable in the same manner and to the same extent as other civil judgments for money unless the court has suspended or deferred payment of the penalty as provided in item (2) of this subsection;

(2) The District Court may suspend or defer the payment of any penalty under conditions that the court sets;

(3) The defendant shall be liable for the costs of the proceedings in the District Court; and

(4) The District Court may order the person to abate the violation.
(O) IF A DEFENDANT FAILS TO PAY ANY PENALTY OR COST IMPOSED BY THE DISTRICT COURT WITHOUT GOOD CAUSE, THE DISTRICT COURT MAY PUNISH THE FAILURE AS CONTEMPT OF COURT.

(P) ADJUDICATION OF A VIOLATION UNDER THIS SECTION:

(1) IS NOT A CRIMINAL CONVICTION; AND

(2) DOES NOT IMPOSE ANY OF THE CIVIL DISABILITIES THAT ARISE FROM A CRIMINAL CONVICTION.

(Q) IN A DISTRICT COURT PROCEEDING RELATING TO A VIOLATION UNDER THIS SECTION:

(1) THE STATE PROSECUTOR HAS THE BURDEN TO PROVE THAT THE DEFENDANT HAS COMMITTED THE VIOLATION BY CLEAR AND CONVINCING EVIDENCE;

(2) THE DISTRICT COURT SHALL APPLY THE EVIDENTIARY STANDARDS AS PROVIDED BY LAW OR RULE FOR THE TRIAL OF CIVIL CAUSES;

(3) THE DISTRICT COURT SHALL ENSURE THAT THE DEFENDANT HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT THE DEFENDANT UNDERSTANDS THOSE CHARGES;

(4) THE DEFENDANT MAY CROSS–EXAMINE ALL WITNESSES WHO APPEAR AGAINST THE DEFENDANT, PRODUCE EVIDENCE OR WITNESSES IN THE DEFENDANT’S OWN BEHALF, OR TESTIFY IN THE DEFENDANT’S OWN BEHALF;

(5) THE DEFENDANT SHALL BE ENTITLED TO BE REPRESENTED BY COUNSEL OF THE DEFENDANT’S OWN SELECTION AND AT THE DEFENDANT’S OWN EXPENSE;

(6) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT GUILTY OF THE VIOLATION AS CHARGED; AND
(7) The verdict of the District Court shall be guilty of a violation or not guilty of a violation, or the District Court may, before rendering judgment, place the defendant on probation.

(R) The State Board shall consider the following in determining the amount of a penalty under this section:

(1) The severity of the violation for which the penalty is to be assessed;

(2) The good faith of the violator; and

(3) Any history of prior violations.

(S) Penalties collected under this section shall be distributed to the General Fund of the State.”.

AMENDMENT NO. 3
On pages 11 and 12, strike in their entirety the lines beginning with line 12 on page 11 down through line 16 on page 12, inclusive.

On page 12, in line 17, strike the brackets; in the same line, strike “(E)” and in line 20, strike “(F)” and substitute “(E)”.

On page 18, in line 30, strike “ORGANIZED” and substitute “REGISTERED AND FILES THE REPORTS”.

On page 19, in line 26, strike “AN AUTHORIZED CANDIDATE CAMPAIGN” and substitute “A POLITICAL”.

AMENDMENT NO. 4
On page 22, strike in their entirety lines 24 through 27, inclusive, and substitute:

“2. An internal membership communication by a business or other entity to its stockholders or members and executive and administrative personnel and their immediate
FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13–243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”.

On page 24, in line 33, strike “IN” and substitute “(I)  EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN”.

On page 25, in lines 4 and 7, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 9, insert:

“(II)  IF THE FAILURE TO FILE PROPERLY AN INDEPENDENT EXPENDITURE REPORT OR AN AMENDED INDEPENDENT EXPENDITURE REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1.  $100 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE REPORT IS OVERDUE; OR

2.  10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

On page 27, strike in their entirety lines 24 through 27, inclusive, and substitute:

“4.  AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13–243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”.

On page 30, in line 23, strike “IN” and substitute “(I)  EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN”; in lines 28 and 31,
strike “(I)” and “(II)”, respectively, and substitute “1,” and “2,” respectively; and after line 33, insert:

“(II) If the failure to file properly an electioneering communication report or an amended electioneering communication report occurs more than 28 days before the day of a primary or general election, the State Board may assess a civil penalty in an amount not exceeding the greater of:

1. $100 for each day or part of a day that an electioneering communication report or amended electioneering communication report is overdue; or

2. 10% of the amount of the donations or disbursements for electioneering communications that were not reported in a timely manner.”.

AMENDMENT NO. 5

On page 33, in lines 23 and 27, in each instance, after “POLITICAL” insert “ACTION”; in lines 23 and 24, strike “IF THE EXPENDITURES OF THE POLITICAL COMMITTEE ARE EXCLUSIVELY” and substitute “THAT EXCLUSIVELY MAKES”; in line 30, after “(D)” insert “(1)”; in the same line, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and after line 32, insert:

“(2) The political action committee shall include all of the information reported on a disclosure report on its regularly filed campaign finance reports.”.

On page 34, strike in their entirety lines 1 through 10, inclusive, and substitute:

“(E) A political action committee shall file a disclosure report within 48 hours after a day on which the political action committee makes aggregate expenditures of $10,000 or more on campaign material during the reporting period covered by its next campaign finance report.”.
(F) A POLITICAL ACTION COMMITTEE SHALL FILE AN ADDITIONAL DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF $10,000 OR MORE ON CAMPAIGN MATERIAL FOLLOWING THE CLOSING DATE OF THE IMMEDIATELY PRECEDING DISCLOSURE REPORT FILED BY THE POLITICAL ACTION COMMITTEE.”;

in lines 13, 21, and 22, in each instance, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and in lines 16 and 17, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”.

On page 36, in line 12, after “(A)” insert “(1)”; and after line 15, insert:

“(2) WHEN ESTABLISHING A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR ELECTIVE OFFICES IN THE EXECUTIVE OR LEGISLATIVE BRANCHES OF COUNTY GOVERNMENT, THE GOVERNING BODY OF A COUNTY SHALL SPECIFY THE CRITERIA THAT IS TO BE USED TO DETERMINE WHETHER AN INDIVIDUAL IS ELIGIBLE FOR PUBLIC CAMPAIGN FINANCING.”.

AMENDMENT NO. 6
On page 34, after line 28, insert:

“13–309.2.

(A) IN THIS SECTION, “PARTICIPATING ORGANIZATION” MEANS ANY ENTITY THAT IS ORGANIZED UNDER § 501(C)(4) OR (6) OR § 527 OF THE INTERNAL REVENUE CODE AND MAKES:

(1) A CONTRIBUTION TO A CAMPAIGN FINANCE ENTITY FOR THE EXPRESS PURPOSE OF CAUSING THE CAMPAIGN FINANCE ENTITY TO MAKE A DISBURSEMENT IN THE STATE;

(2) A DONATION TO A PERSON FOR THE EXPRESS PURPOSE OF CAUSING THE PERSON TO MAKE AN INDEPENDENT EXPENDITURE OR A DISBURSEMENT FOR ELECTIONEERING COMMUNICATIONS IN THE STATE; OR
(3) A DONATION TO AN OUT-OF-STATE POLITICAL COMMITTEE FOR THE EXPRESS PURPOSE OF CAUSING THE POLITICAL COMMITTEE TO MAKE A DISBURSEMENT IN THE STATE.

(B) WITHIN 48 HOURS AFTER A PARTICIPATING ORGANIZATION MAKES A CONTRIBUTION, DONATION, OR DISBURSEMENT OF $6,000 OR MORE IN AN ELECTION CYCLE THE PARTICIPATING ORGANIZATION SHALL FILE A REGISTRATION FORM WITH THE STATE BOARD.

(C) A PARTICIPATING ORGANIZATION SHALL FILE A REPORT WITH THE STATE BOARD IN THE YEAR OF THE ELECTION FOR WHICH IT IS PARTICIPATING FOR THE PERIODS AND ON OR BEFORE THE DATES THAT A CAMPAIGN FINANCE ENTITY FOR A CANDIDATE IS REQUIRED TO FILE A CAMPAIGN FINANCE REPORT UNDER THIS SUBTITLE.

(D) THE REPORT SHALL INCLUDE ALL DISBURSEMENTS MADE TO INFLUENCE AN ELECTION IN THE STATE AND EITHER:

(1) THE NAME, ADDRESS, AND OCCUPATION, IF ANY, OF THE FIVE DONORS WHO GAVE THE LARGEST AMOUNT OF MONEY TO THE PARTICIPATING ORGANIZATION TO INFLUENCE AN ELECTION IN THE STATE DURING THE 1 YEAR PERIOD THAT IMMEDIATELY PRECEDES THE DATE OF THE REPORT; OR

(2) IF THE PARTICIPATING ORGANIZATION MADE A FILING WITH THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION WITHIN 6 MONTHS OF THE DATE WHEN A REPORT OTHERWISE WOULD BE REQUIRED, DESCRIBE HOW THE PUBLIC MAY ACCESS VIA THE INTERNET THE PARTICIPATING ORGANIZATION’S REPORTS THAT DETAIL DISBURSEMENTS MADE AND DONATIONS RECEIVED.”.

AMENDMENT NO. 7

On page 47, in line 31, strike “A” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A”.

On page 48, in line 1, strike “REQUIRE” and substitute “; (1) REQUIRE”; in line 2, after “TITLE” insert “; AND”; in line 3, strike the period; in line 4, strike “(2) A
GOVERNMENTAL ENTITY SHALL” and substitute “(II)”; in line 5, strike “OF THE NAMES AND CONTACT INFORMATION OF PERSONS” and substitute “IF A PERSON”; in lines 6 and 7, strike “WHO ARE REQUIRED” and substitute “FAILS”; strike beginning with “WITHIN” in line 8 down through “ENTITY” in line 9; and after line 9, insert:

“(2) THIS SUBSECTION DOES NOT APPLY TO A CONTRACT FOR WHICH NOTICE OF AWARD HAS BEEN POSTED ON eMARYLAND MARKETPLACE.”.

AMENDMENT NO. 8

On page 49, in lines 21, 25, and 31, strike “3.”, “4.”, and “5.”, respectively, and substitute “4.”, “5.”, and “6.”, respectively; in line 29, strike the second comma; in line 31, after “That” insert “Sections 1, 2, and 4 of”; and after line 32, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect October 1, 2013.”.

Senate Members:  
Chair, Bill Ferguson  
Roy P. Dyson  
J. B. Jennings

House Members:  
Chair, Jon S. Cardin  
Michael G. Summers  
Ron George

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 – 128  Negative – 7  (See Roll Call No. 1324)

The Bill was then sent to the Senate.
CONFERENCE COMMITTEE REPORT

BILL NO.: SB 686 SPONSOR: Senator Garagiola

SUBJECT: Family Investment Program – Earned Income Disregard Pilot Program

THIRD READING CALENDAR HOUSE NO. 24 SENATE NO. 33

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Appropriations Committee Amendment Nos. 1, 2, 5, and 6 (SB0686/954567/1) be adopted.

(2) That the attached Appropriations Committee Amendment Nos. 3 and 4 (SB0686/954567/1) be rejected.

(3) That the attached Conference Committee Amendments (SB0686/103523/1) be adopted.

SB0686/954567/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 686
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “number of counties for participation” and substitute “type of county to participate”; in line 6, after “Program;” insert “requiring the Department of Human Resources to select and inform participants; specifying certain eligibility requirements for participation in the program;”; in the same line, strike “a” and substitute “the”; and in line 12, after “term;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 19, after “(C)” insert “(1)”; in the same line, after “SELECT” insert “ONE COUNTY THAT HAS MORE THAN ONE DISTRICT OFFICE”; strike beginning with the colon in line 20 down through “COUNTY” in line 22; after line 22, insert:
“(2) **THE DEPARTMENT SHALL:**

(I) **SELECT AND ASSIGN ELIGIBLE INDIVIDUALS TO THE PILOT PROGRAM; AND**

(II) **INFORM SELECTED PARTICIPANTS OF THE ASSIGNMENT.**

(3) **TO BE ELIGIBLE TO PARTICIPATE IN THE PILOT PROGRAM AN INDIVIDUAL:**

(I) **MAY NOT RECEIVE TEMPORARY CASH ASSISTANCE BETWEEN MAY 1, 2014 AND SEPTEMBER 30, 2014; AND**

(II) **SHALL APPLY AND QUALIFY FOR TEMPORARY CASH ASSISTANCE ON OR AFTER OCTOBER 1, 2014.**

and in line 24, strike “COUNTIES” and substitute “COUNTY”.

**AMENDMENT NO. 3**

On page 2, in line 27, strike “PILOT PROGRAM” and substitute “FIP”; and after line 29 insert:

“(2) **NOTWITHSTANDING § 5–310(A) OF THIS SUBTITLE, FOR ELIGIBLE RECIPIENTS WHO OBTAIN UNSUBSIDIZED EMPLOYMENT AND WORK LESS THAN 25 HOURS A WEEK, THE AMOUNT OF ASSISTANCE SHALL BE COMPUTED BY COUNTING NO MORE THAN 4 WEEKS OF EARNED INCOME IN ANY MONTH AND DISREGARDING 40% OF THAT EARNED INCOME.**”.

**AMENDMENT NO. 4**

On page 3, in line 1, strike “(2)” and substitute “(3)”; and in line 2, strike “EMPLOYMENT” and substitute “EMPLOYMENT AND WORK AT LEAST 25 HOURS A WEEK”.

**AMENDMENT NO. 5**

On page 3, in line 20, strike “2015” and substitute “2016”; and in line 25, strike “2016” and substitute “2017”.
AMENDMENT NO. 6
On page 4, in line 2, strike “2013” and substitute “2014”; and in line 3, strike “2016” and substitute “2017”.

SB0686/103523/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 686, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1 of the bill, in line 6, after “Program;” insert “authorizing the Department to select a rural county to participate in the Pilot Program;”.

On page 1 of the Appropriations Committee Amendments (SB0686/954567/1), in line 3 of Amendment No. 1, after “Resources” insert “and certain directors of local departments of social services”.

AMENDMENT NO. 2
On page 2 of the bill, in line 27, after the first “THE” insert “FIP WHO ARE SELECTED TO PARTICIPATE IN THE”; and after line 29, insert:

“(2) NOTWITHSTANDING § 5–310(A) OF THIS SUBTITLE, FOR FIP RECIPIENTS WHO ARE SELECTED TO PARTICIPATE IN THE PILOT PROGRAM WHO OBTAIN UNSUBSIDIZED EMPLOYMENT AND WORK LESS THAN 25 HOURS A WEEK, THE AMOUNT OF ASSISTANCE SHALL BE COMPUTED BY COUNTING NO MORE THAN 4 WEEKS OF EARNED INCOME IN ANY MONTH AND DISREGARDING 40% OF THAT EARNED INCOME.”.

On page 3 of the bill, in line 1, strike “(2)” and substitute “(3)”; in the same line, strike “FOR ELIGIBLE RECIPIENTS” and substitute “NOTWITHSTANDING § 5–310(A) OF THIS SUBTITLE, FOR FIP RECIPIENTS WHO ARE SELECTED TO PARTICIPATE IN THE PILOT PROGRAM”; and in line 2, after “EMPLOYMENT” insert “AND WORK AT LEAST 25 HOURS A WEEK”.

AMENDMENT NO. 3
On page 1 of the Appropriations Committee Amendments, in line 5 of Amendment No. 2, after “(2)” insert “**THE DEPARTMENT MAY SELECT ONE RURAL COUNTY TO PARTICIPATE IN THE PILOT PROGRAM.**

(3)”;

in the same line, after “DEPARTMENT” insert “**AND THE APPROPRIATE LOCAL DIRECTORS**”; and in line 10, strike “(3)” and substitute “(4)”.

Senate Members:  

Chair, Rob Garagiola  

Barry Glassman  

Katherine Klausmeier

House Members:  

Chair, Mary–Dulany James  

Keith E. Haynes  

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 – 126  Negative – 13  (See Roll Call No. 1325)

The Bill was then returned to the Senate.

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL:  **HB 1297  

**SPONSOR:** Del Zucker, et al  

**SUBJECT:** Consumer Protection – Security Freezes – Children in Foster Care Settings
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 Klausmeier, Chairman
Senator Kittleman
Senator Garagiola.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL:   HB 1297
SPONSOR:  Del Zucker, et al
SUBJECT:  Consumer Protection – Security Freezes – Children in Foster Care Settings

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

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

The Senate has appointed:
Senator Klausmeier, Chair
Senator Kittleman
Senator Garagiola

The House appoints:
Delegate Jameson, Chairman
Delegate Haddaway–Riccio, and
Delegate Schulz.

Said Bill is returned herewith.

By Order,
MESSAGE FROM THE SENATE

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

BILL: **SB 0484**
SPONSOR: Sen Dyson, et al
SUBJECT: Income Tax Credit – Oyster Shell Recycling

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 Colburn, Chairman
Senator Robey
Senator Madaleno.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0484**
SPONSOR: Sen Dyson, et al
SUBJECT: Income Tax Credit – Oyster Shell Recycling

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 Colburn, Chair
Senator Robey
Senator Madaleno

The House appoints:
delegate Barve, Chairman
delegate Branch, and
delegate Afzali.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 803 SPONSOR: Ch., Ways and Means

SUBJECT: Income Tax – Business and Economic Development – Cybersecurity Investment Incentive Tax Credit

THIRD READING CALENDAR HOUSE NO. 56 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 Budget and Taxation Committee Amendments (HB0803/369135/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0803/733422/1) be adopted.

HB0803/733422/1
AMENDMENTS TO HOUSE BILL 803
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “certain” in line 4 down through “in” in line 5; in line 5, after “companies” insert “under certain circumstances”; in the same line, after “for” insert “certain”; in line 6, after “approval” insert “and certification”; strike beginning with the second “the” in line 6 down through “amounts” in line 8 and substitute “certain credits”; and in line 24, strike “limiting the maximum amount of initial credit certificates”.

On page 2, strike beginning with the first “that” in line 1 down through “returns;” in line 5; and strike beginning with “based” in line 11 down through “State” in line 12 and substitute “for certain cybersecurity companies in the State based on certain investments”.

AMENDMENT NO. 2

On page 3, strike beginning with “INVESTMENTS” in line 30 down through “FOR” in line 31.

On page 4, in line 1, strike “PARAGRAPHS (2) AND (3)” and substitute “PARAGRAPH (2)”; in lines 4, 27, and 28, in each instance, strike “INVESTOR” and substitute “MARYLAND CYBERSECURITY COMPANY”; strike in their entirety lines 8 through 19, inclusive; in line 20, strike “(3)” and substitute “(2)” in the same line, strike “TO BE ELIGIBLE FOR” and substitute “FOR PURPOSES OF”; in line 21, after “INVESTOR” insert a colon; strike beginning with “MAY” in line 21 down through “MADE.” in line 24; after line 24, insert:

“(I) MAY NOT, AFTER MAKING THE PROPOSED INVESTMENT, OWN OR CONTROL MORE THAN 25% OF THE EQUITY INTERESTS IN THE QUALIFIED MARYLAND CYBERSECURITY COMPANY IN WHICH THE INVESTMENT IS MADE; AND

(II) SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT CONTAINING THE FOLLOWING:
1. EVIDENCE THAT THE INVESTOR IS:

A. IF A COMPANY, DULY ORGANIZED AND IN GOOD
STANDING IN THE JURISDICTION UNDER THE LAWS UNDER WHICH IT IS
ORGANIZED;

B. CURRENT IN THE PAYMENT OF ALL TAX
OBLIGATIONS TO A STATE OR ANY UNIT OR SUBDIVISION OF A STATE; AND

C. NOT IN DEFAULT UNDER THE TERMS OF ANY
CONTRACT WITH, INDEBTEDNESS TO, OR GRANT FROM A STATE OR ANY UNIT OR
SUBDIVISION OF A STATE; AND

2. ANY OTHER INFORMATION THE DEPARTMENT
MAY REQUIRE.”;

and in line 25, strike “MAKING” and substitute “RECEIVING”.

On page 5, in line 28, strike “INVESTOR” and substitute “MARYLAND
CYBERSECURITY COMPANY”.

On page 6, in lines 10 and 22, in each instance, strike “INVESTOR” and
substitute “MARYLAND CYBERSECURITY COMPANY”.

On page 7, strike beginning with “APPLY” in line 16 down through
“INCURRED” in line 22 and substitute “CLAIM A REFUND IN THE AMOUNT OF THE
EXCESS”; and in line 30, after “RECEIVE” insert “ANY BENEFIT, DIRECT OR
INDIRECT, FROM”.

On page 8, in line 20, after “CERTIFICATE” insert “TO A QUALIFIED
MARYLAND CYBERSECURITY COMPANY”; and in line 25, strike “INVESTOR” and
substitute “MARYLAND CYBERSECURITY COMPANY”.

On page 9, strike beginning with “FISCAL YEAR 2015” in line 9 down through
“THEREAFTER” in line 10 and substitute “EACH FISCAL YEAR”; in line 18, strike
“INVESTOR” and substitute “MARYLAND CYBERSECURITY COMPANY”; in line 20, strike “AND IN PARAGRAPH (5) OF THIS SUBSECTION”; and in lines 26 and 28, in
each instance, after “INVESTMENT” insert “IN THE QUALIFIED MARYLAND CYBERSECURITY COMPANY”.

On page 10, strike in their entirety lines 7 through 14, inclusive; strike in their entirety lines 22 through 24, inclusive; and after line 24, insert:

“(II) THE QUALIFIED MARYLAND CYBERSECURITY COMPANY THAT RECEIVED THE CREDIT:

1. CEASES OPERATING AS AN ACTIVE BUSINESS WITH ITS HEADQUARTERS AND BASE OF OPERATIONS IN THE STATE; OR

2. PAYS OUT AS DIVIDENDS OR OTHERWISE DISTRIBUTES THE EQUITY INVESTMENT.”.

On page 11, in lines 7, 19, 23, and 24, in each instance, strike “INVESTOR” and substitute “MARYLAND CYBERSECURITY COMPANY”; in line 17, after “INVESTOR” insert “, THE QUALIFIED MARYLAND CYBERSECURITY COMPANY,”; and in line 34, strike “INVESTOR” and substitute “QUALIFIED MARYLAND CYBERSECURITY COMPANY”.

On page 12, strike beginning with “THE” in line 2 down through “TO” in line 3; in line 8, strike “CATEGORY” and substitute “CATEGORIES”; and in line 9, after “INVESTORS” insert “AND QUALIFIED MARYLAND CYBERSECURITY COMPANIES”.

Senate Members:                House Members:

Chair,                  Roger P. Manno  Chair,  C. William Frick
David R. Brinkley
Ulysses Currie

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

Amendment Office Delivers Report to: (X) Chief Clerk
Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

- Affirmative – 133
- Negative – 4

(See Roll Call No. 1326)

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. 1327)

**ADJOURNMENT**

At 10:10 P.M. on motion of Delegate Barve the House adjourned until 10:11 P.M. on Legislative Day April 5, 2013, Calendar Day Monday, April 8, 2013.
The House met at 10:11 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 136 Members present.

(See Roll Call No. 1328)

The Journal of April 4, 2013 was read and approved.

**EXCUSES:**
Del. Dwyer – illness
Del. McDonough – illness

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (HOUSE BILLS) #80**

House Bill 524 – Delegates Feldman, Arora, Barkley, Dumais, and Reznik
Reznik, Conway, Proctor, Bohanan, James, Gaines, Guzzone, Jones,
Haynes, Gutierrez, Zucker, Griffith, DeBoy, Sophocleus, B. Robinson,
Mizeur, and M. Washington

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**End the Gridlock**

Transportation Trust Fund – Use of Funds

Delegate Minnick moved the previous question.

The motion was adopted.
Read the third time and passed by yeas and nays as follows:

Affirmative – 110  Negative – 27  (See Roll Call No. 1329)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #49

Senate Bill 42 – Senators Montgomery, Colburn, Jones–Rodwell, King, Manno, Garagiola, Forehand, Madaleno, Raskin, and Currie, Benson, Dyson, Ferguson, Jacobs, Kittleman, Klausmeier, Mathias, Muse, Pinsky, Rosapepe, and Young

AN ACT concerning

State Government – Commemorative Days – Maryland Emancipation Day

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

Affirmative – 133  Negative – 0  (See Roll Call No. 1330)

The Bill was then returned to the Senate.

Senate Bill 175 – Senators Kelley, Benson, Colburn, Manno, Montgomery, Reilly, and Rosapepe, Rosapepe, Conway, Ferguson, and Pinsky

AN ACT concerning

State Government – Commemorative Days – Maryland Centenarians Day

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

Affirmative – 134  Negative – 0  (See Roll Call No. 1331)

The Bill was then returned to the Senate.

Senate Bill 235 – Senators Ferguson, Conway, Gladden, Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Alcoholic Beverages – License Revocation

Read the third time and passed by yeas and nays as follows:
The Bill was then returned to the Senate.

Senate Bill 304 – Senators Miller and Dyson

AN ACT concerning

   Calvert County – Election Judges – Compensation

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

   Affirmative – 133  Negative – 1  (See Roll Call No. 1333)

The Bill was then returned to the Senate.

Senate Bill 374 – Senators Astle, Ferguson, Forehand, Garagiola, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, Ramirez, and Zirkin

AN ACT concerning

   Consumer Protection  Office of the Attorney General – Workgroup on
   Children’s Online Privacy Protection

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

   Affirmative – 137  Negative – 0  (See Roll Call No. 1334)

The Bill was then returned to the Senate.

Senate Bill 383 – Senators Raskin, Benson, Colburn, Ferguson, Forehand, Frosh, Jones–Rodwell, King, Madaleno, Manno, Montgomery, Muse, Peters, Pugh, Ramirez, Rosapepe, and Stone

AN ACT concerning

   Real Property – Stopping Fraud in Mortgage Assistance Relief Services Act
   of 2013

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

   Affirmative – 136  Negative – 1  (See Roll Call No. 1335)

The Bill was then returned to the Senate.

Senate Bill 385 – Senators Pugh, Astle, Ferguson, Forehand, Kasemeyer, Kelley, Kittleman, Klausmeier, Manno, Middleton, Peters, and Ramirez
AN ACT concerning

State Government – Health, Education, and Social Services Provider Data Warehouse – Submission of Documents in Electronic Form

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1336)

The Bill was then returned to the Senate.

Senate Bill 482 – Senator Manno

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs

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

Affirmative – 109    Negative – 25    (See Roll Call No. 1337)

The Bill was then returned to the Senate.

Senate Bill 676 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)

AN ACT concerning

Governmental Procedures – Security and Protection of Information

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1338)

The Bill was then returned to the Senate.

Senate Bill 902 – Senators Muse and Zirkin

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

Delegate Dumais moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.
Senate Bill 1066 – Senator Pugh

AN ACT concerning

Minority Business Enterprises – Not–for–Profit Entities

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

Affirmative – 139     Negative – 0     (See Roll Call No. 1339)

The Bill was then returned to the Senate.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #23

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

Senate Bill 799 – Senators Middleton, Astle, Conway, and Garagiola

AN ACT concerning

Energy – Landfill Diversion – Municipal Solid Waste Portfolio Standard
Environment – Solid Waste Management Practices – Maryland Recycling and
Landfill Diversion Task Force

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

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #50

Senate Bill 742 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senator Ferguson

AN ACT concerning

Vehicle Laws – Residential Parking in Baltimore City

Read the third time and passed by yeas and nays as follows:
Affirmative – 135     Negative – 3     (See Roll Call No. 1340)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 1006      SPONSOR: Delegate Anderson

SUBJECT: Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

THIRD READING CALENDAR      HOUSE NO. 59      SENATE NO. 21

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendments (HB1006/218474/1) be rejected.

(2) That the Senator Brochin Amendments (HB1006/623926/1) be rejected.

(3) That the attached Senator Simonaire Amendments (HB1006/483726/1) be adopted.

(4) That the attached Conference Committee Amendments (HB1006/343527/1) be adopted.

HB1006/483726/1
BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 1006
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 10, after “shielding;” insert “providing that, if a person is convicted of another shieldable crime after a conviction has been shielded in accordance with certain provisions of law, the original conviction shall no longer be shielded;”.

AMENDMENT NO. 2
On page 5, after line 23, insert:

“(3) IF A PERSON IS CONVICTED OF ANOTHER SHIELDABLE CRIME AFTER A CONVICTION HAS BEEN SHIELDED IN ACCORDANCE WITH THIS SUBTITLE, THE ORIGINAL CONVICTION SHALL NO LONGER BE SHIELDED.”.

HB1006/343527/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1006, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1
In Senator Simonaire’s Amendments (HB1006/483726/1), in line 2 of Amendment No. 1, strike “shieldable”.

In Senator Simonaire’s Amendments, in line 2 of Amendment No. 2, strike “SHIELDABLE”.

AMENDMENT NO. 2
On page 3 of the bill, strike beginning with “HARASSMENT” in line 22 down through “(10)” in line 24; and in lines 26 and 28, strike “(11)” and “(12)”, respectively, and substitute “(10)” and “(11)”, respectively.

On page 4 of the bill, strike in their entirety lines 1 and 2; in lines 3, 5, 8, and 10, strike “(14)”, “(15)”, “(16)”, and “(17)”, respectively, and substitute “(12)”, “(13)”, “(14)”, and “(15)”, respectively; and strike beginning with “FAILING” in line 8 down through “ARTICLE” in line 9 and substitute “A TICKET–SCALPING OFFENSE UNDER ANY STATE OR LOCAL LAW”.

Senate Members:            House Members:

Chair,                Chair,                Lisa A. Gladden
not signed             Luiz R. S. Simmons

Nancy Jacobs               Kevin Kelly

Jamie Raskin              Susan K. McComas
Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 111  Negative – 28  (See Roll Call No. 1341)

The Bill was then sent to the Senate.

SPECIAL ORDERS

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

Senate Bill 829 – Senators Miller, Garagiola, Currie, Kaseyemeyer, Madaleno, Manno, McFadden, and Raskin Raskin, Brinkley, Colburn, DeGrange, Edwards, Jones–Rodwell, King, Peters, and Robey

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Transportation Trust Fund – Financing – Use of Funds

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

Read the second time and ordered prepared for Third Reading.

Delegate Conway moved to put Senate Bill 829 on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 101  Negative – 31  (See Roll Call No. 1342)

Two–thirds of the Delegates elected having voted in the affirmative, Senate Bill 829 was placed on Third Reading.
Senate Bill 829 – Senators Miller, Garagiola, Currie, Kasemyer, Madaleno, Manno, McFadden, and Raskin

CONSTITUTIONAL AMENDMENT

AN ACT concerning
Transportation Trust Fund – Financing – Use of Funds

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 108  Negative – 30  (See Roll Call No. 1343)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #18

AMENDED IN THE SENATE

House Bill 1074 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Hours of Sale for Golf Course Licenses
PG 318–13

Delegate Davis moved that the House concur in the Senate amendments.

HB1074/204637/1
BY:  Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1074
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Sale” insert “and Fee”; in lines 5 and 6, in each instance, strike “and wine” and substitute “, wine, and liquor”; and in line 7, after “County;” insert “increasing the fee for a special 7–day Class B–GC on–sale beer, wine, and liquor license;”.

AMENDMENT NO. 2

On page 2, in lines 6, 8, 9, 12, 16, 19, and 21, in each instance, strike “and wine” and substitute “, WINE, AND LIQUOR”; in lines 23 and 24, strike “and wine” and substitute “, WINE, AND LIQUOR”; and in line 24, strike “$365” and substitute “$500”.

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. 1344)

AMENDED IN THE SENATE

House Bill 1082 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Class BCE and Class B–AE Licenses
PG 317–13

Delegate Davis moved that the House concur in the Senate amendments.

HB1082/104032/1
BY:   Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1082
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Class” insert “Class A Licenses and”; in line 7, after “County;” insert “prohibiting the Board of License Commissioners of Prince George’s County from issuing a new Class A license or transferring an existing Class A license to a location within a certain distance of a correctional facility;”; and after line 18, insert:

“BY adding to

Article 2B – Alcoholic Beverages
Section 9–217(e–1)
Annotated Code of Maryland
BY repealing and reenacting, without amendments,

Article – Correctional Services  
Section 1–101(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2
On page 4, after line 6, insert:

“(E–1) THE BOARD OF LICENSE COMMISSIONERS MAY NOT ISSUE A NEW CLASS A LICENSE FOR OR TRANSFER AN EXISTING CLASS A LICENSE TO A LOCATION WITHIN THREE–FOURTHS OF A MILE OF A CORRECTIONAL FACILITY, AS DEFINED IN § 1–101 OF THE CORRECTIONAL SERVICES ARTICLE, IN UPPER MARLBORO.

Article – Correctional Services

1–101.

(d) “Correctional facility” means a facility that is operated for the purpose of detaining or confining adults who are charged with or found guilty of a crime.”.

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 – 126    Negative – 0    (See Roll Call No. 1345)

AMENDED IN THE SENATE

House Bill 1145 – Prince George’s County Delegation

AN ACT concerning

Task Force to Study Energy Generation in Prince George’s County
PG 416–13

Delegate Davis moved that the House concur in the Senate amendments.
HB1145/607779/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1145
(Third Reading File Bill)

On page 2, in line 12, strike “and”; and in line 13, after “(7)” insert “the business manager of the International Brotherhood of Electrical Workers, Local Union 26, or the business manager’s designee; and

(8)”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 118  Negative – 17  (See Roll Call No. 1346)

AMENDED IN THE SENATE

House Bill 1292 – Delegates O’Donnell, Fisher, Proctor, and Vallario

AN ACT concerning

Calvert County – Alcoholic Beverages Licenses – Retirement Communities

Delegate Davis moved that the House concur in the Senate amendments.

HB1292/754432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1292
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Retirement Communities” and substitute “and Appeals”; in line 7, after “fee;” insert “authorizing a court to remand certain proceedings to the local licensing board of Calvert County;”; and after line 17, insert:
“BY repealing and reenacting, with amendments, 
Article 2B – Alcoholic Beverages 
Section 16–101(e)(4)(ii) 
Annotated Code of Maryland 
(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2
On page 2, after line 16, insert:


(e) (4) (ii) In addition to the other powers of the court provided in this article, the court may remand the proceedings to the local licensing board in the following jurisdictions:

1. Anne Arundel County;

2. Baltimore City;

3. **CALVERT COUNTY**;

[3.] 4. Carroll County;

[4.] 5. Charles County;

[5.] 6. Frederick County;

[6.] 7. Harford County;

[7.] 8. Howard County;

[8.] 9. Montgomery County;

[9.] 10. Prince George’s County; and

SECTION 2. AND BE IT FURTHER ENACTED, That § 16–101(e)(4)(ii)3 of Article 2B, as enacted by Section 1 of this Act, may not be applied to any case for which a final judgment has been rendered and for which all judicial appeals have been exhausted before the effective date of this Act."

in line 17, strike “2.” and substitute “3.”; and in line 18, strike “July” and substitute “June”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 1347)

AMENDED IN THE SENATE

House Bill 139 – Delegate O’Donnell Delegates O’Donnell and Krebs

AN ACT concerning

Training for Public Open Meetings Act – Training for Public Bodies

Delegate Hammen moved that the House concur in the Senate amendments.

HB0139/544833/1

BY:    Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 139
(Third Reading File Bill)

On page 2, in line 6, strike the colon.

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. 1348)

AMENDED IN THE SENATE
House Bill 806 – Delegate Hubbard

AN ACT concerning

Health Occupations – State Board of Social Work Examiners – Revisions

Delegate Hammen moved that the House concur in the Senate amendments.

HB0806/314931/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 806
(Third Reading File Bill)

On page 9, in line 27, strike “MASTER’S DEGREE”; in line 28, after “Education” insert “, WITH A MINIMUM OF 6 OF THE 12 ACADEMIC CREDITS OBTAINED IN A MASTER’S DEGREE PROGRAM”.

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. 1349)

AMENDED IN THE SENATE

House Bill 1390 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs) and Delegates Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Ready, Tarrant, and V. Turner

AN ACT concerning

Maryland Veterans Trust and Fund – Establishment

Delegate Hammen moved that the House concur in the Senate amendments.

HB1390/694036/1
BY: Education, Health, and Environmental Affairs Committee
AMENDMENT TO HOUSE BILL 1390
(Third Reading File Bill)

On page 1, in line 18, after “contingency;” insert “requiring a certain balance in a certain fund to transfer to a certain fund on a certain date;”.

On page 10, after line 6, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That any balance remaining in the Maryland Veterans Trust Fund in the Department of Veterans Affairs at the end of June 30, 2013, shall transfer on July 1, 2013, to the Maryland Veterans Trust Fund established by Section 1 of this Act;”;

and in line 7, strike “5.” and substitute “6.”.

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. 1350)

CONCURRENCE CALENDAR #19

AMENDED IN THE SENATE

House Bill 596 – Delegate Clippinger

AN ACT concerning

Civil Actions – Interrogatories or Examination in Aid of Enforcement – Procedure After Arrest for Failure to Appear to Show Cause

Delegate Vallario moved that the House concur in the Senate amendments.

HB0596/798973/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 596
(Third Reading File Bill)
AMENDMENT NO. 1
On page 1, in line 8, strike the second “certain”; and in the same line, after “determination” insert “of certain conditions of release; specifying the conditions of release that may be imposed under certain circumstances”.

AMENDMENT NO. 2
On page 2, in line 1, before “AN” insert “(A)”; and after line 12, insert:

“(B) IF A JUDICIAL OFFICER DETERMINES THAT THE INDIVIDUAL SHOULD BE RELEASED ON OTHER THAN PERSONAL RECOGNIZANCE WITHOUT ANY ADDITIONAL CONDITIONS, THE JUDICIAL OFFICER SHALL IMPOSE ON THE INDIVIDUAL THE LEAST ONEROUS CONDITION OR COMBINATION OF CONDITIONS THAT WILL REASONABLY ENSURE THE APPEARANCE OF THE INDIVIDUAL AS REQUIRED.”.

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. 1351)

CONCURRENCE CALENDAR #15
AMENDED IN THE SENATE

House Bill 216 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne’s County – Alcoholic Beverages – Micro–Brewery Licenses

Delegate Davis moved that the House concur in the Senate amendments.

HB0216/274330/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 216
(Third Reading File Bill)
AMENDMENT NO. 1
On page 1, in lines 2, 3, 4, and 7, in each instance, after “County” insert “and St. Mary’s County”.

AMENDMENT NO. 2
On page 2, after line 19, insert:

“(XVIII) ST. MARY’S COUNTY;”;

and in lines 20, 21, 22, and 23, respectively, strike “(XVIII)”, “(XIX)”, “(XX)”, and “(XXI)”, respectively, and substitute “(XIX)”, “(XX)”, “(XXI)”, and “(XXII)”, respectively.

On page 5, after line 13, insert:

“18. ST. MARY’S COUNTY;”;

and in lines 14, 15, 16, and 17, respectively, strike “18.”, “19.”, “20.”, and “21.”, respectively, and substitute “19.”, “20.”, “21.”, and “22.”, respectively.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 1352)

CONCURRENCE CALENDAR #20
AMENDED IN THE SENATE

House Bill 256 – Delegate Clagett Frederick County Delegation

AN ACT concerning

Land Use Frederick County – Development Rights and Responsibilities Agreements – Direct Judicial Review

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0256/804538/1
BY: Education, Health, and Environmental Affairs Committee
AMENDMENT TO HOUSE BILL 256
(Third Reading File Bill)

On page 1, strike beginning with “providing” in line 9 down through “date:” in line 10.

On page 2, in line 10, strike “January 1, 2015” and substitute “October 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 – 2  (See Roll Call No. 1353)

AMENDEDE IN THE SENATE

House Bill 365 – Delegate Glass

AN ACT concerning

Harford County – Archery Hunting – Safety Zone

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0365/464235/1
BY:  Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 365
(Third Reading File Bill)

On page 2, in line 3, after “(2)” insert “(I)”; in the same line, strike the comma and substitute “or”; in line 4, strike “OR HARFORD COUNTY,”; and after line 6, insert:

“(II) FOR ARCHERY HUNTERS IN HARFORD COUNTY, THE SAFETY ZONE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION EXTENDS FOR 100 YARDS FROM A DWELLING HOUSE, RESIDENCE, CHURCH, OR ANY OTHER BUILDING OR CAMP OCCUPIED BY HUMAN BEINGS.”.
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 – 3  (See Roll Call No. 1354)

AMENDED IN THE SENATE

House Bill 1017 – Delegates Barve, Myers, Branch, Afzali, Harper, A. Miller, Serafini, Stukes, and A. Washington

AN ACT concerning

Income Tax Credit – Wineries and Vineyards

Delegate Hixson moved that the House concur in the Senate amendments.

HB1017/279130/1
BY:  Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1017
(Third Reading File Bill)

On page 5, in line 12, strike “$2,000,000” and substitute “$500,000”.

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 – 138  Negative – 0  (See Roll Call No. 1355)

MESSAGE FROM THE SENATE

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

BILL:  HB 0853
SPONSOR:  Del Dumais
SUBJECT:  Family Law – Domestic Violence – Permanent Final Protective Orders
The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Rosenberg, Chair
Delegate Carter
Delegate Parrott

The Senate appoints:
Senator Forehand, Chairman
Senator Getty
Senator Frosh.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

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

BILL:  **HB 1279**
SPONSOR:  Del Niemann, et al
SUBJECT:  Statewide Building Codes – Maryland Accessibility Code – Enforcement

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.
CONFERENCE COMMITTEE REPORT

BILL NO.: SB 809 SPONSOR: Senator Frosh

SUBJECT: Maryland Legal Services Corporation Funding – Abandoned Property Funds

THIRD READING CALENDAR HOUSE NO. 20 SENATE NO. 50

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Appropriations Committee Amendment (SB0809/574266/1) be adopted.

(2) That the attached Conference Committee Amendment (SB0809/123123/1) be adopted.

SB0809/574266/1
BY: Appropriations Committee

AMENDMENT TO SENATE BILL 809
(Third Reading File Bill)

On page 2, in line 12, before “to” insert “$3,000,000”; and strike beginning with the colon in line 14 down through “THEREAFTER” in line 18.

SB0809/123123/1
BY: Conference Committee

AMENDMENT TO SENATE BILL 809, AS AMENDED

In line 1 of the Appropriations Committee Amendments (SB809/574266/1), strike “$3,000,000” and substitute “$1,500,000”.

Senate Members: Brian E. Frosh
House Members: Guy Guzzone
CONFERENCE COMMITTEE REPORT

BILL NO.: SB 897    SPONSOR: Senator Klausmeier

SUBJECT: Consumer Protection – Security Freezes – Children in Foster Care Settings

THIRD READING CALENDAR    HOUSE NO. 18    SENATE NO. 51

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Economic Matters Committee Amendments (SB0897/593190/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0897/273228/1) be adopted.

SB0897/273228/1
BY: Conference Committee
AMENDMENTS TO SENATE BILL 897
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 3, strike “Social Services Administration of the Maryland”; in lines 16 and 17, strike “Social Services Administration” and substitute “Department”; in lines 21 and 22, strike “Social Services Administration to send each month” and substitute “Department to send at least annually”; and in line 24, strike “Social Services Administration” and substitute “Department”.

On page 2, in line 6, strike “Social Services Administration” and substitute “Department”; in line 8, strike “Social Services Administration” and substitute “Department”; and in lines 9 and 10, strike “Social Services Administration” and substitute “Department”.

AMENDMENT NO. 2
On page 2, in line 29, strike “ADMINISTRATION” and substitute “DEPARTMENT”; and strike beginning with “SOCIAL” in line 29 down through “THE” in line 30.

On page 5, in line 9, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; and in line 12, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”.

On page 6, in lines 1 and 2, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 7 and 8, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 9 and 10, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 18 and 19, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; and in lines 23 and 24, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”.

On page 7, in line 1, strike “EACH MONTH” and substitute “AT LEAST ANNUALLY”; in the same line, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 6, 10, and 30, in each instance, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 12 and 13, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; and
in line 26, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”.

On page 8, in line 1, strike “Social Services Administration” and substitute “Department of Human Resources”.

Senate Members:  
Chair, Katherine Klausmeier  
Allan H. Kittleman  
Rob Garagiola

House Members:  
Chair, Sally Jameson  
Jeannie Haddaway-Riccio  
Kelly Schulz

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. 1357)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #21

AMENDED IN THE SENATE

House Bill 34 – Delegate Aumann  Delegates Aumann, Kipke, McDonough, Oaks, and Pena-Melnyk

AN ACT concerning

State Government – Commemorative Day – German-American Heritage Day

Delegate Hammen moved that the House concur in the Senate amendments.
HB0034/664335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 34
(Third Reading File Bill)

On page 1, in lines 2, 4, and 6, in each instance, strike “Day” and substitute “Month”; in lines 3 and 5, strike “day” and substitute “month”; in line 18, strike “3”; in the same line, strike “DAY” and substitute “MONTH”.

On page 2, in line 2, strike “DAY” and substitute “MONTH”.

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 – 2  (See Roll Call No. 1358)

SPECIAL ORDERS

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

Senate Bill 902 – Senators Muse and Zirkin

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 99  Negative – 37  (See Roll Call No. 1359)

The Bill was then returned to the Senate.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE
NUMBER  

SPONSOR

HB 43  
Del. Glass

HB 285  
St. Mary’s County Del.

HB 301  
St. Mary’s County Del.

HB 459  
Del. Otto

HB 555  
St. Mary’s County Del.

HB 637  
Montgomery/PG Co. Del.

HB 653  
Charles County Del.

HB 801  
Del. Tarrant

HB 986  
Del. Hammen

HB 1031  
Del. Hixson

HB 1073  
Prince George’s Del.

HB 1146  
Prince George’s Del.

HB 1348  
Ch. Hlth & Govt Ops

HB 1387  
Frederick County Del.

HB 1448  
Calvert County Del.

HB 1507  
St. Mary’s County Del.

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

NUMBER  

SPONSOR

HB 77  
Del. McHale

HB 778  
Del. Conway

HB 1431  
Prince George’s Del.

HB 1482  
Del. Cane

Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 484  
SPONSOR: Senator Dyson

SUBJECT: Income Tax Credit – Oyster Shell Recycling

THIRD READING CALENDAR  
HOUSE NO. 38  
SENATE NO. 31

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 Committee on Ways and Means Amendments (SB0484/245467/1) be rejected.

(2) That the attached Conference Committee Amendment (SB0484/763625/1) be adopted.

SB0484/763625/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 484
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 10, after “Act;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2
On page 2, in line 11, strike “1.”; and strike beginning with “FOR” in line 11 down through “INDIVIDUAL” in line 12.

AMENDMENT NO. 3
On page 2, in line 27, after “2012.” insert “It shall remain effective for a period of 5 years and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

Senate Members: 
Chair, Richard F. Colburn
James N. Robey
Richard S. Madaleno, Jr.

House Members: 
Chair, Kumar P. Barve
Talmadge Branch
Kathy Afzali

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. 1360)

The Bill was then returned to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT 
#15

Delegate Healey, 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 203 – Senators King, Brinkley, Colburn, Currie, Garagiola, Klausmeier, Madaleno, Manno, McFadden, Peters, Pugh, Robey, and Young

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts and Small Business Refund

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

CONCURRENCE CALENDAR #22

AMENDED IN THE SENATE

House Bill 1279 – Delegates Niemann, Bobo, Carr, Carter, Frush, Glenn, and Hubbard

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1279/164033/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1279
(Third Reading File Bill)
On page 1, in line 13, after “reference;” insert “defining a certain term;”.

On page 2, in line 3, after “(a)” insert “(1);” in the same line, strike the comma and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2)”;

and after line 4, insert:

“(3)  “HISTORIC PROPERTY” MEANS A QUALIFIED HISTORIC BUILDING OR FACILITY THAT IS:

(I) LISTED OR ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES; OR

(II) DESIGNATED AS HISTORIC UNDER STATE OR LOCAL LAW.”.

On page 3, in line 28, after “THAT” insert “;

(1)”;

and in line 29, after “CODE” insert “; BUT

(II) IS NOT A HISTORIC PROPERTY”.

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 – 42  (See Roll Call No. 1361)

CONCURRENCE CALENDAR #23

AMENDED IN THE SENATE
House Bill 1098 – Delegates Olszewski, Minnick, Weir, Barnes, Braveboy, Frick, Healey, Hucker, Love, McHale, Mizeur, Murphy, Niemann, Vaughn, Wilson, and Zucker

AN ACT concerning

Procurement – Prevailing Wage – Applicability

Delegate Davis moved that the House concur in the Senate amendments.

HB1098/167976/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1098
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Task Force to Study the Applicability of the Maryland Prevailing Wage Law”; strike beginning with “repealing” in line 3 down through the semicolon in line 5 and substitute “establishing a Task Force to Study the Applicability of the Maryland Prevailing Wage Law; providing for the membership and cochairs of the Task Force; requiring the Department of Legislative Services, with assistance from the Department of Labor, Licensing, and Regulation, to staff the Task Force; providing that a member of the Task Force may not receive certain compensation but is entitled to certain reimbursement; providing for the duties of the Task Force; requiring the Task Force to report certain findings and recommendations, on or before a certain date, to the Governor and certain committees of the General Assembly; providing for the termination of this Act;”; strike in their entirety lines 7 through 11, inclusive; and in line 13, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 1 through 4, strike in their entirety the lines beginning with line 14 on page 1 through line 12 on page 4, inclusive, and substitute:

“(a) There is a Task Force to Study the Applicability of the Maryland Prevailing Wage Law.

(b) The Task Force consists of the following members:
(1) two members of the Senate of Maryland, one of whom shall be a member of the minority party, appointed by the President of the Senate;

(2) two members of the House of Delegates, one of whom shall be a member of the minority party, appointed by the Speaker of the House;

(3) the Secretary of Labor, Licensing, and Regulation;

(4) the Secretary of General Services;

(5) the Executive Director of the Public School Construction Program;

(6) the following members appointed by the President of the Senate and the Speaker of the House:

   (i) one member of the AFL–CIO;

   (ii) one member of the Washington, DC Building and Construction Trades Council;

   (iii) one member of the Associated Builders and Contractors;

   (iv) one member from the Maryland Association of Counties;

   (v) one member from the Maryland Association of Boards of Education; and

   (vi) one member representing a local school system that solicits bids for school construction at the 50% threshold under the Prevailing Wage Law.

(c) The Task Force shall be cochaired by the members from the Senate of Maryland and the House of Delegates.

(d) The Department of Legislative Services, with assistance from the Department of Labor, Licensing, and Regulation, shall staff the Task Force.

(e) A member of the Task Force:

   (1) may not receive compensation as a member of the Task Force; but
(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) examine the current Prevailing Wage Law and how it applies to school construction projects, including:

   (i) the current process as it relates to the Interagency Committee on School Construction procedures;

   (ii) the determination of whether a project is bid as a prevailing wage or nonprevailing wage project;

   (iii) how the current prevailing wage thresholds apply and affect bids for school construction projects; and

   (iv) whether there are differences in the application of the Prevailing Wage Law based on project size and cost;

(2) analyze and examine school construction contracts bid as prevailing wage and nonprevailing wage contracts to determine the effect the following requirements may have on contract costs, including:

   (i) overhead costs associated with complying with the Prevailing Wage Law;

   (ii) other related contractor overhead costs that may apply;

   (iii) fringe benefits provided to workers;

   (iv) licensing requirements;

   (v) reporting requirements; and

   (vi) union requirements that may affect staffing levels;
(3) analyze and examine prevailing wage and nonprevailing wage construction projects through the duration of the project to determine if project quality varies by contract type, accounting for the following:

(i) local school system–driven modifications;

(ii) unforeseen condition modifications; and

(iii) defective workmanship;

(4) study how local prevailing wage laws compare to the Maryland Prevailing Wage Law;

(5) review:

(i) other state prevailing wage laws;

(ii) other studies on the effect of prevailing wage laws on construction costs, community well–being, worker wages and income tax revenues, and State and local budgets; and

(iii) any other matter that relates to the scope and application of the Maryland Prevailing Wage Law.

(g) On or before December 31, 2013, the Task Force shall report its findings and recommendations relating to the effect of the Maryland Prevailing Wage Law on school construction to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Economic Matters Committee.”.

On page 4, in line 14, after the period, insert “It shall remain effective for a period 1 year 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 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 – 89  Negative – 38  (See Roll Call No. 1362)

AMENDED IN THE SENATE

House Bill 1105 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages Sales – Prohibition on Use of Self-Scanning Cash Registers

PG 311–13

Delegate Davis moved that the House concur in the Senate amendments.

AMENDMENTS TO HOUSE BILL 1105

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “penalty;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“SECTION 2. AND BE IT FURTHER ENACTED. That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any retail licensee who sold alcoholic beverages by means of a self-scanning cash register or other automated system before the effective date of this Act;”;

and in line 17, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:
Affirmative – 118  Negative – 20  (See Roll Call No. 1363)

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 1297  SPONSOR: Delegate Zucker

SUBJECT: Consumer Protection – Security Freezes – Children in Foster Care Settings

THIRD READING CALENDAR  HOUSE NO. 32  SENATE NO. 12

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Finance Committee Amendments (HB1297/377777/1) be rejected.

(2) That the attached Conference Committee Amendments (HB1297/223325/1) be adopted.

HB1297/223325/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1297
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Social Services Administration of the Maryland”; in lines 16 and 17, strike “Social Services Administration” and substitute “Department”; in line 20, strike “prohibiting” and substitute “authorizing”; in lines 20 and 21, strike “from charging” and substitute “to charge”; and in lines 21 and 22, strike “Social Services Administration to send each month” and substitute “Department to send at least annually”.

On page 2, in line 2, strike “Social Services Administration” and substitute “Department”; in lines 7 and 8, strike “Social Services Administration” and substitute “Department”; in lines 9 and 10, strike “Social Services Administration” and substitute “Department”; in line 11, strike “Social Services Administration” and substitute “Department”; and in line 15, after “consumer;” insert “requiring the Department of
Juvenile Services to review certain provisions of law, make a certain determination, and report certain information to certain committees of the General Assembly on or before a certain date:”.

AMENDMENT NO. 2
On page 2, in line 28, strike “ADMINISTRATION” and substitute “DEPARTMENT”; and strike beginning with “SOCIAL” in line 28 down through “THE” in line 29.

On page 5, in line 9, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; and in line 12, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”.

On page 6, in lines 1 and 2, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 7 and 8, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 9 and 10, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 18 and 19, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 23 and 24, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in line 30, strike “NOT”; in the same line, after “A” insert “REASONABLE”; in the same line, after “FEE” insert “, NOT EXCEEDING $5,”; and in line 31, strike “ANY SERVICE PERFORMED” and substitute “EACH PLACEMENT OR REMOVAL OF A SECURITY FREEZE FOR A PROTECTED CONSUMER”.

On page 7, in line 1, strike “EACH MONTH” and substitute “AT LEAST ANNUALLY”; in the same line, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 6, 10, and 30, in each instance, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in lines 12 and 13, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in line 26, strike “SOCIAL SERVICES ADMINISTRATION” and substitute “DEPARTMENT”; in line 32, after “SUBTITLE” insert “, INCLUDING PROVIDING CONTACT INFORMATION OF ORGANIZATIONS THAT MAY PROVIDE ASSISTANCE TO THE PROTECTED CONSUMER IN REMOVING A SECURITY FREEZE”; and in line 34, strike “Social Services Administration” and substitute “Department of Human Resources”.
AMENDMENT NO. 3

On page 8, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2013, the Department of Juvenile Services shall:

(1) review Title 14, Subtitle 12 of the Commercial Law Article, including § 14–1212.3, as enacted by Section 1 of this Act;

(2) determine whether it is practicable, appropriate, and necessary for the protection of the consumer records of children who are in custody of the Department to allow the Department to make a request to a consumer reporting agency for a security freeze for the consumer record of each child who is in custody of the Department; and

(3) report its findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.”;

and in line 13, strike “3.” and substitute “4.”.

Senate Members:  
Chair, Katherine Klausmeier  
Allan H. Kittleman  
Rob Garagiola  

House Members:  
Chair, Sally Jameson  
Jeannie Haddaway–Riccio  
Kelly Schulz  

Read in the Senate:  
Read in the House of Delegates:  
Amendment Office Delivers Report to:  (X) 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 – 136  Negative – 0  (See Roll Call No. 1364)

The Bill was then sent to the Senate.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>SPONSOR</th>
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<tr>
<td>HB 1055</td>
<td>Del. Braveboy</td>
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</table>

Read and ordered journalized.

JOINT CHAIRMEN’S REPORT


(See Exhibit W of Appendix II)

CHIEF CLERK’S OFFICE RECEIPTS FOR BILLS DELIVERED TO THE GOVERNOR

(See Exhibit X of Appendix II)

APRIL 8, 2013

MESSAGE TO THE SENATE

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE SENATE:

WE PROPOSE WITH YOUR CONCURRENCE, THAT WHEN THE GENERAL ASSEMBLY ADJOURNS APRIL 8, 2013 AT TWELVE O’CLOCK MIDNIGHT, IT STANDS ADJOURNED SINE DIE.

WE FURTHER PROPOSE THE APPOINTMENT OF A JOINT COMMITTEE, TWO ON THE PART OF THE SENATE AND TWO ON THE PART OF THE HOUSE, TO WAIT UPON HIS EXCELLENCY, THE GOVERNOR OF MARYLAND, TO INFORM HIM THAT THE GENERAL ASSEMBLY WILL ADJOURN APRIL 8, 2013, AT TWELVE O’CLOCK SINE DIE, IN ACCORDANCE WITH THE
PROVISIONS OF THE CONSTITUTION AND TO INQUIRE IF HE HAS ANY FURTHER COMMUNICATIONS TO MAKE TO THE GENERAL ASSEMBLY.

WE HAVE APPOINTED ON THE PART OF THE HOUSE, DELEGATES BARVE AND O’DONNELL.

BY ORDER,

SYLVIA SIEGERT
CHIEF CLERK

Read and adopted.

MESSAGE FROM THE SENATE

April 8, 2013

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

We have received your message proposing that when the General Assembly adjourns, April 8, 2013, at Twelve o’clock Midnight, it stands adjourned Sine Die.

The Senate concurs therein.

We agree to the Joint Committee to wait upon his Excellency, the Honorable Martin O’Malley, Governor of Maryland. The Senate appoints Senators Garagiola and Pipkin.

By Order,

William B.C. Addison, Jr.
Secretary

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 122 Members present.

(See Roll Call No. 1365)

At 12:00 A.M. on motion of Delegate Barve the House adjourned Sine Die.