

Journal of Proceedings
of the
Senate
of
Maryland

2013 Regular Session

Volume III

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Journal Clerk

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William B.C. Addison, Jr.
Secretary of the Senate

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Annapolis, Maryland
Legislative Day: March 17, 2013
Calendar Day: Tuesday, March 19, 2013
10:00 A.M. Session

The Senate met at 10:08 A.M.

Prayer by Reverend Megan Foley, Sugarloaf Congregation of Unitarian Universalists Church, guest of Senator Raskin.

(See Exhibit A of Appendix III)

The Journal of March 16, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Pinsky be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 583)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 572 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Honorable Marvin Mandel
in recognition of
the celebration of your 93rd Birthday.
May the wisdom of your years be shared
with all who know and love you.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 19th day of March 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 584)

Senate Resolution No. 560 – Senator Delores G. Kelley:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Alpha Kappa Alpha Sorority, Incorporated
in recognition of
105 years of global support of human rights, educational opportunity, environmental
justice and health care
parity for underserved populations.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 19th day of March 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 585)

LAI D O V E R B I L L S

The presiding officer submitted the following Laid Over Bills with amendments:

House Bill 100 – The Speaker (By Request – Administration)

AN ACT concerning

**Budget Bill
(Fiscal Year 2014)**

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2013 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit B of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE –
COMMITTEE REPRINT TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit C of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPORT ON HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit D of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (45) AND THE FAVORABLE REPORT.

The preceding 45 amendments were read only.

Senator Kittleman moved, duly seconded, to make the Bill and Amendments a Special Order for March 20, 2013.

The motion was adopted.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 102 – The Speaker (By Request – Administration)

Budget Reconciliation and Financing Act of 2013

SENATE BUDGET AND TAXATION COMMITTEE –
COMMITTEE REPRINT TO HOUSE BILL 102 – THE BUDGET RECONCILIATION AND
FINANCING ACT OF 2013

(See Exhibit E of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (11) AND THE FAVORABLE REPORT.

HB0102/879732/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 102

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 12 down through “costs;” in line 14; 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 1, after “purposes;” insert “altering a certain requirement for the Maryland Transit Administration to set certain fare prices to include a requirement that the Administration increase base fare prices for certain services by a certain percentage from a certain Consumer Price Index;”; strike beginning with “providing” in line 6 down through “year;” in line 8; in line 12, after “Comptroller;” insert “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 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;”; in line 24, after “terms;” insert “providing for the effective dates of certain provisions of this Act; providing for the termination of certain provisions of this Act;”; and in the same line, strike “making conforming changes;”.

On pages 2 and 3, strike in their entirety the lines beginning with line 42 on page 2 through line 8 on page 3, inclusive.

On page 3, in line 26, after “9–112(d)(4)” insert “, 18–103(e)(3), and 18–112”; after line 28, insert:

“BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–308(a)(4)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)”;

and in line 31, strike “2–202(a) and”.

On page 4, after line 9, insert:

“BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–208(b–1)
Annotated Code of Maryland
(2012 Replacement Volume)”;

and after line 25, insert:

“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 7, strike in its entirety line 15.

On pages 8 and 9, strike in their entirety the lines beginning with line 3 on page 8 through line 6 on page 9, inclusive.

AMENDMENT NO. 3

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. 4

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. 5

On page 11, before line 1, insert:

“Article – State Personnel and Pensions

21–308.

(a) (4) For fiscal year 2014 and each fiscal year thereafter, in addition to the amounts required under paragraph (2) of this subsection, the Governor shall include in the budget bill [\$300,000,000] \$200,000,000.”.

AMENDMENT NO. 6

On page 12, after line 30, insert:

“Article – Transportation

7-208.

(b-1) Subject to § 7-506 of this title, the Administration:

(1) [Shall] SUBJECT TO ITEMS (2) AND (3) OF THIS SUBSECTION, SHALL set the fare prices and collect other operating revenues in an amount sufficient to achieve the farebox recovery requirement established in subsection (b) of this section; [and]

(2) BEGINNING IN FISCAL YEAR 2014, SHALL INCREASE BASE FARE PRICES TO THE NEAREST DIME FOR CORE BUS, LIGHT RAIL, AND METRO SUBWAY SERVICES BY AT LEAST THE SAME PERCENTAGE AS THE 3-YEAR INCREASE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, FOR THE WASHINGTON-BALTIMORE METROPOLITAN AREA, AS DETERMINED FROM JANUARY 1, 2010, TO DECEMBER 31, 2012, AND EACH SUBSEQUENT 3-YEAR PERIOD FOR WHICH THE AMOUNT IS BEING CALCULATED; AND

(3) May not reduce the level of services provided by the Administration for the purpose of achieving the farebox recovery requirement.”.

AMENDMENT NO. 7

On pages 14 and 15, strike beginning with “HOSPITAL” in line 36 on page 14 down through “ADOPTED.” in line 4 on page 15 and substitute “A COMBINATION OF SPECIAL FUND REVENUES AND GENERAL FUND SAVINGS FROM REDUCED HOSPITAL OR OTHER PAYMENTS MADE BY THE MEDICAID PROGRAM. THE POLICIES ADOPTED UNDER THIS SUBSECTION SHALL BE IN LIEU OF THE HOSPITAL ASSESSMENT AND REMITTANCE REVENUE GENERATED IN FISCAL YEAR 2012, BUT MAY INCLUDE HOSPITAL ASSESSMENTS AND REMITTANCES.”.

AMENDMENT NO. 8

On page 15, after line 6, 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] 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) (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. 9

On page 17, after line 36, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal year 2014, the Governor may include in the annual operating or capital budget submission for county library capital projects the lesser of:

(1) \$5,000,000; or

(2) the total estimated State cost of capital projects approved by the State Board of Education under § 23–510(e)(4) of the Education Article.”.

AMENDMENT NO. 10

On page 17, before line 37, insert:

“SECTION 14. 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 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 “4.”, “5.”, “6.”, and “7.”, respectively.

On page 16, in line 34, strike “6.” and substitute “8.”.

On page 17, in lines 8, 16, 25, 33, and 37, strike “7.”, “8.”, “9.”, “10.”, and “11.”, respectively, and substitute “9.”, “10.”, “11.”, “12.”, and “15.”, respectively.

On page 18, after line 3, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2013.

SECTION 17. 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 “18.”; and in the same line, after “That” insert “, except as provided in Sections 16 and 17 of this Act.”.

The preceding 11 amendments were read only.

Senator Kasemeyer moved, duly seconded, to make the Bill and Amendments a Special Order for March 20, 2013.

The motion was adopted.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 126 – Delegate Davis

AN ACT concerning

Consumer Protection – Maryland Consumer Protection Act – Scope and Penalties

FOR the purpose of expanding the definition of “consumer” under the Maryland Consumer Protection Act to include a certain organization that purchases,

rents, or leases goods or services for the benefit of the members of the organization; establishing that an unfair or deceptive trade practice includes an act or omission relating to the purchase, rental, or lease by a certain organization of certain goods or services; altering certain criminal penalties for a violation of the Maryland Consumer Protection Act; and generally relating to the scope of the Maryland Consumer Protection Act and penalties for violations of that Act.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 13–101(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–101(c), 13–301(14)(xxix) and (15), and 13–411
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY adding to
Article – Commercial Law
Section 13–301(16)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

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

**House Bill 347 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

Professional Engineers – Firm Permits

FOR the purpose of requiring a corporation, partnership, or limited liability company on or after a certain date to hold a permit issued by the State Board for Professional Engineers before operating a business through which engineering is practiced, with a certain exception; establishing certain qualifications, application requirements, and fees for the firm permit to practice engineering; establishing the scope of the engineering firm permit; providing for the renewal ~~and reinstatement~~ of the engineering firm permit; requiring permit holders to provide certain notification of certain changes or occurrences within a certain period of time; authorizing the State Board for Professional Engineers to ~~deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or~~ impose a certain penalty under certain circumstances and subject to certain hearing provisions; establishing certain prohibited acts; adding certain

definitions; making stylistic and conforming changes; and generally relating to firm permits issued by the State Board for Professional Engineers.

BY renumbering

Article – Business Occupations and Professions

Section 14–402 and 14–403, respectively

to be Section 14–4A–01 and 14–4A–02, respectively, to be under the new subtitle “Subtitle 4A. Miscellaneous Provisions”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 14–101; and 14–401 to be under the amended subtitle “Subtitle 4. Permits”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Occupations and Professions

Section 14–402 through ~~14–415~~, 14–411, 14–501.1, and 14–502.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 349 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation) and Delegates O’Donnell and Fisher

AN ACT concerning

Business Regulation – Cemeteries – Prohibited Acts and Penalties

FOR the purpose of altering a certain prohibition on establishing, operating, or allowing a cemetery to be operated in violation of certain provisions of law regarding the perpetual care of cemeteries; altering the penalties for violations of certain provisions of law relating to perpetual care trusts, preneed trusts, and the operation of a cemetery, crematory, or burial goods business; providing that corporate officers who are responsible for a violation of certain provisions of law relating to the perpetual care of cemeteries are guilty of a misdemeanor and are subject to certain penalties; providing that a person who willfully misappropriates or intentionally and fraudulently converts perpetual care trust funds or preneed trust funds in excess of a certain amount is guilty of a felony and subject to a certain penalty; repealing certain obsolete language and

provisions of law relating to penalties for violations of certain provisions of law regarding the perpetual care of cemeteries; and generally relating to cemeteries.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 5–609, 5–712, and 5–904
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Business Regulation
Section 5–610
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

House Bill 351 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation) and Delegate Reznik

AN ACT concerning

State Athletic Commission – Amateur Mixed Martial Arts and Amateur Kick Boxing – Licensing and Regulation

FOR the purpose of authorizing the State Athletic Commission to license and regulate amateur mixed martial arts and amateur kick boxing; expanding the scope of drug testing for certain contestants; repealing certain mandatory sanctions for certain contestants who refuse to submit to certain tests or test positive for the presence of certain drugs; requiring certain contestants to submit to a certain blood or urine test under certain circumstances; defining certain terms; making certain technical changes; and generally relating to the licensing and regulation of amateur mixed martial arts and amateur kick boxing by the State Athletic Commission.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 4–101, 4–301, 4–302, 4–303, 4–304.1, 4–305, 4–308, 4–310, 4–314, 4–315, 4–316, and 4–320
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 465 – Delegate Otto

AN ACT concerning

Somerset County – Emergency Burning Ban – Adoption and Enforcement

FOR the purpose of authorizing the County Commissioners of Somerset County to adopt a certain emergency burning ban; prohibiting a person from starting or allowing any open air burning during an emergency burning ban; exempting certain ~~supervised~~ burning activities from a certain emergency burning ban; authorizing the County Commissioners, by resolution, to set a fine for a violation of a certain emergency burning ban; authorizing the Sheriff of Somerset County and the Sheriff's deputies to assess a certain fine against any person believed to be in violation of a certain emergency burning ban; defining certain terms; and generally relating to the adoption and enforcement of an emergency burning ban in Somerset County.

BY adding to

The Public Local Laws of Somerset County
Section 2–416
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2009 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 466 – Delegate Otto

AN ACT concerning

Somerset County – Sale of Small Boat Harbor Dock

FOR the purpose of authorizing the County Commissioners of Somerset County to sell the Small Boat Harbor Dock to the City of Crisfield at private sale under certain terms; requiring the Small Boat Harbor Dock to revert to the County Commissioners under certain circumstances; exempting the sale of the Small Boat Harbor Dock from certain requirements; making a technical change; and generally relating to the sale of county property by the County Commissioners of Somerset County.

BY repealing and reenacting, with amendments,

The Public Local Laws of Somerset County
Section 2–414
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2009 Supplement, as amended)
(As enacted by Chapters 544 and 545 of the Acts of the General Assembly of
2011)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 470 – Delegate Otto

AN ACT concerning

Somerset County – County Treasurer – Abolishment and Transfer of Functions to the County Supervisor of Tax Collection

FOR the purpose of abolishing the elected position of County Treasurer of Somerset County; transferring the duties and functions of the office of County Treasurer to the County Supervisor of Tax Collection, who shall work under the direction of the County Finance Director; repealing provisions related to the appointment and salary of the deputy treasurer of Somerset County; providing that the Supervisor of Tax Collection is subject to dismissal from office by the County Commissioners of Somerset County under certain circumstances and discipline or dismissal for a violation of certain rules and regulations; repealing provisions related to the removal of the County Treasurer; requiring the County Commissioners to provide an office for the Supervisor of Tax Collection to be open during certain hours on certain days of the week; requiring the Supervisor of Tax Collection to execute certain bonds for certain purposes to be paid for by the County Commissioners; providing for the appointment of Supervisors of Tax Collection in the event that a Supervisor of Tax Collection fails to execute a certain bond on or before a certain day; repealing provisions relating to a vacancy in the office of County Treasurer; repealing certain provisions relating to the documents of the County Treasurer's office; repealing provisions relating to the successor of the County Treasurer; providing that this Act does not ~~apply to the salary or compensation~~ affect the term of office of the incumbent County Treasurer; and generally relating to the abolishment of the elected position of County Treasurer of Somerset County and the transfer of the duties and functions of the office of County Treasurer to the County Supervisor of Tax Collection.

BY repealing

The Public Local Laws of Somerset County
Section 7–101 through 7–103, 7–108, 7–111, and 7–113
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2009 Supplement, as amended)

BY adding to

The Public Local Laws of Somerset County
Section 7–101 and 7–102
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2009 Supplement, as amended)

BY repealing and reenacting, with amendments,

The Public Local Laws of Somerset County
Section 7–104 through 7–107, 7–109, 7–110, 7–112, 7–114 through
7–118, 7–202 through 7–205, 7–302, and 9–103
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2009 Supplement, as amended)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 10–202(p)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing
~~Article 25 – County Commissioners~~
~~Section 51(r)~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~
Article – Local Government
Section 16–204
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 Budget and Taxation.

House Bill 520 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Officials – Salaries

FOR the purpose of altering the salary of the Treasurer of St. Mary’s County, the Sheriff of St. Mary’s County, the Judges of the Orphans’ Court for St. Mary’s County, the President of the Board of County Commissioners of St. Mary’s County, and the County Commissioners of St. Mary’s County; providing that this Act does not apply to the salary or compensation of the Treasurer of St. Mary’s County, Sheriff of St. Mary’s County, Judges of the Orphans’ Court for St. Mary’s County, President of the Board of County Commissioners of St. Mary’s County, and County Commissioners of St. Mary’s County during a certain term of office; and generally relating to the salaries of public officials of St. Mary’s County.

~~BY repealing and reenacting, with amendments,~~
~~Article 25 – County Commissioners~~
~~Section 51(d)~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Local Government

Section 16–203

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 – Courts and Judicial Proceedings

Section 2–309(t)

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 2–108(s)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

The Public Local Laws of St. Mary’s County

Section 26–3A.

Article 19 – Public Local Laws of Maryland

(2007 Edition and January 2011 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 523 – Delegates Myers, Afzali, Boteler, Hogan, Jacobs, Krebs, McComas, McConkey, W. Miller, Norman, Otto, Schulz, Serafini, Smigiel, and Stocksdale

AN ACT concerning

Short–Term Rental of Motorcycles

FOR the purpose of including certain motorcycles in the definition of “short–term vehicle rental” for purposes of determining the sales and use tax rate for certain vehicle rentals; including certain motorcycles in the definition of “rental vehicle” for purposes of the Motor Vehicle Law; and generally relating to the sales and use tax rate and certain Motor Vehicle Law provisions relating to certain motorcycle rentals.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–104(c)

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

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–148.1(a) and 13–939.1
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 555 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Building Impact Fees – Deferrals

FOR the purpose of authorizing the County Commissioners of St. Mary’s County to defer the building impact fee imposed on certain newly constructed living units for a certain period of time; and generally relating to the authority of the County Commissioners of St. Mary’s County to defer building impact fees.

~~BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 10D–1
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Local Government
Section 20–706
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 Education, Health, and
Environmental Affairs.

House Bill 591 – Delegate Morhaim

AN ACT concerning

State Board of Pharmacy – Wholesale Distribution – Pharmacies

FOR the purpose of authorizing certain pharmacy permit holders to conduct wholesale
distribution under certain circumstances; limiting the authority of a pharmacy
permit holder certain pharmacy permit holders to engage in wholesale

~~distribution; altering certain definitions~~ altering the definition of “intracompany sales” to exclude from the definition a transaction or transfer of prescription drugs from a pharmacy to a wholesale distributor; altering the definition of “wholesale distribution” to exempt from the requirement to obtain a wholesale distribution permit the sale or transfer from a pharmacy or pharmacy warehouse of certain prescription drugs to the original wholesale distributor; conforming the definition of “wholesale distributor” to certain provisions of this Act; and generally relating to wholesale distribution and pharmacies.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12-406 and ~~12-6C-01(i) and (v)~~ 12-6C-01(i), (u), and (v)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 690 – Delegates Pena-Melnyk, Barnes, Braveboy, Cane, Costa, Cullison, Frush, Healey, Hubbard, A. Kelly, Kipke, Lafferty, McIntosh, Morhaim, Murphy, Nathan-Pulliam, Oaks, Ready, Reznik, Sophocleus, Swain, Tarrant, V. Turner, ~~and Vaughn~~ Vaughn, Hammen, Pendergrass, Bromwell, Donoghue, Elliott, Frank, Krebs, and McDonough

AN ACT concerning

Virginia I. Jones Alzheimer’s Disease and Related Disorders Council

FOR the purpose of establishing the Virginia I. Jones Alzheimer’s Disease and Related Disorders Council; providing for the membership of the Council; requiring the Governor to consider the geographic and demographic diversity of the State in appointing individuals to the Council; requiring the Secretary of Health and Mental Hygiene and the Secretary of Aging, or their designees, to cochair the Council; requiring the Department of Health and Mental Hygiene, with assistance from the Department of Aging, to provide staff support for the Council; authorizing the Department to request certain staffing assistance; providing that a member of the Council may not receive certain compensation but is entitled to certain reimbursement; providing for the duties of the Council; defining a certain term; providing for the termination of this Act; and generally relating to the Virginia I. Jones Alzheimer’s Disease and Related Disorders Council.

BY adding to

Article – Health – General

Section 13-3101 through 13-3106 to be under the new subtitle “Subtitle 31. Virginia I. Jones Alzheimer’s Disease and Related Disorders Council”

Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 757 – Delegate Holmes

AN ACT concerning

Procurement – Minority Business Enterprises – Reporting of Architectural Services and Engineering Services Contracts

FOR the purpose of requiring certain units of State government to report to certain entities information concerning procurements by the unit for architectural services and engineering services involving minority business enterprises for the preceding fiscal year; altering certain definitions; and generally relating to the reporting of procurements for architectural services and engineering services and minority business enterprises.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–101(b) and (i)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–305
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 767 – Delegate Frush (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund) and Delegates S. Robinson, ~~Afzali~~, Arora, Barkley, Barnes, Barve, Beidle, Bobo, Cane, Cardin, Carr, Davis, ~~Eckardt~~, Frick, Gaines, George, Gilchrist, Guzzone, Haddaway–Ricchio, Haynes, Healey, Hogan, Holmes, Hubbard, Hucker, Ivey, Kach, A. Kelly, Kipke, Kramer, Lafferty, Lee, Love, Luedtke, Malone, McComas, McIntosh, McMillan, A. Miller, Minnick, Morhaim, Niemann, ~~Norman~~, ~~O'Donnell~~, Olszewski, Pena–Melnik, Pendergrass, Reznik, Swain, Valentino–Smith, ~~Vitale~~, Waldstreicher, Weir, Wilson, ~~and Zucker~~ Zucker, Busch, Glenn, and Stein

AN ACT concerning

Animal Welfare – Spay/Neuter Fund – Establishment

FOR the purpose of establishing the Spay/Neuter Fund within the Department of Agriculture; stating the purpose of the Fund; requiring the Department to administer the Fund; specifying the contents of the Fund; requiring the Department to establish a certain ~~surcharge on~~ fee on certain commercial animal feed prepared and distributed for consumption by dogs or cats and deposit the revenue into the Fund; ~~authorizing the Fund to be used to establish a statewide voucher program to support the provision of spay/neuter services; establishing certain income based eligibility criteria for the voucher program; requiring the Department to negotiate certain rates for the provision of low cost spay and neuter surgeries and rabies shots under the voucher program; requiring the Department to set a nominal copayment to be made by a participating eligible individual under the voucher program; requiring the Department to deposit all money received for copayments into the Fund; authorizing an eligible individual to purchase a voucher from the Department after taking certain action; requiring the Department to provide certain information to an eligible individual who purchases a voucher; authorizing an eligible individual who purchases a voucher to redeem the voucher for a free spay or neuter surgery and, if necessary, rabies shot at a participating veterinarian; prohibiting a participating veterinarian from billing an eligible individual for certain additional charges; authorizing a participating veterinarian to submit a redeemed voucher to the Department for reimbursement at a certain rate;~~ authorizing the Fund to be used to establish a competitive grant program to support the provision of spay/neuter services; requiring the Department to solicit grant proposals and evaluate the proposals based on certain standards; establishing the Spay/Neuter Advisory Board; providing for the composition and the chair of the Advisory Board; requiring the Department to provide staff support for the Advisory Board; providing that a member of the Advisory Board may not receive compensation for service on the Advisory Board but is entitled to reimbursement for certain expenses; establishing the duties of the Advisory Board; authorizing the Department to use money in the Fund to finance certain public education and outreach programs; authorizing the Department to use the Fund for certain costs of administering the Fund; requiring the Department to adopt certain regulations; providing that the Fund is a special, nonlapsing fund; requiring the State Treasurer to hold the Fund separately and invest the money of the Fund; requiring the Comptroller to account for the Fund; requiring certain local agencies and organizations to report certain information to the Department in a certain manner at certain time intervals; requiring the Department to report certain information annually by a certain date to the Governor and the General Assembly; adding the Fund to the list of exceptions to the requirement that the earnings of special funds accrue to the General Fund; requiring the Department to report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; defining certain terms; and generally relating to animal welfare and the establishment of the Spay/Neuter Fund.

BY adding to

Article – Agriculture

Section ~~2-303.1 and 6-107.4~~ 2-1601 through 2-1605 to be under the new subtitle “Subtitle 16. Spay/Neuter Fund”

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – Agriculture~~

~~Section 6-103 and 6-107~~

~~Annotated Code of Maryland~~

~~(2007 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

(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)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 785 – Delegates A. Washington, Afzali, Barnes, Braveboy, Burns, Davis, Healey, Hough, Ivey, Luedtke, Minnick, Pena-Melnyk, Ready, Valderrama, Vaughn, and Walker

AN ACT concerning

Commercial Law – Maryland Credit Services Businesses Act – Scope

FOR the purpose of altering the definition of “credit services business” for purposes of the Maryland Credit Services Businesses Act to exclude a person licensed by the State as an associate real estate broker or a real estate salesperson; and generally relating to the Maryland Credit Services Businesses Act.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–1901(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1901(e)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

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

House Bill 793 – Delegate Hucker

AN ACT concerning

Environment – Asbestos Occupation – Training Program and Examination

FOR the purpose of authorizing a business entity to provide an asbestos training program; prohibiting a business entity that provides an asbestos training program from administering an asbestos occupation exam; altering the definition of “independent testing organization”; and generally relating to asbestos training and examinations.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–417
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 830 – Delegate Rudolph

AN ACT concerning

Alternatives to the General Educational Development Tests – Study

FOR the purpose of requiring the Division of Workforce Development and Adult Learning in the Department of Labor, Licensing, and Regulation to conduct a certain study regarding the evaluation of alternative methods for obtaining the equivalent of a high school diploma; requiring the Division to submit the results of the study to the General Assembly on or before a certain date; and generally

relating to a study regarding the evaluation of alternative methods for obtaining the equivalent of a high school diploma.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 955 – Delegates Jameson and Kaiser

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs

FOR the purpose of establishing the Task Force to Study Temporary Disability Insurance Programs; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings 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 Temporary Disability Insurance Programs.

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

House Bill 980 – Delegates V. Turner, Cullison, Elliott, Frank, Gutierrez, Hubbard, Kach, A. Kelly, Murphy, Pendergrass, Reznik, Tarrant, and Valentino-Smith

AN ACT concerning

Maryland Board of Physicians – Authority to Issue Temporary Licenses and Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee

FOR the purpose of repealing the authority of the Maryland Board of Physicians to issue temporary licenses to practice radiation therapy, radiography, or nuclear medicine technology; repealing certain provisions of law referring to certain temporary licenses; ~~reducing the number of members appointed to the Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee;~~ repealing a certain defined term; altering a certain definition; making certain clarifying and technical changes; and generally relating to the Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee and the repeal of the authority of the Maryland Board of Physicians to issue temporary licenses.

BY repealing and reenacting, without amendments,
Article – Health Occupations

Section 14-5B-01(a) and 14-5B-05(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing

Article – Health Occupations
Section 14-5B-01(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 14-5B-01(p), 14-5B-05(a) ~~and (b)~~, 14-5B-07, 14-5B-09, 14-5B-13,
14-5B-14(a) and (c), 14-5B-15(a) through (c), and 14-5B-18.1(a)
through (c)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1062 – Delegates Cullison, Costa, Elliott, Kach, A. Kelly, Krebs, Oaks, and Reznik

AN ACT concerning

Hospitals – Notice to Patients – Outpatient Status and Billing Implications

FOR the purpose of requiring a hospital, under certain circumstances, to provide certain notice to a patient of the patient's outpatient status and the billing implications of the outpatient status; requiring the Department of Health and Mental Hygiene, in consultation with certain hospitals, to adopt by regulation ~~standard language for~~ standardized elements to be included in a certain written notice; and generally relating to notices provided by hospitals to patients.

BY adding to

Article – Health – General
Section 19-349.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1152 – Delegates W. Miller, Barkley, Haddaway-Riccio, Impallaria, Jameson, Love, Olszewski, Schuh, Stifler, ~~and Vaughn~~ Vaughn, Feldman, Hershey, Minnick, and Schulz

AN ACT concerning

Electric Reliability – Priorities and Funding

FOR the purpose of requiring the Public Service Commission and certain electric companies to establish certain priorities for certain remediation projects; establishing an Electric Reliability Remediation Fund in the Commission; providing for the purpose, administration, investment, sources, and permissible uses of the Fund; requiring that certain electric companies maintain the reliability of their distribution systems in accordance with certain standards; providing that certain civil penalties shall be paid into the Fund; defining certain terms; and generally relating to priorities and the reliability of the electric distribution system.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–213, 7–506, and 13–201(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1205 – Delegate Rudolph

AN ACT concerning

~~Task Force to Study of~~ **Task Force to Study of Captive Insurers**

FOR the purpose of ~~establishing the Task Force to Study Captive Insurers; providing for the purpose, membership, cochairs, and staffing of the Task Force; providing that the members of the Task Force may not receive compensation, but may be reimbursed for certain expenses; requiring the Task Force to study and requiring the Maryland Insurance Administration to study and examine methods to establish and properly regulate a captive insurer industry in the State; authorizing the Administration to hire a certain consultant to assist in the study; requiring the Administration to report on certain matters to the Governor and certain committees on or before a certain date; providing for the termination of this Act;~~ and generally relating to the captive insurance industry.

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

House Bill 1237 – Delegate Bromwell (By Request – State Board of Pharmacy)

AN ACT concerning

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

FOR the purpose of repealing a certain exception from the requirement that an individual be licensed by the Board of Pharmacy before the individual may practice pharmacy in the State; requiring a dentist, physician, or podiatrist who dispenses a prescription drug or device in the course of treating a patient at a medical facility or clinic that specializes in the treatment of medical cases reimbursable through workers’ compensation insurance to obtain a dispensing permit and meet certain other requirements; and generally relating to dispensing of prescription drugs or devices by dentists, physicians, or podiatrists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–102(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1296 – Delegates Cullison and Frank

AN ACT concerning

State Board of Physicians – Quasi–Judicial Powers – Revision

FOR the purpose of authorizing the State Board of Physicians to issue a cease and desist order or obtain injunctive relief against an individual for taking any action ~~that may be~~ for which the Board determines there is a preponderance of evidence of grounds for discipline under a certain provision of law and that poses a certain risk to a patient; requiring the Board to adopt certain regulations to carry out a certain provision of law; and generally relating to the quasi–judicial powers of the State Board of Physicians.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–206
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1315 – Delegates Clagett and Zucker

AN ACT concerning

**Economic Development Programs – Data Collection and Tracking
(Maryland Jobs Development Act)**

FOR the purpose of requiring the Department of Business and Economic Development ~~to work with all units of the State that administer economic development programs~~ to compile ~~comprehensive~~ certain data on ~~all~~ certain economic development programs administered ~~in the State~~ by the Department; requiring the Department to submit a certain report on ~~all~~ certain economic development programs ~~administered in the State~~ on or before a certain date each year; requiring the report to contain certain data in certain formats; requiring the Department to ~~adopt certain regulations~~; implement a certain process to assist certain economic development program recipients; defining a certain term; and generally relating to data collection and tracking of economic development programs in the State.

BY adding to

Article – Economic Development
Section 2–123
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 586)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #39

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 – 46 Negative – 0 (See Roll Call No. 587)

The Bill was then sent to the House of Delegates.

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:

Affirmative – 45 Negative – 1 (See Roll Call No. 588)

The Bill was then sent to the House of Delegates.

**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 – 46 Negative – 0 (See Roll Call No. 589)

The Bill was then sent to the House of Delegates.

Senate Bill 757 – ~~Senator Ramirez~~ Senators Ramirez and Garagiola

AN ACT concerning

**Maryland Occupational Safety and Health Act – Discrimination Against
Employee – Complaints**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 590)

The Bill was then sent to the House of Delegates.

Senate Bill 762 – Senator Ramirez

AN ACT concerning

Environment – Asbestos Occupation – Training Program and Examination

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

Affirmative – 46 Negative – 0 (See Roll Call No. 591)

The Bill was then sent to the House of Delegates.

Senate Bill 797 – Senator Middleton

AN ACT concerning

**~~Renewable Energy Portfolio Standard – Wood and Plant Derived Biomass~~
~~Systems~~
Thermal Energy – Task Force and Regulations**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 592)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 593)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 594)

The Bill was then sent to the House of Delegates.

Senate Bill 980 – Senator Pipkin

AN ACT concerning

Queen Anne’s County – Winery Special Event Permits – Farmers’ Markets

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

Affirmative – 46 Negative – 0 (See Roll Call No. 595)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 1004 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Sunday Sales

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 297 – ~~Senator Zirkin~~ Senators Zirkin and Kittleman

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimis Quantity

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

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

Affirmative – 30 Negative – 16 (See Roll Call No. 596)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON FINANCE REPORT #16

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 752 – Senator Robey

AN ACT concerning

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

SB0752/497479/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 752

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Robey” and substitute “Senators Robey, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez”.

AMENDMENT NO. 2

On page 1, in line 8, strike “is” and substitute “may be paid or”; in the same line, strike “and shall continue for a certain period”; in line 9, strike “at least three counties in” and substitute “multiple regions of”; strike beginning with the comma in line 9 down through “State” in line 10; in line 16, after “issue” insert “a”; in the same line, strike “reports” and substitute “report”; in the same line, after the second “to” insert “the Senate Budget and Taxation Committee,”; in the same line, after “Committee” insert a comma; in line 17, strike “by” and substitute “on or before a”; in the same line, strike “dates” and substitute “date”; in line 18, strike “reports” and substitute “report”; and strike in their entirety lines 21 through 25, inclusive, and substitute:

“BY adding to

Article – State Finance and Procurement

Section 3–207

Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)”.

On page 2, strike in their entirety lines 1 and 2 and substitute:

“Article – State Finance and Procurement

3–207.”.

AMENDMENT NO. 3

On page 2, in line 13, strike “**OF BUDGET AND MANAGEMENT**”; in line 15, after “**SECRETARY**” insert “**OF HUMAN RESOURCES**”; and in line 16, strike “**LOCAL SOCIAL SERVICES DIRECTORS**” and substitute “**LOCAL DIRECTORS OF LOCAL DEPARTMENTS OF SOCIAL SERVICES**”; in line 18, strike “**EXCLUSIVELY**”; strike beginning with “**AT**” in line 23 down through “**SHORE**” in line 25 and substitute “**MULTIPLE REGIONS OF THE STATE**”; in line 26, strike “**SHALL BE**” and substitute “**MAY BE PAID OR**”; and strike beginning with “**AND**” in line 26 down through “**MONTHS**” in line 28.

On page 3, in line 5, strike “**17**” and substitute “**15**”; in line 6, strike “**OCTOBER 31 OF EACH YEAR**” and substitute “**OCTOBER 31, 2015**”; in lines 6 and 7, strike “**OF BUDGET AND MANAGEMENT**”; in line 7, after “**SECRETARY**” insert “**OF HUMAN RESOURCES**”; in line 8, after “**TO**” insert “**THE SENATE BUDGET AND TAXATION COMMITTEE,**”; in the same line, after “**COMMITTEE**” insert a comma; strike in their entirety lines 17 through 22, inclusive; and in line 23, 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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

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

SB0849/597073/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 849

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Middleton” and substitute “Middleton, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh”; in line 5, strike “opening” and substitute “applying for”; strike beginning with “authorizing” in line 5 down through “circumstances;” in line 7; in line 8, strike “by taking certain action”; in line 10, after “tenant” insert “under certain circumstances; authorizing a certain utility service provider to require a certain tenant to pay a deposit and past due balances from certain accounts before establishing a new utility service account for the tenant”; in line 11, strike “certain rights” and substitute “a certain tenant’s ability to establish a new utility service account”; strike beginning with “authorizing” in line 11 down through “circumstances;” in line 15; strike beginning with “authorizing” in line 18 down through “notices;” in line 22; in line 23, after “notice;” insert “requiring the Public Service Commission to authorize certain cost recovery of a utility service provider’s costs under this Act; authorizing a certain tenant to deduct certain payments from rent due to a landlord, under certain circumstances;”; and in line 28, after “tenant;” insert “providing for a delayed effective date;”.

On page 2, after line 5, insert:

“BY adding to

Article – Real Property

Section 8–212.3

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 20, after “(A)” insert “**THIS SECTION DOES NOT APPLY TO ELECTRIC COOPERATIVES.**”

(B);

in line 22, strike “RESIDENTIAL”; in line 24, strike “IS”; strike beginning with “THE” in line 25 down through “TERMINATION” in line 26 and substitute “IS IN THE LANDLORD’S NAME”; in line 26, strike “AND”; in line 27, after “(II)” insert “IS”; in the same line, strike “SEPARATE” and substitute “SINGLE”; in the same line, strike “THE” and substitute “A SINGLE”; in line 28, after “UNIT” insert “; AND”

(III) DOES NOT USE A MASTER METER;

in line 29, after “(3)” insert ““CO-OCCUPANT” MEANS TWO OR MORE ADULTS WHO OCCUPY THE SAME DWELLING UNIT AS THEIR PRIMARY DOMICILE OR LEGAL RESIDENCE WITHIN THE STATE.”

(4);

and strike beginning with the colon in line 30 down through “RENTS” in line 33 and substitute “LEASES”.

On page 3, in lines 1, 4, and 7, strike “(4)”, “(5)”, and “(6)”, respectively, and substitute “(5)”, “(6)”, and “(7)”, respectively; strike beginning with “RENTS” in line 2 down through “PROVIDER” in line 3 and substitute “:

(I) HAS A VALID ORAL OR WRITTEN LEASE TO RESIDE IN THE AFFECTED DWELLING UNIT; AND

(II) IS NOT A CO-OCCUPANT WITH THE LANDLORD IN THE AFFECTED DWELLING UNIT;

in lines 4 and 8, in each instance, strike the first comma and substitute “OR”; in the same lines, in each instance, strike “, OR WATER”; in line 5, strike “BY A PUBLIC SERVICE COMPANY”; in line 6, after “UNIT” insert “BY A PUBLIC SERVICE COMPANY THAT IS REGULATED BY THE COMMISSION”; in line 8, after “THAT” insert “:

(I);

and in the same line, after “SERVICE” insert “; AND”

(II) IS REGULATED BY THE COMMISSION’.

AMENDMENT NO. 3

On page 3, in line 9, strike “**(B) (1) A TENANT MAY**” and substitute “**(C) IF UTILITY SERVICE AT AN AFFECTED DWELLING UNIT IS SUBJECT TO THE THREAT OF TERMINATION OR ACTUAL TERMINATION, A TENANT RESIDING IN THE AFFECTED DWELLING UNIT**”; in line 10, strike “**(I)**” and substitute “**(1)**”; strike beginning with “PREVENT” in line 10 down through “TENANT” in line 13 and substitute “**MAY APPLY FOR A NEW UTILITY SERVICE ACCOUNT IN THE TENANT’S NAME**”; in line 13, strike “OR” and substitute “AND”; strike in their entirety lines 14 through 16, inclusive; strike beginning with “IF” in line 17 down through “TENANT” in line 18; and strike beginning with “PREVIOUS” in line 18 down through “RECONNECTION” in line 19; in line 21, strike “**(C) (1) IF A TENANT TAKES ACTION**” and substitute “**(D)(1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, WHEN A TENANT APPLIES FOR A NEW UTILITY SERVICE ACCOUNT**”; in the same line, strike “**(B)**” and substitute “**(C)(1)**”; in line 24, after “TENANT” insert “**IF THE TENANT MEETS THE REQUIREMENTS OF ALL APPLICABLE LAWS, REGULATIONS, AND TARIFFS**”; in line 25, after “**(2)**” insert “**A UTILITY SERVICE PROVIDER MAY, IN ACCORDANCE WITH APPLICABLE LAWS, REGULATIONS, AND TARIFFS, REQUIRE A TENANT TO PAY A DEPOSIT AND PAST DUE BALANCES FROM PREVIOUS ACCOUNTS IN THE TENANT’S NAME BEFORE ESTABLISHING A NEW UTILITY SERVICE ACCOUNT IN THE TENANT’S NAME.**”

(3)’;

in line 26, strike “LIMIT” and substitute “CONDITION”; strike beginning with “RIGHT” in line 26 down through “A” in line 28 and substitute “**ABILITY TO ESTABLISH A NEW UTILITY SERVICE ACCOUNT IN THE TENANT’S NAME BECAUSE OF ARREARAGES ON THE**”; in line 28, strike “PAST DUE”; and strike beginning with the first “OR” in line 28 down through “LANDLORD” in line 29.

AMENDMENT NO. 4

On pages 3 and 4, strike beginning with “**(D)**” in line 30 on page 3 down through “SHALL” in line 11 on page 4 and substitute “**(E) NOTWITHSTANDING ANY OTHER LAW GOVERNING THE PROTECTION OF CUSTOMER INFORMATION, IF THE**”

BILLING ADDRESS FOR A UTILITY SERVICE ACCOUNT IS DIFFERENT FROM THE SERVICE ADDRESS FOR THE SAME UTILITY SERVICE ACCOUNT AND A UTILITY SERVICE PROVIDER SENDS A TERMINATION NOTICE TO THE BILLING ADDRESS, THE UTILITY SERVICE PROVIDER SHALL:

(1)”.

On page 4, in line 11, after “SEND A” insert “TERMINATION”; in line 12, after “NOTICE” insert “TO THE SERVICE ADDRESS”; in the same line, after “MAIL” insert “OR POST A TERMINATION NOTICE IN A CONSPICUOUS LOCATION AT THE SERVICE ADDRESS AT LEAST 14 DAYS BEFORE TERMINATING UTILITY SERVICE”; strike beginning with “IF” in line 12 down through the period in line 16 and substitute a semicolon; strike beginning with “THE” in line 17 down through the period in line 19 and substitute “ENSURE THAT THE NOTICE CONTAINS:

(I) THE EARLIEST DATE THAT SERVICE WILL BE TERMINATED; AND

(II) THE TELEPHONE NUMBER THE TENANT MAY CALL TO OBTAIN FURTHER INFORMATION;”;

in line 20, strike “**THE UTILITY SERVICE PROVIDER SHALL**”; strike beginning with the first “**THE**” in line 21 down through “**TO**” in line 22; strike beginning with “**IF**” in line 22 down through the period in line 23 and substitute “**;AND**”; strike beginning with “**THE**” in line 24 down through “**STATE,**” in line 25 and substitute “**ENCLOSE THE NOTICE IN AN ENVELOPE THAT STATES**”; in line 26, after “**TO**” insert “**ALL**”; and in line 27, strike “**SHUT-OFF**” and substitute “**TERMINATION**”.

On pages 4 and 5, strike in their entirety the lines beginning with line 28 on page 4 through line 13 on page 5, inclusive.

AMENDMENT NO. 5

On page 5, in line 14, strike “**(G)**” and substitute “**(F)**”; in the same line, strike “**MAILING**” and substitute “**BILLING**”; in the same line, strike “**OF THE AFFECTED DWELLING UNIT**” and substitute “**FOR A UTILITY SERVICE ACCOUNT**”; in line 15, strike “**BILLING**” and substitute “**SERVICE**”; in the same line, after “**ADDRESS**” insert “**FOR THE SAME UTILITY SERVICE ACCOUNT**”; strike beginning with “**HAS**” in line

15 down through “PROPERTY” in line 16 and substitute “SENDS A TERMINATION NOTICE”; in line 17, strike “OF TERMINATION”; strike beginning with the colon in line 17 down through “(2)” in line 20; in line 22, after “TO” insert “ALL”; and in line 23, strike “SHUT-OFF” and substitute “TERMINATION”; in line 24, strike “(H)” and substitute “(G)”; and strike beginning with “TENANT’S” in line 24 down through “LEASE” in line 25 and substitute “TENANT MAY DEDUCT FROM RENT DUE TO A LANDLORD THE AMOUNT OF PAYMENTS MADE TO A UTILITY SERVICE PROVIDER IN ACCORDANCE WITH § 8-212.3 OF THE REAL PROPERTY ARTICLE.”

(H) IN A RATE PROCEEDING FILED UNDER TITLE 4, SUBTITLE 2 OF THIS ARTICLE, THE COMMISSION SHALL AUTHORIZE THE FULL AND TIMELY COST RECOVERY OF A UTILITY SERVICE PROVIDER’S PRUDENTLY INCURRED COSTS ARISING FROM ITS OBLIGATIONS UNDER THIS SECTION”.

AMENDMENT NO. 6

On page 5, after line 26, insert:

“8-212.3.

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

(2) “AFFECTED DWELLING UNIT” HAS THE MEANING STATED IN § 7-309 OF THE PUBLIC UTILITIES ARTICLE.

(3) “LANDLORD” HAS THE MEANING STATED IN § 7-309 OF THE PUBLIC UTILITIES ARTICLE.

(4) “TENANT” HAS THE MEANING STATED IN § 7-309 OF THE PUBLIC UTILITIES ARTICLE.

(5) “UTILITY SERVICE” HAS THE MEANING STATED IN § 7-309 OF THE PUBLIC UTILITIES ARTICLE.

(6) “UTILITY SERVICE PROVIDER” HAS THE MEANING STATED IN § 7-309 OF THE PUBLIC UTILITIES ARTICLE.

(B) A TENANT MAY DEDUCT FROM RENT DUE TO A LANDLORD THE AMOUNT OF PAYMENTS MADE TO A UTILITY SERVICE PROVIDER FOR UTILITY SERVICE IF:

(1) AN ORAL OR WRITTEN LEASE FOR AN AFFECTED DWELLING UNIT REQUIRES THE LANDLORD TO PAY THE UTILITY BILL; AND

(2) (I) THE TENANT PAYS ALL OR PART OF THE UTILITY BILL, INCLUDING PAYMENTS MADE ON A NEW UTILITY SERVICE ACCOUNT; OR

(II) THE TENANT PAYS ANY SECURITY DEPOSIT REQUIRED TO OBTAIN A NEW UTILITY SERVICE ACCOUNT.

(C) A TENANT’S RIGHTS UNDER THIS SECTION MAY NOT BE WAIVED IN ANY LEASE.”.

On page 6, in line 27, strike “October 1, 2013” and substitute “January 1, 2014”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 888 – Senator Garagiola

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs

SB0888/197479/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 888

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Garagiola” and substitute “Senators Garagiola, Klausmeier, and Muse”; 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 13, strike “and”; in line 14, after “public” insert “:

(viii) one representative of a disability advocacy organization; and

(ix) two representatives of local departments of social services”;

and in line 16, after “Administration” insert “and the Department of Human Resources”.

On page 3, after line 15, 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 and who apply for assistance, including food stamps, temporary cash assistance, energy assistance benefits, temporary disability assistance benefits, and medical assistance.”;

and in lines 16 and 18, strike “(6)” and “(7)”, respectively, and substitute “(7)” and “(8)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #11

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

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

SB0486/969336/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 486

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Young” and substitute “Young, and Jones–Rodwell”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 535 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Amusement Devices – Tip Jars

SB0535/779532/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 535

(First 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;”; and strike in their entirety lines 10 through 14, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 17–441(a) and 17–442

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

(As enacted by Chapter (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 17–441(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

(As enacted by Chapter (H.B. 472) of the Acts of the General Assembly of 2013)”.

AMENDMENT NO. 2

On pages 1 through 4, strike in their entirety the lines beginning with line 22 on page 1 through line 4 on page 4, inclusive, and substitute:

“Article – Business Regulation

17–441.

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

(b) (1) “Amusement device” means:

(I) a billiard table; or

(II) A game activated by coins [or], tokens, OR OTHER OBJECTS

OR CONSIDERATION OF VALUE.

(2) “Amusement device” includes:

(i) a video game;

(ii) an electronic game;

- (iii) a claw machine;
- (iv) a bowling game;
- (v) a shuffleboard game;
- (vi) a pool table;
- (vii) a pinball machine;
- (viii) a target machine;
- (ix) a baseball machine; and
- (x) any other similar device.

(3) “Amusement device” does not include a vending machine in which amusement features are not incorporated.

17-442.

Part V of this subtitle applies only in Washington County.”.

On page 5, in line 20, strike “the lesser of \$45 or”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 639 – Senators Manno, Forehand, and Raskin

AN ACT concerning

Civil Rights Tax Relief Act

SB0639/909036/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 639

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Raskin” and substitute “Raskin, Kasemeyer, McFadden, Jones–Rodwell, Brinkley, Madaleno, Edwards, King, Peters, Robey, Colburn, and DeGrange”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 658 – Senators King, Brinkley, Currie, Ferguson, Garagiola, Manno, Montgomery, Raskin, and Robey

AN ACT concerning

Estate Tax and Income Tax – Qualifying Income Interest for Life and Subtraction Modification for Health Insurance and Medical Expenses

SB0658/309734/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 658

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Robey” and substitute “Robey, Jones–Rodwell, and McFadden”; 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.

(8) NOTWITHSTANDING ANY CONTRARY DEFINITION OF "MARRIAGE" AND "SPOUSE" UNDER ANY APPLICABLE PROVISION OF FEDERAL LAW, FOR PURPOSES OF CALCULATING MARYLAND ESTATE TAX UNDER THIS SUBSECTION, 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 AS DETERMINED UNDER THE LAWS OF THE STATE."

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.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 813 – Senator Shank

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

SB0813/199635/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 813

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Shank” and substitute “Senators Shank and Edwards”; in line 4, after “for” insert “the total amount of”; in line 5, strike

“accumulated as a member of a former system” and substitute “accrued by the member in certain systems”; in line 6, strike “computation” and substitute “calculation”; and strike beginning with “accumulated” in line 7 down through “system” in line 8 and substitute “accrued by a member in certain systems”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 21, inclusive, and substitute:

“(F) (1) THIS SUBSECTION APPLIES TO A MEMBER OF THE EMPLOYEES’ PENSION SYSTEM WHO:

(I) WAS A MEMBER OF THE CORRECTIONAL OFFICERS’ RETIREMENT SYSTEM AND WAS TRANSFERRED FROM THE CORRECTIONAL OFFICERS’ RETIREMENT SYSTEM TO THE EMPLOYEES’ PENSION SYSTEM AS A RESULT OF A CHANGE IN POSITION WITH THE SAME EMPLOYER THAT RENDERED THE INDIVIDUAL INELIGIBLE FOR MEMBERSHIP IN THE CORRECTIONAL OFFICERS’ RETIREMENT SYSTEM; AND

(II) DID NOT TRANSFER SERVICE CREDIT FROM THE CORRECTIONAL OFFICERS’ RETIREMENT SYSTEM TO THE EMPLOYEES’ PENSION SYSTEM.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A MEMBER IS ENTITLED TO RECEIVE CREDITABLE SERVICE FOR THE TOTAL AMOUNT OF UNUSED SICK LEAVE ACCRUED BY THE MEMBER AT THE TIME OF RETIREMENT.

(3) THE CREDITABLE SERVICE FOR UNUSED SICK LEAVE SHALL BE CALCULATED FOR EACH OF THE TWO STATE SYSTEMS BY MULTIPLYING THE TOTAL AMOUNT OF UNUSED SICK LEAVE, CALCULATED IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION, BY A FRACTION:

(I) THE NUMERATOR OF WHICH IS THE CREDITABLE SERVICE EARNED IN THE STATE SYSTEM, NOT INCLUDING THE CREDITABLE SERVICE FOR UNUSED SICK LEAVE; AND

(II) THE DENOMINATOR OF WHICH IS THE TOTAL CREDITABLE SERVICE EARNED IN BOTH STATE SYSTEMS, NOT INCLUDING THE CREDITABLE SERVICE FOR UNUSED SICK LEAVE.”.

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 JUDICIAL PROCEEDINGS REPORT #13

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 87 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Seat Belts and Child Safety Seats

SB0087/818671/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 87

(First Reading File Bill)

On page 1, in the sponsor line, after “Transportation)” insert “and Senator Forehand”.

The preceding amendment was read only.

Senator Reilly moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings 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

SB0207/578570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 207

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 9 down through “school;” in line 12; in line 20, strike “and (vii)”; and strike in their entirety lines 23 through 27, inclusive.

AMENDMENT NO. 2

On page 2 in lines 20 and 21 and on page 4 in lines 21 and 22, strike “**DURING THE INTERVAL BETWEEN THE TWO TIME–STAMPED IMAGES**”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 10 through 31, inclusive.

AMENDMENT NO. 4

On page 4, in lines 1, 28, and 29, in each instance, strike the bracket; in line 1, after “contractor” insert “**, ON BEHALF OF A LOCAL JURISDICTION, PROVIDES, DEPLOYS, OR**”; in lines 1 and 29, in each instance, after “system” insert “**, OR**”; in line 3, strike “on behalf of a local jurisdiction”; and in line 28, after “contractor” insert “**, ON BEHALF OF A POLICE DEPARTMENT,**”.

On page 5, in line 1, strike “for a police department”.

The preceding 4 amendments were read only.

Senator Pipkin moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 249 – Senators Forehand and Raskin

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –
Retaliation Against Dealers**

Senator Raskin moved, duly seconded, to make the Bill and Report a Special Order for March 22, 2013.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 293 – Senator Zirkin

AN ACT concerning

**Vehicle Laws – Judgment Debtors – License and Registration Suspension –
Modification**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings 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**

SB0339/568173/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 339
(First 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 15 and 16, strike “**IN THE TRAVEL PORTION OF THE ROADWAY**”.

On page 4, in line 2, strike the brackets; in the same line, strike “**THE TRAVEL PORTION OF THE ROADWAY**”; in line 7, strike the brackets; in lines 7 and 8, strike “**THE TRAVEL PORTION OF THE ROADWAY**”; in line 13, after “Code.” insert a closing bracket; in line 16, strike “\$40; and” and substitute “**\$75;**”; in line 17, 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 18, strike beginning with “For” through “points” and substitute “**POINTS**”; in line 21, in each instance, strike the bracket; and in lines 21 and 22, strike “**THE PENALTY FOR A VIOLATION**”.

The preceding 2 amendments were read only.

Senator Reilly moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

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

SB0715/398479/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 715

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “purposes;” insert “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;”; and in line 11, after “date;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 21, strike “and”; and in line 22, after “**3.**” 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 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.

AMENDMENT NO. 3

On page 4, in line 12, strike “October 1, 2013” and substitute “January 1, 2014”.

The preceding 3 amendments were read only.

Senator Frosh moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 768 – Senators Raskin, Garagiola, Kasemeyer, King, Kittleman, Klausmeier, Montgomery, and Robey

AN ACT concerning

Organ Donation Driver Education Act of 2013

SB0768/228076/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 768

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Robey” and substitute “Robey, and Forehand”; in line 5, strike “an online” and substitute “a video”; in line 6, strike “allowing” and substitute “requiring”; in line 7, strike “online” and substitute “video”; in the same line, strike “or outside”; and strike beginning with “requiring” in line 7 down through “Maryland;” in line 8.

AMENDMENT NO. 2

On page 2, in line 6, strike “**30**” and substitute “NO MORE THAN 15”; in line 7, strike “**AN ONLINE**” and substitute “A VIDEO”; in line 8, strike “**MAY**” and substitute “SHALL”; in the same line, strike “**OR OUTSIDE**”; in line 9, after “**CLASSROOM;**” insert “AND”; and strike beginning with “**AND**” in line 12 down through “**MARYLAND;**” in line 14.

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #24

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 200 – Senator Gladden

AN ACT concerning

State Government – Departments and Units of Executive Branch – Heads and Officers – Qualifications

SB0200/674035/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 200

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Departments” in line 2 down through “Qualifications” in line 3 and substitute “Heads of Departments and Independent Agencies – Qualifications”; strike beginning with the comma in line 4 down through “government” in line 6 and substitute “or of an independent agency in the State”; and strike beginning with the comma in line 8 down through the second “government” in line 9 and substitute “or of an independent agency in the State”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

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

(2) “INDEPENDENT AGENCY” MEANS AN OFFICE, A COMMISSION, A BOARD, A DEPARTMENT, OR AN AGENCY ESTABLISHED AS AN INDEPENDENT UNIT OF GOVERNMENT THAT MAY RECEIVE BUDGETARY OR ADMINISTRATIVE SUPPORT FROM THE FEDERAL, STATE, OR LOCAL GOVERNMENT.

(3) “PRINCIPAL DEPARTMENT” HAS THE MEANING STATED IN § 8–201 OF THIS ARTICLE.

(B)”;

and strike beginning with the comma in line 19 down through “GOVERNMENT” in line 21 and substitute “OR OF AN INDEPENDENT AGENCY IN THE STATE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 223 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Class 7 Limited Beer Wholesaler’s License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 857 – Senators Miller, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Commission on the Establishment of a Maryland Educators Service Memorial

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 916 – Senator Klausmeier

AN ACT concerning

Task Force to Study Licensing and Continuing Education Requirements for Electricians

SB0916/854331/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 916
(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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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 EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #25**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 426 – Senator Simonaire

AN ACT concerning

Anne Arundel County – Drug Free School Zones – Hotline Number on Signs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 764 – Senator Conway

AN ACT concerning

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

SB0764/404337/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 764
(First Reading File Bill)

On page 2, in line 23, strike “Budget and Taxation” and substitute “Education, Health, and Environmental Affairs”.

On page 3, after line 1, insert:

“(ii) two representatives from the State Department of Education.”;

in lines 2, 5, and 8, strike “(ii)”, “(iii)”, and “(iv)”, respectively, and substitute “(iii)”, “(iv)”, and “(v)”, respectively; and in line 11, strike “Housing and Community Development” and substitute “Health and Mental Hygiene”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 855 – Senator Getty

AN ACT concerning

Public Schools – Collection of Biometric Information from Students – Prohibited

SB0855/294932/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 855

(First Reading File Bill)

On page 1, in line 2, before “Public” insert “Carroll County –”; in line 4, strike “a county board” and substitute “the Carroll County Board of Education”; and in lines 6 and 7, strike “the collection of” and substitute “prohibiting the Carroll County Board of Education from collecting”.

On page 2, in line 5, strike “A” and substitute “IN CARROLL COUNTY, THE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 856 – Senator Montgomery

AN ACT concerning

Education – Public School Holidays – Easter Monday

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #27**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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**

SB0194/334038/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 194
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Program;” insert “requiring the Department of Legislative Services to review a certain methodology, data analysis, findings, and recommendations and to make certain comments or recommendations, if any, on or before a certain date;”; and in line 8, strike “and a certain priority of the State”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 11 on page 1 through line 12 on page 2, inclusive.

On page 2, strike in their entirety lines 15 through 17, inclusive; in lines 18 and 21, strike “(b)” and “(c)”, respectively, and substitute “(a)” and “(b)”, respectively; in line 20, strike “shall be a State priority” and substitute “is timely in light of its tenth anniversary taking place in 2013”; in line 21, strike “December 15” and substitute “November 1”; strike in their entirety lines 25 through 27, inclusive; in line 28, strike “(2)” and substitute “(1)”; strike beginning with “and” in line 29 down through “revenues” in line 30; strike in their entirety lines 31 and 32 and substitute:

“(2) the amount of per pupil funding provided to charter schools as compared to traditional public schools including a disaggregation by major category as described under § 5–101(b)(2) of the Education Article for each county;

(3) how the per pupil funding provided at elementary, middle, and high school levels in charter schools in each county exceeds, equals, or is less than the per pupil funding amount available to traditional public schools;

(4) Maryland’s options to access federal charter school program grants;

(5) the academic, financial, and other performance of charter schools in Maryland;

(6) the primary causes of charter school successes and failures in the State;

(7) the availability of extracurricular and experience-based learning opportunities at charter schools;

(8) teacher satisfaction, retention, and turnover at charter schools;

(9) student enrollment and retention data and trends at charter schools, including a disaggregation of enrollment and retention by categories of English Language Learners, services for students with disabilities, race, ethnicity, and

free and reduced price meal status, compared to traditional public schools in each county;

(10) parent satisfaction at charter schools;

(11) ways to integrate best practices between charter schools and noncharter schools operating within a local jurisdiction;

(12) issues relating to the costs, availability, potential liabilities of outstanding capital debt, and financing of facilities, including risks to charter sponsors and local school systems;

(13) the use of contract schools, transformation schools, and other models similar to charter schools; and”;

and in line 33, strike “(4)” and substitute “(14)”.

AMENDMENT NO. 3

On page 3, in line 1, strike “(d)” and “(c)”, respectively, and substitute “(c)” and “(b)”, respectively; after line 2, insert:

“(1) documented consultation and cooperation with interested stakeholders including at least one representative from the American Federation of Teachers, the Maryland State Education Association, the Maryland Association of Boards of Education, charter school operators, parents of public school students, and charter school advocates;”;

in lines 3, 6, and 8, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively; after line 9, insert:

“(d) On or before December 31, 2013, the Department of Legislative Services shall:

(1) review the methodology, data analysis, findings, and recommendations contained within the study submitted under subsection (b) of this section; and

(2) make comments or recommendations related to the study, if any, to the General Assembly in accordance with § 2–1246 of the State Government Article.”;

in line 11, strike “July” and substitute “June”; and in the same line, after “and” insert “1 month and”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 461 – Senators Conway, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

**Primary and Secondary Education – Online Courses and Services –
Accessibility**

SB0461/864735/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 461

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “or a county board of education”; strike beginning with “for” in line 8 down through “individuals” in line 10 and substitute “to develop and conduct certain assessments”; and strike beginning with the second “the” in line 10 down through “method” in line 11 and substitute “certain assessments”.

AMENDMENT NO. 2

On page 2, in line 15, strike “**OR A COUNTY BOARD**”; in line 16, strike “**FOR**” and substitute “**TO**”; in line 17, strike “**THE DEVELOPMENT OF THE**” and substitute “**DEVELOP AN**”; after line 19, insert:

“2. CONDUCT AN ASSESSMENT OF COURSE ACCESSIBILITY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT WILL DETERMINE THE APPROVAL OR DENIAL STATUS OF THE COURSE AND PROVIDE FEEDBACK TO THE COURSE PROVIDER.”;

and strike in their entirety lines 20 through 24, inclusive.

On page 3, in line 1, strike “**DEVELOPING A METHOD BY WHICH**” and substitute “**ASSESSING**”; and in line 2, strike “**OR SERVICE WILL BE MADE ACCESSIBLE**” and substitute “**FOR ITS ACCESSIBILITY**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 739 – Senator Pinsky

AN ACT concerning

Agriculture – Nutrient Management Plans – Fertility Index Value Soil Testing

SB0739/154535/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 739

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “each” in line 5 down through “updated” in line 6 and substitute “every five years in accordance with a certain schedule”; in line 7, after “to” insert “protect the identity of certain persons and”; in line 8, strike “, notwithstanding a certain provision of law”; and in line 9, after “results” insert “in a certain manner”.

AMENDMENT NO. 2

On page 2, in line 9, strike “A” and substitute “THIS SUBSECTION APPLIES TO:”

(I) A;

in line 10, after “SUBTITLE” insert “; AND”

(II) 1. A PERSON WHO OPERATES A LIVESTOCK FARM WITH 100 OR MORE ANIMAL UNITS, DEFINED AS 1,000 POUNDS OF LIVE ANIMAL WEIGHT PER UNIT; OR

2. A PERSON WHO OPERATES A POULTRY FARM WITH A CAPACITY OF 125,000 OR MORE CHICKENS.

(2) A PERSON SUBJECT TO THIS SUBSECTION;

strike beginning with “EACH” in line 12 down through “UPDATED” in line 13 and substitute “EVERY 5 YEARS IN ACCORDANCE WITH A STAGGERED SUBMISSION SCHEDULE ESTABLISHED BY THE DEPARTMENT”; in lines 14, 23, and 26, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; in line 16, strike “(1)” and substitute “(2)”; strike beginning with “THE” in line 17 down through “PREPARED” in line 18 and substitute “A UNIQUE FIELD IDENTIFIER ESTABLISHED BY THE DEPARTMENT”; in line 19, strike “WATERSHED” and substitute “SUBWATERSHED”; in line 23, strike “NOTWITHSTANDING § 8–801.1(B) OF THIS SUBTITLE, THE” and substitute “THE”; in line 24, strike “(2)” and substitute “(3)”; in the same line, strike “BE” and substitute “:

(I) PROTECT THE IDENTITY OF THE PERSON WHO FORWARDED THE FERTILITY INDEX VALUE (FIV) SOIL TEST RESULTS IN ACCORDANCE WITH THIS SUBSECTION; AND

(II) BE;

in line 26, after “INCLUDE” insert “A SUMMARY OF”; and in line 28, after “YEAR” insert “IN A MANNER THAT PROTECTS THE IDENTITY OF THE PERSON WHO FORWARDED THE RESULTS”.

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

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

SB0820/844730/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 820

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “surcharge on” and substitute “fee on certain”; in the same line, strike “animal”; in the same line, after “feed” insert “prepared and distributed for consumption by dogs or cats”; and strike beginning with “authorizing” in line 7 down through “rate;” in line 23.

On page 2, in line 5, after “programs;” insert “authorizing the Department to use the Fund for certain costs of administering the Fund;”; in line 13, after “Fund;” insert “requiring the Department to report to certain committees of the General Assembly on or before a certain date;”; in line 18, strike “2–303.1 and 6–107.4” and substitute “2–1601 through 2–1605 to be under the new subtitle “Subtitle 16. Spay/Neuter Fund””; and strike in their entirety lines 21 through 25, inclusive.

AMENDMENT NO. 2

On page 3, in line 4, strike “**2-303.1.**” and substitute:

“SUBTITLE 16. SPAY/NEUTER FUND.

2-1601.”;

in line 5, strike “**(1)**”; in the same line, strike “SECTION” and substitute “SUBTITLE”; in lines 7 and 9, strike “**(2)**” and “**(3)**”, respectively, and substitute “(B)” and “(C)”, respectively; in line 8, strike “THIS SECTION” and substitute “§ 2-1604 OF THIS SUBTITLE”; in line 9, after the second “FUND” insert “ESTABLISHED UNDER § 2-1602 OF THIS SUBTITLE”; after line 9, insert:

“2-1602.”;

in lines 10, 11, 20, 21, and 25, strike “**(B)**”, “**(C)**”, “**(D)**”, “**(E)**”, and “**(F)**”, respectively, and substitute “(A)”, “(B)”, “(C)”, “(D)”, and “(E)”, respectively; strike beginning with the colon in line 12 down through “FINANCING” in line 16 and substitute “FINANCING”; in line 27, strike “COMMERCIAL FEED REGISTRATION SURCHARGE” and substitute “FEE”; in the same line, strike “§ 6-107.4” and substitute “§ 2-1603”; and in line 28, strike “ARTICLE” and substitute “SUBTITLE”.

AMENDMENT NO. 3

On page 4, in lines 3, 4, and 5, strike “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively; strike in their entirety lines 1 and 2; and in line 7, strike “**(G)**” and substitute “(F)”.

On pages 4 through 6, strike in their entirety the lines beginning with line 9 on page 4 through line 11 on page 6, inclusive.

On page 6, in line 12, strike “**(3)**” and substitute “(2)”.

AMENDMENT NO. 4

On page 7, in line 10, strike “**(VI)**” and substitute “(3)”; in the same line, strike “TO” and substitute “:

1. TO”;

in line 12, after “PROGRAM” insert “; AND”

2. FOR THE REASONABLE COSTS OF ADMINISTERING THE FUND’.

On pages 7 and 8, strike in their entirety the lines beginning with line 13 on page 7 through line 16 on page 8, inclusive.

AMENDMENT NO. 5

On page 8, in lines 17 and 21, strike “(I)” and “(J)”, respectively, and substitute “(G)” and “(H)”, respectively; and in line 23, after “REPORT” insert “QUARTERLY”.

AMENDMENT NO. 6

On page 9, in lines 1, 7, 9, 11, 14, and 17, strike “(K)”, “(2)”, “(3)”, “(4)”, “(5)”, and “(J)”, respectively, and substitute “(I)”, “(1)”, “(2)”, “(3)”, “(4)”, and “(H)”, respectively; strike line 6 in its entirety; and strike in their entirety lines 18 through 34, inclusive.

AMENDMENT NO. 7

On page 10, strike in their entirety lines 1 through 9, inclusive; in line 10, strike “6-107.4.” and substitute “2-1603.”; strike in their entirety lines 11 through 13, inclusive, and substitute:

“(A) (1) IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY SHALL ESTABLISH A FEE ON EACH BRAND NAME OR PRODUCT NAME OF COMMERCIAL FEED THAT IS:

(i) PREPARED AND DISTRIBUTED FOR CONSUMPTION BY A DOG OR CAT; AND

(ii) REGISTERED IN THE STATE UNDER § 6-107 OF THIS ARTICLE.

(2) THE FEE ESTABLISHED UNDER THIS SUBSECTION IS:

(I) FROM OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014, INCLUSIVE, \$50;

(II) FROM OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015, INCLUSIVE, \$75; AND

(III) AFTER SEPTEMBER 30, 2015, \$100.”;

in line 14, strike “SURCHARGE” and substitute “**FEE ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION**”; in line 15, strike “ACCORDING TO” and substitute “**IN ACCORDANCE WITH**”; in line 17, strike “SURCHARGES” and substitute “**FEE**”; and strike beginning with “SPAY/NEUTER” in line 18 down through “ARTICLE” in line 19 and substitute “**FUND**”.

AMENDMENT NO. 8

On page 10, after line 19, insert:

“2-1604.

(A) THERE IS A SPAY/NEUTER ADVISORY BOARD.

(B) THE ADVISORY BOARD CONSISTS OF:

(1) THE SECRETARY, OR THE SECRETARY’S DESIGNEE; AND

(2) THE FOLLOWING MEMBERS, APPOINTED BY THE SECRETARY:

(I) ONE REPRESENTATIVE OF A PRIVATE ANIMAL SHELTER;

(II) ONE VETERINARIAN;

(III) ONE REPRESENTATIVE OF A LOCAL ANIMAL CONTROL AGENCY;

(IV) ONE REPRESENTATIVE OF THE PET FOOD INDUSTRY;
AND

(V) TWO REPRESENTATIVES OF ANIMAL WELFARE ADVOCACY ORGANIZATIONS.

(C) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE ADVISORY BOARD.

(D) THE DEPARTMENT SHALL PROVIDE STAFF SUPPORT FOR THE ADVISORY BOARD.

(E) A MEMBER OF THE ADVISORY BOARD:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE ADVISORY BOARD; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(F) THE ADVISORY BOARD SHALL ADVISE THE DEPARTMENT WITH RESPECT TO:

(1) THE ADMINISTRATION OF THE FUND;

(2) THE SOLICITATION AND EVALUATION OF COMPETITIVE GRANT PROPOSALS;

(3) APPROPRIATE ADDITIONAL STANDARDS FOR GRANT PROPOSALS;

(4) ADDITIONAL RELEVANT DATA THAT THE DEPARTMENT SHOULD REQUIRE FROM LOCAL ANIMAL SHELTERS AND APPROPRIATE ANIMAL CONTROL ORGANIZATIONS;

(5) THE ADOPTION OF REGULATIONS THAT IMPLEMENT THIS SUBTITLE; AND

(6) ANY OTHER APPROPRIATE MATTER WITH RESPECT TO THE IMPLEMENTATION OF THE FUND IN THE DISCRETION OF THE DEPARTMENT.

2-1605.

THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.”.

AMENDMENT NO. 9

On page 11, after line 1, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 15, 2015, the Maryland Department of Agriculture shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee, in accordance with § 2-1246 of the State Government Article, on the fee revenue collected under § 2-1603 of the Agriculture Article, as enacted by Section 1 of this Act.”;

in line 2, strike “2.” and substitute “3.”; in line 3, strike “6” and substitute “9”; and in line 4, strike “2019” and substitute “2022”.

The preceding 9 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 854 – Senator Edwards

AN ACT concerning

Environment – Gas and Oil Drilling – Financial Assurance

SB0854/854139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 854
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “omissions;” insert “requiring a certain permit holder that has a well in existence on or before a certain date to provide certain financial assurance by maintaining certain performance bond and liability insurance requirements; requiring a certain permit holder that has a well in existence on or before a certain date that is modified after a certain date to provide certain financial assurance in accordance with certain requirements;”; and in line 17, after “assurance;” insert “authorizing the Department to adopt regulations establishing alternative financial assurance requirements for certain wells;”.

AMENDMENT NO. 2

On page 3, in line 13, strike “Every” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, EVERY”.

On page 4, in line 31, after “(D)” insert “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A HOLDER OF A PERMIT TO DRILL FOR GAS OR OIL THAT HAS A WELL IN EXISTENCE ON OR BEFORE OCTOBER 1, 2013, SHALL PROVIDE FINANCIAL ASSURANCE BY MAINTAINING THE SAME PERFORMANCE BOND AND LIABILITY INSURANCE THAT IS REQUIRED FOR THE HOLDER’S MOST RECENT PERMIT OR PERMIT RENEWAL ISSUED ON OR BEFORE OCTOBER 1, 2013.

(2) IF A GAS OR OIL WELL IS IN EXISTENCE ON OR BEFORE OCTOBER 1, 2013, AND IS MODIFIED AFTER OCTOBER 1, 2013, BY RECOMPLETION, STIMULATION, DEEPENING, OR ADDING LATERAL EXTENSIONS, THE HOLDER OF THE PERMIT FOR THE GAS OR OIL WELL SHALL COMPLY WITH THE REQUIREMENTS FOR FINANCIAL ASSURANCE CONTAINED IN SUBSECTIONS (A), (B), (C), AND (E) OF THIS SECTION.

(E)”;

in line 25, strike “SUBSECTION” and substitute “SUBSECTIONS”; and in the same line, after “(A)” insert “AND (B)”.

On page 5, in line 16, strike “(E)” and substitute “(F)”.

On page 6, in line 1, strike “(F)” and substitute “(G)”.

AMENDMENT NO. 3

On page 3, in line 32, strike the brackets; and in lines 32 and 33, strike “THIRD PARTIES”.

On page 4, in line 7, strike “THIRD PARTIES” and substitute “PERSONS”; and in line 22, after “THE” insert “GAS OR OIL”.

AMENDMENT NO. 4

On page 5, in line 3, strike “AND”; and in line 15, after “SUFFICIENT” insert “; AND”.

(3) ESTABLISH ALTERNATIVE FINANCIAL ASSURANCE REQUIREMENTS AS APPROPRIATE FOR A NEW GAS STORAGE WELL AND A GAS STORAGE WELL THAT IS MODIFIED BY RECOMPLETION, STIMULATION, DEEPENING, OR ADDING LATERAL EXTENSIONS”.

AMENDMENT NO. 5

On page 6, in line 12, strike “restore” and substitute “RECLAIM”.

The preceding 5 amendments were read only.

Senator Muse moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #28**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 401 – Senator Dyson

AN ACT concerning

**Pharmacists – Administration of Vaccinations – Expanded Authority and
Reporting Requirements**

SB0401/834333/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 401

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “pharmacist” insert “, under certain circumstances, to document at least one effort”; in the same line, after “practitioners” insert “or other sources of care”; and in line 19, strike “providing for the effective dates of this Act;”.

On pages 1 and 2, strike in their entirety the lines beginning with line 27 on page 1 through line 3 on page 2, inclusive.

AMENDMENT NO. 2

On page 3, in line 20, after “**PRESCRIPTION,**” insert “**DOCUMENT AT LEAST ONE EFFORT TO**”; in line 22, strike “**IF**” and substitute “**FOR A VACCINATION ADMINISTERED UNDER PARAGRAPH (2) OR (3) OF THIS SUBSECTION, IF**”; in lines 24 and 25, strike “**MAKE A REASONABLE**” and substitute “**DOCUMENT AT LEAST ONE**”; and in line 25, after “**PROVIDER**” insert “**OR OTHER USUAL SOURCE OF CARE**”.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 10 through 24, inclusive; and in line 25, strike “3.” and substitute “2.”.

On page 5, strike in their entirety lines 9 and 10; in line 11, strike “5.” and substitute “3.”; and in lines 11 and 12, strike “, except as provided in Section 4 of this Act,”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 512 – Senators Montgomery, Benson, Forehand, Madaleno, Peters, Pinsky, and Ramirez

AN ACT concerning

Health Care Practitioners – Identification Badge

SB0512/754938/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 512

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “a” and substitute “that certain”; in the same line, strike “practitioner” and substitute “practitioners”; in line 4, strike “to”; in line 5, strike “a certain exception” and substitute “certain exceptions”; in line 7, strike “disciplinary action” and substitute “administrative action for a certain violation”; and in line 8, after “name;” insert “requiring that certain administrative actions be kept confidential.”.

AMENDMENT NO. 2

On page 1, after line 22, insert:

“(B) THIS SECTION APPLIES ONLY TO A HEALTH CARE PRACTITIONER WHO PRACTICES IN:

(1) A FREESTANDING AMBULATORY CARE FACILITY;

(2) A PHYSICIAN'S OFFICE; OR

(3) AN URGENT CARE FACILITY.

On page 2, in lines 1, 7, and 14, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively; in line 1, strike “(C)” and substitute “(D)”; in line 6, strike “TITLE OR ROLE” and substitute “TYPE OF LICENSE”; in line 9, after “(1)” insert “(I)”; in line 11, strike “(2)” and substitute “(II)”; in line 13, 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 17, strike “DISCIPLINARY” and substitute “ADMINISTRATIVE”; in line 18, after “SECTION” insert “AS FOLLOWS:

(I) FOR A FIRST OFFENSE, ISSUE A WARNING; AND

(II) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPOSE A FINE NOT TO EXCEED \$25 FOR EACH VIOLATION;

in line 19, after “THE” insert “PATIENT OR”; and after line 27, insert:

“(F) AN ADMINISTRATIVE ACTION TAKEN BY A HEALTH OCCUPATION BOARD UNDER THIS SECTION IS CONFIDENTIAL AND MAY NOT BE PUBLICLY REPORTED AS A DISCIPLINARY ACTION.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs and Senator Frosh, Chair, for the Committee on Judicial Proceedings 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

SB0593/704732/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 593

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “registration” insert “, subject to a certain exception”.

AMENDMENT NO. 2

On page 3, in line 7, strike “DISCONTINUE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (3)(II) OF THIS SUBSECTION, DISCONTINUE”; in line 17, after “MAIL” insert “:

(I)”;

in the same line, strike “AN” and substitute “AN”; and in line 18, after “REGISTRATION” insert “;AND

(II) A RENEWAL NOTICE FOR A LICENSE, PERMIT, CERTIFICATION, OR REGISTRATION IF THE LICENSEE, PERMIT HOLDER, CERTIFICATED INDIVIDUAL, OR REGISTRANT REQUESTS FIRST-CLASS MAIL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 845 – Senator Getty

AN ACT concerning

Public Information Act – Required Denials – Electronic Mail Addresses

SB0845/684434/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 845

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “, except under certain circumstances,”; and in line 5, after “address;” insert “exempting the judiciary department from the provisions of this Act;”.

AMENDMENT NO. 2

On page 1, strike beginning with the second “**THAT**” in line 18 down through “**WITH**” in line 19 and substitute “**OF AN INDIVIDUAL WHO IS NOT AN EMPLOYEE OF**”; after line 20, insert:

“(2) **THIS SUBSECTION DOES NOT APPLY TO THE JUDICIARY DEPARTMENT.**”;

and strike in their entirety lines 21 through 24, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 939 – Senator Muse

AN ACT concerning

Juvenile Services – Group Homes and Institutions – Notice**SB0939/794234/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 939

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Notice” insert “Requirement”; in line 4, strike “with” and substitute “for, or authorizing the creation of,”; and in line 5, strike “for the placement of certain children” and substitute “; requiring that certain information be included in a certain notice”.

AMENDMENT NO. 2

On page 2, in line 4, after “(D)” insert “(1)”; in the same line, strike “WITH” and substitute “FOR, OR AUTHORIZE THE CREATION OF,”; strike beginning with the second “FOR” in line 5 down through the first “DEPARTMENT” in line 7; in line 7, after “SEND” insert “, BY CERTIFIED MAIL,”; in line 8, after “INTENT” insert “TO ESTABLISH A FACILITY”; in line 10, strike “GROUP HOME OR INSTITUTION” and substitute “FACILITY”; and after line 10, insert:

“(2) THE NOTIFICATION SHALL INCLUDE:**(I) THE NAME AND ADDRESS OF THE OPERATOR OF THE GROUP HOME OR INSTITUTION;****(II) THE STREET ADDRESS OF THE PROPERTY WHERE THE GROUP HOME OR INSTITUTION IS TO BE LOCATED OR, IF NO ADDRESS, A DESCRIPTION THAT IDENTIFIES THE PROPERTY;****(III) IF THE OPERATOR DOES NOT OWN THE PROPERTY, THE NAME OF THE OWNER;****(IV) THE CHARACTERISTICS OF THE POPULATION TO BE SERVED AND THE NUMBER OF RESIDENTS TO BE SERVED; AND**

(V) ANY OTHER INFORMATION RELEVANT TO THE OPERATION OF THE GROUP HOME OR INSTITUTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 942 – Senator Reilly

EMERGENCY BILL

AN ACT concerning

State Board of Physicians – Licensing Qualifications – Additional Training Exemption

SB0942/434233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 942
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Licensing” in line 2 down through “Exemption” in line 3 and substitute “Consultation, Qualification for Licensure, License Renewal, and Representation to the Public”; strike in their entirety lines 4 through 8, inclusive, and substitute:

“FOR the purpose of authorizing certain physicians engaged in certain consultations to practice medicine without a license from the State Board of Physicians under certain circumstances; authorizing certain applicants to qualify for licensure under certain circumstances; requiring the Board to send certain notices and certain data sheets to certain licensees by certain means; making certain stylistic changes; prohibiting certain physicians from making certain representations unless the physician is board certified; defining certain terms; making this Act an emergency measure; and generally relating to the licensure of physicians in the State.

BY renumberingArticle – Health OccupationsSection 14–101(c) through (o), respectivelyto be Section 14–101(d) through (p), respectivelyAnnotated Code of Maryland(2009 Replacement Volume and 2012 Supplement)BY adding toArticle – Health OccupationsSection 14–101(c), 14–101.1, and 14–302.1Annotated Code of Maryland(2009 Replacement Volume and 2012 Supplement)”;

in line 11, after “Section” insert “14–302.”; and in the same line, after “14–307” insert “, 14–316(b), 14–401(e)(2)(i), 14–503, and 14–5C–06(a)(2)”.

AMENDMENT NO. 2

On page 1, in line 15, strike “the Laws of Maryland read as follows” and substitute “Section(s) 14–101(c) through (o), respectively, of Article – Health Occupations of the Annotated Code of Maryland be renumbered to be Section(s) 14–101(d) through (p), respectively.”

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

and after line 16, insert:

“14–101.

(C) “BOARD CERTIFIED” MEANS THE PHYSICIAN IS CERTIFIED BY A PUBLIC OR PRIVATE BOARD, INCLUDING A MULTIDISCIPLINARY BOARD, AND THE CERTIFYING BOARD:

(1) IS:

(I) A MEMBER OF THE AMERICAN BOARD OF MEDICAL SPECIALTIES; OR

(II) AN AMERICAN OSTEOPATHIC ASSOCIATION CERTIFYING BOARD;

(2) HAS BEEN APPROVED BY THE BOARD UNDER § 14-101.1 OF THIS SUBTITLE; OR

(3) REQUIRES THAT, IN ORDER TO BE CERTIFIED, THE PHYSICIAN:

(I) COMPLETE A POSTGRADUATE TRAINING PROGRAM THAT:

1. PROVIDES COMPLETE TRAINING IN THE SPECIALTY OR SUBSPECIALTY; AND

2. IS ACCREDITED BY THE ACCREDITATION COUNCIL FOR GRADUATE MEDICAL EDUCATION OR THE AMERICAN OSTEOPATHIC ASSOCIATION; AND

(II) BE CERTIFIED BY THE MEMBER BOARD OF THE AMERICAN BOARD OF MEDICAL SPECIALTIES OR THE AMERICAN OSTEOPATHIC ASSOCIATION IN THE TRAINING FIELD.

14-101.1.

THE BOARD MAY APPROVE A PUBLIC OR PRIVATE BOARD INCLUDING A MULTIDISCIPLINARY BOARD AS A CERTIFYING BOARD ONLY IF THE CERTIFYING BOARD REQUIRES THAT, IN ORDER TO BE CERTIFIED, A PHYSICIAN:

(1) COMPLETE A POSTGRADUATE TRAINING PROGRAM THAT:

(I) PROVIDES COMPLETE TRAINING IN THE SPECIALTY OR SUBSPECIALTY BEING CERTIFIED; AND

(II) IS ACCREDITED BY THE ACCREDITATION COUNCIL FOR GRADUATE MEDICAL EDUCATION OR THE AMERICAN OSTEOPATHIC ASSOCIATION; AND

(2) BE CERTIFIED BY THE AMERICAN BOARD OF MEDICAL SPECIALTIES OR THE AMERICAN OSTEOPATHIC ASSOCIATION IN THE SAME TRAINING FIELD.

14–302.

Subject to the rules, regulations, and orders of the Board, the following individuals may practice medicine without a license:

(1) A medical student or an individual in a postgraduate medical training program that is approved by the Board, while doing the assigned duties at any office of a licensed physician, hospital, clinic, or similar facility;

(2) A physician licensed by and residing in another jurisdiction, [while engaging in consultation with a physician licensed in this State;] IF THE PHYSICIAN:

(I) IS ENGAGED IN CONSULTATION WITH A PHYSICIAN LICENSED IN THE STATE ABOUT A PARTICULAR PATIENT AND DOES NOT DIRECT PATIENT CARE; OR

(II) MEETS THE REQUIREMENTS OF § 14–302.1 OF THIS SUBTITLE;

(3) A physician employed in the service of the federal government while performing the duties incident to that employment;

(4) A physician who resides in and is authorized to practice medicine by any state adjoining this State and whose practice extends into this State, if:

(i) The physician does not have an office or other regularly appointed place in this State to meet patients; and

(ii) The same privileges are extended to licensed physicians of this State by the adjoining state; and

(5) An individual while under the supervision of a licensed physician who has specialty training in psychiatry, and whose specialty training in psychiatry has been approved by the Board, if the individual submits an application to the Board on or before October 1, 1993, and either:

(i) 1. Has a master's degree from an accredited college or university; and

2. Has completed a graduate program accepted by the Board in a behavioral science that includes 1,000 hours of supervised clinical psychotherapy experience; or

(ii) 1. Has a baccalaureate degree from an accredited college or university; and

2. Has 4,000 hours of supervised clinical experience that is approved by the Board.

14-302.1.

A PHYSICIAN WHO IS LICENSED AND RESIDES IN ANOTHER JURISDICTION MAY PRACTICE MEDICINE WITHOUT A LICENSE WHILE ENGAGED IN CLINICAL TRAINING WITH A LICENSED PHYSICIAN IF:

(1) THE BOARD FINDS, ON APPLICATION BY A HOSPITAL IN THE STATE, THAT:

(I) THE PHYSICIAN POSSESSES A SKILL OR USES A PROCEDURE THAT:

1. IS ADVANCED BEYOND THOSE SKILLS OR PROCEDURES NORMALLY TAUGHT OR EXERCISED IN THE HOSPITAL AND IN STANDARD MEDICAL EDUCATION OR TRAINING;

2. COULD NOT BE OTHERWISE CONVENIENTLY TAUGHT OR DEMONSTRATED IN STANDARD MEDICAL EDUCATION OR TRAINING IN THAT HOSPITAL; AND

3. IS LIKELY TO BENEFIT MARYLAND PATIENTS IN THIS INSTANCE;

(II) THE DEMONSTRATION OF THE SKILL OR PROCEDURE WOULD TAKE NO MORE THAN 14 DAYS;

(III) A LICENSED PHYSICIAN WHO PRACTICES AT A HOSPITAL IN THE STATE HAS CERTIFIED TO THE BOARD THAT THE LICENSED PHYSICIAN WILL BE RESPONSIBLE FOR THE MEDICAL CARE PROVIDED BY THAT VISITING PHYSICIAN TO PATIENTS IN THE STATE;

(IV) THE VISITING PHYSICIAN HAS NO HISTORY OF ANY MEDICAL DISCIPLINARY ACTION IN ANY OTHER STATE, TERRITORY, NATION, OR ANY BRANCH OF THE UNITED STATES UNIFORMED SERVICES OR THE VETERANS ADMINISTRATION, AND HAS NO SIGNIFICANT DETRIMENTAL MALPRACTICE HISTORY IN THE JUDGMENT OF THE BOARD;

(V) THE PHYSICIAN IS COVERED BY MALPRACTICE INSURANCE IN THE JURISDICTION IN WHICH THE PHYSICIAN PRACTICES; AND

(VI) THE HOSPITAL ASSURES THE BOARD THAT THE PATIENTS WILL BE PROTECTED BY ADEQUATE MALPRACTICE INSURANCE; OR

(2) THE BOARD FINDS, ON APPLICATION BY A MARYLAND HOSPITAL, THAT:

(I) THE HOSPITAL PROVIDES TRAINING IN A SKILL OR USES A PROCEDURE THAT:

1. IS ADVANCED BEYOND THOSE SKILLS OR PROCEDURES NORMALLY TAUGHT OR EXERCISED IN STANDARD MEDICAL EDUCATION OR TRAINING;

2. COULD NOT BE OTHERWISE CONVENIENTLY TAUGHT OR DEMONSTRATED IN THE VISITING PHYSICIAN'S PRACTICE; AND

3. IS LIKELY TO BENEFIT MARYLAND PATIENTS IN THIS INSTANCE;

(II) THE DEMONSTRATION OR EXERCISE OF THE SKILL OR PROCEDURE WILL TAKE NO MORE THAN 14 DAYS;

(III) A HOSPITAL PHYSICIAN LICENSED IN THE STATE HAS CERTIFIED TO THE BOARD THAT THE PHYSICIAN WILL BE RESPONSIBLE FOR THE MEDICAL CARE PROVIDED BY THAT VISITING PHYSICIAN TO PATIENTS IN THE STATE;

(IV) THE VISITING PHYSICIAN HAS NO HISTORY OF ANY MEDICAL DISCIPLINARY ACTION IN ANY OTHER STATE, TERRITORY, NATION, OR ANY BRANCH OF THE UNITED STATES UNIFORMED SERVICES OR THE VETERANS ADMINISTRATION, AND HAS NO SIGNIFICANT DETRIMENTAL MALPRACTICE HISTORY IN THE JUDGMENT OF THE BOARD;

(V) THE PHYSICIAN IS COVERED BY MALPRACTICE INSURANCE IN THE JURISDICTION WHERE THE PHYSICIAN PRACTICES; AND

(VI) THE HOSPITAL ASSURES THE BOARD THAT THE PATIENTS WILL BE PROTECTED BY ADEQUATE MALPRACTICE INSURANCE.

14-307.

(a) To qualify for a license, an applicant shall be an individual who meets the requirements of this section.

(b) The applicant shall be of good moral character.

(c) The applicant shall be at least 18 years old.

(d) Except as provided in § 14-308 of this subtitle, the applicant shall:

(1) (i) Have a degree of doctor of medicine from a medical school that is accredited by an accrediting organization that the Board recognizes in its regulations; and

(ii) Submit evidence acceptable to the Board of successful completion of 1 year of training in a postgraduate medical training program that is accredited by an accrediting organization that the Board recognizes in its regulations;
or

(2) (i) Have a degree of doctor of osteopathy from a school of osteopathy in the United States, its territories or possessions, Puerto Rico, or Canada that has standards for graduation equivalent to those established by the American Osteopathic Association; and

(ii) Submit evidence acceptable to the Board of successful completion of 1 year of training in a postgraduate medical training program accredited by an accrediting organization that the Board recognizes in its regulations.

(e) Except as otherwise provided in this title, the applicant shall pass an examination required by the Board under this subtitle.

(f) The applicant shall meet any other qualifications that the Board establishes in its regulations for license applicants.

(g) An applicant who has failed the examination or any part of the examination 3 or more times [shall submit evidence of having completed 1 year of additional clinical training in an approved postgraduate training program following the latest failure] **MAY QUALIFY FOR A LICENSE IF THE APPLICANT:**

(1) HAS SUCCESSFULLY COMPLETED 2 OR MORE YEARS OF A RESIDENCY OR FELLOWSHIP ACCREDITED BY THE ACCREDITATION COUNCIL ON GRADUATE MEDICAL EDUCATION;

(2) (1) HAS A MINIMUM OF 5 YEARS OF CLINICAL PRACTICE OF MEDICINE IN THE UNITED STATES OR IN CANADA, WITH AT LEAST 3 OF THE 5 YEARS HAVING OCCURRED WITHIN 5 YEARS OF THE DATE OF THE APPLICATION;

(II) THE CLINICAL PRACTICE REQUIRED UNDER ITEM (I) OF THIS PARAGRAPH OCCURRED UNDER A FULL UNRESTRICTED LICENSE TO PRACTICE MEDICINE; AND

(III) NO DISCIPLINARY ACTION IS PENDING OR HAS BEEN TAKEN AGAINST THE APPLICANT; OR

(3) IS BOARD CERTIFIED.

(h) (1) The Board shall require as part of its examination or licensing procedures that an applicant for a license to practice medicine demonstrate an oral competency in the English language.

(2) Graduation from a recognized English-speaking undergraduate school or high school, including General Education Development (GED), after at least 3 years of enrollment, or from a recognized English-speaking professional school is acceptable as proof of proficiency in the oral communication of the English language under this section.

(3) By regulation, the Board shall develop a procedure for testing individuals who because of their speech impairment are unable to complete satisfactorily a Board approved standardized test of oral competency.

(4) If any disciplinary charges or action that involves a problem with the oral communication of the English language are brought against a licensee under this title, the Board shall require the licensee to take and pass a Board approved standardized test of oral competency.

14-316.

(b) At least 1 month before the license expires, the Board shall send to the licensee, by ELECTRONIC OR first-class mail to the last known ELECTRONIC OR PHYSICAL address of the licensee:

(1) A renewal notice that states:

(i) The date on which the current license expires;

(ii) The date by which the renewal application must be received by the Board for the renewal to be issued and mailed before the license expires; and

(iii) The amount of the renewal fee; and

(2) A blank panel data sheet supplied by the Health Care Alternative Dispute Resolution Office.

14-401.

(e) (2) A peer reviewer shall:

(i) Be [Board] BOARD certified;

14-503.

(a) A physician may not represent to the public that the physician is [certified by a public or private board, including a multidisciplinary board, or that the physician is] board certified unless:

(1) THE PHYSICIAN IS BOARD CERTIFIED; AND

[(1) (2) The physician discloses the full name of the board from which the physician is certified and the name of the specialty or subspecialty in which the physician is certified]; and

(2) The certifying board meets one of the following requirements:

(i) The certifying board is:

1. A member of the American Board of Medical Specialties; or

2. An American Osteopathic Association certifying board;

(ii) The certifying board has been approved by the Board; or

(iii) The certifying board requires that, in order to be certified, the physician:

1. Complete a postgraduate training program that:

A. Provides complete training in the specialty or subspecialty; and

B. Is accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association; and

2. Be certified by the member board of the American Board of Medical Specialties or the American Osteopathic Association in the training field.

(b) The Board may approve a certifying board under subsection (a)(2)(ii) of this section only if the certifying board requires that, in order to be certified, the physician:

(1) Complete a postgraduate training program that:

(i) Provides complete training in the specialty or subspecialty being certified; and

(ii) Is accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association; and

(2) Be certified by the American Board of Medical Specialties or American Osteopathic Association in the same training field].

[(c) (B) A physician may advertise only as permitted by the rules and regulations of the Board and subject to subsection (a) of this section.

14-5C-06.

(a) The Committee consists of seven members appointed by the Board as follows:

(2) Three physicians who are [Board] BOARD certified in sleep medicine:

(i) One of whom is a specialist in psychiatry or internal medicine;

(ii) One of whom is a specialist in pulmonary medicine; and

(iii) One of whom is a specialist in neurology; and”.

AMENDMENT NO. 3

On pages 1 through 3, strike in their entirety the lines beginning with line 17 on page 1 through line 12 on page 3, inclusive; and on page 3, in line 13, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #29

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 414 – Senators King, Benson, Currie, Forehand, Garagiola, Jennings, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, and Pugh

AN ACT concerning

Higher Education – Tuition Waiver – Foster Care Recipients

SB0414/504337/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 414

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Pugh” and substitute “Pugh, and Frosh”.

On page 3, in lines 3 and 4, strike “A VOCATIONAL CERTIFICATE,”; in line 4, strike the second comma; and in line 9, strike “October” and substitute “July”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0414/413323/1

BY: Senator Muse

AMENDMENT TO SENATE BILL 414, AS AMENDED

In lines 1 and 2 of the Education, Health, and Environmental Affairs Committee Amendment (SB0414/504337/1), strike “and Frosh” and substitute “Frosh, and Muse”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 510 – Senator Pinsky

AN ACT concerning

**Institutions of Higher Education – Fully Online Distance Education
Programs – Regulation**

SB0510/144534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 510

(First Reading File Bill)

On page 8, in line 20, strike “BIANNUALLY” and substitute “TWICE A YEAR”.

On page 10, in line 36, strike “October” and substitute “July”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 522 – Senator Young

AN ACT concerning

Frederick Regional Higher Education Advisory Board

SB0522/514431/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 522

(First Reading File Bill)

On page 2, in line 21, strike “AND”; after line 21, insert:

**“(2) THE PRESIDENT OF HOOD COLLEGE, OR THE PRESIDENT’S
DESIGNEE;**

(3) THE PRESIDENT OF MOUNT ST. MARY’S UNIVERSITY, OR THE PRESIDENT’S DESIGNEE; AND;

and in line 22, strike “(2)” and substitute “(4)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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

SB0587/724136/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 587

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, after “program;” insert “requiring certain scholarship recipients to repay certain funds to the Commission under certain circumstances;”.

AMENDMENT NO. 2

On page 4, in line 9, after “(2)” insert “(1)”; in the same line, strike “MAY” and substitute “FOR A CAREER FIREFIGHTER OR AMBULANCE OR RESCUE SQUAD MEMBER, MAY”; in line 16, strike “OR” and substitute a comma; and in the same line,

after the second “TECHNOLOGY” insert “, FIRE SERVICE MANAGEMENT, OR PUBLIC SAFETY ADMINISTRATION WITH A MINOR OR CONCENTRATION IN FIRE SERVICE TECHNOLOGY OR FIRE SERVICE MANAGEMENT; AND

(II) FOR A VOLUNTEER FIREFIGHTER OR AMBULANCE OR RESCUE SQUAD MEMBER, MAY BE UP TO 100% OF 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 FOR COURSES CREDITED TOWARD A DEGREE”.

AMENDMENT NO. 3

On page 5, after line 24, insert:

“(K) A SCHOLARSHIP RECIPIENT SHALL REPAY THE COMMISSION THE FUNDS RECEIVED UNDER THIS SECTION IF THE RECIPIENT DOES NOT PERFORM THE SERVICE OBLIGATION REQUIRED UNDER SUBSECTION (J) OF THIS SECTION.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 838 – Senators Young, Montgomery, Rosapepe, and Shank

AN ACT concerning

Educational Institutions – Personal Electronic Account – Privacy Protection

SB0838/544638/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 838

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “domain” insert “or available to an educational institution as the result of certain actions of the student”; and strike beginning with “establishing” in line 27 down through “fine;” in line 28.

AMENDMENT NO. 2

On page 4, strike beginning with the comma in line 14 down through the comma in line 15; in line 19, strike “OR”; and in line 20, after “DOMAIN;” insert “OR

(III) IS AVAILABLE TO THE INSTITUTION AS THE RESULT OF ACTIONS UNDERTAKEN INDEPENDENTLY BY THE STUDENT;”.

AMENDMENT NO. 3

On page 5, strike beginning with “A” in line 12 down through “(2)” in line 15; and in lines 15 and 24, in each instance, strike “(3)” and substitute “(2)”.

On page 6, in line 3, strike “(4)” and substitute “(3)”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #14

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

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

SB0109/168279/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 109

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Controlled” in line 2 down through “Cannabinoids” in line 3 and substitute “Cannabimimetic Agents – Prohibition”; strike beginning with “authorizing” in line 4 down through “circumstances;” in line 6; in line 6, strike “synthetic cannabinoids” and substitute “cannabimimetic agents”; in line 7, strike “for purposes of designating” and substitute “to designate”; after line 9, insert:

“BY renumbering

Article – Criminal Law

Section 5–101(e) through (ee), respectively

to be Section 5–101(f) through (ff), respectively

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”;

in line 17, strike “(ff)” and substitute “(e)”; in line 22, strike “5–304 and”; and after line 24, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 5–101(e) through (ee), respectively, of Article – Criminal Law of the Annotated Code of Maryland be renumbered to be Section(s) 5–101(f) through (ff), respectively.”.

On page 2, in line 1, strike "SECTION 1." and substitute "SECTION 2. AND"; in the same line, after "IT" insert "FURTHER"; and strike beginning with "BY" in line 1 down through "MARYLAND" in line 2.

AMENDMENT NO. 2

On page 2, in line 6, strike "~~(FF)~~" and substitute "(E)"; strike beginning with "SYNTHETIC" in line 6 down through "AND" in line 7 and substitute "CANNABIMIMETIC AGENTS" MEANS SUBSTANCES THAT ARE CANNABINOID RECEPTOR TYPE 1 (CB1 RECEPTOR) AGONISTS AS DEMONSTRATED BY BINDING STUDIES AND FUNCTIONAL ASSAYS WITHIN ONE OF THE FOLLOWING STRUCTURAL CLASSES"; strike beginning with "HAS" in line 8 down through the second "OR" in line 9 and substitute "2-(3-HYDROXYCYCLOHEXYL)PHENOL WITH SUBSTITUTION AT THE 5-POSITION OF THE PHENOLIC RING BY ALKYL OR ALKENYL, WHETHER OR NOT SUBSTITUTED ON THE CYCLOHEXYL RING TO ANY EXTENT;"; strike beginning with "IS" in line 10 down through "RECEPTORS" in line 12 and substitute "3-(1-NAPHTHOYL)INDOLE OR 3-(1-NAPHTHYLMETHANE)INDOLE BY SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE RING, WHETHER OR NOT FURTHER SUBSTITUTED ON THE INDOLE RING TO ANY EXTENT AND WHETHER OR NOT SUBSTITUTED ON THE NAPHTHOYL OR NAPHTHYL RING TO ANY EXTENT;

(III) 3-(1-NAPHTHOYL)PYRROLE BY SUBSTITUTION AT THE NITROGEN ATOM OF THE PYRROLE RING, WHETHER OR NOT FURTHER SUBSTITUTED IN THE PYRROLE RING TO ANY EXTENT AND WHETHER OR NOT SUBSTITUTED ON THE NAPHTHOYL RING TO ANY EXTENT;

(IV) 1-(1-NAPHTHYLMETHYLENE)INDENE BY SUBSTITUTION OF THE 3-POSITION OF THE INDENE RING, WHETHER OR NOT FURTHER SUBSTITUTED IN THE INDENE RING TO ANY EXTENT AND WHETHER OR NOT SUBSTITUTED ON THE NAPHTHYL RING TO ANY EXTENT; OR

(V) 3-PHENYLACETYLINDOLE OR 3-BENZOYLINDOLE BY SUBSTITUTION AT THE NITROGEN ATOM OF THE INDOLE RING, WHETHER OR NOT FURTHER SUBSTITUTED IN THE INDOLE RING TO ANY EXTENT AND WHETHER OR NOT SUBSTITUTED ON THE PHENYL RING TO ANY EXTENT";

in line 13, strike “SYNTHETIC CANNABINOID” and substitute “CANNABIMIMETIC AGENTS”; strike beginning with “1” in line 14 down through the closing parentheses in line 15 and substitute “5-(1,1-DIMETHYLHEPTYL)-2-[(1R,3S)-3-HYDROXYCYCLOHEXYL]-PHENOL (CP-47,497)”; strike beginning with “1” in line 16 down through the closing parentheses in line 17 and substitute “5-(1,1-DIMETHYLOCTYL)-2-[(1R,3S)-3-HYDROXYCYCLOHEXYL]-PHENOL (CANNABICYCLOHEXANOL OR CP-47,497 C8-HOMOLOG)”; strike beginning with “1” in line 18 down through the closing parentheses in line 19 and substitute “1-PENTYL-3-(1-NAPHTHOYL)INDOLE (JWH-018 AND AM678)”; strike beginning with “1” in line 20 down through the closing parentheses in line 21 and substitute “1-BUTYL-3-(1-NAPHTHOYL)INDOLE (JWH-073)”; strike beginning with “1” in line 22 down through the closing parentheses in line 23 and substitute “1-HEXYL-3-(1-NAPHTHOYL)INDOLE (JWH-019)”; strike beginning with “1” in line 24 down through the closing parentheses in line 25 and substitute “1-[2-(4-MORPHOLINYL)ETHYL]-3-(1-NAPHTHOYL)INDOLE (JWH-200)”; strike beginning with “2” in line 26 down through the closing parentheses in line 28 and substitute “1-PENTYL-3-(2-METHOXYPHENYLACETYL)INDOLE (JWH-250)”; and strike beginning with the opening parentheses in line 29 down through the closing parentheses in line 30 and substitute “1-PENTYL-3-[1-(4-METHOXYNAPHTHOYL)]INDOLE (JWH-081)”.

On page 3, strike beginning with the second opening parentheses in line 1 down through the closing parentheses in line 3 and substitute “1-PENTYL-3-(4-METHYL-1-NAPHTHOYL)INDOLE (JWH-122)”; in line 3, strike “AND”; strike beginning with “DEXANABINOL” in line 4 down through the closing parentheses in line 6 and substitute “1-PENTYL-3-(4-CHLORO-1-NAPHTHOYL)INDOLE (JWH-398)”;

(XI) 1-(5-FLUOROPENTYL)-3-(1-NAPHTHOYL)INDOLE (AM2201);

(XII) 1-(5-FLUOROPENTYL)-3-(2-iodobenzoYL)INDOLE (AM694);

(XIII) 1-PENTYL-3-[(4-METHOXY)-BENZOYL]INDOLE (SR-19 AND RCS-4);

(XIV) 1-CYCLOHEXYLETHYL-3-(2-METHOXYPHENYLACETYL)INDOLE (SR-18 AND RCS-8); AND

(XV) 1-PENTYL-3-(2-CHLOROPHENYLACETYL)INDOLE (JWH-203)”;

and strike in their entirety lines 7 through 29, inclusive.

On page 5, in line 12, strike “SYNTHETIC CANNABINOIDS” and substitute “CANNABIMIMETIC AGENTS”; and in line 17, strike “SECTION 2.” and substitute “SECTION 3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 258 – Senator Shank

AN ACT concerning

Correctional Services – Inmate Earnings – Compensation for Victims of Crime

SB0258/328970/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 258
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 10 and 11, strike “State Board of Victim Services” and substitute “Criminal Injuries Compensation Board”; in line 17, strike “State Victims of Crime” and substitute “Criminal Injuries Compensation”; and in line 27, strike “11-916” and substitute “11-819(b)”.

AMENDMENT NO. 2

On page 2, in line 21, strike “STATE VICTIMS OF CRIME” and substitute “CRIMINAL INJURIES COMPENSATION”; in line 22, strike “§ 11-916” and substitute “§ 11-819”; in line 23, strike “STATE BOARD OF VICTIM SERVICES” and substitute “CRIMINAL INJURIES COMPENSATION BOARD”; and in line 24, strike “STATE VICTIMS OF CRIME” and substitute “CRIMINAL INJURIES COMPENSATION”.

AMENDMENT NO. 3

On pages 4 and 5, strike in their entirety the lines beginning with line 20 on page 4 down through line 6 on page 5, inclusive, and substitute:

“11-819.

(b) The Criminal Injuries Compensation Fund:

(1) shall be used to:

(I) carry out the provisions of this subtitle; and

(II) DISTRIBUTE RESTITUTION PAYMENTS FORWARDED TO THE FUND UNDER § 11-604 OF THE CORRECTIONAL SERVICES ARTICLE; AND

(2) may be used for:

(i) any award given under this subtitle; and

(ii) the costs of carrying out this subtitle.”.

The preceding 3 amendments were read only.

Senator Jones-Rodwell moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 360 – Senators Simonaire, Colburn, Ferguson, Forehand, Gladden, Glassman, Jacobs, Jennings, Madaleno, Montgomery, Raskin, Reilly, Shank, Stone, and Young

AN ACT concerning

Criminal Law – Aggravated Animal Cruelty – Baiting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 420 – Senators Frosh, Raskin, Garagiola, Manno, Montgomery,
and Ramirez**

AN ACT concerning

**Crimes – Restricted Firearm Ammunition – Prohibition on Possession and
Use**

Senator Reilly moved, duly seconded, to make the Bill and Report a Special Order for March 20, 2013.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 444 – Senator Stone

AN ACT concerning

Criminal Law – Accessory After the Fact – Murder

SB0444/868279/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 444

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Stone” and substitute “Senators Stone, Brochin, Forehand, Jacobs, and Raskin”.

AMENDMENT NO. 2

On page 1, after line 2, insert:

“(The Shedly–Benett Act)”.

AMENDMENT NO. 3

On page 2, in line 3, strike “**20**” and substitute “**10**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 504 – Senator Zirkin

AN ACT concerning

Criminal Law – Threat Against State or Local Official – Definitions

SB0504/508777/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 504

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Definitions” and substitute “Expansion”; in line 5, strike “or” and substitute a comma; in the same line, after the second “Attorney” insert “, or an Assistant Public Defender”; in line 6, strike “and” and substitute a comma; and in line 7, after “Attorneys” insert “, and Assistant Public Defenders”.

AMENDMENT NO. 2

On page 2, in line 10, strike “OR”; and in the same line, after the second “ATTORNEY” insert “, OR AN ASSISTANT PUBLIC DEFENDER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 505 – Senator Zirkin

AN ACT concerning

Criminal Procedure – Bail Bonds – Cash Bail

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 590 – Senators Forehand, Madaleno, Montgomery, Muse, and Pinsky

AN ACT concerning

Public Safety – SWAT Team Reports – Repeal of Sunset

SB0590/978476/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 590

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Pinsky” and substitute “Pinsky, Frosh, Gladden, Jacobs, Raskin, Shank, and Stone”.

AMENDMENT NO. 2

On page 1, in line 2, strike “Repeal of” and substitute “Required Information and Extension of”; in line 4, strike “repealing” and substitute “making a conforming change; extending to a certain date”; in line 12, strike “Chapters 542 and 543” and substitute “Chapter 542”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Chapter 543 of the Acts of the General Assembly of 2009
Section 2”.

AMENDMENT NO. 3

On page 2, in line 6, after “(5)” insert “INFORMATION ABOUT AND”; strike beginning with “WHETHER” in line 15 down through “(VII)” in line 18; in line 20, after “TEAM” insert “;

(VII) THE NUMBER OF SWAT TEAM MEMBERS DEPLOYED;

(VIII) A DESCRIPTION OF ANY NONSTANDARD EQUIPMENT USED DURING THE DEPLOYMENT; AND

(IX) THE IDENTITY OF ANY LAW ENFORCEMENT AGENCIES THAT WERE NOTIFIED OF THE DEPLOYMENT PRIOR TO THE DEPLOYMENT”;

in line 23, strike “Chapters 542 and 543” and substitute “Chapter 542”; in lines 25 and 27, in each instance, strike the bracket; in line 25, strike “5” and substitute “8”; in line 26, strike “2014” and substitute “2017”; and after line 27, insert:

“Chapter 543 of the Acts of 2009

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2009. It shall remain effective for a period of [5] 8 years and, at the end of June 30, [2014] 2017, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 624 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)

AN ACT concerning

Identity Fraud – Medical Records

SB0624/668472/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 624
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Medical” and substitute “Health Information and Health Care”; in lines 5, 7, and 9, in each instance, strike “medical” and substitute “health”; in lines 5, 8, and 10, in each instance, strike “services” and substitute “health care”; strike beginning with “medical” in line 11 down through “records” in line 12 and substitute “record or history related to health information or health care”; and in line 12, after “victim;” insert “defining certain terms;”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“(2) “HEALTH CARE” MEANS CARE, SERVICES, OR SUPPLIES RELATED TO THE HEALTH OF AN INDIVIDUAL THAT INCLUDES THE FOLLOWING:

(i) PREVENTATIVE, DIAGNOSTIC, THERAPEUTIC, REHABILITATIVE, MAINTENANCE CARE, PALLIATIVE CARE AND COUNSELING, SERVICE ASSESSMENT, OR PROCEDURE:

1. WITH RESPECT TO THE PHYSICAL OR MENTAL CONDITION OR FUNCTIONAL STATUS OF AN INDIVIDUAL; OR

2. THAT AFFECTS THE STRUCTURE OR FUNCTION OF THE BODY; AND

(ii) THE SALE OR DISPENSING OF A DRUG, DEVICE, EQUIPMENT, OR OTHER ITEM IN ACCORDANCE WITH A PRESCRIPTION.

(3) “HEALTH INFORMATION” MEANS ANY INFORMATION, WHETHER ORAL OR RECORDED IN ANY FORM OR MEDIUM, THAT:

(i) IS CREATED OR RECEIVED BY:

1. A HEALTH CARE PROVIDER;
2. A HEALTH CARE CARRIER;
3. A PUBLIC HEALTH AUTHORITY;
4. AN EMPLOYER;
5. A LIFE INSURER;
6. A SCHOOL OR UNIVERSITY; OR
7. A HEALTH CARE CLEARINGHOUSE; AND

(II) RELATES TO THE:

1. PAST, PRESENT, OR FUTURE PHYSICAL OR MENTAL HEALTH OR CONDITION OF AN INDIVIDUAL;
 2. PROVISION OF HEALTH CARE TO AN INDIVIDUAL;
- OR
3. PAST, PRESENT, OR FUTURE PAYMENT FOR THE PROVISION OF HEALTH CARE TO AN INDIVIDUAL.”;

and in lines 3, 5, 18, and 22, strike “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “**(4)**”, “**(5)**”, “**(6)**”, and “**(7)**”, respectively.

On page 2 in line 30 and on page 3 in lines 3, 26, and 31, in each instance, strike “**MEDICAL**” and substitute “**HEALTH**”.

On page 2 in line 30 and on page 3 in lines 3, 26, and 31, in each instance, strike “**SERVICES**” and substitute “**HEALTH CARE**”.

On page 4, in line 21, strike “**MEDICAL**” and substitute “**RECORD OR**”; and in the same line, strike “**OR RECORDS**” and substitute “**RELATED TO HEALTH INFORMATION OR HEALTH CARE**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 646 – Senators Jennings and Klausmeier

AN ACT concerning

Public Safety – Handgun Permit Background Check – Armored Car Company Employees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 770 – Senators Raskin, Colburn, King, Madaleno, Montgomery, Robey, and Young

AN ACT concerning

Criminal Law – Fraudulent Liens – Prohibition

SB0770/968674/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 770

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Forehand, Gladden, Jacobs, Muse, Shank, and Stone”.

AMENDMENT NO. 2

On page 1, in line 5, after “Act;” insert “authorizing a certain person to file a certain action and obtain certain relief in certain circumstances; authorizing a court to award certain damages and attorney’s fees in a certain action;”.

AMENDMENT NO. 3

On page 2, in line 2, strike “OR”.

On page 2, in line 21, after “(B)” insert “(1)”; and in line 24, strike “(1) (I)” and substitute “(I) 1.”.

On page 3, in line 1, strike “(II)” and substitute “2.”; in line 4, strike “(2)” and substitute “(II)”; in lines 6 and 7, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; in line 4, strike “OR HAS REASON TO KNOW”; after line 8, insert:

“(2) A PERSON MAY NOT FILE A LIEN OR ENCUMBRANCE IN A PUBLIC OR PRIVATE RECORD AGAINST THE REAL OR PERSONAL PROPERTY OF ANOTHER PERSON IF THE PERSON KNOWS THAT THE LIEN OR ENCUMBRANCE IS:

(I) FALSE; OR

(II) CONTAINS OR IS BASED ON A MATERIALLY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION.”;

in line 9, strike “FELONY” and substitute “MISDEMEANOR”; in line 10, after “TO” insert “;”

(1) FOR A FIRST VIOLATION,”;

strike beginning with “NOT” in line 10 down through “BUT” in line 11; in line 11, strike “10 YEARS” and substitute “1 YEAR”; in the same line, after “BOTH” insert “;”
AND

(2) FOR EACH SUBSEQUENT VIOLATION, IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING 10,000 OR BOTH”;

and after line 11, insert:

“(D) (1) A PERSON AGAINST WHOM A LIEN IS FILED IN VIOLATION OF SUBSECTION (B)(2) OF THIS SECTION MAY SEEK INJUNCTIVE AND OTHER EQUITABLE RELIEF IN THE CIRCUIT COURT TO REMOVE THE LIEN.

(2) THE COURT MAY AWARD THE PREVAILING PARTY IN AN ACTION BROUGHT IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION WITH COMPENSATORY DAMAGES AND REASONABLE ATTORNEY’S FEES.”.

AMENDMENT NO. 4

On page 3, in line 13, strike “October” and substitute “June”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #15

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 409 – Senator Raskin

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act – Applicability

SB0409/918570/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 409

(First Reading File Bill)

On page 2, in line 12, strike “AND POTENTIAL PARTIES”; and in the same line, after “MEDIATION” insert “AND PERSONS WITH WHOM THE MEDIATOR HAS ENGAGED IN MEDIATION COMMUNICATIONS”; in line 16, strike “STANDARD” and substitute “STANDARDS”; and in line 17, strike “MEDIATORS” and substitute “MEDIATORS”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 413 – Senators King, Benson, Colburn, Forehand, Jacobs, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, Robey, Shank, Stone, and Young

AN ACT concerning

Criminal History Records Checks – Informal Child Care Providers

SB0413/928671/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 413

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Young” and substitute “Young, and Brinkley”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 417 – Senators Forehand, Benson, Kelley, and Madaleno

AN ACT concerning

Family Law – Domestic Violence – Permanent Final Protective Orders

SB0417/328070/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 417

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, 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, strike beginning with “under” in line 23 down through “Article” in line 25; and in line 25, after “order” insert “AND HAS SERVED AT LEAST 12 MONTHS OF THE SENTENCE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 490 – Senators Shank, Forehand, Jacobs, and Raskin

AN ACT concerning

Domestic Violence – Persons Eligible for Relief and Orders to Vacate Home**SB0490/198873/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 490

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Orders to Vacate Home”; strike beginning with “and” in line 5 down through “respondent” in line 6; strike beginning with “establishing” in line 7 down through “basis;” in line 11; and in line 14, strike “and 4-506(d)”.

AMENDMENT NO. 2

On page 2, in line 6, after “respondent;” insert “OR”; and strike beginning with “; OR” in line 8 down through “RESPONDENT” in line 20.

AMENDMENT NO. 3

On pages 2 through 4, strike in their entirety the lines beginning with line 21 on page 2 through line 10 on page 4, inclusive.

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 47 Members present.

(See Roll Call No. 597)

ADJOURNMENT

At 1:00 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 9:30 A.M. on Legislative Day March 18, 2013, Calendar Day, Wednesday, March 20, 2013, in memory of the Honorable Judge Jacob Solomon Levin.

Annapolis, Maryland
Legislative Day: March 18, 2013
Calendar Day: Wednesday, March 20, 2013
9:30 A.M. Session

The Senate met at 9:45 A.M.

Prayer by Reverend Joe Ready, Liberty Church, guest of Senator Getty.

(See Exhibit A of Appendix III)

The Journal of March 17, 2013 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 599)

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)

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2013 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit B of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE –
COMMITTEE REPRINT TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit C of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPORT ON HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit D of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (45) AND THE FAVORABLE REPORT.

Committee amendments 1 through 9 were read and adopted.

Committee amendments 10 through 19 were read and adopted.

Committee amendments 20 through 26 were read and adopted.

Committee amendments 27 through 39 were read and adopted.

Committee amendments 40 through 45 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0100/223426/1

BY: Senator Kittleman

AMENDMENT TO HOUSE BILL 100
(Third Reading File Bill – Committee Reprint)

On page 175, under:

Heading: STATE RESERVE FUND

Program: Y01A01.01

Entitled: Revenue Stabilization Account

In line 3, after “Appropriation” insert “, provided that \$5,500,000 of this appropriation intended to increase the balance in the Revenue Stabilization Account may not be expended for that purpose but instead may only be used to provide a grant”

to the Chesapeake Employers' Insurance Company. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund."

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

Affirmative – 9 Negative – 38 (See Roll Call No. 600)

FLOOR AMENDMENT

HB0100/153820/1

BY: Senator Pipkin

AMENDMENT TO HOUSE BILL 100

(Third Reading File Bill – Committee Reprint)

On page 127, under:

Heading: AID TO EDUCATION

Program: R00A02.01

Entitled: State Share of Foundation Program

In line 35, after "Appropriation" insert ", provided that a portion of this funding allocated to each county's local board of education shall be restricted to the purpose of providing a full-time school resource officer to each public elementary and secondary school. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled."

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

Affirmative – 11 Negative – 36 (See Roll Call No. 601)

FLOOR AMENDMENT

HB0100/923320/1

BY: Senator Pipkin

AMENDMENT TO HOUSE BILL 100

(Third Reading File Bill – Committee Reprint)

On page 80, under:

Heading: MENTAL HYGIENE ADMINISTRATION

After line 17, insert:

“Provided that it is the intent of the General Assembly that the State reopen the Upper Shore Community Mental Health Center in Chestertown, Maryland and that the facility be maintained under the direction of the Mental Hygiene Administration in accordance with the appropriate provisions of the Health – General Article and the Code of Maryland Regulations.”.

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

Affirmative – 11 Negative – 32 (See Roll Call No. 602)

FLOOR AMENDMENT

HB0100/163429/1

BY: Senator Reilly

AMENDMENT TO HOUSE BILL 100

(Third Reading File Bill – Committee Reprint)

On pages 88 and 89, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.03

Entitled: Medical Care Provider Reimbursements

Strike beginning with “; or” in line 36 on page 88 down through “health” in line 1 on page 89.

On page 90, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.07

Entitled: Maryland Children's Health Program

Strike beginning with “; or” in line 32 down through “health” in line 43.

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

Affirmative – 14 Negative – 33 (See Roll Call No. 603)

FLOOR AMENDMENT

HB0100/393820/1

BY: Senator Reilly

AMENDMENT TO HOUSE BILL 100
(Third Reading File Bill – Committee Reprint)

On page 161, under:

Heading: MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION

Program: T50T01.03

Entitled: Maryland Stem Cell Research Fund

In line 27, after “Appropriation” insert “, provided that no funds in this appropriation shall be expended to provide grants for basic stem cell research. Further provided that this appropriation may only be used to provide grants to fund adult stem cell research.”.

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

Affirmative – 16 Negative – 31 (See Roll Call No. 604)

FLOOR AMENDMENT

HB0100/923922/1

BY: Senator Brinkley

AMENDMENT TO HOUSE BILL 100

(Third Reading File Bill – Committee Reprint)

On page 175, under:

Heading: STATE RESERVE FUND

Program: Y01A02.01

Entitled: Dedicated Purpose Account

In line 8, after “Appropriation” insert “, provided that \$5,771,558 of this appropriation intended to increase the balance in the Revenue Stabilization Account may not be expended for that purpose but instead may be used only to provide grants to local school systems for which total direct education aid in fiscal 2014 is less than the amount received in fiscal 2013. Further provided that this provision is contingent on the enactment of Chapter () (H.B. 102) of the Acts of the General Assembly of 2013. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.”.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 605)

Read the second time and ordered prepared for Third Reading.

House Bill 102 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2013

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT OF
2013

(See Exhibit E of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (11) AND THE FAVORABLE REPORT.

Committee amendments 1 through 4 were read and adopted.

Committee amendments 5 through 7 were read and adopted.

Committee amendments 8 through 11 were read and adopted.

Favorable report, as amended, adopted.

FLOOR COMMITTEE AMENDMENT

HB0102/269832/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 102
(Third Reading File Bill – Committee Reprint)

On page 13, after line 15, insert:

“Article – Tax – General”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0102/233523/1

BY: Senator Jacobs

AMENDMENTS TO HOUSE BILL 102
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 4, after “purposes;” insert “providing that a certain income tax credit does not apply to certain film production activities; requiring the Secretary of Business and Economic Development to adopt certain regulations;”.

On page 4, in line 8, after “2–606(e)” insert “and 10–730(b)”.

AMENDMENT NO. 2

On page 13, after line 31, insert:

“10–730.

(b) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A qualified film production entity may claim a credit against the State income tax for film production activities in the State in an amount equal to the amount stated in the final tax credit certificate approved by the Secretary for film production activities.

(2) If the tax credit allowed under this section in any taxable year exceeds the total tax otherwise payable by the qualified film production entity for that taxable year, the qualified film production entity may claim a refund in the amount of the excess.

(3) (I) THE TAX CREDIT UNDER THIS SECTION DOES NOT APPLY TO A FILM PRODUCTION ACTIVITY THAT CONTAINS OR PROMOTES GUN VIOLENCE.

(II) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT SHALL ADOPT REGULATIONS THAT ESTABLISH CRITERIA FOR DETERMINING WHETHER A FILM PRODUCTION ACTIVITY CONTAINS OR PROMOTES GUN VIOLENCE.”.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

HB0102/603426/1

BY: Senator Brinkley

AMENDMENTS TO HOUSE BILL 102

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 17, before “altering” insert “providing a certain grant to a certain county board of education under certain circumstances:”.

On page 3, in line 23, after “Section” insert “5-202(i) and”.

AMENDMENT NO. 2

On page 10, after line 18, insert:

“5-202.

(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, THEN THE STATE SHALL PROVIDE A GRANT TO THE

COUNTY BOARD EQUAL TO 50% OF THE DECREASE IN TOTAL DIRECT EDUCATION AID FROM THE PRIOR FISCAL YEAR TO THE CURRENT FISCAL YEAR.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 496 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Funding Method and Amortization of Unfunded Liabilities or Surpluses

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 420 – Senators Frosh, Raskin, Garagiola, Manno, Montgomery, and Ramirez

AN ACT concerning

Crimes – Restricted Firearm Ammunition – Prohibition on Possession and Use

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 606)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #40

Senate Bill 30 – Senators Zirkin and Forehand

AN ACT concerning

Vehicle Laws – Prohibition Against Smoking in Vehicle Containing Young Child

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

Affirmative – 27 Negative – 20 (See Roll Call No. 608)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 609)

The Bill was then sent to the House of Delegates.

Senate Bill 619 – Senator Astle

AN ACT concerning

Wildlife Management and Sustainability Act of 2013

Senator Simonaire moved, duly seconded, to make the Bill a Special Order for March 21, 2013.

The motion was adopted.

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 – 47 Negative – 0 (See Roll Call No. 610)

The Bill was then sent to the House of Delegates.

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 – 34 Negative – 12 (See Roll Call No. 611)

The Bill was then sent to the House of Delegates.

Senate Bill 875 – Senator Conway

AN ACT concerning

Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund

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

Affirmative – 45 Negative – 0 (See Roll Call No. 612)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 613)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 614)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 615)

The Bill was then sent to the House of Delegates.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 14	Sen. Middleton	Utility Service Protection Program – Annual Report – Deadline

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 18 – ~~Delegate Vitale~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Refillable Container License

FOR the purpose of creating in Anne Arundel County a refillable container license; authorizing the Board of License Commissioners to issue the license to a holder of certain classes of alcoholic beverages license issued by the Board; specifying that a holder of the license may sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements; specifying the term of the license; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that was branded by ~~the~~ a license holder; requiring the Board to adopt certain regulations; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, without amendments,
 Article 2B – Alcoholic Beverages
 Section 8–202(a) and (b)
 Annotated Code of Maryland
 (2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages
Section 8–202(l)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 74 – Delegate Feldman

AN ACT concerning

Alcoholic Beverages – Consumption of Wine Not Bought from License Holder

FOR the purpose of expanding the application of a certain provision of law to allow an individual in a restaurant, club, or hotel for which any license allowing the sale of wine is issued to consume wine not purchased from or provided by the license holder only under certain circumstances, including a requirement that the license holder obtain a certain corkage permit; requiring each local licensing board to issue a corkage permit at no charge; clarifying language; and generally relating to the consumption of wine in ~~Montgomery County~~ the State.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 12–107(b)(10)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 123 – Delegate Serafini

AN ACT concerning

Income Tax – Subtraction Modification – Credit Card Debt Forgiveness

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain income of certain individuals from the cancellation of certain consumer debt; providing that the amount of the subtraction modification may not exceed a certain amount for certain taxpayers; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain income from the cancellation of certain debt.

BY repealing and reenacting, without amendments,
Article – Tax – General

Section 10–207(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General
Section 10–207(aa)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

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

FOR the purpose of allowing an individual or corporation a credit against the State income tax for each bushel of oyster shells recycled during the taxable year; requiring an individual or corporation that claims the credit to provide verification of the amount of oyster shells recycled; providing that the credit may not exceed a certain amount; providing that the credit may not be carried forward to another taxable year; requiring the Department of Natural Resources and the Comptroller jointly to adopt certain regulations; providing that the credit allowed under this Act is subject to the Tax Credit Evaluation Act; providing for the application of this Act; providing for the termination of this Act; and generally relating to an income tax credit for oyster shell recycling.

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 1–303(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General
Section 10–724.1
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 196 – Delegates Cardin, Morhaim, Reznik, Rosenberg, and M. Washington

AN ACT concerning

Election Law – Special Elections – Voting by Mail

FOR the purpose of altering certain provisions of law concerning voting by mail in special elections; authorizing the Governor, a county council, or a board of county commissioners to direct that voting by mail be utilized in certain special elections; specifying the application of certain provisions of law to a special election conducted by mail; requiring a local board of elections to mail a vote-by-mail ballot to each registered voter who is eligible to vote in a special election conducted by mail unless the voter has requested that the ballot be transmitted by other means; specifying that a voter is not required to submit an application to receive a vote-by-mail ballot; requiring a local board to send a vote-by-mail ballot to each eligible voter at least a certain number of days before the day of a special election; requiring that vote-by-mail ballots be mailed to the address on file in the statewide voter registration list for each eligible voter except in certain circumstances; requiring a local board to issue a replacement vote-by-mail ballot to a voter under certain circumstances; requiring each local board to establish at least one voting center for the use of any eligible voter who chooses to cast a ballot in person in a special election; specifying certain requirements for a voting center established by a local board; authorizing a local board to establish a voting center during a certain time period; providing that a certain process for applying in person for an absentee ballot at the office of a local board does not apply to a special election conducted by mail; providing that certain provisions of law relating to voting at a polling place on election day also apply to voting at a voting center established under this Act; requiring a voter to return a vote-by-mail ballot by certain methods; authorizing a voter to designate an agent to return a vote-by-mail ballot to a local board; requiring that a vote-by-mail ballot be returned to a local board by certain deadlines and meet certain requirements to be considered timely and be counted; authorizing the State Board of Elections to adopt regulations as necessary to implement this Act; and generally relating to voting by mail in special elections.

BY ~~adding to~~ repealing and reenacting, with amendments,

Article – Election Law

Section ~~9-601 through 9-606 to be under the new~~ 9-501 through 9-505 to be under the amended subtitle “Subtitle 5. Voting by Mail in Special Elections”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law

Section 9-506

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 201 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne’s County – Property Tax Credit – Commercial Investment and Economic Development

FOR the purpose of altering the minimum number of new employees that a certain business must employ in order to qualify for a certain property tax credit against the Queen Anne’s County property tax imposed on certain property; and generally relating to county property tax credits for certain businesses in Queen Anne’s County.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–319(d)(1)

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 214 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne’s County – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person in Queen Anne’s County to hunt deer on certain Sundays on private property using certain hunting equipment during certain months; and generally relating to hunting on private property on Sundays in Queen Anne’s County.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 230 – Delegates Schulz, Afzali, Barkley, Clagett, Feldman, Hershey, Hogan, Hough, Jacobs, McDermott, W. Miller, Olszewski, Otto, Ready, and Smigiel

AN ACT concerning

Alcoholic Beverages – Farm Breweries and Micro-Breweries

FOR the purpose of adding the holder of a Class 7 micro-brewery license to the list of licensees with whom a holder of a Class 8 farm brewery license may contract to brew and bottle beer from ingredients produced on the licensed farm; authorizing the Comptroller to issue in Howard County one Class 8 farm brewery license to a person that holds not more than a certain number of Class B beer, wine and liquor licenses; making certain stylistic changes; and generally relating to holders and issuance of Class 8 farm brewery licenses.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–209(a)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–208(c)(1) and 2–209(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 12–104(e)(7)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 231 – Delegates Schulz, Barkley, Clagett, Feldman, Haddaway-Riccio, Kramer, Love, Olszewski, Schuh, and Stifler

AN ACT concerning

Alcoholic Beverages – Class 7 Limited Beer Wholesaler’s License

FOR the purpose of creating a Class 7 limited beer wholesaler’s license that allows the license holder to sell, deliver, and distribute its own beer produced at the holder’s premises to a retail license holder or permit holder in the State under

certain circumstances; repealing certain prohibitions against issuing a nonresident dealer's permit to a certain person; authorizing the Office of the Comptroller to issue a nonresident brewery permit to a certain person licensed outside the State to sell and deliver a certain amount of beer to a retail license holder or permit holder in the State under certain circumstances; authorizing certain holders of a Class 5 manufacturer's license or a Class 7 micro-brewery license to apply for and obtain a Class 7 limited beer wholesaler's license if certain requirements are met; specifying certain annual license fees for a Class 7 limited beer wholesaler's license and a nonresident brewery permit; authorizing a holder of a Class 7 limited beer wholesaler's license to use additional locations for certain purposes on the payment of a certain fee; allowing a Class 7 limited beer wholesaler's license to be issued only to certain persons; authorizing a holder of a Class 7 limited beer wholesaler's license to distribute not more than a certain amount of its own beer annually; and generally relating to Class 7 beer wholesaler's licenses.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(i)(2) and (w)(3), 2–201(b), and 2–301(a) and (b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(z)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

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

FOR the purpose of providing that the sales and use tax does not apply to a sale by certain ~~nonprofit~~ parent–teacher organizations or other ~~nonprofit~~ organizations within an elementary or secondary school in the State or within a school system in the State; and generally relating to a sales and use tax exemption for certain nonprofit parent–teacher organizations.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–204(b)

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

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 245 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Substance-Exposed Newborns

FOR the purpose of ~~establishing a presumption that a child is not receiving proper care and attention from the mother for purposes of determining whether a child is a child in need of assistance under certain provisions of law; altering the factors that a juvenile court is required to consider when determining whether to terminate a parent’s rights;~~ requiring a health care practitioner involved in the delivery or care of a substance-exposed newborn to make a certain report to a local department of social services except under certain circumstances; specifying the contents of the report; requiring a local department of social services to take certain actions; establishing that a report made under this Act does not create a certain presumption; requiring the Secretary of Human Resources to adopt certain regulations; requiring the Department of Human Resources to submit reports to the General Assembly on or before certain dates; defining certain terms; and generally relating to substance-exposed newborns.

~~BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–818
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–323
Annotated Code of Maryland
(2012 Replacement Volume)~~

BY adding to
Article – Family Law
Section 5–704.2
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 333 – Delegates Rosenberg and Haynes

AN ACT concerning

Family Investment Program – Couples Advancing Together Pilot Program

FOR the purpose of requiring the Secretary of Human Resources to establish the Couples Advancing Together Pilot Program in the Department of Human Resources; requiring the Program to be established for a certain number of couples in at least a certain number of counties in the State in order to assist the participating couples to move toward stable relationships and family friendly employment; requiring the Secretary to cooperate with certain local directors of social services and to consult with the Commission on Responsible Fatherhood regarding the establishment of the Program; establishing the intent of the Program; providing for the components of the Program including the implementation of certain policies and procedures in certain local departments, the development of a certain referral process or certain integrated partnerships for certain couples, and the implementation of certain program requirements; establishing certain age requirements for eligibility to participate in the Program; requiring the Secretary to attempt to access certain federal grants and funds; requiring the Secretary to submit a certain annual report to the Senate Finance Committee and the House Appropriations Committee; providing for the contents of the annual report; requiring the Secretary to submit a certain report to the Senate Finance Committee and the House Appropriations Committee on the Department's efforts to secure certain federal grants and funds; defining a certain term; providing for the termination of this Act; and generally relating to the Couples Advancing Together Pilot Program and the Family Investment Program.

BY adding to

Article – Human Services

Section 5–318.1

Annotated Code of Maryland

(2007 Volume and 2011 Supplement)

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

House Bill 357 – Delegates Wood, Hubbard, McIntosh, Bohanan, Frush, Jameson, and Murphy

AN ACT concerning

Potomac River Fisheries Commission – Inspection Tax and Penalty

FOR the purpose of establishing a certain maximum oyster inspection tax that may be imposed by the Potomac River Fisheries Commission; requiring the Potomac River Fisheries Commission to use the proceeds of a certain oyster inspection tax for a certain purpose; increasing a certain maximum penalty for the

violation of certain regulations; making this Act subject to a certain contingency; providing for the effective dates of this Act; and generally relating to the Potomac River Fisheries Commission.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–306 Article III Section 9 and Article V Section 2
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 455 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Refillable Wine Containers Ho. Co. 15–13

FOR the purpose of expanding a certain application of law in Howard County to allow certain license holders to sell wine in refillable containers of a certain capacity off the licensed premises; authorizing the Board of License Commissioners to issue a refillable wine container permit; making certain requirements relating to refillable containers, advertising, posting of notice, public hearings, hours of sale, and the refilling of containers applicable to refillable wine containers and holders of refillable wine container permits issued under this Act; making a technical correction; and generally relating to alcoholic beverages in Howard County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(p–1)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(p–1)(11)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 521 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Extinguishment or Redemption of Ground Rents

FOR the purpose of altering the scope of a certain procedure in law that authorizes Baltimore City to apply to the State Department of Assessments and Taxation in order to extinguish or redeem a ground rent on property acquired by Baltimore City under certain circumstances; altering the contents of a certain affidavit required in a certain procedure to extinguish or redeem a ground rent on property acquired by Baltimore City under certain circumstances; altering the scope of a certain procedure to authorize a landlord of abandoned or distressed property acquired by Baltimore City to collect a certain redemption amount under certain circumstances; and generally relating to ground rents in Baltimore City.

BY repealing and reenacting, with amendments,
 Article – Real Property
 Section 8–110
 Annotated Code of Maryland
 (2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 532 – Delegates Serafini, Afzali, Fisher, Frank, Krebs, Myers, ~~and Stocksdale~~ Stocksdale, F. Turner, and Walker

AN ACT concerning

~~**State Board of Education – Online Courses – Graduation Requirement**~~
**Education – Maryland Advisory Council for Virtual Learning –
 Responsibilities**

FOR the purpose of ~~requiring a student to complete an online course to graduate from high school, beginning with students entering a certain grade in a certain school year; requiring that certain online courses be approved by the State Department of Education or the local county board of education; and generally relating to high school graduation requirements in the State~~ establishing additional responsibilities for the Maryland Advisory Council for Virtual Learning; requiring the Advisory Council to study and make recommendations regarding certain matters; requiring the Advisory Council to report certain findings and recommendations to the State Superintendent of Education and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Maryland Advisory Council for Virtual Learning.

~~BY adding to~~

~~Article – Education
Section 7–205.1
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 543 – Carroll County Delegation

AN ACT concerning

Carroll County – Deer Hunting – Sundays

FOR the purpose of authorizing the Department of Natural Resources to allow a person to hunt deer on private property on certain Sundays in Carroll County and subject to certain provisions of law; and generally relating to the regulation of deer hunting by the Department of Natural Resources.

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 551 – Washington County Delegation

AN ACT concerning

Washington County – Technology–Related Businesses – Payment in Lieu of Taxes Agreements

FOR the purpose of authorizing the governing body of Washington County to enter into an agreement with the owner of a technology–related business for payment in lieu of the county personal property tax; requiring that a payment in lieu of taxes agreement include certain provisions; exempting personal property of a technology–related business from county personal property tax as specified in a payment in lieu of taxes agreement; providing for the application of this Act; and generally relating to authorizing Washington County to enter into payment in lieu of taxes agreements with technology–related businesses.

BY adding to

Article – Tax – Property
Section 7–509.1

Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 554 – Delegates Schuh, Barnes, Beidle, Costa, Dwyer, Frush, George, Kipke, McConkey, McMillan, Pena–Melnik, Sophocleus, ~~and Vitale Vitale~~, and Glenn

AN ACT concerning

Environment – ~~Permit Applications – Notice – Neighboring Jurisdictions~~ and Public Utilities – Notice to Neighboring Jurisdictions of Applications

FOR the purpose of requiring the Department of the Environment, on receipt of a certain permit application, to give notice immediately or require the applicant to give notice immediately of the application by certified mail to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring an applicant for a certain incinerator or landfill system to give notice by certified mail of the application, informational meeting, and hearings to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring the Public Service Commission, on receipt of an application for a certificate of public convenience and necessity to construct a certain generating station, overhead transmission line, or qualified generator lead line, to provide notice immediately or require the applicant to provide notice immediately of the application to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring the Commission, on receipt of a certain application for approval to construct a certain generating station, to provide notice immediately or require the applicant to provide notice immediately of the application to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; exempting a certain notice requirement from a certain waiver authorization; requiring the Commission, on receipt of a certain application and certain additional information relating to the construction of a certain generating station and associated overhead transmission lines, to provide notice immediately or require the applicant to provide notice immediately to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; and generally relating to notice requirements for ~~environmental permit~~ applications to the Department of the Environment and the Public Service Commission.

BY repealing and reenacting, without amendments,

Article – Environment

Section 1–602

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–404 and 9–209
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–207(c), 7–207.1, and 7–208(d)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–208(a) through (c)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 600 – ~~Delegate Pena-Melnyk~~ Delegates Pena-Melnyk, Nathan-Pulliam, Oaks, Pendergrass, and V. Turner

AN ACT concerning

Maryland Medical Assistance Program – Judgments – Third-Party Tortfeasors

FOR the purpose of requiring a certain judgment obtained in favor of a Maryland Medical Assistance Program recipient to be increased by a certain amount under certain circumstances; authorizing the Department of Health and Mental Hygiene to collect from a Program recipient the full amount of certain payments under certain circumstances; and generally relating to judgments in favor of Maryland Medical Assistance Program recipients and recovery of payments by the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–120
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Finance.

House Bill 636 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary District – System Development Charge – Exemptions
MC/PG 103–13**

FOR the purpose of authorizing the County Councils of Montgomery County and Prince George’s County to grant an exemption from a system development charge imposed by the Washington Suburban Sanitary Commission for certain properties owned by certain entities that are exempt from federal taxation and the primary mission and purpose of which are to provide programs and services to youth under certain circumstances; limiting the amount of a certain exemption from a system development charge; providing for the termination of this Act; and generally relating to the Washington Suburban Sanitary District and the system development charge.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 25–403
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 646 – Montgomery County Delegation

AN ACT concerning

**Gaming – Instant Ticket Lottery Machines – Veterans’ Organizations
MC 5–13**

FOR the purpose of removing Montgomery County from a certain list of exempted counties so as to allow certain veterans’ organizations in the county to be licensed to sell certain lottery machine tickets under certain circumstances; authorizing veterans’ organizations in Montgomery County to be licensed to operate not more than a certain number of instant ticket lottery machines; specifying the manner in which the State Lottery and Gaming Control Agency shall ensure that the element of chance in the conduct of gaming through instant ticket lottery machines is consistent with a certain court decision; and generally relating to instant ticket lottery machines.

BY repealing and reenacting, with amendments,
Article – State Government

Section 9–112
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

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**

FOR the purpose of applying certain provisions relating to prevailing wage rates for public work contracts to certain contracts entered into by the Washington Suburban Sanitary Commission under certain circumstances; altering a certain definition; and generally relating to the prevailing wages for public work contracts entered into by the Washington Suburban Sanitary Commission.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 17–201(a) and (j) and 17–202
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 17–201(i) ~~and 17–202~~
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 653 – Charles County Delegation

AN ACT concerning

Charles County – Building Code – Abatement of Violations

FOR the purpose of authorizing the County Commissioners of Charles County to abate a violation of the building code; authorizing the County Commissioners to assess the reasonable costs of an abatement of a building code violation against the property; requiring the assessment to be added to the annual tax bill, collected in a certain manner, and subject to the same interest and penalty for nonpayment as provided by law for the nonpayment of county taxes; providing that the assessment is a lien on the property from the date of assessment until

paid; and generally relating to the abatement of violations of the building code in Charles County.

BY repealing and reenacting, with amendments,

~~Article 25 – County Commissioners
Section 10E
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

Article – Local Government
Section 13–904
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 Education, Health, and Environmental Affairs.

House Bill 665 – Delegates DeBoy, Barkley, Beidle, Frick, Lafferty, B. Robinson, and Sophocleus

AN ACT concerning

State Personnel – Law Enforcement Employees – Extra Compensation

FOR the purpose of providing that a law enforcement employee of any unit of State government, instead of only certain law enforcement employees of the Department of State Police and the Department of Natural Resources, who works on certain holidays is entitled to certain extra compensation; making this Act subject to a certain contingency; requiring the Secretary of Budget and Management to give certain notices to the Department of Legislative Services; providing for the termination of this Act under certain circumstances; and generally relating to the compensation of law enforcement employees.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 8–308
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 667 – Delegates Hixson, Arora, Barkley, Barve, Bobo, Cane, Carr, Claggett, Cullison, DeBoy, Feldman, Frick, Gilchrist, Gutierrez, Guzzone, Healey, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer, Lafferty, Luedtke, Malone, McHale, McIntosh, Minnick, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Niemann, Pendergrass, Proctor,

Reznik, B. Robinson, Rosenberg, Stein, Stukes, F. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, M. Washington, Weir, and Zucker

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; 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; 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)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 669 – Delegates Vaughn, Barkley, Barnes, Davis, and Rudolph

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; declaring the intent of the General Assembly regarding 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 Finance.

House Bill 701 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Repeal of Obsolete Provisions of Law

FOR the purpose of repealing certain obsolete provisions of the State alcoholic beverages law, including the repeal of the definition of “this article”, the repeal of a requirement that the Comptroller prescribe certain maximum discounts that may be allowed by a manufacturer, wholesaler, or nonresident winery permit holder, the repeal of a requirement that the Comptroller require the filing of certain schedules of prices and price changes by certain licensees, the repeal of the authorization for the Comptroller to require that suppliers of certain wholesalers affirm that the net price of each item offered for sale is no higher than a certain price, the repeal of a requirement that certain persons in Baltimore City be certified by an approved alcohol awareness program, and the repeal of certain bonding requirements in Garrett County; and generally relating to obsolete alcoholic beverages provisions of law.

BY repealing
Article 2B – Alcoholic Beverages
Section 1–102(a)(25), 12–103, 13–101(c)(4), and 14–101(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 769 – Delegates Malone, Beidle, Bobo, Frush, Gilchrist, Healey, Holmes, Lafferty, Niemann, Norman, S. Robinson, Stein, and Vitale

AN ACT concerning

Public Safety – Maryland Building Performance Standards – Local Wind Design and Wind-Borne Debris Standards

FOR the purpose of authorizing a local jurisdiction to adopt local amendments to the Maryland Building Performance Standards if the local amendments do not weaken wind design and wind-borne debris provisions contained in the Standards; and generally relating to building performance standards.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12-504(a)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 822 – Calvert County Delegation

AN ACT concerning

Calvert County – Property Tax – Natural Gas Facility

FOR the purpose of authorizing the governing body of Calvert County to enter into a payment in lieu of taxes agreement with the owner of a facility for the liquefaction of natural gas; requiring an agreement for payment in lieu of taxes to include certain provisions; providing that certain property of the owner of a natural gas facility is exempt from county property tax as provided in a payment in lieu of taxes agreement; requiring a certain supervisor to assess certain property of a facility that is subject to a payment in lieu of taxes agreement on the request of the governing body of Calvert County; authorizing the governing body of Calvert County to grant a credit against the county property tax imposed on certain property of an expanding or new business engaged in the liquefaction of natural gas; providing for the application of this Act; and generally relating to authorizing property tax relief for a natural gas facility in Calvert County.

BY adding to
Article – Tax – Property
Section 7-517
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9-306(g)
Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 831 – Delegate Bohanan

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 Budget and Taxation.

House Bill 936 – Delegates S. Robinson, Carr, Gilchrist, Haddaway–Riccio, and Mizeur

AN ACT concerning

Natural Resources – Maryland Botanical Heritage Workgroup

FOR the purpose of establishing the Maryland Botanical Heritage Workgroup; providing for the composition, chair, 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 define challenges to, explore opportunities for improving, and make recommendations regarding the preservation of plant species native to the State and region; requiring the Workgroup 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 Maryland Botanical Heritage Workgroup.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 958 – Delegate Barnes

AN ACT concerning

Public Safety – Law Enforcement Officers’ Bill of Rights – Washington Metropolitan Area Transit Authority Metro Transit Police

FOR the purpose of altering a certain definition to make certain provisions of law relating to the rights of law enforcement officers applicable to a law enforcement officer who is a member of the Washington Metropolitan Area Transit Authority Metro Transit Police; making conforming changes; making this Act subject to a certain contingency; and generally relating to the Washington Metropolitan Area Transit Authority Metro Transit Police and the Law Enforcement Officers’ Bill of Rights.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–201(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)(1)(ii)24. and 25.
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Public Safety
Section 3–101(e)(1)(ii)26.
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1168 – Delegate Hixson

AN ACT concerning

~~State Department of Education~~ **– Minority Teacher Recruitment – Study and Report**

FOR the purpose of requiring the State Department of Education, the Maryland Higher Education Commission, and the University System of Maryland to study and make recommendations on certain strategies to increase and improve minority teacher recruitment, preparation, development, and retention in elementary and secondary education in the State; requiring the Department, Commission, and System to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to minority teacher recruitment ~~and the State Department of Education.~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1338 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County Juvenile Court and School Safety Workgroup PG 306–13

FOR the purpose of establishing the Prince George’s County Juvenile Court and School Safety Workgroup; providing for the composition, ~~chair~~ co-chairs, 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 develop certain policies and protocols, create a certain process, develop criteria for certain programs, and hold certain meetings, ~~and convene certain groups annually;~~ requiring the Workgroup to report its findings and recommendations to the Prince George’s County Delegation on or before a certain date; ~~requiring the Workgroup to report annually under certain circumstances;~~ providing for the termination of this Act; and generally relating to the Prince George’s County Juvenile Court and School Safety Workgroup.

~~BY adding to~~

~~Article — Education~~

~~Section 22-401 to be under the new subtitle “Subtitle 4. Prince George’s County Juvenile Court and School Safety Workgroup”~~

~~Annotated Code of Maryland~~

~~(2008 Replacement Volume and 2012 Supplement)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1397 – Delegate Bobo (Chair, Workgroup to Conduct a Review of Disclosure Requirements of the Public Ethics Laws)

AN ACT concerning

~~Joint Ethics Committee – Reporting Requirements – Employment and
Sources of Earned Income~~
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; 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 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 ~~reporting requirements of members of the General Assembly~~ public ethics, public officials, local governments, and lobbyists.

BY repealing and reenacting, with amendments,
Article – State Government
Section ~~15–513(b)~~ 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,
Chapter 620 of the Acts of the General Assembly of 2012
Section 2 and 3

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #15

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 534 – Senator Shank

AN ACT concerning

Family Law – Preventing or Interfering with Report of Suspected Child Abuse or Neglect

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 792 – Senator Kelley

AN ACT concerning

Maryland Collaborative Reproduction Act

Senator Brinkley moved, duly seconded, to make the Bill and Report a Special Order for March 21, 2013.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #16

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 28 – Senator Young

AN ACT concerning

Real Property – Blighted Property – Nuisance Abatement

SB0028/818571/2

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 28
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “authorizing a local government to use a certain process to remediate blighted property;”; in lines 4 and 5 and in lines 17 and 18, in each instance, strike “code violations” and substitute “blighted condition”; in line 5, after “time;” insert “requiring the appropriate unit of local government to send a certain notice to certain lienholders;”; strike beginning with “prohibiting” in line 7 down through “requirements;” in line 8; in line 10, after “nuisance” insert “under certain circumstances”; strike beginning with “with” in line 12 down through “amount” in line 13; in line 17, after “circumstances;” insert “authorizing a local government to record a notice of a fine in the land records; providing for the establishment of a certain lien;”; in line 19, strike “a”; and in the same line, strike “term;” and substitute “terms; providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 2, in line 3, after “(A)” insert “(1)”; in the same line, strike beginning with the comma through “MEANS” and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(2) (1) “BLIGHTED PROPERTY” MEANS;

in lines 5, 6, and 7, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; in line 5, strike “HAS” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, HAS”; in line 6, strike “AND”; in line 8, strike “OR THE MINIMUM LIVABILITY CODE” and substitute “; AND”

4. A. HAS EXTERNAL STRUCTURAL FAILINGS, INCLUDING COLLAPSING OR MISSING WALLS, ROOF, FLOORS, OR FOUNDATION; OR

B. POSES A HEALTH OR SAFETY HAZARD, AS DETERMINED BY THE APPROPRIATE CODE ENFORCEMENT, BUILDING, OR HEALTH INSPECTOR.

(II) “BLIGHTED PROPERTY” DOES NOT INCLUDE A VACANT OR BOARDED PROPERTY THAT WAS DAMAGED BY FIRE OR FLOODING WITHIN 2 YEARS BEFORE THE APPROPRIATE UNIT OF LOCAL GOVERNMENT ISSUES A NOTICE UNDER SUBSECTION (C) OF THIS SECTION, IF THE OWNER PROVIDES EVIDENCE THAT THE OWNER PROMPTLY FILED AN INSURANCE CLAIM AND THE OWNER’S INSURER HAS NOT PAID THE CLAIM.

(3) “LIENHOLDER” MEANS A PERSON WHO HAS A LIEN ON OR A SECURED INTEREST IN BLIGHTED PROPERTY.

(4) “OWNER” MEANS:

(I) A PERSON HOLDING RECORD TITLE TO BLIGHTED PROPERTY;

(II) A SUCCESSFUL BIDDER AT A FORECLOSURE SALE OF BLIGHTED PROPERTY, ON RATIFICATION OF THE SALE AND EXHAUSTION OF ALL RIGHTS TO APPEAL THE RATIFICATION OR OTHERWISE TO DELAY TRANSFER OF TITLE; OR

(III) A PERSON WHO HAS A LEGAL RIGHT UNDER A COURT ORDER, INCLUDING A COURT ORDER EXTINGUISHING A RIGHT OF REDEMPTION, TO POSSESSION OF PROPERTY THAT IS OR BECOMES BLIGHTED PROPERTY”.

AMENDMENT NO. 3

On page 2, in line 9, after “(B)” insert “(1) A LOCAL GOVERNMENT MAY USE THE PROCESS DESCRIBED IN THIS SECTION TO REMEDIATE BLIGHTED PROPERTY.

(2) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT OR SUPERSEDE ANY OTHER POWER OF A LOCAL GOVERNMENT TO REMEDIATE BLIGHTED PROPERTY.

(C)”;

in line 25, strike “(C)” and substitute “(D)”; and in line 26, strike “(B)” and substitute “(C)”.

AMENDMENT NO. 4

On page 2, in line 11, strike “CODE VIOLATIONS” and substitute “BLIGHTED CONDITION”; in line 15, strike “30” and substitute “90”; in line 17, strike “90” and substitute “120”; and strike in their entirety lines 22 through 24, inclusive, and substitute:

“(3) (I) AT THE SAME TIME THE NOTIFICATION TO THE OWNER OF A BLIGHTED PROPERTY IS SENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE UNIT OF LOCAL GOVERNMENT SHALL SEND WRITTEN NOTICE TO ALL LIENHOLDERS OF RECORD OR OTHERWISE KNOWN TO THE UNIT OF LOCAL GOVERNMENT.

“(II) THE WRITTEN NOTICE TO LIENHOLDERS SHALL INCLUDE A COPY OF THE NOTIFICATION SENT TO THE OWNER AND SHALL DESCRIBE THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

AMENDMENT NO. 5

On page 3, strike beginning with the colon in line 6 down through “ARTICLE” in line 13; and in line 17, after “TO” insert “SELL OR”.

AMENDMENT NO. 6

On page 3, in line 21, strike “THE” and substitute “:

1. THE”;

in the same line, after “NUISANCE” insert a semicolon; in line 22, strike “AND THE” and substitute:

“2. THE”;

and in the same line, after “NUISANCE” insert “; AND

3. THE PROPERTY IS BEING SOLD “AS IS”.

AMENDMENT NO. 7

On page 3, in line 23, after “(3)” insert “(I)”; in line 24, strike “SECTION” and substitute “SUBSECTION”; after line 28, insert:

“(II) 1. THE LOCAL GOVERNMENT MAY RECORD A NOTICE OF THE FINE AMONG THE LAND RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED, INDEXED IN THE NAME OF THE RECORD OWNER AS GRANTOR.

2. ON RECORDATION OF THE NOTICE, THE FINE SHALL CONSTITUTE A LIEN ON THE PROPERTY EFFECTIVE AS OF THE DATE OF RECORDATION.”;

in line 30, strike “, ON SETTLEMENT,”; in line 31, strike “CODE VIOLATIONS IN THE MANNER REQUIRED UNDER” and substitute “BLIGHTED CONDITION IN ACCORDANCE WITH”; and in line 32, strike “(B)(1)” and substitute “(C)(1)”.

The preceding 7 amendments were read only.

Senator Reilly moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 332 – Senator Gladden

AN ACT concerning

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

SB0332/928475/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 332
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “than” insert “any”; and in the same line, strike “statutes, regulations, or common”.

AMENDMENT NO. 2

On page 2, strike beginning with “STATE” in line 13 down through “ADULT” in line 16 and substitute “ANY STATE LAW REGARDING TRUSTS, INCLUDING ANY STATE LAW REGARDING THE REASONABLE EXERCISE OF DISCRETION BY A TRUSTEE, GUARDIAN, OR CONSERVATOR IN THE BEST INTERESTS OF THE BENEFICIARY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 366 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Extinguishment or Redemption of Ground Rents

SB0366/378278/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 366
(First Reading File Bill)

On page 1, in the sponsor line, after “Administration)” insert “and Senators Conway, Ferguson, McFadden, and Pugh”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 489 – Senators Shank and Getty

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 642 – Senators Muse, Conway, Forehand, Gladden, Ramirez, and Robey

AN ACT concerning

Residential Real Property – Prohibition on Nonjudicial Evictions

SB0642/248875/2

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 642

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Real”; in line 3, strike “certain persons” and substitute “a party claiming the right to possession”; in line 5, strike “certain persons” and substitute “a party claiming the right to possession”; in line 7, after “circumstances;” insert “requiring a party claiming the right to possession to provide a certain notice in a certain manner under certain circumstances;”; strike beginning with “and” in line 16 down through “law” in line 17; and in line 17, after “terms;” insert “providing for the application of certain provisions of this Act; providing for the construction of certain provisions of this Act; stating the intent of the General Assembly;”.

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 8 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“(2) “PARTY CLAIMING THE RIGHT TO POSSESSION” MEANS A PERSON OR SUCCESSOR TO ANY PERSON WHO:

(I) DOES NOT HAVE ACTUAL POSSESSION OF A RESIDENTIAL PROPERTY; AND

(II) HAS OR CLAIMS TO HAVE A LEGAL RIGHT TO POSSESSION OF THE RESIDENTIAL PROPERTY:

1. BY THE TERMS OF A CONTRACT OR FORECLOSURE SALE; OR

2. UNDER A COURT ORDER, INCLUDING A COURT ORDER EXTINGUISHING A RIGHT OF REDEMPTION.”;

in line 15, strike “(2)” and substitute “(3)(I)”; in the same line, strike “A CURRENT” and substitute “AN OWNER”; strike beginning with “, MORTGAGOR” in line 16 down through “RESIDING” in line 18; in line 18, after “IN” insert “ACTUAL POSSESSION OF”; after line 18, insert:

“(II) “PROTECTED RESIDENT” INCLUDES A GRANTEE, TENANT, SUBTENANT, OR OTHER PERSON IN ACTUAL POSSESSION BY, THROUGH, OR UNDER AN OWNER OR FORMER OWNER OF RESIDENTIAL PROPERTY.

(III) “PROTECTED RESIDENT” DOES NOT INCLUDE A TRESPASSER OR SQUATTER.”;

in line 19, strike “(3)” and substitute “(4)”; strike beginning with “OCCUPIED” in line 20 down through “FAMILIES” in line 21 and substitute “DESIGNED PRINCIPALLY AND IS INTENDED FOR HUMAN HABITATION”; and after line 21, insert:

“(5) “THREATEN TO TAKE POSSESSION” MEANS USING WORDS OR ACTIONS INTENDED TO CONVINCING A REASONABLE PERSON THAT A PARTY CLAIMING THE RIGHT TO POSSESSION INTENDS TO TAKE IMMINENT POSSESSION OF RESIDENTIAL PROPERTY IN VIOLATION OF THIS SECTION.

(6) “WILLFUL DIMINUTION OF SERVICES” MEANS INTENTIONALLY INTERRUPTING OR CAUSING THE INTERRUPTION OF HEAT, RUNNING WATER, HOT WATER, ELECTRICITY, OR GAS BY A PARTY CLAIMING THE RIGHT TO POSSESSION FOR THE PURPOSE OF FORCING A PROTECTED RESIDENT TO ABANDON RESIDENTIAL PROPERTY.”

On page 3, after line 21, insert:

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

(2) “THREATEN TO TAKE POSSESSION” MEANS USING WORDS OR ACTIONS INTENDED TO CONVINCING A REASONABLE PERSON THAT THE LANDLORD INTENDS TO TAKE IMMINENT POSSESSION OF THE PROPERTY IN VIOLATION OF THIS SECTION.

(3) (I) “WILLFUL DIMINUTION OF SERVICES” MEANS INTENTIONALLY INTERRUPTING OR CAUSING THE INTERRUPTION OF HEAT, RUNNING WATER, HOT WATER, ELECTRICITY, OR GAS BY THE LANDLORD FOR THE PURPOSE OF FORCING A TENANT TO ABANDON THE PROPERTY.

(II) “WILLFUL DIMINUTION OF SERVICES” DOES NOT INCLUDE A LANDLORD CHOOSING NOT TO CONTINUE TO PAY FOR UTILITY SERVICE FOR RESIDENTIAL PROPERTY AFTER A FINAL COURT ORDER AWARDING POSSESSION OF THE RESIDENTIAL PROPERTY, IF THE LANDLORD HAS PROVIDED THE TENANT REASONABLE NOTICE OF THE LANDLORD’S

INTENTION AND THE OPPORTUNITY FOR THE TENANT TO OPEN AN ACCOUNT IN THE TENANT'S NAME FOR THAT SERVICE.”;

in line 22, strike “(A)” and substitute “(B)”; and strike beginning with “BY” in line 26 down through “SERVICES” in line 28.

On page 4, in line 5, strike “(B)” and substitute “(C)”; after line 18, insert:

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

(2) “THREATEN TO TAKE POSSESSION” MEANS USING WORDS OR ACTIONS INTENDED TO CONVINCING A REASONABLE PERSON THAT THE PARK OWNER INTENDS TO TAKE IMMINENT POSSESSION OF THE LEASED PREMISES IN VIOLATION OF THIS SECTION.

(3) (I) “WILLFUL DIMINUTION OF SERVICES” MEANS INTENTIONALLY INTERRUPTING OR CAUSING THE INTERRUPTION OF HEAT, RUNNING WATER, HOT WATER, ELECTRICITY, OR GAS BY THE PARK OWNER FOR THE PURPOSE OF FORCING A RESIDENT TO ABANDON THE PROPERTY.

(II) “WILLFUL DIMINUTION OF SERVICES” DOES NOT INCLUDE A PARK OWNER CHOOSING NOT TO CONTINUE TO PAY FOR UTILITY SERVICE FOR THE LEASED PREMISES AFTER A FINAL COURT ORDER AWARDING POSSESSION OF THE LEASED PREMISES, IF THE PARK OWNER HAS PROVIDED THE RESIDENT REASONABLE NOTICE OF THE OWNER'S INTENTION AND THE OPPORTUNITY FOR THE RESIDENT TO OPEN AN ACCOUNT IN THE RESIDENT'S NAME FOR THAT SERVICE.”;

in line 19, strike “(A)” and substitute “(B)”; and strike beginning with “BY” in line 23 down through “SERVICES” in line 25.

On page 5, in line 1, strike “(B)” and substitute “(C)”.

AMENDMENT NO. 3

On page 2, strike beginning with “SECURED” in line 23 down through “FORECLOSURE” in line 26 and substitute “PARTY CLAIMING THE RIGHT TO POSSESSION”; in line 28, strike “LOCKING” and substitute “:

(I) LOCKING;

and strike beginning with “OR” in line 28 down through “SERVICES” in line 32 and substitute “OF THE RESIDENTIAL PROPERTY;

(II) ENGAGING IN WILLFUL DIMINUTION OF SERVICES TO THE PROTECTED RESIDENT; OR

(III) TAKING ANY OTHER ACTION THAT DEPRIVES THE PROTECTED RESIDENT OF ACTUAL POSSESSION”.

On pages 2 and 3, strike beginning with “A” in line 33 on page 2 down through “FORECLOSURE” in line 1 on page 3 and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A PARTY CLAIMING THE RIGHT TO POSSESSION**”.

On page 3, strike beginning with the colon in line 2 down through “IN” in line 3 and substitute “IN”; in line 4, strike “; OR” and substitute a period; strike beginning with “IF” in line 5 down through “PROPERTY” in line 6 and substitute “**A PARTY CLAIMING THE RIGHT TO POSSESSION OF RESIDENTIAL PROPERTY MAY USE NONJUDICIAL SELF-HELP TO TAKE POSSESSION OF THE PROPERTY, IF THE PARTY**;

1. REASONABLY BELIEVES THE PROTECTED RESIDENT HAS ABANDONED OR SURRENDERED POSSESSION OF THE PROPERTY BASED ON A REASONABLE INQUIRY INTO THE OCCUPANCY STATUS OF THE PROPERTY;

2. PROVIDES NOTICE AS PROVIDED IN SUBSECTION (C) OF THIS SECTION; AND

3. RECEIVES NO RESPONSIVE COMMUNICATION TO THAT NOTICE WITHIN 15 DAYS AFTER THE LATER OF POSTING OR MAILING THE NOTICE AS REQUIRED BY SUBSECTION (C) OF THIS SECTION”;

and after line 6, insert:

“(C) (1) IF A PARTY CLAIMING THE RIGHT TO POSSESSION OF RESIDENTIAL PROPERTY REASONABLY BELIEVES, BASED ON A REASONABLE INQUIRY INTO THE OCCUPANCY STATUS OF THE PROPERTY, THAT ALL PROTECTED RESIDENTS HAVE ABANDONED OR SURRENDERED POSSESSION OF THE RESIDENTIAL PROPERTY, THE PARTY CLAIMING THE RIGHT TO POSSESSION MAY POST ON THE FRONT DOOR OF THE RESIDENTIAL PROPERTY AND MAIL BY FIRST-CLASS MAIL ADDRESSED TO “ALL OCCUPANTS” AT THE ADDRESS OF THE RESIDENTIAL PROPERTY A WRITTEN NOTICE IN SUBSTANTIALLY THE FOLLOWING FORM:

“IMPORTANT NOTICE ABOUT EVICTION

A PERSON WHO CLAIMS THE RIGHT TO POSSESS THIS PROPERTY BELIEVES THAT THIS PROPERTY IS ABANDONED. IF YOU ARE CURRENTLY RESIDING IN THE PROPERTY, YOU MUST IMMEDIATELY CONTACT:

NAME

ADDRESS

TELEPHONE

DATE OF THIS NOTICE

IF YOU DO NOT CONTACT THE PERSON LISTED ABOVE WITHIN 15 DAYS AFTER THE DATE OF THIS NOTICE, THE PERSON CLAIMING POSSESSION MAY CONSIDER

THE PROPERTY ABANDONED AND SEEK TO SECURE THE PROPERTY, INCLUDING CHANGING THE LOCKS WITHOUT A COURT ORDER.”.

(2) THE WRITTEN NOTICE REQUIRED BY THIS SUBSECTION SHALL BE:

(I) A SEPARATE DOCUMENT; AND

(II) PRINTED IN AT LEAST 12 POINT TYPE.

(3) THE OUTSIDE OF THE ENVELOPE CONTAINING THE MAILED WRITTEN NOTICE REQUIRED BY THIS SUBSECTION SHALL STATE, ON THE ADDRESS SIDE, IN BOLD, CAPITAL LETTERS IN AT LEAST 12 POINT TYPE, THE FOLLOWING: “IMPORTANT NOTICE TO ALL OCCUPANTS: EVICTION INFORMATION ENCLOSED; OPEN IMMEDIATELY.”.

AMENDMENT NO. 4

On page 3, after line 20, insert:

“(E) THIS SECTION DOES NOT APPLY IF THE PARTIES ARE GOVERNED BY TITLE 8, SUBTITLE 2, OR TITLE 8A OF THIS ARTICLE.”.

AMENDMENT NO. 5

On page 4, after line 17, insert:

“(D) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT A LANDLORD FROM TAKING TEMPORARY MEASURES, INCLUDING CHANGING THE LOCKS, TO SECURE AN UNSECURED RESIDENTIAL PROPERTY, IF THE LANDLORD MAKES GOOD FAITH ATTEMPTS TO PROVIDE REASONABLE NOTICE TO THE TENANT THAT THE TENANT MAY PROMPTLY BE RESTORED TO POSSESSION OF THE PROPERTY.”.

AMENDMENT NO. 6

On page 3, in line 7, strike “(C)” and substitute “(D)”; strike beginning with “SECURED” in line 7 down through “SALE” in line 11 and substitute “PARTY CLAIMING THE RIGHT TO POSSESSION”; in line 13, after “PROPERTY” insert “, IF NO OTHER PERSON THEN RESIDES IN THE PROPERTY”; in line 14, strike “THREE

TIMES ACTUAL” and substitute “ACTUAL”; in line 16, strike “(I)”; and strike in their entirety lines 18 through 20, inclusive.

On page 4, in line 6, strike “(A)” and substitute “(B)”; in line 7, after “MAY” insert “RECOVER”; strike beginning with “RECOVER” in line 8 down through “ACTUAL” in line 10 and substitute “ACTUAL”; in line 11, strike “OR THREE MONTHS’ PERIODIC RENT”; in line 12, strike “(III) RECOVER REASONABLE” and substitute “(II) REASONABLE”; in line 13, strike “(I)”; and strike in their entirety lines 15 through 17, inclusive.

On page 5, in line 2, strike “(A)” and substitute “(B)”; in line 3, after “MAY” insert “RECOVER”; strike beginning with “RECOVER” in line 4 down through “ACTUAL” in line 6 and substitute “ACTUAL”; in line 7, strike “OR THREE MONTHS’ PERIODIC RENT”; in line 8, strike “(III) RECOVER REASONABLE” and substitute “(II) REASONABLE”; in line 9, strike “(I)”; and strike in their entirety lines 11 through 13, inclusive.

AMENDMENT NO. 7

On page 5, after line 13, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act is intended to supersede the ruling of the Court of Appeals of Maryland in Nickens v. Mount Vernon Realty Group, et al., 429 Md. 53 (2012) and modify any right to self-help eviction that certain persons may possess in the context of residential foreclosures, tax sale foreclosures, landlord-tenant actions, and mobile home park actions.”;

in line 14, strike “2.” and substitute “3.”; and in line 15, strike “October” and substitute “June”.

The preceding 7 amendments were read and adopted.

FLOOR COMMITTEE AMENDMENT

SB0642/278170/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 642
(First Reading File Bill)

On page 1, in the sponsor line, strike “and Robey” and substitute “Robey, Brochin, Frosh, Jacobs, and Raskin”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 649 – Senators Getty and Frosh

AN ACT concerning

Estates and Trusts – Personal Representatives and Guardians – Standards

SB0649/288877/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 649

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “register” insert “of wills”; in the same line, strike “representation” and substitute “administration”; in line 5, after “crime;” insert “providing a certain exception to the prohibition;”; in lines 5 and 7, in each instance, after “court” insert “, unless good cause is shown,”; in line 6, after the first “of” insert “the person of”; and in line 7, strike the first “the” and substitute “a”.

AMENDMENT NO. 2

On page 2, in line 17, after “crime” insert “, UNLESS THE PERSON SHOWS GOOD CAUSE FOR THE GRANTING OF LETTERS”.

On page 3, in lines 4 and 12, in each instance, strike “**A**” and substitute “UNLESS GOOD CAUSE IS SHOWN FOR THE APPOINTMENT, A”.

AMENDMENT NO. 3

On page 3, in line 4, after “**OF**” insert “THE PERSON OF”; in line 6, after “**(1)**” insert “A FELONY;”

(2) A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE;

(3);

in the same line, strike “ANY” and substitute “**THE SECOND**”; in the same line, after “DEGREE;” insert “**OR**”; in line 7, strike “**(2)**” and substitute “**(4)**”; in the same line, strike “**RAPE OR A**” and substitute “**A**”; strike beginning with “**UNDER**” in line 7 down through “**ARTICLE**” in line 8 and substitute “**IN THE THIRD OR FOURTH DEGREE**”; in line 9, strike “ANY” and substitute “**THE THIRD OR FOURTH**”; strike beginning with the semicolon in line 9 down through “**KIDNAPPING**” in line 11; in line 20, strike “representation” and substitute “**administration**”; strike beginning with “a” in line 24 down through the first “of” in line 25; and in line 25, after the first “the” insert “**person or**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings 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.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #17

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 557 – Senator Stone

AN ACT concerning

**Medical Records – Disclosure in Response to Compulsory Process –
Requirements**

SB0557/328772/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 557

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “– Requirements”; strike beginning with “requiring” in line 4 down through “person;” in line 11; in line 15, strike “defining a certain term;”; and strike in their entirety lines 18 through 22, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 7 on page 2 through line 11 on page 3, inclusive.

On page 4, in line 19, after “mail” insert “AND BY MAIL SENT FIRST-CLASS POSTAGE PREPAID”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 622 – Senator Raskin

AN ACT concerning

Corporations and Associations – Document Filing and Processing

SB0622/418478/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 622

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “approval” and substitute “review”.

AMENDMENT NO. 2

On page 4, in line 13, strike “APPROVAL” and substitute “REVIEW”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 697 – Senator Raskin

AN ACT concerning

Corporations and Associations – Conversions

SB0697/728772/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 697

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “that” insert “, under certain circumstances,”; and in line 12, after “converted;” insert “providing certain rights to a member of a limited liability company, a shareholder of a real estate investment trust, and a partner of a partnership who objects to a conversion;”.

AMENDMENT NO. 2

On page 15, in line 32, strike “OTHER ENTITY” and substitute “MARYLAND CORPORATION”.

On page 37, in line 32, strike “OTHER ENTITY” and substitute “REAL ESTATE INVESTMENT TRUST”.

On page 43, in line 7, strike “MEMBER” and substitute “PARTNER”.

On page 68, in line 25, strike “OTHER ENTITY” and substitute “STATUTORY TRUST”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 784 – Senator Benson

AN ACT concerning

**Employment Discrimination – Reasonable Accommodations for Disabilities
Due to Pregnancy**

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for March 21, 2013.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #30**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 153 – Senator Currie

AN ACT concerning

Higher Education – Academic Credit for Military Education, Training, and Experience

SB0153/784339/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 153
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “public” in line 4 down through “terms;” in line 20 and substitute “the Maryland Higher Education Commission to develop and adopt certain guidelines regarding the awarding of academic credit for military training, coursework, and education; requiring the governing bodies of each public institution of higher education to develop and implement certain policies in accordance with the guidelines adopted by the Commission;”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 2 on page 2 through line 30 page 3 and substitute:

“15-113.

(A) THE COMMISSION, IN CONSULTATION WITH THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE, SHALL DEVELOP AND ADOPT GUIDELINES ON AWARDING ACADEMIC CREDIT FOR A STUDENT’S MILITARY TRAINING, COURSEWORK, AND EDUCATION.

(B) IN ACCORDANCE WITH THE GUIDELINES DEVELOPED BY THE COMMISSION UNDER SUBSECTION (A) OF THIS SECTION, THE GOVERNING BODY OF EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE SHALL DEVELOP AND IMPLEMENT POLICIES GOVERNING THE AWARDING OF ACADEMIC CREDIT FOR A STUDENT’S MILITARY TRAINING, COURSEWORK, AND EDUCATION.”.

On page 3, in line 31, strike “4.” and substitute “2.”; and in line 32, strike “June” 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

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

AN ACT concerning

Veterans Full Employment Act of 2013

SB0273/414137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 273

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Conway, Rosapepe, Jennings, and Simonaire”; strike beginning with “authorizing” in line 13 down through “circumstances” in line 16 and substitute “requiring certain health occupations boards to develop certain procedures by which an applicant for a license, certificate, or registration can provide certain notice to the board; requiring each health occupations board to expedite the licensing, certification, or registration process for certain applicants and issue a license, certificate, or registration within a certain number of days under certain circumstances; requiring each health occupations board to assign to certain applicants a certain advisor; requiring each health occupations board to provide certain assistance to certain persons under certain circumstances”.

On page 2, in line 2, strike “a”; and in the same line, strike “date” and substitute “dates”.

AMENDMENT NO. 2

On page 3, in line 13, after “(C)” insert “(1)”; and after line 14, insert:

“(2) “MILITARY SPOUSE” INCLUDES A SURVIVING SPOUSE OF:

(I) A VETERAN; OR

(II) A SERVICE MEMBER WHO DIED WITHIN 1 YEAR BEFORE THE DATE ON WHICH THE APPLICATION FOR A LICENSE IS SUBMITTED.”

On page 6, in line 23, after “(2)” insert “(I)”; and after line 24, insert:

“(II) “MILITARY SPOUSE” INCLUDES A SURVIVING SPOUSE OF:

1. A VETERAN; OR

2. A SERVICE MEMBER WHO DIED WITHIN 1 YEAR BEFORE THE DATE ON WHICH THE APPLICATION FOR AN EDUCATOR CERTIFICATE IS SUBMITTED.”

On page 9, in line 15, after “(2)” insert “(I)”; and after line 16, insert:

“(II) “MILITARY SPOUSE” INCLUDES A SURVIVING SPOUSE OF:

1. A VETERAN; OR

2. A SERVICE MEMBER WHO DIED WITHIN 1 YEAR BEFORE THE DATE ON WHICH THE LICENSE APPLICATION, RENEWAL, OR CHANGE OF STATUS IS SUBMITTED.”

On page 11, in line 1, after “(C)” insert “(1)”; and after line 2, insert:

“(2) “MILITARY SPOUSE” INCLUDES A SURVIVING SPOUSE OF:

(I) A VETERAN; OR

(II) A SERVICE MEMBER WHO DIED WITHIN 1 YEAR BEFORE THE DATE ON WHICH THE APPLICATION FOR A LICENSE, CERTIFICATE, OR REGISTRATION IS SUBMITTED.”.

AMENDMENT NO. 3

On page 3 in line 24, on page 7 in line 3, on page 9 in line 24, and on page 11 in line 10, in each instance, strike “HONORABLY DISCHARGED FROM ACTIVE DUTY” and substitute “DISCHARGED FROM ACTIVE DUTY UNDER CIRCUMSTANCES OTHER THAN DISHONORABLE”.

AMENDMENT NO. 4

On page 6, in line 5, after “TIME,” insert “AS DETERMINED BY THE UNIT,”.

On page 7, in line 28, after “TIME,” insert “AS DETERMINED BY THE STATE SUPERINTENDENT,”.

AMENDMENT NO. 5

On pages 11 through 14, strike in their entirety the lines beginning with line 30 on page 11 through line 12 on page 14, inclusive, and substitute:

“1-703.

A HEALTH OCCUPATIONS BOARD MAY ALLOW A LICENSEE OR CERTIFICATE HOLDER WHO IS A MEMBER OF AN ARMED FORCE DEPLOYED OUTSIDE THE UNITED STATES OR ITS TERRITORIES TO:

(1) RENEW THE LICENSE OR CERTIFICATE AFTER THE EXPIRATION OF THE RENEWAL PERIOD WITHOUT PAYMENT OF A PENALTY OR REINSTATEMENT FEE IF THE LATE RENEWAL IS A DIRECT RESULT OF THE DEPLOYMENT; AND

(2) COMPLETE ANY CONTINUING EDUCATION OR CONTINUING COMPETENCY REQUIREMENTS OR CRIMINAL HISTORY RECORDS CHECK

REQUIRED FOR RENEWAL WITHIN A REASONABLE TIME AFTER RENEWING THE LICENSE OR CERTIFICATE.

1-704.

(A) (1) EACH HEALTH OCCUPATIONS BOARD SHALL DEVELOP A PROCEDURE BY WHICH AN INDIVIDUAL WHO APPLIES FOR A LICENSE, CERTIFICATE, OR REGISTRATION CAN NOTIFY THE BOARD THAT THE INDIVIDUAL IS A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE.

(2) A HEALTH OCCUPATIONS BOARD MAY SATISFY THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION BY INCLUDING A CHECK-OFF BOX ON A LICENSE, CERTIFICATE, OR REGISTRATION APPLICATION FORM.

(B) FOR EACH APPLICANT WHO IS A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE, A HEALTH OCCUPATIONS BOARD SHALL ASSIGN TO THE APPLICANT AN ADVISOR TO ASSIST THE INDIVIDUAL WITH THE APPLICATION PROCESS.

(C) (1) EACH HEALTH OCCUPATIONS BOARD SHALL EXPEDITE THE PROCESS FOR THE LICENSURE, CERTIFICATION, OR REGISTRATION OF A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE.

(2) IF A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE MEETS THE REQUIREMENTS FOR LICENSURE, CERTIFICATION, OR REGISTRATION, A HEALTH OCCUPATIONS BOARD SHALL ISSUE THE LICENSE, CERTIFICATE, OR REGISTRATION WITHIN 15 BUSINESS DAYS AFTER RECEIVING A COMPLETED APPLICATION.

(D) IF A HEALTH OCCUPATIONS BOARD DETERMINES THAT A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE DOES NOT MEET THE EDUCATION, TRAINING, OR EXPERIENCE REQUIREMENTS FOR LICENSURE, CERTIFICATION, OR REGISTRATION, A REPRESENTATIVE OF THE BOARD SHALL ASSIST THE SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE IN IDENTIFYING:

(1) PROGRAMS THAT OFFER RELEVANT EDUCATION OR TRAINING; OR

(2) WAYS OF OBTAINING NEEDED EXPERIENCE.

1-705.

EACH HEALTH OCCUPATIONS BOARD SHALL PUBLISH PROMINENTLY ON ITS WEB SITE INFORMATION ON:

(1) THE EXPEDITED LICENSING PROCESS AVAILABLE TO SERVICE MEMBERS, VETERANS, AND MILITARY SPOUSES UNDER § 1-704 OF THIS SUBTITLE; AND

(2) ANY ASSISTANCE AND SERVICES RELATED TO LICENSURE, CERTIFICATION, OR REGISTRATION PROVIDED BY THE BOARD TO SERVICE MEMBERS, VETERANS, AND MILITARY SPOUSES.”.

On page 14, in line 16, strike “on” and substitute “:

(a) On”;

in line 20, after “shall” insert “submit a preliminary”; and after line 21, insert:

“(b) On or before January 1, 2015, the Department of Health and Mental Hygiene, the Department of Labor, Licensing, and Regulation, the State Department of Education, the Maryland Institute for Emergency Medical Services Systems, and the Maryland Higher Education Commission shall submit a final report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the implementation of this Act.

(c) The reports required under subsections (a) and (b) of this section shall, for each licensing unit, include:

(1) the number of applicants who identified themselves as service members, veterans, or military spouses;

(2) the number of service members, veterans, or military spouses whose applications for a license, certificate, or registration were approved;

(3) the number of service members, veterans, or military spouses whose applications for a license, certificate, or registration were denied, including data on the reasons for denial;

(4) data on the licensing unit's application processing times for service members, veterans, and military spouses;

(5) information on the licensing unit's efforts to assist service members, veterans, and military spouses in identifying programs that offer education and training needed to meet the requirements for licensure, certification, or registration;

(6) information on whether the applicable provisions of this Act effectively address the challenges that service members, veterans, and military spouses face when applying for an occupational or professional license, certificate, or registration on discharge from military service or after relocating to the State; and

(7) recommendations on ways to improve the licensing unit's ability to meet the needs of service members, veterans, and military spouses, including recommendations on whether issuing temporary or provisional licenses, certificates, or registrations would allow the licensing unit to more effectively address the challenges that service members, veterans, and military spouses face when applying for an occupational or professional license, certificate, or registration.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #31**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 358 – Senator Conway

AN ACT concerning

**State Board of Morticians and Funeral Directors – Authority to Discipline –
Funeral Establishment Licenses**

SB0358/994132/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 358

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “expanding” and substitute “altering”; in line 6, strike “under certain circumstances” and substitute “; making a technical correction”; and in lines 18 and 19, in each instance, strike the bracket.

AMENDMENT NO. 2

On page 3, in line 30, strike “HIV” and substitute “HIV/AIDS”.

On page 4, in line 15, after the second bracket insert “IF, WITH THE KNOWLEDGE OR AT THE DIRECTION OF THE FUNERAL ESTABLISHMENT”; strike in their entirety lines 16 through 22, inclusive, and substitute:

“(1) AN UNLICENSED INDIVIDUAL PRACTICES MORTUARY SCIENCE OR FUNERAL DIRECTION FOR OR WITHIN THE FUNERAL ESTABLISHMENT;

(2) AN EMPLOYEE OF THE FUNERAL ESTABLISHMENT FAILS TO COMPLY WITH § 5-513(B) AND (D) OF THE HEALTH – GENERAL ARTICLE; OR

(3) AN EMPLOYEE OF THE FUNERAL ESTABLISHMENT FAILS TO COMPLY WITH § 7-405 OF THIS TITLE.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 463 – Senator Conway

AN ACT concerning

**State Board of Morticians and Funeral Directors – Apprentice Sponsors,
Funeral Establishment Licenses, and Supervising Morticians**

SB0463/854734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 463

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “begins;” in line 6; in line 7, after “the” insert “State”; in the same line, after “Board” insert “of Morticians and Funeral Directors for an apprentice license”; and in line 13, strike “approval process” and substitute “registration”.

AMENDMENT NO. 2

On page 2, in line 14, strike the brackets; strike in their entirety lines 15 and 16; and in line 17, strike “(4)” and substitute “(3)”.

On page 4, strike beginning with “AND” in line 16 down through “INDIVIDUAL” in line 18; in line 19, strike the brackets; in the same line, strike “BEGINS”; in line 21, after the closing bracket insert “WHO”; in line 22, strike “WITH a current mortician license THAT” and substitute “IS A LICENSED MORTICIAN WHOSE LICENSE”; in line 24, strike “WHO HAS BEEN APPROVED BY THE BOARD” and substitute “IS EMPLOYED BY THE SAME FUNERAL ESTABLISHMENT THAT EMPLOYS THE APPRENTICE”; in line 26, strike “HAS”; in line 27, strike “A current mortician or funeral director license THAT” and substitute “IS A LICENSED MORTICIAN OR FUNERAL DIRECTOR WHOSE LICENSE”; in line 29, strike “BEEN APPROVED BY THE BOARD” and substitute “IS EMPLOYED BY THE SAME FUNERAL ESTABLISHMENT THAT EMPLOYS THE APPRENTICE”; and after line 29, insert:

“(3) AN APPRENTICE MAY HAVE MORE THAN ONE APPRENTICE SPONSOR.”.

On page 5, strike beginning with the colon in line 10 down through “AN” in line 11 and substitute “AN”; strike beginning with the semicolon in line 11 down through “APPLICANT” in line 13; strike in their entirety lines 14 through 19, inclusive; and in line 20, strike “(4)” and substitute “(3)”.

On page 6, in line 1, strike “(5)” and substitute “(4)”.

On page 7, in line 23, strike “or”; in line 24, after the closing bracket insert “; OR”.

(V) HOLDER OF AN EXECUTOR LICENSE”.

On page 8, in line 3, after “A” insert “LICENSED FUNERAL ESTABLISHMENT SHALL DESIGNATE A LICENSED MORTICIAN WHOSE LICENSE IS IN GOOD”.

STANDING WITH THE BOARD TO BE THE"; in the same line, after "MORTICIAN" insert "FOR THE FUNERAL ESTABLISHMENT."; strike beginning with "SHALL" in line 3 down through "MORTICIAN." in line 8; in line 9, strike "TO BECOME APPROVED AS A SUPERVISING MORTICIAN, A" and substitute "A"; strike beginning with the colon in line 10 down through "SHALL" in line 11 and substitute "DESIGNATED TO BE THE SUPERVISING MORTICIAN FOR A FUNERAL ESTABLISHMENT SHALL"; in line 11, strike "APPLICATION" and substitute "REGISTRATION"; strike beginning with the semicolon in line 12 down through "BOARD" in line 13; strike beginning with "THE" in line 14 down through "LICENSED" in line 15 and substitute "A"; strike beginning with the colon in line 15 down through "WHOSE" in line 16 and substitute "WHOSE"; in line 17, after "JURISDICTION" insert "MAY NOT BE A SUPERVISING MORTICIAN."; strike beginning with the semicolon in line 17 down through "STATE." in line 19; in line 23, after "ESTABLISHMENT" insert "WITH THE KNOWLEDGE OR AT THE DIRECTION OF THE SUPERVISING MORTICIAN"; in line 24, strike "LIMITED" and substitute "EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION, LIMITED"; in line 26, strike "OR" and substitute "AND"; in line 27, strike "TWO" and substitute "NO MORE THAN THREE"; in the same line, after "ESTABLISHMENTS" insert "TOTAL"; and after line 29, insert:

"(6) THE LIMITS ON THE NUMBER OF FUNERAL ESTABLISHMENTS A SUPERVISING MORTICIAN MAY SUPERVISE AS PROVIDED FOR IN PARAGRAPH (5)(II) OF THIS SUBSECTION DO NOT APPLY IF A FUNERAL ESTABLISHMENT PREPARES FOR THE DISPOSITION OF LESS THAN 75 BODIES IN A CALENDAR YEAR."

On page 9, in line 1, strike "**(6)**" and substitute "**(7)**"; strike beginning with the colon in line 4 down through "THE" in line 5 and substitute "**, THE**"; in line 7, after "ESTABLISHMENT" insert "**, WITH THE KNOWLEDGE OR AT THE DIRECTION OF THE INTERIM SUPERVISING MORTICIAN,**"; in lines 8 and 9, strike "IS APPROVED BY" and substitute "**REGISTERS WITH**"; and strike beginning with the semicolon in line 9 down through "SUBSECTION" in line 15.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 595 – Senators Montgomery and Benson

AN ACT concerning

State Board of Pharmacy – Wholesale Distribution – Pharmacies

SB0595/334338/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 595

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “authorizing certain pharmacy permit holders to conduct wholesale distribution under certain circumstances;”; in the same line, strike “a pharmacy permit holder” and substitute “certain pharmacy permit holders”; in line 4, strike “altering certain definitions” and substitute “altering the definition of “intracompany sales” to exclude from the definition a transaction or transfer of prescription drugs from a pharmacy to a wholesale distributor; altering the definition of “wholesale distribution” to exempt from the requirement to obtain a wholesale distribution permit the sale or transfer from a pharmacy or pharmacy warehouse of certain prescription drugs to the original wholesale distributor; conforming the definition of “wholesale distributor” to certain provisions of this Act”; and in line 8, strike “12–6C–01(i) and (v)” and substitute “12–6C–01(i), (u), and (v)”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 17 and 18 and substitute:

“(B) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A PHARMACY PERMIT HOLDER MAY CONDUCT WHOLESALE DISTRIBUTION, IF:

(I) THE WHOLESALE DISTRIBUTION BUSINESS DOES NOT EXCEED 5% OF THE PHARMACY PERMIT HOLDER’S ANNUAL SALES; AND

(II) THE PHARMACY PERMIT HOLDER:

1. MAINTAINS RECORDS OF WHOLESALE DISTRIBUTION SEPARATELY FROM ITS OTHER RECORDS; AND

2. MAKES THE RECORDS OF WHOLESALE DISTRIBUTION AVAILABLE FOR INSPECTION BY THE BOARD.

(2) A PHARMACY PERMIT HOLDER THAT OBTAINS A WAIVER FROM THE BOARD UNDER § 12-403(C) OF THIS SUBTITLE MAY CONDUCT WHOLESALE DISTRIBUTION ONLY WITH ANOTHER PHARMACY PERMIT HOLDER.

(3) A RETAIL PHARMACY THAT HOLDS A PHARMACY PERMIT MAY CONDUCT WHOLESALE DISTRIBUTION ONLY WITH:

(I) ANOTHER PHARMACY PERMIT HOLDER; AND

(II) A WHOLESALE DISTRIBUTOR IF THE RETAIL PHARMACY:

1. REPORTS TO THE BOARD THAT THE RETAIL PHARMACY IS CONDUCTING WHOLESALE DISTRIBUTION WITH A WHOLESALE DISTRIBUTOR; AND

2. A. MAINTAINS RECORDS OF WHOLESALE DISTRIBUTION WITH WHOLESALE DISTRIBUTORS SEPARATELY FROM ITS RECORDS OF WHOLESALE DISTRIBUTION WITH PHARMACY PERMIT HOLDERS; AND

B. MAKES THE RECORDS OF WHOLESALE DISTRIBUTION AVAILABLE FOR INSPECTION BY THE BOARD.”.

AMENDMENT NO. 3

On page 2, after line 6, insert:

“(u) (1) “Wholesale distribution” means the distribution of prescription drugs or prescription devices to persons other than a consumer or patient.

(2) “Wholesale distribution” does not include:

(i) Intracompany sales;

(ii) The sale, purchase, distribution, trade, or transfer of a prescription drug or an offer to sell, purchase, distribute, trade, or transfer a prescription drug for emergency medical reasons;

(iii) The sale, purchase, distribution, trade, or transfer of a prescription drug or prescription device by the Department for public health purposes;

(iv) The distribution of samples of a prescription drug by a manufacturer's representative;

(v) Prescription drug returns conducted by a hospital, health care entity, or charitable institution in accordance with 21 C.F.R. § 203.23;

(vi) The sale of minimal quantities of prescription drugs by retail pharmacies to licensed health care practitioners for office use;

(vii) The sale, purchase, or trade of a prescription drug, an offer to sell, purchase, or trade a prescription drug, or the dispensing of a prescription drug in accordance with a prescription;

(viii) The sale, transfer, merger, or consolidation of all or part of the business of a pharmacy to or with another pharmacy, whether accomplished as a purchase and sale of stock or business assets;

(ix) The sale, purchase, distribution, trade, or transfer of a prescription drug from one authorized distributor of record to one additional authorized distributor of record if:

1. The manufacturer has stated in writing to the receiving authorized distributor of record that the manufacturer is unable to supply the prescription drug; and

2. The supplying authorized distributor of record states in writing that the prescription drug being supplied had until that time been exclusively in the normal distribution channel;

(x) The delivery of, or offer to deliver, a prescription drug by a common carrier solely in the common carrier’s usual course of business of transporting prescription drugs, if the common carrier does not store, warehouse, or take legal ownership of the prescription drug; or

(xi) The sale or transfer from a [retail] pharmacy or pharmacy warehouse of expired, damaged, returned, or recalled prescription drugs to:

- 1. THE ORIGINAL WHOLESALE DISTRIBUTOR;**
- 2. [the] THE original manufacturer; or**
- 3. [to a] A third party returns processor.”.**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 837 – Senator Young

AN ACT concerning

Health Occupations Boards – Disciplinary Procedures – Prohibition on Stays

SB0837/184534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 837
(First Reading File Bill)

On page 1, in line 14, strike “7–319, 7–320,”.

On pages 7 and 8, strike in their entirety the lines beginning with line 20 on page 7 through line 31 on page 8, inclusive.

The preceding amendment was read only.

Senator Conway moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

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

SB0954/444639/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 954

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “reducing” in line 8 down through “Committee;” in line 10; and in line 17, after “14–5B–01(a)” insert “and 14–5B–05(b)”.

On page 2, in line 1, strike “and (b)”.

AMENDMENT NO. 2

On page 2, in lines 24 and 26, in each instance, strike the brackets; and in lines 24 and 26, in each instance, strike “NINE”.

On page 3, in lines 7, 8, 9, and 10, in each instance, strike the brackets; and in lines 8, 9, and 10, strike “(VII)”, “(VIII)”, and “(IX)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 981 – Senator Montgomery

AN ACT concerning

State Board of Physicians – Quasi–Judicial Powers – Revision

SB0981/634335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 981

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “relief” insert “against an individual”; and in the same line, strike “that may be” and substitute “for which the Board determines there is a preponderance of evidence of”.

AMENDMENT NO. 2

On page 2, in line 16, after “relief” insert “AGAINST AN INDIVIDUAL”; in line 19, strike “THAT”; in line 20, strike “MAY BE” and substitute “FOR WHICH THE BOARD DETERMINES THERE IS A PREPONDERANCE OF EVIDENCE OF”; in line 22, strike “POSES” and substitute “THAT POSES”; and in line 26, after “NONCOMPLIANCE” insert “WITH A CEASE AND DESIST ORDER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

MOTION

Senator Kasemeyer moved, duly seconded, to put **House Bill 100** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 616)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 100** on Third Reading and Final Passage.

House Bill 100 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Bill

(Fiscal Year 2014)

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

FLOOR AMENDMENT

HB0100/253327/1

BY: Senator Getty

AMENDMENT TO HOUSE BILL 100

(Third Reading File Bill – Committee Reprint)

On page 11, under:

Heading: BOARD OF PUBLIC WORKS

Program: D05E01.02

Entitled: Contingent Fund

In line 39, after “expenses” insert:

“ . Further provided that \$250,000 of this appropriation may only be transferred by budget amendment to the Department of State Police for the purpose of alleviating the backlog of gun applications. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.”.

The preceding amendment was withdrawn.

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

Affirmative – 42 Negative – 5 (See Roll Call No. 617)

The Bill was then sent to the House of Delegates.

MOTION

Senator Kasemeyer moved, duly seconded, to put **House Bill 102** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 618)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 102** on Third Reading and Final Passage.

House Bill 102 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2013

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

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

Affirmative – 42 Negative – 5 (See Roll Call No. 619)

The Bill was then sent to the House of Delegates.

MOTION

Senator Jones-Rodwell moved, duly seconded, to put **House Bill 496** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 620)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 496** on Third Reading and Final Passage.

House Bill 496 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Funding Method and Amortization of
Unfunded Liabilities or Surpluses**

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 621)

The Bill was then sent to the House of Delegates.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

**Senate Bill 87 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

Vehicle Laws – Seat Belts and Child Safety Seats

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE
AMENDMENT (1) AND THE FAVORABLE REPORT.

SB0087/818671/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 87

(First Reading File Bill)

On page 1, in the sponsor line, after “Transportation)” insert “and Senator
Forehand”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

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: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0207/578570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 207

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 9 down through “school;” in line 12; in line 20, strike “and (vii)”;

and strike in their entirety lines 23 through 27, inclusive.

AMENDMENT NO. 2

On page 2 in lines 20 and 21 and on page 4 in lines 21 and 22, strike “**DURING THE INTERVAL BETWEEN THE TWO TIME-STAMPED IMAGES**”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 10 through 31, inclusive.

AMENDMENT NO. 4

On page 4, in lines 1, 28, and 29, in each instance, strike the bracket; in line 1, after “contractor” insert “**, ON BEHALF OF A LOCAL JURISDICTION, PROVIDES, DEPLOYS, OR**”; in lines 1 and 29, in each instance, after “system” insert “**, OR**”; in line 3, strike “on behalf of a local jurisdiction”; and in line 28, after “contractor” insert “**, ON BEHALF OF A POLICE DEPARTMENT,**”.

On page 5, in line 1, strike “for a police department”.

The preceding 4 amendments were read only.

Senator Madaleno moved, duly seconded, to make the Bill and Amendments a Special Order for March 21, 2013.

The motion was adopted.

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**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0339/568173/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 339

(First 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 15 and 16, strike “**IN THE TRAVEL PORTION OF THE ROADWAY**”.

On page 4, in line 2, strike the brackets; in the same line, strike “**THE TRAVEL PORTION OF THE ROADWAY**”; in line 7, strike the brackets; in lines 7 and 8, strike “**THE TRAVEL PORTION OF THE ROADWAY**”; in line 13, after “Code.” insert a closing bracket; in line 16, strike “\$40; and” and substitute “**\$75;**”; in line 17, 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 18, strike beginning with “For” through “points” and substitute “**POINTS**”; in line 21, in each instance, strike the bracket; and in lines 21 and 22, strike “**THE PENALTY FOR A VIOLATION**”.

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for March 21, 2013.

The motion was adopted.

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: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0715/398479/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 715
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “purposes;” insert “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;”; and in line 11, after “date;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 21, strike “and”; and in line 22, after “3.” 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 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.

AMENDMENT NO. 3

On page 4, in line 12, strike “October 1, 2013” and substitute “January 1, 2014”.

The preceding 3 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for March 21, 2013.

The motion was adopted.

Senate Bill 768 – Senators Raskin, Garagiola, Kasemeyer, King, Kittleman, Klausmeier, Montgomery, and Robey

AN ACT concerning

Organ Donation Driver Education Act of 2013

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0768/228076/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 768

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Robey” and substitute “Robey, and Forehand”; in line 5, strike “an online” and substitute “a video”; in line 6, strike “allowing” and substitute “requiring”; in line 7, strike “online” and substitute “video”; in the same line, strike “or outside”; and strike beginning with “requiring” in line 7 down through “Maryland;” in line 8.

AMENDMENT NO. 2

On page 2, in line 6, strike “30” and substitute “NO MORE THAN 15”; in line 7, strike “AN ONLINE” and substitute “A VIDEO”; in line 8, strike “MAY” and substitute “SHALL”; in the same line, strike “OR OUTSIDE”; in line 9, after “CLASSROOM;” insert “AND”; and strike beginning with “AND” in line 12 down through “MARYLAND;” in line 14.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 739 – Senator Pinsky

AN ACT concerning

Agriculture – Nutrient Management Plans – Fertility Index Value Soil Testing

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0739/154535/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 739

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “each” in line 5 down through “updated” in line 6 and substitute “every five years in accordance with a certain schedule”; in line 7, after “to” insert “protect the identity of certain persons and”; in line 8, strike “, notwithstanding a certain provision of law”; and in line 9, after “results” insert “in a certain manner”.

AMENDMENT NO. 2

On page 2, in line 9, strike “A” and substitute “THIS SUBSECTION APPLIES TO:

(I) A”;

in line 10, after “SUBTITLE” insert “; AND”

(II) 1. A PERSON WHO OPERATES A LIVESTOCK FARM WITH 100 OR MORE ANIMAL UNITS, DEFINED AS 1,000 POUNDS OF LIVE ANIMAL WEIGHT PER UNIT; OR

2. A PERSON WHO OPERATES A POULTRY FARM WITH A CAPACITY OF 125,000 OR MORE CHICKENS.

(2) A PERSON SUBJECT TO THIS SUBSECTION”;

strike beginning with “EACH” in line 12 down through “UPDATED” in line 13 and substitute “EVERY 5 YEARS IN ACCORDANCE WITH A STAGGERED SUBMISSION SCHEDULE ESTABLISHED BY THE DEPARTMENT”; in lines 14, 23, and 26, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; in line 16, strike “(1)” and substitute “(2)”; strike beginning with “THE” in line 17 down through “PREPARED” in line 18 and substitute “A UNIQUE FIELD IDENTIFIER ESTABLISHED BY THE DEPARTMENT”; in line 19, strike “WATERSHED” and substitute “SUBWATERSHED”; in line 23, strike “NOTWITHSTANDING § 8-801.1(B) OF THIS SUBTITLE, THE” and substitute “THE”; in line 24, strike “(2)” and substitute “(3)”; in the same line, strike “BE” and substitute “;”

(I) PROTECT THE IDENTITY OF THE PERSON WHO FORWARDED THE FERTILITY INDEX VALUE (FIV) SOIL TEST RESULTS IN ACCORDANCE WITH THIS SUBSECTION; AND

(II) BE”;

in line 26, after “INCLUDE” insert “A SUMMARY OF”; and in line 28, after “YEAR” insert “IN A MANNER THAT PROTECTS THE IDENTITY OF THE PERSON WHO FORWARDED THE RESULTS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 854 – Senator Edwards

AN ACT concerning

Environment – Gas and Oil Drilling – Financial Assurance

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB0854/854139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 854

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “omissions;” insert “requiring a certain permit holder that has a well in existence on or before a certain date to provide certain financial assurance by maintaining certain performance bond and liability insurance requirements; requiring a certain permit holder that has a well in existence on or before a certain date that is modified after a certain date to provide certain financial assurance in accordance with certain requirements;”; and in line 17, after “assurance;” insert “authorizing the Department to adopt regulations establishing alternative financial assurance requirements for certain wells;”.

AMENDMENT NO. 2

On page 3, in line 13, strike “Every” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, EVERY**”.

On page 4, in line 31, after “(D)” insert “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A HOLDER OF A PERMIT TO DRILL FOR GAS OR OIL THAT HAS A WELL IN EXISTENCE ON OR BEFORE OCTOBER 1, 2013, SHALL PROVIDE FINANCIAL ASSURANCE BY MAINTAINING THE SAME PERFORMANCE BOND AND LIABILITY INSURANCE THAT IS REQUIRED FOR THE HOLDER’S MOST RECENT PERMIT OR PERMIT RENEWAL ISSUED ON OR BEFORE OCTOBER 1, 2013.**

(2) IF A GAS OR OIL WELL IS IN EXISTENCE ON OR BEFORE OCTOBER 1, 2013, AND IS MODIFIED AFTER OCTOBER 1, 2013, BY

RECOMPLETION, STIMULATION, DEEPENING, OR ADDING LATERAL EXTENSIONS, THE HOLDER OF THE PERMIT FOR THE GAS OR OIL WELL SHALL COMPLY WITH THE REQUIREMENTS FOR FINANCIAL ASSURANCE CONTAINED IN SUBSECTIONS (A), (B), (C), AND (E) OF THIS SECTION.

(E)”;

in line 25, strike “SUBSECTION” and substitute “SUBSECTIONS”; and in the same line, after “(A)” insert “AND (B)”.

On page 5, in line 16, strike “(E)” and substitute “(F)”.

On page 6, in line 1, strike “(F)” and substitute “(G)”.

AMENDMENT NO. 3

On page 3, in line 32, strike the brackets; and in lines 32 and 33, strike “**THIRD PARTIES**”.

On page 4, in line 7, strike “**THIRD PARTIES**” and substitute “PERSONS”; and in line 22, after “**THE**” insert “GAS OR OIL”.

AMENDMENT NO. 4

On page 5, in line 3, strike “AND”; and in line 15, after “SUFFICIENT” insert “; AND

(3) ESTABLISH ALTERNATIVE FINANCIAL ASSURANCE REQUIREMENTS AS APPROPRIATE FOR A NEW GAS STORAGE WELL AND A GAS STORAGE WELL THAT IS MODIFIED BY RECOMPLETION, STIMULATION, DEEPENING, OR ADDING LATERAL EXTENSIONS”.

AMENDMENT NO. 5

On page 6, in line 12, strike “restore” and substitute “RECLAIM”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 258 – Senator Shank

AN ACT concerning

Correctional Services – Inmate Earnings – Compensation for Victims of Crime

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0258/328970/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 258

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 10 and 11, strike “State Board of Victim Services” and substitute “Criminal Injuries Compensation Board”; in line 17, strike “State Victims of Crime” and substitute “Criminal Injuries Compensation”; and in line 27, strike “11-916” and substitute “11-819(b)”.

AMENDMENT NO. 2

On page 2, in line 21, strike “STATE VICTIMS OF CRIME” and substitute “CRIMINAL INJURIES COMPENSATION”; in line 22, strike “§ 11-916” and substitute “§ 11-819”; in line 23, strike “STATE BOARD OF VICTIM SERVICES” and substitute “CRIMINAL INJURIES COMPENSATION BOARD”; and in line 24, strike “STATE VICTIMS OF CRIME” and substitute “CRIMINAL INJURIES COMPENSATION”.

AMENDMENT NO. 3

On pages 4 and 5, strike in their entirety the lines beginning with line 20 on page 4 down through line 6 on page 5, inclusive, and substitute:

“11-819.

(b) The Criminal Injuries Compensation Fund:

(1) shall be used to:

(I) carry out the provisions of this subtitle; and

(II) **DISTRIBUTE RESTITUTION PAYMENTS FORWARDED TO THE FUND UNDER § 11–604 OF THE CORRECTIONAL SERVICES ARTICLE; AND**

(2) may be used for:

(i) any award given under this subtitle; and

(ii) the costs of carrying out 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.

INTRODUCTION OF BILLS

Senator Klausmeier moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1067 – Senators Klausmeier, Benson, Conway, Forehand, Gladden, Jacobs, Jones–Rodwell, Kelley, King, Montgomery, and Pugh

AN ACT concerning

Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution

FOR the purpose of establishing the Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to take certain actions and make recommendations regarding certain matters; requiring the Commission to report its activities, findings, and recommendations to the Governor and the General Assembly on or before a certain date and annually thereafter for a certain period of time; providing for the termination of this Act; and generally relating to the

Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution.

BY adding to

Article – State Government

Section 9–3001 to be under the new subtitle “Subtitle 30. Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 622)

ADJOURNMENT

At 12:50 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, March 21, 2013 in memory of Ernie Crofoot.

Annapolis, Maryland
Legislative Day: March 19, 2013
Calendar Day: Thursday, March 21, 2013
10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by Reverend Michael Erikson, Cross Roads Bible Institute, guest of Senator Glassman.

(See Exhibit A of Appendix III)

The Journal of March 18, 2013 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 624)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 554 – Senator Ulysses Currie:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
AARP, Suitland Chapter
in recognition of
40 years of distinguished service to Prince George’s County and in appreciation for
your tireless work on behalf
of our senior population.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of March 2013.

Read and adopted.

LAI D OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 28 – Senator Young

AN ACT concerning

Real Property – Blighted Property – Nuisance Abatement

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (7) AND THE FAVORABLE REPORT.

SB0028/818571/2

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 28

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “authorizing a local government to use a certain process to remediate blighted property;”; in lines 4 and 5 and in lines 17 and 18, in each instance, strike “code violations” and substitute “blighted condition”; in line 5, after “time;” insert “requiring the appropriate unit of local government to send a certain notice to certain lienholders;”; strike beginning with “prohibiting” in line 7 down through “requirements;” in line 8; in line 10, after “nuisance” insert “under certain circumstances”; strike beginning with “with” in line 12 down through “amount” in line 13; in line 17, after “circumstances;” insert “authorizing a local government to record a notice of a fine in the land records; providing for the establishment of a certain lien;”; in line 19, strike “a;” and in the same line, strike “term;” and substitute “terms; providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 2, in line 3, after “(A)” insert “(1)”; in the same line, strike beginning with the comma through “MEANS” and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(2) (1) “BLIGHTED PROPERTY” MEANS;

in lines 5, 6, and 7, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; in line 5, strike “HAS” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, HAS”; in line 6, strike “AND”; in line 8, strike “OR THE MINIMUM LIVABILITY CODE” and substitute “; AND”

4. A. HAS EXTERNAL STRUCTURAL FAILINGS, INCLUDING COLLAPSING OR MISSING WALLS, ROOF, FLOORS, OR FOUNDATION; OR

B. POSES A HEALTH OR SAFETY HAZARD, AS DETERMINED BY THE APPROPRIATE CODE ENFORCEMENT, BUILDING, OR HEALTH INSPECTOR.

(II) “BLIGHTED PROPERTY” DOES NOT INCLUDE A VACANT OR BOARDED PROPERTY THAT WAS DAMAGED BY FIRE OR FLOODING WITHIN 2 YEARS BEFORE THE APPROPRIATE UNIT OF LOCAL GOVERNMENT ISSUES A NOTICE UNDER SUBSECTION (C) OF THIS SECTION, IF THE OWNER PROVIDES EVIDENCE THAT THE OWNER PROMPTLY FILED AN INSURANCE CLAIM AND THE OWNER’S INSURER HAS NOT PAID THE CLAIM.

(3) “LIENHOLDER” MEANS A PERSON WHO HAS A LIEN ON OR A SECURED INTEREST IN BLIGHTED PROPERTY.

(4) “OWNER” MEANS:

(I) A PERSON HOLDING RECORD TITLE TO BLIGHTED PROPERTY;

(II) A SUCCESSFUL BIDDER AT A FORECLOSURE SALE OF BLIGHTED PROPERTY, ON RATIFICATION OF THE SALE AND EXHAUSTION OF ALL RIGHTS TO APPEAL THE RATIFICATION OR OTHERWISE TO DELAY TRANSFER OF TITLE; OR

(III) A PERSON WHO HAS A LEGAL RIGHT UNDER A COURT ORDER, INCLUDING A COURT ORDER EXTINGUISHING A RIGHT OF REDEMPTION, TO POSSESSION OF PROPERTY THAT IS OR BECOMES BLIGHTED PROPERTY”.

AMENDMENT NO. 3

On page 2, in line 9, after “(B)” insert “**(1) A LOCAL GOVERNMENT MAY USE THE PROCESS DESCRIBED IN THIS SECTION TO REMEDIATE BLIGHTED PROPERTY.**”

(2) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT OR SUPERSEDE ANY OTHER POWER OF A LOCAL GOVERNMENT TO REMEDIATE BLIGHTED PROPERTY.

(C)”;

in line 25, strike “(C)” and substitute “**(D)**”; and in line 26, strike “(B)” and substitute “**(C)**”.

AMENDMENT NO. 4

On page 2, in line 11, strike “CODE VIOLATIONS” and substitute “**BLIGHTED CONDITION**”; in line 15, strike “30” and substitute “**90**”; in line 17, strike “90” and substitute “**120**”; and strike in their entirety lines 22 through 24, inclusive, and substitute:

“(3) (I) AT THE SAME TIME THE NOTIFICATION TO THE OWNER OF A BLIGHTED PROPERTY IS SENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE UNIT OF LOCAL GOVERNMENT SHALL SEND WRITTEN NOTICE TO ALL LIENHOLDERS OF RECORD OR OTHERWISE KNOWN TO THE UNIT OF LOCAL GOVERNMENT.

(II) THE WRITTEN NOTICE TO LIENHOLDERS SHALL INCLUDE A COPY OF THE NOTIFICATION SENT TO THE OWNER AND SHALL DESCRIBE THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION.”

AMENDMENT NO. 5

On page 3, strike beginning with the colon in line 6 down through “ARTICLE” in line 13; and in line 17, after “TO” insert “**SELL OR**”.

AMENDMENT NO. 6

On page 3, in line 21, strike “THE” and substitute “:

1. THE”;

in the same line, after “NUISANCE” insert a semicolon; in line 22, strike “AND THE” and substitute:

“2. THE”;

and in the same line, after “NUISANCE” insert “**; AND**

3. THE PROPERTY IS BEING SOLD “AS IS””.

AMENDMENT NO. 7

On page 3, in line 23, after “(3)” insert “(I)”; in line 24, strike “SECTION” and substitute “SUBSECTION”; after line 28, insert:

“(II) 1. THE LOCAL GOVERNMENT MAY RECORD A NOTICE OF THE FINE AMONG THE LAND RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED, INDEXED IN THE NAME OF THE RECORD OWNER AS GRANTOR.

2. ON RECORDATION OF THE NOTICE, THE FINE SHALL CONSTITUTE A LIEN ON THE PROPERTY EFFECTIVE AS OF THE DATE OF RECORDATION.”;

in line 30, strike “, ON SETTLEMENT,”; in line 31, strike “CODE VIOLATIONS IN THE MANNER REQUIRED UNDER” and substitute “BLIGHTED CONDITION IN ACCORDANCE WITH”; and in line 32, strike “(B)(1)” and substitute “(C)(1)”.

The preceding 7 amendments were read only.

Senator Getty moved, duly seconded, to make the Bill and Amendments a Special Order for March 22, 2013.

The motion was adopted.

Senate Bill 837 – Senator Young

AN ACT concerning

Health Occupations Boards – Disciplinary Procedures – Prohibition on Stays

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB0837/184534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 837

(First Reading File Bill)

On page 1, in line 14, strike “7–319, 7–320,”.

On pages 7 and 8, strike in their entirety the lines beginning with line 20 on page 7 through line 31 on page 8, inclusive.

The preceding amendment was withdrawn.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 625)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #41

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 – 47 Negative – 0 (See Roll Call No. 626)

The Bill was then sent to the House of Delegates.

**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 – 47 Negative – 0 (See Roll Call No. 627)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 628)

The Bill was then sent to the House of Delegates.

Senate Bill 845 – Senator Getty

AN ACT concerning

Public Information Act – Required Denials – Electronic Mail Addresses

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

Affirmative – 47 Negative – 0 (See Roll Call No. 629)

The Bill was then sent to the House of Delegates.

Senate Bill 939 – Senator Muse

AN ACT concerning

Juvenile Services – Group Homes and Institutions – Notice Requirement

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

Affirmative – 47 Negative – 0 (See Roll Call No. 630)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 631)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 632)

The Bill was then sent to the House of Delegates.

Senate Bill 1004 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Sunday Sales

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

Affirmative – 47 Negative – 0 (See Roll Call No. 633)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #42**Senate Bill 293 – Senator Zirkin**

AN ACT concerning

**Vehicle Laws – Judgment Debtors – License and Registration Suspension –
Modification**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 634)

The Bill was then sent to the House of Delegates.

**Senate Bill 486 – Senators Brinkley, DeGrange, Robey, ~~and Young~~ Young, and
Jones–Rodwell**

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 – 47 Negative – 0 (See Roll Call No. 635)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 636)

The Bill was then sent to the House of Delegates.

**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 – 47 Negative – 0 (See Roll Call No. 637)

The Bill was then sent to the House of Delegates.

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~~

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

Affirmative – 46 Negative – 0 (See Roll Call No. 638)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 639)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 640)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 641)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 642)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #43

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 643)

The Bill was then sent to the House of Delegates.

Senate Bill 426 – Senator Simonaire

AN ACT concerning

Anne Arundel County – Drug Free School Zones – Hotline Number on Signs

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

Affirmative – 47 Negative – 0 (See Roll Call No. 644)

The Bill was then sent to the House of Delegates.

Senate Bill 461 – Senators Conway, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

**Primary and Secondary Education – Online Courses and Services –
Accessibility**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 645)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 646)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 1 (See Roll Call No. 647)

The Bill was then sent to the House of Delegates.

Senate Bill 855 – Senator Getty

AN ACT concerning

Carroll County – Public Schools – Collection of Biometric Information from Students – Prohibited

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

Affirmative – 47 Negative – 0 (See Roll Call No. 648)

The Bill was then sent to the House of Delegates.

Senate Bill 856 – Senator Montgomery

AN ACT concerning

Education – Public School Holidays – Easter Monday

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

Affirmative – 46 Negative – 1 (See Roll Call No. 649)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 650)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #44

Senate Bill 200 – Senator Gladden

AN ACT concerning

~~State Government – Departments and Units of Executive Branch – Heads and
Officers – Qualifications~~ Heads of Departments and Independent Agencies –
Qualifications

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

Affirmative – 46 Negative – 0 (See Roll Call No. 651)

The Bill was then sent to the House of Delegates.

Senate Bill 223 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Class 7 Limited Beer Wholesaler’s License

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

Affirmative – 47 Negative – 0 (See Roll Call No. 652)

The Bill was then sent to the House of Delegates.

**Senate Bill 414 – Senators King, Benson, Currie, Forehand, Garagiola,
Jennings, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters,
~~and Pugh Pugh, and Fresh 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 – 47 Negative – 0 (See Roll Call No. 653)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 654)

The Bill was then sent to the House of Delegates.

Senate Bill 522 – Senator Young

AN ACT concerning

Frederick Regional Higher Education Advisory Board

Senator Brinkley moved, duly seconded, to make the Bill a Special Order for March 25, 2013.

The motion was adopted.

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 – 47 Negative – 0 (See Roll Call No. 655)

The Bill was then sent to the House of Delegates.

Senate Bill 838 – Senators Young, Montgomery, Rosapepe, and Shank

AN ACT concerning

Educational Institutions – Personal Electronic Account – Privacy Protection

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

Affirmative – 47 Negative – 0 (See Roll Call No. 656)

The Bill was then sent to the House of Delegates.

Senate Bill 857 – Senators Miller, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

**Commission on the Establishment of a Maryland Educators Service
Memorial**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 657)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 658)

The Bill was then sent to the House of Delegates.

Senate Bill 945 – Senator Pinsky

AN ACT concerning

**Higher Education – Maryland Longitudinal Data System – Governing Board
and Data Transfers**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 659)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 660)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #45

**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 – 47 Negative – 0 (See Roll Call No. 661)

The Bill was then sent to the House of Delegates.

**Senate Bill 360 – Senators Simonaire, Colburn, Ferguson, Forehand,
Gladden, Glassman, Jacobs, Jennings, Madaleno, Montgomery, Raskin,
Reilly, Shank, Stone, and Young**

AN ACT concerning

Criminal Law – Aggravated Animal Cruelty – Baiting

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

Affirmative – 47 Negative – 0 (See Roll Call No. 662)

The Bill was then sent to the House of Delegates.

Senate Bill 409 – Senator Raskin

AN ACT concerning

**Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act –
Applicability**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 663)

The Bill was then sent to the House of Delegates.

**Senate Bill 413 – Senators King, Benson, Colburn, Forehand, Jacobs, Kelley,
Klausmeier, Madaleno, Manno, Montgomery, Peters, Robey, Shank,
Stone, ~~and Young~~ Young, and Brinkley**

AN ACT concerning

Criminal History Records Checks – Informal Child Care Providers

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

Affirmative – 46 Negative – 1 (See Roll Call No. 664)

The Bill was then sent to the House of Delegates.

Senate Bill 417 – Senators Forehand, Benson, Kelley, and Madaleno

AN ACT concerning

Family Law – Domestic Violence – Permanent Final Protective Orders

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

Affirmative – 47 Negative – 0 (See Roll Call No. 665)

The Bill was then sent to the House of Delegates.

Senate Bill 444 – ~~Senator Stone~~ Senators Stone, Brochin, Forehand, Jacobs, and Raskin

AN ACT concerning

**Criminal Law – Accessory After the Fact – Murder
(The Shedly-Bennett Act)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 666)

The Bill was then sent to the House of Delegates.

Senate Bill 490 – Senators Shank, Forehand, Jacobs, and Raskin

AN ACT concerning

Domestic Violence – Persons Eligible for Relief ~~and Orders to Vacate Home~~

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

Affirmative – 45 Negative – 2 (See Roll Call No. 667)

The Bill was then sent to the House of Delegates.

Senate Bill 504 – Senator Zirkin

AN ACT concerning

**Criminal Law – Threat Against State or Local Official – ~~Definitions~~
Expansion**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 668)

The Bill was then sent to the House of Delegates.

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 – 43 Negative – 2 (See Roll Call No. 669)

The Bill was then sent to the House of Delegates.

Senate Bill 590 – Senators Forehand, Madaleno, Montgomery, Muse, ~~and Pinsky~~ Pinsky, Frosh, Gladden, Jacobs, Raskin, Shank, and Stone

AN ACT concerning

Public Safety – SWAT Team Reports – ~~Repeal of~~ Required Information and Extension of Sunset

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

Affirmative – 47 Negative – 0 (See Roll Call No. 670)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 671)

The Bill was then sent to the House of Delegates.

Senate Bill 646 – Senators Jennings and Klausmeier

AN ACT concerning

Public Safety – Handgun Permit Background Check – Armored Car Company Employees

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

Affirmative – 47 Negative – 0 (See Roll Call No. 672)

The Bill was then sent to the House of Delegates.

Senate Bill 770 – Senators Raskin, Colburn, King, Madaleno, Montgomery, Robey, ~~and Young~~ Young, Forehand, Gladden, Jacobs, Muse, Shank, and Stone

AN ACT concerning

Criminal Law – Fraudulent Liens – Prohibition

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

Affirmative – 46 Negative – 0 (See Roll Call No. 673)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 95 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Permits – New Source Performance Standards

FOR the purpose of ~~repealing a requirement that~~ requiring the Department of the Environment ~~provide for~~ to comply with certain public participation requirements prior to the issuance of a certain permit for a source that is subject to certain federal New Source Performance Standards; and generally relating to ambient air quality control permits and public participation.

BY repealing and reenacting, with amendments,

Article – Environment

Section 2–404

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 108 – Delegate Lafferty

AN ACT concerning

Housing and Community Development – Neighborhood and Community Assistance Program – Project Proposals

FOR the purpose of increasing the maximum sum of contributions for certain projects under the Neighborhood and Community Assistance Program that are eligible for a certain tax credit; authorizing the Department of Housing and Community Development to give preference to a proposal for a certain project that benefits a certain neighborhood conservation district; and generally relating to project proposals under the Neighborhood and Community Assistance Program.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–405
Annotated Code of Maryland
(2006 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 348 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Employer Contributions – Application for Refund or Adjustment

FOR the purpose of extending the time period during which an employer may apply to the Secretary of Labor, Licensing, and Regulation for an adjustment to unemployment insurance contributions due or a refund of unemployment contributions or interest paid; and generally relating to applications for a refund of or adjustment to unemployment insurance employer contributions.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–638
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 354 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Recovery of Benefits – Monetary Penalty for Fraud

FOR the purpose of authorizing the Secretary of Labor, Licensing, and Regulation to recover from a claimant a certain monetary penalty under certain circumstances; altering the amount of interest the Secretary may recover under certain circumstances; requiring the Secretary to notify the claimant of the amount of any monetary penalty assessed under a certain provision of law and the reason for the assessment; excluding certain monetary penalties from the requirement that certain money be paid into a certain fund; requiring a person who violates a certain provision of law to pay a certain monetary penalty; altering the amount of interest a person is required to pay for a violation of a certain provision of law; excluding certain monetary penalties from the amount that can be recovered by the Secretary through a certain method; providing for the application of this Act; making a stylistic change; and generally relating to the recovery of unemployment insurance benefits.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–404, 8–809, and 8–1305
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

**House Bill 362 – Chair, Environmental Matters Committee (By Request –
Departmental – Ethics Commission, State)**

AN ACT concerning

Public Ethics – Definition of “Interest” – Mutual Funds

FOR the purpose of altering the definition of “interest” in the Maryland Public Ethics Law to exclude certain mutual funds; and generally relating to the Maryland Public Ethics Law.

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–102(t)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

House Bill 370 – ~~Delegate Costa~~ Anne Arundel County Delegation

AN ACT concerning

Workers’ Compensation – Anne Arundel County Deputy Sheriff

FOR the purpose of altering a certain definition of “public safety employee” to include Anne Arundel County deputy sheriffs for purposes of establishing eligibility for enhanced workers’ compensation benefits for a compensable permanent partial disability of less than a certain number of weeks; providing for the application of this Act; and generally relating to workers’ compensation benefits for Anne Arundel County deputy sheriffs.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–628
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–629
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 442 – Delegate Dumais

AN ACT concerning

Criminal History Records Checks – Child Care Providers

FOR the purpose of requiring the Department of Public Safety and Correctional Services to transmit weekly a certain registry ~~and a certain listing~~ to the State Department of Education in a certain format; prohibiting a registered sex offender from entering onto certain real property on which a home is located where certain informal child care is provided or will be provided; requiring certain adults known by the State Department of Education to be residing in certain locations to obtain a certain criminal history records check; ~~requiring an adult known to be residing in an informal child care provider’s home to obtain a criminal history records check; requiring certain informal child care providers to obtain a criminal history records check;~~ requiring the State Department of Education to conduct ~~a certain cross-reference~~ certain cross-references; providing for a delayed effective date; and generally relating to criminal history records checks of individuals who care for or supervise children.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–713 and 11–722
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–561(c)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Family Law
Section 5–564.1
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 563 – Delegate Dumais

AN ACT concerning

Adoption – Payment of Expenses

FOR the purpose of authorizing the payment, by an interested person, of certain expenses in connection with a certain adoption; and generally relating to adoption.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–3A–45 and 5–3B–32
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 583 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Relief from Charges for Overpayment of Benefits
– Restrictions**

FOR the purpose of altering the circumstances under which the Secretary of Labor, Licensing, and Regulation is prohibited from removing a benefit charge from the earned rating record of an employing unit; requiring, except under certain circumstances, the Secretary to remove benefits charged to a not for profit organization or governmental entity from the account of the not for profit organization or governmental entity under certain circumstances; prohibiting

the Secretary, under certain circumstances, from removing benefits charged to a not for profit organization or governmental entity; specifying that, for certain purposes, the employing unit or the employing unit's agent, not for profit organization, or governmental entity must raise the issue of good cause in writing and has the burden of proving good cause; prohibiting the Secretary from finding good cause under certain circumstances; providing for the application of this Act; and generally relating to the relief from charges for the overpayment of unemployment benefits.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–611 and 8–620
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 587 – Delegate Davis

AN ACT concerning

Electric Companies – Service Quality and Reliability Standards – Vegetation Management

FOR the purpose of prohibiting a county or municipal corporation from ~~enacting a local law that prevents an electric company from complying~~ taking certain actions that interfere with, or materially increase costs of, compliance with certain vegetation management standards; ~~defining a certain term;~~ and generally relating to vegetation management.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section ~~7–213(a) and (e)~~ 7–213(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section ~~7–213(b)~~ 7–213(a), (b), (c), and (d)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

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**

FOR the purpose of requiring that an individual arrested for failure to appear in court to show cause why the individual should not be found in contempt for failure to answer interrogatories or to appear for an examination in aid of enforcement of a money judgment be taken immediately before a certain court or before a certain judicial officer for a certain determination; providing for the application of this Act; and generally relating to arrest for failure to appear in court in response to certain show cause orders.

BY adding to

Article – Courts and Judicial Proceedings

Section 6–411

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 640 – Montgomery County Delegation and Prince George’s County
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Sewage Leaks – Notice
Requirements
MC/PG 115–13**

FOR the purpose of requiring the Washington Suburban Sanitary Commission to notify certain local governments and include notice on the Commission’s Web site about a sewage leak under certain circumstances; requiring the Commission to adopt regulations to implement this Act; and generally relating to notice requirements about sewage leaks and the Washington Suburban Sanitary Commission.

BY adding to

Article – Public Utilities

Section 24–202 to be under the amended subtitle “Subtitle 2. Sewer Cleaning and Sewage Leaks”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 687 – Delegates ~~Dumais, Carter~~ Carter, Dumais, Anderson, Clippinger, Conaway, McComas, Mitchell, B. Robinson, Smigiel, Valderrama, Valentino-Smith, and Waldstreicher

AN ACT concerning

Commission on Child Custody Decision Making

FOR the purpose of establishing the Commission on Child Custody Decision Making; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to perform certain duties; requiring the Commission to be appointed, organized, and meet by a certain date; requiring the Commission to submit certain reports to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Commission on Child Custody Decision Making.

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 697 – Delegate Dumais

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act – Applicability

FOR the purpose of altering the scope of the Maryland Mediation Confidentiality Act; authorizing a certain agreement to exclude certain mediation communications from the application of the Maryland Mediation Confidentiality Act; and generally relating to the Maryland Mediation Confidentiality Act.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1802
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 795 – Delegates Hucker, Jameson, Love, McHale, and Vaughn

AN ACT concerning

Maryland Occupational Safety and Health Act – Discrimination Against Employee – Complaints

FOR the purpose of authorizing ~~an employee who believes that an employer or other person has violated a certain provision of the Maryland Occupational Safety and Health Act to submit orally a complaint to the Commissioner of Labor and Industry; clarifying language;~~ the Commissioner of Labor and Industry to accept certain oral complaints made by a certain employee if the employee submits a written complaint, signed by the employee, within a certain time period after making the oral complaint; and generally relating to the submission of complaints to the Commissioner of Labor and Industry under the Maryland Occupational Safety and Health Act.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 5–604
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 804 – Delegates Huckler, Carr, Cullison, Donoghue, A. Kelly, Reznik, and Tarrant

AN ACT concerning

**Employment Discrimination – Reasonable Accommodations for Disabilities
Due to Pregnancy**

FOR the purpose of requiring an employer, if an employee requests a reasonable accommodation for a disability caused or contributed to by pregnancy, to explore with the employee certain means of reasonably accommodating the disability; requiring an employer to transfer an employee to a less strenuous or less hazardous position for a certain period of time under certain circumstances; authorizing an employer to require an employee to provide a certain certification from a health care provider under certain circumstances; requiring an employer to post in a certain location, and to include in a certain handbook, information concerning an employee's rights to reasonable accommodations and leave for a disability caused or contributed to by pregnancy; prohibiting an employer from interfering with, restraining, or denying the exercise of, or the attempt to exercise, certain rights; providing that a certain provision of law may not be construed to affect any other provision of law relating to discrimination on the basis of sex or pregnancy or to diminish in any way certain coverage of pregnancy, childbirth, or a related medical condition; defining a certain term; and generally relating to reasonable accommodations for temporary disabilities due to pregnancy.

BY repealing and reenacting, without amendments,
Article – State Government
Section 20–601(a) through (d) and 20–606(a)(4)

Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–609
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 811 – Delegate Niemann

AN ACT concerning

**Residential Property – Foreclosure of Liens by Common Ownership
Communities**

FOR the purpose of exempting an action to foreclose a lien on residential property that is brought by the governing body of a common ownership community under the Maryland Contract Lien Act from certain foreclosure procedures; subjecting an action to foreclose a lien on residential property that is brought by the governing body of a common ownership community under the Maryland Contract Lien Act to certain timing, notice, disclosure, service, publication, right to cure, and limitation of action provisions; authorizing the Commissioner of Financial Regulation to adopt regulations necessary to carry out this Act; defining certain terms; and generally relating to foreclosures of liens on residential property by common ownership communities.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 7–105.1(a)(11)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Real Property
Section 7–105.1(a–1) and 7–105.13
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 821 – Delegate Simmons

AN ACT concerning

Courts and Judicial Proceedings – Communications Between Patient or Client and ~~Psychiatrist or Licensed Psychologist~~ Health Care Professional – Exceptions to Privilege

FOR the purpose of creating an exception to the privilege of communications of a certain patient or client if the disclosure is necessary to prove a charge in a certain criminal proceeding against the patient ~~or former patient~~, former patient, client, or former client; creating an exception to the privilege of certain communications of a certain patient or client if ~~the patient is using the services of the psychiatrist or licensed psychologist for certain purposes~~ the disclosure is necessary to establish a claim on behalf of the psychiatrist or licensed psychologist a certain health care professional in a civil proceeding against the patient ~~or former patient~~, former patient, client, or former client; providing for the application of this Act; and generally relating to communications between a patient or client and ~~psychiatrist or licensed psychologist~~ health care professional.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section ~~9–109, 9–109.1, and 9–121~~
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 828 – Delegate Beitzel

AN ACT concerning

Business Occupations – Oil and Gas Land Professionals – Registration

FOR the purpose of prohibiting a person from operating as an oil or gas land professional in the State unless the person registers with and obtains a registration certificate from the Department of Labor, Licensing, and Regulation; requiring a person to register as a land professional by submitting a certain form and a certain fee to the Department; requiring the Department to assign a registration number and issue a registration certificate to a certain person; providing for the expiration and renewal of a certain registration; requiring a land professional to provide certain proof to a property owner before obtaining any mineral rights in oil or gas from the property owner; requiring the Department to adopt certain regulations to implement this Act; requiring the Department to develop a means for providing public access to certain information; establishing certain penalties; defining certain terms; and generally relating to the registration of oil and gas land professionals in the State.

BY adding to

Article – Business Occupations and Professions
Section 10.5–101 through 10.5–107 to be under the new title “Title 10.5. Oil and Gas Land Professionals”
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 838 – Delegates Dumais, Anderson, Cardin, Carter, Clippinger, Conaway, Frick, Haynes, Lafferty, Lee, McComas, McDermott, Mitchell, Oaks, V. Turner, Valderrama, Valentino–Smith, and Waldstreicher

AN ACT concerning

**Civil Cases – Maryland Legal Services Corporation Fund – Surcharges –
~~Repeal~~ Extension of Termination Date**

FOR the purpose of ~~repealing~~ extending the termination date of certain provisions of law altering certain surcharges on certain fees, charges, and costs in certain civil cases and requiring a certain informational budget to be prepared for the Maryland Legal Services Corporation and submitted to the General Assembly; and generally relating to the Maryland Legal Services Corporation Fund.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 7–202(a)(1), (d), and (f) and 7–301(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 11–208
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Chapter 486 of the Acts of the General Assembly of 2010
Section 2

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 853 – Delegate Dumais

AN ACT concerning

Family Law – Domestic Violence – Permanent Final Protective Orders

FOR the purpose of requiring a court to issue a permanent final protective order against an individual who is sentenced to serve, instead of who served, a certain term of imprisonment for certain crimes under certain circumstances; adding the crime of assault in the second degree to the list of crimes, the commission of which subjects an individual to the issuance of a permanent final protective order against the individual under certain circumstances; and generally relating to domestic violence and permanent final protective orders.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–203
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(k)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 933 – Delegates Lee, Aumann, Bobo, DeBoy, Dumais, Eckardt, Frick, Glass, Glenn, Gutierrez, Guzzone, A. Kelly, Krebs, Luedtke, McComas, McDonough, Morhaim, Pendergrass, S. Robinson, F. Turner, Valderrama, and M. Washington

AN ACT concerning

Crimes – Human Trafficking of Minor – Defense of Ignorance of Victim’s Age

FOR the purpose of providing that a person charged with a certain human trafficking offense involving a minor may not assert as a defense that the person did not know the age of the victim; and generally relating to human trafficking of minors.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–303
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 977 – Delegate McDermott

AN ACT concerning

Motor Vehicle Registration – Special Vintage Reproduction Registration Plate

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available a specially designed vintage reproduction registration plate; prescribing who may apply for and the classes of vehicles eligible for the registration plate; providing the manner in which fees will be established, collected, and distributed in connection with the registration plate; requiring that the registration plate be available for sale for a certain time and resemble a certain registration plate issued by the State; providing for a delayed effective date; and generally relating to the issuance of special registration plates.

BY adding to

Article – Transportation

Section 13–619.3

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1040 – Delegates Sophocleus, Beidle, Eckardt, Frush, Kipke, Love, McConkey, McMillan, and Wood

AN ACT concerning

Business Regulation – Secondhand Precious Metal Object Dealers and Pawnbrokers – Revisions

FOR the purpose of repealing the exemption of a certain business transaction relating to numismatic items from the provisions of law that regulate secondhand precious metal object dealers; providing that certain provisions of law do not apply to certain retail jewelers who ~~hold a remounting~~ participate in a remount sale during which the retail jeweler accepts trade-ins of old mountings toward the purchase of a new mounting; requiring certain dealers and pawnbrokers to hold certain items for an additional number of days on request of a primary law enforcement unit under certain circumstances; authorizing a primary law enforcement unit to renew a certain request to hold items for a certain period of time; defining a certain term; and generally relating to secondhand precious metal object dealers and pawnbrokers.

BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 12–101(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Regulation
Section 12–101(k)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 12–102 and 12–401
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1055 – Delegates Braveboy, B. Robinson, and Carter

AN ACT concerning

~~**Public Service Commission – Contracts for Electricity Supply – Applicability of Minority Business Enterprise Participation Goals**~~

Evaluation of the Application of Minority Business Enterprise Program by the Public Service Commission

FOR the purpose of requiring the ~~Public Service Commission to require that certain contracts for electricity supply include a provision that requires the electricity supplier to comply with certain minority business enterprise participation goals and subgoals established by the Special Secretary of Minority Affairs; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to the applicability of minority business enterprise participation goals to contracts for electricity supply~~ Department of Transportation, the Governor’s Office of Minority Affairs, and the Public Service Commission, in consultation with the Office of the Attorney General, to evaluate the feasibility and constitutionality of requiring the Public Service Commission to apply the provisions of a certain minority business enterprise program when exercising certain authority; providing for the termination of this Act; and generally relating to an evaluation of the application of the State minority business enterprise program by the Public Service Commission in exercising certain authority.

~~BY repealing and reenacting, with amendments,~~

~~Article – Public Utilities~~
~~Section 7–510(e)~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2012 Supplement)~~

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

House Bill 1084 – Delegates Stein, Rudolph, Cane, and Beitzel

AN ACT concerning

**~~Renewable Energy Portfolio Standard – Wood – and Plant – Derived Biomass
Systems~~**

Thermal Energy – Task Force and Regulations

FOR the purpose of ~~providing that energy from a certain wood – and plant – derived biomass system is eligible for inclusion in meeting the renewable energy portfolio standard; providing that a person that owns a wood – and plant – derived biomass system shall receive a certain renewable energy credit calculated in a certain manner; requiring the Public Service Commission to adopt certain regulations for the metering, verification, and reporting of energy output from wood – and plant – derived biomass systems; providing that energy produced by a wood – and plant – derived biomass system shall be eligible for inclusion in meeting the renewable energy portfolio standard for certain compliance years; defining certain terms; altering certain definitions; providing for the effective date of this Act; and generally relating to the renewable energy portfolio standard and wood – and plant – derived biomass systems~~ establishing the Maryland Thermal Renewable Energy Credit Task Force; 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 analyze how to restructure the renewable energy portfolio standard to incorporate certain thermal energy sources; requiring the Task Force to make certain determinations and consider the impact of certain changes; 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 the Task Force; requiring the Department of the Environment to publish certain regulations to facilitate the commissioning of certain solid fuel boilers in the State under certain circumstances; and generally relating to the establishment of the Maryland Thermal Renewable Energy Credit Task Force and the regulation of thermal energy.

~~BY repealing and reenacting, with amendments,~~

~~Article – Public Utilities~~

~~Section 7 – 701~~

~~Annotated Code of Maryland~~

~~(2010 Replacement Volume and 2012 Supplement)~~

~~BY adding to~~

~~Article – Public Utilities~~

~~Section 7-704(j)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)~~

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

House Bill 1088 – Delegates Niemann and Vaughn

AN ACT concerning

**Business Regulation – Returnable Containers and Returnable Textiles –
Revisions**

FOR the purpose of authorizing the owner of a returnable container or returnable textile to bring a certain civil action and to recover a certain amount in damages and certain attorney's fees; increasing certain penalties and fines for certain violations of law relating to returnable containers and returnable textiles; repealing a provision of law relating to the application for an arrest warrant for certain persons under certain circumstances; and generally relating to returnable containers and returnable textiles.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 19-302, 19-304, 19-305, and 19-308
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1130 – Delegate Barnes

AN ACT concerning

Labor and Employment – Lien for Unpaid Wages – Establishment

FOR the purpose of requiring an employee to provide certain written notice to a certain employer first in order to establish a lien for unpaid wages; authorizing a certain employer to dispute a lien for unpaid wages by filing a certain complaint in a certain circuit court in a certain manner; authorizing the employer or employee to request an evidentiary hearing; requiring a circuit court to make a determination on a claim to establish a lien for unpaid wages in a certain manner; authorizing a circuit court to take certain actions; providing for certain court costs and attorney's fees under certain circumstances; specifying the manner in which a lien for unpaid wages may be established; specifying the manner in which an employee may record a lien for unpaid wages; requiring a lien for unpaid wages to be extinguished without prejudice if it is not recorded within a certain period of time; requiring a lien for unpaid

wages to be released if certain payment is made or a certain bond is filed; establishing the date by which a lien for unpaid wages takes priority over other claims; providing that certain purchasers of certain property are deemed to have constructive notice of a lien for unpaid wages under certain circumstances; specifying the manner in which an order for a lien for unpaid wages shall be enforced; requiring an action to enforce a certain order to be brought within a certain period of time; prohibiting certain contracts from waiving or requiring an employee to waive a certain right; specifying that a provision of a contract that violates a certain provision of this Act is void; providing for the construction of this Act; authorizing the Commissioner of Labor and Industry to seek to establish a lien for unpaid wages on behalf of an employee; requiring the Commissioner to adopt certain regulations; defining certain terms; and generally relating to liens for unpaid wages.

BY adding to

Article – Labor and Employment

Section 3–1101 through 3–1110 to be under the new subtitle “Subtitle 11. Lien for Unpaid Wages”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Finance.

House Bill 1132 – Delegate Rudolph

AN ACT concerning

Maryland Automobile Insurance Fund – Operational Changes

FOR the purpose of providing that the Maryland Automobile Insurance Fund is not subject to certain provisions of State law; providing that the Fund is subject to specified provisions of State law; providing that the Fund is independent of all State units; altering the composition, powers, and duties of the Board of Trustees of the Fund; requiring the Governor to appoint all members of the Board; requiring the Governor to consider the geographic and demographic diversity of the State in appointing individuals to the Board; altering the term of a member of the Board; altering the manner in which vacancies on the Board are filled; repealing certain provisions of law relating to a deemed resignation of a member of the Board; authorizing the Governor to remove a member of the Board for certain reasons; altering the compensation and reimbursement to which a member of the Board is entitled; providing that a member of the Board is not required to take compensation under certain circumstances; repealing a provision of law that requires compensation of the Executive Director of the Fund to be determined with the approval of the Governor; requiring the Board to employ certain attorneys for certain purposes; removing employees of the Fund from the State Personnel Management System except under certain

circumstances; requiring the Executive Director to appoint and remove employees in accordance with certain policies; requiring the two members of the Board who serve on a certain financial committee to have certain expertise; repealing provisions of law that authorize the Legislative Auditor to conduct certain audits of the Fund; requiring a certain audit committee to require the Fund's internal auditors to conduct certain audits; exempting the Fund from certain State procurement law; clarifying that the employees of the Fund are authorized to participate in the State's health insurance program; clarifying that the employees of the Fund are eligible to participate in the State's pension system; providing for the initial terms of members of the Board; making stylistic, conforming, and clarifying changes; providing for the effective dates of this Act; and generally relating to the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–201 through 20–204 and 20–303(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing
Article – Insurance
Section 20–304
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Insurance
Section 20–304
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–203(a)(1)(ix) through (xix)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–511 and 23–201(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1211 – Delegates Schulz, Afzali, Aumann, Clagett, Clippinger, Dumais, Eckardt, Frank, Glass, Haddaway–Riccio, Hough, Kaiser,

Krebs, McComas, McDermott, W. Miller, Niemann, Olszewski, Parrott, Schuh, Smigiel, Stocksdales, Szeliga, Valderrama, and Vitale

AN ACT concerning

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

FOR the purpose of clarifying that a person who feloniously and intentionally kills, conspires to kill, or procures the killing of the decedent is disqualified from inheriting, taking, enjoying, receiving, or otherwise benefiting from the death, probate estate, or nonprobate property of the decedent, or from receiving a general or special power of appointment conferred by the will or trust of the decedent, or from serving as a personal representative, guardian, or trustee of a trust created by the decedent; providing for the severing of certain survivorship interests in certain circumstances; establishing that a disqualified person is not entitled to certain insurance or contractual benefits; establishing that a disqualified person shall be treated as if the person disclaimed certain property in certain circumstances; 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; providing for the liability and obligations of certain persons; requiring a certain person to make restitution in certain circumstances; providing that a certain conviction is admissible in a civil proceeding and conclusive for certain purposes; authorizing certain persons to seek a certain determination and other relief; authorizing a court trier of fact to make a certain determination; 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; defining a certain term; providing for the application of this Act; and generally relating to ~~the killing of~~ killing, conspiring to kill, or procuring the killing of a decedent.

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)

BY adding to

Article – Estates and Trusts

Section 11–112
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1215 – Delegate Walker

AN ACT concerning

Consumer Protection – Home Appliances – Warranty Enforcement

FOR the purpose of requiring a manufacturer of home appliances or its agent to repair or correct a nonconformity in a home appliance at no cost to the consumer if the home appliance does not conform to the manufacturer's express warranties; providing that a manufacturer's obligation to repair or correct a nonconformity under this Act applies only if the consumer satisfies certain conditions; requiring a manufacturer, under certain circumstances and at the option of the consumer, to replace a home appliance with a comparable home appliance or accept return of a home appliance and refund the purchase price less certain reasonable allowances; requiring that a refund of the purchase price be made to the consumer and any holder of a perfected security interest in the home appliance in a certain manner; providing that the manufacturer is responsible for the cost of returning a home appliance to the manufacturer; providing for certain affirmative defenses; establishing a certain presumption; providing for the extension of the term of a manufacturer's express warranty by any time during which a home appliance is out of service for repair of a nonconformity; providing for the extension of the term of a manufacturer's express warranty and a certain out-of-service period if repair services are not available for certain reasons; providing that this Act does not limit the rights and remedies that otherwise are available to a consumer under any other law; providing that a consumer is not required to resort to a certain informal dispute settlement procedure before certain provisions of this Act apply; providing that a consumer who resorts to an informal dispute resolution procedure may not be precluded from seeking other available remedies; providing that an agreement for the purchase of a home appliance is void to the extent that it attempts to waive, limit, or disclaim certain rights of a consumer; providing that a manufacturer that fails to comply with certain provisions of this Act is liable to the consumer for certain damages; authorizing a court to award reasonable attorney's fees to a prevailing plaintiff in an action brought under this Act; authorizing a court to order a party to pay to the other party reasonable attorney's fees if it appears that an action is brought in bad faith or is frivolous in nature; requiring that an action brought under this Act be brought within a certain time; providing that a violation of certain provisions of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act; prohibiting a consumer who recovers damages under certain provisions of this Act from recovering damages for the same violation under a certain provision of the

Maryland Consumer Protection Act; providing for the application of this Act; defining certain terms; and generally relating to home appliances and the enforcement of manufacturers' express warranties on home appliances.

BY adding to

Article – Commercial Law

Section 14–15A–01 through 14–15A–08 to be under the new subtitle “Subtitle 15A. Home Appliance Warranty Enforcement Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

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

House Bill 1297 – Delegates Zucker, Arora, Barkley, Bobo, Braveboy, Burns, Clagett, Feldman, Haddaway–Riccio, Hershey, Hucker, Jameson, Kaiser, A. Kelly, Kramer, Lee, Love, Luedtke, McHale, Minnick, Olszewski, Schuh, Schulz, Vaughn, ~~and Walker~~ Walker, Rudolph, Wilson, and Frick

AN ACT concerning

Consumer Protection – Security Freezes – Children in Foster Care Settings

FOR the purpose of requiring the Social Services Administration of the Maryland Department of Human Resources to request a security freeze on the consumer report or a certain record of certain protected consumers who are minor children in the custody of a local department of social services who have been placed in a foster care setting in accordance with certain application procedures; requiring a consumer reporting agency to place a security freeze for a protected consumer under certain circumstances and within a certain period of time; requiring a consumer reporting agency to create a certain record under certain circumstances; requiring a local department of social services to act as a protected consumer's representative under certain circumstances; prohibiting a consumer agency from releasing certain information while a security freeze is in place; providing that a security freeze remains in effect until a certain request is made or the security freeze is removed in accordance with a certain provision of this Act; providing that a certain protected consumer or the Social Services Administration may request the removal of a certain security freeze by submitting a certain request in a certain manner under certain circumstances; requiring a consumer reporting agency to remove a certain security freeze within a certain period of time; prohibiting a consumer reporting agency from charging a certain fee; requiring the Social Services Administration to send each month to each consumer reporting agency by electronic transmission a certain list of children and a request for a security freeze for each child on the list; authorizing the Social Services Administration to enter into a certain agreement with a consumer reporting agency concerning the transmission of certain information; allowing a consumer reporting agency to remove a security

freeze or delete a certain record under certain circumstances; providing that the exclusive remedy for a certain violation shall be a certain complaint filed with the Commissioner of Financial Regulation; requiring the Social Services Administration, on the entry of a certain order for adoption, to provide certain notice to the adoptive parent of certain provisions of law; requiring the Social Services Administration to notify a protected consumer who becomes an adult of certain provisions of law; requiring the Social Services Administration to send to each consumer reporting agency by electronic means a certain list on the effective date of this Act; requiring a consumer agency that receives a certain list to delete certain information from a certain file and place a security freeze for the consumer record of the protected consumer; defining certain terms; and generally relating to consumer reports and security freezes.

BY adding to

Article – Commercial Law

Section 14–1212.3

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

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

House Bill 1301 – Delegate Jones

AN ACT concerning

State Board of Cosmetologists – ~~Limited Licenses~~ License – Hairstylist

FOR the purpose of establishing a limited license to provide hair services under the State Board of Cosmetologists; specifying the level of supervision required for an apprentice hairstylist; requiring the Board to adopt regulations to set certain curriculum standards for certain students; ~~requiring an applicant for a limited license to provide hair services to meet certain requirements; requiring the Board to adopt regulations to establish certain standards;~~ establishing certain qualifications for applicants for a limited license to provide hair services; defining the scope of practice for a limited license to provide hair services; authorizing a certain registered apprentice learning to provide hair services to practice under the supervision of a certain licensee; authorizing a beauty salon to operate as a limited practice beauty salon by providing only hair services; altering a certain reference to a basis for misrepresentation; authorizing a hairstylist to provide hair services in certain locations; defining certain terms; making stylistic and conforming changes; and generally relating to a limited license to provide hair services issued by the State Board of Cosmetologists.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 5–101, 5–205, 5–301, 5–305, 5–310, ~~5–404~~, 5–501, 5–604, and 5–605

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 5–405
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1320 – Delegates Jones, Bobo, Braveboy, Cardin, Griffith, Gutierrez, Guzzone, K. Kelly, Kramer, Lafferty, McIntosh, Mitchell, Oaks, Proctor, Rosenberg, V. Turner, Waldstreicher, and M. Washington

AN ACT concerning

Baltimore City and Baltimore County – Child in Need of Supervision Pilot Program – ~~Increase, Allocation, and~~ Extension

FOR the purpose of ~~increasing and allocating the General Fund appropriation for and extending the termination date of the Child in Need of Supervision Pilot Program in Baltimore City and Baltimore County; requiring the Governor to include a certain General Fund appropriation in the budget bills for certain fiscal years for a certain purpose; requiring that certain funds be provided as grants to Baltimore County and Baltimore City for a certain purpose;~~ and generally relating to the Child in Need of Supervision Pilot Program in Baltimore City and Baltimore County.

BY repealing and reenacting, with amendments,
Chapter 601 of the Acts of the General Assembly of 2005, as amended by
Chapter 420 of the Acts of the General Assembly of 2009
Section ~~3~~ and 5

~~BY repealing and reenacting, without amendments,~~
~~Chapter 601 of the Acts of the General Assembly of 2005, as amended by~~
~~Chapter 420 of the Acts of the General Assembly of 2009~~
~~Section 4~~

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1328 – Delegates Smigiel, Glass, Hershey, Jacobs, McDermott, and Parrott

AN ACT concerning

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

FOR the purpose of requiring each State agency that provides public benefits to individuals of any age with disabilities to adopt certain regulations that are not more restrictive than any State ~~statutes, regulations, or common~~ law regarding trusts and that do not require disclosure of a beneficiary's personal or confidential information without the consent of the beneficiary; providing that nothing in a certain provision of law shall be interpreted to require a court order to authorize a disbursement from a special or supplemental needs trust; establishing that a certain regulation enacted by a State agency regarding pooled special needs trusts shall apply only to certain trust beneficiaries; making stylistic changes; and generally relating to special and supplemental needs trusts.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 14–115
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 1330 – Chair, Economic Matters Committee (By Request –
Departmental – Workers' Compensation Commission)**

AN ACT concerning

Workers' Compensation – Insurance Coverage – Employer Compliance

FOR the purpose of altering the procedures for the Workers' Compensation Commission to enforce compliance with certain workers' compensation insurance coverage requirements; altering the requirement for how certain employers secure compensation for certain covered employees; clarifying the Commission's authority to order employers to secure compensation for certain covered employees; requiring the Commission to issue certain orders directing certain employers to attend certain hearings under certain circumstances; requiring the Commission to issue orders and penalties under certain circumstances; requiring the Commission to set a certain hearing under certain circumstances; establishing certain penalties for employers that fail to secure compensation for their covered employees; providing that a failure to pay a penalty constitutes a default in payment of compensation and requiring that a judgment be entered in a certain manner; providing that a certain penalty is a lien under certain circumstances; authorizing the Uninsured Employers' Fund to bring civil actions to collect certain penalties or assessments under certain circumstances; requiring the Fund to provide certain notices to certain persons for failure to pay certain penalties; imposing joint and several liability on

certain officers and members for certain violations under certain circumstances; requiring certain licensing units to suspend certain licenses or permits under certain circumstances; making certain provisions of this Act severable; making stylistic changes; making clarifying changes; and generally relating to the enforcement of compliance with workers' compensation coverage requirements.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–402(a), 9–404(e) and (j), 9–405(b) and (f), 9–407, and 9–1012(a) and (c)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1346 – Delegates Malone, A. Miller, ~~and Parrott~~ Parrott, Beitzel, K. Kelly, Myers, Cane, Carr, Glenn, Healey, Hogan, Holmes, Jacobs, McMillan, Norman, Otto, Stein, Vitale, Weir, and Wilson

AN ACT concerning

Vehicle Laws – Maximum Speed Limits on Highways

FOR the purpose of increasing the maximum speed limit that may be established on certain highways in the State; and generally relating to maximum speed limits on highways.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–801.1(b) and (d)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–801.1(e)

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

THE COMMITTEE ON RULES REPORT #10

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1064 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Water Heating Systems

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1065 – Senator Raskin (Chair, Workgroup to Conduct a Review of Disclosure Requirements of the Public Ethics Laws)

AN ACT concerning

Public Ethics – Public Officials, Local Governments, and Lobbyists – Training, Reporting, and Enforcement

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #8

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chair

Senate Executive Nominations Committee
Report #8
March 21, 2013

Apprenticeship and Training Council

1. Rosie L. D. Pointer District 26
7501 Epping Avenue
Fort Washington, MD 20744

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2013

2. William C. Taylor District 26
6218 Dimrill Court
Fort Washington, MD 20744

Chair of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2013

Budget of the State Workers' Compensation Commission, Advisory Committee on the

3. Melinda L. Hayes District 5
15015 Tanyard Road
Sparks Glencoe, MD 21152

Member of the Advisory Committee on the Budget of the State Workers' Compensation Commission; reappointed to serve a term of three years from July 1, 2012

4. Ricardo Loaiza District 18
1229 Dale Drive
Silver Spring, MD 20910

Member of the Advisory Committee on the Budget of the State Workers' Compensation Commission; appointed to serve a term of three years from July 1, 2011

5. Matthew D. Trollinger, Esq. District 28
1311 Leicester Drive
La Plata, MD 20646

Member of the Advisory Committee on the Budget of the State Workers' Compensation Commission; appointed to serve a term of three years from July 1, 2013

Consumer Council

6. Betty Ann Clark District 40
3604 Wabash Avenue
Baltimore, MD 21215

Member of the Consumer Council; appointed to serve a term of six years from July 1, 2012

Education, State Board of

7. James H. DeGraffenreidt, Jr. District 43
406 Cedarcroft Road
Baltimore, MD 21212

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2012

Food Center Authority, Maryland

8. Afra Vance District 45
2643 Chesterfield Avenue
Baltimore, MD 21213

Member of the Maryland Food Center Authority; appointed to serve a term of five years from July 1, 2010

Historical Trust, Board of Trustees of the Maryland

9. James P. Delgado, Ph.D. District 20
218 Dale Drive
Silver Spring, MD 20910

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve remainder of term of four years from July 1, 2009

Judicial Disabilities, Commission on

10. Richard M. Karceski, Esq. District 9
9183 Furrow Avenue
Ellicott City, MD 21042

Member of the Commission on Judicial Disabilities; appointed to serve a term of four years from January 1, 2012

Longitudinal Data System Center Governing Board, Maryland

11. Carl D. Roberts, Ed.D. District 34
1641 Ingleside Avenue
Perryville, MD 21903

Member of the Maryland Longitudinal Data System Center Governing Board; appointed to serve a term of three years from July 1, 2013

Morgan State University Board of Regents

12. Karen N. Darkes District 43
1520 Pentridge Road, Apt. 305B
Baltimore, MD 21239

Student Member of the Morgan State University Board of Regents; appointed to serve a term of one year from July 1, 2012

St. Mary's College of Maryland, Board of Trustees

13. Ann Logan McDaniel District 16
5409 Albemarle Street
Bethesda, MD 20816

Member of the Board of Trustees of St. Mary's College of Maryland; appointed to serve a term of six years from June 1, 2013

Tourism Development Board, Maryland

14. Alice Lloyd District 37
112 Talbot Street
Easton, MD 21601

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2013

15. Vira Safai District 15
13548 Potomac Riding Lane
Potomac, MD 20850

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2013

Transportation Authority, Maryland

16. William K. Hellmann, P.E. District 33
504 Harlequin Lane
Severna Park, MD 21146

Member of the Maryland Transportation Authority; appointed to serve a term of four years from July 1, 2012

Uninsured Employers Fund Board

17. Julia A. Burgos District 28

8850 Warburton Place
White Plains, MD 20695

Member of the Uninsured Employers Fund Board; appointed to serve a term of four years from July 1, 2011

University System of Maryland Board of Regents

18. Frank Madison Reid, III, Ph.D. District 11
3310 Serenity Way
Owings Mills, MD 21117

Member of the University System of Maryland Board of Regents; reappointed to serve a term of five years from July 1, 2013

Women, Maryland Commission for

19. Lillian Cruz District 19
18031 Vintage River Terrace
Olney, MD 20832

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2009 and a term of four years from July 1, 2013

20. Velvet D. Johnson, Esq. District 24
2700 Berrywood Lane
Springdale, MD 20774

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2009

Youth Camp Safety, Advisory Council on

21. Robin L. Lansinger District 36
105 Utkewicz Road
Centreville, MD 21617

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2012

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Historical Trust, Board of Trustees of the Maryland

- S-1. James P. Delgado, Ph.D. District 20
218 Dale Drive
Silver Spring, MD 20910

Member of the Board of Trustees of the Maryland Historical Trust; reappointed to serve a term of four years from July 1, 2013

Judicial Disabilities, Commission on

- S-2. Marcy C. Canavan District 27
16504 Old Marshall Hall Road
Accokeek, MD 20607

Member of the Commission on Judicial Disabilities; reappointed to serve a term of four years from January 1, 2013

- S-3. Susan R. Hoffman District 17
133 Monument Street
Rockville, MD 20850

Member of the Commission on Judicial Disabilities; reappointed to serve a term of four years from January 1, 2013

Parole Commission, Maryland

- S-4. H. Erle Schafer District 31
237 Carroll Road
Glen Burnie, MD 21060

Member of the Maryland Parole Commission; reappointed to serve a term of six years from January 1, 2013

Stadium Authority, Maryland

- S-5. Leonard J. Attman District 11
16 Talton Court
Baltimore, MD 21208

Member of the Maryland Stadium Authority; reappointed to serve a term of four years from July 1, 2013

- S-6. Manervia W. Riddick District 26
801 Othman Drive
Fort Washington, MD 20744

Member of the Maryland Stadium Authority; reappointed to serve a term of four years from July 1, 2013

Women, Maryland Commission for

S-7. Velvet D. Johnson, Esq. District 24
2700 Berrywood Lane
Springdale, MD 20774

Member of the Maryland Commission for Women; reappointed to serve a term of four years from July 1, 2013

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Anne Arundel Community College Board of Trustees

L-1. Victoria K. Fretwell District 30
1407 Stonecreek Road
Annapolis, MD 21403

Member of the Anne Arundel Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2013

Anne Arundel County Board of License Commissioners

L-2. Melvin Hyatt District 32
19 Williams Drive
Annapolis, MD 21401

Chair of the Anne Arundel County Board of License Commissioners; appointed to serve a term to expire May 4, 2015

L-3. James C. Thomas District 32
46 Glendale Avenue
Glen Burnie, MD 21061

Member of the Anne Arundel County Board of License Commissioners; reappointed to serve a term to expire May 4, 2015

L-4. John G. Warner District 31
2027 Poplar Ridge Road
Pasadena, MD 21122

Member of the Anne Arundel County Board of License Commissioners;

reappointed to serve a term to expire May 4, 2015

Calvert County Board of License Commissioners

- L-5. Malcolm L. Funn District 27
8157 Harrison Boulevard
Chesapeake Beach, MD 20732

Member of the Calvert County Board of License Commissioners; appointed to serve remainder of a term of two years to expire June 3, 2013 and a term of two years to expire June 1, 2015

- L-6. Ruth N. Reid District 27
3010 Ponds Wood Road
Huntingtown, MD 20639

Member of the Calvert County Board of License Commissioners; reappointed to serve a term of two years to expire June 1, 2015

- L-7. John H. Smack District 27
2641 Plum Point Road
Huntingtown, MD 20639

Member of the Calvert County Board of License Commissioners; reappointed to serve a term of two years to expire June 1, 2015

- L-8. Beth E. Swoap District 29
2118 Loblolly Lane
St. Leonard, MD 20685

Chair of the Calvert County Board of License Commissioners; reappointed to serve a term of two years to expire June 1, 2015

Howard Community College Board of Trustees

- L-9. Kevin J. Doyle District 12
6217 Graftons View Court
Elkridge, MD 21075

Member of the Howard Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2013

Prince George's Community College Board of Trustees

- L-10. Sidney L. Gibson District 26
9706 Poling Terrace
Fort Washington, MD 20744

Member of the Prince George's Community College Board of Trustees; appointed to serve a term of five years from July 1, 2013

Senator Kelley moved, duly seconded, to make the Report a Special Order for March 22, 2013.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #18

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 545 – Senators Frosh, Brinkley, Brochin, Conway, Dyson, Getty, Glassman, Kittleman, Madaleno, Middleton, Miller, Robey, and Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Legislative Immunity – Prosecutions for Bribery

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 546 – Senators Frosh, Brinkley, Brochin, Conway, Dyson, Getty, Glassman, Kittleman, Madaleno, Middleton, Miller, Robey, and Stone

AN ACT concerning

Immunity of Local Government Officials – Prosecutions for Bribery

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings and Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 758 – Senators Ramirez and Kelley

AN ACT concerning

Labor and Employment – Lien for Unpaid Wages – Establishment

SB0758/838275/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 758
(First Reading File Bill)

On page 2, after line 17, insert:

“(D) “WAGES” DOES NOT INCLUDE COMMISSIONS.”

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 832 – Senator Ferguson

AN ACT concerning

Child Care Centers – Dispute Resolution

SB0832/868072/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 832
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Centers”; in line 3, after “workgroup” insert “in the State Department of Education”; in line 4, after “requiring” insert “the workgroup to make recommendations to”; strike beginning with “, in” in line 4 down through “adopt” in line 5 and substitute “regarding”; strike beginning with “that” in line 6 down through “processes” in line 9; in line 10, strike “centers” and substitute “providers”; and strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 2

On page 1, in line 17, strike “the Laws of Maryland read as follows”.

On pages 1 through 4, strike in their entirety the lines beginning with line 18 on page 1 through line 25 on page 4, inclusive, and substitute:

“(a) There is a dispute resolution workgroup in the State Department of Education.

(b) The workgroup consists of the following members, appointed by the State Superintendent of Schools:

(1) one representative from the Maryland Disability Law Center;

(2) one representative from the Maryland Developmental Disabilities Council;

(3) one representative from the Office of Child Care in the Department;

(4) one representative from the Division of Special Education Early Intervention Services in the Department;

(5) one representative from the Maryland Coalition of Families for Children’s Mental Health;

(6) one representative from the Maryland Family Network; and

(7) three child care providers.

(c) The workgroup shall make recommendations to the State Superintendent regarding rules and regulations to establish a uniform and timely dispute resolution process to resolve claims of discrimination by a child care provider based on a child’s disability that addresses the needs of children and their families to obtain and keep child care, which may include:

(1) voluntary mediation;

(2) a fact finder with authority to make determinations and recommendations consistent with the Americans with Disabilities Act;

(3) a process for child care providers to access training and technical assistance; and

(4) referral of claims of discrimination to the United States Department of Justice or other appropriate agency with jurisdiction over the child care provider.”.

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 FINANCE REPORT #17

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 368 – Senators Peters and DeGrange

AN ACT concerning

Maryland Stem Cell Research Fund – Annual Report – Government Transparency Requirements

SB0368/107473/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 368

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the comma insert “a”; in the same line, after “certain” insert “summary of”; in line 6, after “results” insert “and accomplishments”; in the same line, after “information;” insert “requiring a certain summary of research results and accomplishments to meet certain disclosure standards and include certain information under certain circumstances; authorizing a certain summary of research results and accomplishments to exclude certain information;”; and after line 7, insert:

“BY renumberingArticle – Economic DevelopmentSection 10–429(h), (i), (j), and (k), respectivelyto be Section 10–429(i), (j), (k), and (l), respectivelyAnnotated Code of Maryland(2008 Volume and 2012 Supplement)BY adding toArticle – Economic DevelopmentSection 10–429(h)Annotated Code of Maryland(2008 Volume and 2012 Supplement)”.
AMENDMENT NO. 2AMENDMENT NO. 2

On page 1, after line 12, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 10–429(h), (i), (j), and (k), respectively, of Article – Economic Development of the Annotated Code of Maryland be renumbered to be Section(s) 10–429(i), (j), (k), and (l), respectively.”;

in line 13, strike “1.” and substitute “2.”; strike beginning with “BE” in line 13 down through “MARYLAND” in line 14 and substitute “AND BE IT FURTHER ENACTED”; after line 15, insert:

“10–429.(H) “NIH” MEANS THE NATIONAL INSTITUTES OF HEALTH.”;in line 21, after “(b)” insert “(1)”; and in line 22, strike “(1)” and substitute “(I)”.

On page 2, in lines 1, 3, 5, 7, 8, and 10, strike “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively; in line 11, after the comma insert “A GENERAL SUMMARY OF”; in line 12, after “RESULTS” insert “AND ACCOMPLISHMENTS”; strike beginning with the comma in line 12 down through “RESEARCH” in line 13; after line 13, insert:

“(2) THE SUMMARY REQUIRED UNDER PARAGRAPH (1)(VII) OF THIS SUBSECTION:

(I) TO THE EXTENT PRACTICABLE, SHALL MEET THE STANDARDS ESTABLISHED BY NIH FOR PUBLIC DISCLOSURE OF RESULTS AND ACCOMPLISHMENTS OF NIH-FUNDED RESEARCH PROJECTS;

(II) SHALL INCLUDE THE NUMBER OF PATIENTS TREATED AS A RESULT OF THE RESEARCH, IF APPLICABLE; AND

(III) MAY EXCLUDE ANY INFORMATION THAT:

1. IS PROPRIETARY OR CONFIDENTIAL;

2. WOULD JEOPARDIZE INTELLECTUAL PROPERTY RIGHTS OF THE GRANT OR LOAN RECIPIENT; OR

3. WOULD INHIBIT OR IMPAIR THE GRANT OR LOAN RECIPIENT’S ABILITY TO PUBLISH OR COMMERCIALIZE THE RESULTS OF THE RESEARCH.”;

and in line 14, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 374 – Senators Astle, Ferguson, Forehand, Garagiola, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, Ramirez, and Zirkin

AN ACT concerning

Consumer Protection – Children’s Online Privacy Protection

SB0374/527872/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 374

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Consumer Protection” and substitute “Office of the Attorney General”; in the same line, before “Children’s” insert “Workgroup on”; strike beginning with “prohibiting” in line 3 down through “terms” in line 12 and substitute “requiring the Office of the Attorney General to convene and direct a workgroup to examine certain issues relating to the protection of children’s online privacy; requiring the workgroup to include certain representatives; requiring the Office of the Attorney General to report the findings and any recommendations of the workgroup to certain committees of the General Assembly on or before a certain date”; and strike in their entirety lines 14 through 19, inclusive.

AMENDMENT NO. 2

On page 1, in line 21, strike “the Laws of Maryland read as follows”.

On pages 1 through 4, strike in their entirety the lines beginning with line 22 on page 1 through line 3 on page 4, inclusive, and substitute:

“(a) The Office of the Attorney General shall convene and direct a workgroup to examine issues relating to the protection of children’s privacy while using the Internet and mobile applications (“children’s online privacy”), including:

(1) the nature and extent of data collected about children through Internet-based and mobile application-based advertising (“online advertising”);

(2) current and forthcoming federal and state regulation of children’s online privacy and online advertising and associated data collection;

(3) the effects on children of online behavioral advertising, native advertising, social advertising, and other forms of online advertising;

(4) best practices used by the Internet industry and the mobile application industry to protect children’s online privacy;

(5) best practices urged by consumer advocates, children’s health advocates, and regulators to protect children’s online privacy; and

(6) the effectiveness of voluntary standards as they relate to children’s online privacy.

(b) (1) The workgroup required under subsection (a) of this section shall include representatives of State government, industry leaders, members of the academic community studying children’s online privacy and the effects of online advertising on children, consumer advocates, and children’s health advocates.

(2) The Office of the Attorney General shall invite representatives of relevant federal agencies to participate in the workgroup.

(c) On or before December 31, 2013, the Office of the Attorney General shall report to the Senate Finance Committee and House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, on the findings of the workgroup and any resulting recommendations.”.

On page 4, in line 5, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 582 – Senators Kelley, Benson, Brinkley, Forehand, Klausmeier, Madaleno, Middleton, Montgomery, Pinsky, and Pugh

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Utilization Review Criteria and Standards

SB0582/237774/1

BY: Finance Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Pugh” and substitute “Pugh, Astle, Garagiola, Glassman, Kittleman, Mathias, and Ramirez”; strike beginning with the second “the” in line 4 down through “change” in line 14 and substitute “entities that propose to issue or deliver certain insurance policies or contracts in the State or to administer health benefit programs that provide certain coverage to ensure that, when conducting utilization review for mental health and substance use benefits, the criteria and standards used are in compliance with the federal Mental Health Parity and Addiction Equity Act”; in line 15, strike “by private review agents”; in line 20, strike “15–10B–05(a)(11) and 15–10B–11(8)” and substitute “15–1001(b)”; and strike in their entirety lines 23 through 27, inclusive.

AMENDMENT NO. 2

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

“15–1001.

(b) (1) Subject to paragraph (2) of this subsection, each entity subject to this section shall:

(i) 1. have a certificate issued under Subtitle 10B of this title; or

[(ii)] 2. contract with a private review agent that has a certificate issued under Subtitle 10B of this title; AND

(II) WHEN CONDUCTING UTILIZATION REVIEW FOR MENTAL HEALTH AND SUBSTANCE USE BENEFITS, ENSURE THAT THE CRITERIA AND STANDARDS USED ARE IN COMPLIANCE WITH THE FEDERAL MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT.

(2) For hospital services, each entity subject to this section may contract with or delegate utilization review to a hospital utilization review program approved under § 19–319(d) of the Health – General Article.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 708 – Senators Madaleno, Forehand, Garagiola, and Rosapepe

AN ACT concerning

Tobacco-Related Disease Products Research, Development, and Commercialization Program

SB0708/207274/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 708

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “appropriation” insert “, beginning in a certain fiscal year.”; and in line 20, after “terms;” insert “providing for the termination of this Act.”.

AMENDMENT NO. 2

On page 4, in line 4, after “**FUND**” insert “, INCLUDING MONEY APPROPRIATED”.

On page 7, in line 5, strike “**\$3,000,000**” and substitute “BEGINNING IN FISCAL YEAR 2015, \$1,000,000”; and in line 16, 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 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 769 – Senators Raskin, Madaleno, and Montgomery

AN ACT concerning

Health Benefit Plans – Proposed Rate Increases – Notice to Insureds

SB0769/847470/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 769

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “that” in line 3 down through “term” in line 8 and substitute “to provide a certain notice to insureds and enrollees, and post a certain notice on the carrier’s Web site, that an insured or enrollee may access certain information and submit certain comments relating to proposed rate increases on the Maryland Insurance Administration’s Web site”; strike in their entirety lines 10 through 14, inclusive; and in line 17, strike “15–140” and substitute “11–604”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 2 on page 2, inclusive.

On page 2, strike in their entirety lines 4 through 29, inclusive, and substitute:

“11–604.

A CARRIER SHALL PROVIDE NOTICE ANNUALLY TO ITS INSUREDS AND ENROLLEES, AND POST A NOTICE ON THE CARRIER’S WEB SITE, THAT AN INSURED OR ENROLLEE MAY ACCESS INFORMATION ABOUT PROPOSED RATE INCREASES AND SUBMIT COMMENTS REGARDING PROPOSED RATE INCREASES ON THE ADMINISTRATION’S WEB SITE.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #32**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**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**

SB0226/584533/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “– Length and Limitation of Terms”; in line 4, after the first “of” insert “altering the composition of the Board of Regents of Morgan State University;”; in lines 4 and 6, in each instance, strike “a member” and substitute “certain members”; in line 5, strike “of Regents of Morgan State University”; in line 6, after “serve;” insert “limiting the number of certain members who may be residents of other states;”; and in the same line, strike “terms of”.

AMENDMENT NO. 2

On page 2, in lines 6, 7, and 17, strike “(d)(2)”, “(d)”, and “(e)”, respectively, and substitute “(E)(2)”, “(E)”, and “(F)”, respectively; after line 6, insert:

**“(D) (1) ONE MEMBER OF THE BOARD OF REGENTS SHALL BE THE
PRESIDENT OF THE MORGAN STATE UNIVERSITY NATIONAL ALUMNI
ASSOCIATION.**

(2) THE MEMBER APPOINTED UNDER THIS SUBSECTION:

(I) SERVES FOR A TERM OF 2 YEARS AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES;

(II) MAY BE APPOINTED TO SERVE A CONSECUTIVE TERM;
AND

(III) MAY BE A RESIDENT OF A STATE OTHER THAN MARYLAND, BUT THE RESIDENCY STATUS MAY NOT BE CONSIDERED IN DETERMINING THE NUMBER OF RESIDENT OR NONRESIDENT REGENTS AS PROVIDED FOR IN SUBSECTION (E)(2) OF THIS SECTION.”;

in line 7, after the first “member” insert “AND THE MEMBER APPOINTED UNDER SUBSECTION (D) OF THIS SECTION”; and strike beginning with the comma in line 13 down through “State” in line 14 and substitute “AND THE MEMBER APPOINTED UNDER SUBSECTION (D) OF THIS SECTION, NO MORE THAN THREE MEMBERS OF THE BOARD OF REGENTS WHO ARE NOT ALUMNI OF MORGAN STATE UNIVERSITY MAY BE RESIDENTS OF OTHER STATES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 511 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Fines

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 740 – Senators Pinsky and Madaleno

AN ACT concerning

College Readiness and Completion Act of 2013**SB0740/564632/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 740

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Madaleno” and substitute “Madaleno, and Currie”; in line 3, strike “Department” and substitute “Board”; in line 4, strike “mathematics course” and substitute “curriculum and graduation”; strike beginning with “requiring” in line 4 down through “circumstance;” in line 5; in line 6, after the first “the” insert “State”; in the same line, after “Department” insert “of Education”; strike beginning with “all” in line 6 down through “grade” in line 7 and substitute “certain students”; in line 8, strike “a certain association” and substitute “certain local school systems and certain community colleges”; in line 9, after “year;” insert “providing that the implementation of certain courses must include a certain assessment and may not preclude or replace certain requirements;”; in line 12, strike “a certain course numbering system and”; in line 13, after “dates” insert “and certain incentives for certain students to obtain certain degrees under certain circumstances”; in line 18, strike “a certain report by a certain date” and substitute “certain reports by certain dates”; in line 21, after “advisor” insert “and to follow a certain pathway to a degree”; in line 22, after “implement” insert “a”; in the same line, strike “block scheduling” and substitute “pathway system”; strike beginning with “requiring” in line 23 down through “scheduling;” in line 24; in line 25, after “students;” insert “beginning on a certain date;”; and in line 30, after “students;” insert “beginning on or before a certain date.”.

On page 2, in line 5, after “students;” insert “requiring certain county boards to offer certain students the opportunity to dually enroll under certain circumstances; requiring the Maryland Longitudinal Data System Center to submit a certain annual report;”; strike beginning with “a” in line 10 down through “date” in line 11 and substitute “certain reports by certain dates”; in line 12, after “dates;” insert “requiring the Segmental Advisory Council to submit a certain report by a certain date;”; and in line 22, after “18-14A-04,” insert “18-14A-05, 24-703.1.”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 21 through 23, inclusive; in line 24, strike “(C)” and substitute “(B)”; in line 25, strike “IN THE” and substitute “USING ACCEPTABLE COLLEGE PLACEMENT CUT SCORES NO LATER THAN”; in line 27, after “(2)” insert “(I)”; in the same line, strike “THE” and substitute “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE”; in the same line, after “WITH” insert “LOCAL SCHOOL SYSTEMS AND”; and after line 31, insert:

“(II) THE IMPLEMENTATION OF TRANSITION COURSES OR OTHER INSTRUCTIONAL OPPORTUNITIES REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. SHALL INCLUDE AN ASSESSMENT OR REASSESSMENT OF THE STUDENT AFTER COMPLETION OF THE COURSE; AND

2. MAY NOT PRECLUDE OR REPLACE ENROLLMENT IN A COURSE OTHERWISE REQUIRED FOR GRADUATION FROM HIGH SCHOOL.”.

On page 4, in line 1, strike “(D)” and substitute “(C)”; in the same line, strike “EACH” and substitute “BEGINNING WITH THE 9TH GRADE CLASS OF 2014, AND SUBJECT TO SUBSECTION (D) OF THIS SECTION, EACH”; in the same line, strike “COMPLETE” and substitute “ENROLL IN”; in line 2, after “SCHOOL” insert “THAT THE STUDENT ATTENDS HIGH SCHOOL”; strike in their entirety lines 3 through 10, inclusive; and after line 10, insert:

“(2) IT IS THE GOAL OF THE STATE THAT ALL STUDENTS ACHIEVE MATHEMATICS COMPETENCY IN ALGEBRA II.

(D) A STUDENT WHO IS ENROLLED IN A CREDIT-BEARING MATHEMATICS TRANSITION COURSE UNDER SUBSECTION (B)(2) OF THIS SECTION:

(1) SUBJECT TO ITEM (2) OF THIS SUBSECTION, SHALL BE CONSIDERED TO MEET THE REQUIREMENTS OF SUBSECTION (C) OF THIS SECTION; AND

(2) MAY NOT BE CONSIDERED TO MEET THE REQUIREMENTS OF SUBSECTION (C) OF THIS SECTION IF OTHER CREDIT-BEARING COURSES REQUIRED FOR GRADUATION HAVE NOT BEEN MET.

AMENDMENT NO. 3

On page 4, in line 29, after “BEFORE” insert “LEAVING THE COMMUNITY COLLEGE OR”.

AMENDMENT NO. 4

On page 5, strike in their entirety lines 24 through 27, inclusive; in line 28, strike “(C)” and substitute “(B)”; in line 30, strike “ALL” and substitute “AT LEAST 60”; in the same line, after “CREDITS” insert “OF GENERAL EDUCATION, ELECTIVE, AND MAJOR COURSES”; and in line 31, after “ASSOCIATE’S” insert “OF ART OR ASSOCIATE’S OF SCIENCE”.

On page 6, in line 1, strike “(D)” and substitute “(C)”; in line 3, strike “ALL” and substitute “AT LEAST 30”; after line 7, insert:

“(D) THE COMMISSION AND EACH PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL DEVELOP AND IMPLEMENT INCENTIVES FOR STUDENTS TO OBTAIN AN ASSOCIATE’S DEGREE BEFORE ENROLLING IN A PUBLIC SENIOR INSTITUTION OF HIGHER EDUCATION.”;

and in line 8, strike “(E)” and substitute “(F)”.

AMENDMENT NO. 5

On page 6, in line 29, strike “AND”; after line 29, insert:

“(3) MAKE READILY AVAILABLE CONTACT INFORMATION FOR EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE; AND”;

and in line 30, strike “(3)” and substitute “(4)”.

On page 7, in line 3, strike “70” and substitute “90”; and in line 12, strike “ENDOWMENT” and substitute “INSTITUTIONAL”.

AMENDMENT NO. 6

On page 7, in line 30, strike “45” and substitute “30”.

On page 8, after line 4, insert:

“(D) EACH DEGREE-SEEKING UNDERGRADUATE STUDENT ENROLLED AT A COMMUNITY COLLEGE SHALL FILE A DEGREE PLAN WITH THE INSTITUTION ON ENTERING THE INSTITUTION.”;

in line 5, strike “(D)” and substitute “(E)”; in the same line, after “SHALL” insert “:

(1) (I);

in the same line, strike “BE” and substitute “BE”; in line 7, after “PROGRAM” insert “;
OR

**(II) IF AN ACADEMIC ADVISOR IS NOT AVAILABLE IN THE STUDENT’S DEGREE PROGRAM, ANY ACADEMIC ADVISOR AT THE INSTITUTION;
AND**

(2) FOLLOW A PATHWAY TO A DEGREE AS REQUIRED UNDER § 15-114 OF THIS SUBTITLE;

in line 9, strike “(A)”; in line 11, strike “BLOCK SCHEDULING” and substitute “PATHWAY”; in line 13, after “ENROLLMENT” insert “OR IS ENROLLED IN COURSES CONCURRENTLY WITH THE FILING OF A DEGREE PLAN UNDER § 15-113 OF THIS SUBTITLE, WHICHEVER IS LATER”; in lines 14 and 17, in each instance, strike “BLOCK SCHEDULE” and substitute “PATHWAY”; and strike in their entirety lines 23 through 26, inclusive.

On page 9, in line 15, after “SUBSECTION,” insert “BEGINNING WITH FALL 2015,”.

AMENDMENT NO. 7

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

On page 11, in line 10, strike “A” and substitute “BEGINNING ON JANUARY 1, 2014, A”; strike beginning with the third “THE” in line 13 down through

“EDUCATION” in line 14 and substitute “FOR EACH COURSE IN WHICH THE STUDENT IS ENROLLED:

(1) FOR A PUBLIC SENIOR INSTITUTION OF HIGHER EDUCATION, 75% OF THE COST OF TUITION; AND

(2) FOR A COMMUNITY COLLEGE,”;

in lines 15 and 17, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; strike beginning with “THE” in line 15 down through “SECTION” in line 16 and substitute “5% OF THE TARGET PER PUPIL FOUNDATION AMOUNT ESTABLISHED UNDER § 5-202(A) OF THIS ARTICLE”; in line 17, strike “THE” and substitute “75% OF THE”; and strike in their entirety lines 18 through 29, inclusive.

On page 12, in line 1, strike “(D)” and substitute “(C)”; after line 7, insert:

“18-14A-05.

EACH COUNTY BOARD SHALL OFFER ALL HIGH SCHOOL STUDENTS WHO MEET MUTUALLY AGREED ON ENROLLMENT REQUIREMENTS THE OPPORTUNITY TO DUALY ENROLL UNDER THIS SUBTITLE.”;

and in line 8, strike “18-14A-05.” and substitute “18-14A-06.”.

AMENDMENT NO. 8

On page 12, after line 10, insert:

“24-703.1.

THE CENTER SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 15 OF EACH YEAR, DISAGGREGATED BY LOCAL SCHOOL SYSTEM, REGARDING:

(1) THE NUMBER OF STUDENTS WHO ARE DUALY ENROLLED UNDER TITLE 18, SUBTITLE 14A OF THIS ARTICLE; AND

(2) THE NUMBER AND COURSE NAME OF THE COURSES IN WHICH A STUDENT UNDER ITEM (1) OF THIS SECTION DUALY ENROLLS AT THE HIGH SCHOOL AND AT THE PUBLIC INSTITUTION OF HIGHER EDUCATION.”

AMENDMENT NO. 9

On page 14, after line 8, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2013, the State Department of Education shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly, regarding:

(1) the feasibility of the award of a Maryland high school diploma regardless of whether a student has completed the minimum requisite credits or 4 years of high school if the student:

(i) is assessed as college ready under § 7–205.1 of the Education Article; and

(ii) meets the student service and other assessment graduation requirements established in regulations; and

(2) if found to be feasible under item (1) of this section, an implementation plan for the award of a Maryland high school diploma regardless of whether a student has completed the minimum requisite credits or 4 years of high school.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(1) On or before December 31, 2013, the Maryland Higher Education Commission Segmental Advisory Council shall submit a report to the Governor and, in accordance with § 2–1246 of the State Government Article, to the Senate Budget and Taxation Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Appropriations Committee, and the House Committee on Ways and Means regarding Maryland’s academic course articulation data system and academic course transferability between institutions of higher education in the State.

(2) The report required under paragraph (1) of this section shall include:

(i) a review of the online articulation data system currently in use, known as The Articulation System for Maryland Colleges and Universities (ARTSYS), and whether improvements to the transparency and user-friendly functionality of ARTSYS can be accomplished in a timely manner;

(ii) a review of whether there is an alternative articulation data system available and, if so, what would be the cost and schedule of implementation of the alternative system;

(iii) an analysis of any gaps and deficiencies in the articulation of academic course equivalencies amongst segments of higher education;

(iv) recommendations to establish a course articulation system that is transparent and user-friendly for students and administrators at institutions of higher education; and

(v) recommendations on how to maximize degree credit transferability in a cost- and time-efficient manner.

SECTION 5. AND BE IT FURTHER ENACTED, That, on or before December 1, 2013, the Maryland Higher Education Commission shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly, regarding obstacles and barriers, if any, toward facilitating the sharing of student information among institutions of higher education in the State in furtherance of the communication campaign required under § 11-209 of the Education Article.

SECTION 6. AND BE IT FURTHER ENACTED, That:

(1) On or before December 31, 2017, the Maryland Higher Education Commission, in collaboration with the State Board of Education, the University System of Maryland, Morgan State University, St. Mary's College of Maryland, and the Maryland Association of Community Colleges shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly regarding the academic, enrollment, and financial impacts of being a dually enrolled student under Title 18, Subtitle 14A of the Education Article.

(2) The report required under paragraph (1) of this section shall include:

(i) information disaggregated by local school system and by public institution of higher education; and

(ii) the identification of obstacles to expanded participation in dual enrollment.”;

and in lines 9 and 14, strike “3.” and “4.”, respectively, and substitute “7.” and “8.”, respectively.

The preceding 9 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 920 – Senator Dyson

EMERGENCY BILL

AN ACT concerning

Chesapeake Bay – Submerged Land and Water Column Leases – Riparian Owners

SB0920/854436/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 920

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Chesapeake Bay” and substitute “Natural Resources”; in lines 2 and 3, strike “Riparian Owners” and substitute “Herring Creek”; in line 4, strike “Chesapeake Bay”; strike beginning with “a” in line 7 down through “channel” in line 8 and substitute “in Herring Creek in St. Mary’s County”; and in line 10, strike “the Chesapeake Bay” and substitute “Herring Creek in St. Mary’s County”.

AMENDMENT NO. 2

On page 2, strike beginning with “50” in line 29 down through “CHANNEL” in line 30 and substitute “IN HERRING CREEK IN ST. MARY’S COUNTY”.

On page 4, strike beginning with “50” in line 2 down through “CHANNEL” in line 3 and substitute “IN HERRING CREEK IN ST. MARY’S COUNTY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1005 – Senator Klausmeier

AN ACT concerning

Baltimore County – Commission to Study the Establishment of a Truancy Reduction Program

SB1005/264734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1005

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert “requiring the Maryland Judicial Conference to designate a representative to act in an advisory capacity to the Commission;”.

AMENDMENT NO. 2

On page 2, strike beginning with “one” in line 10 down through “(ii)” in line 12; in lines 14, 16, 18, 20, and 22, strike “(iii)”, “(iv)”, “(v)”, “(vi)”, and “(vii)”, respectively, and substitute “(ii)”, “(iii)”, “(iv)”, “(v)”, and “(vi)”, respectively; and after line 23, insert:

“(c) The Maryland Judicial Conference shall designate a representative to act in an advisory capacity to the Commission.”.

On page 2 in lines 24, 27, and 29 and on page 3, in lines 1 and 14, strike “(c)”, “(d)”, “(e)”, “(f)”, and “(g)”, respectively, and substitute “(d)”, “(e)”, “(f)”, “(g)”, and “(h)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1029 – Senator Middleton

AN ACT concerning

Maryland Agricultural Certainty Program

SB1029/384732/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1029

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Dyson, and Jennings”; in line 20, strike “adopting or”; in line 21, after “operation” insert “for a certain period of time; stating that, if the Program is terminated, an agricultural operation certified at the time of termination shall remain certified for the duration of the certification period”; in line 27, strike “the Department of Agriculture” and substitute “a certified verifier”; and in line 31, after “frequency;” insert “requiring a certified verifier conducting an on-site inspection to provide the certified agricultural operation with certain information during the on-site inspection;”.

On page 2, in line 13, after the first “the” insert “verifier”; in line 22, after “Environment” insert “and a certified verifier”; in line 23, after the first “certain” insert “records and”; in line 24, strike “Department of Agriculture from disclosing” and substitute “disclosure of”; in line 25, after “records” insert “and information”; in line 28, after “or” insert “permanently”; in line 31, strike “, with approval from the

Department of the Environment,”; and in line 32, after “regulations” insert “and to make certain recommendations related to the Program”.

AMENDMENT NO. 2

On page 3, in line 7, strike “CROPS” and substitute “LAND”.

AMENDMENT NO. 3

On page 3, strike beginning with “CERTIFY” in line 24 down through “MEETS” in line 25 and substitute “ACCELERATE THE IMPLEMENTATION OF AGRICULTURAL BEST MANAGEMENT PRACTICES TO MEET”.

AMENDMENT NO. 4

On page 4, in line 19, after “DEPARTMENT” insert “UNDER SUBTITLE 8 OF THIS TITLE”; in line 20, strike “MINIMUM”; in line 21, strike “ALLOCATION LOADS” and substitute “LOAD REDUCTIONS”; in line 23, after “THE” insert “FULL IMPLEMENTATION OF THE MOST RECENT”; in the same line, after “LOAD” insert “AS APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY”; and in line 25, strike “THE” and substitute “ALL APPLICABLE”.

On page 5, in line 9, strike “CONDUCTING AN” and substitute “AN”; in the same line, after “INSPECTION” insert “IS CONDUCTED BY A CERTIFIED VERIFIER,”; in the same line, after “THE” insert “ASSISTANCE OF THE”; and in line 10, strike the comma.

AMENDMENT NO. 5

On page 7, in line 7, strike “REQUIREMENTS” and substitute “STATE OR LOCAL LAWS AND REGULATIONS”; in line 9, strike “LOADS” and substitute “LOAD REDUCTIONS”; and in line 15, after “THE” insert “APPLICATION OR”.

On page 8, in line 7, after “ENFORCE” insert “STATE OR LOCAL”; in line 8, after “STANDARDS” insert “ADOPTED AFTER THE DATE OF CERTIFICATION”; and in line 10, after “SUBTITLE” insert “UNTIL THE END OF THE CERTIFICATION PERIOD.”

(D) IF THE PROGRAM ESTABLISHED UNDER THIS SUBTITLE IS TERMINATED, AN AGRICULTURAL OPERATION CERTIFIED UNDER THE PROGRAM SHALL:

(1) REMAIN CERTIFIED FOR THE REMAINDER OF THE CERTIFICATION PERIOD FOR THE AGRICULTURAL OPERATION; AND

(2) BE SUBJECT TO STATE AND LOCAL LAWS OR REGULATIONS APPLICABLE AT THE TIME OF CERTIFICATION".

AMENDMENT NO. 6

On page 8, in line 21, strike "AND" and substitute:

"4. A SUMMARY OF NUTRIENTS APPLIED BY SOURCE AND CROP TYPE; AND";

and in line 22, strike "4." and substitute "5.".

AMENDMENT NO. 7

On page 9, in line 13, after "(A)" insert "(1)"; in lines 15 and 19, strike "(1)" and "(2)", respectively, and substitute "(I)" and "(II)", respectively; in line 15, after "INSPECTION" insert ", AS DEFINED BY REGULATIONS ADOPTED UNDER THIS SUBTITLE,"; after line 22, insert:

"(2) THE INSPECTIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONDUCTED BY A CERTIFIED VERIFIER DETERMINED BY THE DEPARTMENT.";

in line 24, strike "A" and substitute ":

(1) A;

in line 25, after "REQUIREMENTS" insert ", INCLUDING:

(I) EFFORTS TO MANAGE SOIL CONSERVATION AND WATER QUALITY; AND

(II) NUTRIENT APPLICATION, INCLUDING LOCATION, RATE, SOURCE, AND TIMING, BY CROP; AND

(2) NOTICE TO THE CERTIFIED AGRICULTURAL OPERATION AT THE TIME OF THE ON-SITE INSPECTION OF ALL NEW STATE AND LOCAL LAWS AND REGULATIONS ENACTED OR ADOPTED SINCE THE DATE OF CERTIFICATION;

and strike beginning with “**THAT**” in line 32 down through “**EFFECT**” in line 33 and substitute “**ADOPTED OR ENACTED**”.

AMENDMENT NO. 8

On page 10, in line 18, strike “**(B)(1) AND (2)**”.

On page 11, in line 6, strike “**§ 8-1004 OF**”.

AMENDMENT NO. 9

On page 11, in line 8, strike “**PROTECTS**” and substitute “**PROVIDES THE GREATEST PUBLIC DISCLOSURE OF RECORDS AND INFORMATION WHILE PROTECTING**”; in line 26, strike “**THE DEPARTMENT MAY NOT DISCLOSE ANY**” and substitute “**EXCEPT AS PROVIDED IN § 8-1007(B) OF THIS SUBTITLE,**”; in the same line, after “**RECORDS**” insert “**AND INFORMATION**”; and in line 27, after the first “**OPERATION**” insert “**MAY NOT BE DISCLOSED BY ANY STATE AGENCY, DEPARTMENT, OR CERTIFIED VERIFIER**”.

AMENDMENT NO. 10

On page 12, in lines 5 and 12, in each instance, after “**OR**” insert “**PERMANENTLY**”; strike beginning with “**TO**” in line 9 down through “**OPERATION**” in line 10 and substitute “**AS A VERIFIER**”; and in line 11, after “**CERTIFICATION**” insert “**FOR AN AGRICULTURAL OPERATION OR A VERIFIER**”.

AMENDMENT NO. 11

On page 13, in line 3, after “**TO**” insert “**OR TERMINATION OF**”.

The preceding 11 amendments were read only.

Senator Raskin moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1031 – Senator Colburn

AN ACT concerning

Hunting – Domesticated, Stray, or Feral Animals – Prohibited Acts

SB1031/154137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 1031

(First Reading File Bill)

In line 2, strike “, Stray, or Feral”; in line 4, strike “or a stray or feral animal”; and strike beginning with “OR” in line 19 down through “ANIMAL” in line 20.

The preceding amendment was read only.

Senator Kittleman moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 1032 – Senator Colburn

AN ACT concerning

Oysters – Power Dredging – Time Period

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1049 – Senators Mathias and Astle

AN ACT concerning

Recycling – Apartment Buildings and Condominiums**SB1049/304236/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1049
(First Reading File Bill)AMENDMENT NO. 1

On page 1, in line 2, after “Condominiums” insert “– Ocean City”; strike beginning with “a” in line 3 down through “waste” in line 7 and substitute “certain provisions of law requiring a certain property owner or manager of an apartment building or a council of unit owners of a condominium to provide for recycling for its residents do not apply in Ocean City”; and in line 8, after “condominiums” insert “in Ocean City”.

AMENDMENT NO. 2

On page 1, in line 18, strike “This” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THIS**”.

On page 2, after line 7, insert:

“(4) THIS SECTION DOES NOT APPLY IN OCEAN CITY.”;

in lines 8 and 25, in each instance, strike the brackets; strike beginning with “**EXCEPT**” in line 8 down through “**ON**” in line 9; strike lines 16 through 24, inclusive; and in line 25, strike “**(3)**”.

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 JUDICIAL PROCEEDINGS REPORT #19

Senator Frosh, Chair, for the Committee on Judicial Proceedings and Senator Middleton, Chair, for the Committee on Finance 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**

SB0383/938673/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 383

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Act;” 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;”; and in line 19, strike “7–510” and substitute “7–511”.

AMENDMENT NO. 2

On page 2, in line 12, after “(E)” insert “**(1)**”; after line 14, insert:

“(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”.”

AMENDMENT NO. 3

On page 6, after line 8, insert:

“A VIOLATION OF THIS SUBTITLE IS:

(1) AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND

(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.

7-511.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 809 – Senator Frosh

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

SB0809/648973/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 809
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 8, strike “**\$3,000,000**”; and in line 10, after “**ARTICLE**” insert “:

(I) \$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”.

AMENDMENT NO. 2

On page 3, in line 31, strike “June” 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.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 1001 – Senator Ramirez

AN ACT concerning

Family Law – Protective Orders – Notification of Service – Sunset Extension

SB1001/608171/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 1001

(First Reading File Bill)

In line 20, strike “6” and substitute “7”; and in line 21, strike “2015” and substitute “2016”.

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 619 – Senator Astle

AN ACT concerning

Wildlife Management and Sustainability Act of 2013

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

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

Affirmative – 39 Negative – 7 (See Roll Call No. 674)

The Bill was then sent to the House of Delegates.

Senate Bill 792 – Senator Kelley

AN ACT concerning

Maryland Collaborative Reproduction Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Reilly moved, duly seconded, to make the Bill and Report a Special Order for March 22, 2013.

The motion was adopted.

INTRODUCTION OF BILLS

Senator Glassman moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Glassman moved to suspend the rules to allow **Senate Bill 1068** to be referred immediately.

The motion was adopted.

Senate Bill 1068 – Senator Glassman

AN ACT concerning

Commission to Study the Regulation of Payroll Services

FOR the purpose of establishing the Commission to Study the Regulation of Payroll Services; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to study and make recommendations regarding certain matters; requiring the Commission to report its findings and recommendations to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Commission to Study the Regulation of Payroll Services.

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

Senator Shank moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1069 – Senator Shank

AN ACT concerning

Criminal Procedure – Issuance of Summonses and Arrest Warrants and Restrictions on Pretrial Release

FOR the purpose of prohibiting a District Court commissioner from issuing a summons if the defendant is charged with a certain crime of violence; prohibiting a commissioner from authorizing the pretrial release of a defendant charged with committing a crime while the defendant was released on bail or personal recognizance for a pending prior criminal charge; prohibiting a commissioner from authorizing the pretrial release of a defendant charged with committing a crime while on parole; and generally relating to the issuance of summonses and arrest warrants and restrictions on pretrial release.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–607(c)(6)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–202
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 675)

ADJOURNMENT

At 12:41 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Legislative Day March 20, 2013, Calendar Day, Friday, March 22, 2013 in memory of Taylor Wild.

Annapolis, Maryland
Legislative Day: March 20, 2013
Calendar Day: Friday, March 22, 2013
11:00 A.M. Session

The Senate met at 11:15 A.M.

Prayer by Reverend Liz Lerner Maclay, Unitarian Universalist Church, guest of Senator Raskin.

(See Exhibit A of Appendix III)

The Journal of March 19, 2013 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 677)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 66 – Dorchester County Delegation

EMERGENCY BILL

AN ACT concerning

Dorchester County – Turkey Hunting on Public Land – Sundays

FOR the purpose of authorizing a person to hunt turkey on certain public land on certain Sundays in Dorchester County; making this Act an emergency measure; and generally relating to turkey hunting on Sundays.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

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

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; ~~requiring~~ 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, ~~9–308~~, 9–310, ~~and 10–301.1, 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)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 314 – Delegates Pena–Melnyk, V. Turner, Costa, Frank, Hubbard, A. Kelly, Murphy, Oaks, and Tarrant

AN ACT concerning

**State Board of Morticians and Funeral Directors – Authority to Discipline –
Funeral Establishment Licenses**

FOR the purpose of ~~expanding~~ altering the authority of the State Board of Morticians and Funeral Directors to discipline the holders of funeral establishment licenses ~~under certain circumstances;~~ making a technical correction; and generally relating to the disciplinary authority of the State Board of Morticians and Funeral Directors and funeral establishment licenses.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 7–316

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 708 – Delegates McIntosh, Beidle, Bobo, Carr, Frush, Hogan, Hubbard, Jacobs, Lafferty, McMillan, Niemann, S. Robinson, and Wilson

AN ACT concerning

Natural Resources – Nuisance Organisms – Penalties

FOR the purpose of creating a separate criminal offense for each nuisance organism imported or possessed in violation of certain provisions of law or regulation; establishing a certain total maximum fine for offenses arising out of the same enforcement action; ~~authorizing a judge to award a certain monetary reward to a person who provides information leading to a certain conviction, under certain circumstances;~~ and generally relating to nuisance organisms.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–205.1(a)(8)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–205.1(i)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 718 – Delegate Serafini

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

FOR the purpose of making certain members of the State Retirement and Pension System eligible to receive creditable service at retirement for the total amount of unused sick leave accumulated as a member of a former system accrued by the member in certain systems in the State Retirement and Pension System under certain circumstances; providing for the ~~computation~~ calculation of the creditable service for unused sick leave ~~accumulated in the former State system~~ accrued by a member in certain systems; requiring the Department of Legislative Services and the State Retirement Agency to provide a certain report on or before a certain date; and generally relating to additional creditable service at retirement for unused sick leave for members of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 20–206
Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 807 – Delegates Frush, Barnes, and Pena–Melnyk

AN ACT concerning

Environment – Landfill Operator – ~~License Required~~ Completion of Training Course

FOR the purpose of requiring an individual to ~~be licensed~~ provide certain evidence of successful completion of a certain landfill management training course that has been approved by the Department of the Environment before an individual may operate a landfill in the State; ~~requiring an applicant to meet certain qualifications for a license; requiring~~ authorizing the Department to adopt certain regulations; and generally relating to operating a landfill in the State.

BY adding to

Article – Environment

Section 9–2001 to be under the new subtitle “Subtitle 20. Landfill Operators”

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 889 – Delegate Malone

AN ACT concerning

Vehicles Laws – Emergency Vehicles – Motorcades and Escorts

FOR the purpose of authorizing the driver of certain emergency vehicles to exercise certain privileges while performing certain motorcade or escort duties; authorizing certain emergency vehicles to travel through any jurisdiction in the State as necessary to perform and return from motorcade or escort duty; requiring a jurisdiction that employs a driver who travels through another jurisdiction while performing or returning from motorcade or escort duty to provide certain notice to the other jurisdiction; prohibiting the driver of an emergency vehicle from using certain equipment while returning from motorcade or escort duty; and generally relating to the performance of motorcade or escort duty by an emergency vehicle.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–118

Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–106
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 900 – Delegate Kach

AN ACT concerning

**Maryland Board of Physicians – Failure to Renew a License or
Misrepresentation as a Licensed Person – Penalties**

FOR the purpose of altering the penalties to which a person is subject if the person fails to renew a license to practice medicine or misrepresents to the public that the person is authorized to practice medicine in the State; and generally relating to penalties for violations of laws governing the practice of medicine in the State.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–601, 14–602, and 14–606(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–606(a)(4) and (5)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 907 – Delegate Kach

AN ACT concerning

Electronic Voting System Devices – Ballot Arrangement

FOR the purpose of requiring that, to the extent practicable, all candidates for the same office appear on the same ballot face on a direct recording electronic voting

device; and generally relating to the ballot arrangement on a direct recording electronic voting system device.

BY adding to

Article – Election Law

Section 9–210(l)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 935 – Delegates Stifler and Kaiser

AN ACT concerning

Public Institutions of Higher Education – In-State Tuition for Military Veterans

FOR the purpose of altering provisions of law concerning in-State tuition for certain veterans of the United States armed forces; providing that an honorably discharged veteran of the United States armed forces is eligible for in-State tuition at public institutions of higher education in the State on presentation of certain documentation; and generally relating to in-State tuition charges for military veterans at public institutions of higher education in the State.

BY repealing and reenacting, with amendments,

Article – Education

Section 15–106.4

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

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

FOR the purpose of establishing the Accessible Homes for Senior Homeowners Grant Program; adding a certain grant program to the Maryland Housing Rehabilitation Program; adding a certain grant program to a certain list of special loan programs under the Maryland Housing Rehabilitation Program; authorizing the Department of Housing and Community Development to make

certain grants to families of limited income under the Maryland Housing Rehabilitation Program under certain circumstances; providing an exception to the requirement that certain loans comply with certain conditions; authorizing the Department of Housing and Community Development to make grants up to a certain amount to finance certain activities for certain elderly homeowners; authorizing the Department of Housing and Community Development to establish standards to determine eligibility for a certain grant program; providing for the application of a certain grant program; clarifying that rehabilitation projects of an elderly homeowner's home may be financed by a certain grant program; requiring certain persons to comply with a certain checklist when engaging in certain rehabilitation projects; providing categories that a certain checklist must include; requiring the Department of Housing and Community Development to provide a sample of a certain checklist on the Department's Web site; establishing the Option Counselors for Senior Homeowners Pilot Program; providing for the funding for a certain pilot program; providing for a certain application of a certain pilot program; requiring the Department of Aging to make a certain report about a certain pilot program on or before a certain date; authorizing the Department of Aging to establish an advisory committee to oversee the community education and outreach efforts of a certain pilot program requiring the Secretary of Aging to report annually on the operation and performance of certain accessible housing services counseling; requiring certain State agencies to develop certain materials on accessible housing programs and services for older adults and individuals with disabilities; providing for the termination of certain provisions of this Act; altering and defining certain terms; making stylistic changes; and generally relating to accessible housing for senior homeowners programs, older adults, and individuals with disabilities.

BY repealing and reenacting, with amendments,
 Article – Housing and Community Development
 Section 4-505, 4-901(j) and (l), 4-905, ~~4-916(a), 4-917(b)~~, and 4-923
 Annotated Code of Maryland
 (2006 Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
 Article – Housing and Community Development
 Section 4-901(a) and (d)
 Annotated Code of Maryland
 (2006 Volume and 2012 Supplement)

BY adding to
 Article – Housing and Community Development
 Section 4-931 ~~and 4-932~~
 Annotated Code of Maryland
 (2006 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services
Section 10–206
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 994 – Delegate Schuh

AN ACT concerning

Environment – Wetlands and Waterways Authorizations – Installation of Personal Watercraft Lifts

FOR the purpose of authorizing a person to install a certain number of personal watercraft lifts in addition to a certain number of boat lifts or hoists under a minor wetlands and waterways project authorization from the Department of the Environment; establishing a certain application fee for an authorization to install a personal watercraft lift; and generally relating to wetlands and waterways authorizations.

BY repealing and reenacting, without amendments,
Article – Environment
Section 5–203.1(a)(8)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 5–203.1(b)(4) and (5)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1019 – Delegates Jameson, Bohanan, Murphy, and Wilson

AN ACT concerning

Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region

FOR the purpose of establishing the Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the

Task Force from receiving certain compensation; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Secretary of Agriculture 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 a Hub and Spoke Program in the Southern Maryland Region.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1024 – Delegate McDermott

AN ACT concerning

Employees' Pension System – Elected or Appointed Officials – ~~Optional~~ Membership

FOR the purpose of ~~providing that certain elected or appointed officials whose employers are participating employers of the State Retirement and Pension System may elect to join the Employees' Pension System within a certain period of time; providing that certain elected or appointed officials whose employers are participating employers of the State Retirement and Pension System may elect to cease membership in the Employees' Pension System within a certain period of time; requiring certain elected or appointed officials who make an election to join or an election to cease membership to complete a certain form and file it with the Board of Trustees for the State Retirement and Pension System; providing that certain elected or appointed officials who do not make an election to join within a certain period of time may not join the Employees' Pension System; providing that certain elected or appointed officials who do not make an election to cease membership within a certain period of time remain members in the Employees' Pension System; requiring the Board of Trustees to adopt certain regulations; defining a certain term; prohibiting certain individuals who are serving in certain elected or appointed positions from being members of the Employees' Pension System while serving in those positions; and generally relating to ~~optional~~ membership for elected or appointed officials in the Employees' Pension System.~~

~~BY adding to~~

~~Article – State Personnel and Pensions~~

~~Section 23-204.1~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2012 Supplement)~~

Read the first time and referred to the Committee on Budget and Taxation.

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

FOR the purpose of establishing the Task Force ~~on the Membership and~~ to Evaluate Best Practices for School Board Operation ~~of the in~~ Prince George's County Board of Education; providing for the chairs and staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation but entitling members to reimbursement for certain expenses; requiring the Task Force to make certain recommendations, ~~including recommendations regarding the method of selecting the Prince George's County Board of Education~~; requiring the Task Force to hold a certain number of public meetings in certain locations that allow certain persons to testify about certain issues; requiring the Task Force to review information, reports, and testimony regarding certain innovations in school board operation from certain organizations; requiring the Task Force to submit ~~a certain report~~ reports to certain persons on or before ~~a certain date~~; dates; requiring the Task Force to publish a draft of certain findings and recommendations and to hold a certain public hearing to allow certain public comment; providing for the termination of this Act; and generally relating to the Task Force ~~on the Membership and~~ to Evaluate Best Practices for School Board Operation ~~of the in~~ Prince George's County Board of Education.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1115 – Delegates Cullison, Costa, Elliott, Kach, A. Kelly, Krebs, Oaks, and Reznik

AN ACT concerning

Health Occupations Boards – License Renewal, Investigation of Alleged Violations, and Immunity from Liability

FOR the purpose of authorizing certain health occupations boards within the Department of Health and Mental Hygiene to establish a certain electronic system for the purpose of distributing certain licenses, permits, certifications, or registrations; requiring the system to meet certain requirements; requiring certain boards to discontinue sending by first-class mail certain renewal notices and a renewed license, permit, certificate, or registration; requiring certain boards to send by electronic means certain renewal notices and a renewed license, permit, certification, or registration; requiring certain boards to continue to send by first-class mail ~~an initial license, permit, certification, or registration~~ certain renewal notices, licenses, permits, certifications, or

registrations under certain circumstances; requiring certain health occupations boards to investigate certain violations of law; providing immunity from liability for certain persons who provide certain information to certain health occupations boards or participate in certain activities; authorizing certain health occupations boards to send a certain notice by electronic means or first-class mail; providing that certain individuals who act in good faith and within the scope of jurisdiction of certain boards are not civilly liable for providing certain information or for participating in certain activities; defining certain terms; altering certain definitions; making certain conforming and stylistic changes; and generally relating to the health occupations boards and license renewal, investigation of alleged violations, and immunity from liability.

BY adding to

Article – Health Occupations
Section 1–220, 1A–207, 5–207, 17–207, and 20–208
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 1A–205, 1A–306(b), 2–308(b), 3–308(b), 3–5A–10(b), 4–309, 4–505,
5–205, 5–308(b), 7–314(b), 9–311(b), 10–205, 10–311(b), 11–205,
11–308(b), 13–206, 16–307(b), 17–504(b), 19–205, and 20–310(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations
Section 1A–306(a), 2–308(a), 3–308(a), 3–5A–10(a), 5–308(a), 7–314(a),
9–311(a), 10–311(a), 11–308(a), 16–307(a), 17–504(a), and 20–310(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 5–702, 5–703, 5–706, 5–707, and 5–719
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY adding to

Article – Courts and Judicial Proceedings
Section 5–722 through 5–724
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Judicial Proceedings.

**House Bill 1121 – Delegates Kipke, Bobo, Frank, Guzzone, Ivey, Jones, Kaiser, A. Kelly, McComas, McDonough, Minnick, Pena–Melnyk, ~~and V. Turner~~
V. Turner, Cullison, and Krebs**

AN ACT concerning

Health Occupations – Dental Hygienists – ~~Community Oral Health and Wellness Act~~ Provision of Services at a Community–Based Health Fair

FOR the purpose of authorizing a licensed dental hygienist, without the supervision of a dentist, ~~to volunteer without compensation to provide certain services in any setting;~~ without compensation at certain community–based health fairs; requiring the Board of Dental Examiners, in consultation with the Department of Health and Mental Hygiene’s Office of Oral Health, to develop a certain form; requiring a certain dental hygienist to complete and submit a certain form to the Office of Oral Health under certain circumstances; defining a certain term; and generally relating to the practice of licensed dental hygienists.

BY adding to

Article – Health Occupations

Section 4–308.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1140 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Conversions

FOR the purpose of authorizing certain entities to convert to certain other entities; establishing the manner of and procedures for conversions; requiring articles of conversion to be filed for record with the State Department of Assessments and Taxation; specifying the contents of articles of conversion; providing for the effects of a conversion; providing for the timing of the effectiveness of articles of conversion and the effective time for the completion of a conversion; providing for the abandonment of a conversion under certain circumstances; requiring a certain nonrefundable processing fee for articles of conversion; establishing that, under certain circumstances, a stockholder of a Maryland corporation has the right to fair value of the stockholder’s stock if the corporation is converted; providing certain rights to a member of a limited liability company, a shareholder of a real estate investment trust, ~~a member of a partnership,~~ and a partner of a ~~limited~~ partnership who objects to a conversion; altering the

manner in which certain charter documents must be executed; defining certain terms; altering certain definitions; making certain conforming changes; and generally relating to conversions of certain entities.

BY renumbering

Article – Corporations and Associations

Section 4A-1101 through 4A-1108 and the subtitle “Subtitle 11. Benefit Limited Liability Companies”; 4A-1201 through 4A-1203 and the subtitle “Subtitle 12. Miscellaneous”; 8-701 and the subtitle “Subtitle 7. Penalties”; 8-801 and the subtitle “Subtitle 8. Short Title”; and 9A-1201 through 9A-1205 and the subtitle “Subtitle 12. Miscellaneous Provisions”, respectively

to be Section 4A-1201 through 4A-1208 and the subtitle “Subtitle 12. Benefit Limited Liability Companies”; 4A-1301 through 4A-1303 and the subtitle “Subtitle 13. Miscellaneous”; 8-801 and the subtitle “Subtitle 8. Penalties”; 8-901 and the subtitle “Subtitle 9. Miscellaneous”; and 9A-1301 through 9A-1305 and the subtitle “Subtitle 13. Miscellaneous Provisions”, respectively

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 1-101, 1-203(b)(1), 1-301(a), 3-202(a), 4A-206, 4A-403, and 10-204(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY adding to

Article – Corporations and Associations

Section 3-901 through 3-907 to be under the new subtitle “Subtitle 9. Conversions of Corporations”; 4A-1101 through 4A-1107 to be under the new subtitle “Subtitle 11. Conversions of Limited Liability Companies”; 8-701 through 8-707 to be under the new subtitle “Subtitle 7. Conversions of Real Estate Investment Trusts”; 9A-1201 through 9A-1207 to be under the new subtitle “Subtitle 12. Conversions of Partnerships”; 10-7A-01 through 10-7A-07 to be under the new subtitle “Subtitle 7A. Conversions of Limited Partnerships”; and Section 12-1001 through 12-1007 to be under the new subtitle “Subtitle 10. Conversions of Statutory Trusts”

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1171 – Cecil County Delegation

AN ACT concerning

Cecil County – School Buses – Length of Operation

FOR the purpose of altering the length of time a school bus may be operated in Cecil County; and generally relating to school bus operation in Cecil County.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–804
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1176 – Delegates Hixson, Aumann, Barkley, Barve, Bates, Bohanan, Boteler, Branch, Braveboy, Burns, Cane, Cardin, Carr, Clagett, Cluster, Davis, Donoghue, Frank, Frush, George, Gilchrist, Guzzone, Healey, Hogan, Howard, Hucker, James, Kaiser, Lee, Love, Luedtke, A. Miller, Mizeur, Myers, O'Donnell, Pena–Melnik, B. Robinson, S. Robinson, Serafini, Stocksdales, Stukes, Summers, F. Turner, V. Turner, Valderrama, Wood, and Zucker

AN ACT concerning

**Primary and Secondary Education – Online Courses and Services –
Accessibility**

FOR the purpose of requiring the development, review, and approval of certain online courses and services to include an assessment regarding the accessibility of the online course or service to certain individuals with disabilities; authorizing the State Department of Education ~~or a county board of education~~ to contract with a third party ~~for the development of a certain assessment or a certain method by which certain online courses or services will be made available to certain individuals~~ to develop and conduct certain assessments; authorizing the State Board of Education to set certain fees for ~~the development of a certain assessment and a certain method~~ certain assessments; and generally relating to the accessibility of online courses and services to individuals with disabilities, including the blind.

BY adding to
Article – Education
Section 7–1002(b)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Education

Section 7–1002(c)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–1002(c)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1190 – Delegates Hixson, Conway, Mizeur, and Stukes

AN ACT concerning

County Property Tax – Personal Property Rate

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county to set a tax rate for personal property and certain operating real property of less than a certain amount; repealing an obsolete provision; providing for the application of this Act; and generally relating to setting the county tax rate for personal property and certain operating real property.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–302
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1194 – Delegates Impallaria, McDonough, and Szeliga

EMERGENCY BILL

AN ACT concerning

Baltimore County – Property Tax Credit – Bowerman–Loreley Beach Community Association, Inc.

FOR the purpose of making a technical correction for purposes of a certain property tax credit; making this Act an emergency measure; and generally relating to a property tax credit in Baltimore County for the Bowerman–Loreley Beach Community Association, Inc.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–305(b)(21)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1222 – Delegate Weir

AN ACT concerning

Real Property – Landlord Defenses in Nuisance Actions

FOR the purpose of establishing a ~~complete~~ defense to any nuisance action brought under State or local law against a landlord if the tenant’s actions are the sole basis for the action and certain actions have been taken by the landlord or the District Court in a suit to repossess the premises based on a breach of the lease; and generally relating to landlord defenses in nuisance actions.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–402.1
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1308 – Delegates Healey, Glenn, Beidle, Bobo, Cane, Hucker, Lafferty, McIntosh, Niemann, S. Robinson, Stein, Weir, ~~and Wilson~~ Wilson, Carr, and Norman

AN ACT concerning

Residential ~~Real~~ Property – Prohibition on Nonjudicial Evictions

FOR the purpose of prohibiting ~~certain persons~~ a party claiming the right to possession from taking possession or threatening to take possession of residential property from a certain protected resident in a certain manner; establishing that ~~certain persons~~ a party claiming the right to possession may take possession of residential property from a certain protected resident only under certain circumstances; requiring a party claiming the right to possession to provide a certain notice in a certain manner under certain circumstances; prohibiting a landlord from taking possession or threatening to take possession of a dwelling unit from a tenant or tenant holding over in a certain manner; establishing that a landlord may take possession of a dwelling unit from a

tenant or tenant holding over only under certain circumstances; prohibiting a mobile home park owner from taking possession or threatening to take possession of leased premises from a resident in a certain manner; establishing that a mobile home park owner may take possession of leased premises from a resident only under certain circumstances; providing certain remedies for a violation of this Act; providing that the remedies are not exclusive ~~and that certain persons may recover certain other damages under any other applicable law~~; defining certain terms; providing for the application of certain provisions of this Act; providing for the construction of certain provisions of this Act; stating the intent of the General Assembly; and generally relating to nonjudicial evictions.

BY adding to

Article – Real Property
 Section 7–112, 8–216, and 8A–1102
 Annotated Code of Maryland
 (2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

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

FOR the purpose of authorizing certain physicians engaged in certain consultations to practice medicine without a license from the State Board of Physicians under certain circumstances; authorizing certain applicants to qualify for licensure under certain circumstances; requiring the Board to send certain notices and certain data sheets to certain licensees by certain means; making certain stylistic changes; prohibiting certain physicians from making certain representations unless the physician is board certified; defining certain terms; making this Act an emergency measure; and generally relating to the licensure of physicians in the State.

BY renumbering

Article – Health Occupations
 Section 14–101(c) through (o), respectively
 to be Section 14–101(d) through (p), respectively
 Annotated Code of Maryland
 (2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health Occupations
Section 14–101(c), 14–101.1, and 14–302.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–302, 14–307, 14–316(b), 14–401(e)(2)(i), 14–503, and 14–5C–06(a)(2)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1393 – Delegates O’Donnell ~~and Serafini~~, Serafini, Barve, Boteler, Branch, Cardin, Dwyer, Frick, George, Harper, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Public Schools – Student Work Product – Claim of Copyright Prohibited

FOR the purpose of prohibiting a county board of education from claiming ownership rights, property rights, or the copyright to the student work product of certain students in certain public schools; defining a certain term; and generally relating to the prohibition on claiming copyright of student work product in public schools.

BY adding to
Article – Education
Section 4–128
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

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

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~~ require 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;~~ 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 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; making conforming changes; defining certain terms; making the provisions of this Act severable; providing for a delayed effective date; and generally relating to campaign finance.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101(o), (ff), and (gg), 2–102, 13–202, 13–207, 13–209, 13–214, 13–222, 13–226, 13–227, 13–228, 13–234, 13–235, 13–240, 13–304, 13–305, 13–306, 13–307, 13–309, 13–327, 13–331, 13–340, 14–101, 14–104, 14–105, and 14–107

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 1–101(bb–1), 13–208.1, 13–220.1, 13–301, 13–309.1, 13–505, 13–604.1, and 14–109

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 Education, Health, and Environmental Affairs.

House Bill 9 – ~~Delegate Hixson~~ Delegates Hixson, Valderrama, Howard, and Simmons

AN ACT concerning

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

FOR the purpose of requiring certain food establishments to display, in a certain manner and location, a certain poster relating to food allergies ~~and to include on a menu provided by the food establishment a notice to a customer that the customer should inform the server of any food allergies~~; requiring, on or before a certain date, the Department of Health and Mental Hygiene, in consultation with certain entities, to create and make available on its Web site a certain poster ~~and certain notice~~; ~~requiring certain individuals to view a certain video and be knowledgeable about certain issues concerning food allergies and food preparation under certain circumstances~~; ~~requiring the Department, in consultation with certain entities, to develop a certain program for food establishments to be designated as food allergy friendly, issue certain guidelines and requirements regarding the program, and maintain and make available to the public on its Web site a certain list of food establishments~~; ~~authorizing the Department to adopt regulations to carry out certain provisions of this Act~~; ~~requiring the Governor to annually proclaim a certain week as Food Allergy Awareness Week~~; ~~requiring the Department, in consultation with certain entities, to report to certain committees of the General Assembly on or before a certain date regarding the impact of certain provisions of this Act~~; ~~defining a certain term~~; ~~and generally relating to food allergy awareness~~; establishing a Task Force to Study Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading; providing for the membership and chair of the Task Force; authorizing the Task Force to form subcommittees from among its members; requiring the Department of Health and Mental Hygiene to provide staff for 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 effective dates of this Act; providing for the termination of certain provisions of this Act; and generally relating to food allergy awareness, food safety, and food service facility letter grading.

BY adding to

Article – Health – General
Section 21–330.2
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

~~BY adding to~~

~~Article – State Government
Section 13–601 to be under the new subtitle “Subtitle 6. Commemorative Weeks”
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

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

House Bill 57 – Delegate B. Robinson

AN ACT concerning

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

FOR the purpose of requiring the ~~Secretary of Health and Mental Hygiene to establish a registry that includes certain information on certain employees of health care facilities who provide services to certain individuals and who were terminated for certain reasons; requiring the placement of a certain employee on the registry under certain circumstances; authorizing certain health care facilities to submit the names of former employees to the Secretary for inclusion in the registry; authorizing certain health care facilities to have access to the registry; prohibiting a health care facility from allowing an employee to access the registry except under certain circumstances; authorizing a person responsible for a certain individual to access the registry; requiring a health care facility to adopt a certain procedure, provide certain employee training, and implement a certain quality assurance program; prohibiting a health care facility from hiring certain individuals; defining certain terms; and generally relating to a registry of terminated employees of health care facilities~~ Office of Health Care Quality to reconvene the Abuser Registry Workgroup; requiring the Abuser Registry Workgroup to undertake a certain review, monitor the implementation of certain recommendations, and recommend certain changes; requiring the Office of Health Care Quality to submit a certain report to the Governor and certain legislative committees on or before a certain date; providing for the termination of this Act; and generally relating to an Abuser Registry Workgroup and the Office of Health Care Quality.

~~BY repealing and reenacting, without amendments,
Article – Health – General
Section 19-114(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

~~BY adding to
Article – Health – General
Section 19-347.1 and 19-351(e) and (f)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article – Health – General
Section 19-351(a)~~

~~Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

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

House Bill 98 – Delegate Hubbard

AN ACT concerning

State Board of Examiners of Psychologists – License Renewal

FOR the purpose of altering the time period before a license expires by which the Board of Examiners of Psychologists is required to send a renewal notice to a licensee; requiring the Board, under certain circumstances, to send a renewal notice by electronic means to a certain electronic mail address of a licensee; requiring the Board, under certain circumstances, to send a renewal notice to a licensee by first-class mail to a certain address of the licensee; requiring each licensee to notify the Board in writing of any change in address or electronic mail address within a certain number of days after the change occurs; making certain stylistic changes; and generally relating to license renewal by the State Board of Examiners of Psychologists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 18–309
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 151 – Delegate A. Miller

AN ACT concerning

Sales and Use Tax – Tax-Free Period – Emergency Preparedness Equipment

FOR the purpose of establishing a tax-free period each year during which a certain sales and use tax exemption for the sale of certain emergency preparedness items is provided; requiring the Comptroller of the Treasury to publish a certain list on or before a certain date; authorizing the Comptroller to amend a certain list under certain circumstances; defining a certain term; providing for the termination of this Act; and generally relating to sales and use tax exemptions.

BY adding to
Article – Tax – General
Section 11–228.1

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

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 155 – ~~Delegates Cluster, Boteler, and Bromwell~~ Baltimore County Delegation

AN ACT concerning

Baltimore County Revenue Authority – Purchases – Competitive Bidding

FOR the purpose of requiring the Baltimore County Revenue Authority, when the estimated cost of certain commodities and services exceeds a certain amount, to use a certain competitive bidding process to purchase the commodities and services by written, formal contract from a certain bidder after a certain notice; prohibiting the division of a contract or purchase into smaller parts to avoid certain requirements; and generally relating to the purchase of commodities and services by the Baltimore County Revenue Authority.

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore County
Section 9–1–101(a), (b), and (f) and 10–2–401(b)
Article 3 – Public Local Laws of Maryland
(2003 Edition and June 2012 Supplement, as amended)

BY adding to
The Public Local Laws of Baltimore County
Section 9–1–116.1
Article 3 – Public Local Laws of Maryland
(2003 Edition and June 2012 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 167 – Delegates Ivey, Afzali, Anderson, Aumann, Barkley, Barnes, Barve, Bohanan, Branch, Braveboy, Bromwell, Burns, Cane, Cardin, Carter, Clippinger, Conaway, Cullison, Davis, Elliott, Feldman, Frick, Frush, Gaines, George, Gilchrist, Glass, Glenn, Griffith, Guzzone, Hammen, Haynes, Healey, Hershey, Holmes, Howard, Hubbard, Hucker, James, Jameson, Jones, Kach, Kaiser, Kipke, Kramer, Krebs, Luedtke, McConkey, McDonough, A. Miller, Mitchell, Morhaim, Myers, Nathan–Pulliam, Niemann, Norman, Oaks, Olszewski, Pena–Melnik, Ready, Reznik, B. Robinson, S. Robinson, Serafini, Smigiel, Stein, Stukes, Summers, Tarrant, F. Turner, V. Turner, Valderrama, Valentino–Smith, Waldstreicher, Walker, A. Washington, M. Washington, Wilson, Wood, and Zucker

AN ACT concerning

State Government – Commemorative Days – Maryland Emancipation Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Maryland Emancipation Day; and generally relating to commemorative days.

BY adding to

Article – State Government

Section 13–411

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 191 – Delegates Mitchell, Bromwell, Afzali, Branch, Braveboy, Cardin, Carter, Glenn, Pena–Melnik, B. Robinson, Smigiel, Stukes, Walker, M. Washington, ~~and Wilson~~ Wilson, 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

FOR the purpose of altering the ~~Maryland Buy American Steel Act to include American manufactured goods; requiring a public body to require that certain contractors and subcontractors use or supply only American manufactured goods under certain procurements; defining a term; providing for the application of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; and generally relating to the Maryland Buy American Steel and Manufactured Goods Act~~ State procurement law to grant a preference for American manufactured goods in State contracting; requiring a public body to require that certain contractors and subcontractors use or supply American manufactured goods under certain procurements; providing for the application and construction of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; defining certain terms; and generally relating to the purchase of American manufactured goods.

~~BY repealing and reenacting, with amendments,~~

~~Article – State Finance and Procurement
 Section 17-301, 17-303, 17-304, and 17-306 to be under the amended subtitle
 “Subtitle 3. Buy American Procurement for Public Works”
 Annotated Code of Maryland
 (2009 Replacement Volume and 2012 Supplement)~~

BY ~~repealing and reenacting, without amendments,~~ adding to
 Article – State Finance and Procurement
 Section ~~17-302 and 17-305~~ 14-416
 Annotated Code of Maryland
 (2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 225 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barve, Branch, Braveboy, Dumais, Feldman, Frush, Glass, Hubbard, Hucker, Jameson, A. Kelly, Kipke, Kramer, Lee, Love, Malone, McHale, Minnick, Mitchell, Morhaim, Olszewski, S. Robinson, Rosenberg, ~~and Rudolph~~ Rudolph, James, Frank, Wilson, Krebs, Szeliga, McComas, Weir, DeBoy, Wood, Impallaria, O’Donnell, Elliott, Bromwell, Beitzel, A. Miller, Hammen, Pendergrass, Costa, Cullison, Donoghue, Kach, Murphy, Nathan-Pulliam, Pena-Melnyk, Ready, Reznik, Tarrant, V. Turner, Burns, Davis, Haddaway-Riccio, Hershey, Vaughn, Schuh, Schulz, and Stifler

AN ACT concerning

Veterans Full Employment Act of 2013

FOR the purpose of requiring certain licensing units and boards to give credit to certain former service members for relevant military training, education, and experience in connection with the issuance of certain occupational and professional licenses, certificates, and registrations; repealing and recodifying certain provisions of law regarding the renewal of certain occupational or professional licenses and the completion of continuing education or continuing competency requirements for certain members of an armed force deployed outside the State; requiring certain licensing units and boards to issue a temporary expedited license, certification, or registration to certain individuals under certain circumstances; authorizing certain licensing units and boards to issue a temporary license under certain circumstances; ~~authorizing certain health occupations boards to apply to the Secretary of Health and Mental Hygiene for consideration of an alternate process of expedited licensing, certification, or registration under certain circumstances~~ requiring certain health occupations boards to develop certain procedures by which an applicant for a license, certificate, or registration can provide certain notice to the board; requiring each health occupations board to expedite the licensing, certification,

or registration process for certain applicants and issue a license, certificate, or registration within a certain number of days under certain circumstances; requiring each health occupations board to assign to certain applicants a certain advisor; requiring each health occupations board to provide certain assistance to certain persons under certain circumstances; requiring the State Superintendent of Schools to expedite educator certification under certain circumstances; authorizing the State Superintendent of Schools to issue a temporary educator certificate under certain circumstances; requiring certain licensing units and boards and the State Department of Education to publish certain information on a certain Web site; authorizing certain licensing units and boards, the Commissioner of Financial Regulation, and the State Board of Education to adopt certain regulations; requiring the Maryland Higher Education Commission to develop and adopt certain guidelines regarding the awarding of academic credit for military training, coursework, and education; requiring public institutions of higher education to develop and implement certain policies in accordance with the guidelines adopted by the Commission; requiring that certain reports on the implementation of this Act be submitted to the Governor and the General Assembly on or before a certain ~~date~~ date; and generally relating to occupational and professional licensing requirements and the crediting, for certain purposes, of certain training, experience, and education of service members, veterans, and military spouses.

BY repealing

Article – Business Regulation

Section 2–111

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Regulation

Section 2.5–101 through 2.5–108 to be under the new title “Title 2.5. Service Members, Veterans, and Military Spouses – Licensing”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education

Section 6–101.1, 13–516(b–1), and 15–113

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 10–101(c) and 13–501(f)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Financial Institutions
Section 11–612.2
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health Occupations
Section 1–701 through 1–706 to be under the new subtitle “Subtitle 7. Service Members, Veterans, and Military Spouses – Licensing”
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 263 – Delegate Lafferty

AN ACT concerning

Property Tax Credit – Historically and Architecturally Valuable Property

FOR the purpose of altering the amount of certain restoration and preservation expenses for certain historic structures that the governing body of a county or municipal corporation may authorize to be claimed by certain taxpayers as a property tax credit against the county or municipal property tax; providing for the application of this Act; and generally relating to a property tax credit for certain restoration and preservation expenses.

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 9–204(b)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 324 – Delegates Afzali, Eckardt, Frank, George, Ivey, McComas, Ready, Schuh, and Schulz

AN ACT concerning

Elections – Offenses Relating to Voting – Penalties

FOR the purpose of altering the ~~penalties for~~ maximum fine that may be imposed for certain offenses relating to voting; and generally relating to the penalties for offenses relating to voting.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 16–201
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

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

FOR the purpose of altering the definition of “qualified Maryland biotechnology company” for purposes of the biotechnology investment tax credit to ~~exclude a company that has received investments from certain qualified investors; repealing obsolete language~~ include a company that has been in active business for a certain period of time from a certain date; providing for the application of this Act; and generally relating to credits against certain State taxes based on certain investments in certain biotechnology companies.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–725(a)(1) and (6)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–725(a)(7)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

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

FOR the purpose of establishing certain fees for an initial SHOP Exchange navigator license, a license renewal, and a license reinstatement; providing that certain provisions of the federal Patient Protection and Affordable Care Act relating to annual limitations on cost sharing and deductibles ~~and to~~, child-only plan offerings, minimum benefit requirements for catastrophic plans, health insurance premium rates, coverage for individuals participating in approved clinical trials, and contract requirements for certain dental plans apply to certain coverage in certain insurance markets; altering the definition of “child dependent” for purposes of certain provisions of law that require certain policies and contracts to provide certain health insurance coverage and benefits to child dependents; providing that certain provisions of law relating to preexisting condition provisions apply to certain carriers for health benefit plan years that begin before a certain date; providing that certain provisions of law relating to exclusionary riders apply to individual health benefit plans issued or delivered in the State before a certain date; altering the limits on incentives for certain wellness programs; repealing a requirement that the Maryland Insurance Commissioner transmit certain information to the Maryland Health Care Commission on or before a certain date each year; providing for a certain exception from the requirement that an insurer, a nonprofit health service plan, or a health maintenance organization take certain action in relation to a certain claim within a certain number of days; repealing certain disclosure requirements for certain out-of-state association contracts; conforming the definition of “small employer” for purposes of provisions of law governing the small group insurance market to the definition used in provisions of law governing the Maryland Health Benefit Exchange; prohibiting certain carriers from imposing a minimum participation requirement for a qualified employer or a small employer group under certain circumstances; providing that certain provisions of law relating to the Comprehensive Standard Health Benefit Plan offered in the small group insurance market apply only to certain plans beginning on a certain date; providing that certain special enrollment periods apply to certain eligible employees; ~~altering the circumstances under which a carrier must allow a certain employee or dependent to enroll for coverage under a certain health benefit plan; altering the minimum number of days in a certain special enrollment period; altering the time at which certain coverage becomes effective~~; requiring certain carriers to establish a standardized annual open enrollment period for each small employer in the small group insurance market; specifying the minimum number of days in the annual open enrollment period and when it must occur; specifying the actions an eligible employee of the small employer must be permitted to take during the annual open enrollment period; requiring certain carriers to provide a certain open enrollment period for an employee who becomes an eligible employee outside the initial or annual open enrollment period; requiring certain carriers to provide certain open enrollment periods for individuals who experience certain triggering events; altering the requirements a small employer must meet to be covered under a health benefit plan offered by a carrier in the small group insurance market; providing that certain provisions of law relating to increasing access to care choices or lowering

the cost-sharing arrangement in the Standard Health Benefit Plan apply only to certain grandfathered health plans beginning on a certain date; altering the scope of certain provisions of law governing carriers that offer health benefit plans to individuals in the State; adding an exception to the prohibition on canceling or refusing to renew an individual health benefit plan where a carrier discontinues offering a particular type of health insurance coverage, under certain circumstances; requiring certain qualified health plans issued on or after a certain date by certain carriers to include a certain grace period provision; requiring and authorizing the carriers to take certain actions during the grace period; requiring certain carriers that sell certain health benefit plans to individuals in the State to establish a certain annual enrollment period; specifying the actions an individual must be permitted to take during the annual open enrollment period; specifying the effective date of coverage for an individual who enrolls in a health benefit plan during the annual open enrollment period; authorizing certain individuals to enroll in a health benefit plan or change from one health benefit plan in the Individual Exchange to another health benefit plan in the Individual Exchange a certain number of times per month; requiring a carrier to provide a limited open enrollment period for certain individuals; requiring coverage for certain individuals to be effective in accordance with certain federal requirements; authorizing a health maintenance organization to establish a certain limit and to deny coverage to individuals under certain circumstances; prohibiting a health maintenance organization that denies coverage under certain circumstances from offering coverage in the individual market within a certain area for a certain period of time; authorizing a carrier to deny a health benefit plan to an individual under certain circumstances; prohibiting a carrier that denies a health benefit plan to an individual from offering coverage in the individual market for a certain period of time; providing that the prohibition on health maintenance organizations and carriers offering coverage in the individual market does not limit the ability to renew certain coverage or relieve certain responsibility; providing that the guaranteed issuance of coverage provision of the Affordable Care Act applies to each health benefit plan with a plan year that begins on or after a certain date; authorizing the Commissioner to deny a SHOP Exchange navigator license under certain circumstances; requiring carriers in the small group insurance market to set premium rates for the entire plan year for each small employer; requiring a carrier that sells health benefit plans to individuals in the State to establish a certain initial open enrollment period; requiring the carrier to accept all applicants who apply during the initial open enrollment period; specifying when coverage for an applicant must begin; repealing the termination date of certain provisions of law relating to health insurance policies for certain self-employed individuals in the small group insurance market; altering certain definitions; defining certain terms; making conforming changes; providing for the effective dates of this Act; and generally relating to health insurance and implementation of the federal Patient Protection and Affordable Care Act.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 2–112(a)(6), 15–137.1, 15–418, 15–508, 15–508.1, 15–509(b), 15–605(f) and (g), 15–1005(c), 15–1105, 15–1201, 15–1206, 15–1208.1, 15–1209, 15–1213, 15–1301, 15–1302, 15–1309(b)(5) and (6), 31–101(z), and 31–112(e)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article – Insurance

Section 15–605(e) and 15–1203

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Insurance

Section 15–1207(h), 15–1208.2, 15–1309(b)(7), 15–1315, 15–1316, 15–1317, ~~and~~ 15–1410, and 31–101(e–1)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Insurance

Section 15–1205(h)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 152 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, without amendments,

Chapter 347 of the Acts of the General Assembly of 2005, as amended by Chapter 59 of the Acts of the General Assembly of 2007

Section 2

BY repealing and reenacting, with amendments,

Chapter 347 of the Acts of the General Assembly of 2005, as amended by Chapter 76 of the Acts of the General Assembly of 2008 and Chapter 104 of the Acts of the General Assembly of 2011

Section 4

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

House Bill 372 – Delegates Barve, Branch, Cardin, Dwyer, Feldman, Fisher, Frick, George, Gilchrist, Hixson, Holmes, Ivey, Kaiser, Luedtke, A. Miller, Mitchell, Rosenberg, Serafini, Simmons, ~~and F. Turner~~ F. Turner, Walker, and A. Washington

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

FOR the purpose of exempting from the recordation tax and the State transfer tax the transfer of real property between a parent business entity and its wholly owned subsidiary or between subsidiaries wholly owned by the same parent business entity under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to exempting certain transfers of real property between related business entities from the recordation tax and the State transfer tax.

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 12–108(p) and 13–207(a)(9)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 380 – Delegates Barve, Anderson, Barnes, Bohanan, Bromwell, Cardin, Carter, Clagett, Clippinger, Costa, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Haynes, Hixson, Hubbard, Ivey, Jones, Kach, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, Malone, McHale, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Oaks, Olszewski, Pena–Melnik, Pendergrass, S. Robinson, Rosenberg, Simmons, Summers, F. Turner, Valderrama, Waldstreicher, M. Washington, ~~and Zucker~~ Zucker, and McMillan

AN ACT concerning

Income Tax – Joint Returns – Married Couples

FOR the purpose of establishing a presumption, for a certain purpose, that a married couple who does not file a joint federal income tax return or married filing separate federal income tax return has filed a certain federal income tax return; requiring, except under certain circumstances, a married couple who files a joint federal income tax return to file a joint Maryland income tax return; ~~authorizing a married couple who does not file a joint federal income tax return to file a joint Maryland income tax return;~~ providing for the application of this Act; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to filing income tax returns.

BY repealing and reenacting, with amendments,
Article – Tax – General

Section 10-807
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 384 – Delegate Niemann

AN ACT concerning

Admissions and Amusement Tax – Returns and Penalties

FOR the purpose of increasing certain penalties for willful failure to file an admissions and amusement tax return under certain circumstances; increasing certain penalties for willfully making a false statement or misleading omission on admissions and amusement tax returns; increasing certain penalties for willful failure to keep admissions and amusement tax records; and generally relating to the admissions and amusement tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13-1001(a), 13-1003(a), 13-1005(a), and 13-1008(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 408 – Delegates Conway, Afzali, Anderson, Aumann, Barkley, Bates, Beitzel, Bobo, Bohanan, Boteler, Cane, Cardin, Cullison, DeBoy, Donoghue, Dumais, Dwyer, Eckardt, Elliott, Feldman, Fisher, Frick, Frush, Gaines, Glass, Griffith, Gutierrez, Haddaway-Riccio, Hershey, Hixson, Holmes, Hubbard, Ivey, Jacobs, James, Jones, Kaiser, Kipke, Krebs, Lafferty, Love, Luedtke, Malone, McComas, McConkey, McDermott, McIntosh, A. Miller, Norman, Otto, Proctor, Ready, S. Robinson, Rudolph, Schulz, Serafini, Smigiel, Stifler, Stocksdale, Summers, Tarrant, Vallario, Vitale, A. Washington, Weir, ~~and Wood~~
Wood, George, Harper, Myers, and Stukes**

AN ACT concerning

**Income Tax – Subtraction Modification – Enhanced Agricultural
Management Equipment**

FOR the purpose of providing certain subtraction modifications under the Maryland individual and corporate income tax for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances; consolidating certain provisions of law that provide certain Maryland income

tax subtraction modifications for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances; providing for the application of this Act; and generally relating to certain Maryland income tax subtraction modifications for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–208(d) and 10–308(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing
Article – Tax – General
Section 10–208(m)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 450 – Howard County Delegation

AN ACT concerning

**Howard County – Property Tax Credit – Renovated, Upgraded, or
Rehabilitated Property
Ho. Co. 11–13**

FOR the purpose of authorizing the governing body of Howard County to provide a property tax credit against the county property tax for certain real property that is renovated, upgraded, or rehabilitated; authorizing the governing body of Howard County to provide, by law, for certain other criteria for the property tax credit; providing for the application of this Act; and generally relating to a county property tax credit for real property in Howard County.

BY adding to
Article – Tax – Property
Section 9–315(d)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 508 – Delegates Carr, Hucker, Niemann, and Reznik

AN ACT concerning

Environment – Local Stormwater Management Charges – State Property

FOR the purpose of ~~providing a certain exception to an exemption from certain taxes, user charges, and utility fees relating to stormwater management for property owned by the State or a unit of State government; providing, with certain exceptions and under certain conditions, that property owned by the State or a unit of State government is subject to a certain stormwater management charge imposed by the governing body of the county or municipality within which the property is located; prohibiting, with a certain exception, a certain permitted jurisdiction from imposing a certain charge on a property that is located wholly within another permitted jurisdiction; providing for a certain allocation of charges when a property is located in more than one permitted jurisdiction; providing an exception to an exemption from the application of a certain provision of law relating to stormwater management charges for State construction activities; defining a certain term; providing an exemption from a certain stormwater remediation fee for property specifically covered by a certain permit held by the State or a unit of State government unless being charged a fee is mutually agreed on by the State or unit of State government and the county or municipality charging the fee; specifying that the systems, facilities, services, or activities that a county or municipality must account for in establishing policies and procedures to reduce a certain stormwater remediation fee include stormwater treatment or reduction that is required to meet total maximum daily load requirements under a certain permit; making stylistic changes; repealing obsolete language; providing for a delayed effective date; and generally relating to stormwater management charges.~~

~~BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 24-406
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Environment
Section ~~4-204 and 4-205~~ 4-202.1(e) and (f)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

House Bill 514 – ~~Delegate O'Donnell~~ Delegates O'Donnell and Glass

AN ACT concerning

Hunting, Fishing, and Boat Manufacturer's or Dealer's Recreational Hunting or Fishing License Applications – Disclosure of Information

FOR the purpose of establishing that the Department of Natural Resources may require an applicant to provide only certain information on an application for a ~~hunting, fishing, or boat manufacturer's or dealer's~~ recreational hunting or fishing license; exempting ~~hunting, fishing, or boat manufacturer's or dealer's~~ recreational hunting or fishing license applications from the requirements that a licensing authority require a license applicant to disclose the full Social Security number of the applicant and record the Social Security number on the application; altering the information that a request for information from a ~~hunting, fishing, or boat manufacturer's or dealer's~~ recreational hunting or fishing license application made by the Child Support Enforcement Administration of the Department of Human Resources to the Department of Natural Resources is required to contain; altering the information from a ~~hunting, fishing, or boat manufacturer's or dealer's~~ recreational hunting or fishing license application that the Department of Natural Resources is required to submit to the Child Support Enforcement Administration after receiving a request for information; making certain stylistic changes; and generally relating to information required to be disclosed to or by the Department of Natural Resources on or from a ~~hunting, fishing, or boat manufacturer's or dealer's~~ recreational hunting or fishing license application.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 10–119.3
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–202, ~~8–702, and 8–710(a)~~
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–205(l), 4–604(d) and (e), ~~4–704(a), 8–710(e), and 10–301(d) and (e)~~
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 515 – Delegate Rosenberg

AN ACT concerning

Elections for Judges ~~of the Orphans' Courts~~ – Nonpartisan Elections

FOR the purpose of ~~establishing a method of electing judges of the orphans' courts on a nonpartisan basis, without regard to political party affiliation; establishing a primary election for candidates for nomination for a certain office to be administered in a certain manner; authorizing any registered voter, with or without any political party affiliation, to participate in such a primary; prohibiting candidates from appearing on primary ballots under certain circumstances; establishing that a candidate for a certain office may not be nominated by petition or by a political party that is not required to nominate its candidates by party primary; making a conforming change; clarifying that the requirements for party affiliation for a candidate for office do not apply to a candidate for judge of the orphans' court, except in a certain county; requiring that a certificate of candidacy for judge of the orphans' court, except for a certain county, be filed with the State Board of Elections; providing that a certain provision of law prohibiting the name of a certain candidate from appearing on a certain ballot does not apply to a candidate for judge of the orphans' court, except for a certain county; altering the order in which offices to be voted on appear on a ballot; requiring that the names of candidates for judge of the orphans' court, except for a certain county, be placed on the ballot without a party label or other indication of party affiliation; requiring that the names of the candidates for judicial offices be listed on a ballot in alphabetical order by surname; and generally relating to the nonpartisan nomination and election of judges of the orphans' courts.~~

BY repealing and reenacting, with amendments,

Article – Election Law

Section 5–203, ~~5–703(a), 5–703.1(a), and 9–210(a)~~ 5–302, 5–706, and 9–210(a)
and (g)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law

Section 5–301(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 9–210(l)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement

~~BY adding to~~

~~Article – Election Law~~

~~Section 8–901 through 8–905 to be under the new subtitle “Subtitle 9. Election of Judge of the Orphans’ Court”~~

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

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 529 – Delegates Pena–Melnik and Hubbard

AN ACT concerning

**State Board of Morticians and Funeral Directors – Apprentice Sponsors,
Funeral Establishment Licenses, and Supervising Morticians**

FOR the purpose of ~~requiring that a licensed mortician or licensed funeral director have certain approval by the State Board of Morticians and Funeral Directors before an apprenticeship begins;~~ clarifying the requirements for certain apprentice sponsors and a certain process for seeking approval by the State Board of Morticians and Funeral Directors for an apprentice license; requiring certain evidence and death certificates to be submitted to the Board as proof of the completion of certain apprentice requirements; altering certain practical experience requirements for an apprentice; altering the qualifications that must be met for issuance of a funeral establishment license; requiring certain licensed funeral establishments to have a supervising mortician; providing for the qualifications, ~~approval process~~ registration, responsibilities, and scope of supervising authority for certain supervising morticians; altering a certain definition; and generally relating to the State Board of Morticians and Funeral Directors, apprentice sponsors, funeral establishments, and supervising morticians.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 7–101(a), (b), (d), (j), (k), and (m) through (u)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–101(c), 7–306, and 7–310
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 638 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Minority Business Enterprise
Programs ~~Annual Report~~ and Task Force Extension**
MC/PG 107–13

FOR the purpose of altering the date by which the Washington Suburban Sanitary Commission shall issue to the Montgomery County and Prince George’s County Senate and House Delegations to the Maryland General Assembly a certain annual report regarding certain minority business enterprise programs; altering the date by which the Task Force to Study Rates and Charges in the Washington Suburban Sanitary District is required to submit a certain report to certain persons; extending the termination date of certain provisions of law establishing the Task Force; and generally relating to the submission of an annual report on minority business enterprise programs by the Washington Suburban Sanitary Commission and the Task Force to Study Rates and Charges in the Washington Suburban Sanitary District.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 20–207
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Chapter 685 of the Acts of the General Assembly of 2012
Section 2(h) and 3

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 641 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Drinking Water ~~and~~
~~Wastewater Effluent~~ – Testing**
MC/PG 113–13

FOR the purpose of requiring the Washington Suburban Sanitary Commission to conduct quarterly testing of drinking water ~~and wastewater effluent in in the Commission facilities system~~ for certain unregulated contaminants ~~beginning on a certain date~~; requiring the Commission to report the results of the quarterly testing to the county executives of Montgomery County and Prince George’s County and publish the results on its Web site within a certain time period after receiving the results under certain circumstances; and generally

relating to the testing of drinking water ~~and wastewater effluent~~ for certain contaminants by the Washington Suburban Sanitary Commission.

BY adding to

Article – Public Utilities

Section 28–301 to be under the new subtitle “Subtitle 3. Drinking Water ~~and Wastewater Effluent~~ Testing”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 644 – ~~Delegate Olszewski~~ Delegates Olszewski, Afzali, Barve, Branch, Cardin, Dwyer, Frick, George, Harper, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Myers, Serafini, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds

FOR the purpose of allowing an individual who files an income tax return electronically to elect to use a certain income tax refund to purchase certain bonds; specifying that the individual must make the designation in certain increments; requiring the Comptroller to send a certain portion of the individual’s refund to the individual; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to the State income tax and income tax refunds.

BY adding to

Article – Tax – General

Section 10–804(k)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 675 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Property Tax Credit for Qualified Enterprise Zone
Property – Burtonsville
MC 14–13**

FOR the purpose of altering a certain definition of “qualified enterprise zone property” as it relates to a certain property tax credit granted by the governing body of Montgomery County or of a municipal corporation in Montgomery County to include certain property zoned for certain uses located in the area encompassed by the Burtonsville Crossroads Neighborhood Plan; providing for the application of this Act; and generally relating to a property tax credit granted by Montgomery County or a municipal corporation in Montgomery County against county or municipal property tax imposed on an eligible business entity on qualified enterprise zone property.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–317(f)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 677 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Property Tax Credit for Qualified Enterprise Zone
Property – Glenmont
MC 18–13**

FOR the purpose of altering a certain definition of “qualified enterprise zone property” as it relates to a certain property tax credit granted by the governing body of Montgomery County or of a municipal corporation in Montgomery County to include certain property zoned for certain uses located in certain parts of the area encompassed by the Glenmont Sector Plan; providing for the application of this Act; and generally relating to a property tax credit granted by Montgomery County or a municipal corporation in Montgomery County against county or municipal property tax imposed on an eligible business entity on qualified enterprise zone property.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–317(f)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 680 – Delegates Hogan, Clagett, Jacobs, O’Donnell, Otto, Schulz,
Vitale, Weir, and Wilson**

AN ACT concerning

~~Vehicle Registration – Exception for All Terrain and Utility Terrain Vehicles
– Use in Public Service~~
Vehicle – Unregistered Emergency Vehicles – Operating on Highways

FOR the purpose of ~~authorizing, under certain circumstances, the operation of certain all terrain and utility terrain vehicles in public service 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 unregistered emergency vehicle 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 ~~in public service~~ 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 Judicial Proceedings.

House Bill 753 – Delegates Malone, Kach, Clagett, Barkley, Bobo, Hogan, Howard, Lafferty, A. Miller, Murphy, Pendergrass, Reznik, Stein, ~~and Weir~~ Weir, Glenn, Beidle, Cane, Carr, Healey, S. Robinson, and Wilson

AN ACT concerning

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

FOR the purpose of repealing certain provisions of law that require enforcement as a secondary offense of certain violations involving the use of a wireless communication device while operating a motor vehicle; 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; altering the penalty imposed for a violation of a certain prohibition on the use of a handheld telephone while operating a motor vehicle; repealing a certain provision of law prohibiting, under certain circumstances, a certain assessment of points for a first violation of a certain prohibition on the use of a handheld telephone while operating a motor vehicle; and generally relating to the use of wireless communication devices while operating a motor vehicle.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 21–1124 and 21–1124.2
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 27–101(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 806 – Delegate Hubbard

AN ACT concerning

Health Occupations – State Board of Social Work Examiners – Revisions

FOR the purpose of renaming a certain license issued by the State Board of Social Work Examiners; requiring the appointment of a certain licensee to the Board within a certain number of months of a certain vacancy on the Board; altering

the number of signatures required for a certain list of nominees; authorizing certain officers or directors to submit a certain list of nominees; exempting a certain member of the Board from a certain requirement; requiring the Board to elect certain officers for certain purposes; requiring the Board to determine the manner of election of certain officers and the duties of certain officers; exempting certain students from certain licensure requirements; requiring certain applicants to complete a certain criminal history records check and submit to a certain examination under certain circumstances; authorizing certain applicants to meet certain licensure requirements by receiving a certain degree; repealing a certain provisional graduate social worker license; altering the number of hours of a certain type of supervision required to obtain a certain license; altering certain education requirements required to obtain a certain license; repealing the authority of the Board to waive a certain supervision requirement under certain circumstances; requiring certain applicants for licensure to submit certain fingerprints and certain fees to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services; requiring the Central Repository to forward certain criminal history record information to the Board and to certain applicants; authorizing the Board to accept an alternate method of criminal history records check under certain circumstances; providing that certain information obtained from the Central Repository is confidential and may be used only for certain purposes; requiring the Board, in using information obtained from the Central Repository to determine whether to issue a license, to consider certain factors; authorizing certain subjects to contest certain contents of a certain printed statement issued by the Central Repository; authorizing the Board to require certain applicants to submit to certain examinations under certain circumstances; providing that certain applicants are deemed to have consented to submit to certain examinations and to have waived certain claims or privileges relating to certain examination reports; providing that a certain refusal to submit to certain examinations must be considered as certain evidence of certain applicants' inability to practice social work in a certain manner; repealing a certain obsolete provision; requiring the Board to maintain a certain roster on its Web site of certain licensees; requiring the Board to include certain information on certain licensee records; repealing a requirement that the Board issue certain licenses; prohibiting certain licensees from practicing social work, engaging in private practice, and diagnosing certain disorders, except under certain circumstances; requiring the Board to send certain notices to certain addresses that state certain information; requiring the Board to maintain certain information regarding certain licensees; prohibiting the Board from renewing certain licenses under certain circumstances; exempting certain licensees from the maximum period of time during which a licensee may be placed on a certain licensure status; requiring the Board to provide certain licensees certain written notification under certain circumstances; requiring the Board to reactivate certain licenses under certain circumstances; requiring the Board to place certain licensees on nonrenewed status for a certain period of time, subject to a certain exception, under certain circumstances; altering certain grounds for discipline of certain licensees;

authorizing the Board to take certain actions if certain applicants or licensees fail to comply with certain requirements pertaining to the maintenance, disclosure, and destruction of medical records; altering the amount of a certain fine that the Board may impose under certain circumstances; authorizing the Board to issue certain subpoenas and administer certain oaths over certain signatures; prohibiting the use of certain abbreviations under certain circumstances; altering certain penalty provisions relating to violations of certain provisions of law; making certain stylistic changes; altering certain defined terms; defining certain terms; and generally relating to the State Board of Social Work Examiners.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 19–101(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 19–101(d), (e), (i), (j), (m), and (n), 19–202(a)(3) and (5) and (d), 19–203,
19–301, 19–302, 19–304, 19–306, 19–307(c), 19–308(b) and (e), 19–309,
19–311, 19–311.1(a), 19–312(c), 19–314, 19–402, and 19–407
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – Health Occupations
Section 19–302.2, 19–302.3, and 19–308(f)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 902 – Delegate Guzzone

AN ACT concerning

State Police Retirement System – Reemployment of Retirees

FOR the purpose of clarifying the applicability of certain requirements for an offset from certain retirement allowances from the State Police Retirement System for certain individuals who accept employment with certain participating employers; extending a certain termination provision that applies to certain provisions that relate to the reemployment of retirees of the State Police Retirement System; 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; providing for the termination of certain provisions of this Act; and generally relating to the reemployment of retirees of the State Police Retirement System.

BY repealing and reenacting, with amendments,
 Article – State Personnel and Pensions
 Section 24–405
 Annotated Code of Maryland
 (2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
 Chapter 644 of the Acts of the General Assembly of 2009
 Section 3

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 934 – Delegates Lee, Conaway, Cullison, Dumais, Glenn, Gutierrez, A. Kelly, A. Miller, Mizeur, Nathan–Pulliam, B. Robinson, S. Robinson, ~~and M. Washington~~ M. Washington, Hammen, Pendergrass, Costa, Donoghue, Elliott, Frank, Hubbard, Kach, Kipke, Krebs, Morhaim, Murphy, Pena–Melnik, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

~~**Task Force on the Use of Telehealth to Improve Maryland Health Care**~~
Telemedicine Task Force – Maryland Health Care Commission

FOR the purpose of ~~establishing the Task Force on the Use of Telehealth to Improve Maryland Health Care; providing for the membership, co chairs, and staffing of the Task Force; providing for the duties of the Task Force; providing that a member of the Task Force may not receive certain compensation but is entitled to certain reimbursement; requiring the Task Force to provide certain reports to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force on the Use of Telehealth to Improve Maryland Health Care~~ 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.

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

House Bill 1012 – Delegates Wilson, Braveboy, Cardin, Holmes, Jones, McIntosh, Niemann, Pena–Melnik, and Walker

AN ACT concerning

Higher Education – Tuition Waiver – Foster Care Recipients

FOR the purpose of altering the definition of “foster care recipient”, for purposes of a certain tuition waiver, to include certain individuals who are placed into guardianship or who are adopted out of an out-of-home placement by a certain guardianship family; providing that certain foster care recipients are eligible for a certain tuition waiver if the recipient is enrolled in a vocational certificate program at a public institution of higher education in the State, subject to certain conditions; and generally relating to tuition waivers at institutions of higher education for foster care recipients.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.1
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1042 – Delegates Smigiel, Lee, and McDermott

AN ACT concerning

Hospitals – Credentialing and Privileging Process – Telemedicine

FOR the purpose of authorizing a hospital, in its credentialing and privileging process for a physician who provides medical services to patients at the hospital only through telemedicine from certain locations, to rely on certain credentialing and privileging decisions under certain circumstances; defining a certain term; and generally relating to hospital credentialing and privileging processes for physicians providing services through telemedicine.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–319(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

LAI D O V E R B I L L S

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 1029 – Senator Middleton

AN ACT concerning

Maryland Agricultural Certainty Program

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (11) AND THE FAVORABLE REPORT.

SB1029/384732/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1029

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Dyson, and Jennings”; in line 20, strike “adopting or”; in line 21, after “operation” insert “for a certain period of time; stating that, if the Program is terminated, an agricultural operation certified at the time of termination shall remain certified for the duration of the certification period”; in line 27, strike “the Department of Agriculture” and substitute “a certified verifier”; and in line 31, after “frequency;” insert “requiring a certified verifier conducting an on-site inspection to provide the certified agricultural operation with certain information during the on-site inspection;”.

On page 2, in line 13, after the first “the” insert “verifier”; in line 22, after “Environment” insert “and a certified verifier”; in line 23, after the first “certain” insert “records and”; in line 24, strike “Department of Agriculture from disclosing” and substitute “disclosure of”; in line 25, after “records” insert “and information”; in line 28, after “or” insert “permanently”; in line 31, strike “, with approval from the Department of the Environment;” and in line 32, after “regulations” insert “and to make certain recommendations related to the Program”.

AMENDMENT NO. 2

On page 3, in line 7, strike “CROPS” and substitute “LAND”.

AMENDMENT NO. 3

On page 3, strike beginning with “CERTIFY” in line 24 down through “MEETS” in line 25 and substitute “ACCELERATE THE IMPLEMENTATION OF AGRICULTURAL BEST MANAGEMENT PRACTICES TO MEET”.

AMENDMENT NO. 4

On page 4, in line 19, after “DEPARTMENT” insert “UNDER SUBTITLE 8 OF THIS TITLE”; in line 20, strike “MINIMUM”; in line 21, strike “ALLOCATION LOADS” and substitute “LOAD REDUCTIONS”; in line 23, after “THE” insert “FULL IMPLEMENTATION OF THE MOST RECENT”; in the same line, after “LOAD” insert “AS APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY”; and in line 25, strike “THE” and substitute “ALL APPLICABLE”.

On page 5, in line 9, strike “CONDUCTING AN” and substitute “AN”; in the same line, after “INSPECTION” insert “IS CONDUCTED BY A CERTIFIED VERIFIER,”; in the same line, after “THE” insert “ASSISTANCE OF THE”; and in line 10, strike the comma.

AMENDMENT NO. 5

On page 7, in line 7, strike “REQUIREMENTS” and substitute “STATE OR LOCAL LAWS AND REGULATIONS”; in line 9, strike “LOADS” and substitute “LOAD REDUCTIONS”; and in line 15, after “THE” insert “APPLICATION OR”.

On page 8, in line 7, after “ENFORCE” insert “STATE OR LOCAL”; in line 8, after “STANDARDS” insert “ADOPTED AFTER THE DATE OF CERTIFICATION”; and in line 10, after “SUBTITLE” insert “UNTIL THE END OF THE CERTIFICATION PERIOD.”

(D) IF THE PROGRAM ESTABLISHED UNDER THIS SUBTITLE IS TERMINATED, AN AGRICULTURAL OPERATION CERTIFIED UNDER THE PROGRAM SHALL:

(1) REMAIN CERTIFIED FOR THE REMAINDER OF THE CERTIFICATION PERIOD FOR THE AGRICULTURAL OPERATION; AND

(2) BE SUBJECT TO STATE AND LOCAL LAWS OR REGULATIONS APPLICABLE AT THE TIME OF CERTIFICATION”.

AMENDMENT NO. 6

On page 8, in line 21, strike “AND” and substitute:

“4. A SUMMARY OF NUTRIENTS APPLIED BY SOURCE AND CROP TYPE; AND”;

and in line 22, strike “4.” and substitute “5.”.

AMENDMENT NO. 7

On page 9, in line 13, after “(A)” insert “(1)”; in lines 15 and 19, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 15, after “INSPECTION” insert “, AS DEFINED BY REGULATIONS ADOPTED UNDER THIS SUBTITLE,”; after line 22, insert:

“(2) THE INSPECTIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONDUCTED BY A CERTIFIED VERIFIER DETERMINED BY THE DEPARTMENT.”;

in line 24, strike “A” and substitute “:

(1) A;

in line 25, after “REQUIREMENTS” insert “, INCLUDING:

(I) EFFORTS TO MANAGE SOIL CONSERVATION AND WATER QUALITY; AND

(II) NUTRIENT APPLICATION, INCLUDING LOCATION, RATE, SOURCE, AND TIMING, BY CROP; AND

(2) NOTICE TO THE CERTIFIED AGRICULTURAL OPERATION AT THE TIME OF THE ON-SITE INSPECTION OF ALL NEW STATE AND LOCAL LAWS AND REGULATIONS ENACTED OR ADOPTED SINCE THE DATE OF CERTIFICATION;

and strike beginning with “THAT” in line 32 down through “EFFECT” in line 33 and substitute “ADOPTED OR ENACTED”.

AMENDMENT NO. 8

On page 10, in line 18, strike “(B)(1) AND (2)”.

On page 11, in line 6, strike “§ 8-1004 OF”.

AMENDMENT NO. 9

On page 11, in line 8, strike “PROTECTS” and substitute “PROVIDES THE GREATEST PUBLIC DISCLOSURE OF RECORDS AND INFORMATION WHILE PROTECTING”; in line 26, strike “THE DEPARTMENT MAY NOT DISCLOSE ANY” and substitute “EXCEPT AS PROVIDED IN § 8-1007(B) OF THIS SUBTITLE,”; in the same line, after “RECORDS” insert “AND INFORMATION”; and in line 27, after the first “OPERATION” insert “MAY NOT BE DISCLOSED BY ANY STATE AGENCY, DEPARTMENT, OR CERTIFIED VERIFIER”.

AMENDMENT NO. 10

On page 12, in lines 5 and 12, in each instance, after “OR” insert “PERMANENTLY”; strike beginning with “TO” in line 9 down through “OPERATION” in line 10 and substitute “AS A VERIFIER”; and in line 11, after “CERTIFICATION” insert “FOR AN AGRICULTURAL OPERATION OR A VERIFIER”.

AMENDMENT NO. 11

On page 13, in line 3, after “TO” insert “OR TERMINATION OF”.

The preceding 11 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Forehand moved, duly seconded, to make the Bill a Special Order for March 25, 2013.

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

Affirmative – 12 Negative – 33 (See Roll Call No. 678)

FLOOR AMENDMENT

SB1029/313422/1

BY: Senator Middleton

AMENDMENT TO SENATE BILL 1029
(First Reading File Bill)

On page 11, in line 27, strike the first “OPERATION” and substitute “OPERATION THAT ARE GENERATED OR OBTAINED SOLELY FOR THE PURPOSE OF OBTAINING CERTIFICATION”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB1029/123622/1

BY: Senator Glassman

AMENDMENT TO SENATE BILL 1029, AS AMENDED

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB1029/384732/1), in the second line of Amendment No. 1, strike “and Jennings” and substitute “Jennings, and Glassman”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1031 – Senator Colburn

AN ACT concerning

Hunting – Domesticated, Stray, or Feral Animals – Prohibited Acts

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB1031/154137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 1031
(First Reading File Bill)

In line 2, strike “, Stray, or Feral”; in line 4, strike “or a stray or feral animal”; and strike beginning with “OR” in line 19 down through “ANIMAL” in line 20.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 604 – Senator Christopher B. Shank:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Smithsburg High School Girls Volleyball Team
in recognition of
winning the 2012 Maryland State MPSSAA Class 1A Volleyball Championships.
Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 22nd day of March 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 679)

Senate Resolution No. 603 – Senator Christopher B. Shank:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
North Hagerstown High School Girls Volleyball Team
in recognition of
winning the 2012 Maryland State MPSSAA Class 3A Volleyball Championships.
Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 22nd day of March 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 680)

Senate Resolution No. 561 – Senator Rob Garagiola:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Nana Meriweather
in recognition of
being named Miss USA 2012.
Your hard work and dedication are
commended in receiving this honor.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 22nd day of March 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 681)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 682)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #46

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 – 47 Negative – 0 (See Roll Call No. 683)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 684)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 685)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 686)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 687)

The Bill was then sent to the House of Delegates.

Senate Bill 768 – Senators Raskin, Garagiola, Kasemeyer, King, Kittleman, Klausmeier, Montgomery, ~~and Robey~~ Robey, and Forehand

AN ACT concerning

Organ Donation Driver Education Act of 2013

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

Affirmative – 44 Negative – 3 (See Roll Call No. 688)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 689)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 46 Negative – 1 (See Roll Call No. 690)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 691)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #47

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 – 46 Negative – 1 (See Roll Call No. 692)

The Bill was then sent to the House of Delegates.

**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 – 29 Negative – 18 (See Roll Call No. 693)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 694)

The Bill was then sent to the House of Delegates.

**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 – 47 Negative – 0 (See Roll Call No. 695)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 696)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 697)

The Bill was then sent to the House of Delegates.

Senate Bill 622 – Senator Raskin

AN ACT concerning

Corporations and Associations – Document Filing and Processing

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

Affirmative – 47 Negative – 0 (See Roll Call No. 698)

The Bill was then sent to the House of Delegates.

Senate Bill 739 – Senator Pinsky

AN ACT concerning

Agriculture – Nutrient Management Plans – Fertility Index Value Soil Testing

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

Affirmative – 35 Negative – 12 (See Roll Call No. 699)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 700)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #48

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 – 47 Negative – 0 (See Roll Call No. 701)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 702)

The Bill was then sent to the House of Delegates.

Senate Bill 420 – Senators Frosh, Raskin, Garagiola, Manno, Montgomery, and Ramirez

AN ACT concerning

Crimes – Restricted Firearm Ammunition – Prohibition on Possession and Use

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

Affirmative – 36 Negative – 11 (See Roll Call No. 703)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 704)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 705)

The Bill was then sent to the House of Delegates.

Senate Bill 534 – Senator Shank

AN ACT concerning

**Family Law – Preventing or Interfering with Report of Suspected Child
Abuse or Neglect**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 706)

The Bill was then sent to the House of Delegates.

**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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 707)

The Bill was then sent to the House of Delegates.

Senate Bill 649 – Senators Getty and Frosh

AN ACT concerning

Estates and Trusts – Personal Representatives and Guardians – Standards

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

Affirmative – 47 Negative – 0 (See Roll Call No. 708)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 709)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 792 – Senator Kelley

AN ACT concerning

Maryland Collaborative Reproduction Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

SB0792/433527/2

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 792

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Maryland” and substitute “Family Law – Assisted and”; and in the same line, strike “Act”.

On page 2, in line 1, after “application” insert “of certain provisions”; in line 2, after “Act;” insert “prohibiting an individual who donates sperm for use in assisted reproduction from receiving, directly or indirectly, anything of value from a certain individual;”; strike beginning with the second “the” in line 2 down through “Act” in

line 3 and substitute “assisted and collaborative reproduction”; and in line 7, after “Act” insert “; and 5-1401 to be under the new subtitle “Subtitle 14. Assisted Reproduction””.

AMENDMENT NO. 2

On page 15, after line 31, insert:

“SUBTITLE 14. ASSISTED REPRODUCTION.

5-1401.

AN INDIVIDUAL WHO DONATES SPERM FOR USE IN ASSISTED REPRODUCTION MAY NOT RECEIVE, DIRECTLY OR INDIRECTLY, ANYTHING OF VALUE FROM AN INDIVIDUAL WHO INTENDS TO BECOME A PARENT THROUGH THE USE OF THE DONATED SPERM.”

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

Affirmative – 12 Negative – 34 (See Roll Call No. 710)

FLOOR AMENDMENT

SB0792/143627/1

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 792

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 29, after “circumstances;” insert “prohibiting, except under certain circumstances, a gestational carrier from receiving, directly or indirectly, anything of value from the intended parents;”.

On page 2, in line 6, strike “5-914” and substitute “5-915”.

AMENDMENT NO. 2

On page 15, after line 13, insert:

“5-913.

EXCEPT FOR THE PAYMENT OF REASONABLE MEDICAL AND ANCILLARY EXPENSES, A GESTATIONAL CARRIER MAY NOT RECEIVE, DIRECTLY OR INDIRECTLY, ANYTHING OF VALUE FROM THE INTENDED PARENTS.”;

and in lines 14 and 29, strike “~~5-913.~~” and “~~5-914.~~”, respectively, and substitute “5-914.” and “5-915.”, respectively.

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

Affirmative – 14 Negative – 33 (See Roll Call No. 711)

FLOOR AMENDMENT

SB0792/483920/1

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 792

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Maryland” and substitute “Family Law – Assisted and”; and in the same line, strike “Act”.

On page 2, in line 1, after “application” insert “of certain provisions”; in line 2, after “Act;” insert “providing that the identity of an individual who donates an egg or sperm for use in assisted reproduction shall be made available to a child that results from the use of the egg or sperm;”; strike beginning with the second “the” in line 2 down through “Act” in line 3 and substitute “assisted and collaborative reproduction”; and in line 7, after “Act” insert “; and 5-1401 to be under the new subtitle “Subtitle 14. Assisted Reproduction”.”

AMENDMENT NO. 2

On page 15, after line 31, insert:

“SUBTITLE 14. ASSISTED REPRODUCTION.

5-1401.

THE IDENTITY OF AN INDIVIDUAL WHO DONATES AN EGG OR SPERM FOR USE IN ASSISTED REPRODUCTION SHALL BE MADE AVAILABLE TO A CHILD THAT RESULTS FROM THE USE OF THE EGG OR SPERM.

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

Affirmative – 10 Negative – 36 (See Roll Call No. 712)

Read the second time and ordered prepared for Third Reading.

Senate Bill 784 – Senator Benson

AN ACT concerning

**Employment Discrimination – Reasonable Accommodations for Disabilities
Due to Pregnancy**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

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: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0207/578570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 207

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 9 down through “school;” in line 12; in line 20, strike “and (vii)”; and strike in their entirety lines 23 through 27, inclusive.

AMENDMENT NO. 2

On page 2 in lines 20 and 21 and on page 4 in lines 21 and 22, strike “DURING THE INTERVAL BETWEEN THE TWO TIME–STAMPED IMAGES”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 10 through 31, inclusive.

AMENDMENT NO. 4

On page 4, in lines 1, 28, and 29, in each instance, strike the bracket; in line 1, after “contractor” insert “, ON BEHALF OF A LOCAL JURISDICTION, PROVIDES, DEPLOYS, OR”; in lines 1 and 29, in each instance, after “system” insert “, OR”; in line 3, strike “on behalf of a local jurisdiction”; and in line 28, after “contractor” insert “, ON BEHALF OF A POLICE DEPARTMENT,”.

On page 5, in line 1, strike “for a police department”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0207/773821/1

BY: Senator Madaleno

AMENDMENTS TO SENATE BILL 207

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “allow for the calculation of a certain speed” and substitute “show the progression”.

AMENDMENT NO. 2

On page 2, strike beginning with “ALLOW” in line 19 down through “SPEED” in line 20 and substitute “SHOW THE PROGRESSION”.

On page 4, strike beginning with “ALLOW” in line 20 down through “SPEED” in line 21 and substitute “SHOW THE PROGRESSION”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0207/873724/1

BY: Senator Glassman

AMENDMENTS TO SENATE BILL 207

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “paid;” insert “prohibiting the issuance of certain citations for violations that occurred before a certain date;”.

AMENDMENT NO. 2

On page 5, in line 3, after “That” insert “a citation may not be issued under §§ 21–809 or 21–810 of the Transportation Article if it is based on a violation that occurred before October 1, 2014.”

SECTION 3. AND BE IT FURTHER ENACTED, That”.

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

Affirmative – 11 Negative – 35 (See Roll Call No. 713)

FLOOR AMENDMENT

SB0207/733629/2

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 207

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “school;” insert “requiring a certain calibration check to be performed quarterly rather than annually; prohibiting the quarterly calibration check of a speed monitoring system or a work zone speed control system from being performed by certain persons;”; in line 20, after “(vii)” insert “and (4)”; and in the same line, after “21–810(a)(4)” insert “, (b)(6).”

AMENDMENT NO. 2

On page 3, after line 31, insert:

“(4) (i) A speed monitoring system shall undergo [an annual] A QUARTERLY calibration check performed by [an independent] A calibration laboratory THAT IS INDEPENDENT FROM AND NOT OTHERWISE AFFILIATED WITH:

1. THE MANUFACTURER OF THE SPEED MONITORING SYSTEM;

2. THE VENDOR OF THE SPEED MONITORING SYSTEM;

3. ANY PERSON WHO OPERATES, PROVIDES, OR DEPLOYS THE SPEED MONITORING SYSTEM;

4. ANY PERSON WHO ADMINISTERS AND PROCESSES CIVIL CITATIONS ARISING OUT OF RECORDED IMAGES PRODUCED BY THE SPEED MONITORING SYSTEM; OR

5. THE LOCAL JURISDICTION THAT CONTROLS 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.”

AMENDMENT NO. 3

On page 4, after line 24, insert:

“(b) (6) (i) A work zone speed control system shall undergo [an annual] A QUARTERLY calibration check performed by [an independent] A calibration laboratory THAT IS INDEPENDENT FROM AND NOT OTHERWISE AFFILIATED WITH:

1. THE MANUFACTURER OF THE WORK ZONE SPEED CONTROL SYSTEM;
2. THE VENDOR OF THE WORK ZONE SPEED CONTROL SYSTEM;
3. ANY PERSON WHO OPERATES, PROVIDES, OR DEPLOYS THE WORK ZONE SPEED CONTROL SYSTEM;
4. ANY PERSON WHO ADMINISTERS AND PROCESSES CIVIL CITATIONS ARISING OUT OF RECORDED IMAGES PRODUCED BY THE WORK ZONE SPEED CONTROL SYSTEM; OR
5. THE LOCAL JURISDICTION THAT CONTROLS THE WORK ZONE SPEED CONTROL 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.”.

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0339/568173/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 339

(First 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 15 and 16, strike “**IN THE TRAVEL PORTION OF THE ROADWAY**”.

On page 4, in line 2, strike the brackets; in the same line, strike “**THE TRAVEL PORTION OF THE ROADWAY**”; in line 7, strike the brackets; in lines 7 and 8, strike “**THE TRAVEL PORTION OF THE ROADWAY**”; in line 13, after “Code.” insert a closing bracket; in line 16, strike “\$40; and” and substitute “**\$75;**”; in line 17, 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 18, strike beginning with “For” through “points” and substitute “**POINTS**”; in line 21, in each instance, strike the bracket; and in lines 21 and 22, strike “**THE PENALTY FOR A VIOLATION**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 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: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0715/398479/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 715

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “purposes;” insert “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;”; and in line 11, after “date;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 21, strike “and”; and in line 22, after “**3.**” 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 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.

AMENDMENT NO. 3

On page 4, in line 12, strike “October 1, 2013” and substitute “January 1, 2014”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0715/353124/1

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 715, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 11, 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 1 of the Judicial Proceedings Committee Amendments (SB0715/398479/1), in lines 10 and 11 of Amendment No. 2, strike “AND 4.” and substitute:

“4. SUBMITS TO THE FINGERPRINTING AND CRIMINAL HISTORY RECORDS CHECKS REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION; AND

5.”

On page 2 of the bill, after line 34, insert:

“(3) 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 of the bill, in line 11, 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 and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 29 (See Roll Call No. 714)

FLOOR AMENDMENT

SB0715/443624/3

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 715

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “purposes;” insert “requiring that certain identification cards, moped operators’ permits, and drivers’ licenses include a certain statement;”.

AMENDMENT NO. 2

On page 2, after line 34, insert:

“(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.”.

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

Affirmative – 24 Negative – 22 (See Roll Call No. 715)

FLOOR AMENDMENT

SB0715/783625/1

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 715

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “prohibiting the Motor Vehicle Administration from requiring that an applicant for a driver’s license submit an online registration for a driver skills examination or a driver road examination;”; and in line 16, after “Section” insert “16–110(a) and”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“16–110.

(a) **(1)** The Administration shall:

[(1)] (I) Establish qualifications for the safe operation of the various classes, types, sizes, or combinations of vehicles; and

[(2)] (II) Examine each applicant to determine the applicant’s qualifications for the license class applied for.

(2) THE ADMINISTRATION MAY NOT REQUIRE AN APPLICANT TO SUBMIT AN ONLINE REGISTRATION FOR A DRIVER SKILLS EXAMINATION OR A DRIVER ROAD EXAMINATION.”.

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

SB0715/963824/1

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 715

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “purposes;” insert “requiring that certain identification cards, moped operators’ permits, and drivers’ licenses be a certain color and include a certain statement;”.

AMENDMENT NO. 2

On page 2, after line 34, insert:

“(3) AN IDENTIFICATION CARD, A MOPEL OPERATOR’S PERMIT, OR A LICENSE TO DRIVE THAT IS ISSUED UNDER THIS SUBSECTION SHALL:

(I) BE BROWN IN COLOR;

(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

(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.”.

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

Affirmative – 17 Negative – 28 (See Roll Call No. 716)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #20

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 105 – Senators Brochin and Raskin

AN ACT concerning

Criminal Law – Sexual Contact with Minors – School Employees**SB0105/988370/3**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 105

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “to” in line 5 down through “employees” in line 6 and substitute “; prohibiting a certain person from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances; providing that a certain violation under this Act is not included within a certain definition for a certain registry”; and after line 18, 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, in line 14, after “person” insert “**WHO IS EMPLOYED FULL–TIME AS A PERSON**”; in line 15, after “who” insert “**THE PERSON KNOWS**”; in line 18, after

“person” insert “WHO IS EMPLOYED FULL-TIME AS A PERSON”; in line 19, after “who” insert “THE PERSON KNOWS”; after line 20, insert:

“(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 21, strike “(d)” and substitute “(E)”.

AMENDMENT NO. 3

On page 3, after line 31, 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;

(2) 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;

(3) 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;

(4) any of the following federal offenses:

- 2252B;
- (i) misleading domain names on the Internet under 18 U.S.C. §
- U.S.C. § 2252C;
- (ii) misleading words or digital images on the Internet under 18
- § 2423(c);
- (iii) engaging in illicit conduct in foreign places under 18 U.S.C.
- under 18 U.S.C. § 2424;
- (iv) failure to file a factual statement about an alien individual
- sexual conduct under 18 U.S.C. § 2425;
- (v) sex trafficking by force, fraud, or coercion under 18 U.S.C. §
- 1591; or
- (vi) travel with intent to engage in illicit conduct under 18
- U.S.C. § 2423(b);
- (5) 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
- (6) 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 only.

Senator King moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 487 – Senators Raskin, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, Robey, and Young

AN ACT concerning

Human Relations – Housing Discrimination – Source of Income

SB0487/598278/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 487

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “McFadden,”; and in lines 28 and 29, strike “defining a certain term;”.

On page 2, in line 1, after “housing;” insert “requiring a certain public housing agency on or before a certain date each year to develop and publish on the Web site of the public housing agency certain information relating to the percentage of certain housing units that are occupied by individuals using certain vouchers;”; in line 2, after “law;” insert “defining certain terms;”; in line 4, strike “an interim” and substitute “a”; and strike beginning with “requiring” in line 6 down through “date” in line 8 and substitute “providing for the termination of this Act”.

AMENDMENT NO. 2

On page 7, after line 6, insert:

“(E) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

“(II) “AFFECTED PUBLIC HOUSING AGENCY” MEANS A STATE OR LOCAL GOVERNMENTAL UNIT THAT ADMINISTERS THE FEDERAL HOUSING CHOICE VOUCHER PROGRAM UNDER THE UNITED STATES HOUSING ACT OF 1937.

(III) “HOUSING CHOICE VOUCHER” MEANS A LOW-INCOME HOUSING ASSISTANCE CERTIFICATE OR VOUCHER ISSUED BY AN AFFECTED PUBLIC HOUSING AGENCY.

(2) ON OR BEFORE OCTOBER 1, 2013, AND EACH YEAR THEREAFTER, EACH AFFECTED PUBLIC HOUSING AGENCY SHALL:

(I) FOR EACH ZIP CODE IN THE JURISDICTION OF THE AFFECTED PUBLIC HOUSING AGENCY, CALCULATE THE PERCENTAGE OF ALL OCCUPIED HOUSING UNITS IN THE ZIP CODE THAT ARE OCCUPIED BY INDIVIDUALS USING HOUSING CHOICE VOUCHERS;

(II) FOR THE ENTIRE JURISDICTION OF THE AFFECTED PUBLIC HOUSING AGENCY, CALCULATE THE PERCENTAGE OF ALL OCCUPIED HOUSING UNITS THAT ARE OCCUPIED BY INDIVIDUALS USING HOUSING CHOICE VOUCHERS;

(III) DEVELOP A LIST OF ZIP CODES FOR WHICH THE PERCENTAGE CALCULATED UNDER ITEM (I) OF THIS PARAGRAPH IS EQUAL TO AT LEAST TWO TIMES THE PERCENTAGE CALCULATED UNDER ITEM (II) OF THIS PARAGRAPH; AND

(IV) PUBLISH THE LIST OF ZIP CODES DEVELOPED UNDER ITEM (III) OF THIS PARAGRAPH ON THE WEB SITE OF THE AFFECTED PUBLIC HOUSING AGENCY.”;

and in line 7, strike “(E)” and substitute “(F)”.

AMENDMENT NO. 3

On page 10, in lines 11 and 12, strike “: (1) On” and substitute “on”; in line 12, strike “2018” and substitute “2017”; in line 14, strike “an interim” and substitute “a”; strike in their entirety lines 17 through 21, inclusive; and in line 23, after the period insert “It shall remain effective for a period 5 years and, at the end of September 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 only.

Senator Brochin moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 846 – Senator Conway

AN ACT concerning

Courts – Baltimore City Sheriff and Fees for Filing and Service of Process

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #12

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 431 – Senator King

AN ACT concerning

Higher Education – University System of Maryland – Quasi-Endowments

SB0431/919030/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 431

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “funds;” insert “limiting a certain transfer to a certain quasi-endowment fund;”.

AMENDMENT NO. 2

On page 4, strike beginning with the comma in line 25 down through “FUNDS” in line 26; after line 26, insert:

“(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE BOARD MAY MAINTAIN AND MANAGE QUASI-ENDOWMENT FUNDS.

(II) THE BOARD MAY ONLY MAKE A ONE-TIME TRANSFER OF NO MORE THAN \$50,000,000 FROM THE NON-STATE SUPPORTED FUND BALANCE HELD AND INVESTED BY THE STATE TREASURER TO THE QUASI-ENDOWMENT FUND.”;

and in line 27, strike “(2)” and substitute “(3)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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**

SB0730/529835/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 730

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “to” insert “the recordation and”; in line 15, strike the first comma and substitute “and”; and in the same line, strike “, and 13–412(c)”.

AMENDMENT NO. 2

On page 2, in line 12, after “ENTITY” insert “AS DEFINED IN § 12–117 OF THIS SUBTITLE”; and in line 31, after “ENTITY” insert “AS DEFINED IN § 13–103 OF THIS TITLE”.

On page 3, in line 20, after “ENTITY” insert “AS DEFINED IN § 13–103 OF THIS TITLE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 779 – Senator King

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

SB0779/509638/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 779

(First Reading File Bill)

On page 2, in line 25, strike “AND” and substitute “OR”; in line 27, strike “AN” and substitute “A QUALIFIED”; and in line 28, strike “BY A QUALIFIED INVESTOR ELIGIBLE TO RECEIVE A CREDIT”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 900 – Senator Jones–Rodwell

AN ACT concerning

**Baltimore City – Community Development Projects – Payment in Lieu of
Taxes Agreements**

SB0900/569135/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 900

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Community Development Projects –”; in line 3, after “Agreements” insert “– Economic Development Projects”; strike beginning with “authorizing” in line 4 down through “term;” in line 9 and substitute “altering the definition of “economic development project” used for certain provisions of law relating to payment in lieu of taxes agreements in Baltimore City to remove the requirement that the project must be located in a certain urban renewal area;”; and in line 11, strike “real estate” and substitute “economic”.

AMENDMENT NO. 2

On page 2, in line 4, after “1999;” insert “**AND**”; and strike beginning with “is” in line 5 down through “(iii)” in line 7.

On page 3, strike in their entirety lines 4 through 17, inclusive.

On page 6, strike in their entirety lines 1 through 21, inclusive; in line 22, in each instance, strike the brackets; in the same line, strike “**(E)**”; and in line 28, strike the colon.

On page 7, strike beginning with “(i)” in line 1 down through “(ii)” in line 3.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

THE COMMITTEE ON RULES REPORT #11

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 1067 – Senators Klausmeier, Benson, Conway, Forehand,
Gladden, Jacobs, Jones–Rodwell, Kelley, King, Montgomery, and Pugh**

AN ACT concerning

**Commission on the Commemoration of the Anniversary of the Passage of the
19th Amendment to the United States Constitution**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

SPECIAL ORDERS

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

Senate Bill 249 – Senators Forehand and Raskin

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –
Retaliation Against Dealers**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Ramirez moved, duly seconded, to make the Bill and Report a Special Order for March 25, 2013.

The motion was adopted.

Senate Bill 28 – Senator Young

AN ACT concerning

Real Property – Blighted Property – Nuisance Abatement

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (7) AND THE FAVORABLE REPORT.

SB0028/818571/2

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 28

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “authorizing a local government to use a certain process to remediate blighted property;”; in lines 4 and 5 and in lines 17 and 18, in each instance, strike “code violations” and substitute “blighted condition”; in line 5, after “time;” insert “requiring the appropriate unit of local government to send a certain notice to certain lienholders;”; strike beginning with “prohibiting” in line 7 down through “requirements;” in line 8; in line 10, after “nuisance” insert “under certain circumstances”; strike beginning with “with” in line 12 down through “amount” in line 13; in line 17, after “circumstances;” insert “authorizing a local government to record a notice of a fine in the land records; providing for the establishment of a”

certain lien;”; in line 19, strike “a”; and in the same line, strike “term;” and substitute “terms; providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 2, in line 3, after “(A)” insert “(1)”; in the same line, strike beginning with the comma through “MEANS” and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(2) (I) “BLIGHTED PROPERTY” MEANS;

in lines 5, 6, and 7, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; in line 5, strike “HAS” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, HAS”; in line 6, strike “AND”; in line 8, strike “OR THE MINIMUM LIVABILITY CODE” and substitute “;AND”

4. A. HAS EXTERNAL STRUCTURAL FAILINGS, INCLUDING COLLAPSING OR MISSING WALLS, ROOF, FLOORS, OR FOUNDATION; OR

B. POSES A HEALTH OR SAFETY HAZARD, AS DETERMINED BY THE APPROPRIATE CODE ENFORCEMENT, BUILDING, OR HEALTH INSPECTOR.

(II) “BLIGHTED PROPERTY” DOES NOT INCLUDE A VACANT OR BOARDED PROPERTY THAT WAS DAMAGED BY FIRE OR FLOODING WITHIN 2 YEARS BEFORE THE APPROPRIATE UNIT OF LOCAL GOVERNMENT ISSUES A NOTICE UNDER SUBSECTION (C) OF THIS SECTION, IF THE OWNER PROVIDES EVIDENCE THAT THE OWNER PROMPTLY FILED AN INSURANCE CLAIM AND THE OWNER’S INSURER HAS NOT PAID THE CLAIM.

(3) “LIENHOLDER” MEANS A PERSON WHO HAS A LIEN ON OR A SECURED INTEREST IN BLIGHTED PROPERTY.

(4) “OWNER” MEANS:

(I) A PERSON HOLDING RECORD TITLE TO BLIGHTED PROPERTY;

(II) A SUCCESSFUL BIDDER AT A FORECLOSURE SALE OF BLIGHTED PROPERTY, ON RATIFICATION OF THE SALE AND EXHAUSTION OF ALL RIGHTS TO APPEAL THE RATIFICATION OR OTHERWISE TO DELAY TRANSFER OF TITLE; OR

(III) A PERSON WHO HAS A LEGAL RIGHT UNDER A COURT ORDER, INCLUDING A COURT ORDER EXTINGUISHING A RIGHT OF REDEMPTION, TO POSSESSION OF PROPERTY THAT IS OR BECOMES BLIGHTED PROPERTY”.

AMENDMENT NO. 3

On page 2, in line 9, after “(B)” insert “(1) A LOCAL GOVERNMENT MAY USE THE PROCESS DESCRIBED IN THIS SECTION TO REMEDIATE BLIGHTED PROPERTY.”

(2) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT OR SUPERSEDE ANY OTHER POWER OF A LOCAL GOVERNMENT TO REMEDIATE BLIGHTED PROPERTY.

(C)”;

in line 25, strike “(C)” and substitute “(D)”; and in line 26, strike “(B)” and substitute “(C)”.

AMENDMENT NO. 4

On page 2, in line 11, strike “CODE VIOLATIONS” and substitute “BLIGHTED CONDITION”; in line 15, strike “30” and substitute “90”; in line 17, strike “90” and substitute “120”; and strike in their entirety lines 22 through 24, inclusive, and substitute:

“(3) (I) AT THE SAME TIME THE NOTIFICATION TO THE OWNER OF A BLIGHTED PROPERTY IS SENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE UNIT OF LOCAL GOVERNMENT SHALL SEND WRITTEN NOTICE TO ALL LIENHOLDERS OF RECORD OR OTHERWISE KNOWN TO THE UNIT OF LOCAL GOVERNMENT.”

(II) THE WRITTEN NOTICE TO LIENHOLDERS SHALL INCLUDE A COPY OF THE NOTIFICATION SENT TO THE OWNER AND SHALL DESCRIBE THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION.

AMENDMENT NO. 5

On page 3, strike beginning with the colon in line 6 down through “ARTICLE” in line 13; and in line 17, after “TO” insert “SELL OR”.

AMENDMENT NO. 6

On page 3, in line 21, strike “THE” and substitute “:

1. THE”;

in the same line, after “NUISANCE” insert a semicolon; in line 22, strike “AND THE” and substitute:

“2. THE”;

and in the same line, after “NUISANCE” insert “; AND

3. THE PROPERTY IS BEING SOLD “AS IS””.

AMENDMENT NO. 7

On page 3, in line 23, after “(3)” insert “(1)”; in line 24, strike “SECTION” and substitute “SUBSECTION”; after line 28, insert:

“(II) 1. THE LOCAL GOVERNMENT MAY RECORD A NOTICE OF THE FINE AMONG THE LAND RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED, INDEXED IN THE NAME OF THE RECORD OWNER AS GRANTOR.

2. ON RECORDATION OF THE NOTICE, THE FINE SHALL CONSTITUTE A LIEN ON THE PROPERTY EFFECTIVE AS OF THE DATE OF RECORDATION.”;

in line 30, strike “, ON SETTLEMENT,”; in line 31, strike “CODE VIOLATIONS IN THE MANNER REQUIRED UNDER” and substitute “BLIGHTED CONDITION IN ACCORDANCE WITH”; and in line 32, strike “(B)(1)” and substitute “(C)(1)”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #8

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chair

Senate Executive Nominations Committee
Report #8
March 21, 2013

Apprenticeship and Training Council

1. Rosie L. D. Pointer District 26
7501 Epping Avenue
Fort Washington, MD 20744

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2013

2. William C. Taylor District 26
6218 Dimrill Court
Fort Washington, MD 20744

Chair of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2013

Budget of the State Workers’ Compensation Commission, Advisory Committee on the

3. Melinda L. Hayes District 5
15015 Tanyard Road
Sparks Glencoe, MD 21152

Member of the Advisory Committee on the Budget of the State Workers' Compensation Commission; reappointed to serve a term of three years from July 1, 2012

4. Ricardo Loaiza District 18
1229 Dale Drive
Silver Spring, MD 20910

Member of the Advisory Committee on the Budget of the State Workers' Compensation Commission; appointed to serve a term of three years from July 1, 2011

5. Matthew D. Trollinger, Esq. District 28
1311 Leicester Drive
La Plata, MD 20646

Member of the Advisory Committee on the Budget of the State Workers' Compensation Commission; appointed to serve a term of three years from July 1, 2013

Consumer Council

6. Betty Ann Clark District 40
3604 Wabash Avenue
Baltimore, MD 21215

Member of the Consumer Council; appointed to serve a term of six years from July 1, 2012

Education, State Board of

7. James H. DeGraffenreidt, Jr. District 43
406 Cedarcroft Road
Baltimore, MD 21212

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2012

Food Center Authority, Maryland

8. Afra Vance District 45
2643 Chesterfield Avenue
Baltimore, MD 21213

Member of the Maryland Food Center Authority; appointed to serve a term of five years from July 1, 2010

Historical Trust, Board of Trustees of the Maryland

9. James P. Delgado, Ph.D. District 20
218 Dale Drive
Silver Spring, MD 20910

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve remainder of term of four years from July 1, 2009

Judicial Disabilities, Commission on

10. Richard M. Karceski, Esq. District 9
9183 Furrow Avenue
Ellicott City, MD 21042

Member of the Commission on Judicial Disabilities; appointed to serve a term of four years from January 1, 2012

Longitudinal Data System Center Governing Board, Maryland

11. Carl D. Roberts, Ed.D. District 34
1641 Ingleside Avenue
Perryville, MD 21903

Member of the Maryland Longitudinal Data System Center Governing Board; appointed to serve a term of three years from July 1, 2013

Morgan State University Board of Regents

12. Karen N. Darkes District 43
1520 Pentridge Road, Apt. 305B
Baltimore, MD 21239

Student Member of the Morgan State University Board of Regents; appointed to serve a term of one year from July 1, 2012

St. Mary's College of Maryland, Board of Trustees

13. Ann Logan McDaniel District 16
5409 Albemarle Street
Bethesda, MD 20816

Member of the Board of Trustees of St. Mary's College of Maryland; appointed to serve a term of six years from June 1, 2013

Tourism Development Board, Maryland

14. Alice Lloyd District 37
112 Talbot Street
Easton, MD 21601

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2013

15. Vira Safai District 15
13548 Potomac Riding Lane
Potomac, MD 20850

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2013

Transportation Authority, Maryland

16. William K. Hellmann, P.E. District 33
504 Harlequin Lane
Severna Park, MD 21146

Member of the Maryland Transportation Authority; appointed to serve a term of four years from July 1, 2012

Uninsured Employers Fund Board

17. Julia A. Burgos District 28
8850 Warburton Place
White Plains, MD 20695

Member of the Uninsured Employers Fund Board; appointed to serve a term of four years from July 1, 2011

University System of Maryland Board of Regents

18. Frank Madison Reid, III, Ph.D. District 11
3310 Serenity Way
Owings Mills, MD 21117

Member of the University System of Maryland Board of Regents; reappointed to serve a term of five years from July 1, 2013

Women, Maryland Commission for

19. Lillian Cruz District 19
18031 Vintage River Terrace
Olney, MD 20832

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2009 and a term of four years from July 1, 2013

20. Velvet D. Johnson, Esq. District 24
2700 Berrywood Lane
Springdale, MD 20774

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2009

Youth Camp Safety, Advisory Council on

21. Robin L. Lansinger District 36
105 Utkewicz Road
Centreville, MD 21617

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2012

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Historical Trust, Board of Trustees of the Maryland

- S-1. James P. Delgado, Ph.D. District 20
218 Dale Drive
Silver Spring, MD 20910

Member of the Board of Trustees of the Maryland Historical Trust; reappointed to serve a term of four years from July 1, 2013

Judicial Disabilities, Commission on

- S-2. Marcy C. Canavan District 27
16504 Old Marshall Hall Road
Accokeek, MD 20607

Member of the Commission on Judicial Disabilities; reappointed to serve a term of four years from January 1, 2013

- S-3. Susan R. Hoffman District 17

133 Monument Street
Rockville, MD 20850

Member of the Commission on Judicial Disabilities; reappointed to serve a term of four years from January 1, 2013

Parole Commission, Maryland

S-4. H. Erle Schafer District 31
237 Carroll Road
Glen Burnie, MD 21060

Member of the Maryland Parole Commission; reappointed to serve a term of six years from January 1, 2013

Stadium Authority, Maryland

S-5. Leonard J. Attman District 11
16 Talton Court
Baltimore, MD 21208

Member of the Maryland Stadium Authority; reappointed to serve a term of four years from July 1, 2013

S-6. Manervia W. Riddick District 26
801 Othman Drive
Fort Washington, MD 20744

Member of the Maryland Stadium Authority; reappointed to serve a term of four years from July 1, 2013

Women, Maryland Commission for

S-7. Velvet D. Johnson, Esq. District 24
2700 Berrywood Lane
Springdale, MD 20774

Member of the Maryland Commission for Women; reappointed to serve a term of four years from July 1, 2013

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Anne Arundel Community College Board of Trustees

- L-1. Victoria K. Fretwell District 30
1407 Stonecreek Road
Annapolis, MD 21403

Member of the Anne Arundel Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2013

Anne Arundel County Board of License Commissioners

- L-2. Melvin Hyatt District 32
19 Williams Drive
Annapolis, MD 21401

Chair of the Anne Arundel County Board of License Commissioners; appointed to serve a term to expire May 4, 2015

- L-3. James C. Thomas District 32
46 Glendale Avenue
Glen Burnie, MD 21061

Member of the Anne Arundel County Board of License Commissioners; reappointed to serve a term to expire May 4, 2015

- L-4. John G. Warner District 31
2027 Poplar Ridge Road
Pasadena, MD 21122

Member of the Anne Arundel County Board of License Commissioners; reappointed to serve a term to expire May 4, 2015

Calvert County Board of License Commissioners

- L-5. Malcolm L. Funn District 27
8157 Harrison Boulevard
Chesapeake Beach, MD 20732

Member of the Calvert County Board of License Commissioners; appointed to serve remainder of a term of two years to expire June 3, 2013 and a term of two years to expire June 1, 2015

- L-6. Ruth N. Reid District 27
3010 Ponds Wood Road
Huntingtown, MD 20639

Member of the Calvert County Board of License Commissioners; reappointed to serve a term of two years to expire June 1, 2015

L-7. John H. Smack District 27
2641 Plum Point Road
Huntingtown, MD 20639

Member of the Calvert County Board of License Commissioners; reappointed to serve a term of two years to expire June 1, 2015

L-8. Beth E. Swoap District 29
2118 Loblolly Lane
St. Leonard, MD 20685

Chair of the Calvert County Board of License Commissioners; reappointed to serve a term of two years to expire June 1, 2015

Howard Community College Board of Trustees

L-9. Kevin J. Doyle District 12
6217 Graftons View Court
Elkridge, MD 21075

Member of the Howard Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2013

Prince George's Community College Board of Trustees

L-10. Sidney L. Gibson District 26
9706 Poling Terrace
Fort Washington, MD 20744

Member of the Prince George's Community College Board of Trustees; appointed to serve a term of five years from July 1, 2013

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 717)

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #33**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 815 – Senator Shank

AN ACT concerning

Nonpublic Schools – Epinephrine Availability and Use – Policy and Immunity

SB0815/344136/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 815

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Nonpublic Schools” and substitute “Primary and Secondary Education”; in the same line, strike “and Immunity”; in line 5, strike “a certain policy” and substitute “certain policies”; strike beginning with “providing” in line 6 down through “liability” in line 7 and substitute “providing that certain nurses and certain school personnel may not be held personally liable for certain acts or omissions”; in line 9, strike “nonpublic”; in the same line, after “schools” insert “of primary and secondary education”; and after line 9, insert:

“BY repealing and reenacting, with amendments,

Article – Education

Section 7–426.2

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“7–426.2.

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

(2) “Anaphylaxis” means a sudden, severe, and potentially life-threatening allergic reaction that occurs when an individual is exposed to an allergen.

(3) “Auto-injectable epinephrine” means a portable, disposable drug delivery device that contains a premeasured single dose of epinephrine that is used to treat anaphylaxis in an emergency situation.

(b) Each county board shall establish a policy for public schools within its jurisdiction to authorize the school nurse and other school personnel to administer auto-injectable epinephrine, if available, to a student who is determined to be or perceived to be in anaphylaxis, regardless of whether the student:

(1) Has been identified as having an anaphylactic allergy, as defined in § 7-426.1 of this subtitle; or

(2) Has a prescription for epinephrine as prescribed by an authorized licensed health care practitioner under the Health Occupations Article.

(c) The policy established under subsection (b) of this section shall include:

(1) Training for school personnel on how to recognize the SIGNS AND symptoms of anaphylaxis BY A LICENSED HEALTH CARE PRACTITIONER WHO IS AUTHORIZED TO ADMINISTER AUTO-INJECTABLE EPINEPHRINE AND WHO HAS BEEN TRAINED IN AN ESTABLISHED PROTOCOL ON HOW TO RECOGNIZE THE SIGNS AND SYMPTOMS OF ANAPHYLAXIS;

(2) Procedures for the emergency administration of auto-injectable epinephrine;

(3) The proper follow-up emergency procedures; [and]

(4) A provision authorizing a school nurse to obtain and, SCHOOL PERSONNEL TO store, at a public school auto-injectable epinephrine to be used in an emergency situation; AND

(5) AN ONGOING PROCESS FOR OVERSIGHT AND MONITORING BY A LICENSED HEALTH CARE PRACTITIONER OF THE IMPLEMENTATION OF THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

(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.

[(d)] (E) (1) Each public school shall submit, on the form that the Department requires, a report to the Department on each incident at the school or at a related school event that required the use of auto-injectable epinephrine.

(2) The Department shall develop and disseminate a standard form to report each incident requiring the use of auto-injectable epinephrine at a public school.

AMENDMENT NO. 3

On page 2, in line 8, after “YEAR,” insert “**A SCHOOL NURSE, REGISTERED NURSE CASE MANAGER, DELEGATING NURSE,**”; in line 20, after “PERSONNEL” insert “**ON HOW TO RECOGNIZE THE SIGNS AND SYMPTOMS OF ANAPHYLAXIS**”; strike beginning with “MEDICAL” in line 20 down through “PROFESSIONAL” in line 21 and substitute “**HEALTH CARE PRACTITIONER WHO IS AUTHORIZED TO ADMINISTER AUTO-INJECTABLE EPINEPHRINE AND WHO HAS BEEN TRAINED IN AN ESTABLISHED PROTOCOL**”; in line 21, strike “OR MEDICAL TECHNICIAN”; in the same line, after “THE” insert “**SIGNS AND**”; in line 25, strike “AND”; in line 26, strike “SCHOOL PERSONNEL” and substitute “**A SCHOOL NURSE OR OTHER LICENSED HEALTH CARE PRACTITIONER**”; in line 27, after “AND” insert “**, SCHOOL PERSONNEL TO**”; in the same line, after “STORE” insert a comma; in the same line, strike “PUBLIC” and substitute “**NONPUBLIC**”; in line 28, after “SITUATION” insert “**;**
AND

(5) AN ONGOING PROCESS FOR OVERSIGHT AND MONITORING BY A LICENSED HEALTH CARE PRACTITIONER OF THE IMPLEMENTATION OF THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION”;

strike lines 29 through 33 in their entirety; and after line 33, 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 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 949 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages

SB0949/894939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 949

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the semicolon insert “creating a Class EF (entertainment facility) beer, wine and liquor license; authorizing a license holder to sell beer, wine, and liquor from one or more outlets in a certain entertainment facility, for consumption anywhere throughout the entertainment facility only; requiring a facility for which a license is issued to have a certain amount of capital investment; authorizing the Board of License Commissioners to issue one or more licenses for the same facility; specifying the hours of sale and a certain license fee;”; in line 10, after “exception;” insert “altering a certain date on which a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler; authorizing the Director of the Department of Liquor Control to purchase or otherwise acquire wine and liquor from any source for resale, regardless of any other State law or regulation to the contrary,

without a certain tax having been paid; providing that the wine and liquor may not be resold until a certain excise tax has been paid; making clarifying changes;”; in line 19, strike “and”; in the same line, after “13–101” insert “, 15–204(e), and 15–205(l)”; and after line 21, insert:

“BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(y)(9)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, strike beginning with “(on–sale” in line 30 down through “(off–sale)” in line 31 and substitute “ON–SALE AND OFF–SALE”.

On page 3, after line 15, insert:

“(9) (I) THERE IS A CLASS EF (ENTERTAINMENT FACILITY) BEER, WINE AND LIQUOR LICENSE.

(II) A CLASS EF LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR BY THE DRINK AND BY THE BOTTLE FROM ONE OR MORE OUTLETS IN THE ENTERTAINMENT FACILITY, FOR CONSUMPTION ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY.

(III) A HOLDER OF A CLASS EF LICENSE MAY NOT SELL ALCOHOLIC BEVERAGES FOR OFF–SALE CONSUMPTION.

(IV) NOTWITHSTANDING § 8–208(B) OF THIS ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS EF LICENSE ONLY IF THE APPLICANT HAS AN INITIAL CAPITAL INVESTMENT IN THE FACILITY FOR WHICH THE LICENSE IS SOUGHT OF AT LEAST \$45,000,000.

(V) THE BOARD MAY ISSUE ONE OR MORE CLASS EF LICENSES FOR THE SAME FACILITY.

(VI) A CLASS EF LICENSE AUTHORIZES THE SALE AND SERVING OF BEER, WINE, AND LIQUOR ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY DURING THOSE DAYS THAT THE ENTERTAINMENT FACILITY IS OPEN FOR BUSINESS AND FROM 9:00 A.M. THROUGH 4:00 A.M. THE FOLLOWING DAY.

(VII) A CLASS EF LICENSE AUTHORIZES THE PLAYING OF MUSIC AND DANCING.

(VIII) THE ANNUAL LICENSE FEE IS \$15,000.”.

AMENDMENT NO. 3

On page 4, in line 8, strike “(on-sale OR OFF-SALE) and beer and light wine (off-sale)” and substitute “ON-SALE AND OFF-SALE”.

On page 9, after line 20, insert:

“15-204.

(e) (1) In this subsection, “Department” means the Worcester County Department of Liquor Control.

(2) This subsection applies only in Worcester County.

(3) (i) Beginning on [May 1, 2016] **JULY 1, 2014**, a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler by providing written notice of the licensee’s intent to the Department at least 60 days before the date the purchasing activity is to start.

(ii) The notice shall contain:

1. The name of the licensee;

2. The name and address of the licensed premises; and

3. The date that the notice was sent to the Department.

(4) A licensee that meets the requirements of this subsection may purchase wine or liquor from a licensed wholesaler in addition to or instead of the Department.

(5) (i) The Department shall issue a letter of confirmation to a licensee that meets the requirements of this subsection.

(ii) The licensee shall display the letter conspicuously on the licensed premises.

15–205.

(1) In Worcester County, subject to the approval of the County Commissioners, the Director of the Department of Liquor Control may purchase or otherwise acquire:

(1) Real or personal property that the Director considers necessary to operate dispensaries, stores, or warehouses; and

(2) Wine and liquor from any source for resale, REGARDLESS OF ANY OTHER STATE LAW OR REGULATION TO THE CONTRARY, INCLUDING A GOVERNMENT ALCOHOLIC BEVERAGE CONTROL DEPARTMENT OR AGENCY OF ANOTHER STATE, ANY NONRESIDENT WHOLESALER WHETHER OR NOT LICENSED IN THIS STATE, OR ACTING AS A WHOLESALER, FROM A LICENSED WHOLESALER OR LIQUOR CONTROL BOARD WITHOUT THE TAX IMPOSED BY § 5–102 OF THE TAX – GENERAL ARTICLE HAVING TO BE PAID, BUT MAY NOT BE RESOLD UNTIL THE EXCISE TAX HAS BEEN PAID.”.

The preceding 3 amendments were read only.

Senator Reilly moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #13

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 741 – Senator Jones–Rodwell

AN ACT concerning

State Retirement and Pension System – Board of Trustees

SB0741/799039/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 741

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Jones–Rodwell” and substitute “Senators Jones–Rodwell and Colburn”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 831 – Senators Kasemeyer, Currie, DeGrange, King, Klausmeier, Manno, and McFadden

AN ACT concerning

State Budget – Evidence–Based Policy Options

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 905 – Senator DeGrange

AN ACT concerning

Video Lottery Facilities – Table Game Proceeds

SB0905/839530/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 905

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator DeGrange” and substitute “Senators DeGrange and McFadden”.

AMENDMENT NO. 2

On page 2, in line 11, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 908 – Senator Robey

AN ACT concerning

Law Enforcement Officers’ Pension System – Reemployment of Retirees**SB0908/789138/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 908

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “circumstances;” insert “requiring the Department of Natural Resources to submit certain reports by a certain date to certain committees;”.

AMENDMENT NO. 2

On page 3, after line 7, insert:

“(H) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE SECRETARY OF NATURAL RESOURCES SHALL SUBMIT A REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE JOINT COMMITTEE ON PENSIONS THAT PROVIDES:

(1) THE NUMBER OF RETIREES REHIRED BY THE NATURAL RESOURCES POLICE FORCE ON A CONTRACTUAL BASIS AT A RANK OF OFFICER OR OFFICER FIRST CLASS;

(2) THE ANNUAL SALARY OF EACH REHIRED RETIREE AT THE TIME OF RETIREMENT AND THE CURRENT ANNUAL SALARY OF EACH REHIRED RETIREE;

(3) THE NUMBER OF NATURAL RESOURCES POLICE EMPLOYEES HIRED WHO ARE NOT RETIREES; AND

(4) THE ANNUAL SALARY OF EACH NATURAL RESOURCES POLICE EMPLOYEE WHO IS HIRED.”.

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 FINANCE REPORT #18

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 355 – Senators Pugh, Jones–Rodwell, and Madaleno

AN ACT concerning

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

SB0355/327971/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 355
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Madaleno” and substitute “Madaleno, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Ramirez”; in line 2, strike “Department of Health and Mental Hygiene – Health Care Facilities” and substitute “Office of Health Care Quality”; in line 3, after “Registry” insert “Workgroup”; and strike beginning with “Secretary” in line 4 down through “facilities” in line 17 and substitute “Office of Health Care Quality to reconvene the Abuser Registry Workgroup; requiring the Abuser Registry Workgroup to undertake a certain review, monitor the implementation of certain recommendations, and recommend certain changes; requiring the Office of Health Care Quality to submit a certain report to the Governor and certain legislative committees on or before a certain date; providing for the termination of this Act; and generally relating to an Abuser Registry Workgroup and the Office of Health Care Quality”.

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 6, strike “the Laws of Maryland read as follows”.

On pages 2 through 5, strike beginning with “Article” in line 7 on page 2 down through “**SUBTITLE.**” in line 20 on page 5 and substitute:

“(a) The Office of Health Care Quality shall reconvene the Abuser Registry Workgroup originally convened in 2012.

(b) The Abuser Registry Workgroup shall:

(1) review the previous work of the Abuser Registry Workgroup and the alternative approach described in the January 14, 2013, letter from the Acting Executive Director of the Office of Health Care Quality to the sponsors of Senate Bill 316 and House Bill 382 of 2012;

(2) monitor the implementation of recommendations included in the January 23, 2013, letter from the Acting Executive Director of the Office of Health Care Quality to the House Health and Government Operations Committee relating to:

(i) initiating a National Background Check Program supported by a federal grant;

(ii) educating the provider community about best practices for managing abuse and neglect and utilizing the criminal justice system in cases of abuse and neglect;

(iii) assisting law enforcement in the development of outreach and training concerning abuse and neglect in health care settings; and

(iv) exploring the need to strengthen statutory law relating to criminal history records checks of employees who are not licensed or certified under the Health Occupations Article; and

(3) recommend changes in statutory law, regulations, or procedures to deter abuse and neglect in health care settings.

(c) On or before January 1, 2014, the Office of Health Care Quality shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee on the findings and recommendations of the Abuser Registry Workgroup.”.

On page 5, in line 22, strike “October” and substitute “June”; and in the same line, after “2013.” insert “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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 581 – Senators Kelley, Benson, Brinkley, Forehand, Klausmeier, Madaleno, Middleton, Montgomery, Pinsky, and Pugh

AN ACT concerning

**Health Insurance – Federal Mental Health Parity and Addiction Equity Act –
Consumer Bill of Rights**

SB0581/577673/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 581

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Pugh” and substitute “Pugh, Astle, Garagiola, Glassman, Kittleman, Mathias, and Ramirez”; in line 3, strike “Consumer Bill of Rights” and substitute “Notice and Authorization Forms”; strike in their entirety lines 4 through 15, inclusive, and substitute:

“FOR the purpose of requiring health maintenance organizations and entities that issue or deliver certain health insurance policies or contracts to provide, on their Web sites and in print, notice about certain benefits for mental illness, emotional disorders, drug abuse, or alcohol abuse required under State law and under the federal Mental Health Parity and Addiction Equity Act and notice that members and insureds may contact the Maryland Insurance Administration for further information; requiring the health maintenance organizations and entities to post a release of information authorization on the their Web sites and to provide by standard mail to a member or insured a release of information authorization form within a certain period of time; requiring the Administration to provide on its Web site certain notice relating to filing complaints, obtaining copies of insurance policies and contracts, and requesting referrals; and generally relating to notice about certain benefits for mental illness, emotional disorders, drug abuse, or alcohol abuse and release of information authorization forms under health insurance.”;

in line 18, strike “19-706(oooo)” and substitute “19-703.1(f) and (g)”; and in line 23, strike “15-128” and substitute “15-802(h) and (i)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 2 through 4, inclusive, and substitute:

“19-703.1.

(F) A HEALTH MAINTENANCE ORGANIZATION SHALL PROVIDE ON ITS WEB SITE AND ANNUALLY IN PRINT TO ITS MEMBERS:

(1) NOTICE ABOUT THE BENEFITS REQUIRED UNDER THIS SECTION AND, IF APPLICABLE TO THE CONTRACT OF THE MEMBER, THE FEDERAL MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT; AND

(2) NOTICE THAT THE MEMBER MAY CONTACT THE MARYLAND INSURANCE ADMINISTRATION FOR FURTHER INFORMATION ABOUT THE BENEFITS.

(G) A HEALTH MAINTENANCE ORGANIZATION SHALL:

(1) POST A RELEASE OF INFORMATION AUTHORIZATION FORM ON ITS WEB SITE; AND

(2) PROVIDE A RELEASE OF INFORMATION AUTHORIZATION FORM BY STANDARD MAIL WITHIN 10 BUSINESS DAYS AFTER A REQUEST FOR THE FORM IS RECEIVED.”.

AMENDMENT NO. 3

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

“15-802.

(H) AN ENTITY THAT ISSUES OR DELIVERS A POLICY OR CONTRACT SUBJECT TO THIS SECTION SHALL PROVIDE ON ITS WEB SITE AND ANNUALLY IN PRINT TO ITS INSUREDS:

(1) NOTICE ABOUT THE BENEFITS REQUIRED UNDER THIS SECTION AND, IF APPLICABLE TO THE POLICY OR CONTRACT OF THE INSURED, THE FEDERAL MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT; AND

(2) NOTICE THAT THE INSURED MAY CONTACT THE ADMINISTRATION FOR FURTHER INFORMATION ABOUT THE BENEFITS.

(1) AN ENTITY THAT ISSUES OR DELIVERS A POLICY OR CONTRACT SUBJECT TO THIS SECTION SHALL:

(1) POST A RELEASE OF INFORMATION AUTHORIZATION FORM ON ITS WEB SITE; AND

(2) PROVIDE A RELEASE OF INFORMATION AUTHORIZATION FORM BY STANDARD MAIL WITHIN 10 BUSINESS DAYS AFTER A REQUEST FOR THE FORM IS RECEIVED.

SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance Administration shall provide on its Web site notice that:

(1) complaints regarding noncompliance with the federal Mental Health Parity and Addiction Equity Act may be filed with the Commissioner;

(2) an insured may obtain assistance in filing a complaint with a carrier or the Administration from the Health Education and Advocacy Unit in the Office of the Attorney General;

(3) an insured may obtain a copy of the health insurance policy or contract of the insured and should contact the carrier for the copy; and

(4) an insured may request a referral to a specialist or nonphysician specialist who is not part of the carrier's provider panel if:

(i) the insured requires specialized health care services or medical care; and

(ii) 1. the carrier does not have a specialist or nonphysician specialist with the professional training and expertise to treat or provide health care services for the condition or disease of the insured; or

2. the carrier cannot provide reasonable access to a specialist or nonphysician specialist to treat or provide health care services for the condition or disease of the insured without unreasonable delay or travel.”.

On page 4, in line 9, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance and Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 610 – Senators Klausmeier, Brinkley, Madaleno, and Montgomery

AN ACT concerning

Health – Overdose Response Program – Establishment

SB0610/287271/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 610

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Montgomery” and substitute “Montgomery, Astle, Garagiola, Glassman, Kelley, Kittleman, Mathias, Middleton, Pipkin, Pugh, and Ramirez”; in line 5, strike “authorizing” and substitute “requiring”; in the same line, after “and” insert “authorizing the Department to”; strike beginning with “prohibiting” in line 19 down through “actions;” in line 22; and strike beginning with “providing” in line 25 down through “circumstances” in line 27 and substitute “providing that a physician who prescribes or dispenses naloxone may not be subject to certain disciplinary or other action under certain circumstances”.

On page 2, in line 2, strike “13–3110” and substitute “13–3109”.

AMENDMENT NO. 2

On page 2, in line 28, before “**THE**” insert “**(A)**”; strike beginning with “**MAY**” in line 28 down through “**ADOPT**” in line 29 and substitute “**SHALL ADOPT**”; in line 29, after “**REGULATIONS**” insert “**NECESSARY**”; in line 30, strike the semicolon and substitute a period; and after line 30, insert:

“(B) THE DEPARTMENT MAY:”.

On page 3, in lines 1, 3, 6, and 12, strike “**(2)**”, “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “**(1)**”, “**(2)**”, “**(3)**”, and “**(4)**”, respectively; and in line 23, strike “**APPROVED**” and substitute “**OFFERED BY A PRIVATE OR PUBLIC ENTITY AUTHORIZED**”.

On page 6, strike beginning with “**(1)**” in line 5 down through “**(3)**” in line 18.

On pages 6 and 7, strike beginning with “**(1)**” in line 23 on page 6 down through “**SUBTITLE**” in line 12 on page 7 and substitute “**A PHYSICIAN WHO PRESCRIBES OR DISPENSES NALOXONE TO A CERTIFICATE HOLDER IN A MANNER CONSISTENT WITH THE PROTOCOL ESTABLISHED BY THE AUTHORIZED PRIVATE OR PUBLIC ENTITY MAY NOT BE SUBJECT TO ANY DISCIPLINARY OR OTHER ACTION UNDER TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE FOR THE ACT OF PRESCRIBING OR DISPENSING NALOXONE TO THE CERTIFICATE HOLDER**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 682 – Senators Klausmeier and Middleton

AN ACT concerning

**Portable Electronics Insurance – Compensation of Employees of Vendor –
Disclosures to Customers**

SB0682/847574/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 682

(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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 777 – Senator Pugh

AN ACT concerning

Insurance – Ceding Insurers and Reinsurance

SB0777/477976/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 777

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, after “association” insert “for certain purposes”; in line 26, strike “defer to” and substitute “use information on”; and in line 28, after “circumstances” insert “for certain purposes”.

On page 2, in line 11, after the second “certain” insert “reinsurance”; in line 12, strike “portfolio” and substitute “reinsurance program”; in line 15, after “terms;” insert “providing that certain laws of the State inconsistent with this Act are superseded to the extent of the inconsistency; providing that credit for reinsurance ceded to a reinsurer under this Act may be allowed only for certain contracts entered into or renewed on or after a certain date; providing that existing obligations or contract rights may not be impaired by this Act;”; in line 18, after “5-901” insert “through 5-904”; strike in their entirety lines 21 through 25, inclusive; in line 28, strike “5-902.1 and”; in the same line, after “5-903” insert “and 5-906”; in the same line, strike “5-914” and substitute “5-916”; and in line 33, strike “5-903, 5-904, and”.

AMENDMENT NO. 2

On page 3, after line 3, insert:

“(C) “PRIMARY CERTIFYING STATE” MEANS A STATE OTHER THAN MARYLAND:

(1) IN WHICH THE INSURANCE REGULATORY AGENCY OR ITS EQUIVALENT HAS DESIGNATED AND ASSIGNED A RATING TO AN ASSUMING INSURER AS A CERTIFIED REINSURER; AND

(2) THE DESIGNATION OR RATING FROM WHICH THE COMMISSIONER HAS USED TO DESIGNATE OR ASSIGN A RATING TO THE ASSUMING INSURER IN THIS STATE UNDER § 5-910(B) OF THIS SUBTITLE.

(D) “QUALIFIED JURISDICTION” MEANS A JURISDICTION THAT THE COMMISSIONER DETERMINES MEETS THE REQUIREMENTS OF § 5-909 OF THIS SUBTITLE.”;

in line 4, strike “(C)” and substitute “(E)”; in line 6, strike “§ 5-912(C)(3)” and substitute “§ 5-914(C)(3)”; in line 28, strike “(D)” and substitute “(F)”; and after line 29, insert:

“(G) “TRUSTEED SURPLUS” MEANS FUNDS HELD IN A TRUST ACCOUNT IN EXCESS OF THE REINSURER’S LIABILITIES ATTRIBUTABLE TO REINSURANCE CEDED TO THE REINSURER BY UNITED STATES CEDING INSURERS IN ACCORDANCE WITH THIS SUBTITLE.”.

AMENDMENT NO. 3

On page 3, in line 31, before “This” insert “(A)”; and after line 31, insert:

“(B) ALL LAWS OR PARTS OF LAWS OF THE STATE THAT ARE INCONSISTENT WITH THIS SUBTITLE ARE SUPERSEDED TO THE EXTENT OF THE INCONSISTENCY.”.

On page 4, in line 1, strike “5-902.1.” and substitute “5-903.”; strike line 6 in its entirety and substitute:

“5-904.”;

strike in their entirety lines 9 through 11, inclusive; in lines 12, 13, 22, 25, and 28, strike “(A)”, “(D)”, “(B)”, “(C)”, and “(D)”, respectively, and substitute “(B)”, “(E)”, “(C)”, “(D)”, and “(E)”, respectively; in line 12, strike “(B),”; in the same line, after “(C),” insert “(D),”; in line 19, strike “(D) OR”; in the same line, after “(E)” insert “OR (F)”; in line 20, strike “§ 5-911” and substitute “§ 5-913”; in line 27, strike “§ 5-904” and substitute “§ 5-906”; in line 28, strike “§ 5-911” and substitute “§ 5-913”; and in line 31, strike “§ 5-905” and substitute “§ 5-907”.

On page 5, in lines 1 and 5, strike “(E)” and “(F)”, respectively, and substitute “(F)” and “(G)”, respectively; in line 3, after “STATE” insert “IN ACCORDANCE WITH §§ 5-908 AND 5-909 OF THIS SUBTITLE”; in line 4, strike “§ 5-909” and substitute “§ 5-911”; in line 6, strike “(B),”; in line 7, after “(D),” insert “(E),”; in the same line, strike “(E)” and substitute “(F)”; strike line 10 in its entirety and substitute:

“5-905.”;

and strike beginning with the colon in line 12 down through “(ii)” in line 16.

On page 6, in lines 8 and 24, in each instance, strike “agreement” and substitute “CONTRACT”; in line 28, strike “treaties” and substitute “CONTRACTS”; in the same line, strike the bracket; and in line 29, strike “5-904.” and substitute “5-906.”.

On page 7, in line 1, strike “THIS STATE’S” and substitute “THE COMMISSIONER’S”; in line 28, strike “5-905.” and substitute “5-907.”; and in line 30, strike “§ 5-903(D)” and substitute “§ 5-904(E)”.

On page 8, in line 3, strike “LICENSED” and substitute “AUTHORIZED”; in lines 10, 12, and 16, in each instance, strike “COMMISSIONER” and substitute “INSURANCE REGULATORY AGENCY”; in line 25, after “AS” insert “DETERMINED BY”; in the same line, strike “DETERMINES”; and in line 28, strike “AGREEMENTS” and substitute “CONTRACTS”.

On page 9, in line 7, strike “IN THE CASE OF” and substitute “THIS SUBSECTION APPLIES TO CEDING TO”; in the same line, strike the colon and substitute a period; in lines 8, 12, and 15, strike “(I)”, “(II)”, and “(2)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively; in line 8, strike “THE” and substitute “THE”; in line 11, strike “; AND” and substitute a period; in line 12, strike “EXCEPT” and substitute “EXCEPT”; in the same line, strike “(2)” and substitute “(4)”; and in line 18, strike “COMMISSIONER” and substitute “INSURANCE REGULATORY AGENCY”.

On page 10, in lines 6, 8, 14, 21, 26, 27, 29, and 32, strike “(3) (I)”, “1.”, “2.”, “3.”, “(II)”, “1.”, “2.”, and “(III)”, respectively, and substitute “(K) (1)”, “(2)”, “(3)”, “(4)”, “(5)”, “(I)”, “(II)”, and “(6)”, respectively; in line 6, strike “IN THE CASE OF” and

substitute “THIS SUBSECTION APPLIES TO CEDING TO”; in the same line, strike “INCLUDING” and substitute “THAT INCLUDES”; in line 7, strike the colon and substitute a period; in lines 8 and 14, in each instance, strike “FOR” and substitute “FOR”; in lines 9 and 15, in each instance, strike “AGREEMENTS” and substitute “CONTRACTS”; in line 13, strike the semicolon and substitute a period; and in line 20, strike “; AND” and substitute a period.

On page 11, in lines 1 and 4, strike “1.” and “2.”, respectively, and substitute “(I)” and “(II)”, respectively; and strike in their entirety lines 7 through 27, inclusive.

AMENDMENT NO. 4

On page 11, in line 28, strike “5-906.” and substitute “5-908.”; in line 30, strike “§ 5-903(E)” and substitute “§ 5-904(F)”; and in line 32, strike “§ 5-907” and substitute “§ 5-909”.

On page 12, in line 2, after “DETERMINES” insert “IN ACCORDANCE WITH REGULATIONS THE COMMISSIONER ADOPTS”; in line 4, after “ACCEPTABLE” insert “IN ACCORDANCE WITH REGULATIONS THE COMMISSIONER ADOPTS”; in line 13, after “DETERMINES” insert “BOTH”; in line 17, strike “AN ASSOCIATION” and substitute “A GROUP”; in lines 19, 22, 23, 25, 28, 30, and 31, in each instance, strike “ASSOCIATION” and substitute “GROUP”; in line 20, after “MEETS” insert “ALL”; and in line 21, strike “SUBSECTION AND SUBSECTION (A) OF THIS”.

On page 13, in lines 1, 4, and 6, in each instance, strike “ASSOCIATION’S” and substitute “GROUP’S”; and in lines 5 and 11, in each instance, strike “ASSOCIATION” and substitute “GROUP”.

AMENDMENT NO. 5

On page 13, in line 12, strike “5-907.” and substitute “5-909.”; in line 28, after “AGREE” insert “IN WRITING”; in line 31, after “RECOGNIZE” insert “A JURISDICTION”; in line 32, strike “A JURISDICTION THAT” and substitute “UNLESS”; and in the same line, strike “DETERMINES DOES” and substitute “HAS DETERMINED THAT THE JURISDICTION”.

On page 14, in line 1, strike “NOT”; in the same line, strike “ENFORCE” and substitute “ENFORCES”; in line 6, strike “THERE IS A” and substitute “THE COMMISSIONER SHALL CONSIDER THE”; in line 8, after “PROCESS” insert “IN”.

DETERMINING THE QUALIFIED JURISDICTIONS IN THIS STATE"; in line 9, strike "THE" and substitute "IN DETERMINING WHETHER A JURISDICTION IS A QUALIFIED JURISDICTION, THE"; in lines 10 and 11, strike "IN DETERMINING QUALIFIED JURISDICTIONS" and substitute ":

(I) WHEN THE JURISDICTION HAS BEEN EVALUATED FOR INCLUSION ON THE LIST; AND

(II) WHENEVER THE LIST IS AMENDED";

strike beginning with "THOROUGHLY" in line 15 down through "UNDER" in line 16 and substitute "INFORMATION RELATED TO THE APPROVAL TO THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS AS PROVIDED IN"; in line 18, strike "UNITED STATES JURISDICTIONS" and substitute "THE COMMISSIONER SHALL RECOGNIZE AS A QUALIFIED JURISDICTION IN THIS STATE ANY STATE"; in the same line, strike "MEET" and substitute "MEETS"; strike beginning with "SHALL" in line 21 down through "STATE" in line 22; in line 26, strike "5-908." and substitute "5-910."; in line 28, after "REINSURER" insert "BASED ON FACTORS THE COMMISSIONER CONSIDERS RELEVANT"; and strike beginning with the second "THAT" in line 29 down through "ACCEPTABLE" in line 30.

On page 15, in line 2, strike "IN A JURISDICTION" and substitute "BY THE INSURANCE REGULATORY AGENCY OF A STATE"; strike beginning with the colon in line 3 down through "(1)" in line 4 and substitute a comma; strike beginning with "DEFER" in line 4 down through "STATE" in line 7 and substitute "USE INFORMATION PROVIDED BY THAT INSURANCE REGULATORY AGENCY TO:

(1) DESIGNATE THE ASSUMING INSURER AS A CERTIFIED REINSURER IN THIS STATE;

(2) ASSIGN A RATING TO THE ASSUMING INSURER; OR

(3) BOTH";

in line 13, strike "§ 5-909" and substitute "§ 5-911"; in line 17, strike "5-909." and substitute "5-911."; in lines 26 and 30, in each instance, strike "THE PROVISIONS

OF”; in line 26, strike “§ 5-912” and substitute “§ 5-914”; in lines 27 and 28, strike “§ 5-905” and substitute “§ 5-907”; in line 30, strike “§ 5-905” and substitute “§ 5-907”; and in line 34, strike “AGREEMENTS” and substitute “CONTRACTS”.

On page 16, in line 3, strike “§ 5-905” and substitute “§ 5-907”; in line 5, strike “§ 5-906” and substitute “§ 5-908”; in lines 11 and 12, strike “§ 5-905” and substitute “§ 5-907”; in line 26, after “CERTIFICATION” insert “THE COMMISSIONER”; in the same line, strike “BEEN”; in lines 26 and 27, strike “VOLUNTARILY SURRENDERED,”; in line 27, after “STATUS” insert “, OR HAS BEEN VOLUNTARILY SURRENDERED,”; in line 28, strike “100%” and substitute “ALL”; and in line 35, strike “5-910.” and substitute “5-912.”.

On page 17, in line 10, strike “TERMINATING” and substitute “SUSPENDING OR REVOKING”; in line 15, after “(I)” insert “THE COMMISSIONER FINDS THAT”; in line 23, strike “§ 5-912” and substitute “§ 5-914”; in line 28, strike “§ 5-909 OR § 5-912” and substitute “§ 5-911 OR § 5-914”; and in line 29, strike “5-911.” and substitute “5-913.”.

On page 18, in line 1, strike “§ 5-903(D)” and substitute “§ 5-904(E)”; in line 2, strike “AGREEMENTS” and substitute “CONTRACTS”; in lines 5, 18, and 19, in each instance, strike “AGREEMENT” and substitute “CONTRACT”; in line 6, strike “OF THE”; in line 21, strike “§ 5-903(B)” and substitute “§ 5-904(C)”; in the same line, strike “(C)” and substitute “(D)”; in the same line, strike “§ 5-903(D)” and substitute “§ 5-904(E)”; in line 22, strike “(E)” and substitute “(F)”; in line 27, strike “§ 5-905(J)” and substitute “§ 5-907(J)”; and in lines 31 and 34, in each instance, strike “COMMISSIONER” and substitute “INSURANCE REGULATORY AGENCY”.

On page 19, in lines 2, 6, and 10, in each instance, strike “COMMISSIONER” and substitute “INSURANCE REGULATORY AGENCY”; in line 16, strike “5-912.” and substitute “5-914.”; and in line 19, strike “§ 9-503” and substitute “§ 5-904”.

On page 20, in line 22, strike “5-913.” and substitute “5-915.”.

On page 21, in line 9, strike “5-914.” and substitute “5-916.”; after line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That credit for reinsurance ceded to a reinsurer under this Act may be allowed only for reinsurance contracts entered into or renewed on or after the effective date of the certification of the assuming insurer by the Maryland Insurance Commissioner under this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That a presently existing obligation or contract right may not be impaired in any way by this Act.”;

and in line 12, strike “2.” and substitute “4.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance 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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 887 – Senator Garagiola

AN ACT concerning

Public Utilities – Solar Photovoltaic Systems

SB0887/327775/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 887

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Garagiola” and substitute “Senators Garagiola, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Ramirez, and Pugh”; 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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 897 – Senator Klausmeier

AN ACT concerning

Consumer Protection – Security Freezes – Children in Foster Care Settings

SB0897/657072/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 897

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “circumstances;” insert “requiring a local department of social services to act as a protected consumer’s representative under certain circumstances;”; in line 19, strike “prohibiting” and substitute “authorizing”; in the same line, strike “from charging” and substitute “to charge”; in line 22, after “list;” insert “authorizing the Social Services Administration to enter into a certain agreement with a consumer reporting agency concerning the transmission of certain information;”; and in line 28, after “law;” insert “requiring the Social Services Administration to notify a protected consumer who becomes an adult of certain provisions of law;”.

On page 2, in line 1, 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 23, strike “GOVERNMENT” and substitute “DEPARTMENT OF HEALTH AND HUMAN SERVICES”; strike in their entirety lines 25 and 26; and in lines 27 and 28, strike “(II)” and “(III)”, respectively, and substitute “(I)” and “(II)”, respectively.

On page 3, after line 8, insert:

“(7) (I) “REPRESENTATIVE” MEANS A PERSON WHO PROVIDES TO A CONSUMER REPORTING AGENCY SUFFICIENT PROOF OF AUTHORITY TO ACT ON BEHALF OF A PROTECTED CONSUMER.

(II) “REPRESENTATIVE” INCLUDES A LOCAL DEPARTMENT.”;

and in lines 9 and 25, strike “(7)” and “(8)”, respectively, and substitute “(8)” and “(9)”, respectively.

AMENDMENT NO. 3

On page 5, after line 5, insert:

“(4) IF A CONSUMER REPORTING AGENCY HAS A FILE PERTAINING TO A PROTECTED CONSUMER, THE LOCAL DEPARTMENT SHALL ACT AS THE PROTECTED CONSUMER’S REPRESENTATIVE TO RESOLVE ANY ISSUES WITH THE FILE.”.

On page 6, in line 13, strike “NOT”; in the same line, after “A” insert “REASONABLE”; in the same line, after “FEE” insert “, NOT EXCEEDING \$5.”; in line 14, strike “ANY SERVICE PERFORMED” and substitute “EACH PLACEMENT OR REMOVAL OF A SECURITY FREEZE FOR A PROTECTED CONSUMER”; in line 15, after “(J)” insert “(1)”; in line 17, strike “UNDER THE AGE OF 16”; after line 19, insert:

“(2) THE SOCIAL SERVICES ADMINISTRATION SHALL REQUEST A SECURITY FREEZE FOR EACH CHILD ON THE LIST SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION ON BEHALF OF THE PROTECTED CONSUMER.

“(3) THE SOCIAL SERVICES ADMINISTRATION MAY ENTER INTO AN AGREEMENT WITH A CONSUMER REPORTING AGENCY CONCERNING THE TRANSMISSION OF INFORMATION BETWEEN THE SOCIAL SERVICES ADMINISTRATION AND A CONSUMER REPORTING AGENCY TO FACILITATE THE IMPLEMENTATION OF THIS SUBSECTION.”;

in line 29, after “(M)” insert “(1)”; and after line 34, insert:

“(2) THE SOCIAL SERVICES ADMINISTRATION SHALL NOTIFY A PROTECTED CONSUMER WHO BECOMES AN ADULT OF THE PROVISIONS OF § 14-1212.2 OF THIS SUBTITLE, INCLUDING PROVIDING CONTACT INFORMATION OF ORGANIZATIONS THAT MAY PROVIDE ASSISTANCE TO THE PROTECTED CONSUMER IN REMOVING A SECURITY FREEZE.”.

On page 7, in line 5, strike “government” and substitute “Department of Health and Human Services”.

AMENDMENT NO. 4

On page 7, after line 14, 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 15, strike “3.” and substitute “4.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 961 – Senator Peters

AN ACT concerning

Horse Racing – Special Takeout and Bowie Race Course Training Center

SB0961/347178/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 961

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Bowie Race Course Training Center”; strike beginning with “authorizing” in line 6 down through the semicolon in line 17; in line 18, strike “the operation of the Bowie Race Course Training Center and”; in line 22, strike “and 11–519”; and strike in their entirety lines 25 through 29, inclusive.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 13 on page 3 through line 3 on page 5, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #19

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 904 – Senator Klausmeier

AN ACT concerning

Health Insurance – Vision Services – Provider Contracts and Delivery Systems

SB0904/337973/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 904

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “and Delivery Systems”; in line 6, after the first “carrier” insert “or provide discounts on materials that are not covered benefits”; strike beginning with “requiring” in line 6 down through “panel;” in line 14 and substitute “prohibiting a carrier from including in a vision provider contract a provision that requires a vision provider, as a condition of participating in a fee-for-service vision provider panel, to participate in a capitated vision provider panel, with a certain exception;”; in line 14, strike “certain terms” and substitute “a certain term”; in line 15, after “Act;” insert “providing for a delayed effective date;”; and in line 24, strike “and 15–114.1”.

AMENDMENT NO. 2

On page 3, in line 12, after “**PROVIDER**” insert “**;**”

(I);

in line 14, after “**CARRIER**” insert “**;** **OR**”

(II) TO PROVIDE DISCOUNTS ON MATERIALS THAT ARE NOT COVERED BENEFITS.

(3) (I) A CARRIER MAY NOT INCLUDE IN A VISION PROVIDER CONTRACT A PROVISION THAT REQUIRES A VISION PROVIDER, AS A CONDITION OF PARTICIPATION IN A FEE-FOR-SERVICE VISION PROVIDER PANEL, TO PARTICIPATE IN A CAPITATED VISION PROVIDER PANEL.

(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, A VISION PROVIDER CONTRACT MAY CONTAIN A PROVISION THAT REQUIRES A VISION PROVIDER, AS A CONDITION OF PARTICIPATING IN A NON-HMO VISION PROVIDER PANEL OR AN HMO VISION PROVIDER PANEL TO PARTICIPATE IN A MANAGED CARE ORGANIZATION”.

On pages 3 and 4, strike in their entirety the lines beginning with line 15 on page 3 through line 28 on page 4, inclusive.

AMENDMENT NO. 3

On page 4, in lines 30 and 31 and 33, in each instance, strike “October 1, 2013” and substitute “April 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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 977 – Senator Pipkin

AN ACT concerning

Task Force to Evaluate Regional Health Delivery and Health Planning in Rural Areas

SB0977/847777/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 977

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Pipkin” and substitute “Senators Pipkin, Astle, Glassman, Kittleman, Klausmeier, and Middleton”; in line 11, strike “report” and substitute “submit certain reports of”; and in line 12, strike “a certain date” and substitute “certain dates”.

AMENDMENT NO. 2

On page 2, in line 29, strike “and”; and in line 30, after “industry” insert “; and

(v) one representative from a federally qualified health center from the Eastern Shore, Southern Maryland, or Western Maryland”.

On page 3, in line 4, strike “Department of Health and Mental Hygiene” and substitute “Maryland Health Care Commission”; after line 22, insert:

“(v) the adequacy of health care services for persons with disabilities and the homeless;”;

in lines 23 and 26, strike “(v)” and “(vi)”, respectively, and substitute “(vi)” and “(vii)”, respectively; in line 25, strike “and”; after line 27, insert:

“(viii) the state of preparedness of rural communities for implementing the federal Patient Protection and Affordable Care Act; and”;

in line 29, after “(g)” insert “(1)”; in the same line, strike “report its” and substitute “submit an interim report of its preliminary”; and after line 32, insert:

“(2) On or before December 1, 2014, the Task Force 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 Finance Committee and the House Health and Government Operations Committee.”.

On page 4, in line 2, after “year” insert “and 6 months”; and in the same line, strike “June 30” and substitute “December 31”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 1026 – Senator Colburn

AN ACT concerning

Honey – License Exemptions

SB1026/787075/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1026

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, 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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 1057 – Senator Middleton

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Staff Agencies – Regulation

SB1057/307073/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 1057

(First Reading File Bill)

On page 1, at the top of the page, insert “EMERGENCY BILL”; in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez”; and in line 14, after “changes;” insert “making this Act an emergency measure.”.

On page 10, in lines 11 and 12, strike “shall take effect October 1, 2013” and substitute “is an emergency measure, is necessary for the immediate preservation of”.

the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF JOINT RESOLUTIONS

Senator Muse moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Joint Resolution, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Joint Resolution 5 – Senator Muse

A Senate Joint Resolution concerning

Public-Private Partnerships

FOR the purpose of stating the actions the State will take regarding public-private partnerships.

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

INTRODUCTION OF BILLS

Senator Jennings moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1070 – Senator Jennings

AN ACT concerning

Baltimore County – Correctional Officers’ Bill of Rights

FOR the purpose of adding Baltimore County to the provisions of law relating to the Cecil County, Garrett County, and St. Mary's County Correctional Officers' Bill of Rights; and generally relating to the Correctional Officers' Bill of Rights.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–1002
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 718)

ADJOURNMENT

At 2:16 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 3:00 P.M. on Legislative Day March 21, 2013, Calendar Day, Monday, March 25, 2013 in memory of Captain Sara M. Cullen.

Annapolis, Maryland
Legislative Day: March 21, 2013
Calendar Day: Monday, March 25, 2013
3:00 P.M. Session

The Senate met at 3:23 P.M.

Prayer by Pastor George W. Raduano, Trinity Assembly of God, guest of Senator Brochin.

(See Exhibit A of Appendix III)

The Journal of March 20, 2013 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 720)

Maryland Day Presentation by the Honorable Roy Dyson

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 216	Sen. Glassman	Harford County – Correctional Officers’ Bill of Rights
SB 749	Sen. Middleton	Maryland Automobile Insurance Fund – Operational Changes

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 4 – Delegates Haddaway–Ricchio and Eckardt

AN ACT concerning

Alcoholic Beverages – Brewery License – On-Premises Consumption

FOR the purpose of authorizing brewery licensees to sell beer to certain persons for on-premises consumption under certain circumstances; requiring a certain local licensing board to grant an on-site consumption permit to an applicant that holds certain licenses; providing that an on-site consumption permit entitles the holder to sell beer brewed at the brewery for on-premises consumption to persons that have attained the legal drinking age; providing that before a local licensing board that does not issue a Class D beer license may grant a permit, the local licensing board shall establish an equivalent license and require that the applicant obtain that license; limiting the total amount of beer that may be sold annually by a licensee under this Act; authorizing a local licensing board to charge a certain fee and require that a certain person comply with certain alcohol awareness training requirements; and generally relating to alcoholic beverages in the State.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2-206
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 87 – Delegates Luedtke, Frick, A. Miller, Serafini, Walker, and Zucker

AN ACT concerning

Income Tax – Subtraction Modification – Student Loan Debt

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain income of certain individuals from the discharge of student loan indebtedness under certain circumstances; requiring an individual to submit certain documentation to qualify for the subtraction modification; providing that the amount of the subtraction modification may not exceed a certain amount for certain taxpayers; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain income from the discharge of certain indebtedness.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10-207(a)

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

BY adding to

Article – Tax – General
Section 10–207(aa)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 128 – Delegates M. Washington, Anderson, Beidle, Braveboy, Gaines, Lafferty, Luedtke, McDermott, McIntosh, Mitchell, Mizeur, B. Robinson, Rudolph, Stukes, Summers, ~~and Tarrant~~ Tarrant, A. Washington, Frick, McMillan, A. Miller, Hixson, F. Turner, Afzali, Barve, Boteler, Branch, Cardin, Fisher, George, Harper, Howard, Ivey, Kaiser, Myers, Serafini, and Walker

EMERGENCY BILL

AN ACT concerning

Homestead Tax Credit – Eligibility Verification and Application – ~~Extension~~

FOR the purpose of altering the ~~date by which~~ dates by which certain applications for the homestead property tax credit may not be authorized or granted unless a certain application is for certain dwellings are required to be filed with the State Department of Assessments and Taxation; altering the taxable years in which the tax credit may not be granted for certain dwellings under certain circumstances; making this Act an emergency measure; and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,

Article – Tax – Property
Section 9–105(d)(1)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 9–105(d)(6)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 129 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Task Force to Study Implementing a Civil Right to Counsel in Maryland

FOR the purpose of establishing the Task Force to Study Implementing a Civil Right to Counsel 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 study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to certain public officials on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Implementing a Civil Right to Counsel in Maryland.

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 221 – Delegates Rosenberg, Barve, Cardin, Ivey, and Summers

AN ACT concerning

Election Law – Petitions – Prohibited Actions

FOR the purpose of ~~prohibiting a person from willfully and knowingly obtaining or attempting to obtain a signature on a petition by certain means~~; prohibiting a person from willfully and knowingly preventing, hindering, or delaying another person from signing a petition by certain means; and generally relating to prohibited actions relating to petitions.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 16–401
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 235 – Delegates McComas, Afzali, Cluster, Dwyer, Fisher, Frank, George, Glass, Impallaria, Jacobs, Kach, Krebs, McConkey, McDermott, McDonough, Norman, Schulz, Sophocleus, Stocksdale, Szeliga, Vitale, and Wood

AN ACT concerning

Property Tax – ~~Assessment Worksheets – Internet Access~~ Valuation of Residential Real Property – Database

FOR the purpose of requiring the State Department of Assessments and Taxation to maintain a database, available to the public on the Department’s Web site, ~~of assessment worksheets and cards~~ relate ~~relates~~ to the valuation of certain real property in the State and includes certain information; ~~providing that assessment worksheets and cards may not include certain statements~~; and generally relating to a database, accessible to the public, of real property ~~assessment worksheets and cards~~ valuation information.

BY adding to

Article – Tax – Property
Section 14-201~~(e)~~ (b)(4)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 291 – Delegate Feldman

AN ACT concerning

Real Property – ~~Stopping Fraud in Maryland~~ Mortgage Assistance Relief Services Act ~~of 2013~~

FOR the purpose of ~~requiring certain mortgage assistance relief service providers to~~ establishing that a mortgage assistance relief service provider providing mortgage assistance relief service in connection with a dwelling in the State that does not comply with certain provisions of federal law is in violation of this Act; authorizing the Attorney General or the Commissioner of Financial Regulation to seek an injunction to prohibit a violation of certain provisions of this Act; 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; authorizing the Attorney General and the State’s Attorney to conduct the criminal investigation and prosecution of ~~mortgage assistance relief services~~ violations under certain provisions of this Act; authorizing a private right of action for a violation ~~of certain provisions~~ of this Act under certain circumstances; establishing the venue for certain ~~actions~~ violations of this Act; imposing certain penalties for a violation of ~~certain provisions of this Act~~ under certain circumstances; 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; establishing that a certain attorney exception in federal law applies only to certain individuals; 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; defining certain terms; establishing that this Act supersedes certain provisions of law under certain circumstances~~ declaring the intent of the General Assembly; and generally relating to mortgage assistance relief services.

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)

BY adding to

Article – Real Property
Section 7–501 through ~~7–510~~ 7–511 to be under the new subtitle “Subtitle 5.
Maryland Mortgage Assistance Relief Services Act”
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 320 – ~~Chair, Baltimore County Delegation (By Request – Baltimore County Administration)~~ Baltimore County Delegation

AN ACT concerning

**Vehicle Laws – Registration Plates for Individuals with Disabilities –
Parking in Baltimore County**

FOR the purpose of authorizing an individual for whom special registration plates for individuals with disabilities are issued to park in a designated zone for the handicapped established by Baltimore County on any county road, subject to a certain restriction; making a stylistic change; and generally relating to parking in Baltimore County and special registration plates for individuals with disabilities.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 13–616(f)(2)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 335 – Delegates Mitchell, Anderson, Conaway, Haynes, McIntosh,
Oaks, B. Robinson, Stukes, Tarrant, and M. Washington**

AN ACT concerning

**Baltimore City – ~~Community Development Projects~~ – Payment in Lieu of
Taxes Agreements – Economic Development Projects**

FOR the purpose of ~~authorizing the City of Baltimore to exempt certain real estate development projects that provide job opportunities and involve private investment of less than specified amounts and are located outside of a specified urban renewal area from Baltimore City real property tax if the owner of the project and Baltimore City enter into a certain payment in lieu of taxes agreement; defining a certain term; altering the definition of “economic development project” used for certain provisions of law relating to payment in lieu of taxes agreements in Baltimore City to remove the requirement that the project must be located in a certain urban renewal area; making conforming changes; providing for the application of this Act; and generally relating to payment in lieu of taxes agreements for certain ~~real estate~~ economic development projects in Baltimore City.~~

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–504.3
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 420 – Chair, Environmental Matters Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Payment of Tolls

FOR the purpose of altering procedures of the Maryland Transportation Authority for the collection of unpaid tolls through a certain notice and a citation for toll violations; altering the contents of a certain citation; altering procedures for paying or contesting the amounts due under a citation; providing for the

admissibility and prima facie effect of the information in a citation in any proceeding to contest liability; altering certain defenses to a citation; altering procedures for collection of unpaid tolls and civil penalties; authorizing the publication of the names of toll violators; providing for the payment of court costs in certain toll violation cases; providing that a certain surcharge may not be added to court costs imposed in certain toll violation cases; establishing the venue for contesting a citation; authorizing reciprocal agreements with other jurisdictions for enforcement of toll violations; defining certain terms; altering certain definitions; clarifying language; making conforming changes; providing for the application of this Act to certain tolls previously incurred; requiring the Authority to adopt certain regulations before a certain date; providing for the effective dates of this Act; and generally relating to the issuance of citations for nonpayment of tolls on Maryland Transportation Authority facilities.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–301(a)(1) and (2) and (f)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–616(m)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1414, 26–401, and 27–110
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Transportation
Section 21–1415
Annotated Code of Maryland
(2012 Replacement Volume)

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

**House Bill 431 – Chair, Economic Matters Committee (By Request –
Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Maryland Insurance Acquisitions Disclosure and Control Act –
Revisions**

FOR the purpose of authorizing the Maryland Insurance Commissioner to participate in a certain supervisory college; describing the powers of the Commissioner with respect to supervisory colleges; authorizing the Commissioner to enter into certain agreements; providing that the purposes of certain provisions of law include promoting the public interest by providing standards governing material transactions between an insurer and its affiliates; adding a factor to be considered in determining whether an insurer's assets and surplus as regards policyholders are reasonable in relation to the insurer's outstanding liabilities and adequate to its financial needs; providing for the confidentiality of certain documents and information under certain provisions of law; providing that certain information and documents are not subject to discovery or admissible in certain actions; providing that certain material may be made public under certain circumstances; providing that certain persons must comply with certain requirements before making certain tender offers for or agreements to merge with a person that controls a domestic insurer; requiring certain persons seeking to acquire control of a domestic insurer, persons that control a domestic insurer, or insurance holding companies controlling a domestic insurer to file a certain pre-acquisition notification; requiring a controlling person of a domestic insurer seeking to divest its controlling interest in the domestic insurer to file a certain notice; requiring certain persons seeking to acquire control of a domestic insurer to file a certain statement with the Commissioner and provide a copy to the domestic insurer; requiring the statement to include certain information; requiring the filing of an amendment to the statement under certain circumstances; establishing certain violations; requiring insurers subject to certain registration requirements to include certain information in the registration statement; requiring certain persons to file an annual enterprise risk report that includes certain information; authorizing the sharing of certain information in an enterprise risk report under certain circumstances; authorizing the Commissioner, in verifying information in the registration statement, including the enterprise risk to an insurer by an ultimate controlling person, to order certain insurers to produce certain information; authorizing the Commissioner to retain the services of certain persons to assist in the conduct of certain examinations; providing a process for reviewing disclaimers of affiliation and receiving an administrative hearing if a disclaimer of affiliation is denied; providing that an insurer that does not file a certain registration statement, summary, or enterprise risk report may be subject to a certain penalty; providing that when it appears to the Commissioner that a person has committed a certain violation, the violation may serve as an independent basis for disapproving certain dividends or distributions and for placing an insurer under a certain order of supervision; supplementing the standards to which certain transactions within an insurance holding company system are subject; providing that a certain notice be given before a domestic insurer and another member of the same insurance holding company system enter into certain transactions; providing that certain transactions are subject to certain notice requirements; altering the penalty amounts for persons that willfully violate certain provisions of law; requiring certain directors or officers of an insurance

holding company system who engage in certain activities to pay, in their individual capacity, a certain civil penalty under certain circumstances; authorizing the Commissioner to petition for certain injunctive or other relief under certain circumstances; authorizing the Commissioner to institute criminal proceedings in a certain court against certain persons under certain circumstances; establishing ~~a~~ certain criminal ~~penalty~~ violations subject to certain penalties; altering certain definitions; defining certain terms; providing for a delayed effective date; and generally relating to the Maryland Insurance Acquisitions Disclosure and Control Act.

BY adding to

Article – Insurance
Section 2–209.1, 7–608, 7–802.1, and 7–807
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 2–209(g)(1), 7–101, 7–102, 7–105, 7–106, 7–201, 7–302 through 7–304,
7–306, 7–309, 7–603, 7–605 through 7–607, 7–702, 7–703, 7–802, and
7–805
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article – Insurance
Section 7–807
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 443 – Delegate Dumais

AN ACT concerning

Criminal History Records Checks – Informal Child Care Providers

FOR the purpose of altering certain provisions of law relating to individuals required to obtain a criminal history records check; requiring an adult known to be residing in an informal child care provider's home to obtain a criminal history records check; requiring certain informal child care providers to obtain a criminal history records check; requiring the Department of Public Safety and Correctional Services to provide certain applicants' State criminal records to the State Department of Education; providing for a delayed effective date; and generally relating to criminal history records checks of individuals who care for or supervise children.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–561(c), 5–562(a), and 5–564(b)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 489 – Delegates Mitchell, Anderson, Burns, Conaway, DeBoy, Dumais, Glenn, Haynes, Ivey, Lafferty, Lee, McIntosh, Mizeur, Niemann, B. Robinson, Stukes, Valentino–Smith, Vaughn, and M. Washington

AN ACT concerning

**Criminal Law – Threat Against State or Local Official – ~~Definitions~~
Expansion**

FOR the purpose of making it a misdemeanor to knowingly and willfully make a threat to take the life of, kidnap, or cause physical injury to a deputy State's Attorney ~~or~~, an assistant State's Attorney, or an Assistant Public Defender; imposing certain penalties; and generally relating to the making of threats against deputy State's Attorneys ~~and~~, assistant State's Attorneys, and Assistant Public Defenders.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–708
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 542 – Delegates McConkey, Carter, Dumais, Frush, Glass, McComas, Parrott, and Valderrama

AN ACT concerning

Criminal Law – Aggravated Animal Cruelty – Baiting

FOR the purpose of prohibiting a person from using or allowing a dog to be used for baiting; prohibiting a person from possessing, owning, selling, transporting, or training a dog with the intent to use the dog for baiting; prohibiting a person from knowingly allowing certain premises to be used for baiting; defining a certain term; and generally relating to dogfights and baiting.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–607
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 559 – Washington County Delegation

AN ACT concerning

Washington County – Special Deputy Sheriffs – ~~Insurance Coverage~~

FOR the purpose of ~~establishing that county liability insurance shall be provided to a special deputy sheriff in Washington County only when the special deputy sheriff is performing certain duties~~ specifying that the duties to which the Sheriff of Washington County is required to assign special deputy sheriffs include certain duties; making the provision of county liability insurance to a special deputy sheriff discretionary, rather than mandatory; repealing a certain limitation on the provision of county liability insurance; establishing that designation as a special deputy sheriff does not authorize the special deputy sheriff to perform law enforcement duties outside the special deputy sheriff's jurisdiction except under certain circumstances; establishing that a special deputy sheriff is under the authority of the Sheriff of Washington County while the special deputy sheriff is performing certain duties; and generally relating to special deputy sheriffs in Washington County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(w)(4)(ii)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(w)(4)(iii) and (iv)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 604 – Delegate Hough

AN ACT concerning

Department of Juvenile Services – Graduated Responses – Report

FOR the purpose of requiring the Department of Juvenile Services to report to certain committees of the General Assembly on or before a certain date on the implementation of a system of graduated responses for children under the jurisdiction of the Department; defining a certain term; and generally relating to the Department of Juvenile Services and graduated responses.

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 639 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**~~Maryland–Washington Metropolitan District and~~ Regional District –
Boundaries – City of Laurel
MC/PG 111–13**

FOR the purpose of ~~altering a certain provision of law to provide that the boundaries of the Maryland–Washington Metropolitan District do not include certain property annexed by the City of Laurel during a certain time period;~~ altering a certain provision of law to provide that the boundaries of the Maryland–Washington Regional District include all of Prince George’s County except the City of Laurel as its boundaries are defined as of a certain date ~~and certain property annexed by the City of Laurel during a certain time period;~~ and generally relating to the boundaries of ~~the Maryland–Washington Metropolitan District and~~ the Maryland–Washington Regional District.

~~BY repealing and reenacting, without amendments,
Article – Land Use
Section 19–102
Annotated Code of Maryland
(2012 Volume)~~

BY repealing and reenacting, with amendments,
Article – Land Use
Section 20–101
Annotated Code of Maryland
(2012 Volume)

~~BY repealing and reenacting, with amendments,
Chapter 426 of the Acts of the General Assembly of 2012
Section 11–1(b)(3)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 642 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Sewage Leaks – Posting Requirements
MC/PG 114–13**

FOR the purpose of requiring the Washington Suburban Sanitary Commission to post warning signs at each public access point to a waterway that is contaminated by a sewage leak within a certain time period after a leak is reported under certain circumstances; requiring the Commission to post certain warning signs downstream from a certain leak in accordance with certain regulations; providing that the Commission is not required to post certain warning signs upstream from a certain leak; requiring the Commission to adopt regulations to implement this Act; defining a certain term; and generally relating to posting requirements about sewage leaks of the Washington Suburban Sanitary Commission.

BY adding to

Article – Public Utilities

Section 24–202 to be under the amended subtitle “Subtitle 2. Sewer Cleaning and Sewage Leaks”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 685 – Delegates Griffith, Anderson, Barnes, Barve, Bates, Bohanan, Cane, Conway, Costa, DeBoy, Holmes, Howard, Ivey, Jacobs, Jones, McConkey, McDermott, Mizeur, Morhaim, Nathan–Pulliam, Otto, Stocksdale, M. Washington, and Weir

AN ACT concerning

Libraries – County Library Capital Project Grant – Wealth–Based Cost Share

FOR the purpose of establishing a State cost share formula for county library capital projects that receive State funding; setting a minimum and a maximum State cost share percentage; and generally relating to the county library capital grant program.

BY repealing and reenacting, with amendments,

Article – Education

Section 23–510

Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 706 – Chair, Environmental Matters Committee (By Request –
Departmental – Natural Resources)**

AN ACT concerning

Natural Resources – Forest Preservation Act of 2013

FOR the purpose of requiring the Department of Natural Resources to provide a statewide forest resource inventory to local jurisdictions at certain intervals; declaring certain policies of the State with respect to forests; altering the defined term “construction activity” as it applies to reforestation requirements to include associated mitigation requirements; expanding the purpose and authorized uses of the Reforestation Fund to include financing tree planting on private land and financing the prevention of and response to forest health emergencies; extending the time frame within which the Department must accomplish certain reforestation requirements and for which certain funds are required to remain in the Reforestation Fund; repealing the requirements that the Department determine the meaning of “no net loss of forest”, develop related policies, and submit a certain report describing certain findings; defining the term “no net loss of forest”; altering the defined term “timber stand improvement” to include certain activities that improve forest health; altering the range of acres of land that a person is required to own or lease to be eligible for certification for a certain income tax subtraction or modification; altering certain prohibitions against setting certain fires; altering a certain minimum penalty for violating a certain prohibition against setting certain fires; exempting certain stream restoration projects and certain maintenance or retrofitting of a stormwater management structure from the requirements of the Forest Conservation Act; authorizing a local jurisdiction to waive the requirements of the Forest Conservation Act for certain previously developed areas; authorizing the Department to take certain action against a local jurisdiction for failure to comply with the Forest Conservation Act; requiring the Department of Planning, in consultation with the Department and the Sustainable Forestry Council, to provide certain technical assistance to local jurisdictions by a certain date; clarifying the intent of this Act with respect to the authority of the Department of Agriculture to establish forest policy; declaring a certain intent of the General Assembly; requiring the Department to convene a certain stakeholder group after a certain time to perform a certain review and make certain recommendations; making certain stylistic changes; defining certain terms; and generally relating to forest conservation and sustainability.

BY renumbering

Article – Natural Resources
Section 5–101(i), (j), (k), (l), and (m), respectively
to be Section 5–101(j), (k), (l), (m), and (n), respectively
Annotated Code of Maryland
(2012 Replacement Volume)

BY renumbering

Article – Natural Resources
Section 5–1601(ff), (gg), (hh), (ii), (jj), (kk), (ll), (mm), and (nn), respectively
to be Section 5–1601(gg), (hh), (ii), (jj), (kk), (mm), (nn), (oo), and (pp),
respectively
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Land Use
Section 1–101(o)
Annotated Code of Maryland
(2012 Volume)

BY repealing and reenacting, with amendments,

Article – Land Use
Section 1–408 and 3–104
Annotated Code of Maryland
(2012 Volume)

BY repealing and reenacting, without amendments,

Article – Natural Resources
Section 5–101(e), 5–103(a)(1) and (3), 5–1601(a), and 5–1602(a)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to

Article – Natural Resources
Section 5–101(i), 5–103(j), 5–1601(ff) and (ll), and 5–1602(b)(12) and (13)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 5–102, 5–103(a)(2) and (e), 5–219, 5–704, 5–1602(b)(10) and (11), and
5–1603(c)(3)(ii) and (e)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing

Article – Natural Resources

Section 5–104
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–208(i)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 720 – Washington County Delegation

AN ACT concerning

Washington County – Salary Study Commission – Updating Salary and Expense Provisions – ~~Membership~~

FOR the purpose of updating certain provisions concerning the salaries of certain county officials; altering the membership of the Washington County Salary Study Commission; repealing certain provisions relating to the expense allowance for the judges of the orphans’ court for Washington County; authorizing the Board of County Commissioners of Washington County to provide for a certain expense allowance for the judges of the orphans’ court for Washington County; and generally relating to the ~~Washington County Salary Study Commission~~ salaries and expenses of certain county officials in Washington County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–109(w)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 12–203(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 12–205
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 51(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Local Government
Section 16–205 and 28–203
Annotated Code of Maryland
(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
2013)

BY repealing and reenacting, without amendments,
Article – Local Government
Section 28–207 and 28–209
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 – Education
Section 3–1302
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section ~~2–108(v)(1)~~ 2–108(v)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

**House Bill 777 – Delegates K. Kelly, Anderson, Cluster, Dumais, Hough,
McDermott, Mitchell, Simmons, and Valentino-Smith**

AN ACT concerning

Criminal Procedure – Bail Bonds – Cash Bail

FOR the purpose of authorizing in circuit courts and in the District Court cash bail or cash bond to be posted by the defendant, by an individual, or by a certain private surety acting for the defendant under certain circumstances; requiring cash bail or cash bond to be posted by the defendant only, unless the order setting bail expressly provides otherwise, in cases involving a defendant's failure to pay support to certain individuals; providing for the repeal of laws inconsistent with this Act; and generally relating to bail bonds in circuit courts and in the District Court.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–203 and 5–205
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 781 – Delegate Gilchrist

AN ACT concerning

Vehicle Laws – Towing or Removal of Vehicles – ~~Mailing Charges~~ Notice

FOR the purpose of altering the ~~costs that~~ authority of a person who tows or removes a vehicle from a parking lot ~~may~~ to charge certain persons for providing the required notice of the tow or removal; altering the time period within which a person that tows or removes a vehicle from a parking lot is required to provide certain notice to certain persons; and generally relating to authorized notice charges for the towing or removal of a vehicle from a parking lot.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–10A–04
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 792 – Washington County Delegation

AN ACT concerning

Correctional Facilities – Inmate Programs in Washington County – Payment of Child Support

FOR the purpose of requiring an inmate participating in certain home detention, work release, or pretrial release programs in Washington County to be responsible for costs of child support; and generally relating to child support and inmate programs in Washington County.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–723
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 857 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Posthumously Conceived Child

FOR the purpose of requiring copies of certain documents concerning posthumous conception and birth of a child to be filed with a certain register of wills within certain times; providing that a person who distributes or delivers certain property and a transferee of the property may not be liable under certain circumstances for certain claims by a child who is posthumously conceived; altering a certain definition; providing for the application of this Act; and generally relating to certain property and the posthumous conception and birth of a child.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 1–205(a) and 3–107(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Estates and Trusts
Section 11–112
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 20–111
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 860 – Baltimore City Delegation

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 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 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(e–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
(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. 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 Budget and Taxation.

House Bill 863 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barnes, Barve, Bobo, Braveboy, Clagett, Clippinger, Cullison, DeBoy, Feldman, Frick, Frush, Gaines, Glenn, Gutierrez, Guzzone, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jameson, Jones, Kaiser, Kramer, Lafferty, Luedtke, Malone, McHale, McIntosh, A. Miller, Mizeur, Pena–Melnyk, Pendergrass, Proctor, Reznik, B. Robinson, Stein, F. Turner, V. Turner, Valderrama, A. Washington, M. Washington, and Zucker

AN ACT concerning

Higher Education Fair Share Act

FOR the purpose of altering the matters of negotiation that may be included in collective bargaining between an employee organization and certain system institutions, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College; requiring that written proof of employee payments to certain charitable organizations be furnished to the president of a

certain institution or the president's designee; and generally relating to collective bargaining for employees of certain State institutions of higher education.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–502
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 891 – Delegates McConkey, Love, and Schuh

AN ACT concerning

Anne Arundel County – Drug Free School Zones – Hotline Number on Signs

FOR the purpose of requiring that a certain hotline number to report information concerning suspected illegal drug activity be included on certain signs designating certain areas as drug free school zones in Anne Arundel County; and generally relating to drug free school zone signs in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–124
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 909 – Delegates Valentino-Smith, Clippinger, Swain, and Valderrama

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 Judicial Proceedings.

House Bill 942 – Delegate Lee (Commission on Maryland Cybersecurity Innovation and Excellence) and Delegates Arora, Conaway, DeBoy, Dumais, Glenn, Hough, McComas, McDonough, Mitchell, B. Robinson, Stocksdale, Stukes, Tarrant, F. Turner, Valderrama, Valentino-Smith, and Zucker

AN ACT concerning

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

FOR the purpose of prohibiting a person from knowingly, willfully, and with fraudulent intent, possessing, obtaining, or helping another to possess or obtain personal identifying information to access ~~medical~~ health information or ~~services~~ health care; prohibiting a person from knowingly and willfully assuming the identity of a natural or a fictitious person with fraudulent intent to access ~~medical~~ health information or ~~services~~ health care; prohibiting a person from using a certain device knowingly, willfully, and with fraudulent intent to access ~~medical~~ health information or ~~services~~ health care; providing penalties for a violation of this Act; authorizing a court to order a certain person to make restitution for clearing the ~~medical history or records~~ record or history related to health information or health care of a victim; defining certain terms; altering a certain definition; and generally relating to identity fraud.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301(a) through (d), (g), and (i)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 8–301(e), (f), (h), and (j)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 952 – Delegates Carter, Boteler, Braveboy, Cane, Carr, Conaway, Cullison, Fisher, Gutierrez, Haynes, Ivey, Jones, K. Kelly, McComas, McConkey, McDermott, A. Miller, W. Miller, Mitchell, Oaks,

**Pena–Melnyk, Proctor, B. Robinson, Simmons, Stukes, Tarrant,
F. Turner, V. Turner, Valderrama, Vallario, and Waldstreicher**

AN ACT concerning

**Correctional Services – Inmate Telephone Services – ~~Contracts~~ Legal
Counsel**

FOR the purpose of ~~providing that inmate telephone services contracts are subject to certain procurement laws; requiring the Department of Public Safety and Correctional Services to award inmate telephone services contracts to the bidder who submits the bid with the lowest cost to the telephone user; prohibiting the Department from accepting or receiving telephone commissions in excess of the Department's reasonable operating cost for establishing and administering telephone system services to inmates; providing for the application of this Act;~~ authorizing a State or local correctional facility to establish a certain system to enable legal counsel to initiate and conduct telephonic communications with certain clients; authorizing a State or local correctional facility to use any available governmental or private funding to finance a certain telephone communication system; and generally relating to inmate telephone services.

BY adding to

Article – Correctional Services

~~Section 10–5A–01 to be under the new subtitle “Subtitle 5A. Inmate Telephone
Services”~~ Section 9–614

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 964 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey,
Luedtke, Stukes, Summers, F. Turner, Walker, and A. Washington**

AN ACT concerning

**Community Colleges – ~~State Funding Formula~~ – Grants for English for
Speakers of Other Languages Programs – Repeal of Total Amount Limitation**

FOR the purpose of removing the limit on the total amount of grants that may be distributed to certain community colleges to provide instruction and services to certain students enrolled in English for Speakers of Other Languages programs; and generally relating to grants for community colleges for English for Speakers of Other Languages programs.

BY repealing and reenacting, with amendments,

Article – Education

Section 16–305(e) and 16–508

Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 983 – Delegates Hixson, Branch, George, Ivey, Kaiser, Luedtke,
A. Miller, Walker, and A. Washington**

AN ACT concerning

Public Schools – Emergency Management Plans – Evaluations

FOR the purpose of requiring each county board of education to evaluate the ~~effectiveness of the~~ emergency management plan in each public school under the jurisdiction of the county board on or before a certain date; requiring each county board of education to report to the State Department of Education on a certain evaluation on or before a certain date; requiring the Department to make a certain report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the evaluation of emergency management plans in the public schools in the State.

BY adding to

Article – Education
Section 7–435
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

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**

FOR the purpose of prohibiting a retail alcoholic beverages licensee in Prince George’s County from selling alcoholic beverages by means of a self-scanning cash register or a certain other automated system that may be operated on a self-service basis by a customer; providing a certain penalty; and generally relating to the retail sale of alcoholic beverages in Prince George’s County.

BY adding to

Article 2B – Alcoholic Beverages
Section 12–217.1

Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1131 – Delegate Hixson

AN ACT concerning

Commission on the Establishment of a Maryland Educators Service Memorial

FOR the purpose of establishing the Commission on the Establishment of a Maryland Educators Service Memorial; providing for the composition, chair, and staffing of the Commission; requiring that the members of the Commission be appointed on or before a certain date; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; specifying the duties of the Commission; requiring the Commission to report its initial 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 Commission on the Establishment of a Maryland Educators Service Memorial.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1161 – Delegates A. Washington, Afzali, Branch, Clippinger, George, Hixson, Howard, Ivey, Kaiser, Luedtke, McConkey, A. Miller, Summers, Waldstreicher, ~~and Walker~~ Walker, Barve, Boteler, Cardin, Fisher, Frick, Harper, Myers, Serafini, Stukes, and F. Turner

AN ACT concerning

Commission on Special Education Access and Equity

FOR the purpose of establishing the Commission on Special Education Access and Equity; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to study and make recommendations regarding certain matters; requiring the Commission to report its findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Commission on Special Education Access and Equity.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1166 – Delegate Davis

AN ACT concerning

Insurance – Ceding Insurers and Reinsurance

FOR the purpose of requiring that a domestic ceding insurer be allowed credit for reinsurance in certain manners under certain circumstances; providing for certain credit for reinsurance to be allowed under certain circumstances depending on the licensure or authorization status and accreditation status of the assuming insurer; establishing certain requirements and procedures for an assuming reinsurer to be accredited by the Maryland Insurance Commissioner; providing that an assuming reinsurer is deemed to be qualified under certain circumstances; requiring an assuming reinsurer to report certain information each year to the Commissioner for certain purposes and to submit to examination in a certain manner; prohibiting credit for reinsurance to be granted unless a certain trust has been approved by a certain official; establishing certain requirements for certain trusts; providing for the duration of a certain trust; requiring the trustee of a certain trust to report and certify certain information to the Commissioner; establishing certain requirements for certain trusts used by certain insurers; providing for the certification of certain insurers as reinsurers in this State in accordance with certain requirements and procedures; requiring the Commissioner to maintain a certain list of qualified jurisdictions in which an assuming insurer may be domiciled and considered for certification; providing certain criteria for the Commissioner to consider in recognizing certain qualified jurisdictions; requiring the Commissioner to consider a certain list of jurisdictions published through a certain association for certain purposes; requiring the Commissioner to assign certain ratings to certain certified reinsurers in a certain manner and to publish a list of the reinsurers and their ratings; authorizing the Commissioner to ~~refer~~ to use information on the certification and rating assigned by certain jurisdictions under certain circumstances for certain purposes; providing for the maintenance of certification in an inactive status under certain circumstances; requiring a certified reinsurer to secure certain obligations in certain manners and forms and at certain levels; requiring the Commissioner to reduce certain allowable credit under certain circumstances; authorizing the Commissioner to suspend or revoke the accreditation or certification of a reinsurer in a certain manner under certain circumstances; limiting the qualification for credit of certain reinsurance contracts under certain circumstances; prohibiting certain credit if the assuming insurer is not licensed, accredited, or certified except under certain circumstances and in a certain manner; providing for the construction of a certain provision of this Act; providing for certain assets or reductions from liability for certain reinsurance in a certain manner under certain circumstances; requiring certain security to be in certain forms and held

in certain places and certain institutions; requiring a ceding insurer to take certain steps to manage certain reinsurance recoverables and to notify the Commissioner in certain manners; requiring a ceding insurer to diversify its ~~portfolio~~ reinsurance program and notify the Commissioner in certain manners; authorizing the Commissioner to adopt certain regulations; repealing certain obsolete provisions; defining certain terms; providing that certain laws of the State inconsistent with this Act are superseded to the extent of the inconsistency; providing that credit for reinsurance ceded to a reinsurer under this Act may be allowed only for certain contracts entered into or renewed on or after a certain date; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to insurance and reinsurance.

BY repealing and reenacting, with amendments,
 Article – Insurance
 Section 5–901 through 5–904
 Annotated Code of Maryland
 (2011 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, without amendments,
 Article – Insurance
 Section 5–902
 Annotated Code of Maryland
 (2011 Replacement Volume and 2012 Supplement)~~

BY adding to
 Article – Insurance
 Section ~~5–902.1~~ and 5–903 and 5–906 through ~~5–914~~ 5–916
 Annotated Code of Maryland
 (2011 Replacement Volume and 2012 Supplement)

BY repealing
 Article – Insurance
 Section ~~5–903, 5–904, and 5–905~~
 Annotated Code of Maryland
 (2011 Replacement Volume and 2012 Supplement)

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

House Bill 1170 – Delegate Lafferty

AN ACT concerning

Maryland Smart Growth Investment Fund Workgroup

FOR the purpose of requiring the Secretary of Housing and Community Development to convene a workgroup to examine creating the Maryland Smart Growth

Investment Fund; requiring the workgroup to include certain representatives; prohibiting a member of the workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the workgroup to evaluate and make recommendations regarding certain matters; requiring the Secretary to report the findings and any recommendations of the workgroup on or before a certain date; providing for the termination of this Act; and generally relating to creating the Maryland Smart Growth Investment Fund.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

House Bill 1179 – Delegates Conway and Cane

AN ACT concerning

Vehicle Laws – Motor Scooters and Mopeds – Special Dealer Decals

FOR the purpose of authorizing a motor scooter or moped dealer to apply to the Motor Vehicle Administration for the issuance of special dealer decals; authorizing a motor scooter or moped dealer that attaches a special dealer decal to certain motor scooters or mopeds to, as authorized by law, drive the motor scooters or mopeds on a highway or allow, for demonstration purposes, a prospective buyer to drive the motor scooters or mopeds on a highway; prohibiting a motor scooter or moped dealer from allowing a person who does not hold and display a valid driver's license or moped operator's permit to drive a motor scooter or moped on a highway; requiring a special dealer decal to be manufactured in a certain manner; requiring a special dealer decal to display a unique number sequence assigned by the Administration; requiring the Administration to set the fee for a special dealer decal; and generally relating to special dealer decals for motor scooter or moped dealers.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–106

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1236 – Delegates Hixson and A. Miller, A. Miller, and Rosenberg

AN ACT concerning

Recordation and Transfer Taxes – Low Income Housing Projects – Controlling Interest

FOR the purpose of establishing the consideration used to calculate the recordation and State and county transfer tax on certain transactions for which a controlling interest is conveyed; defining certain terms; making conforming and stylistic changes; providing for the application of this Act; and generally relating to the recordation of State and county transfer taxes.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–101(g) through (l), 12–103(a), 13–101(g) and (h), 13–103(a), 13–203(a), and 13–412

Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to

Article – Tax – Property

Section 12–101(a–1) and (g), 12–103(a–1), 13–101(a–1) and (g), and 13–203(a–1), and ~~13–412(e)~~

Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing

Article – Tax – Property

Section 12–117(a)(6)

Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 1302 – Delegates Dumais, Serafini, Fisher, George, Hixson, Luedtke, McMillan, Myers, O'Donnell, Simmons, ~~and F. Turner~~
F. Turner, Afzali, and Cardin**

AN ACT concerning

Commission on Tax Policy, Reform, and Fairness

FOR the purpose of establishing the Commission on Tax Policy, Reform, and Fairness; specifying the membership of the Commission; providing for the appointment of a Senate cochair and House cochair of the Commission; providing for the staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to study, consider, and make recommendations regarding certain matters; requiring the Commission 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 Commission on Tax Policy, Reform, and Fairness.

Read the first time and referred to the Committee on Budget and Taxation.

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

FOR the purpose of altering the type of positions and the number of certain positions to which the Baltimore City Sheriff may appoint employees; increasing a certain annual expense allowance for certain deputy sheriffs; altering certain surcharges on filing fees in the District Court in Baltimore City; requiring certain revenue to be remitted quarterly to the Baltimore City Director of Finance and used to fund the enhancement of sheriff benefits and the increase in sheriff personnel for a certain purpose; authorizing the Sheriff to collect certain surcharges on fees for certain types of service; requiring certain revenue to be used to fund the enhancement of sheriff benefits and the increase in sheriff personnel for a certain purpose; and generally relating to the Baltimore City Sheriff and certain filing and service of process fees in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 2–309(a) and (a–1) and 7–402(b) and (e)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(d)(1), 7–301(c), and 7–402(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 7–402(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1349 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County Sheriff – ~~Salary Increase~~ Compensation and Salaries
PG 319–13

FOR the purpose of ~~increasing the annual salary of the Sheriff of Prince George's County to a certain amount over a certain time period~~ repealing the method of determining the annual salary of the Sheriff of Prince George's County beginning with a certain calendar year; providing that beginning with a certain calendar year, the annual salary of the Sheriff shall equal the salary of a circuit court judge; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff during a certain term of office; and generally relating to the salary of the Sheriff of Prince George's County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2-309(r)(1)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1407 – Howard County Delegation

AN ACT concerning

Howard County – Orphans' Court Judges – Salary Ho. Co. 12-13

FOR the purpose of altering the salary of each judge of the Orphans' Court for Howard County and the annual salary of the Chief Judge of the Orphans' Court for Howard County; and providing that this Act does not apply to the salary or compensation of a judge or the Chief Judge of the Orphans' Court for Howard County during a certain term of office.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2-108(o)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

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

FOR the purpose of authorizing the Maryland–National Capital Park and Planning Commission to enter into an agreement for payment in lieu of certain taxes with the owner of a facility for the generation of electricity that locates in Prince George’s County; requiring that a payment in lieu of taxes agreement include certain provisions; requiring the Commission to obtain certifications of certain facts from certain officials and approvals from certain officials of Prince George’s County before entering into or amending a payment in lieu of taxes agreement; requiring a payment in lieu of taxes to be distributed to funds of the Commission in a certain manner; exempting real or personal property of a facility for the generation of electricity that locates in Prince George’s County from certain taxes as specified in a payment in lieu of taxes agreement; providing for a delayed effective date; providing for the application of this Act; and generally relating to authorizing the Maryland–National Capital Park and Planning Commission to enter into a payment in lieu of taxes agreement with a facility for the generation of electricity that locates in Prince George’s County.

BY adding to

Article – Land Use
Section 18–309
Annotated Code of Maryland
(2012 Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1513 – Delegate Hixson

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 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1515 – The Speaker (By Request – Administration)

AN ACT concerning

Transportation Infrastructure Investment Act of 2013

FOR the purpose of altering the distribution of motor fuel tax revenue; ~~reducing certain motor fuel tax rates on a certain date~~; requiring that certain motor fuel tax rates be increased on a certain date each year based on the percentage growth in a certain index; requiring the Comptroller to determine and announce the percentage growth in a certain index and certain motor fuel tax rates on a certain date each year; requiring that certain motor fuel tax rates remain unchanged if there is a decline or no growth in a certain index; limiting the increase in certain motor fuel tax rates by a certain amount of the motor fuel tax rate effective in the previous year; requiring the Comptroller to determine and announce a certain average retail price of motor fuel and a certain sales and use tax equivalent rate ~~on a certain date each year~~; on certain dates; requiring a certain sales and use tax equivalent rate to be added to certain motor fuel tax rates and collected in the same manner as the motor fuel tax; providing that certain State laws and regulations that apply to the motor fuel tax also apply to a certain sales and use tax equivalent rate; requiring the Comptroller to determine a certain average retail price of motor fuel and a certain sales and use tax equivalent rate in a certain manner; requiring certain persons possessing motor fuel for sale on certain dates to remit certain taxes due on the motor fuel within a certain period of time; increasing a certain limit on the aggregate outstanding and unpaid principal balance of consolidated transportation bonds; providing that revenue attributable to certain motor fuel taxes is pledged for paying the principal and interest on consolidated transportation bonds; altering certain provisions prohibiting the reversion or crediting of funds in the Transportation Trust Fund to the General Fund or a special fund except under certain circumstances; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes under certain circumstances; altering certain provisions requiring the repayment of funds transferred or diverted from the Transportation Trust Fund in a certain manner; requiring the Governor to include certain appropriations for a certain purpose in the operating or capital budgets for certain fiscal years; requiring the Maryland Transit Administration to increase fares for certain transit services in a certain manner; providing that the Administration is not required to conduct

certain public hearings before implementing certain fare increases; altering the amount of a certain surcharge required to be paid in addition to the registration fee required for certain motor vehicles; altering the distribution of sales and use tax revenue to the Transportation Trust Fund under certain circumstances; altering the manner in which a certain sales and use tax equivalent rate imposed on motor fuel is determined under certain circumstances; requiring the Governor to appoint a certain task force to study regional transit financing and local transportation revenues; requiring the task force to submit a report to the Governor and the General Assembly by a certain date; stating the intent of the General Assembly that certain alternative financing mechanisms be utilized to deliver transportation projects; requiring the Department of Transportation to submit a report concerning alternative financing strategies to the Governor and General Assembly on or before a certain date; requiring the Department to issue a certain Request for Information for a certain transit line on or before a certain date; requiring the Department to study the implementation of a certain program to provide transit services at a free or reduced fare for certain individuals; requiring the Department to submit a certain report concerning a certain voucher program to the Governor and the General Assembly on or before a certain date; providing that certain sales and use tax revenue distributed to the Transportation Trust Fund is not pledged for paying the principal and interest on certain bonds; stating the intent of the General Assembly that revenue attributable to an increase in a certain surcharge on motor vehicle registrations be spent in a certain manner; requiring the Department to submit a report concerning certain increases in the motor fuel tax rates to the Governor and certain committees of the General Assembly on or before a certain date; repealing certain obsolete provisions; defining certain terms; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act; and generally relating to transportation financing and transportation infrastructure investment.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1103, 2–1303, and 9–305
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Tax – General
Section 2–1302.2 and 9–306
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section ~~3–202, 3–215, 3–216, 3–217, and 7–208(b–1)~~ 7–208(b–1), and 7–506(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Transportation
Section ~~7-208(b-2)~~ and 8-613.3
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 13-954
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1531 – Delegate O’Donnell

AN ACT concerning

Election Law – Prince George’s County Republican Party Central Committee – Membership

FOR the purpose of authorizing a member of the Prince George’s County Republican Party Central Committee to run at large to fill certain seats; altering the composition of the committee; making a conforming change; and generally relating to the Prince George’s County Republican Party Central Committee.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 4-203(g)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 48 – ~~Delegate B. Robinson~~ Delegates B. Robinson, Hammen, Donoghue, Elliott, A. Kelly, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, and V. Turner

AN ACT concerning

Minority Business Enterprises – Not-for-Profit Entities

FOR the purpose of requiring certain entities to include in certain contracts a certain requirement for procuring janitorial products; excluding a not-for-profit entity organized to promote the interests of physically or mentally disabled individuals

from a certain definition of minority business enterprise; prohibiting certain contracts from being counted as part of a unit of State government's total dollar value of procurement contracts; authorizing a certain not-for-profit entity participating as a minority business enterprise on a certain procurement contract awarded by a unit before a certain date to continue to participate in that contract until the contract terminates; providing that the not-for-profit entity's participation may not be counted toward achieving certain minority business enterprise participation goals and the unit may not require that a certified minority business enterprise be substituted for the not-for-profit entity in order to meet certain minority business enterprise goals; requiring certain State or State aided or controlled entities, the University System of Maryland, St. Mary's College of Maryland, and Morgan State University to submit certain forecasts and reports to the Department of General Services on or before certain dates; requiring certain preferred providers to report to the Department of General Services on or before a certain date; requiring the Department of General Services to report to the Board of Public Works and certain committees of the General Assembly on or before a certain date; requiring the Department of General Services, on or before a certain date, to identify certain State or State aided or controlled entities required to submit certain reports; requiring the Department of Disabilities, in consultation with certain entities, to undertake certain studies evaluations and submit certain reports to the Legislative Policy Committee a final report on the studies certain committees on or before a certain date dates; providing for the application of this Act; defining a certain term; terms; providing for a delayed effective date for certain provisions of this Act; and generally relating to minority business enterprise participation in State procurement.

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 14-101 through 14-103, 14-301 and 14-302(a)(1) and (11)
 Annotated Code of Maryland
 (2009 Replacement Volume and 2012 Supplement)

BY adding to
 Article – State Finance and Procurement
 Section 14-110 and 14-302(a)(12)
 Annotated Code of Maryland
 (2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 125 – Delegate Stukes

AN ACT concerning

Tax Sales – Reimbursement for Attorney's Fees

FOR the purpose of providing that a plaintiff or holder of a certificate of sale in a foreclosure action may be reimbursed up to a certain amount for reasonable attorney's fees for certain participation in a bankruptcy proceeding or for opening an estate for certain purposes; providing that a plaintiff or holder of a certificate of sale in a foreclosure action may be reimbursed up to a certain amount for certain expenses incurred for opening an estate for certain purposes; and generally relating to tax sales of property.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–833(a) and (a–1)(1) and (3)(vi)4.
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–843(a)(4)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 215 – Delegate Cane

AN ACT concerning

Natural Resources Police Force – Number of Officers

FOR the purpose of stating the intent of the General Assembly that the ~~Natural Resources Police Force~~ Governor include certain funding in the State budget in a certain manner to employ a certain number of certain Natural Resources police officers by a certain date; authorizing under certain circumstances, beginning in a certain fiscal year and continuing each subsequent year, the Natural Resources Police Force to increase the number of cadets and recruits enrolling in the Maryland Natural Resources Police Academy until the size of the force is sufficient to meet a certain mission of the Department; requiring the Natural Resources Police Force to provide certain reports to the General Assembly on or before certain dates; and generally relating to the staffing of the Natural Resources Police Force.

BY adding to
Article – Natural Resources
Section 1–201.2
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

House Bill 256 – ~~Delegate Clagett~~ Frederick County Delegation

AN ACT concerning

~~Land Use~~ Frederick County – Development Rights and Responsibilities Agreements – Direct Judicial Review

FOR the purpose of prohibiting, in Frederick County, a person aggrieved by a development rights and responsibilities agreement from filing an administrative appeal; authorizing, in Frederick County, a person aggrieved by a development rights and responsibilities agreement to seek direct judicial review by the circuit court by filing a request with the circuit court of the county; requiring that the judicial review be in accordance with the Maryland Rules; providing for a delayed effective date; and generally relating to development rights and responsibilities agreements in Frederick County.

BY adding to

Article – Land Use
Section 7–307
Annotated Code of Maryland
(2012 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 269 – Delegates Luedtke, Clippinger, Cullison, A. Kelly, S. Robinson, Summers, and Waldstreicher

AN ACT concerning

Public Schools – Requirements for Controlled Access

FOR the purpose of requiring a new school or a renovated school that receives State public school construction funds, including Aging Schools Program funds and Qualified Zone Academy Bonds, to be constructed or renovated to have controlled access to allow visitors to enter the school; providing for the application of this Act to the construction or the renovation of certain schools that ~~have not initiated a certain Request For Proposal on or before~~ are approved by the Interagency Committee on School Construction on or after a certain date; requiring the Board of Public Works to adopt certain regulations; defining a certain term; and generally relating to requirements for controlled access to allow visitors to enter public schools in the State.

BY adding to

Article – Education
Section 5–313
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

House Bill 396 – Delegates Cardin, Afzali, DeBoy, Gilchrist, Jameson, Luedtke, W. Miller, Mitchell, Morhaim, Olszewski, Rosenberg, Stein, Stocksdale, and Walker

AN ACT concerning

**Criminal Law – ~~Electronic Harassment of a Minor~~ Misuse of Interactive Computer Service
(Grace’s Law)**

FOR the purpose of prohibiting a person from using ~~a computer or computer network to cause a minor or another person to reasonably fear for the safety of the minor under certain circumstances; prohibiting a person from using a computer or computer network to engage in conduct which would constitute sexual harassment of a minor; prohibiting a person from using a computer or computer network to disseminate certain data with the malicious intent to psychologically torment or harass a minor; prohibiting a person from using a computer or computer network to make any statement intended to provoke or likely to provoke a third party to stalk or harass a minor~~ an interactive computer service to maliciously engage in a certain course of conduct that inflicts serious emotional distress on a minor or places a minor in reasonable fear of death or serious bodily injury under certain circumstances; defining a certain term; establishing a certain penalty for a violation of this Act; and generally relating to electronic harassment.

~~BY renumbering~~

~~Article – Criminal Law
Section 3–805.1
to be Section 3–805.2
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)~~

~~BY adding to~~ repealing and reenacting, with amendments,

Article – Criminal Law
Section ~~3–805.1~~ 3–805
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 419 – Delegate Frick

AN ACT concerning

Personal Property Tax – Liens for Unpaid Tax

FOR the purpose of ~~requiring liens for unpaid tax on personal property to be recorded and indexed in the office of the clerk of the circuit court of a county where the tax is owed; providing that a lien for unpaid tax on personal property is subordinate to a certain security interest in personal property; providing that a certain secured party may satisfy a tax lien on secured property under certain circumstances; requiring the secured party to send certain written notice under certain circumstances; requiring the secured party to pay a certain share of personal property taxes owed in a certain manner; requiring a certain county or municipality to provide a certain response and make certain attempts to resolve disputes concerning a certain amount owed under certain circumstances; providing that if the secured party fails to provide certain notice and payment, the secured party may not satisfy the personal property tax lien in a certain manner; providing that a certain secured party has a certain burden of proof under certain circumstances; providing a secured party a certain right of contribution; providing for the construction of this Act; and generally relating to~~ liens for unpaid tax on personal property.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~14-804~~ and 14-805
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 572 – Delegates Beidle and Frush

AN ACT concerning

Natural Resources – Tree Expert License – Qualifications

FOR the purpose of reducing the number of years of a certain apprenticeship period that may qualify an individual for a tree expert license; requiring a licensed tree expert to complete a certain professional development curriculum to qualify for license renewal; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to tree expert license qualifications.

BY repealing and reenacting, with amendments,
Article – Natural Resources

Section 5-418 and 5-419
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5-419

Annotated Code of Maryland

(2012 Replacement Volume)

(As enacted by Chapter 20 of the Acts of the General Assembly of 2011)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 585 – Delegates Reznik, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Frick, Healey, Hubbard, A. Kelly, Kipke, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, B. Robinson, Tarrant, and V. Turner

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

FOR the purpose of prohibiting a prime contractor from requiring certain bonding from a subcontractor on certain procurement contracts that is more stringent than certain bonding requirements for prime contractors on certain procurement contracts under a certain circumstance; ~~requiring certain prime contractors and the State to be dual obligees on certain bonds under a certain circumstance; establishing certain underwriting requirements for certain bonds that are provided by subcontractors; requiring a subcontractor to provide certain evidence with a certain bond under certain circumstances; requiring a procurement officer to make a certain determination and to obtain advice from the Office of the Attorney General under certain circumstances; requiring a contractor to accept certain bonding from a subcontractor under certain circumstances; requiring certain agencies to provide certain notice on bid security to certain bidders;~~ and generally relating to bonding requirements for subcontractors on procurement contracts with the State.

BY adding to

Article – State Finance and Procurement

Section 13-227

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 598 – Delegate Carr

AN ACT concerning

Water and Sewer Service – Billing Period

FOR the purpose of authorizing a political subdivision to bill for water service on an every other month basis; authorizing the Washington Suburban Sanitary Commission to bill for water and sewer usage charges on an every other month basis; and generally relating to bills for water and sewer service.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–720

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–724(c)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 16–101(a) and (b)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 25–504(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

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

FOR the purpose of authorizing ~~municipal corporations~~ municipalities and certain counties to finance the cost of certain infrastructure improvements in a sustainable community in the same manner as a transit-oriented development under certain circumstances; authorizing a political subdivision to use certain alternative local tax revenues for tax increment financing in connection with a sustainable community under certain circumstances; providing that bonds can be used for certain purposes in sustainable communities under certain circumstances; authorizing a political subdivision to determine a certain base of a certain brownfields site in a sustainable community under certain circumstances; authorizing a political subdivision to pledge tax increment revenue to secure the payment of obligations to the Maryland Economic Development Corporation for infrastructure improvements located in a sustainable community; providing for the construction of this Act; providing that certain political subdivisions will get priority for State funding under certain circumstances; defining and altering certain terms; providing that the Mayor and City Council of Baltimore City may use certain authority granted under State law to a political subdivision for tax increment financing in a sustainable community for certain purposes; requiring the Department of Planning to produce a certain models and guidelines report on or before a certain date; requiring the Department to develop a certain online tax increment financing education course on or before a certain date; requiring certain officers of a local jurisdiction to complete a certain online tax increment financing education course before the local jurisdiction may use the tax increment financing authority under this Act; requiring the Department to create a certification for completion of a certain online tax increment financing education course and forward certain information about individuals who have received a certain certification to certain units of State government; and generally relating to sustainable communities.

~~BY repealing and reenacting, with amendments,
Article 23A — Corporations — Municipal
Section 44A(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article 24 — Political Subdivisions — Miscellaneous Provisions
Section 9 — 1301(e)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article 24 — Political Subdivisions — Miscellaneous Provisions
Section 9 — 1301(e)(2)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, without amendments,

Article – Local Government

Section 21–409(a) and 21–503(a)

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 21–410 and 21–504

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 – Economic Development

Section 12–201, 12–203, and 12–207 through 12–211

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Housing and Community Development

Section 6–201(l) and 6–205(a)

Annotated Code of Maryland

(2006 Volume and 2012 Supplement)

BY adding to

The Charter of Baltimore City

Article II

Section (62)(k) and (62A)(t)

(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 631 – Delegates Hough, Hogan, Krebs, McDermott, Mitchell, and Valentino-Smith

AN ACT concerning

Family Law – Preventing or Interfering with Report of Suspected Child Abuse or Neglect

FOR the purpose of prohibiting an individual from preventing or interfering with the making of a certain report of suspected child abuse or neglect; specifying a penalty for a violation of this Act; and generally relating to the reporting of suspected child abuse or neglect.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–704(a) and 5–705.1(c)(1) and (2)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Family Law
Section 5–705.2
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 775 – Delegates Lafferty, Barve, Bobo, Carr, Costa, Frush, Guzzone, Healey, Hubbard, Hucker, Mizeur, Nathan–Pulliam, Pena–Melnik, S. Robinson, and Schuh

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 certain penalties and fees to be deposited into the Fund; requiring the Department to place a certain surcharge on certain fees; requiring the surcharge fees to be deposited into the Fund; requiring the surcharge fees to be used for a certain purpose; prohibiting the violation of this Act; establishing the penalties for certain violations; providing for the enforcement of this Act; 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 Education, Health, and Environmental Affairs.

House Bill 797 – Delegates McIntosh, Frush, ~~and S. Robinson~~ S. Robinson, Beidle, Carr, Kipke, McMillan, Norman, and Weir

AN ACT concerning

Transportation Projects – ~~Bridges~~ Transportation Facilities – Water Access

FOR the purpose of requiring the Department of Transportation and local governments, in developing a construction or improvement project involving a bridge ~~that~~ or other transportation facility that is adjacent to or crosses a waterway, to incorporate, to the extent feasible, consider any reasonable and appropriate measures to provide or improve certain water access for certain activities; requiring the Department and local governments, in consultation with certain entities, to establish certain ~~inventories of certain bridges and approaches to bridges; requiring the Department and local governments to review certain bridge construction and improvement projects to determine which of the projects can safely and reasonably incorporate the provision of or improvements to water access for certain activities~~ standards and guidelines for identifying appropriate transportation facilities for certain water access and best practices and cost effective strategies to accommodate certain water access; and generally relating to the incorporation of water access considerations into construction or improvement projects involving a ~~bridge~~ transportation facility.

BY adding to

~~Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 25–101 to be under the new title “Title 25. Transportation Planning”
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

Article – Local Government

Section 1–1309

Annotated Code of Maryland

(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 2–103.1(c)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Transportation

Section 2–103.1(c)(7)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**House Bill 803 – Chair, Ways and Means Committee (By Request –
Departmental – Business and Economic Development)**

AN ACT concerning

**Income Tax – Business and Economic Development – Cybersecurity
Investment Incentive Tax Credit**

FOR the purpose of providing for credits against the State income tax for certain investments in certain cybersecurity companies; providing for applications to the Department of Business and Economic Development for approval of the credit and certification by the Department to investors of approved credit amounts; providing for the issuance of certain initial credit certificates by the Department, subject to certain requirements and limitations; providing certain limits on the amount of credits that can be claimed; requiring the Secretary of the Department to issue final credit certificates under certain circumstances; making certain credits refundable under certain circumstances; authorizing the Department to establish a panel of experts in the area of cybersecurity technology to assist the Department in making certain determinations; providing for an exemption from certain provisions of the procurement law to procure the services of certain experts to serve on a certain panel; establishing the Maryland Cybersecurity Investment Tax Credit Reserve Fund; requiring the Governor to include ~~in~~ a certain appropriation to the Reserve Fund in the annual budget bill; providing for the payment of certain administrative costs from a certain fund; requiring the Comptroller to transfer certain amounts from the Reserve Fund to the General Fund under certain circumstances; requiring the Comptroller to transfer certain amounts from the Reserve Fund to the Department for certain purposes; specifying the year in which certain credits may first be claimed; limiting the maximum amount of initial credit certificates that may be issued in a certain fiscal year; providing that certain credit amounts may be carried over to subsequent taxable years; providing that certain credit amounts not issued under initial credit certificates in a certain fiscal year revert to the General Fund; limiting the maximum amount of credits that may be claimed on certain State income tax returns; providing for certain procedures to claim approved credits; providing for revocations or recapture of a credit under certain circumstances; requiring the Department to make a certain report by a certain date each year; requiring the Department and the Comptroller jointly to adopt certain regulations; defining certain terms; providing for the application of this Act; providing for the termination of this Act; and generally relating to credits against the State income tax based on certain investments in certain cybersecurity businesses in the State.

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 Budget and Taxation.

House Bill 854 – Delegates Dumais, Rosenberg, Valderrama, Valentino–Smith, and Waldstreicher

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
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 Judicial Proceedings.

House Bill 941 – Delegates Arora and DeBoy

~~EMERGENCY BILL~~

AN ACT concerning

Criminal Law – Fraudulent Liens – Prohibition

FOR the purpose of prohibiting a person from filing certain liens or encumbrances against ~~certain individuals~~ another under certain circumstances; providing for penalties for a violation of this Act; ~~defining certain terms; making this Act an emergency measure;~~ and generally relating to fraudulent liens.

BY adding to

Article – Criminal Law
Section 3–807
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 965 – ~~Delegate Dumais~~ Delegates Dumais and Walker

AN ACT concerning

Homestead Tax Credit – Eligibility – Definition of Legal Interest

FOR the purpose of altering the definition of “legal interest” to include an interest in a dwelling as a settlor, grantor, or beneficiary of a trust under certain circumstances, so as to include certain settlors, grantors, or beneficiaries of trusts as eligible to apply for the homestead property tax credit; ~~providing for the application of this Act;~~ and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,

Article – Tax – Property
Section 9–105(a)(1), (5), and (7) and (b)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 9–105(a)(8)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1020 – Delegates Rosenberg, Carter, Conaway, Oaks, B. Robinson, and Tarrant

AN ACT concerning

Baltimore City – Video Lottery Terminal Proceeds – Local Impact Grants

FOR the purpose of altering the manner in which certain local impact grants provided from proceeds of video lottery terminals are to be distributed in Baltimore City; ~~authorizing certain portions of the grants to be distributed to maintain and improve public facilities and places;~~ specifying that a certain portion of the

grants to certain neighborhoods be distributed in a manner consistent with certain adopted neighborhood priorities; specifying that a certain portion of the grants to a neighborhood in the Northwest Community Planning Forum Strategic Neighborhood Action Plan be distributed in a manner that is consistent with that plan; authorizing a certain portion of the grants to be distributed to a certain neighborhood after a certain video lottery operation license is issued; requiring that a public hearing be held on a certain plan to allocate certain funds; ~~authorizing the Mayor and City Council of Baltimore City to alter certain recommendations of the local development council under certain circumstances;~~ and generally relating to the distribution of video lottery local impact grants in Baltimore City.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–31

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1076 – Delegates Eckardt, Beidle, Jacobs, and McDermott

AN ACT concerning

**Counties and Municipalities – Required Legislation or Regulations –
Adoption by Reference**

FOR the purpose of authorizing a county or municipality to adopt certain State laws or regulations by reference under certain circumstances; requiring certain counties or municipalities to specify certain matters under certain circumstances; 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; and generally relating to the adoption by reference of certain State laws or regulations by counties and municipalities.

~~BY adding to~~

~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~

~~Section 1–113~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2012 Supplement)~~

BY renumbering

Article – Local Government

Section 1–1302 through 1–1308, respectively

to be Section 1–1303 through 1–1309, respectively

Annotated Code of Maryland

(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of 2013)

BY adding toArticle – Local GovernmentSection 1–1302Annotated 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 Education, Health, and Environmental Affairs.

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**

FOR the purpose of establishing the Task Force to Study Energy Generation in Prince George’s County; 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 Prince George’s County Senators, the Prince George’s County Delegation, the Prince George’s County Council, the Prince George’s County Executive, 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 Energy Generation in Prince George’s County.

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

House Bill 1148 – Delegates Luedtke, Arora, Barkley, Barve, Cardin, Carr, Clippinger, Cullison, Dumais, Frush, Gutierrez, Hixson, Hucker, Kach, Kaiser, A. Kelly, Kipke, A. Miller, Mizeur, Morhaim, Reznik, S. Robinson, Stein, Waldstreicher, M. Washington, and Zucker

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
Section 4–747
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1209 – Delegates Frick, Aumann, Barve, Bohanan, Boteler, Branch, Cardin, Clagett, Fisher, George, Holmes, Myers, Serafini, Stukes, Szeliga, and Walker

AN ACT concerning

Recordation Taxes – Exemptions

FOR the purpose of exempting certain indemnity mortgage transactions from the recordation tax; making certain indemnity mortgage transactions subject to recordation tax after a certain date; authorizing a certain calculation or allocation of recordation tax on indemnity mortgage transactions; altering the information required to be included in a certain recital, acknowledgment, or affidavit; altering the transaction amount that is subject to the recordation tax for supplemental instruments of writing; making certain refinancing instruments exempt from the recordation tax; altering a certain definition; and generally relating to exemptions from the recordation tax.

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 12–101(l), 12–105(f)(7), and 12–108(e) and (g)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1253 – Delegates Jacobs, Otto, Weir, and Wood

AN ACT concerning

Natural Resources – Commercial Fishing – Licensing

FOR the purpose of altering the annual fees and surcharges for certain commercial fishing licenses and authorizations; requiring that tidal fish licensees with

certain authorizations obtain a harvester registration from the Department of Natural Resources; establishing a certain annual fee for the harvester registration; establishing that the harvester registration is nontransferable; authorizing the Department to issue a permit to commercially harvest certain fish species, subject to certain annual fees; authorizing the Department to adopt regulations establishing a permit to commercially harvest certain other fish species, subject to a certain maximum annual fee; repealing a provision of law authorizing a tidal fish licensee to catch striped bass for sale on payment of a certain annual surcharge; altering the amount of a certain annual surcharge for seafood marketing programs assessed on tidal fish licensees; exempting certain nonresident tidal fish licensees from a certain required annual surcharge; requiring the Department to accept applications for certain commercial fish license authorizations and to maintain a waiting list of candidates for each fishing activity in a certain order; repealing provisions of law that authorize the Department to establish and issue a commercial fishing apprenticeship permit, accept applications and annual fees for the permit, issue a certain license to a person who has completed an apprenticeship, adopt certain regulations related to the criteria required for an apprenticeship permit, and otherwise administer a commercial fishing apprenticeship permit process; authorizing a tidal fish licensee to renew a harvester registration annually; repealing a certain provision of law authorizing certain tidal fish license conversions; requiring certain licensees to possess a harvester registration when engaged in certain commercial fishing activity; altering certain standards for determining when a person is required to obtain a seafood dealer authorization; requiring certain persons to obtain a bait harvester permit under certain circumstances; establishing an annual fee for a bait harvester permit; requiring a licensee to provide the Department certain notification and pay a certain pound net activity registration fee in a certain time frame before setting a pound net; authorizing the Governor annually to include a certain appropriation in the State budget for a certain purpose; providing for certain corrections of cross-references and terminology; clarifying certain language; and generally relating to commercial fishing licensing.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–701, 4–702, and 4–711(i)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing
Article – Natural Resources
Section 4–701.1
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Natural Resources

Section 4-711(a), (b), and (h)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to

Article – Natural Resources
Section 4-711(i)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1257 – Delegates McIntosh, Bobo, Healey, Lafferty, and Niemann

AN ACT concerning

Land Use – Clarifications and Corrections

FOR the purpose of clarifying certain provisions of law relating to zoning, planning, subdivision, and other land use laws of the State; altering the contents of a certain annual report to refer to approved rather than adopted plans; requiring certain counties on the tidal waters of the State to designate certain areas for certain purposes; clarifying that code counties as well as charter counties shall adopt certain visions and may adopt certain regulations; clarifying a certain requirement of consistency with the plan for certain zoning laws and other local laws; altering a certain deadline concerning inclusion of certain plan elements and the consequences of failing to include them in the plan; prohibiting ~~a member of a legislative body from serving as a member of a certain planning commission~~ an ex officio member of a planning commission from voting on certain questions; clarifying the method of appointment process for a vacancy on a planning commission; requiring certain local jurisdictions to appoint one or more alternate members of a planning commission or a board of appeals; altering the grounds and procedures for removing a member of a planning commission or certain boards of appeals; requiring a planning commission to provide a copy of certain documents to certain regional units; authorizing a county and a municipal corporation to employ an appropriate mediation and conflict resolution service for certain purposes; authorizing the inclusion of and notice for certain conditions and limitations in a certain annexation agreement; altering certain purposes for certain zoning regulations and subdivision regulations; altering a certain prohibition on the negotiation for sale of certain lots in certain unapproved subdivisions; requiring a certain report on certain restrictions to include certain information concerning certain waivers; clarifying the relationship between the purposes of a program for the transfer of development rights with certain other development management programs and techniques; clarifying the authority of a public principal in negotiating certain agreements in connection with a development rights and responsibilities

agreement; providing for the removal of a member of a historic district commission or historic preservation commission in a certain manner; requiring a certain annual financial report of the Maryland–National Capital Park and Planning Commission to be audited rather than certified in a certain manner; altering the scope of a certain exemption concerning certain property owned for certain purposes by a member of the Commission; altering the standard for issuance of a certain subpoena by the Commission’s merit system board; authorizing the Commission to name, rename, number, and renumber certain roads and properties in the Maryland–Washington Regional District; authorizing the Commission to issue or renew certain tax anticipation notes at a certain interest rate; specifying that certain procedures concerning certain amendments are applicable to both individual map amendments and sectional map amendments in the regional district; clarifying the start of a certain review period for a preliminary subdivision plan in Prince George’s County; clarifying the procedure to be followed in connection with a petition for judicial review of an action of a county planning board in the regional district; correcting obsolete nomenclature; making conforming changes; altering a certain definition; and generally relating to land use.

BY repealing and reenacting, with amendments,

Article – Land Use

Section 1–207(c)(2), 1–415, 1–417, 1–418, 2–102, 3–203(c), 3–206(b)(3), 3–303, 3–304, 4–103, 4–202, 4–302, 5–102(c)(5), 5–301(a), 7–104(b), 7–201, 7–302, 8–202(d), 10–302(2)(vi), 10–403, 14–101(m), 15–115, 15–120(b)(2), 16–108(a), 17–212(a), 18–112, 18–208(b), 22–402(a)(1), 22–407(a)(1), 23–104(c)(1)(vii), 23–205(b)(1), and 23–401

Annotated Code of Maryland

(2012 Volume)

BY adding to

Article – Land Use

Section 1–412 and 8–202(d)

Annotated Code of Maryland

(2012 Volume)

BY repealing and reenacting, without amendments,

Article – Land Use

Section 23–205(a)

Annotated Code of Maryland

(2012 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1337 – Delegates Griffith, Bohanan, Guzzone, Jones, Mizeur, Proctor, Tarrant, ~~and Zucker~~ Zucker, Hammen, Cullison, A. Kelly,

Murphy, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass,
and V. Turner

AN ACT concerning

**Maryland Public Art Initiative Program – ~~Revisions~~ Selection of Art for
Capital Projects**

FOR the purpose of ~~altering a provision of law relating to the qualifications for appointment as a public member of the Maryland Commission on Public Art; requiring the Commission to include additional State agencies and departments in the Maryland Public Art Initiative Program; requiring the Commission to determine which projects are subject to a certain requirement of the Program; requiring the Commission, in cooperation with the Department of General Services, to be responsible for the management of the collection, including the inventory, conservation, preservation, and deaccession of all artwork acquired through the Program; altering the sources of funding for the Maryland Public Art Fund; repealing a certain provision of law relating to an annual appropriation for the Program in the State operating or capital budget; requiring certain State agencies or departments or other recipients of State funds for certain construction or renovation projects to set aside a certain percentage of the money allocated for the projects to be paid into the Fund; providing that money paid into the Fund under a certain percentage set aside requirement may be used for certain purposes; establishing the intent of the General Assembly that a certain percentage set aside requirement not result in an increase in certain costs; repealing certain provisions of law establishing that all artwork funded by the Program is the property of the Maryland Historical Trust; repealing certain provisions of law relating to the responsibilities of the Trust; establishing, with a certain exception, that all artwork funded by the Program is the property of the Commission~~ providing that artwork funded by the Maryland Public Art Initiative Program is the property of the Maryland Commission on Public Art; providing that the Commission is responsible for the inventory, maintenance, and preservation of certain artwork; requiring the State to include public art into all construction projects and major renovation projects under certain circumstances; requiring, at a certain time, that a certain group determines the identification and selection of public art to be included in a certain project; requiring the Division of Tourism, Film, and the Arts to work with the Maryland State Arts Council and the Commission in the selection of certain public art; requiring the Department of Budget and Management and the Department of General Services to jointly establish a certain waiver process; declaring the intent of the General Assembly; defining certain terms; and generally relating to the Maryland Public Art Initiative Program and the selection of art for capital projects.

~~BY repealing and reenacting, without amendments,
Article Economic Development
Section 4-601, 4-603(a), and 4-606~~

~~Annotated Code of Maryland
(2008 Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Economic Development
Section ~~4–603(b), 4–604, 4–605, and 4–608~~
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3–602.2
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1342 – Delegates Kaiser, Bohanan, Hixson, Luedtke, and Olszewski

AN ACT concerning

Maryland Longitudinal Data System – Governing Board and Data Transfers

FOR the purpose of adding the President of the Maryland Independent College and University Association, or the President’s designee, to the governing board of the Maryland Longitudinal Data System Center; requiring private nonprofit institutions of higher education that receive State funds to transfer certain student data to the Maryland Longitudinal Data System in accordance with a certain plan; establishing that a certain institution of higher education or postsecondary education that transfers or discloses student–level data to the Maryland Longitudinal Data System in accordance with a certain plan is not liable for a breach of confidentiality or a disclosure, use, retention, or destruction of the data that results from an act or omission by the Maryland Longitudinal Data System Center, a State agency, or a certain person; establishing that if the Maryland Independent College and University Association transfers or discloses student–level data to the Maryland Longitudinal Data System or a State agency on behalf of a private nonprofit institution of higher education in accordance with a certain plan, the association is not liable for a breach of confidentiality or a disclosure, use, retention, or destruction of the data that results from an act or omission by the Maryland Longitudinal Data System Center, a State agency, or a certain person; and generally relating to the Maryland Longitudinal Data System.

BY repealing and reenacting, without amendments,
Article – Education
Section 24–701(a), (b), and (d) and 24–704(a) and (g)(6)
Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 24–704(b) and 24–707
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1360 – Delegate George

AN ACT concerning

Maryland Income Tax Refund – Anne Arundel County Warrant Intercept Program – Extension

FOR the purpose of extending the termination date of a certain program that requires the Comptroller to withhold the Maryland income tax refund of certain individuals with outstanding warrants under certain circumstances; requiring the Comptroller to provide a certain report annually; providing for the termination of certain provisions of this Act; and generally relating to withholding income tax refunds for outstanding warrants.

BY adding to
Article – Tax – General
Section 13–940
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing
Chapter 451 of the Acts of the General Assembly of 2012
Section 2

BY repealing and reenacting, with amendments,
Chapter 451 of the Acts of the General Assembly of 2012
Section 3

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1406 – Howard County Delegation

AN ACT concerning

**Howard County – Sheriff – Salary Increases
Ho. Co. 13–13**

FOR the purpose of increasing the annual salary of the Sheriff of Howard County to a certain amount over a certain time period; making a certain technical correction in a provision of law concerning the salary of the Sheriff for certain calendar years; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff during a certain term of office; and generally relating to the salary of the Sheriff of Howard County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(o)(1)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1507 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Property Maintenance

FOR the purpose of authorizing the County Commissioners of St. Mary’s County to enact an ordinance prohibiting an owner of real property from allowing or causing the existence, creation or maintenance of a nuisance under certain circumstances; requiring an ordinance enacted under this Act to establish standards for a certain determination; authorizing an ordinance enacted under this Act to provide for the determination of the existence of a nuisance by a certain officer of the St. Mary’s County government; providing that a certain determination under this Act shall be deemed a determination under a certain provision of law; authorizing an ordinance enacted under this Act to declare the failure to abate a nuisance to be a municipal infraction under certain circumstances; requiring a court to take certain action on finding a municipal infraction under certain circumstances; and generally relating to property maintenance in St. Mary’s County.

BY adding to
The Public Local Laws of St. Mary’s County
Section 93–1 through 93–4 to be under the new chapter “Chapter 93. Property Maintenance”
Article 19 – Public Local Laws of Maryland
(2007 Edition and January 2011 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 14 – Delegates ~~Simmons and K. Kelly~~ Clippinger, K. Kelly, Simmons, Arora, Dumais, Glenn, Anderson, Lee, McComas, Mitchell, Sophocleus, Valderrama, Valentino-Smith, and Waldstreicher

AN ACT concerning

Criminal Law – Part-Time School Employees, Contractors, and Coaches – Sexual Contact with Minors

FOR the purpose of altering the definition of a “person in a position of authority” relating to prohibiting an individual from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances to remove a limitation to full-time employees and to include certain employees of a county department of recreation, certain contractors, certain persons employed by or under contract with certain contractors, and certain coaches; prohibiting a certain person from engaging in a sexual act, sexual conduct, or vaginal intercourse with a minor who the person is directly supervising in a county department of recreation program; and generally relating to a sexual offense involving a person in a position of authority and a minor under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–307
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–308
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 228 – The Speaker (By Request – Administration) and Delegates Anderson, Barve, Bobo, Carr, Carter, Cullison, Davis, Donoghue, Feldman, Glenn, Griffith, Hammen, Hubbard, Hucker, A. Kelly, Lee, McIntosh, Mizeur, Morhaim, Murphy, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Reznik, V. Turner, Vallario, and M. Washington

AN ACT concerning

Maryland Health Progress Act of 2013

FOR the purpose of altering certain eligibility requirements for the Maryland Medical Assistance Program and a certain definition to conform to federal eligibility

requirements; requiring the Department of Health and Mental Hygiene to implement certain provisions of federal law, subject to the limitations of the State budget; repealing an obsolete provision of law that requires the Governor to include certain funding in the State budget; authorizing the Secretary of Health and Mental Hygiene to provide certain grants for a certain purpose; expanding the purposes for which funds generated from a certain assessment may be used to include providing funding for a certain reinsurance program; ~~establishing the Performance Standards and Measurement Advisory Committee in the Department; providing for the purposes, membership, chair, and duties of the Committee~~; exempting from the insurance premium tax a qualified nonprofit health insurance issuer that meets certain requirements; requiring a portion of a certain tax to be distributed, beginning on a certain date, annually to the Maryland Health Benefit Exchange Fund for a certain purpose; exempting the Maryland Health Benefit Exchange (Exchange) and its employees from certain provisions of law governing third party administrators; expanding the purposes for which the Maryland Health Insurance Plan Fund may be used to include funding a certain reinsurance program; requiring enrollment in the Maryland Health Insurance Plan (Plan) to be closed to certain individuals not enrolled in the Plan as of a certain date; prohibiting certain individuals from reenrolling in the Plan under certain circumstances; requiring the Board of the Plan, in consultation with the Exchange, to determine the appropriate date on which the Plan must decline reenrolling Plan members; requiring the Board of the Plan to provide certain notice to Plan members beginning on a certain date; requiring the Plan Administrator to deposit certain money in a certain separate account and to keep certain records; authorizing the transfer, under certain circumstances, of certain money in the separate account to the Maryland Health Benefit Exchange Fund for the purpose of funding a certain reinsurance program; requiring the Board of the Plan and the Board of Trustees of the Exchange to develop and approve a plan for the amount and timing of the use of certain funds for a certain reinsurance program; requiring the Board of the Plan and the Board of Trustees of the Exchange to report on certain matters at certain times; establishing the purpose and effect of certain provisions of this Act; exempting certain carriers that offer certain plans from a certain requirement under certain circumstances; requiring certain carriers and managed care organizations to accept a ~~prior authorization~~ preauthorization from certain carriers and managed care organizations under certain circumstances; requiring certain carriers and managed care organizations to allow a new enrollee to continue to receive certain health care services being rendered by a certain provider under certain circumstances; providing for the application of certain requirements relating to preauthorizations and continuity of health care services; exempting enrollees transitioning from a carrier to the Maryland Medical Assistance fee-for-service program from the preauthorization and continuity of health care services requirements; requiring certain providers and certain carriers or managed care organizations to agree on the compensation rates and methods of payment with respect to the provision of certain services; specifying certain requirements for the agreement; providing that if an agreement is not reached, the provider is

not required to continue to provide the services and the carrier or managed care organization ~~is not required to allow the services to be provided by the provider~~ must facilitate transition of the enrollee to a provider on the provider panel of the carrier or managed care organization; authorizing a relinquishing carrier to elect to allow an enrollee to continue to receive dental services provided by a participating provider of the relinquishing carrier through a certain arrangement; providing that the requirements of certain provisions of this Act are in addition to any other legal, professional, or ethical obligations of a carrier or managed care organization to provide continuity of care; authorizing the Maryland Insurance Commissioner and the Secretary of Health and Mental Hygiene to each adopt regulations to enforce certain provisions of this Act; requiring the Commissioner, the Secretary, and the Exchange to determine the data necessary to make a certain assessment and develop a certain process ~~and to request the data from certain persons;~~ requiring certain persons to provide the data on request; establishing that it is a fraudulent insurance act for a person to act or represent that the person is a SHOP Exchange navigator ~~or~~, an Individual Exchange navigator, or certain application counselor ~~to take certain actions or make certain representations~~ under certain circumstances; exempting the Exchange from certain insurance laws; ~~requiring a carrier, under certain circumstances, to retain responsibility for ensuring that certain consumer protections are afforded to certain employers and enrollees~~ providing that a carrier is not liable or subject to certain regulatory sanction under certain circumstances; requiring the Commissioner to regulate the Exchange in taking certain actions; prohibiting the Commissioner from imposing a fine or administrative penalty on the Exchange for failing to take certain actions; authorizing the Commissioner to require the Exchange to make certain restitution to certain consumers under certain circumstances; requiring the Exchange and certain carriers to hold a consumer harmless from certain consequences caused by a certain action of the Exchange; prohibiting the Commissioner from participating in certain matters as a member of the Board of Trustees of the Exchange under certain circumstances; requiring the Board of Trustees of the Exchange to establish a certain committee; expanding the purposes of the Maryland Health Benefit Exchange Fund to include providing funding for the establishment and operation of a certain reinsurance program; altering the contents of the Fund; requiring the Board of Trustees of the Exchange to maintain certain accounts within the Fund; requiring certain funds to be placed in a certain account for a certain purpose; establishing certain restrictions on certain expenditures from the Fund; requiring certain funds in a certain account to revert to the General Fund of the State under certain circumstances; requiring certain operating expenses to be charged to a certain fund source under certain circumstances; requiring the Board of Trustees to establish a trust account for a certain purpose; requiring the Board of Trustees to maintain separate records of account for certain carriers; requiring the Governor, for certain fiscal years, to provide an appropriation in the State budget from certain funds received from a certain premium tax adequate to fully fund the operations of the Exchange; ~~requiring the appropriation to be allocated from a certain premium tax~~ a certain minimum appropriation for

certain fiscal years; authorizing a certain deficiency appropriation; requiring certain funds to revert to the General Fund of the State; requiring the Exchange to comply with certain federal law in carrying out certain functions; providing that a certain employer is not required to contribute to the qualified plan premiums of its employees; requiring a certain employer to take certain actions if the employer chooses to contribute to the qualified premiums of its employees; authorizing the Exchange to establish a Consolidated Services Center (Center) under certain circumstances; applying certain provisions of law that require certain training for SHOP Exchange navigators to certain employees of the Center; authorizing an Individual Exchange navigator to be employed by the Exchange; requiring the Exchange to establish and administer a process for the issuance of Consolidated Services Center employee Individual Exchange enrollment permits; authorizing the Exchange to implement a certain process with certain assistance; applying certain provisions of law that require certain training for Individual Exchange navigators to certain employees of the Center; clarifying the circumstances of individuals whom the Individual Exchange shall assist in making a certain transition; requiring the training program for insurance producers who sell qualified plans in the Individual Exchange to impart certain skills and expertise; authorizing, until a certain date, a captive producer without a certain certification to enroll certain individuals in a qualified plan offered in the Individual Exchange by a certain carrier; requiring a captive producer to refer certain individuals to an insurance producer under certain circumstances, with certain exceptions; requiring a captive producer to make a certain disclosure; establishing requirements a carrier and its captive producers must meet in offering information and assistance to the carrier's current enrollees; prohibiting a captive producer from providing information or services related to health benefit plans or other products not offered by the captive producer's carrier; requiring a captive producer to make certain referrals under certain circumstances; authorizing the Exchange to designate certain entities as application counselor sponsoring entities and to certify certain individuals as application counselors; establishing requirements for application counselor sponsoring entities and application counselors to provide certain services; providing that an application counselor is subject to certain requirements; authorizing the Exchange, in consultation with the Commissioner and the Department, to establish requirements for an application counselor sponsoring entity and to adopt regulations relating to application counselor sponsoring entities and application counselors; authorizing the Center to employ certain individuals; specifying the qualifications that must be met for issuance of a SHOP Exchange enrollment permit and an Individual Exchange enrollment permit; requiring the Exchange, the Center, and Center employees to assist the Health Education and Advocacy Unit of the Office of the Attorney General in carrying out certain duties; altering the requirements that must be met for a health benefit plan to be certified as a qualified health plan; altering requirements for qualified health plans relating to vision benefits; authorizing the Exchange to require children enrolling in a qualified health plan to have certain dental benefits; authorizing the Exchange to deny certification to certain plans or suspend or revoke certification of certain plans under certain

circumstances; authorizing the Exchange, in addition to denying, suspending, or revoking certification, to impose certain other remedies or take other actions; requiring the Exchange to consider certain factors in determining the amount of a certain penalty; establishing a process through which a carrier or plan may appeal a certain order or decision; authorizing the Exchange, in consultation with the Maryland Health Care Commission and with the approval of the Commissioner, to establish a certain reinsurance program to take effect on or after a certain date; establishing the purpose of the program; authorizing the Exchange, with the approval of and in collaboration with the Board of the Plan, to use certain revenue to fund the program; specifying the types of discrimination the Exchange shall be designed to prevent; altering the requirements for an annual report on the activities, expenditures, and receipts of the Exchange; altering the circumstances under which the Board of Trustees of the Exchange must cooperate with certain investigations; declaring the intent of the General Assembly; requiring the Exchange, the Department of Health and Mental Hygiene, ~~and~~ the Maryland Insurance Administration, and the Maryland Health Care Commission to conduct a certain study and report to the Governor and the General Assembly on the findings of the study and certain recommendations on or before a certain date; requiring the Exchange and the Administration to conduct a study of the impact of the Affordable Care Act's allowance of a certain tobacco use rating and to report to the Governor and the General Assembly on the findings of the study and certain recommendations on or before a certain date; authorizing the Board of Trustees of the Exchange to adopt certain interim policies, for certain purposes after receiving certain comment; requiring the interim policies to be submitted as proposed regulations within a certain period after adoption and to sunset within a certain time after submission as proposed regulations; requiring the Exchange and the Administration to conduct a study of the impact of federal regulations governing the offering and purchase of pediatric dental benefits and to report to the Governor and General Assembly on their findings and recommendations on or before a certain date; requiring the Exchange and the Administration to conduct a study of a certain captive producer program and to report to the Governor and General Assembly on their findings and recommendations on or before a certain date; defining certain terms; altering certain definitions; making certain conforming changes; ~~providing for the initial terms of the members of the Performance Standards and Measurement Advisory Committee;~~ providing for the termination of certain provisions of this Act; providing for the effective dates of this Act; and generally relating to health insurance regulation and the Maryland Health Benefit Exchange.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–101(a) and 19–214(a) through (c)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
 Section 15–101(d–1), 15–103(a), 19–143(a), and 19–214(d)
 Annotated Code of Maryland
 (2009 Replacement Volume and 2012 Supplement)

BY adding to

~~Article – Health – General
 Section 20–1501 to be under the new subtitle “Subtitle 15. Performance
 Standards and Measurement Advisory Committee”
 Annotated Code of Maryland
 (2009 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, without amendments,~~

~~Article – Insurance
 Section 8–301(a) and 31–101(a)
 Annotated Code of Maryland
 (2011 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Insurance
 Section 6–101(b), 8–301(b), 14–502, 14–504, ~~15–1303(b)~~, 27–405(a), 31–101(i),
(k), and (l), 31–103, 31–106(g), 31–107, 31–108(c), (d), and (e), 31–111,
31–112(h), ~~31–113(h)~~, ~~(i)~~, and ~~(k)(1) and (2)~~ 31–113(a)(5), (b), (e), (f), (g),
(h), (i), (k)(1) and (2), (l)(4), (m), (o), and (p), 31–114(a), 31–115(b), (d), (h),
 and (i)(3), 31–116(a), 31–117, and ~~31–119(e)~~ 31–119(a), (d), and (e)
 Annotated Code of Maryland
 (2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Insurance
 Section 6–103.2, 15–140, ~~31–101(e–1)~~ 31–101(a–1), (a–2), (c–1), and (c–2),
31–107.1, 31–107.2, 31–108(c), 31–113(p) and (r), 31–113.1, and
31–115(k)
 Annotated Code of Maryland
 (2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance
Section 8–301(a), 31–101(a), 31–113(a)(1), and 31–115(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 15–1303(b)(2)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 152 of the Acts of the General Assembly of 2012)

Read the first time and referred to the Committee on Finance and the Committee on Budget and Taxation.

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
Cycle**

FOR the purpose of ~~altering the time period of a local government's comprehensive planning and zoning cycle~~ requiring that, in certain years, a certain annual planning report contain a certain narrative on the implementation status of a certain comprehensive plan; increasing the time period of the comprehensive planning and zoning cycles of certain local jurisdictions to better coincide with the release of United States decennial census data; requiring certain planning commissions to include in a certain annual report information on the implementation status of a certain comprehensive plan; altering certain time frames for certain planning commissions to review certain comprehensive plans and to implement certain elements of certain comprehensive plans; requiring the Department of Planning along with the Maryland Association of Counties, and the Maryland Municipal League, and the Maryland Department of Planning to form a certain stakeholders group to create a certain transition schedules for each local government that drafts a comprehensive plan schedule to increase the time period of the comprehensive planning cycle of certain local jurisdictions that adopt a comprehensive plan; requiring a certain transition schedules, to the extent practicable, schedule to coincide, to the extent practicable, with the release of certain data from the United States decennial census data; requiring a certain transition schedule to allow, to the extent practicable, a local jurisdiction to access certain data at the beginning of the comprehensive plan review process; requiring a certain stakeholder group to submit a proposed transition schedule to certain committees of the General Assembly the Department to submit a proposed transition schedule to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee on or before a certain date; requiring certain local jurisdictions to incorporate certain growth tiers into a comprehensive plan according to a certain schedule notwithstanding certain provisions of this Act; requiring a local jurisdiction to make a certain statement regarding the failure to adopt a growth tier under certain circumstances; providing that certain growth tiers are not considered adopted for certain purposes under certain circumstances; providing that this Act does not prohibit a local jurisdiction from amending its comprehensive plan, certain laws, or certain ordinances or regulations at any time; making conforming changes; and

generally relating to ~~local government~~ the comprehensive planning and zoning cycles of local jurisdictions.

BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–207, 1–416, 1–417, 1–509, 3–301, and 3–303
Annotated Code of Maryland
(2012 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 637 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – High Performance Buildings
MC/PG 101–13**

FOR the purpose of requiring certain buildings owned by the Maryland–National Capital Park and Planning Commission to be high performance buildings under certain circumstances; exempting certain building types from certain high performance building standards; authorizing the Commission to request a certain waiver from certain high performance building standards from a certain county; authorizing a certain county council, with approval of the county executive, to issue a certain waiver under certain circumstances; requiring the Commission to disclose a certain waiver in a certain capital improvements program; expressing a certain intent of the General Assembly; defining certain terms; and generally relating to the Maryland–National Capital Park and Planning Commission and high performance buildings.

BY adding to
Article – Land Use
Section 17–214
Annotated Code of Maryland
(2012 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 698 – Delegates Pena–Melnyk, Braveboy, and A. Washington

AN ACT concerning

Ex–Offender Business Development Program Study

FOR the purpose of requiring the Department of Business and Economic Development, the Department of Labor, Licensing, and Regulation, and the Department of Public Safety and Correctional Services jointly to study and evaluate the feasibility of establishing a business development program for ex-offenders and to identify certain funding sources for certain purposes; requiring the Departments jointly to report their findings under this Act on or before a certain date; and generally relating to business development for ex-offenders.

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

House Bill 743 – Delegates Gilchrist, Afzali, Barkley, Ivey, A. Miller, Schuh, and Serafini

AN ACT concerning

Income Tax – Subtraction Modification for Retirement Income

FOR the purpose of altering the calculation of the maximum subtraction modification allowed under the Maryland income tax for certain retirement income for certain taxable years; including income from certain retirement plans within a certain subtraction modification for certain retirement income under certain circumstances; and generally relating to an income tax subtraction modification for certain retirement income.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 879 – Delegate Hubbard

AN ACT concerning

Health Occupations – Polysomnographic Technologists – Licensure and Discipline

FOR the purpose of authorizing, rather than requiring, the State Board of Physicians to reinstate, under certain circumstances, the license of a polysomnographic technologist; repealing the requirement that the Board place a licensed polysomnographic technologist on inactive status under certain circumstances; repealing obsolete language regarding the reinstatement of licenses of certain polysomnographic technologists; authorizing the Board, subject to a certain

provision of law, to deny a license or take certain action against a licensee for failing to cooperate with a lawful investigation conducted by the Board; prohibiting, except as otherwise provided by certain provisions of law, a licensed physician from employing or supervising an individual practicing polysomnography without a license; prohibiting certain entities, except as otherwise provided by certain provisions of law, from employing an individual practicing polysomnography without a license; authorizing the Board to impose a certain civil penalty for the violation of certain provisions of this Act; requiring the Board to pay the penalty into the General Fund of the State; providing that a person who violates a provision of the Maryland Polysomnography Act is subject to a certain civil fine to be levied by the Board; and generally relating to the regulation of the practice of polysomnography in the State.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5C–14(f), 14–5C–17(a)(26) and (27), and 14–5C–23(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing

Article – Health Occupations

Section 14–5C–15

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health Occupations

Section 14–5C–17(a)(28) and 14–5C–22.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

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

FOR the purpose of providing for an Overdose Response Program overseen by the Department of Health and Mental Hygiene; stating the purpose of the Program; ~~authorizing~~ requiring the Department to adopt certain regulations and

authorizing the Department to take certain other action regarding the Program; specifying the requirements an individual must meet to qualify for a certain certificate; requiring that a certain educational training program be conducted by a physician or nurse practitioner or certain other individuals and include certain training; requiring an applicant for a certificate to submit a certain application; requiring a certain public or private entity to issue a certificate to an applicant under certain circumstances; requiring that a certificate contain certain information; providing that a replacement certificate may be issued under certain circumstances; providing for the term and renewal of a certain certificate; authorizing an individual who is certified to receive from a certain individual a prescription for naloxone and certain supplies, possess prescribed naloxone and certain paraphernalia, and administer naloxone, under certain circumstances, to certain individuals; authorizing a physician or nurse practitioner to prescribe and dispense naloxone to a certificate holder; ~~prohibiting a certain cause of action from arising against a certificate holder, physician, or nurse practitioner under certain circumstances; prohibiting a certificate holder, physician, and nurse practitioner from being held civilly or criminally liable for certain actions;~~ providing that a certificate holder, under certain circumstances, may not be considered to be practicing medicine for the purposes of a certain provision of law; ~~providing that a certain provision of this Act does not affect certain immunities or defenses; prohibiting an individual from being held civilly liable in certain actions under certain circumstances~~ providing that a physician who prescribes or dispenses naloxone may not be subject to certain disciplinary or other action under certain circumstances; providing for the construction of this Act; defining certain terms; and generally relating to the Overdose Response Program.

BY adding to

Article – Health – General

Section 13-3101 through ~~13-3110~~ 13-3109 to be under the new subtitle
“Subtitle 31. Overdose Response Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Judicial Proceedings.

House Bill 932 – ~~Delegate Luedtke~~ Delegates Luedtke, Hammen, Bromwell, Costa, Cullison, Donoghue, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Tarrant, and V. Turner

AN ACT concerning

Child Care ~~Centers~~ – Dispute Resolution

FOR the purpose of establishing a dispute resolution workgroup in the State Department of Education; providing for the membership of the workgroup; requiring the workgroup to make recommendations to the State Superintendent of Schools, in consultation with the workgroup, to adopt regarding certain rules and regulations establishing a certain dispute resolution process ~~that includes investigation of certain discrimination complaints, written findings of fact and conclusions of law, and appropriate remedies; authorizing the dispute resolution process to include certain informal resolution processes;~~ and generally relating to dispute resolution procedures for child care ~~centers~~ providers.

~~BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–573
Annotated Code of Maryland
(2012 Replacement Volume)~~

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 985 – Delegates Clippinger, Anderson, Arora, Dumais, Guzzone, Hough, Howard, A. Kelly, Lee, Luedtke, McComas, A. Miller, Parrott, Simmons, Valentino-Smith, Waldstreicher, and Wilson

AN ACT concerning

Criminal Law – Third Degree Sexual Offense – Burglary

FOR the purpose of establishing that engaging in sexual contact with another without the consent of the other in connection with a first, second, or third degree burglary constitutes sexual offense in the third degree; establishing that, to be convicted under a certain provision of law, the defendant must also be convicted of a certain crime; altering the definitions of “tier I sex offender”, “tier II sex offender”, and “tier III sex offender” applicable to provisions relating to sex offender registration to include certain acts constituting sexual offense in the third degree; providing for the application of this Act; and generally relating to sexual offense in the third degree.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–307
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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), (p), and (q)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1014 – Delegate Stein

AN ACT concerning

**~~Nonpublic Schools~~ Public and Nonpublic Schools – Epinephrine Availability
and Use – Policy ~~and Immunity~~**

FOR the purpose of authorizing nonpublic schools in the State to establish a policy to authorize certain school personnel to administer auto-injectable epinephrine to certain students under certain circumstances; requiring ~~a certain policy~~ certain policies to include certain information; providing that a public school, certain nurses, and certain school personnel have certain immunity from civil liability except in certain circumstances; providing that a nonpublic school and certain school personnel have certain immunity from civil liability except in certain circumstances; defining certain terms; and generally relating to an epinephrine availability and use policy in ~~nonpublic~~ schools of primary and secondary education in the State.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–426.2
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Education
Section 7–426.3
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1017 – Delegates Barve, Myers, ~~and Branch~~ Branch, Afzali, Harper, A. Miller, Serafini, Stukes, and A. Washington

AN ACT concerning

Income Tax Credit – Wineries and Vineyards

FOR the purpose of allowing a credit against the State income tax for certain qualified expenditures at certain wineries and certain vineyards; requiring the ~~Maryland~~ Department of ~~Agriculture~~ Business and Economic Development to administer a certain tax credit; providing for the maximum amount of tax credits that may be issued by the Department each year; requiring the Department of ~~Agriculture~~ Business and Economic Development and the Comptroller jointly to adopt certain regulations; requiring the Comptroller to adopt certain regulations; providing that the credit allowed under this Act is subject to the Tax Credit Evaluation Act; defining certain terms; providing for the application of this Act; providing for the termination of this Act; and generally relating to an income tax credit for certain expenditures at certain wineries and certain vineyards.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 1–303(e)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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 Budget and Taxation.

House Bill 1030 – Delegate Rosenberg

AN ACT concerning

~~Baltimore City Property Tax Assessment of Land for Agricultural Use~~ Property Tax Credit – Urban Agricultural Property – Definition

FOR the purpose of ~~providing exemptions from certain prohibitions on qualifying for an agricultural use property assessment for certain parcels of land in Baltimore City that are of a certain size and under certain ownership~~ altering the definition of “urban agricultural property”, for purposes of a certain county or municipal corporation property tax credit, to include certain real property of not more than 5 acres; providing for the application of this Act; and generally relating to ~~the circumstances under which land may qualify for an agricultural use property assessment in Baltimore City~~ a local property tax credit for urban agricultural property.

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section ~~8-209~~ 9-253
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 1090 – Delegates Barnes, Braveboy, Davis, Hucker, ~~and Olszewski~~
Olszewski, Cane, Carr, Glenn, Healey, and Niemann**

AN ACT concerning

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

FOR the purpose of authorizing a certain tenant to prevent the termination of certain utility service by ~~opening~~ applying for a new utility service account; ~~authorizing a certain tenant to have certain utility service restored by opening a new utility service account under certain circumstances;~~ specifying that a certain tenant may not incur liability for certain charges ~~by taking certain action;~~ requiring a certain utility service provider to establish a new utility service account for a certain tenant under certain circumstances; authorizing a certain utility service provider to require a certain tenant to pay a deposit and past due balances from certain accounts before establishing a new utility service account for the tenant; prohibiting a certain utility service provider from refusing or limiting ~~certain rights~~ a certain tenant's ability to establish a new utility service account, under certain circumstances; ~~authorizing a certain tenant to deduct certain payments from rent due to a landlord, under certain circumstances;~~ specifying that a tenant's failure to make certain payments authorizes a utility service provider to terminate service under certain circumstances; requiring a certain utility service provider to provide certain notice to a certain tenant within a certain period of time before terminating service; requiring a certain utility service provider to send a certain notice to a certain tenant in addition to notices sent to a landlord; ~~authorizing a certain utility service provider to include certain information relating to a landlord's past due account in a notice to a certain tenant;~~ authorizing a certain utility service provider to charge a landlord a certain fee for the cost of sending certain notices; requiring a certain utility service provider to include certain information on a certain notice; requiring the Public Service Commission to authorize certain cost recovery of a utility service provider's costs under this Act; authorizing a certain tenant to deduct certain payments from rent due to a landlord, under certain circumstances; prohibiting the waiver of certain rights; requiring a certain complaint for failure to pay rent to include payments made by a certain tenant on a utility bill under certain circumstances; requiring a request for a certain judgment to be reduced by payments made by a certain tenant; requiring the determination of a certain judgment to include certain payments made by a certain tenant; providing for a

delayed effective date; defining certain terms; and generally relating to payment of a utility bill by a tenant.

BY adding to

Article – Public Utilities
Section 7–309
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Real Property
Section 8–212.3
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property
Section 8–401(b)(1)(iii) and (iv) and (c)(2)(ii) and (iii)2.D.
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property
Section 8–401(c)(2)(iii)1.
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

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

FOR the purpose of continuing the State Board of Physicians and certain allied health advisory committees in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board and the committees; requiring that an evaluation of the Board and the related allied health advisory committees and the statutes and regulations of the Board and the related allied health advisory committees be performed on or before a certain date; altering to a certain date the termination provision

related to the Perfusion Advisory Committee; stating the policy of the State regarding the regulation and control of health occupations in the State; stating that the health occupation boards are created to function in a certain way with a certain intent; altering the membership of the Board; altering the powers and duties of the Board; repealing a certain provision of law regarding entry onto private premises for a certain purpose; authorizing the Board's executive director to apply for a certain search warrant under certain circumstances; requiring the application for the warrant to meet certain requirements; authorizing a judge who receives a certain search warrant application to issue a warrant under certain circumstances; requiring a certain search warrant to include certain information and be executed and returned to a certain individual within a certain period of time; clarifying that certain fees charged by the Board, which must be set so as to approximate the cost of maintaining the Board, include the cost of providing a certain rehabilitation program; requiring the Board to adopt certain regulations to allow a certain licensee to receive up to a certain number of credit hours for providing certain services; establishing certain disciplinary panels through which certain allegations must be resolved; requiring the chair of the Board to assign each member of the Board to one of the disciplinary panels; providing for the composition and chairs of the disciplinary panels; authorizing the chair of the Board to serve as an ex-officio member of a certain disciplinary panel; specifying the quorum of a disciplinary panel; authorizing a disciplinary panel to conduct a certain investigation; requiring a disciplinary panel to determine the final disposition of a complaint against a physician or an allied health professional, except under certain circumstances; providing that each disciplinary panel has the independent authority to make a final determination regarding a certain matter; prohibiting the Board from voting to approve or disapprove an action of a disciplinary panel; requiring a disciplinary panel to consult with the chair of a certain allied health advisory committee, or the chair's designee, under certain circumstances; requiring a complaint to be assigned to a disciplinary panel after the completion of a certain investigation by the Board; authorizing a disciplinary panel to enter into a consent order with a physician or an allied health professional after conducting a certain meeting; requiring the chair of a certain disciplinary panel to refer a complaint to the other disciplinary panel under certain circumstances; prohibiting a certain disciplinary panel, or its members, from continuing to handle or participating in disciplinary proceedings regarding a complaint under certain circumstances; authorizing a disciplinary panel, instead of the Board, to take certain action regarding a complaint or come to a certain agreement with a licensee; requiring a disciplinary panel, instead of the Board, to refer certain allegations to a certain entity for peer review; requiring a disciplinary panel, instead of the Board, to obtain a certain number of peer review reports for certain allegations; repealing certain obsolete language regarding a certain request for proposals; repealing the requirement that the Board, under certain circumstances, provide direct rehabilitation services for physicians; requiring a disciplinary panel, instead of the Board, to offer certain complainants and licensees an opportunity to mediate certain disputes; authorizing a disciplinary panel, instead of the Board, to determine,

for certain allegations, that an agreement for corrective action is warranted; requiring a disciplinary panel, instead of the Board, to notify certain licensees of identified deficiencies and enter into a certain corrective action; prohibiting a disciplinary panel, instead of the Board, from entering into an agreement for corrective action under certain circumstances; requiring a disciplinary panel, instead of the Board, to evaluate licensees with whom the disciplinary panel has entered into an agreement for corrective action and to take certain action under certain circumstances; requiring a disciplinary panel to provide certain individuals an opportunity to appear before the disciplinary panel under certain circumstances; authorizing a disciplinary panel, instead of the Board, to take certain disciplinary action against a physician or allied health professional under certain circumstances; clarifying that an affirmative vote of the majority of the quorum of the Board or of the quorum of a disciplinary panel is required before the Board or the disciplinary panel takes certain action; requiring a disciplinary panel, instead of the Board, to take certain disciplinary action against a certain physician or allied health professional under certain circumstances; prohibiting a disciplinary panel, instead of the Board, from taking disciplinary action against a certain physician under certain circumstances; requiring a disciplinary panel, instead of the Board, to give a certain individual an opportunity for a certain hearing; requiring a disciplinary panel, instead of the Board, to pass an order under certain circumstances; authorizing a disciplinary panel, instead of the Board, to reinstate certain licenses under certain circumstances; requiring a disciplinary panel to notify the Board of certain license reinstatements; providing that proceedings, records, and files of a disciplinary panel are not discoverable or admissible in certain actions except under certain circumstances; prohibiting a disciplinary panel from disclosing information in a record except under certain circumstances; requiring the Board to disclose the filing of charges and initial denials of licensure on the Board's Web site; requiring a disciplinary panel to disclose certain information in a record under certain circumstances; requiring certain licensee profiles to include a summary of charges filed against the licensee, including a copy of the charging document, under certain circumstances; requiring that licensee profiles include a certain disclaimer; requiring the Board to include certain information on a licensee's profile within a certain time period; ~~requiring that a certain report that certain entities are required to file with the Board include a certain statement under certain circumstances;~~ requiring the Board, in consultation with certain interested parties, to adopt regulations to define certain circumstances under which certain reporting is required by hospitals, related institutions, and alternative health systems; authorizing the Board to impose a certain civil penalty on an alternative health system that fails to file a certain report; requiring the Board to remit a certain penalty to the General Fund of the State; repealing the requirement that a circuit court of the State impose a civil penalty on an alternative health system that fails to file a certain report; ~~requiring a certain court reporting requirement to be enforced by the imposition of a certain civil penalty;~~ authorizing a disciplinary panel, instead of the Board, to take certain action against a physician who performs acupuncture under certain circumstances; requiring the

chairs of certain committees, or the chairs' designees, to serve in an advisory capacity to the Board; requiring certain committees to submit an annual report to the Board; requiring the Board to consider all recommendations of certain committees and annually provide a certain report to the committees; requiring the Board to create and maintain a certain profile on certain licensees; requiring the profiles to contain certain information; requiring the Board to forward a written copy of certain profiles to a person under certain circumstances; requiring the Board to maintain certain profiles on the Board's Web site; requiring the Board to provide a mechanism for correcting factual inaccuracies in certain profiles; requiring the Polysomnography Professional Standards Committee to elect a chair every certain number of years; repealing the requirement that the Board provide a certain explanation to the Physician Assistant Advisory Committee; repealing the requirement that the Board assess a certain fee under certain circumstances; requiring the Board to submit a certain report to certain committees of the General Assembly and the Department of Legislative Services on or before a certain date and annually thereafter for a certain period of time; exempting the Board and the related allied health advisory committees from certain provisions of law requiring a certain preliminary evaluation; making this Act an emergency measure; defining certain terms; making certain conforming, stylistic, and technical changes; and generally relating to the State Board of Physicians and the related allied health advisory committees.

BY adding to

Article – Health Occupations

Section 1–102, 14–101(a–1) and (c–1), 14–206.1, 14–401, 14–416, 14–5A–18.1, 14–5B–15.1, 14–5C–06(d), 14–5C–18.1, 14–5D–16.1, 14–5E–18.1, 15–101(i–1), and 15–316.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 14–101(a) and 15–101(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–101(m), 14–202(a), 14–205, 14–206(d)(1), 14–207(b), ~~14–316~~, 14–401, 14–403 through 14–405.1, 14–406, 14–407(a), 14–408, 14–409(a), 14–410, 14–411(a), (b), (d)(1)(ii), (i), (j)(2)(i), (l)(2), (m), (r), and (s), 14–411.1(b), (c)(2), and (f), 14–413, 14–414, 14–504(g), 14–506(b)(2), 14–5A–04(a), 14–5A–06(d), 14–5A–07, 14–5A–16, 14–5A–17, 14–5A–17.1, 14–5A–18(f), 14–5A–19, 14–5A–25, 14–5B–04(a), 14–5B–05(c), 14–5B–06, 14–5B–13, 14–5B–14, 14–5B–14.1, 14–5B–15(f), 14–5B–16, 14–5B–21, 14–5C–04(a), 14–5C–07, 14–5C–16, 14–5C–17, 14–5C–18(f), 14–5C–19, 14–5C–25,

14-5D-03(a), 14-5D-05(e), 14-5D-06, 14-5D-14, 14-5D-15, 14-5D-16, 14-5D-20, 14-5E-04(a), 14-5E-06(d), 14-5E-07, 14-5E-15, 14-5E-16, 14-5E-18(f), 14-5E-19, 14-5E-25, 14-603, 14-702, 15-103(h), 15-202(d) and (e), 15-205, 15-206(a), 15-302(g), 15-312, 15-314 through 15-316, and 15-502

Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing

Article – Health Occupations
Section 15-310(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 8-403(b)(6), (45), (48), (49), (53), (59), and (63)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

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

FOR the purpose of ~~altering~~ repealing a certain limitation on the applicability of the Prevailing Wage Law to the construction of a public work by revising a certain definition; and generally relating to the applicability of the Prevailing Wage Law.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 17-201
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1101 – Delegates Morhaim, Glenn, Hammen, Pendergrass, Elliott, McIntosh, Hixson, Barve, Branch, Feldman, Tarrant, Barnes, Cane, McHale, Malone, F. Turner, Kach, Clagett, Cluster, Hubbard, Aumann,

Lafferty, Frank, Rosenberg, Ivey, ~~Glenn~~, Love, Stein, Vaughn, Haynes, Gutierrez, Carr, Cullison, Stukes, Bobo, Cardin, M. Washington, A. Kelly, Reznik, Kramer, Gilchrist, Frush, B. Robinson, Valderrama, Donoghue, Zucker, Weir, Conaway, Carter, Wilson, Glass, Oaks, Luedtke, S. Robinson, Mizeur, Niemann, Summers, A. Miller, Murphy, V. Turner, Nathan-Pulliam, Minnick, ~~and Arora~~ Arora, Holmes, Kaiser, Boteler, Smigiel, Braveboy, Hucker, and Lee

SECOND PRINTING

AN ACT concerning

~~Medical Marijuana – Academic Medical Centers~~
Medical Marijuana – Academic Medical Centers –
Natalie M. LaPrade Medical Marijuana Commission

FOR the purpose of establishing the Natalie M. LaPrade Medical Marijuana Commission; providing that the Commission is an independent commission that functions within the Department of Health and Mental Hygiene; providing for the purpose and the membership of the Commission; providing for the terms of the members of the Commission; requiring the Governor to designate the chair of the Commission; providing that a member of the Commission may not receive certain compensation but is entitled to certain reimbursement; authorizing the Commission to employ a certain staff; establishing the Natalie M. LaPrade Medical Marijuana Commission Fund; requiring the Commission to administer the Fund; providing that the Fund is a special continuing, nonlapsing fund that is not subject to a certain provision of law; requiring the State Treasurer to hold the Fund and the State Comptroller to account for the Fund; requiring the Fund to be invested and reinvested in a certain manner and the investment earnings be retained to the credit of the Fund; requiring the Fund to be subject to a certain audit; requiring the Comptroller to pay out money from the Fund as directed by the Commission; providing that the Fund consists of certain money; prohibiting any part of the Fund from reverting or being credited to the General Fund of the State or any other special fund of the State; providing that expenditures from the Fund may be made only in accordance with the State budget; requiring the Commission to issue a certain request for applications at least annually; requiring a certain application submitted by an academic medical center to include certain information; requiring the Commission to set certain application and renewal fees; requiring the Commission to establish a certain application review process; requiring certain reviewers to review, evaluate, and rate certain applications and to make certain recommendations; authorizing the Commission to grant a certain approval; limiting the number of programs that the Commission may approve to operate at one time; requiring certain academic medical centers to provide certain data on a certain basis to the ~~Department of Health and Mental Hygiene~~ Commission; requiring the ~~Department~~ Commission to make certain data available to law enforcement in a certain manner; providing that an academic medical center operating a certain

program may obtain marijuana only from certain sources; subjecting an academic medical center to certain requirements if an academic medical center utilizes caregivers as part of a certain program; requiring certain academic medical centers to provide a certain annual report to the Commission; requiring a certain academic medical center to apply annually to the Commission for a certain renewal in accordance with certain procedures; providing that certain academic medical centers are subject to certain inspection by the Commission; authorizing the Commission to rescind approval of certain programs under certain circumstances; requiring the Commission to provide a certain report to the Governor and General Assembly on or before a certain date each year; requiring the ~~Department~~ Commission to license medical marijuana growers for a certain purpose; limiting the number of medical marijuana growers that the Commission may license; providing that certain entities may provide marijuana only to certain academic medical centers; requiring the ~~Department~~ Commission to establish certain security and manufacturing requirements; authorizing the ~~Department~~ Commission to inspect certain growers; authorizing the ~~Department~~ Commission to impose certain penalties or rescind certain licenses; exempting certain persons from certain penalties when acting in accordance with this Act; providing that a person may not distribute, possess, manufacture, or use certain marijuana; providing for certain penalties; providing for the construction of this Act; authorizing the State to pay for the defense of certain State employees under certain circumstances; authorizing the Governor to suspend implementation of the Act under certain circumstances; establishing that a certain requirement that certain interest accrue to the General Fund of the State does not apply to the Natalie M. LaPrade Medical Marijuana Commission Fund; during a certain fiscal year, requiring the Commission to develop certain policies, procedures, regulations, and guidelines for implementation of the Act; requiring the Commission to provide a certain report to the Governor and General Assembly on or before a certain date; defining certain terms; and generally relating to marijuana for medical use.

BY adding to

Article – Health – General

Section 13–3101 through ~~13–3110~~ 13–3111 to be under the new subtitle
“Subtitle 31. Medical Marijuana”

Annotated Code of Maryland

(2009 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

(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)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Finance.

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

FOR the purpose of altering a requirement that the Public Service Commission, on or before a certain date, and each year thereafter, determine whether certain electric companies have met certain service quality and reliability standards; making stylistic changes; requiring the Secretary of Health and Mental Hygiene to establish and distribute to ~~an each~~ electric company a list of certain special medical needs facilities by a certain date each year and to post the list on the Department’s Web site; requiring the Secretary to establish a procedure for a certain facility to remove its information from the list; declaring the intent of the General Assembly; ~~requiring an electric company to post certain information on its Web site by a certain date~~; requiring an electric company to submit a report containing certain information as part of a certain report to the Commission by a certain date; ~~requiring the Commission to adopt regulations relating to the quality and reliability of electrical service to certain facilities by a certain date~~; ~~requiring certain regulations to include certain service quality and reliability standards, account for certain major outages, and require an electric company to evaluate ways to simplify the delivery of service to certain facilities if it fails to meet certain service quality and reliability standards~~; ~~authorizing the Commission to include in certain regulations a separate reliability standard for each electric company~~; specifying that the adoption of certain standards does not prohibit the Commission from taking corrective action against an electric company under certain circumstances; defining a certain term; requiring the Commission to submit a certain report to the General Assembly on or before a certain date; and generally relating to the restoration of electrical service and special medical needs facilities.

BY repealing and reenacting, without amendments,
Article – Public Utilities

Section 5–302
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–213
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Public Utilities
Section 7–213.1
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

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

FOR the purpose of ~~prohibiting an insurer, with respect to homeowner’s or renter’s insurance, from refusing to underwrite a risk based solely on the specific breed or size of a dog owned by an applicant or insured; prohibiting an insurer from excluding coverage under a policy of homeowner’s or renter’s insurance for a specific breed or size of a dog owned by an applicant or insured~~ requiring insurers that use breed-specific dog exclusions or underwriting guidelines with respect to homeowner’s or renter’s insurance to provide certain notices to the applicant or insured under certain circumstances; providing for the application of this Act; and generally relating to underwriting and policy exclusions for dogs under policies of homeowner’s or renter’s insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–205
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Insurance
Section ~~27–501(e)~~ 19–206.1
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1279 – Delegates Niemann, Bobo, Carr, Carter, Frush, Glenn, and Hubbard

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; 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 Education, Health, and Environmental Affairs.

House Bill 1350 – Delegates McConkey and Sophocleus

AN ACT concerning

Department of Public Safety and Correctional Services – Reinvestment of Savings to Prisoner Reentry Programs

FOR the purpose of requiring, on or before a certain date, the Department of Public Safety and Correctional Services to report to the Governor and the General Assembly on the savings it has achieved through the efficient use of resources and how a portion of these savings may be reinvested in proven prisoner reentry programs, as recommended by the final report of the Task Force on Prisoner Reentry; stating the intent of the General Assembly that certain savings be

incorporated in the State budget for a certain fiscal year; and generally relating to prisoner reentry.

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1399 – Delegates Gaines and DeBoy

AN ACT concerning

~~Police Officer Certification – Exception for~~ Natural Resources Police Force – Nonfull-Time Officers

FOR the purpose of establishing a certain exception for certain nonfull-time police officers of the Natural Resources Police Force to the prohibition against a law enforcement agency employing an individual as a certain police officer for a certain period of time unless the individual is certified by the Police Training Commission; declaring the intent of the General Assembly with respect to the employment of nonfull-time police officers in the Natural Resources Police Force; providing for the termination of this Act; and generally relating to ~~the certification of nonfull-time police officers~~ nonfull-time officers of the Natural Resources Police Force.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–216
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1413 – Delegate Malone

AN ACT concerning

Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

FOR the purpose of repealing and recodifying certain provisions of law dealing with smoke detection systems; clarifying that the installation of certain smoke alarms is required in certain areas of certain buildings; providing that this Act is applicable statewide; authorizing a local jurisdiction to adopt certain regulations; requiring a minimum number of smoke alarms be installed in certain areas of certain residential occupancies; requiring a certain smoke alarm to activate other smoke alarms in certain circumstances; requiring certain power sources for certain smoke alarms; requiring a certain upgrading of certain smoke alarm placement under certain circumstances; requiring certain existing residential occupancies to be upgraded on or before a certain

date; requiring a certain smoke alarm for a sleeping room occupied by a deaf or hard of hearing individual; requiring a landlord to respond to a certain notice in a certain manner; requiring hotels and motels to make a certain minimum number of smoke alarm notification appliances available under certain circumstances and to post a certain notice; authorizing a hotel or motel to charge a certain deposit; authorizing a certain landlord to require reimbursement from a tenant for the cost of a certain smoke alarm; providing for enforcement of and responsibility for installation and maintenance of smoke alarms; authorizing a smoke alarm to be combined with a carbon monoxide alarm in certain circumstances; authorizing certain authorities to issue a certain order; requiring a certain person to respond within a certain period of time; altering the information about smoke alarms that must be included in a certain residential property disclosure statement; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to residential smoke alarms.

BY repealing

Article – Public Safety
Section 9–101 through 9–106
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Public Safety
Section 9–101 through 9–106
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 9–107 and 9–109
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 9–108
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property
Section 10–702(e)(2)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1432 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Public Safety Surcharge PG 421–13

FOR the purpose of altering the amount of the public safety surcharge that the Prince George’s County Council may impose on certain construction in an area included in a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and complies with the requirements of any sector plan, master plan, or overlay zone approved by the Prince George’s County District Council; updating a reference to a certain Prince George’s County Approved General Plan; and generally relating to the amount of the public safety surcharge in Prince George’s County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George’s County
Section 10–192.11
Article 17 – Public Local Laws of Maryland
(2007 Edition and 2010 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1433 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – School Facilities Surcharge PG 420–13

FOR the purpose of establishing a reduction of the Prince George’s County school facilities surcharge for multifamily housing constructed within an approved transit district overlay zone ~~or~~, within a certain distance of a Metro station under certain circumstances, or within the Bowie State MARC Station Community Center Designation Area; establishing an exemption of the school facilities surcharge for certain dwelling units that are studio or efficiency apartments that are located within the county urban centers and corridors, within an approved transit district overlay zone, or within a certain distance of a Metro station under certain circumstances; providing for the termination of this Act; and generally relating to the applicability of the school facilities surcharge in Prince George’s County.

BY adding to

The Public Local Laws of Prince George's County
Section 10-192.01(b-1)
Article 17 – Public Local Laws of Maryland
(2007 Edition and 2010 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1454 – Prince George's County Delegation

AN ACT concerning

**Task Force to Study the Terms, Pay, Operations, and Ethical Standards for
Various Elected Officials in Prince George's County
PG 422-13**

FOR the purpose of establishing the Task Force to Study the Terms, Pay, Operations, and Ethical Standards for Various Elected Officials in Prince George's County; providing for the chairs and staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; requiring the Task Force to make certain recommendations regarding the terms, pay, operations, and ethical standards for various elected officials in Prince George's County; requiring the Task Force to hold a certain number of public meetings in certain locations that allow certain persons to testify about certain issues; requiring the Task Force to submit a certain report to certain persons on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Terms, Pay, Operations, and Ethical Standards for Various Elected Officials in Prince George's County.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1494 – Delegates Conway, Bates, Guzzone, McConkey, Proctor, B. Robinson, ~~and Zucker~~ Zucker, Aumann, Beitzel, Bohanan, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Haynes, James, Jones, Mizeur, Sophocleus, Stocksdale, Szeliga, M. Washington, and Wood

AN ACT concerning

Correctional Services – Standards for Correctional Facilities – Funding

FOR the purpose of repealing a prohibition on the use of State funds to implement certain standards for State correctional facilities; and generally relating to standards for correctional facilities.

BY repealing

Article – Correctional Services

Section 8–104

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1514 – Howard County Delegation

AN ACT concerning

Howard County – Noise Control – Outdoor Concert Venues

Ho. Co. 9–13

FOR the purpose of ~~prohibiting Howard County or a political subdivision of Howard County from adopting a certain noise control ordinance, rule, or regulation for an outdoor concert venue with a certain capacity;~~ prohibiting the Department of the Environment from adopting a certain noise control ordinance, rule, or regulation that prohibits the electronic amplification of sound between certain hours at an outdoor concert venue with a certain capacity in Howard County, subject to certain limitations; prohibiting an outdoor concert venue with a certain capacity from producing any electronic amplification of sound during a certain time period, subject to a certain exception; providing that certain noise control ordinances, rules, or regulations adopted by Howard County in effect on a certain date do not apply to the electronic amplification of sound at an outdoor concert venue with a certain capacity in Howard County; and generally relating to the adoption of sound level limits and noise control ordinances, rules, and regulations concerning the electronic amplification of sound at an outdoor concert venue in Howard County.

BY repealing and reenacting, with amendments,

Article – Environment

Section ~~3–105(a)~~ and 3–401(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section ~~3–105(a)~~ and 3–401(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 207 – Delegates Luedtke, Ivey, Kaiser, Myers, and A. Washington

AN ACT concerning

Education – Chronically Absent Students

FOR the purpose of requiring county boards of education to develop a system of intervention for chronically absent students; defining ~~certain terms~~ a certain term; providing that this Act does not prohibit a county board from taking certain actions; and generally relating to chronically absent students.

BY adding to

Article – Education

Section 7–302.2

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 274 – Delegate Hubbard

AN ACT concerning

**State Board of Examiners of Psychologists – Psychology Associates –
Licensure Registration**

FOR the purpose of ~~altering the membership of the State Board of Examiners of Psychologists; requiring the Governor to appoint the psychology associate member of the Board with the advice and consent of certain individuals; requiring the Maryland Psychological Association to notify all licensed psychology associates of a certain vacancy on the Board and conduct a certain balloting process regarding the vacancy; specifying the qualifications for the psychology associate member of the Board;~~ requiring an individual, except under certain circumstances, to be licensed registered by the Board before practicing psychology as a psychology associate in the State; specifying the circumstances under which a licensed registered psychology associate is authorized to practice psychology in the State; repealing obsolete language regarding an exemption from licensure for psychology associates; requiring an individual to meet certain requirements to qualify for licensure registration as a psychology associate; requiring an applicant for licensure registration as a psychology associate, except under certain circumstances, to pass certain examinations; requiring the Board to grant a waiver of certain licensure registration requirements to certain applicants; requiring an applicant for a registration to practice psychology to meet certain requirements; providing that an applicant who otherwise qualifies for a registration is entitled to be examined in a certain manner; providing that a registration authorizes a registrant to practice psychology while the registration is effective; requiring

the Board to maintain a roster that contains the names and certain other information regarding ~~licensed~~ registered psychology associates; repealing the requirement that continuing education requirements set by the Board be standard for all licensed psychologists; authorizing the Board, on a certain vote of its membership, to take certain action against a licensee if the licensee fails to supervise a ~~licensed~~ registered psychology associate in accordance with certain regulations; authorizing the Board to impose a certain monetary penalty instead of suspending a registration or in addition to suspending or revoking a registration; authorizing the Board to direct a registrant to submit to a certain examination; providing that the failure or refusal of a registrant to submit to a required examination is prima facie evidence of a registrant's inability to practice psychology competently, with a certain exception; prohibiting a decision of the Board in relation to a registration from being stayed pending judicial review; authorizing the Board to reinstate a registration that has been revoked; altering the prohibition on practicing, attempting to practice, or offering to practice psychology in the State to include a person who is not registered by the Board; altering certain definitions; defining a ~~certain term~~ certain terms; repealing a certain definition; making certain conforming and stylistic changes; and generally relating to the ~~license~~ registration of psychology associates.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 18–101, 18–202, 18–206, 18–301, 18–302, 18–303, 18–304(a), 18–306, and 18–307(a), 18–308 through 18–313, 18–313.1(a), 18–314(a), (b), and (c), 18–316(c), 18–317, and 18–401(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 327 – Delegates Ready, Bromwell, Elliott, Krebs, Pena–Melnyk, Stocksdales, ~~and Tarrant~~ Tarrant, Hammen, Pendergrass, Costa, Cullison, Donoghue, Frank, Hubbard, Kach, A. Kelly, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Reznik, and V. Turner

AN ACT concerning

State Government – Health, Education, and Social Services ~~Provider Data Warehouse~~ – Submission of Documents in Electronic Form

FOR the purpose of ~~requiring the State to authorize private sector development of a certain data warehouse for certain providers; authorizing a certain provider to store certain information in the data warehouse; prohibiting a certain provider from using the data warehouse for certain purposes; authorizing a certain provider to provide a State agency with certain information in a certain manner; requiring a State agency to accept a certain submission as the~~

~~equivalent of certain documents; prohibiting a State agency from requiring a certain provider to use the data warehouse; requiring a provider that uses the data warehouse to ensure that the data is current and accessible to a certain State agency; authorizing a State agency to request additional or updated information from a certain provider under certain circumstances; requiring a provider to submit certain information to a certain State agency within a certain period of time after receiving a request from the agency; requiring access to the data warehouse to be provided to a State agency free of charge; defining certain terms; and generally relating to a health, education, and social services provider data warehouse~~ requiring the Council for the Procurement of Health, Education, and Social Services to establish a workgroup to determine a process for certain entities to submit certain electronic documents to certain agencies; requiring the Council to report to certain committees of the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to health, education, and social services and the electronic submission of documents.

~~BY adding to~~

~~Article State Government~~

~~Section 10-645 to be under the new part "Part VI. Health, Education, and Social Services Provider Data Warehouse"~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2012 Supplement)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 332 – Delegates Pena–Melnyk, Zucker, Barkley, Barnes, Braveboy, Cullison, Frush, Gaines, A. Kelly, Love, Luedtke, A. Miller, Rosenberg, ~~and Summers~~ Summers, Hammen, and Pendergrass

AN ACT concerning

Public Safety – Emergency Management – Essential Goods and Services

FOR the purpose of prohibiting a person from selling or offering to sell certain goods and services for a certain price during a state of emergency; ~~prohibiting a person from selling or offering to sell certain services for a certain price during a state of emergency and for a certain amount of time following a state of emergency;~~ creating certain exceptions; requiring the Office of the Attorney General to provide a person an opportunity to present evidence that a price increase was not unlawful; providing that a certain sale or offer for sale is an unfair or deceptive trade practice; providing that certain remedies and penalties do not apply to a certain sale or offer for sale of certain goods and services; altering a certain definition; defining certain terms; and generally relating to the sale of goods and services during or following a state of emergency.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 14–101(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 14–101(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Public Safety
Section 14–1101 through 14–1104 to be under the new subtitle “Subtitle 11.
Essential Goods and Services”
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

**House Bill 364 – Delegates Hucker ~~and Feldman~~, Feldman, Bromwell,
Cullison, and Pena–Melnik**

AN ACT concerning

**Swimming Pools – Automated External Defibrillator Programs
(Connor’s Law)**

FOR the purpose of requiring each county or municipality that owns or operates a swimming pool to develop and implement a certain automated external defibrillator program that meets certain requirements for certain swimming pools owned or operated by the county or municipality; ~~requiring the owners and operators of certain swimming pools to develop and implement a certain automated external defibrillator program that meets certain requirements;~~ requiring the Department of Health and Mental Hygiene and the Maryland Institute for Emergency Medical Services Systems jointly to adopt certain regulations; defining a term; and generally relating to requiring certain automated external defibrillator programs for certain swimming pools.

BY adding to
~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~
~~Section 22–101 to be under the new title “Title 22. Automated External~~
~~Defibrillator Programs”~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~

~~BY adding to~~

~~Article – Health – General~~

~~Section 13-2401 to be under the new subtitle “Subtitle 24. Automated External
Defibrillator Programs”~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2012 Supplement)~~

Article – Local Government

Section 1-1309

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 Finance.

**House Bill 386 – Delegates Barve, Branch, Bromwell, Cardin, Hixson, Ivey,
Luedtke, A. Miller, Mitchell, Serafini, and F. Turner**

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 Budget and Taxation.

House Bill 412 – Delegates George and W. Miller

AN ACT concerning

**Vessel Excise Tax – Exemption for Commercial Enterprises Paying the
Admissions and Amusement Tax**

FOR the purpose of providing an exemption from the vessel excise tax for the purchase of a vessel by certain commercial enterprises if the use of the vessel will require the payment of at least a certain amount of admissions and amusement tax; requiring the Department of Natural Resources to adopt certain regulations; requiring the Department to report to the Governor and General Assembly on or before a certain date each year; providing for the application of this Act; and generally relating to the vessel excise tax.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–716(e)(12) and (13)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Natural Resources
Section 8–716(e)(14) and (j)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 428 – Delegates K. Kelly, Dumais, and Simmons

AN ACT concerning

**Child Abuse and Neglect – Reports and Records – Disclosure to Public
Institutions of Higher Education**

FOR the purpose of authorizing the disclosure of a report or record of child abuse or neglect to the presidents of certain public ~~higher education~~ institutions of higher education or the Chancellor of the University System of Maryland for certain purposes if the abuse was committed under certain circumstances; and generally relating to disclosure of reports and records of child abuse and neglect.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 1–202(a)
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–202(c)
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 437 – Delegate Simmons

AN ACT concerning

Maryland Trust Act

FOR the purpose of repealing and revising certain provisions of law relating to trusts; providing that this Act may be cited as the Maryland Trust Act; providing for the scope of this Act; providing for the construction of this Act; providing for the designation of the principal place of administration for a trust; establishing a standard for whether notice to a person under this Act must be accomplished and how notice may be waived; providing for the role of a court in the administration of a trust; providing that a certain trustee and the beneficiaries of a trust are subject to the jurisdiction of the courts of this State under certain circumstances; establishing standards for judicial review of the discretion of a trustee; providing for the consent of a person that may represent and bind another person under this Act; providing that the holder of a certain qualified power of appointment may represent and bind a certain person; providing that a certain person may represent a certain other person with respect to a particular question or dispute; authorizing a court to appoint a representative for a certain interest in certain circumstances; providing methods and requirements for creating a trust under this Act; establishing the method by which a trust for care of an animal may be created; providing certain rules for a certain noncharitable trust; providing for the modification or termination of a trust; authorizing a court to reform the terms of a certain trust; authorizing a court to modify the terms of a trust in a certain manner; authorizing a court to authorize a creditor or assignee of a beneficiary to reach a certain beneficiary's interest by attachment of certain distributions; establishing the rights of a certain beneficiary and a certain creditor to a trust interest that is subject to a discretionary distribution provision; providing that certain actions may not be taken with respect to a beneficial interest that is subject to a support provision; providing for the treatment of a spendthrift provision in a trust; authorizing a court to authorize a creditor or assignee of the beneficiary to attach certain distributions in certain circumstances; providing for circumstances to create a certain general power of appointment or a power of withdrawal; establishing rules for the claim of a certain creditor; establishing that trust property is not subject to certain personal obligations of the trustee; prohibiting a creditor from taking certain actions to compel a certain distribution; providing for the transfer to trust of property held by tenants by the entirety; establishing the capacity of a settlor of a revocable trust to take certain actions; providing the manner by which the settlor may revoke or amend a revocable trust; establishing the rights of certain beneficiaries; establishing the method by which a person designated as trustee accepts or rejects the trusteeship; requiring a trustee to give a certain bond under certain circumstances;

providing for circumstances in which a vacancy occurs in a cotrusteeship; authorizing a trustee to resign in certain circumstances; providing grounds for the removal of a trustee; establishing the duties and powers of a trustee who has resigned or been removed; providing that certain trustees are entitled to certain commissions and certain reimbursements; authorizing certain persons to exercise certain trust and fiduciary powers; prohibiting a certain person from serving as a trustee in certain circumstances; requiring a certain trustee to perform certain duties; authorizing a trustee to delegate certain duties and powers in certain circumstances; authorizing a certain trustee to follow a certain direction of the settlor; establishing that certain persons shall be considered advisers and fiduciaries in certain circumstances; requiring a certain trustee to act in accordance with the directions of a certain adviser in certain circumstances; providing that a certain trustee does not have certain liabilities and duties; providing that a certain adviser has the power to perform certain actions; requiring a trustee to take certain steps to take control of and protect the trust property, with a certain exception; requiring the trustee to do certain record keeping and to keep certain property in a certain manner; requiring a trustee to take certain steps in certain circumstances; requiring the trustee to respond promptly to a certain request for information; requiring a trustee to provide certain notice to certain beneficiaries; requiring a trustee to send a certain report to certain persons; prohibiting a trustee from exercising certain powers; authorizing a trustee to exercise certain powers in certain circumstances; providing for damages for which a certain trustee is or is not liable; authorizing a court to award costs and expenses in a certain judicial proceeding; providing that a certain trustee is not liable for a certain loss; providing that a certain term of a trust is unenforceable in certain circumstances; providing for the effect of an exculpatory term in a trust; providing for the liability of a trustee for breach of trust in certain circumstances; establishing limitations of personal liability of the trustee in certain circumstances; authorizing a trustee to furnish a certification of trust in certain circumstances; providing that the provisions of this Act relating to the use of electronic records and signatures conform to a certain federal statute; providing for the severability of provisions in this Act if held invalid; providing for the application of this Act to certain trusts and judicial proceedings; defining certain terms; and generally relating to trusts.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 11–102(b)(12)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article – Estates and Trusts

Section 14–101 through 14–115 and the subtitle “Subtitle 1. General Provisions”

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Estates and Trusts

Section 14.5–101 through 14.5–1005 to be under the new title “Title 14.5.
Maryland Trust Act”

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 3–506(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 478 – Delegate Simmons

AN ACT concerning

Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties

FOR the purpose of prohibiting a person from committing a certain crime of violence when the person knows or reasonably should know that a minor of a certain age is present in a residence; establishing certain circumstances under which a minor is present; establishing a certain enhanced penalty for a violation of this Act; authorizing a court to impose an enhanced penalty if the State’s Attorney provides certain notice to the defendant in a certain manner and if certain elements have been proven beyond a reasonable doubt; authorizing the State to include a certain notice in a certain indictment or information; ~~providing that a person who violates this Act is guilty of the abuse of a child under 18 for certain purposes;~~ providing that a penalty imposed under this Act shall be separate from and consecutive to a sentence for any crime based on the act establishing the violation of this Act; and generally relating to the commission of crimes of violence in the presence of minors.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 9–106(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Law

Section 3–601.1

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(a) and (c)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 526 – Delegates Summers, Cane, Clippinger, Frush, Gaines, Haynes, Hubbard, Ivey, Mitchell, Niemann, Stein, ~~and Walker~~ Walker, and Howard

AN ACT concerning

Higher Education – Maryland First Scholarship – Creation and Funding

FOR the purpose of establishing the Maryland First Scholarship; establishing certain eligibility requirements for the scholarship; requiring certain information to be provided in an application for the scholarship; authorizing the use of the scholarship for certain educational expenses; authorizing the scholarship awarded to be in an annual amount up to a certain percentage of certain tuition and fees at certain institutions of higher education; requiring the scholarship recipient to maintain a certain grade point average to be determined at a certain time; providing for the duration of the scholarship; requiring scholarship applicants and recipients to file for certain federal and State financial aid by a certain date; establishing a certain fund; requiring the Maryland Higher Education Commission to administer a certain fund; providing that the fund is a certain special, nonlapsing fund that is not subject to a certain section of the State Finance and Procurement Article; requiring the State Treasurer to hold the fund separately and to make certain investments; requiring certain earnings to accrue to a certain fund; requiring the Comptroller to account for the fund; directing the Commission to use certain gifts and grants for the fund in a certain manner; requiring certain funds not awarded to remain in a certain fund; requiring the Commission to prepare a certain annual report regarding the fund; requiring the Governor to make ~~a certain~~ an appropriation in the State budget ~~from a certain fund for a certain purpose~~; ~~authorizing funds from the Education Trust Fund to be used for a certain purpose~~; defining certain terms; and generally relating to the establishment of the Maryland First Scholarship.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–101
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education

Section 18–2901 to be under the new subtitle “Subtitle 29. Maryland First Scholarship”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – State Government~~

~~Section 9–1A–30~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2012 Supplement)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

House Bill 541 – Delegates Hough, Afzali, Conaway, McDermott, Mitchell, Parrott, Ready, Rosenberg, Stukes, Valentino-Smith, and Waldstreicher

AN ACT concerning

Criminal Procedure – Certificate of Rehabilitation Completion

FOR the purpose of ~~establishing the policy of the State to encourage the employment and reintegration into society of certain ex-offenders;~~ authorizing the ~~Maryland Parole Commission~~ Department of Public Safety and Correctional Services to issue a certain certificate of rehabilitation completion to a certain ~~eligible~~ offender who meets certain requirements; ~~providing that a certificate of rehabilitation establishes that a certain eligible offender has been rehabilitated from certain criminal involvement;~~ requiring the Commission to consider certain factors before issuing a certificate of rehabilitation; ~~authorizing the Commission to conduct an investigation of an eligible offender to determine whether to issue a certificate of rehabilitation to the eligible offender;~~ authorizing the Commission to revoke a certificate of rehabilitation under certain circumstances; ~~providing that, in granting or revoking a certificate of rehabilitation, the action of the Commission shall be by majority vote of the members authorized to grant or revoke parole;~~ prohibiting a person from knowingly using or attempting to use a revoked certificate of rehabilitation requiring the Department to make a certain report on or before a certain date; providing for the application of this Act; defining a certain term; and generally relating to certificates of rehabilitation completion.

BY adding to

Article – Correctional Services

Section ~~7–209~~ 7–103

Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 581 – Delegates Hubbard, Bobo, Cullison, Donoghue, Pena-Melnyk, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, Bromwell, Costa, Elliott, Frank, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Ready, Reznik, and Tarrant

AN ACT concerning

Hospitals – Establishment of Palliative Care Pilot Programs – ~~Required~~

FOR the purpose of ~~requiring certain hospitals to implement a certain palliative care program on or before a certain date;~~ providing for the establishment of a certain number of palliative care pilot programs in certain hospitals in the State; requiring the Maryland Health Care Commission to select the pilot programs in a certain manner; requiring certain palliative care pilot programs to collaborate with certain providers to deliver care, gather certain data, and report certain information to the Maryland Health Care Commission; requiring the Maryland Health Care Commission to consult with certain palliative care pilot programs and certain stakeholders to develop certain core data measures and certain reporting standards; requiring ~~the palliative care program~~ certain palliative care pilot programs to include certain policies and procedures; requiring certain counseling about palliative care to include certain information regarding certain rights of patients; ~~requiring the Department of Health and Mental Hygiene to adopt certain regulations on or before a certain date; prohibiting certain regulations from requiring a palliative care program to be led by a certain physician; requiring the Department to conduct a certain survey of certain palliative care programs at certain intervals; requiring the Maryland Hospital Association to provide a certain report to the General Assembly on or before a certain date;~~ requiring the Maryland Health Care Commission, on or before a certain date, in consultation with the Office of Health Care Quality and the Maryland Hospital Association, to report certain findings to certain committees of the General Assembly; requiring the report to include certain recommendations; requiring the report to be used to develop certain standards; providing for the termination of this Act; defining certain terms; and generally relating to palliative care pilot programs in hospitals in the State.

BY adding to

Article – Health – General

Section 19–308.9

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

House Bill 713 – Delegates Dumais, Frick, Afzali, Anderson, Arora, Aumann, Barkley, Barve, Bates, Beidle, Bobo, Branch, Bromwell, Cardin, Carr, Carter, Clippinger, Cluster, Conaway, Cullison, Eckardt, Feldman, Frush, Gilchrist, Glass, Glenn, Gutierrez, Guzzone, Haddaway–Ricchio, Haynes, Healey, Hixson, Hough, Hucker, Impallaria, Jameson, Jones, Kaiser, A. Kelly, Kramer, Krebs, Lafferty, Lee, Love, Luedtke, Malone, McComas, McConkey, McDermott, McDonough, McHale, McIntosh, A. Miller, W. Miller, Mitchell, Mizeur, Morhaim, Murphy, Myers, Nathan–Pulliam, Olszewski, Parrott, Pendergrass, Ready, Reznik, B. Robinson, S. Robinson, Rudolph, Serafini, Sophocleus, Stein, Stukes, Szeliga, Tarrant, F. Turner, Valderrama, Valentino–Smith, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking

FOR the purpose of authorizing a State or local law enforcement agency, on process issued by a court of competent jurisdiction, to seize certain property used or intended for use in connection with a violation of certain criminal statutes; ~~creating an Anti-Human-Trafficking Fund to be administered by the Executive Director of the Governor's Office of Crime Control and Prevention;~~ specifying the revenue sources for the Fund; providing for certain disbursements from the Fund for certain purposes; specifying certain property that is subject to forfeiture; specifying certain conditions to exclude property from forfeiture; authorizing the seizure of certain property with or without a warrant under certain circumstances; requiring the seizing authority that seizes money to take certain actions; specifying certain standards and exceptions regarding the seizure of motor vehicles; requiring a certain law enforcement officer to recommend that a motor vehicle be forfeited under certain circumstances; requiring that a forfeiting authority surrender a motor vehicle on request to the owner under certain circumstances; specifying conditions under which an owner may obtain possession of seized property; specifying the time when seizure of real property occurs; authorizing an owner or owner's tenant to remain in possession of seized real property under certain circumstances; prohibiting an owner of certain real property from taking certain actions; specifying certain procedures for the conduct of forfeiture proceedings, including the filing of complaints and answers, posting and publishing of notice, and conducting hearings for real property and other property; specifying certain restrictions on forfeiture proceedings on property used as the principal family residence; specifying certain powers of a court in a certain forfeiture proceeding; requiring a court to issue a certain order after a full hearing under certain circumstances; authorizing the governing body where the property was seized to take certain actions; requiring certain proceeds to be used for certain expenses; ~~requiring that certain proceeds of the sale of forfeited property be distributed to the Fund~~

~~for a certain purpose; specifying the terms of sale of forfeited property; specifying the law governing the sale of certain collateral; requiring certain proceeds from the sale of certain property to be distributed in a certain manner; requiring lienholders to take certain actions before exercising the right to sell certain property and after the redemption of certain property; specifying the effect of this Act; defining certain terms; providing for the application of this Act; and generally relating to seizure and forfeiture of property used in connection with human trafficking.~~

~~BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11-910(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)~~

BY adding to
Article – Criminal Procedure
Section ~~11-920~~, and 13-501 through 13-536 to be under the new subtitle
“Subtitle 5. Violations of the Human Trafficking Law”
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 786 – Delegates Carter, Anderson, Braveboy, and M. Washington

AN ACT concerning

Juvenile Law – ~~Jurisdiction and Detention~~ Task Force on Juvenile Court Jurisdiction

FOR the purpose of establishing ~~that the juvenile court has jurisdiction over a certain child alleged to have committed certain acts which, if committed by an adult, would be certain crimes, or over a certain child who has previously been convicted of a felony under certain circumstances; prohibiting a child from waiving the right to counsel at a certain waiver hearing; requiring a certain person to be transferred to a juvenile facility unless a certain finding has been made; prohibiting a child from being transported together with certain adults unless a certain finding has been made; repealing certain provisions of law governing the transfer of certain criminal cases to juvenile court; making stylistic and conforming changes; altering certain requirements relating to events that must be reported to the Criminal Justice Information System Central Repository; altering certain requirements relating to the fingerprinting of a child adjudicated delinquent; providing for the application of this Act; and generally relating to juvenile law~~ the Task Force on Juvenile Court Jurisdiction; 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; establishing the 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 a certain date; providing for the termination of this Act; and generally relating to the Task Force on Juvenile Court Jurisdiction.

~~BY repealing and reenacting, with amendments,
Article — Courts and Judicial Proceedings
Section 3-8A-03(d), 3-8A-16, and 3-8A-20(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)~~

~~BY repealing
Article — Criminal Procedure
Section 4-202 and 4-202.2
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Criminal Procedure
Section 4-202.1, 10-215(a)(20), and 10-216(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)~~

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 787 – Delegate Simmons

AN ACT concerning

Criminal Law – Reckless Endangerment as Lesser Included Offense – Repeal of Specific Charging Requirement

FOR the purpose of ~~creating an exception to~~ repealing the requirement that a defendant must be charged specifically with reckless endangerment to be found guilty of reckless endangerment; ~~specifying that the requirement does not apply if reckless endangerment qualifies as a lesser included offense of an offense with which the defendant is charged and the defendant requests a certain jury instruction;~~ and generally relating to the offense of reckless endangerment.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3-206
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 817 – Delegates ~~Murphy and Arora~~, Arora, Kaiser, George, Ivey, A. Miller, Serafini, Walker, A. Washington, Cardin, Afzali, Barve, Luedtke, Dwyer, Myers, Stukes, Frick, Howard, Hixson, F. Turner, ~~and Harper~~ Harper, and McDermott

AN ACT concerning

Property Tax Credit – Retail Service Stations – Alternate Power Sources

FOR the purpose of authorizing the governing body of a county or municipal corporation to grant a certain property tax credit for alternate power sources at retail service stations; establishing when the tax credit may be granted; establishing the amount of the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for alternate power sources at retail service stations.

BY adding to

Article – Tax – Property

Section 9–256

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 823 – Delegates M. Washington, Anderson, Braveboy, Carter, Clippinger, Conaway, Cullison, Donoghue, Griffith, Gutierrez, Hucker, Kaiser, Lee, McIntosh, A. Miller, Oaks, Olszewski, Pena–Melnik, B. Robinson, Stukes, Tarrant, Valentino–Smith, Waldstreicher, and Walker

AN ACT concerning

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

FOR the purpose of establishing the Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth; 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; establishing the 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 a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 829 – Delegates M. Washington, B. Robinson, A. Kelly, Anderson, Barve, Bobo, Braveboy, Carr, Carter, Clippinger, Conaway, Cullison, Dumais, Frush, Glenn, Griffith, Gutierrez, Hixson, Huckler, Jones, Kaiser, Lee, Luedtke, McComas, McIntosh, A. Miller, Mizeur, Pena-Melnyk, Reznik, S. Robinson, Rosenberg, Summers, and Waldstreicher

AN ACT concerning

**Correctional Services – Pregnant Detainees and Inmates – Restraint
Restrictions ~~and Reporting~~**

FOR the purpose of requiring that the medical professional responsible for the care of a certain inmate determine when the inmate's health allows the inmate to be returned to a correctional facility after giving birth; ~~prohibiting, with certain exceptions, a physical restraint from being used on a certain inmate when the inmate is known to be in a certain trimester of pregnancy; providing that this Act does not prevent a certain person from filing a certain complaint; requiring the security officer of a certain correctional facility to make and maintain certain written findings in certain circumstances; providing that it is the policy of the State that restraint of pregnant inmates during labor and delivery should not be used unless determined necessary by an attending medical professional, facility security staff, or correctional staff; providing certain requirements and considerations in the use of a restraint of a pregnant inmate; requiring the security officer of a local correctional facility to take certain actions when a certain representation concerning an inmate is made; ~~providing for restrictions on the use of a physical restraint on a certain inmate in a local correctional facility;~~ requiring the Department of Juvenile Services to adopt certain regulations; ~~requiring the Commissioner of Corrections and the managing official of each municipal and county correctional institution to provide a certain report to the General Assembly and the Governor on or before a certain date each year;~~ and generally relating to pregnant inmates and the use of restraints.~~

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 9–601

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Correctional Services

Section 9–601.1 and 11–206

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 9–237(a)
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–237(c)
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 868 – Delegates Murphy, Morhaim, Cullison, Donoghue, Elliott, Hubbard, A. Kelly, Pena–Melnyk, Ready, ~~and V. Turner~~ V. Turner, and Krebs

EMERGENCY BILL

AN ACT concerning

Health Occupations – State Board of Pharmacy – Waivers – Pharmacies That Only Dispense Devices

FOR the purpose of authorizing the State Board of Pharmacy to waive certain requirements for certain pharmacies that only dispense devices in accordance with certain rules and regulations; making certain technical changes; making this Act an emergency measure; and generally relating to the State Board of Pharmacy and waivers for pharmacies that only dispense devices.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–403
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 905 – Delegates Kach, Elliott, Minnick, ~~and Oaks~~ Oaks, Nathan–Pulliam, Krebs, and Ready

AN ACT concerning

**Health Occupations – Funeral Establishments – Preparation and
Holding Rooms**

FOR the purpose of establishing that a funeral establishment that uses a central preparation room at another funeral establishment is not required to have its own preparation room or holding room; and generally relating to funeral establishments.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–310
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 916 – Delegates Valentino–Smith, M. Washington, Braveboy, Carter, Dumais, Gaines, Hucker, Lee, Rosenberg, Simmons, Swain, Valderrama, and Waldstreicher

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 Judicial Proceedings.

House Bill 930 – Delegates Lee, Arora, Conaway, DeBoy, Dumais, Eckardt, Glenn, Hough, McComas, McDonough, B. Robinson, Stocksdale, Stukes, Tarrant, F. Turner, and Valderrama

AN ACT concerning

Criminal Law – Identity Fraud – Prohibitions

FOR the purpose of prohibiting a person from ~~disclosing or helping another person to disclose an individual's personal identifying information without the individual's consent under certain circumstances; prohibiting a person from possessing, obtaining, disclosing, or helping another person to possess, obtain, or disclose certain information under certain circumstances;~~ maliciously using an interactive computer service to disclose or assist another person to disclose certain personal identifying information of an individual, without the consent of the individual, in order to annoy, threaten, embarrass, or harass the individual; providing penalties for ~~disclosing an individual's personal identifying information without the individual's consent~~ a violation of this Act; and generally relating to identity fraud.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section ~~8-301(b)~~ 8-301(a) and (g)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 8-301(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY adding

Article – Criminal Law

Section 8-301(b-1)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 978 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Winery Off-Site Permit and Wine Festival Permit

FOR the purpose of requiring the Office of the Comptroller to collect a fee for a winery off-site permit and a wine festival permit; repealing provisions that provide for a winery special event permit and a related fee; repealing provisions that provide for a farmer's market permit; establishing a winery off-site permit to be issued by the Office of the Comptroller; authorizing the Office of the Comptroller to issue a winery off-site permit to certain persons who meet certain requirements; authorizing a winery off-site permit holder to provide and sell wine for certain purposes under certain circumstances; requiring a winery off-site permit holder to have a certain agent present ~~during a certain event~~

while selling wine or providing samples at a farmers' market; specifying certain events in which a winery off-site permit may be used; specifying the term of a winery off-site permit; requiring an applicant for a winery off-site permit to submit a certain application form developed by the Office of the Comptroller and pay a certain fee to obtain a permit; requiring a winery off-site permit holder to notify the Office of the Comptroller within a certain period of time of its intention to attend an off-site event; authorizing the Office of the Comptroller to adopt regulations to require a winery off-site permit holder to notify a certain board of license commissioners of its intention to attend an off-site event; specifying a certain winery off-site permit fee; establishing a wine festival permit to be issued by the Office of the Comptroller; authorizing the Office of the Comptroller to issue a wine festival permit to certain persons who meet certain requirements, provided that the wine festival will occur over a certain period of time; authorizing a wine festival permit holder to purchase wine at wholesale to provide and sell wine for certain purposes under certain circumstances; requiring a wine festival permit holder to provide space at the wine festival for holders of winery off-site permits; authorizing a winery off-site permit holder to provide and sell wine in the same manner as a wine festival permit holder, under certain circumstances; requiring a wine festival permit holder to have certain agents present during a certain event; ~~requiring a certain holder of a winery off-site permit to have a certain agent present during a certain event;~~ requiring an applicant for a wine festival permit to submit a certain application form developed by the Office of the Comptroller within a certain period of time before the proposed event and pay a certain fee to obtain a permit; specifying the contents of an application for a wine festival permit; requiring a wine festival permit holder to provide the Office of the Comptroller with a list of winery off-site permit holders that will attend a certain wine festival within a certain period of time before the event; establishing certain limits on the attendance at a certain number of events each calendar year by a winery off-site permit holder; making conforming changes; and generally relating to winery off-site permits and wine festival permits.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2-101(b)(1), (v), (w), and (y) and 7.5-101(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article 2B – Alcoholic Beverages

Section 2-101(b)(11), (u), and (x)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 2-102 ~~and 2-103~~, 2-103, and 2-104

Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1006 – Delegates Anderson, Waldstreicher, Braveboy, Carter, Conaway, Dumais, Haynes, Ivey, Swain, Valderrama, and M. Washington

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

FOR the purpose of authorizing a person to ~~request that~~ petition 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 Judicial Proceedings.

House Bill 1089 – Delegate Braveboy

AN ACT concerning

Vehicle Laws – Rental Vehicle Companies Vehicles – Right of Subrogation Required Security

FOR the purpose of establishing that the owner of a rental vehicle company has a certain right of subrogation against certain persons, including a person who rents a motor vehicle, for certain property damage, personal injury, and wrongful death claims paid by the rental vehicle company that arose out of the use or operation of the motor vehicle may satisfy a certain insurance requirement by maintaining a certain security that is secondary to any other valid and collectible coverage; requiring the owner of a rental vehicle to provide a certain notice to the renter of the rental vehicle; making stylistic changes; and generally relating to proof of insurance for the registration of certain rental vehicle companies and rights of subrogation vehicles.

BY repealing and reenacting, without amendments,

Article – Transportation

Section ~~18–108(a)~~ 17–103

Annotated Code of Maryland

(2012 Replacement Volume)

BY ~~adding to~~ repealing and reenacting, with amendments,

Article – Transportation

Section ~~18–108(f)~~ 17–104 and 18–102

Annotated Code of Maryland

(2012 Replacement Volume)

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

House Bill 1119 – Delegates Zucker, Wilson, James, Arora, Aumann, Bates, Beitzel, Bobo, Bohanan, Branch, Cane, Carr, Conway, Cullison, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Guzzone, Haddaway–Riccio, Haynes, Jameson, Jones, Kaiser, A. Kelly, Luedtke, McConkey, Mitchell, Mizeur, Morhaim, Murphy, Pena–Melnik, Proctor, Reznik, B. Robinson, S. Robinson, Sophocleus, Stocksdale, Szeliga, F. Turner, Walker, M. Washington, and Wood

AN ACT concerning

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

FOR the purpose of requiring the Secretary of Budget and Management, with the assistance of the Secretary of Human Resources and in consultation with certain persons, to develop and implement the Foster Youth Summer Internship Pilot Program; specifying the purposes of the Program; specifying that an internship under the Program may be paid or unpaid ~~and shall continue for a certain period~~; requiring the Program to be established in ~~at least three counties in~~ multiple regions of the State; requiring the Secretary of Budget and Management to coordinate with certain State agencies on establishing certain internships; authorizing agencies participating in the Program to take certain actions; establishing certain eligibility requirements for individuals participating in an internship under the Program; requiring the Secretary of Budget and Management, in consultation with the Secretary of Human Resources, to issue a certain ~~reports~~ report to the Senate Budget and Taxation Committee, the Senate Finance Committee, and the House Appropriations Committee of the General Assembly ~~by~~ on or before a certain ~~date~~ date; specifying the contents of the ~~reports~~ report; providing for a delayed effective date; providing for the termination of this Act; defining certain terms; and generally relating to internship opportunities for certain foster youth.

~~BY adding to~~

~~Article – Human Services
Section 5–318.1
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)~~

BY adding to

Article – State Finance and Procurement
Section 3–207
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1160 – Delegate Kach

AN ACT concerning

**Health Insurance – Vision Services – Provider Contracts ~~and Delivery~~
Systems**

FOR the purpose of prohibiting a carrier from including in a vision provider contract a provision that requires a vision provider to provide certain services at a fee set by the carrier or provide discounts on materials that are not covered benefits; ~~requiring a carrier to offer a certain vision point of service delivery system option to certain persons under certain circumstances; prohibiting a carrier from imposing a minimum participation level on a vision point of service option under certain circumstances; authorizing an employer, association, or other private group arrangement to require an employee or other individual to pay a certain premium under certain circumstances; authorizing a carrier to impose different cost sharing provisions for a vision point of service option based on whether the vision service is provided through the carrier's provider panel or outside the carrier's provider panel;~~ prohibiting a carrier from including in a vision provider contract a provision that requires a vision provider, as a condition of participating in a fee-for-service vision provider panel, to participate in a capitated vision provider panel, with a certain exception; ~~defining certain terms a certain term;~~ providing for the application of this Act; providing for a delayed effective date; and generally relating to vision services and health insurance carriers.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112.2(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Insurance
Section 15–112.2(h) ~~and 15–114.1~~
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1175 – Delegate Vallario

AN ACT concerning

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

FOR the purpose of altering the membership of the Police Training Commission to include the President of the Police Chiefs’ Association of Prince George’s County; and generally relating to the Police Training Commission.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–203
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 1183 – Delegates Conway, Cane, Eckardt, Gutierrez, Proctor, and
Sophocleus**

AN ACT concerning

Public Health – Retail Establishments – Use of Toilet Facilities by Customers

FOR the purpose of altering the circumstances under which a retail establishment that has a toilet facility for its employees is required to allow certain customers to use the facility; requiring the Department of Health and Mental Hygiene to create a certain identification card; making conforming changes; altering a certain definition; adding a certain definition; and generally relating to the use of employee toilet facilities by customers of retail establishments.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–635
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–209
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

**House Bill 1186 – Delegates McComas, Cardin, Carter, Clippinger, Cluster,
DeBoy, Dumais, Eckardt, Frank, Glass, Hogan, Lee, McConkey,
McDermott, McDonough, Mitchell, Otto, Ready, B. Robinson,**

**Rosenberg, Simmons, Smigiel, Sophocleus, Stocksdale, Swain,
Valentino-Smith, and Wood**

AN ACT concerning

Task Force on the Prevention of Child Abuse and Neglect

FOR the purpose of establishing the Task Force on the Prevention of Child Abuse and Neglect; 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 child abuse and neglect.

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 1216 – Delegates A. Kelly, Bobo, Costa, Cullison, Eckardt, Elliott,
Feldman, Hammen, Hubbard, Kach, Kipke, Pena-Melnyk, Rosenberg,
Tarrant, and V. Turner**

AN ACT concerning

**Health Insurance – Federal Mental Health Parity and Addiction Equity Act –
~~Consumer Bill of Rights~~ Notice and Authorization Forms**

~~FOR the purpose of requiring certain carriers that offer a certain health insurance policy or contract to provide, in the mental health and substance use disorder benefits sections of the health insurance policy or contract documents, certain notices and other information relating to the federal Mental Health Parity and Addiction Equity Act; requiring a carrier to provide certain policy or contract information or documents to a member within a certain period of time; requiring a carrier to post on its Web site and provide by certain means within a certain period of time a release of information authorization form; defining certain terms; making the provisions of this Act applicable to health maintenance organizations; and generally relating to information in health insurance documents relating to compliance with the federal Mental Health Parity and Addiction Equity Act.~~

FOR the purpose of requiring health maintenance organizations and entities that issue or deliver certain health insurance policies or contracts to provide, on their Web sites and in print, notice about certain benefits for mental illness, emotional disorders, drug abuse, or alcohol abuse required under State law and under the federal Mental Health Parity and Addiction Equity Act and notice that members and insureds may contact the Maryland Insurance Administration for further information; requiring the health maintenance

organizations and entities to post a release of information authorization on the their Web sites and to provide by standard mail to a member or insured a release of information authorization form within a certain period of time; requiring the Administration to provide on its Web site certain notice relating to filing complaints, obtaining copies of insurance policies and contracts, and requesting referrals; and generally relating to notice about certain benefits for mental illness, emotional disorders, drug abuse, or alcohol abuse and release of information authorization forms under health insurance.

BY adding to

Article – Health – General
Section ~~19-706(ooo)~~ 19-703.1(f) and (g)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Insurance
Section ~~15-128~~ 15-802(h) and (i)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1220 – Delegates Swain, Carter, Valderrama, Valentino-Smith, and Vallario

AN ACT concerning

Invalidation and Destruction of Unexecuted Warrant, Summons, or Other Criminal Process – Failure to Appear Designation

FOR the purpose of specifying that a certain provision of law relating to invalidation and destruction of an unexecuted warrant, summons, or other criminal process may not be construed to nullify or remove a failure to appear designation that has been placed on an individual's driving record by the Motor Vehicle Administration; limiting the circumstances under which a certain State's Attorney may argue against the invalidation and destruction of a certain warrant, summons, or other criminal process; making clarifying and stylistic changes; and generally relating to invalidation and destruction of an unexecuted warrant, summons, or other criminal process.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 4-109
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1250 – Delegates Valderrama, Clippinger, and Valentino–Smith

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 Judicial Proceedings.

House Bill 1252 – Delegates A. Kelly, Bobo, Costa, Cullison, Eckardt, Elliott, Feldman, Hammen, Hubbard, Kach, Kipke, Pena–Melnik, Rosenberg, Tarrant, ~~and V. Turner~~ V. Turner, Donoghue, Frank, Krebs, Morhaim, Murphy, Nathan–Pulliam, Pendergrass, Ready, and Reznik

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Utilization Review Criteria and Standards

FOR the purpose of requiring ~~the information that a private review agent submits to the Maryland Insurance Commissioner in conjunction with a certain application to include certification by the private review agent that the criteria and standards to be used in conducting utilization review are, for review of mental health and substance use disorder benefits, in compliance with the federal Mental Health Parity and Addiction Equity Act; prohibiting a private review agent from using criteria and standards to conduct utilization review unless the criteria and standards used by the private review agent are, for review of~~

~~mental health and substance use disorder benefits, in compliance with the federal Mental Health Parity and Addiction Equity Act; making a stylistic change entities that propose to issue or deliver certain insurance policies or contracts in the State or to administer health benefit programs that provide certain coverage to ensure that, when conducting utilization review for mental health and substance use benefits, the criteria and standards used are in compliance with the federal Mental Health Parity and Addiction Equity Act; and generally relating to utilization review criteria and standards used by private review agents for review of mental health and substance use disorder benefits under health insurance and compliance with the federal Mental Health Parity and Addiction Equity Act.~~

BY repealing and reenacting, with amendments,

Article – Insurance

Section ~~15-10B-05(a)(11) and 15-10B-11(8)~~ 15-1001(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – Insurance~~

~~Section 15-10B-11(9)~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2012 Supplement)~~

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

House Bill 1263 – Delegate Frank

AN ACT concerning

Prosecution of Offenses Related to Practicing Medicine Without a License – Statute of Limitations – Repeal

FOR the purpose of repealing the requirement that a prosecution for an offense under a certain provision of law of practicing, attempting to practice, or offering to practice medicine without a license be instituted within a certain number of years after the offense was committed; making conforming changes; and generally relating to the prosecution of offenses related to practicing medicine without a license.

BY repealing

Article – Courts and Judicial Proceedings

Section 5-106(r)

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property
Section 14–117(l)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY renumbering

Article – Courts and Judicial Proceedings
Section 5–106(s) through (cc), respectively
to be Section 5–106(r) through (bb), respectively
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 1281 – Delegates Carter, Braveboy, Carr, Dwyer, Glenn, Oaks,
B. Robinson, and F. Turner**

AN ACT concerning

**Law Enforcement Officers – Entrance–Level and Annual Training
Requirements
(Christopher’s Law)**

FOR the purpose of altering entrance–level and annual training conducted by the State and each county and municipal police training school that are required by the Police Training Commission to include certain training consistent with certain provisions; and generally relating to entrance–level and annual training requirements for law enforcement officers.

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 3–207
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 1303 – Delegates Dumais, Anderson, Carter, Ivey, Lee, Oaks,
Rosenberg, and Valderrama**

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

FOR the purpose of altering the distributee of certain abandoned property funds that the Comptroller is required to distribute each year; altering the amount that the Comptroller is required to distribute; repealing certain provisions of law

requiring the Governor to appropriate a certain amount in certain budgets each year to the Maryland Legal Services Corporation Fund; repealing certain provisions of law authorizing the Governor to transfer a certain amount to the Fund from a certain portion of abandoned property funds; altering a certain source of money in the Fund; and generally relating to Maryland Legal Services Corporation funding.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 17–317(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 11–401 and 11–402
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1382 – Delegates McDermott, Cluster, Ready, and Stocksdale

AN ACT concerning

Motor Vehicle Accidents – Victim Impact Statement
Sentencing Procedures – Statement by Victim or Victim’s Representative
(Alex’s Law)

FOR the purpose of ~~authorizing a prosecuting attorney to prepare a certain victim impact statement under certain circumstances involving a motor vehicle accident; and generally relating to a victim impact statement involving a motor vehicle accident~~ requiring a court in a sentencing or disposition hearing to allow a victim or the victim’s representative to address the court under oath before the imposition of sentence or other disposition under certain circumstances; and generally relating to a certain statement by a victim or the victim’s representative in a sentencing or disposition hearing.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–401 and 11–403(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section ~~11–402~~ 11–403(b)

Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1394 – Delegate Impallaria

AN ACT concerning

**Harford County – Appointment of Fire Company Members as Deputy Sheriffs
– Number**

FOR the purpose of increasing the number of members of a fire company in Harford County that a commanding officer may designate to be appointed by the sheriff as deputy sheriffs; and generally relating to deputy sheriffs in Harford County.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 7–303(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 7–303(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 1396 – Delegates Conaway, Vallario, Anderson, Cluster, Dumais,
Dwyer, Glass, Hough, K. Kelly, McDermott, Mitchell, Rosenberg, and
Simmons**

AN ACT concerning

Criminal Law – Theft–Related Crimes – Penalties

FOR the purpose of altering certain penalties for a conviction of extortion, malicious destruction of property, obtaining property or services by bad check, credit card fraud, identity fraud, State health plan fraud, and exploitation of a vulnerable adult involving a value at or over a certain amount; making conforming changes; and generally relating to theft–related crimes.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 15–803(a)

Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–404, 3–701, 3–702, 6–301, 8–106, 8–206, 8–207, 8–209, 8–301, 8–516,
and 8–801
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 1408 – Delegates Cullison, Dumais, Gutierrez, Luedtke, Mitchell,
Olszewski, Rosenberg, Swain, Valderrama, and Zucker**

AN ACT concerning

Family Law – Criminal History Records Checks – Student Teachers

FOR the purpose of requiring the Department of Public Safety and Correctional Services, on written request from a certain student teacher, to submit a certain printed statement to additional employers if the criminal history records check was completed during a certain period of time; establishing that a certain printed statement is valid in any county; and generally relating to criminal history records checks for student teachers.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–564
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 1440 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment) ~~and Delegate Mizour~~ and Delegates
Mizeur and Carr**

AN ACT concerning

Recycling – Composting Facilities

FOR the purpose of providing that a person may operate a composting facility only in accordance with certain requirements, regulations, orders, and permits; requiring the Department of the Environment to adopt regulations to implement certain provisions, including establishing certain conditions on the operation and construction of composting facilities; establishing a permit system

for composting facilities; excluding certain materials from the definition of solid waste; exempting certain facilities from permitting requirements; providing that certain penalty provisions apply to violations of certain provisions, regulations, orders, or permits; clarifying the intent of certain provisions; altering certain definitions; defining certain terms; and generally relating to composting and solid waste.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–101(j), 9–1701, 9–1705, and 9–1721
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY adding to
Article – Environment
Section 9–1725 and 9–1726
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1448 – Calvert County Delegation

EMERGENCY BILL

AN ACT concerning

Calvert County – Alcoholic Beverages – Sunday Sales

FOR the purpose of making inapplicable in Calvert County the prohibition against a holder of a Class B or Class C license from selling alcoholic beverages at a bar or counter on Sunday; making this Act an emergency measure; and generally relating to alcoholic beverages sales in Calvert County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–403(a)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1524 – Baltimore County Delegation (~~By Request~~)

AN ACT concerning

**Election Law – Baltimore County Democratic Party Central Committee –
Membership**

FOR the purpose of altering the composition of the Baltimore County Democratic Party Central Committee; and generally relating to the Baltimore County Democratic Party Central Committee.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 4–203(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

MESSAGE TO THE SENATE

BILL: HB 0100
SPONSOR: The Spkr (Admin)
SUBJECT: Budget Bill (Fiscal Year 2014)

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 Conway, Chair
Delegate Bohanan
Delegate Gaines
Delegate Jones
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Proctor, DeBoy and James.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: HB 0100
SPONSOR: The Spkr (Admin)
SUBJECT: Budget Bill (Fiscal Year 2014)

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 Conway, Chair
Delegate Bohanan
Delegate Gaines
Delegate Jones
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Proctor, DeBoy and James.

The Senate appoints:
Senator Kasemeyer, Chair
Senator Madaleno
Senator DeGrange
Senator Robey
Senator Brinkley

In addition, the Senate has appointed in advisory capacity: Senators Jones–Rodwell, McFadden and King.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE**BILL: HB 0102**

SPONSOR: The Spkr (Admin)

SUBJECT: Budget Reconciliation and Financing 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 Conway, Chair

Delegate Bohanan

Delegate Griffith

Delegate Guzzone

Delegate Eckardt

In addition, the House has appointed in advisory capacity: Delegates Proctor, Jones, Haynes and Hixson.

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0102

SPONSOR: The Spkr (Admin)

SUBJECT: Budget Reconciliation and Financing 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 Conway, Chair
Delegate Bohanan
Delegate Griffith
Delegate Guzzone
Delegate Eckardt

In addition, the House has appointed in advisory capacity: Delegates Proctor, Jones, Haynes and Hixson.

The Senate appoints:
Senator Kasemeyer, Chair
Senator Jones–Rodwell
Senator DeGrange
Senator Madaleno
Senator Brinkley

In addition, the Senate has appointed in advisory capacity: Senators McFadden, Robey, Edwards and Peters.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 721)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #49

Senate Bill 368 – Senators Peters and DeGrange

AN ACT concerning

**Maryland Stem Cell Research Fund – Annual Report – Government
Transparency Requirements**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 722)

The Bill was then sent to the House of Delegates.

**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 – 47 Negative – 0 (See Roll Call No. 723)

The Bill was then sent to the House of Delegates.

**Senate Bill 545 – Senators Frosh, Brinkley, Brochin, Conway, Dyson, Getty,
Glassman, Kittleman, Madaleno, Middleton, Miller, Robey, and Stone**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Legislative Immunity – Prosecutions for Bribery

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

Affirmative – 47 Negative – 0 (See Roll Call No. 724)

The Bill was then sent to the House of Delegates.

**Senate Bill 546 – Senators Frosh, Brinkley, Brochin, Conway, Dyson, Getty,
Glassman, Kittleman, Madaleno, Middleton, Miller, Robey, and Stone**

AN ACT concerning

Immunity of Local Government Officials – Prosecutions for Bribery

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

Affirmative – 47 Negative – 0 (See Roll Call No. 725)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 726)

The Bill was then sent to the House of Delegates.

Senate Bill 708 – Senators Madaleno, Forehand, Garagiola, and Rosapepe

AN ACT concerning

Tobacco-Related Disease Products Research, Development, and Commercialization Program

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

Affirmative – 37 Negative – 7 (See Roll Call No. 727)

The Bill was then sent to the House of Delegates.

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 – 35 Negative – 12 (See Roll Call No. 728)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 729)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 730)

The Bill was then sent to the House of Delegates.

Senate Bill 837 – Senator Young

AN ACT concerning

Health Occupations Boards – Disciplinary Procedures – Prohibition on Stays

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

Affirmative – 46 Negative – 1 (See Roll Call No. 731)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #50

**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 – 47 Negative – 0 (See Roll Call No. 732)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 733)

The Bill was then sent to the House of Delegates.

Senate Bill 511 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Fines

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

Affirmative – 47 Negative – 0 (See Roll Call No. 734)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 735)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 736)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 737)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 738)

The Bill was then sent to the House of Delegates.

Senate Bill 1005 – Senator Klausmeier

AN ACT concerning

**Baltimore County – Commission to Study the Establishment of a Truancy
Reduction Program**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 739)

The Bill was then sent to the House of Delegates.

Senate Bill 1032 – Senator Colburn

AN ACT concerning

Oysters – Power Dredging – Time Period

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

Affirmative – 47 Negative – 0 (See Roll Call No. 740)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 741)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #51

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 – 47 Negative – 0 (See Roll Call No. 742)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 743)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 744)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 745)

The Bill was then sent to the House of Delegates.

Senate Bill 741 – ~~Senator Jones-Rodwell~~ Senators Jones-Rodwell and Colburn

AN ACT concerning

State Retirement and Pension System – Board of Trustees

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

Affirmative – 43 Negative – 4 (See Roll Call No. 746)

The Bill was then sent to the House of Delegates.

Senate Bill 777 – Senator Pugh

AN ACT concerning

Insurance – Ceding Insurers and Reinsurance

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

Affirmative – 47 Negative – 0 (See Roll Call No. 747)

The Bill was then sent to the House of Delegates.

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 – 41 Negative – 6 (See Roll Call No. 748)

The Bill was then sent to the House of Delegates.

**Senate Bill 831 – Senators Kasemeyer, Currie, DeGrange, King, Klausmeier,
Manno, and McFadden**

AN ACT concerning

State Budget – Evidence–Based Policy Options

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

Affirmative – 47 Negative – 0 (See Roll Call No. 749)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 750)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 751)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 752)

The Bill was then sent to the House of Delegates.

Senate Bill 908 – Senator Robey

AN ACT concerning

Law Enforcement Officers' Pension System – Reemployment of Retirees

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

Affirmative – 46 Negative – 0 (See Roll Call No. 753)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 754)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #52

Senate Bill 28 – Senator Young

AN ACT concerning

Real Property – Blighted Property – Nuisance Abatement

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

Affirmative – 44 Negative – 3 (See Roll Call No. 755)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 756)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 757)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 758)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 759)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 760)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 761)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 762)

The Bill was then sent to the House of Delegates.

**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 – 38 Negative – 9 (See Roll Call No. 763)

The Bill was then sent to the House of Delegates.

Senate Bill 1031 – Senator Colburn

AN ACT concerning

Hunting – ~~Domesticated, Stray, or Feral~~ Animals – Prohibited Acts

Senator Kittleman moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

THIRD READING CALENDAR (SENATE BILLS) #53

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 – 46 Negative – 1 (See Roll Call No. 764)

The Bill was then sent to the House of Delegates.

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 – 41 Negative – 6 (See Roll Call No. 765)

The Bill was then sent to the House of Delegates.

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 – 29 Negative – 18 (See Roll Call No. 766)

The Bill was then sent to the House of Delegates.

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 – 30 Negative – 16 (See Roll Call No. 767)

The Bill was then sent to the House of Delegates.

Senate Bill 792 – Senator Kelley

AN ACT concerning

Maryland Collaborative Reproduction Act

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

Affirmative – 33 Negative – 14 (See Roll Call No. 768)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 769)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 770)

The Bill was then sent to the House of Delegates.

Senate Bill 977 – ~~Senator Pipkin~~ Senators Pipkin, Astle, Glassman, Kittleman, Klausmeier, and Middleton

AN ACT concerning

Task Force to Evaluate Regional Health Delivery and Health Planning in Rural Areas

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

Affirmative – 47 Negative – 0 (See Roll Call No. 771)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 772)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 773)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 1031 – Senator Colburn

AN ACT concerning

Hunting – Domesticated, ~~Stray, or Feral~~ Animals – Prohibited Acts

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

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

Affirmative – 43 Negative – 4 (See Roll Call No. 774)

The Bill was then sent to the House of Delegates.

Senate Bill 522 – Senator Young

AN ACT concerning

Frederick Regional Higher Education Advisory Board

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Brinkley moved, duly seconded, to make the Bill a Special Order for March 27, 2013.

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

Affirmative – 26 Negative – 17 (See Roll Call No. 775)

Senate Bill 249 – Senators Forehand and Raskin

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –
Retaliation Against Dealers**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Klausmeier moved, duly seconded, to make the Bill and Report a Special Order for March 26, 2013.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #14

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 436 – Senators Peters, DeGrange, Brinkley, Colburn, Currie, Edwards, and Robey

AN ACT concerning

Recordation Taxes – Exemptions

SB0436/589637/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 436

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “tax;” insert “making certain indemnity mortgage transactions subject to recordation tax after a certain date; authorizing a certain calculation or allocation of recordation tax on indemnity mortgage transactions; altering the information required to be included in a certain recital, acknowledgement, or affidavit;”.

AMENDMENT NO. 2

On page 2, in line 6, after “mortgage” insert “**RECORDED ON OR AFTER JULY 1, 2012,**”; in line 14, strike the bracket; in line 15, after “loan” insert “**OR SERIES OF LOANS THAT ARE PART OF THE SAME TRANSACTION**”; in the same line, strike the first bracket; in the same line, strike “**EVIDENCING A LIEN OF**”; in line 16, strike “**\$5,000,000**” and substitute “**\$3,000,000**”; in line 18, strike “**AS DEFINED IN § 12-101(L) OF THIS SUBTITLE**”; in line 21, after “**WRITING**” insert “**, TO THE EXTENT OF THE OUTSTANDING PRINCIPAL BALANCE OF THE GUARANTEED LOAN IMMEDIATELY PRIOR TO THE TIME THE SUPPLEMENTAL INSTRUMENT OF WRITING IS ENTERED INTO.**”

(IV) RECORDATION TAX THAT IS OTHERWISE DUE ON THE RECORDING OF AN INDEMNITY MORTGAGE MAY BE ALLOCATED IN THE SAME

MANNER DESCRIBED IN SUBSECTION (A) OF THIS SECTION OR CALCULATED ON THE AMOUNT OF THE DEBT STATED TO BE SECURED”;

in line 27, after “of” insert “UNPAID OUTSTANDING PRINCIPAL”; and in the same line, strike “SECURED”.

On page 3, in line 9, strike the bracket; in line 10, strike the bracket; in the same line, strike “DEBT”; in the same line, after “mortgage” insert “, INDEMNITY MORTGAGE,”; in line 30, strike the second bracket; in the same line, after “unpaid” insert “OUTSTANDING”; in the same line, strike the third bracket; and in the same line, after “mortgage” insert “, INDEMNITY MORTGAGE,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0436/673824/1

BY: Senator Kittleman

AMENDMENT TO SENATE BILL 436

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Robey” and substitute “Robey, and Kittleman”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 774 – Senators Mathias, Jennings, Klausmeier, Simonaire, and Young

AN ACT concerning

Income Tax – Subtraction Modification – Maryland Civil Air Patrol

SB0774/289037/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 774

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Jones–Rodwell, and McFadden”.

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 FINANCE REPORT #20

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 684 – Senators Garagiola, Ferguson, Klausmeier, Montgomery, Pinsky, Ramirez, Raskin, and Young

AN ACT concerning

Renewable Energy Portfolio Standard – Qualifying Biomass

SB0684/187479/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 684

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “efficiency;” insert “providing that, before a certain date, certain qualifying biomass used at a certain generation unit that started commercial operation on or before a certain date and achieved a certain certification on or before a certain date is eligible as a Tier 1 renewable source;”; in line 9, after “source;” insert “providing that, on or after a certain date, certain qualifying biomass used at a certain generation unit that started commercial operation on or before a certain date and achieved a certain certification on or before a certain date is eligible”

as a Tier 2 renewable source; requiring the Governor, beginning in a certain fiscal year and each fiscal year thereafter and under certain circumstances, to appropriate funds in the State budget from the Strategic Energy Investment Fund or other funding sources to the Maryland Energy Administration a certain amount based on a certain calculation; requiring the Maryland Energy Administration to issue a certain grant to a certain facility under certain circumstances;”; and in line 10, after “terms;” insert “altering certain terms;”.

AMENDMENT NO. 2

On page 3, in line 28, strike “or”.

On page 4, strike in their entirety lines 1 and 2; and in line 4, strike the period and substitute “; **OR**”

(III) GAS PRODUCED FROM THE ANAEROBIC DECOMPOSITION OF ANIMAL WASTE, POULTRY WASTE, OR BIOMASS LISTED IN ITEM (I) OR (II) OF THIS PARAGRAPH.”

On page 5, in line 19, after “biomass” insert “**LISTED IN SUBSECTION (H)(1)(I) AND (II) OF THIS SECTION**”.

On page 6, in line 6, strike “and”; in line 7, strike the period and substitute “;”

(13) QUALIFYING BIOMASS LISTED IN SUBSECTION (H)(1)(III) OF THIS SECTION; AND

(14) BEFORE JANUARY 1, 2018, QUALIFYING BIOMASS LISTED IN SUBSECTION (H)(1)(I) AND (II) OF THIS SECTION USED AT A GENERATION UNIT THAT:

(I) STARTED COMMERCIAL OPERATION ON OR BEFORE DECEMBER 31, 2004; AND

(II) ACHIEVED CERTIFICATION WITH THE COMMISSION ON OR BEFORE DECEMBER 31, 2005.”;

in line 10, strike “AND”; in line 11, after “BIOMASS” insert “LISTED IN SUBSECTION (H)(1)(I) AND (II) OF THIS SECTION”; in line 15, after “65%” insert “; AND”

(3) ON OR AFTER JANUARY 1, 2018, QUALIFYING BIOMASS LISTED IN SUBSECTION (H)(1)(I) AND (II) OF THIS SECTION USED AT A GENERATION UNIT THAT:

(I) STARTED COMMERCIAL OPERATION ON OR BEFORE DECEMBER 31, 2004; AND

(II) ACHIEVED CERTIFICATION WITH THE COMMISSION ON OR BEFORE DECEMBER 31, 2005”;

in line 17, strike “POWER” and substitute “ELECTRIC ENERGY”; in the same line, after “THERMAL” insert “ENERGY”; in the same line, after “OUTPUT”, in each instance, insert “MEASURED IN BTUS”; and in lines 19 and 26, in each instance, after “THERMAL” insert “ENERGY”.

On page 7, in line 36, strike “the effective date of this Act” and substitute “January 1, 2013”;

(2) facilities that:

(i) start commercial operation on or after January 1, 2014; and

(ii) enter into contracts of at least 10 years in duration before the effective date of this Act for the purchase of at least 50% of the anticipated renewable energy credits that will be generated by the facility”.

AMENDMENT NO. 3

On page 8, in line 1, strike “(2)” and substitute “(3)”; after line 3, insert:

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) beginning in the first fiscal year in which final data is available for calendar year 2018 renewable energy portfolio standard compliance and each fiscal year thereafter, the Governor shall appropriate funds in the State budget from the

Strategic Energy Investment Fund or other funding sources, as determined by the Governor, to the Maryland Energy Administration in an amount calculated by:

(1) multiplying:

(i) the average annual quantity of the sum of Tier 1 and Tier 2 renewable energy credits produced from January 1, 2013, to December 31, 2018, by a facility located in Western Maryland that began commercial operation on or before December 31, 2004, and achieved certification with the Public Service Commission on or before December 31, 2005; by

(ii) the average selling price of nonsolar Tier 1 renewable energy credits retired for Maryland renewable energy portfolio standard compliance in the most recent calendar year in which final data is available; and

(2) subtracting any revenues received in that same calendar year from the sale of Tier 1 or Tier 2 renewable energy credits produced by a facility referenced under subsection (a)(1)(i) of this section, as verified by the Public Service Commission;

(b) an owner of a facility referenced under subsection (a)(1)(i) of this section shall make all reasonable efforts to maximize the revenue received for the sale of Tier 1 and Tier 2 renewable energy credits produced by the facility in any markets in which the renewable energy credits are eligible for sale;

(c) the appropriation under this section shall only be made in a fiscal year in which a facility referenced under subsection (a)(1)(i) of this section, the manufacture of final paper products by a facility referenced under the most recent calendar year in which final data for Maryland renewable energy portfolio standard compliance is available, is at least 25% of the tonnage produced in calendar year 2012; and

(d) the Administration shall issue a grant to an owner of a facility referenced under subsection (a)(1)(i) of this section for the amount of any appropriation made under subsection (a) of this section.”;

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

The preceding 3 amendments were read only.

Senator Brinkley moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 702 – Senators Madaleno, Raskin, Conway, DeGrange, Garagiola, Klausmeier, Manno, Robey, and Simonaire

AN ACT concerning

Maryland Public Art Initiative Program – Revisions

SB0702/547579/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 702

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Revisions” and substitute “Selection of Art for Capital Projects”; strike beginning with “altering” in line 3 down through “Commission” in line 24 and substitute “providing that artwork funded by the Maryland Public Art Initiative Program is the property of the Maryland Commission on Public Art; providing that the Commission is responsible for the inventory, maintenance, and preservation of certain artwork; requiring the State to include public art into all construction projects and major renovation projects under certain circumstances; requiring, at a certain time, that a certain group determines the identification and selection of public art to be included in a certain project; requiring the Division of Tourism, Film, and the Arts to work with the Maryland State Arts Council and the Commission in the selection of certain public art; requiring the Department of Budget and Management and the Department of General Services to jointly establish a certain waiver process; declaring the intent of the General Assembly; defining certain term”; in line 25, after “Program” insert “and the selection of art for capital projects”.

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 1 on page 2, inclusive.

On page 2, in line 4, strike beginning with “4–603(b)” through “and”; and after line 6, insert:

“BY adding to

Article – State Finance and Procurement

Section 3–602.2

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 10 on page 2 through line 17 on page 5, inclusive.

On page 5, in lines 19, 22, and 24, in each instance, strike the brackets; strike beginning with “**EXCEPT**” in line 19 down through “**ALL**” in line 20; in lines 22 and 23, strike “Maryland Historical Trust” and substitute “COMMISSION”; and after line 24, insert:

“Article – State Finance and Procurement

3–602.2.

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

(2) “COMMISSION” MEANS THE MARYLAND COMMISSION ON PUBLIC ART ESTABLISHED UNDER TITLE 4, SUBTITLE 6 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(3) “CONSTRUCTION PROJECT” MEANS THE CONSTRUCTION OF A NEW BUILDING THAT IS PROPOSED TO CONTAIN 15,000 OR MORE SQUARE FEET.

(4) “COUNCIL” MEANS THE MARYLAND STATE ARTS COUNCIL ESTABLISHED UNDER TITLE 4, SUBTITLE 5 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(5) “DIVISION” MEANS THE DIVISION OF TOURISM, FILM, AND THE ARTS ESTABLISHED UNDER TITLE 4, SUBTITLE 1 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(6) “MAJOR RENOVATION PROJECT” MEANS THE RENOVATION OF AN EXISTING BUILDING WHERE:

(i) THE BUILDING IS TO BE RECONSTRUCTED AND REUSED AFTER THE CONSTRUCTION;

(ii) THE HEATING, VENTILATION, AND AIR CONDITIONING, ELECTRICAL, AND PLUMBING SYSTEMS ARE TO BE REPLACED; AND

(iii) THE SCOPE OF THE RENOVATION IS 15,000 OR MORE SQUARE FEET.

(7) (i) “PUBLIC ART” MEANS:

1. AN ARCHITECTURAL ENHANCEMENT OF ARTISTIC SIGNIFICANCE; OR

2. AN INDIVIDUAL PIECE OF ART.

(ii) “PUBLIC ART” INCLUDES:

1. A MURAL;

2. A TILE MOSAIC;

3. A PAINTING; OR

4. A SCULPTURE.

(B) (1) THIS SECTION APPLIES TO CAPITAL PROJECTS THAT ARE FUNDED ENTIRELY WITH STATE FUNDS.

(2) THIS SECTION DOES NOT APPLY TO THE FOLLOWING TYPES OF UNOCCUPIED BUILDINGS:

(I) WAREHOUSE AND STORAGE FACILITIES;

(II) GARAGES;

(III) MAINTENANCE FACILITIES;

(IV) TRANSMITTER BUILDINGS;

(V) PUMPING STATIONS; AND

(VI) OTHER SIMILAR BUILDINGS, AS DETERMINED BY THE DEPARTMENT.

(C) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE REQUIREMENTS OF THIS SECTION WILL NOT INCREASE THE COST OF A CONSTRUCTION PROJECT OR A MAJOR RENOVATION PROJECT.

(D) TO THE EXTENT PRACTICABLE AND EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION, THE STATE SHALL INCLUDE PUBLIC ART IN ALL CONSTRUCTION PROJECTS AND MAJOR RENOVATION PROJECTS.

(E) DURING THE INITIAL DESIGN OF EACH CONSTRUCTION PROJECT AND MAJOR RENOVATION PROJECT, THE IDENTIFICATION AND SELECTION OF PUBLIC ART TO BE INCLUDED IN THE PROJECT SHALL BE DETERMINED BY A GROUP COMPOSED OF REPRESENTATIVES OF:

(1) THE UNIT OF STATE GOVERNMENT THAT WILL BE THE PRIMARY USER OF THE BUILDING;

(2) THE UNIT OF STATE GOVERNMENT RESPONSIBLE FOR PROJECT MANAGEMENT OF THE BUILDING; AND

(3) THE DIVISION.

(F) THE DIVISION SHALL WORK WITH THE COUNCIL AND THE COMMISSION IN THE SELECTION OF PUBLIC ART FOR ANY PROJECT UNDER THIS SECTION.

(G) (1) THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE DEPARTMENT OF GENERAL SERVICES SHALL JOINTLY ESTABLISH A PROCESS TO ALLOW A UNIT OF STATE GOVERNMENT TO OBTAIN A WAIVER FROM COMPLYING WITH THIS SECTION.

(2) THE WAIVER PROCESS SHALL:

(I) PROVIDE FOR CONSULTATION WITH THE DIVISION, ON BEHALF OF THE COUNCIL AND THE COMMISSION, TO DETERMINE IF THE INCLUSION OF PUBLIC ART IN A PROPOSED PROJECT IS TOO COSTLY OR NOT PRACTICABLE; AND

(II) REQUIRE THE APPROVAL OF THE SECRETARIES OF BUDGET AND MANAGEMENT AND GENERAL SERVICES.”.

The preceding 2 amendments were read only.

Senator Reilly moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 863 – Senator Zirkin

AN ACT concerning

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

SB0863/797571/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 863

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Zirkin” and substitute “Senators Zirkin and Glassman”; 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 MEAN ANY TRANSMISSION LINE OR DISTRIBUTION LINE CONSTRUCTED, OWNED, OR OPERATED BY A PUBLIC SERVICE COMPANY AS DEFINED IN § 1-101 OF THE PUBLIC UTILITIES ARTICLE.”;

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.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 972 – Senator Pipkin

AN ACT concerning

Mental Hygiene Administration – Upper Shore Community Mental Health Center – Reopening and Maintenance

SB0972/517875/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 972

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “Mental” in line 2 down through “Maintenance” in line 3 and substitute “Task Force to Evaluate Mental Health Care Delivery on the Eastern Shore”; strike beginning with “requiring” in line 4 down through “Center” in line 10 and substitute “establishing the Task Force to Evaluate Mental Health Care Delivery on the Eastern Shore; 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 evaluate certain matters; requiring the Task Force to report its findings and recommendations to the Governor and certain legislative committees on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Evaluate Mental Health Care Delivery on the Eastern Shore”; and strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 2

On page 1, in line 17, strike “the Laws of Maryland read as follows”.

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 down through line 12 on page 2, inclusive, and substitute:

“(a) There is a Task Force to Evaluate Mental Health Care Delivery on the Eastern Shore.

(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 Deputy Secretary of Behavioral Health and Disabilities of the Department of Health and Mental Hygiene, or the Deputy Secretary’s designee;

(4) the Executive Director of the Maryland Health Care Commission, or the Executive Director’s designee;

(5) the Executive Director of the Health Services Cost Review Commission, or the Executive Director’s designee;

(6) the Executive Director of the Tri-County Council for the Lower Eastern Shore of Maryland, or the Executive Director’s designee;

(7) the Executive Director of the Mid-Shore Regional Council, or the Executive Director’s designee;

(8) the Executive Director of the Upper Shore Regional Council, or the Executive Director’s designee;

(9) the Chief Executive Officer of Shore Health System, or the Chief Executive Officer’s designee;

(10) the Chief Executive Officer of Peninsula Regional Medical Center, or the Chief Executive Officer's designee;

(11) the Executive Director of AFSCME Maryland, or the Executive Director's designee;

(12) the Chairman of the Board of the Upper Shore Community Mental Health Center who served on the Board at the time of the Center's closure, or the Chairman's designee;

(13) the Executive Director of the Lower Shore Clinic, or the Executive Director's designee; and

(14) the following members, appointed by the Governor:

(i) three mental health professionals;

(ii) one representative of the National Alliance on Mental Illness;

(iii) one representative of the Mental Health Association of Maryland;

(iv) one representative of the Maryland Psychological Association; and

(v) three health officers:

1. one of whom shall be from Cecil County, Kent County, or Queen Anne's County;

2. one of whom shall be from Caroline County, Dorchester County, or Talbot County; and

3. one of whom shall be from Somerset County, Wicomico County, or Worcester County.

(c) The member appointed from the Senate of Maryland and the member appointed from the House of Delegates shall serve as cochairs of the Task Force.

(d) The Department of Health and Mental Hygiene 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 evaluate the state of mental health care delivery on the Eastern Shore, including:

(1) whether and to what extent patients with mental illness are being referred to out-of-state mental health facilities;

(2) the adequacy of the mental health care workforce;

(3) the impact the closure of the Upper Shore Community Mental Health Center has had on communities in the former service area of the Center;

(4) the feasibility of reopening the Upper Shore Community Mental Health Center;

(5) the barriers to accessibility of mental health services on the Eastern Shore;

(6) the volume of admissions and mix of forensic and nonforensic patients in State-run psychiatric facilities; and

(7) whether there is sufficient capacity for non-forensic patients in State-run psychiatric facilities.

(g) On or before December 31, 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 Senate Finance Committee and the House Health and Government Operations Committee.”.

On page 2, in line 13, strike “3.” and substitute “2.”; in line 14, strike “October” and substitute “June”; and in the same line, after “2013.” insert “It shall remain effective for a period of 8 months and, at the end of January 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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 1040 – Senator Garagiola

AN ACT concerning

Mental Hygiene – Reform of Laws and Delivery of Services

SB1040/187471/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1040

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Garagiola” and substitute “Senators Garagiola, Astle, Glassman, Kelley, Klausmeier, Kittleman, Mathias, Middleton, Pipkin, Pugh, and Ramirez”.

AMENDMENT NO. 2

On page 2, in line 33, strike “**GRAVELY DISABLED**” and substitute “**DANGER TO THE LIFE OR SAFETY OF THE INDIVIDUAL OR OF OTHERS**”; in the same line, strike “**THAT AN INDIVIDUAL**” and substitute “**A SUBSTANTIAL RISK**”; in line 34, strike “**IS INCAPABLE OF MAKING AN INFORMED DECISION**” and substitute “**AS MANIFESTED BY THREATS OF OR ATTEMPTS AT SUICIDE, SELF-INJURY, OR VIOLENCE BY THE INDIVIDUAL, THAT THE INDIVIDUAL OR ANOTHER INDIVIDUAL WILL SUFFER SUBSTANTIAL BODILY HARM**”; and in the same line, strike “**AND**” and substitute “**OR**”.

On page 3, in line 1, strike “HAS BEHAVED IN SUCH A MANNER AS TO INDICATE” and substitute “AS MANIFESTED BY BEHAVIOR INDICATING”; strike beginning with “SO” in line 4 down through “INDIVIDUAL” in line 7 and substitute “THAT THE INDIVIDUAL WILL SUFFER SUBSTANTIAL BODILY HARM, SIGNIFICANT PSYCHIATRIC DETERIORATION OR DEBILITATION, OR SERIOUS ILLNESS”; strike in their entirety lines 8 through 15, inclusive; in line 16, strike “(D)” and substitute “(C)”; and strike in their entirety lines 19 through 33, inclusive.

On page 4, in lines 6 and 7, strike “: (I) IS” and substitute “IS”; strike beginning with the semicolon in line 8 down through “DISABLED” in line 9; after line 17, insert:

“(C) “DANGER TO THE LIFE OR SAFETY OF THE INDIVIDUAL OR OF OTHERS” HAS THE MEANING STATED IN § 10–613 OF THIS SUBTITLE.”;

in lines 18 and 20, strike “(c)” and “(d)”, respectively, and substitute “(D)” and “(E)”, respectively; and strike in their entirety lines 25 through 28, inclusive.

On page 5, in line 1, strike “(G)” and substitute “(F)”; in the same line, strike “(1)”; in lines 3 and 5, strike “(i)” and “(ii)”, respectively, and substitute “(1)” and “(2)”, respectively; and in lines 9, 10, 11, 12, 13, 15, and 16, strike “1.”, “2.”, “3.”, “4.”, “5.”, “6.”, and “7.”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively.

On pages 5 and 6, strike in their entirety the lines beginning with line 17 on page 5 through line 1 on page 6, inclusive.

On page 6, in line 2, strike “(H)” and substitute “(G)”; in line 11, strike “(I)”; and strike beginning with the semicolon in line 13 down through “DISABLED” in line 14.

On page 7, in lines 10 and 11, strike “: 1. IS” and substitute “IS”; strike beginning with the semicolon in line 13 down through “DISABLED” in line 14; in lines 24 and 25, strike “: (1) IS” and substitute “IS”; and strike beginning with the semicolon in line 27 down through “DISABLED” in line 28.

On page 8, in lines 2 and 3, strike “: (1) IS” and substitute “IS”; strike beginning with the semicolon in line 5 down through “DISABLED” in line 6; in line 8, strike “(A)”; strike beginning with the first “THE” in line 8 down through “INDICATED” in line 9 and substitute “, “DANGER TO THE LIFE OR SAFETY OF THE INDIVIDUAL OR OF OTHERS” HAS THE MEANING STATED IN § 10-613 OF THIS SUBTITLE”; and strike in their entirety lines 10 through 28, inclusive.

On page 9, in lines 14 and 15, strike “: 1. IS” and substitute “IS”; and strike beginning with the semicolon in line 16 down through “DISABLED” in line 17.

On page 11, in line 25, strike “and”; and in line 26, after “Defender” insert “:

- (ix) one representative of the Treatment Advocacy Center;
- (x) one member of the Maryland Sheriffs’ Association; and
- (xi) one representative of the Sheppard Pratt Health System”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 453 – Delegates Walker, Bohanan, Branch, DeBoy, Dumais, Glenn, Guzzone, Haddaway–Riccio, Howard, Ivey, Kaiser, Luedtke, McDonough, Niemann, O’Donnell, Summers, Tarrant, Valderrama, Vaughn, A. Washington, Wilson, and Zucker

AN ACT concerning

Education – Maryland Center for School Safety

FOR the purpose of establishing the Maryland Center for School Safety as an independent unit of State government; establishing the location and staffing of the Center; authorizing the Center to establish satellite offices in certain locations; specifying the function and duties of the Center; establishing the Governing Board of the Maryland Center for School Safety; providing for the

membership of the Governing Board; providing for the appointment and terms for certain members of the Governing Board; providing for the duties of the Governing Board; requiring the Governor to provide a certain amount in the annual State budget to carry out certain provisions of law; specifying certain funds to be used to support the operation of the Center; requiring the Governing Board to distribute a certain percentage of each grant received by the Center in a certain manner; requiring the Governing Board to make a certain report to the Governor and the General Assembly on or before a certain date each year; defining certain terms; and generally relating to the establishment of the Maryland Center for School Safety.

BY adding to

Article – Education

Section 7–1501 through 7–1505 to be under the new subtitle “Subtitle 15.
Maryland Center for School Safety”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**House Bill 475 – Chair, Ways and Means Committee (By Request –
Departmental – Public School Labor Relations Board)**

AN ACT concerning

**Public School Labor Relations – Renegotiation Procedures and Board
Administration**

FOR the purpose of authorizing a public school employer and an employee organization to use a certain alternative procedure regarding the renegotiation of certain allocated funds under certain circumstances; requiring the Attorney General to assign an assistant Attorney General to provide legal services to the Public School Labor Relations Board, the Higher Education Labor Relations Board, and the State Labor Relations Board; providing that, in connection with the Public School Labor Relations Board’s administration and enforcement of certain subtitles, certain references to written communications shall include electronic communications, certain time limits may be extended for good cause, and certain venues for judicial proceedings involving Board action shall be in a certain county; requiring a party subject to an order of the Board to comply with the order without need for judicial enforcement; authorizing a court to grant certain relief and remedies requested by the Board; defining a certain term; and generally relating to public school labor relations and the Public School Labor Relations Board.

BY repealing and reenacting, without amendments,
Article – Education

Section 6–401(a) and (b) and 6–501(a) through (c)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education
Section 6–401(b–1) and 6–501(c–1)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section 6–408.1, 6–511, 6–805, and 6–806
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 963 – Delegates Cullison, Barkley, Barve, Bromwell, Clippinger, DeBoy, Donoghue, Gutierrez, Hucker, Ivey, Kaiser, A. Kelly, Kipke, Krebs, Lafferty, Luedtke, McDermott, McIntosh, Olszewski, Reznik, F. Turner, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

~~Edward T. Conroy~~ **Jean B. Cryor Memorial Scholarship – Eligibility Creation**

FOR the purpose of ~~expanding the eligibility requirements for the Edward T. Conroy Memorial Scholarship Program to include~~ establishing the Jean B. Cryor Memorial Scholarship Program to provide scholarships for the son or daughter or the surviving spouse of a certain public school educator school employee under certain circumstances; authorizing certain persons to apply to certain postsecondary institutions for the Jean B. Cryor Memorial Scholarship Program; authorizing the use of the scholarship for certain educational expenses; prohibiting the scholarship awarded from exceeding a certain amount or being less than a certain amount; authorizing certain postsecondary institutions to determine eligibility for the scholarships; requiring certain postsecondary institutions to report to the Maryland Higher Education Commission by certain dates the number of eligible recipients for the scholarships; requiring the Commission to allocate funds to certain postsecondary institutions for eligible recipients; authorizing each recipient to hold the scholarship award for a certain number of years of study; directing the Commission to use certain gifts and grants for the fund in a certain manner; defining certain terms; and generally relating to ~~eligibility requirements for the Edward T. Conroy~~ the Jean B. Cryor Memorial Scholarship Program.

~~BY repealing and reenacting, with amendments,~~

~~Article – Education
Section 18–601
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)~~

BY adding to

Article – Education
Section 18–6A–01 to be under the new subtitle “Subtitle 6A. Scholarships for
the Surviving Spouse and Children of School Personnel”
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

**House Bill 1462 – Delegates A. Miller, Arora, Barve, Bobo, Carr, Cullison,
Dumais, Feldman, Frick, George, Gutierrez, Guzzone, Hucker, A. Kelly,
McMillan, Pena–Melnik, Schuh, Stukes, F. Turner, and Waldstreicher**

AN ACT concerning

Task Force to Study a Later Starting Time for Maryland Public Schools

FOR the purpose of establishing the Task Force to Study a Later Starting Time for Maryland Public Schools; providing for the composition, chair, and staffing of the Task Force; prohibiting Task Force members from receiving compensation, but authorizing reimbursement for certain expenses under the Standard State Travel Regulations; requiring the Task Force to study and make recommendations relating to a later starting time for Maryland public schools; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study a Later Starting Time for Maryland Public Schools.

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

**House Bill 1505 – Delegates Jacobs, Eckardt, Haddaway–Ricchio, Hershey,
McDermott, Norman, O’Donnell, Otto, Szeliga, Weir, and Wood**

AN ACT concerning

Oysters – Power Dredging – Time Period

FOR the purpose of increasing to a certain number the maximum number of days per week that the Department of Natural Resources may authorize a certain dredge

boat to operate under the power of an auxiliary yawl boat while dredging for oysters in the Chesapeake Bay; and generally relating to oyster dredging.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1013(c)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

THE COMMITTEE ON FINANCE REPORT #21

Senator Middleton, Chair, for the Committee on Finance and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 274 – The President (By Request – Administration) and Senators Currie, Ferguson, Forehand, Frosh, Jones–Rodwell, Kelley, King, Klausmeier, Madaleno, Middleton, Montgomery, Peters, Pinsky, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, and Young

AN ACT concerning

Maryland Health Progress Act of 2013

SB0274/307973/2

BY: Finance Committee

AMENDMENTS TO SENATE BILL 274

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Astle, Garagiola, and Mathias”; in line 8, after “budget;” insert “authorizing the Secretary of Health and Mental Hygiene to provide certain grants for a certain purpose;”; in line 10, after “program;” insert “establishing the Performance Standards and Measurement Advisory Committee in the Department; providing for the purposes, membership, chair, and duties of the Committee; exempting from the insurance premium tax a qualified nonprofit health insurance issuer that meets certain requirements; requiring a portion of a certain tax to be distributed, beginning on a certain date, annually to the Maryland Health Benefit Exchange Fund for a certain purpose;”; in line 16, after

“date;” insert “prohibiting certain individuals from reenrolling in the Plan under certain circumstances;”; in line 18, after “members;” insert “requiring the Board of the Plan to provide certain notice to Plan members beginning on a certain date;”; in line 24, after “program;” insert “requiring the Board of the Plan and the Board of Trustees of the Exchange to report on certain matters at certain times;”; in line 25, after “Act;” insert “exempting certain carriers that offer certain plans from a certain requirement under certain circumstances;”; and in line 26, strike “prior authorization” and substitute “preauthorization”.

On page 2, in line 2, after “circumstances;” insert “providing for the application of certain requirements relating to preauthorizations and continuity of health care services; exempting enrollees transitioning from a carrier to the Maryland Medical Assistance fee-for-service program from the preauthorization and continuity of health care services requirements;”; strike beginning with “is” in line 7 down through “provider” in line 8 and substitute “must facilitate transition of the enrollee to a provider on the provider panel of the carrier or managed care organization; authorizing a relinquishing carrier to elect to allow an enrollee to continue to receive dental services provided by a participating provider of the relinquishing carrier through a certain arrangement”; in lines 15 and 16, strike “and to request the data from certain persons” and substitute “; requiring certain persons to provide the data on request”; in line 16, after the second “a” insert “person to act or represent that the person is a”; in line 17, strike “or” and substitute a comma; in the same line, after the second “navigator” insert “, or certain application counselor”; strike beginning with “to” in line 17 down through “representations” in line 18; strike beginning with “requiring” in line 19 down through “enrollees” in line 21 and substitute “providing that a carrier is not liable or subject to certain regulatory sanction under certain circumstances; requiring the Commissioner to regulate the Exchange in taking certain actions; prohibiting the Commissioner from imposing a fine or administrative penalty on the Exchange for failing to take certain actions; authorizing the Commissioner to require the Exchange to make certain restitution to certain consumers under certain circumstances; requiring the Exchange and certain carriers to hold a consumer harmless from certain consequences caused by a certain action of the Exchange; prohibiting the Commissioner from participating in certain matters as a member of the Board of Trustees of the Exchange under certain circumstances; requiring the Board of Trustees of the Exchange to establish a certain committee”; in line 25, after “Fund;” insert “requiring certain funds to be placed in a certain account for a certain purpose; establishing certain restrictions on certain expenditures from the Fund; requiring certain funds in a certain account to revert to the General Fund of the State under certain circumstances; requiring certain operating expenses to be charged to a”

certain fund source under certain circumstances;"; in line 29, after "budget" insert "from certain funds received from a certain premium tax"; strike beginning with the third "the" in line 29 down through "tax" in line 30 and substitute "a certain minimum appropriation for certain fiscal years"; in line 32, after "State;" insert "requiring the Exchange to comply with certain federal law in carrying out certain functions;"; in line 36, after "(Center)" insert "under certain circumstances"; in line 43, after "Center;" insert "clarifying the circumstances of individuals whom the Individual Exchange shall assist in making a certain transition; requiring the training program for insurance producers who sell qualified plans in the Individual Exchange to impart certain skills and expertise; authorizing, until a certain date, a captive producer without a certain certification to enroll certain individuals in a qualified plan offered in the Individual Exchange by a certain carrier; requiring a captive producer to refer certain individuals to an insurance producer under certain circumstances, with certain exceptions; requiring a captive producer to make a certain disclosure; establishing requirements a carrier and its captive producers must meet in offering information and assistance to the carrier's current enrollees; prohibiting a captive producer from providing information or services related to health benefit plans or other products not offered by the captive producer's carrier; requiring a captive producer to make certain referrals under certain circumstances; authorizing the Exchange to designate certain entities as application counselor sponsoring entities and to certify certain individuals as application counselors; establishing requirements for application counselor sponsoring entities and application counselors to provide certain services; providing that an application counselor is subject to certain requirements; authorizing the Exchange, in consultation with the Commissioner and the Department, to establish requirements for an application counselor sponsoring entity and to adopt regulations relating to application counselor sponsoring entities and application counselors;"; and in line 46, after "permit;" insert "requiring the Exchange, the Center, and Center employees to assist the Health Education and Advocacy Unit of the Office of the Attorney General in carrying out certain duties;".

On page 3, in line 1, after "plan;" insert "altering requirements for qualified health plans relating to vision benefits; authorizing the Exchange to require children enrolling in a qualified health plan to have certain dental benefits;"; in line 4, after "actions;" insert "requiring the Exchange to consider certain factors in determining the amount of a certain penalty; establishing a process through which a carrier or plan may appeal a certain order or decision;"; in line 10, after "program;" insert "specifying the types of discrimination the Exchange shall be designed to prevent; altering the requirements for an annual report on the activities, expenditures, and receipts of the Exchange;"; in line 13, strike "and"; in the same line, after "Administration" insert " ,

and the Maryland Health Care Commission”; in line 15, after “date;” insert “requiring the Exchange and the Administration to conduct a study of the impact of the Affordable Care Act’s allowance of a certain tobacco use rating and to report to the Governor and the General Assembly on the findings of the study and certain recommendations on or before a certain date; authorizing the Board of Trustees of the Exchange to adopt certain interim policies, for certain purposes after receiving certain comment; requiring the interim policies to be submitted as proposed regulations within a certain period after adoption and to sunset within a certain time after submission as proposed regulations; requiring the Exchange and the Administration to conduct a study of the impact of federal regulations governing the offering and purchase of pediatric dental benefits and to report to the Governor and General Assembly on their findings and recommendations on or before a certain date; requiring the Exchange and the Administration to conduct a study of a certain captive producer program and to report to the Governor and General Assembly on their findings and recommendations on or before a certain date;”; in line 16, after “definitions;” insert “making certain conforming changes; providing for the initial terms of the members of the Performance Standards and Measurement Advisory Committee;”; in line 26, after “15–103(a),” insert “19–143(a).”; after line 28, insert:

“BY adding to

Article – Health – General

Section 20–1501 to be under the new subtitle “Subtitle 15. Performance Standards and Measurement Advisory Committee”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)”;

strike in their entirety lines 29 through 33, inclusive; in line 36, after “Section” insert “6–101(b).”; in the same line, after “14–504,” insert “15–1303(b).”; in the same line, after “27–405(a),” insert “31–101(i), (k), and (l).”; in the same line, after “31–103,” insert “31–106(g).”; in the same line, after “31–107,” insert “31–108(c), (d), and (e).”; in line 37, strike “31–113(h), (i), and (k)(1) and (2)” and substitute “31–113(a)(5), (b), (e), (f), (g), (h), (i), (k)(1) and (2), (l)(4), (m), (o), and (p), 31–114(a)”; in the same line, after “31–115(b)” insert “, (d), (h), and (i)(3), 31–116(a)”; and in line 38, strike “31–119(e)” and substitute “31–119(a), (d), and (e)”.

On page 4, in line 1, after “Section” insert “6–103.2.”; in the same line, strike “31–101(c–1)” and substitute “31–101(a–1), (a–2), (c–1), and (c–2)”; in the same line, after “31–107.2,” insert “31–108(c), 31–113(p) and (r)”; and after line 3, insert:

“BY repealing and reenacting, without amendments,
Article – Insurance
Section 8–301(a), 31–101(a), 31–113(a)(1), and 31–115(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 6, in line 6, strike “Independent” and substitute “**FORMER**”; and in line 9, after “State” insert “, **ANY OTHER STATE, OR THE DISTRICT OF COLUMBIA**”.

On page 7, in line 34, strike “Shall provide, subject” and substitute “**SUBJECT**”; in line 35, strike the second comma and substitute “:

1. SHALL PROVIDE”;

in line 36, strike “independent” and substitute “**FORMER**”; and in the same line, strike the colon.

On page 8, in line 1, strike “1. Who” and substitute “**WHO, ON THEIR 18TH BIRTHDAY, WERE IN FOSTER CARE UNDER THE RESPONSIBILITY OF THE STATE AND**”; and strike beginning with “Whose” in line 3 down through “level” in line 4 and substitute “**MAY PROVIDE COMPREHENSIVE MEDICAL CARE AND OTHER HEALTH CARE SERVICES FOR FORMER FOSTER CARE ADOLESCENTS WHO, ON THEIR 18TH BIRTHDAY, WERE IN FOSTER CARE UNDER THE RESPONSIBILITY OF ANY OTHER STATE OR THE DISTRICT OF COLUMBIA**”.

AMENDMENT NO. 3

On page 9, after line 5, insert:

“19–143.

(a) **(1) On or before October 1, 2009, the Commission and the Health Services Cost Review Commission shall designate a health information exchange for the State.**

(2) THE SECRETARY, TO ALIGN FUNDING OPPORTUNITIES WITH THE PURPOSES OF THIS SECTION AND THE DEVELOPMENT AND EFFECTIVE OPERATION OF THE STATE’S HEALTH INFORMATION EXCHANGE, MAY PROVIDE

GRANTS TO THE HEALTH INFORMATION EXCHANGE DESIGNATED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

AMENDMENT NO. 4

On page 11, after line 13, insert:

“SUBTITLE 15. PERFORMANCE STANDARDS AND MEASUREMENT ADVISORY COMMITTEE.

20-1501.

(A) THERE IS A PERFORMANCE STANDARDS AND MEASUREMENT ADVISORY COMMITTEE IN THE DEPARTMENT.

(B) THE PURPOSES OF THE COMMITTEE ARE TO:

(1) DEVELOP PERFORMANCE MEASURES FOR EVALUATING HEALTH INSURANCE PLANS OFFERED IN THE PRIVATE INSURANCE MARKET IN THE STATE; AND

(2) SUPPORT A SYSTEM OF PUBLIC REPORTING ON THE PERFORMANCE OF THE HEALTH INSURANCE PLANS BASED ON THE PERFORMANCE MEASURES DEVELOPED.

(C) (1) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(I) THREE MEMBERS WHO REPRESENT HEALTH CARE PROVIDERS AND CARRIERS THAT OFFER HEALTH INSURANCE PLANS IN THE STATE, INCLUDING QUALIFIED HEALTH PLANS OFFERED IN THE MARYLAND HEALTH BENEFIT EXCHANGE;

(II) FOUR MEMBERS WHO REPRESENT STATE GOVERNMENT, SELECTED FROM AMONG THE FOLLOWING:

1. THE DEPARTMENT;

2. THE MARYLAND INSURANCE ADMINISTRATION;
3. THE MARYLAND HEALTH BENEFIT EXCHANGE;
4. THE MARYLAND HEALTH CARE COMMISSION;
5. THE MARYLAND HEALTH QUALITY AND COST COUNCIL; AND
6. THE HEALTH SERVICES COST REVIEW COMMISSION;

(III) THREE EXPERTS IN THE FIELD OF PERFORMANCE MEASUREMENT WHO ARE AFFILIATED WITH AN INSTITUTION OF HIGHER EDUCATION IN THE STATE OR WHO CONDUCT OR ASSESS RESEARCH ON HOW HEALTH CARE DELIVERY SYSTEMS SHOULD BE STRUCTURED TO IMPROVE HEALTH OUTCOMES;

(IV) ONE REPRESENTATIVE OF A CONSUMER HEALTH CARE ADVOCACY ORGANIZATION; AND

(V) TWO CONSUMER MEMBERS.

(D) (1) THE TERM OF A MEMBER OF THE COMMITTEE IS 3 YEARS.

(2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON JUNE 1, 2013.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(5) A MEMBER MAY NOT SERVE MORE THAN TWO 3-YEAR TERMS.

(E) THE GOVERNOR SHALL APPOINT A CHAIR FROM AMONG THE MEMBERS OF THE COMMITTEE WHO REPRESENT STATE GOVERNMENT.

(F) THE COMMITTEE SHALL:

(1) ESTABLISH AND OVERSEE A TRANSPARENT PROCESS FOR THE SELECTION OF PERFORMANCE MEASURES FOR EVALUATING HEALTH INSURANCE PLANS OFFERED IN THE PRIVATE HEALTH INSURANCE MARKET IN THE STATE;

(2) ENSURE THAT THE PROCESS PROVIDES OPPORTUNITIES FOR PUBLIC COMMENT AND A MECHANISM FOR RESPONDING TO PUBLIC COMMENT;

(3) RECOMMEND PERFORMANCE MEASURES THAT:

(I) ARE EVIDENCE-BASED, CONSISTENT WITH NATIONALLY RECOGNIZED PRACTICE GUIDELINES, RELIABLE, VALID, APPLICABLE TO AVAILABLE DATABASES, AND APPROPRIATE FOR MARYLAND CONSUMERS OF HEALTH CARE; AND

(II) INCLUDE MEASURES OF PUBLIC HEALTH OUTCOMES;

(4) ADVISE THE DEPARTMENT, THE MARYLAND HEALTH BENEFIT EXCHANGE, THE MARYLAND HEALTH CARE COMMISSION, THE HEALTH SERVICES COST REVIEW COMMISSION, AND PRIVATE INSURERS ON USE OF THE PERFORMANCE MEASURES;

(5) SUPPORT THE ALIGNMENT OF PERFORMANCE MEASURES ACROSS HEALTH CARE PROGRAMS IN THE STATE; AND

(6) PROVIDE INPUT TO THE DEPARTMENT ON THE MOST EFFECTIVE METHOD OF INTEGRATING THE PERFORMANCE MEASURES DEVELOPED BY THE COMMITTEE INTO THE STATESTAT PROCESS.

(G) (1) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COMMITTEE SHALL REPORT TO THE GENERAL ASSEMBLY ON ITS ACTIVITIES DURING THE PREVIOUS CALENDAR YEAR TO SUPPORT HEALTH CARE PERFORMANCE AND OUTCOME MEASURES.

(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE AN ASSESSMENT OF IMPROVEMENTS MADE IN HEALTH OUTCOMES AND CONSUMER SATISFACTION.”;

and after line 14, insert:

“6–101.

(b) The following persons are not subject to taxation under this subtitle:

(1) a nonprofit health service plan corporation that meets the requirements established under §§ 14–106 and 14–107 of this article;

(2) a fraternal benefit society;

(3) a surplus lines broker, who is subject to taxation in accordance with Title 3, Subtitle 3 of this article;

(4) an unauthorized insurer, who is subject to taxation in accordance with Title 4, Subtitle 2 of this article;

(5) the Maryland Health Insurance Plan established under Title 14, Subtitle 5, Part I of this article;

(6) the Senior Prescription Drug Assistance Program established under Title 14, Subtitle 5, Part II of this article; [or]

(7) a nonprofit health maintenance organization authorized by Title 19, Subtitle 7 of the Health – General Article that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code; AND

(8) A QUALIFIED NONPROFIT HEALTH INSURANCE ISSUER THAT IS ESTABLISHED UNDER § 1322 OF THE AFFORDABLE CARE ACT.

6-103.2.

(A) (1) (I) NOTWITHSTANDING § 2-114 OF THIS ARTICLE, BEGINNING JANUARY 1, 2015, FROM THE TAX DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION, A PORTION SHALL BE DISTRIBUTED ANNUALLY TO THE MARYLAND HEALTH BENEFIT EXCHANGE FUND ESTABLISHED UNDER § 31-107 OF THIS ARTICLE FOR THE SOLE PURPOSE OF FUNDING THE OPERATION AND ADMINISTRATION OF THE MARYLAND HEALTH BENEFIT EXCHANGE.

(II) THE OPERATION AND ADMINISTRATION OF THE MARYLAND HEALTH BENEFIT EXCHANGE MAY INCLUDE FUNCTIONS DELEGATED BY THE MARYLAND HEALTH BENEFIT EXCHANGE TO A THIRD PARTY UNDER LAW OR BY CONTRACT.

(2) (I) THE DISTRIBUTION UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ALLOCATED FROM THE TAX IMPOSED ON A PERSON UNDER § 6-102 OF THIS SUBTITLE ON PREMIUMS FOR HEALTH INSURANCE.

(II) FOR PURPOSES OF THIS PARAGRAPH, “PERSON” DOES NOT INCLUDE:

1. A MANAGED CARE ORGANIZATION AUTHORIZED BY TITLE 15, SUBTITLE 1 OF THE HEALTH – GENERAL ARTICLE; OR

2. A FOR PROFIT HEALTH MAINTENANCE ORGANIZATION AUTHORIZED BY TITLE 19, SUBTITLE 7 OF THE HEALTH – GENERAL ARTICLE.

(B) FOR STATE FISCAL YEAR 2015 AND EACH STATE FISCAL YEAR THEREAFTER, THE AMOUNT TO BE DISTRIBUTED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE SUFFICIENT TO FULLY FUND THE OPERATION AND ADMINISTRATION OF THE MARYLAND HEALTH BENEFIT EXCHANGE FOR THE STATE FISCAL YEAR.”

On page 13, in line 14, after “(1)” insert “(I)”; after line 15, insert:

“(II) A MEMBER ENROLLED IN THE PLAN AS OF DECEMBER 31, 2013, WHO THEREAFTER TERMINATES ENROLLMENT MAY NOT REENROLL IN THE PLAN.”;

in line 16, strike “(I)”; in the same line, strike “SUBPARAGRAPH (II) OF THIS PARAGRAPH” and substitute “PARAGRAPH (3) OF THIS SUBSECTION”; in line 21, strike “(II)” and substitute “(3)”; in line 22, strike “ANY” and substitute “ALL”; in the same line, strike “MEMBER” and substitute “MEMBERS”; in line 23, strike “2015” and substitute “2014”; and after line 23, insert:

“(G) BEGINNING OCTOBER 1, 2013, AND ANNUALLY THEREAFTER UNTIL THE PLAN NO LONGER PROVIDES COVERAGE TO MEMBERS, THE BOARD SHALL PROVIDE NOTICE TO PLAN MEMBERS THAT, EFFECTIVE JANUARY 1, 2014, THE MEMBER:

(1) MAY NOT BE DENIED HEALTH INSURANCE BECAUSE OF A PREEXISTING HEALTH CONDITION; AND

(2) MAY BE ELIGIBLE TO:

(I) ENROLL IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM;

(II) PURCHASE A HEALTH BENEFIT PLAN OFFERED IN THE MARYLAND HEALTH BENEFIT EXCHANGE OR IN THE INSURANCE MARKET OUTSIDE THE MARYLAND HEALTH BENEFIT EXCHANGE; AND

(III) RECEIVE FEDERAL PREMIUM AND COST-SHARING ASSISTANCE FOR THE PURCHASE OF A HEALTH BENEFIT PLAN IN THE MARYLAND HEALTH BENEFIT EXCHANGE.”

On page 15, in line 26, after “AND” insert “ON OR BEFORE OCTOBER 1 OF”; and in line 27, after “ANY” insert “LIABILITY FOR CLAIMS SUBMITTED BY PLAN”.

On page 16, after line 3, insert:

“(5) ON OR BEFORE DECEMBER 31, 2013, AND ON OR BEFORE DECEMBER 31 OF EACH YEAR THEREAFTER UNTIL THE PLAN NO LONGER HAS ANY LIABILITY FOR CLAIMS SUBMITTED BY PLAN ENROLLEES AND THE STATE REINSURANCE PROGRAM IS TERMINATED, THE BOARD OF TRUSTEES OF THE MARYLAND HEALTH BENEFIT EXCHANGE AND THE BOARD SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

(I) THE TRANSITION OF PLAN ENROLLEES OUT OF THE PLAN, INCLUDING:

1. HOW ENROLLEES ARE MADE AWARE OF CHANGES IN THEIR INSURANCE OPTIONS;

2. HOW ENROLLEES WILL BE ASSISTED THROUGH THE TRANSITION; AND

3. WHETHER ANY FUNDING WILL BE REQUIRED TO SUPPORT THE TRANSITION; AND

(II) THE USE OF THE FUND FOR THE STATE REINSURANCE PROGRAM.”.

AMENDMENT NO. 6

On page 15 in line 12, on page 16 in line 23, and on page 32 in line 20, in each instance, strike “**2015**” and substitute “2014”.

AMENDMENT NO. 7

On page 16, after line 34, insert:

“15-1303.

(b) (1) Except as provided in this subsection and § 31-110(f) of this article, a carrier may not offer individual health benefit plans in the State unless the carrier also offers qualified health plans, as defined in § 31-101 of this article, in the

Individual Exchange of the Maryland Health Benefit Exchange in compliance with the requirements of Title 31 of this article.

(2) A carrier is exempt from the requirement in paragraph (1) of this subsection if:

(i) 1. the reported total aggregate annual earned premium from all individual health benefit plans in the State for the carrier and any other carriers in the same insurance holding company system, as defined in § 7-101 of this article, is less than \$10,000,000; OR

2. THE ONLY INDIVIDUAL HEALTH BENEFIT PLANS THAT THE CARRIER OFFERS IN THE STATE ARE STUDENT HEALTH PLANS AS DEFINED IN 45 C.F.R. § 147.145;

(ii) the Commissioner determines that the carrier complies with the procedures established under paragraph (3) of this subsection; and

(iii) when the carrier ceases to meet the requirements for the exemption, the carrier provides to the Commissioner immediate notice and its plan for complying with the requirement in paragraph (1) of this subsection.”.

AMENDMENT NO. 8

On page 17, in line 9, strike “OR”; in line 13, after “ARTICLE” insert “; OR”

(4) AN APPLICATION COUNSELOR CERTIFIED BY THE INDIVIDUAL EXCHANGE OF THE MARYLAND HEALTH BENEFIT EXCHANGE IF THE PERSON HAS NOT RECEIVED THE APPROPRIATE CERTIFICATION UNDER OR OTHERWISE COMPLIED WITH § 31-113(R) OF THIS ARTICLE”;

after line 15, insert:

“(A-1) “APPLICATION COUNSELOR” MEANS AN INDIVIDUAL WHO HOLDS AN INDIVIDUAL EXCHANGE APPLICATION COUNSELOR CERTIFICATION ISSUED UNDER § 31-113(R) OF THIS TITLE.

(A-2) “APPLICATION COUNSELOR SPONSORING ENTITY” OR “SPONSORING ENTITY” MEANS AN ENTITY DESIGNATED BY THE INDIVIDUAL EXCHANGE AS A SPONSORING ENTITY UNDER § 31-113(R) OF THIS TITLE.

(C-1) “CAPTIVE PRODUCER” MEANS AN INSURANCE PRODUCER WHO:

(I) IS LICENSED IN THE STATE AND AUTHORIZED BY THE COMMISSIONER TO SELL, SOLICIT, OR NEGOTIATE HEALTH INSURANCE;

(II) RECEIVES AN AUTHORIZATION AND MEETS THE OTHER REQUIREMENTS SET FORTH IN § 31-113(N)(2) OF THIS TITLE;

(III) HAS A CURRENT AND EXCLUSIVE APPOINTMENT WITH A SINGLE CARRIER; AND

(IV) RECEIVES COMPENSATION AS A CAPTIVE PRODUCER ONLY FROM THAT CARRIER.”;

in line 16, strike “(C-1)” and substitute “(C-2)”; after line 19, insert:

“(i) “Individual Exchange navigator” means an individual who:

(1) holds an Individual Exchange navigator certification; and

(2) provides the services described in § 31-113(d)(1) of this title for an Individual Exchange [navigator] CONNECTOR entity.

(k) “Individual Exchange [navigator] CONNECTOR entity” means a community-based organization or other entity or a partnership of entities that:

(1) is authorized by the Individual Exchange under § 31-113(f) of this title; and

(2) employs or engages Individual Exchange navigators to provide the services described in § 31-113(d)(1) of this title.

(l) “Individual Exchange [navigator] CONNECTOR entity authorization” means a grant of authority from the Individual Exchange to an Individual Exchange [navigator] CONNECTOR entity under § 31–113(f) of this title.”.

AMENDMENT NO. 9

On page 18, strike in their entirety lines 15 through 23, inclusive, and substitute:

“(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, TO THE EXTENT THAT THE EXCHANGE, ACTING ON BEHALF OF A CARRIER OFFERING A QUALIFIED PLAN IN THE INDIVIDUAL EXCHANGE OR THE SHOP EXCHANGE, IS REQUIRED BY LAW OR CONTRACT TO COLLECT PREMIUMS, CONDUCT BILLING, SEND REQUIRED NOTICES, PROVIDE REQUIRED DISCLOSURES, OR TAKE ANY OTHER ACTION NORMALLY TAKEN BY A CARRIER UNDER THIS ARTICLE, THE CARRIER IS NOT LIABLE OR SUBJECT TO REGULATORY SANCTION BY THE COMMISSIONER FOR THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION.

(2) (i) SUBJECT TO SUBPARAGRAPH (ii) OF THIS PARAGRAPH, THE COMMISSIONER SHALL REGULATE THE EXCHANGE IN TAKING AN ACTION UNDER THIS SUBSECTION.

(ii) IF THE COMMISSIONER FINDS THAT THE EXCHANGE HAS FAILED TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION, THE COMMISSIONER:

1. MAY NOT IMPOSE A FINE OR AN ADMINISTRATIVE PENALTY ON THE EXCHANGE; AND

2. MAY REQUIRE THE EXCHANGE TO:

A. MAKE RESTITUTION, NOT TO EXCEED THE AMOUNT OF ACTUAL ECONOMIC DAMAGES SUSTAINED BY THE CONSUMER, TO A CONSUMER WHO HAS SUSTAINED ACTUAL ECONOMIC DAMAGES BECAUSE OF THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION; AND

B. MAKE RESTITUTION, NOT TO EXCEED THE AMOUNT OF ACTUAL PREMIUM, PREMIUM SUBSIDIES, OR COST-SHARING SUBSIDIES THE CARRIER DID NOT RECEIVE, TO A CARRIER THAT HAS AUTHORIZED, PROVIDED, OR PAID FOR HEALTH CARE SERVICES WITHOUT RECEIVING PREMIUM, PREMIUM SUBSIDIES, OR COST-SHARING SUBSIDIES THE CARRIER OTHERWISE WOULD HAVE RECEIVED BUT FOR THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION.

(3) (I) THE EXCHANGE AND THE CARRIER SHALL HOLD A CONSUMER HARMLESS FROM ANY ADVERSE CONSEQUENCE THAT IS:

1. RELATED TO THE CONSUMER'S PURCHASE OF, OR COVERAGE UNDER, A QUALIFIED PLAN; AND

2. CAUSED BY THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION.

(II) HOLDING THE CONSUMER HARMLESS SHALL INCLUDE:

1. THE EXTENSION OF DEADLINES OR OTHER ACCOMMODATIONS NECESSARY TO PROTECT THE CONSUMER; AND

2. THE CARRIER'S AUTHORIZATION OF, PROVISION OF, OR PAYMENT FOR HEALTH CARE SERVICES THE CARRIER OTHERWISE WOULD BE UNDER AN OBLIGATION TO AUTHORIZE, PROVIDE, OR PAY FOR EXCEPT FOR THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION.

(4) THE COMMISSIONER, IN THE COMMISSIONER'S ROLE AS A MEMBER OF THE BOARD, MAY NOT PARTICIPATE IN ANY MATTER THAT INVOLVES THE ALLEGED FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION IF, IN THE COMMISSIONER'S JUDGMENT, THE COMMISSIONER'S PARTICIPATION MIGHT CREATE A CONFLICT OF INTEREST WITH RESPECT TO THE COMMISSIONER'S

REGULATORY AUTHORITY OVER THE EXCHANGE'S TAKING AN ACTION UNDER THIS SUBSECTION.”;

in line 24, strike “THIS” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THIS”; in the same line, after “NOT” insert “:

(1)”;

and in line 25, after “ARTICLE” insert “; OR

(2) LIMIT THE AUTHORITY OF THE COMMISSIONER TO TAKE ACTION AGAINST ANY PERSON WITH RESPECT TO ANY PROVISION OF THIS ARTICLE”.

AMENDMENT NO. 10

On page 18, after line 25, insert:

“31-106.

(g) (1) To carry out the purposes of this title, the Board shall:

[1] (I) create and consult with AD HOC advisory committees; AND

[2] have at least two standing advisory committees whose members, to the extent practicable, reflect the gender, racial, ethnic, and geographic diversity of the State; and

(3) (II) appoint to the AD HOC advisory committees representatives of:

[i] 1. insurers or health maintenance organizations offering health benefit plans in the State;

[ii] 2. nonprofit health service plans offering health benefit plans in the State;

[iii] 3. licensed health insurance producers and advisers;

[(iv)] 4. third-party administrators;

[(v)] 5. health care providers, including:

[1.] A. hospitals;

[2.] B. long-term care facilities;

[3.] C. mental health providers;

[4.] D. developmental disability providers;

[5.] E. substance abuse treatment providers;

[6.] F. Federally Qualified Health Centers;

[7.] G. physicians;

[8.] H. nurses;

[9.] I. experts in services and care coordination for criminal and juvenile justice populations;

[10.] J. licensed hospice providers; and

[11.] K. other health care professionals;

[(vi)] 6. managed care organizations;

[(vii)] 7. employers, including large, small, and minority-owned employers;

[(viii)] 8. public employee unions, including public employee union members who are caseworkers in local departments of social services with direct knowledge of information technology systems used for Medicaid eligibility determination;

[(ix)] 9. consumers, including individuals who:

[1.] A. reside in lower-income and racial or ethnic minority communities;

[2.] B. have chronic diseases or disabilities; or

[3.] C. belong to other hard-to-reach or special populations;

[(x)] 10. individuals with knowledge and expertise in advocacy for consumers described in item [(ix)] 9 of this item;

[(xi)] 11. public health researchers and other academic experts with knowledge and background relevant to the functions and goals of the Exchange, including knowledge of the health needs and health disparities among the State's diverse communities; and

[(xii)] 12. any other stakeholders identified by the Exchange as having knowledge or representing interests relevant to the functions and duties of the Exchange.

(2) IN ADDITION TO THE AD HOC ADVISORY COMMITTEES CREATED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD, ON OR BEFORE MARCH 15, 2014, SHALL CREATE A STANDING ADVISORY COMMITTEE THAT:

(I) CONSISTS OF MEMBERS WHO, TO THE EXTENT PRACTICABLE:

1. REFLECT THE GENDER, RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE;

2. CONSTITUTE A DIVERSE CROSS-SECTION OF STAKEHOLDERS BROADLY REPRESENTATIVE OF THE INDIVIDUALS AND ENTITIES DESCRIBED IN PARAGRAPH (1)(II) OF THIS SUBSECTION; AND

3. ARE APPOINTED BY THE BOARD FOR A TERM OF NO MORE THAN 3 YEARS IN A MANNER THAT PROVIDES CONTINUITY AND ROTATION;

(II) HAS A LIAISON TO THE BOARD WHO IS A MEMBER OF THE BOARD AND IS APPOINTED BY THE CHAIR OF THE BOARD; AND

(III) IS CHARGED WITH THE RESPONSIBILITY OF ADDRESSING THE BROAD RANGE OF POLICY ISSUES:

1. ON WHICH THE BOARD MAY SEEK ITS INPUT AND ADVICE; AND

2. THAT MAY BE PROPOSED BY THE LIAISON TO THE BOARD, IN CONSULTATION WITH THE STANDING ADVISORY COMMITTEE CHAIR AND MEMBERS.”.

AMENDMENT NO. 11

On page 18, in line 28, after “(b)” insert “(1)”; and in line 29, strike “(1)” and substitute “(I)”.

On page 19, in line 1, strike “(2)” and substitute “(II)”; after line 3, insert:

“(2) THE OPERATION AND ADMINISTRATION OF THE EXCHANGE AND THE STATE REINSURANCE PROGRAM MAY INCLUDE FUNCTIONS DELEGATED BY THE EXCHANGE TO A THIRD PARTY UNDER LAW OR BY CONTRACT.”;

after line 10, insert:

“(2) ALL REVENUE DEPOSITED INTO THE FUND THAT IS RECEIVED FROM THE DISTRIBUTION OF THE PREMIUM TAX UNDER § 6-103.2 OF THIS ARTICLE.”;

and in lines 11, 15, 16, 17, 19, 20, and 21, strike “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, and “(8)”, respectively, and substitute “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively.

On page 20, after line 6, insert:

“(3) FUNDS RECEIVED FROM THE DISTRIBUTION OF THE PREMIUM TAX UNDER § 6-103.2 OF THIS ARTICLE SHALL BE PLACED IN THE ACCOUNT FOR EXCHANGE OPERATIONS AND MAY BE USED ONLY FOR THE PURPOSE OF FUNDING THE OPERATION AND ADMINISTRATION OF THE EXCHANGE.

(H) (1) EXPENDITURES FROM THE FUND FOR THE PURPOSES AUTHORIZED BY THIS SUBTITLE MAY BE MADE ONLY:

(I) WITH AN APPROPRIATION FROM THE FUND APPROVED BY THE GENERAL ASSEMBLY IN THE STATE BUDGET; OR

(II) BY THE BUDGET AMENDMENT PROCEDURE PROVIDED FOR IN TITLE 7, SUBTITLE 2 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) NOTWITHSTANDING § 7-304 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, IF THE AMOUNT OF THE DISTRIBUTION FROM THE PREMIUM TAX UNDER § 6-103.2 OF THIS ARTICLE EXCEEDS IN ANY STATE FISCAL YEAR THE ACTUAL EXPENDITURES INCURRED FOR THE OPERATION AND ADMINISTRATION OF THE EXCHANGE, FUNDS IN THE EXCHANGE OPERATIONS ACCOUNT FROM THE PREMIUM TAX THAT REMAIN UNSPENT AT THE END OF THE STATE FISCAL YEAR SHALL REVERT TO THE GENERAL FUND OF THE STATE.

(3) IF OPERATING EXPENSES OF THE EXCHANGE MAY BE CHARGED TO EITHER STATE OR NON-STATE FUND SOURCES, THE NON-STATE FUNDS SHALL BE CHARGED BEFORE STATE FUNDS ARE CHARGED.”;

in lines 7 and 12, strike “(H)” and “(I)”, respectively, and substitute “(I)” and “(J)”, respectively; in line 10, strike “No” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (H)(2) OF THIS SECTION, NO”; in line 30, after “FOR” insert “STATE”; in the same line, after “EACH” insert “STATE”; and in lines 31 and 32, strike “DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION” and substitute “RECEIVED”

FROM THE DISTRIBUTION OF THE PREMIUM TAX UNDER § 6-103.2 OF THIS ARTICLE”.

On page 21, strike in their entirety lines 3 through 9, inclusive, and substitute:

“(2) (I) FOR STATE FISCAL YEAR 2015, THE APPROPRIATION SHALL BE NO LESS THAN \$10,000,000.

(II) FOR EACH STATE FISCAL YEAR THEREAFTER, THE APPROPRIATION SHALL BE NO LESS THAN \$35,000,000.”;

in line 12, strike “OPERATIONS” and substitute “OPERATION AND ADMINISTRATION”; in line 14, after “ANY” insert “STATE”; in line 16, after “OPERATION” insert “AND ADMINISTRATION”; and in line 18, strike “FUNDS” and substitute “NOTWITHSTANDING § 7-304 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, FUNDS”.

AMENDMENT NO. 12

On page 21, after line 20, insert:

“31-108.

(C) (1) IN CARRYING OUT THE FUNCTIONS UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION, THE EXCHANGE SHALL COMPLY WITH § 508 OF THE FEDERAL REHABILITATION ACT OF 1973 AND ANY REGULATIONS ADOPTED UNDER § 508 OF THE ACT.

(2) THE OBLIGATION FOR THE EXCHANGE TO COMPLY WITH § 508 OF THE FEDERAL REHABILITATION ACT OF 1973 DOES NOT AFFECT ANY OTHER REQUIREMENTS RELATING TO ACCESSIBILITY FOR PERSONS WITH DISABILITIES TO WHICH THE EXCHANGE MAY BE SUBJECT UNDER THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990.

[(c)] (D) If an individual enrolls in another type of minimum essential coverage, neither the Exchange nor a carrier offering qualified health plans through the Exchange may charge the individual a fee or penalty for termination of coverage on the grounds that:

(1) the individual has become newly eligible for that coverage; or

(2) the individual's employer-sponsored coverage has become affordable under the standards of § 36b(c)(2)(c) of the Internal Revenue Code.

[(d)] (E) The Exchange, through the advisory committees established under § 31-106(g) of this title or through other means, shall consult with and consider the recommendations of the stakeholders represented on the advisory committees in the exercise of its duties under this title.

[(e)] (F) The Exchange may not make available:

(1) any health benefit plan that is not a qualified health plan;

(2) any dental plan that is not a qualified dental plan; or

(3) any vision plan that is not a qualified vision plan.”.

AMENDMENT NO. 13

On page 22, in line 25, after “PLAN” insert “, **BASED ON THE COVERAGE LEVEL SELECTED BY THE MEMBER AND THE MEMBER'S JOB CLASSIFICATION, IF OTHERWISE PERMISSIBLE**”; and in line 27, after “EMPLOYEES” insert “**WITH THE SAME COVERAGE LEVEL AND JOB CLASSIFICATION**”.

On page 23, in lines 3 and 5, in each instance, after “CARRIER” insert “**OR INSURANCE HOLDING COMPANY SYSTEM**”; and in line 24, after “Exchange” insert “, **WITH THE APPROVAL OF THE COMMISSIONER AND IN CONSULTATION WITH STAKEHOLDERS,**”.

AMENDMENT NO. 14

On page 24, after line 7, insert:

“(a) (1) There is a navigator program for the Individual Exchange.

(5) The Commissioner may require the Individual Exchange to:

(i) make available to the Commissioner all records, documents, data, and other information relating to the navigator program, including the authorization of Individual Exchange [navigator] CONNECTOR entities and the certification of Individual Exchange navigators; and

(ii) submit a corrective plan to take appropriate action to address any problems or deficiencies identified by the Commissioner in the Individual Exchange [navigator] CONNECTOR entity authorization process or the Individual Exchange navigator certification process.

(b) The navigator program for the Individual Exchange shall:

(1) focus outreach efforts and services on individuals without health insurance coverage;

(2) use Individual Exchange [navigator] CONNECTOR entities that:

(i) have expertise in working with vulnerable and hard-to-reach populations; and

(ii) conduct outreach and provide enrollment support for these populations; and

(3) enable the Individual Exchange to:

(i) comply with the Affordable Care Act by providing seamless entry into the Maryland Medical Assistance Program, the Maryland Children's Health Program, and qualified plans;

(ii) assist individuals who, **DUE TO FORMER INCARCERATION OR OTHER CIRCUMSTANCES**, transition between the types of coverage described in item (i) of this item or have lapsed enrollment; and

(iii) meet consumer needs and demands for health insurance coverage while maintaining high standards of quality assurance and consumer protection.

(e) (1) The Exchange may authorize an Individual Exchange [navigator] CONNECTOR entity to provide consumer assistance services that:

(i) are required to be provided by an Individual Exchange navigator; or

(ii) subject to paragraph (2)(iii) of this subsection, result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program.

(2) The Exchange:

(i) may limit the authorization of an Individual Exchange [navigator] CONNECTOR entity to the provision of a subset of services, depending on the needs of the Individual Exchange navigator program and the capacity of the Individual Exchange [navigator] CONNECTOR entity, provided that the navigator program overall provides the totality of services required by the Affordable Care Act and this subtitle;

(ii) pursuant to contractual agreement, may require an Individual Exchange [navigator] CONNECTOR entity to provide education, outreach, and other consumer assistance services in addition to the services provided under the Individual Exchange [navigator] CONNECTOR entity's authorization in order to achieve all of the objectives of the navigator program; and

(iii) may not authorize an Individual Exchange [navigator] CONNECTOR entity to provide services that result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program without the approval of the Department of Health and Mental Hygiene.

(f) An Individual Exchange [navigator] CONNECTOR entity:

(1) shall obtain authorization from the Individual Exchange to provide services that:

(i) are required to be provided by an Individual Exchange navigator; or

(ii) result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program;

(2) may provide:

(i) those services that are within the scope of the Individual Exchange [navigator] CONNECTOR entity's authorization; and

(ii) any other consumer assistance services that:

1. are not required to be provided by an Individual Exchange navigator; or

2. do not require authorization under this subsection;

(3) to the extent the scope of its authorization includes services that must be provided by an Individual Exchange navigator, shall provide those services only through Individual Exchange navigators;

(4) in addition to the services it may provide under its authorization, may employ or engage other individuals to conduct:

(i) consumer education and outreach; and

(ii) determinations of eligibility for premium subsidies and cost-sharing assistance, the Maryland Medical Assistance Program, and the Maryland Children's Health Program;

(5) may employ or engage individuals to perform activities that:

(i) are executive, administrative, managerial, or clerical; and

(ii) relate only indirectly to services that must be provided by an Individual Exchange navigator or result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program;

(6) shall comply with all State and federal laws, regulations, and policies governing the Maryland Medical Assistance Program and the Maryland Children's Health Program;

(7) may not receive any compensation, directly or indirectly:

(i) from a carrier, an insurance producer, or a third-party administrator in connection with the enrollment of a qualified individual in a qualified health plan; or

(ii) from any managed care organization that participates in the Maryland Medical Assistance Program in connection with the enrollment of an individual in the Maryland Medical Assistance Program or the Maryland Children's Health Program; and

(8) with respect to the insurance market outside the Exchange:

(i) may not provide any information or services related to health benefit plans or other products not offered in the Exchange, except for general information about the insurance market outside the Exchange, which shall be limited to the information provided in a consumer education document developed by the Exchange and the Commissioner;

(ii) shall refer any inquiries about health benefit plans or other products not offered in the Exchange to:

1. any resources that may be maintained by the Exchange; or

2. carriers and licensed insurance producers; and

(iii) on contact with an individual who acknowledges having existing health insurance coverage obtained through an insurance producer, shall refer the individual back to the insurance producer for information and services unless:

1. the individual is eligible for but has not obtained a federal premium subsidy and cost-sharing assistance available only through the Individual Exchange;

2. the insurance producer is not authorized to sell qualified plans in the Individual Exchange; or

3. the individual would prefer not to seek further assistance from the individual's insurance producer.

(g) (1) The Commissioner may suspend or revoke an Individual Exchange [navigator] CONNECTOR entity authorization after notice and opportunity for a hearing under §§ 2–210 through 2–214 of this article if the Individual Exchange [navigator] CONNECTOR entity:

(i) has willfully violated this article or any regulation adopted under this article;

(ii) has engaged in fraudulent or dishonest practices in conducting activities under the Individual Exchange [navigator] CONNECTOR entity authorization;

(iii) has had any professional license or certification suspended or revoked for a fraudulent or dishonest practice;

(iv) has been convicted of a felony, a crime of moral turpitude, or any criminal offense involving dishonesty or breach of trust; or

(v) has willfully failed to comply with or violated a proper order or subpoena of the Commissioner.

(2) Instead of or in addition to suspending or revoking an Individual Exchange [navigator] CONNECTOR entity authorization, the Commissioner may:

(i) impose a penalty of not less than \$100 but not exceeding \$500 for each violation of this article; and

(ii) require that restitution be made to any person who has suffered financial injury because of the Individual Exchange [navigator] CONNECTOR entity's violation of this article.

(3) The penalties available to the Commissioner under this subsection shall be in addition to any criminal or civil penalties imposed for fraud or other misconduct under any other State or federal law.

(4) The Commissioner shall notify the Individual Exchange of any decision affecting the authorization of an Individual Exchange [navigator]

CONNECTOR entity or any sanction imposed on an Individual [navigator] EXCHANGE CONNECTOR entity under this subsection.

(5) A carrier is not responsible for the activities and conduct of Individual Exchange [navigator] CONNECTOR entities.”;

and in lines 15, 18, and 29, in each instance, strike “navigator” and substitute “CONNECTOR”.

On page 25, in line 13, after “Hygiene” insert “, THE HEALTH EDUCATION AND ADVOCACY UNIT OF THE OFFICE OF THE ATTORNEY GENERAL,”; and after line 36, insert:

“(l) (4) The Commissioner shall notify the Individual Exchange and the Individual Exchange [navigator] CONNECTOR entity for which the Individual Exchange navigator works of any decision affecting the certification of an Individual Exchange navigator or any sanction imposed on an Individual Exchange navigator under this subsection.

(m) (1) The Exchange shall establish and administer an insurance producer authorization process for the Individual Exchange.

(2) Under the process, the Exchange shall:

(i) provide an authorization to sell qualified plans to a licensed insurance producer who meets the requirements in subsection (n) of this section; and

(ii) require renewal of an authorization every 2 years.

(3) (i) Subject to the contested case hearing provisions of Title 10, Subtitle 2 of the State Government Article, the Exchange may suspend, revoke, or refuse to renew an authorization for good cause, which shall include a finding that the insurance producer holding the authorization has committed any act described in subsection [(m)(1)] (L)(1) of this section with respect to the authorization.

(ii) The Individual Exchange shall notify the Commissioner of any decision affecting the status of an insurance producer’s authorization.

(4) The Individual Exchange, with the approval of the Commissioner, shall adopt regulations to carry out this subsection.

(o) (1) The Exchange shall develop, implement, and, as appropriate, update a training program for insurance producers who sell qualified plans in the Individual Exchange.

(2) The training program shall:

(i) impart the skills and expertise necessary to perform functions specific to the Individual Exchange, such as making premium assistance eligibility determinations;

(ii) enable the Exchange to provide robust protection of consumers and adherence to high quality assurance standards; [and]

(III) IMPART THE SKILLS AND EXPERTISE NECESSARY TO FACILITATE APPROPRIATE REFERRALS OF INDIVIDUALS AND THEIR DEPENDENTS TO THE MARYLAND MEDICAL ASSISTANCE PROGRAM, THE MARYLAND CHILDREN'S HEALTH PROGRAM, THE APPROPRIATE INDIVIDUAL EXCHANGE CONNECTOR ENTITY, AN INDEPENDENT INSURANCE PRODUCER, OR THE CONSOLIDATED SERVICES CENTER; AND

[(iii)] (IV) be approved by the Commissioner.

(P) (1) SUBJECT TO PARAGRAPHS (2) THROUGH (7) OF THIS SUBSECTION, UNTIL JANUARY 1, 2017, A CAPTIVE PRODUCER, WITHOUT BEING SEPARATELY CERTIFIED AS AN INDIVIDUAL EXCHANGE NAVIGATOR, MAY ENROLL, IN A QUALIFIED PLAN OFFERED IN THE INDIVIDUAL EXCHANGE BY THE CARRIER FROM WHICH THE CAPTIVE PRODUCER HAS AN EXCLUSIVE APPOINTMENT:

(I) AN INDIVIDUAL WHO:

1. IS CURRENTLY ENROLLED IN ONE OF THE CARRIER'S NONGROUP PLANS; AND

2. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, DOES NOT HAVE AN INSURANCE PRODUCER OF RECORD IN CONNECTION WITH THE CARRIER'S NONGROUP PLAN; OR

(II) AN INDIVIDUAL WHO:

1. INITIATES CONTACT WITH THE CAPTIVE PRODUCER OR THE CARRIER FOR THE PURPOSE OF REQUESTING ASSISTANCE OR INQUIRING ABOUT THE CARRIER'S PLANS; AND

2. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, DOES NOT ACKNOWLEDGE HAVING AN INSURANCE PRODUCER IN CONNECTION WITH ANY EXISTING INSURANCE COVERAGE.

(2) (I) IF AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION HAS AN INSURANCE PRODUCER, A CAPTIVE PRODUCER SHALL REFER THE INDIVIDUAL BACK TO THE INSURANCE PRODUCER, TOGETHER WITH ANY AVAILABLE CONTACT INFORMATION, FOR INFORMATION AND SERVICES, UNLESS:

1. THE INDIVIDUAL IS ELIGIBLE FOR, BUT HAS NOT OBTAINED A FEDERAL PREMIUM SUBSIDY AND COST-SHARING ASSISTANCE, AND THE INSURANCE PRODUCER IS NOT AUTHORIZED TO SELL QUALIFIED PLANS IN THE INDIVIDUAL EXCHANGE; OR

2. THE INDIVIDUAL WOULD PREFER NOT TO SEEK FURTHER ASSISTANCE FROM THE INDIVIDUAL'S INSURANCE PRODUCER.

(II) IF A CAPTIVE PRODUCER IS NOT AWARE OF AN INSURANCE PRODUCER OF RECORD, THE CAPTIVE PRODUCER SHALL DISCLOSE TO AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT THERE MAY BE AN INSURANCE PRODUCER OF RECORD IN CONNECTION WITH AN EXISTING POLICY.

(3) (I) A CARRIER AND ITS CAPTIVE PRODUCERS, IN OFFERING INFORMATION AND ASSISTANCE TO THE CARRIER'S CURRENT ENROLLEES REGARDING QUALIFIED PLANS OFFERED IN THE INDIVIDUAL EXCHANGE:

1. SHALL COMPLY WITH FAIR MARKETING STANDARDS DEVELOPED JOINTLY BY THE EXCHANGE AND THE COMMISSIONER;

2. MAY NOT EMPLOY MARKETING PRACTICES OR OFFER INFORMATION AND ASSISTANCE ONLY TO CERTAIN ENROLLEES IN A MANNER THAT WILL HAVE THE EFFECT OF ENROLLING A DISPROPORTIONATE NUMBER OF THE CARRIER'S ENROLLEES WITH SIGNIFICANT HEALTH NEEDS IN QUALIFIED PLANS OFFERED IN THE INDIVIDUAL EXCHANGE; AND

3. SHALL ACT IN THE BEST INTEREST OF THE INDIVIDUAL TO WHOM THE CARRIER AND ITS CAPTIVE PRODUCERS PROVIDE ASSISTANCE.

(II) A CARRIER SHALL PROVIDE TO THE EXCHANGE, AND UPDATE AS NEEDED, A LIST OF ITS CURRENT CAPTIVE PRODUCERS.

(4) BEFORE PROVIDING AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION ANY INFORMATION OR ASSISTANCE WITH RESPECT TO QUALIFIED PLANS OFFERED IN THE INDIVIDUAL EXCHANGE, A CAPTIVE PRODUCER IN A MANNER PRESCRIBED UNDER FAIR MARKETING STANDARDS ESTABLISHED BY THE COMMISSIONER AND THE EXCHANGE, SHALL:

(I) DISCLOSE TO THE INDIVIDUAL THAT:

1. THE CAPTIVE PRODUCER IS EMPLOYED BY THE CARRIER AND ABLE TO PROVIDE INFORMATION ABOUT AND SELL ONLY QUALIFIED PLANS OFFERED BY THE CARRIER; AND

2. THE INDIVIDUAL EXCHANGE OFFERS OTHER QUALIFIED PLANS, SOLD BY OTHER CARRIERS, THAT MAY MEET THE INDIVIDUAL'S NEEDS;

(II) ON THE INDIVIDUAL'S REQUEST:

1. REFER THE INDIVIDUAL FOR FURTHER ASSISTANCE TO AN INDEPENDENT INSURANCE PRODUCER, THE APPROPRIATE INDIVIDUAL EXCHANGE CONNECTOR ENTITY, OR THE CONSOLIDATED SERVICES CENTER; AND

2. A PROVIDE, THROUGH MAIL OR ELECTRONIC COMMUNICATION, WRITTEN INFORMATION ABOUT THE INDIVIDUAL EXCHANGE, THE CONNECTOR PROGRAM, AND THE CONSOLIDATED SERVICES CENTER; AND

(III) DOCUMENT THAT THE CAPTIVE PRODUCER HAS PROVIDED THE REQUIRED DISCLOSURES AND THE INDIVIDUAL HAS ACKNOWLEDGED THAT THE INDIVIDUAL:

1. UNDERSTANDS THE DISCLOSURES;

2. DOES NOT WANT TO BE REFERRED TO AN INDEPENDENT INSURANCE PRODUCER, AN INDIVIDUAL EXCHANGE CONNECTOR ENTITY, OR THE CONSOLIDATED SERVICES CENTER; AND

3. WANTS TO RECEIVE INFORMATION AND ASSISTANCE FROM THE CAPTIVE PRODUCER.

(5) A RECORD OF THE DOCUMENTATION REQUIRED UNDER PARAGRAPH (4)(III) OF THIS SUBSECTION SHALL BE:

(I) RETAINED BY A CAPTIVE PRODUCER FOR AT LEAST 3 YEARS;

(II) SUBJECT TO THE COMMISSIONER'S REVIEW IN A MARKET CONDUCT EXAMINATION; AND

(III) PROVIDED TO THE EXCHANGE ON A QUARTERLY BASIS.

(6) WITH RESPECT TO ANY HEALTH BENEFIT PLANS OR OTHER PRODUCTS OFFERED IN THE INDIVIDUAL EXCHANGE OR THE INSURANCE MARKET OUTSIDE THE INDIVIDUAL EXCHANGE BY CARRIERS OTHER THAN THE CARRIER WITH WHICH THE CAPTIVE PRODUCER HAS AN EXCLUSIVE APPOINTMENT, A CAPTIVE PRODUCER:

(I) MAY NOT PROVIDE ANY INFORMATION OR SERVICES RELATED TO HEALTH BENEFIT PLANS OR OTHER PRODUCTS NOT OFFERED BY THE CAPTIVE PRODUCER’S CARRIER; AND

(II) SHALL REFER ANY INQUIRIES ABOUT HEALTH BENEFIT PLANS OR OTHER PRODUCTS NOT OFFERED BY THE CAPTIVE PRODUCER’S CARRIER TO:

1. ANY RESOURCES THAT MAY BE MAINTAINED BY THE EXCHANGE; OR

2. A LICENSED INDEPENDENT INSURANCE PRODUCER.

(7) IF A CARRIER OR A CAPTIVE PRODUCER FAILS TO COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION, THE EXCHANGE MAY:

(I) SUSPEND, REVOKE, OR REFUSE TO RENEW THE CAPTIVE PRODUCER’S AUTHORIZATION UNDER SUBSECTION (M)(3) OF THIS SECTION; AND

(II) IMPOSE SANCTIONS AGAINST THE CARRIER UNDER § 31-115(K) OF THIS TITLE.

[(p)] (Q) Nothing in this section shall prohibit a community-based organization or a unit of State or local government from providing the consumer assistance services described in subsection (c) of this section that are not required to be provided by an Individual Exchange navigator, if the entity providing the services and its employees do not:

(1) receive any compensation, directly or indirectly, from a carrier, an insurance producer, or a third-party administrator in connection with the enrollment of a qualified individual in a qualified health plan;

(2) receive any compensation, directly or indirectly, from a managed care organization that participates in the Maryland Medical Assistance Program or the Maryland Children's Health Program; and

(3) identify themselves to the public as an Individual Exchange [navigator] CONNECTOR entities or Individual Exchange navigators.

(R) (1) TO THE EXTENT AND IN THE MANNER PERMITTED OR REQUIRED BY FEDERAL LAW OR REGULATION GOVERNING APPLICATION COUNSELORS AND OTHER EXCHANGE CONSUMER ASSISTANCE PERSONNEL, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AND DEPENDING ON ITS NEEDS AND RESOURCES, THE EXCHANGE MAY:

(I) DESIGNATE AS AN APPLICATION COUNSELOR SPONSORING ENTITY UNDER THIS SUBSECTION A COMMUNITY-BASED ORGANIZATION, HEALTH CARE PROVIDER, UNIT OF STATE OR LOCAL GOVERNMENT, OR OTHER ENTITY; AND

(II) CERTIFY AS AN APPLICATION COUNSELOR ANY AGENT, EMPLOYEE, OR VOLUNTEER OF AN APPLICATION COUNSELOR SPONSORING ENTITY WHO MEETS THE REQUIREMENTS FOR INDIVIDUAL EXCHANGE NAVIGATOR CERTIFICATION UNDER THIS SECTION.

(2) AN APPLICATION COUNSELOR SPONSORING ENTITY AND AN APPLICATION COUNSELOR AUTHORIZED TO PROVIDE SERVICES UNDER THIS SUBSECTION:

(I) MAY NOT BE COMPENSATED BY THE EXCHANGE;

(II) MAY NOT IMPOSE A FEE ON INDIVIDUALS TO WHOM THEY ARE AUTHORIZED TO PROVIDE SERVICES UNDER THIS SECTION FOR THE SERVICES;

(III) SHALL DISCLOSE TO THE EXCHANGE AND TO INDIVIDUALS TO WHOM THEY PROVIDE SERVICES ANY RELATIONSHIPS THEY HAVE WITH:

1. A CARRIER, AN INSURANCE PRODUCER, OR A THIRD-PARTY ADMINISTRATOR; OR

2. A MANAGED CARE ORGANIZATION THAT PARTICIPATES IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM AND THE MARYLAND CHILDREN’S HEALTH PROGRAM; AND

(IV) SHALL ACT IN THE BEST INTEREST OF THE INDIVIDUALS FOR WHOM THEY ARE AUTHORIZED TO PROVIDE SERVICES; AND

(V) MAY NOT BE COMPENSATED BY A CARRIER, INSURANCE PRODUCER, OR THIRD-PARTY ADMINISTRATOR FOR THEIR ENROLLMENT SERVICES.

(3) AN APPLICATION COUNSELOR IS SUBJECT TO ALL REQUIREMENTS, RESTRICTIONS, CONFLICT OF INTEREST RULES, AND OVERSIGHT APPLICABLE TO:

(I) INDIVIDUAL EXCHANGE CONNECTOR ENTITIES AND INDIVIDUAL EXCHANGE NAVIGATORS UNDER THIS SUBSECTION AND ANY OTHER RELEVANT STATE OR FEDERAL LAWS; AND

(II) APPLICATION COUNSELORS UNDER FEDERAL LAW OR REGULATION.

(4) THE EXCHANGE, IN CONSULTATION WITH THE COMMISSIONER AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, MAY:

(I) ESTABLISH REQUIREMENTS FOR A SPONSORING ENTITY; AND

(II) ADOPT REGULATIONS TO CARRY OUT THIS SUBSECTION.”.

AMENDMENT NO. 15

On page 28, in line 2, strike “AND”; in line 3, after “(VI)” insert “SHALL INQUIRE WHETHER AN INDIVIDUAL HAS HEALTH INSURANCE OBTAINED THROUGH AN INSURANCE PRODUCER AND, IF SO, SHALL REFER THE INDIVIDUAL TO THE INSURANCE PRODUCER FOR INFORMATION AND SERVICES UNLESS:

1. THE INDIVIDUAL IS ELIGIBLE FOR, BUT HAS NOT OBTAINED A FEDERAL PREMIUM SUBSIDY AND COST-SHARING ASSISTANCE, AND THE INSURANCE PRODUCER IS NOT AUTHORIZED TO SELL QUALIFIED PLANS IN THE INDIVIDUAL EXCHANGE; OR

2. THE INDIVIDUAL WOULD PREFER NOT TO SEEK FURTHER ASSISTANCE FROM THE INDIVIDUAL’S INSURANCE PRODUCER; AND

(VII)”;

and after line 32, insert:

“(D) THE EXCHANGE, THE CSC, AND CSC EMPLOYEES SHALL ASSIST THE HEALTH EDUCATION AND ADVOCACY UNIT OF THE OFFICE OF THE ATTORNEY GENERAL IN CARRYING OUT ITS DUTIES TO ASSIST CONSUMERS UNDER TITLE 13, SUBTITLE 4A OF THE COMMERCIAL LAW ARTICLE AND TITLE 15, SUBTITLES 10A AND 10D OF THIS ARTICLE.

31-114.

(a) Nothing in this title requires the Maryland Medical Assistance Program or the Maryland Children’s Health Program to provide any specific financial support to the Individual Exchange for the services provided by an Individual Exchange navigator or an Individual Exchange [navigator] CONNECTOR entity.”.

AMENDMENT NO. 16

On page 29, in line 8, strike “(d)” and substitute “(E)”; and after line 18, insert:

“(II) OFFERS IN EACH EXCHANGE, THE INDIVIDUAL AND THE SHOP, IN WHICH THE CARRIER PARTICIPATES, AT LEAST ONE QUALIFIED HEALTH PLAN:

- 1. AT A BRONZE LEVEL OF COVERAGE;**
- 2. AT A SILVER LEVEL OF COVERAGE; AND**
- 3. AT A GOLD LEVEL OF COVERAGE;”.**

On page 29, in lines 19, 24, 28, and 31, strike “(ii)”, “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**(III)**”, “**(IV)**”, “**(V)**”, and “**(VI)**”, respectively.

On page 30, in line 1, strike “(vi)” and substitute “**(VII)**”; after line 24, insert:

“(d) [(1) A qualified health plan is not required to provide essential benefits that duplicate the minimum benefits of qualified vision plans, as provided in subsection (i) of this section, if:

(i) the Exchange has determined that at least one qualified vision plan is available to supplement the qualified health plan’s coverage; and

(ii) at the time the carrier offers the qualified health plan, the carrier discloses in a form approved by the Exchange that:

1. the plan does not provide the full range of essential pediatric vision benefits; and

2. qualified vision plans providing these and other vision benefits also not provided by the qualified health plan are offered through the Exchange.

(2)] The Exchange may determine whether a carrier may elect to [include] OFFER COVERAGE FOR nonessential vision benefits in [a qualified health plan] EITHER THE SHOP EXCHANGE OR INDIVIDUAL EXCHANGE.

(e) A qualified health plan is not required to provide at least a bronze level of coverage under subsection (b)(3) of this section if the qualified health plan:

(1) meets the requirements and is certified as a qualified catastrophic plan as provided under the Affordable Care Act; and

(2) will be offered only to individuals eligible for catastrophic coverage.

(h) (1) Except as provided in paragraphs (2) through (5) of this subsection, the requirements applicable to qualified health plans under this title also shall apply to qualified dental plans to the extent relevant, whether offered in conjunction with or as an endorsement to qualified health plans or as stand-alone dental plans.

(2) A carrier offering a qualified dental plan shall be licensed to offer dental coverage but need not be licensed to offer other health benefits.

(3) A qualified dental plan shall:

(i) be limited to dental and oral health benefits, without substantial duplication of other benefits typically offered by health benefit plans without dental coverage; and

(ii) include at a minimum:

1. the essential pediatric dental benefits required by the Secretary under § 1302(b)(1)(j) of the Affordable Care Act; and

2. other dental benefits required by the Secretary or the Exchange.

(4) (i) The Exchange may determine:

1. the manner in which carriers must disclose the price of oral and dental benefits and, to the extent relevant, medical benefits, when offered:

A. to the extent permitted by the Exchange, in a qualified health plan;

B. in conjunction with or as an endorsement to a qualified health plan; or

C. as a stand-alone plan; and

2. when a carrier offers a qualified dental plan in conjunction with a qualified health plan, whether the carrier also must make the qualified health plan, the qualified dental plan, or both qualified plans available on a stand-alone basis.

(ii) In determining the manner in which carriers must offer and disclose the price of medical, oral, and dental benefits under this paragraph, the Exchange shall balance the objectives of transparency and affordability for consumers.

(5) The Exchange may:

(i) exempt qualified dental plans from a requirement applicable to qualified health plans under this title to the extent the Exchange determines the requirement is not relevant to qualified dental plans; and

(ii) establish additional requirements for qualified dental plans in conjunction with its establishment of additional requirements for qualified health plans under subsection (b)(9) of this section.

(6) THE EXCHANGE MAY REQUIRE CHILDREN ENROLLING IN A QUALIFIED HEALTH PLAN TO HAVE THE ESSENTIAL PEDIATRIC DENTAL BENEFITS REQUIRED BY THE SECRETARY UNDER § 1302(B)(1)(J) OF THE AFFORDABLE CARE ACT, WHETHER OFFERED:

(I) IN THE QUALIFIED HEALTH PLAN;

(II) IN CONJUNCTION WITH OR AS AN ENDORSEMENT TO THE QUALIFIED HEALTH PLAN; OR

(III) AS A STAND-ALONE DENTAL PLAN.

(i) (3) A qualified vision plan shall:

(i) be limited to vision and eye health benefits, without substantial duplication of other benefits typically offered by health benefit plans without vision coverage; and

(ii) include at a minimum:

1. the essential pediatric vision benefits required by the Secretary under § 1302(b)(1)(j) of the Affordable Care Act; [and] OR

2. other vision benefits required by the Secretary or the Exchange.”;

in line 31, strike “MEET” and substitute “HAS OTHERWISE VIOLATED”; and in line 33, after “AND” insert “INTERIM”.

On page 31, in line 3, strike “MAY” and substitute “SHALL”; in line 23, strike “\$100” and substitute “\$5,000”; in line 25, after “(4)” insert “IN DETERMINING THE AMOUNT OF A PENALTY UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION, THE EXCHANGE SHALL CONSIDER:

(I) THE TYPE, SEVERITY, AND DURATION OF THE VIOLATION;

(II) WHETHER THE PLAN OR CARRIER KNEW OR SHOULD HAVE KNOWN OF THE VIOLATION;

(III) THE EXTENT TO WHICH THE PLAN OR CARRIER HAVE A HISTORY OF VIOLATIONS; AND

(IV) WHETHER THE PLAN OR CARRIER CORRECTED THE VIOLATION AS SOON AS THEY KNEW OR SHOULD HAVE KNOWN OF THE VIOLATION.

(5)”;

and after line 28, insert:

“(6) (I) A CARRIER OR PLAN, UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE AND THE EXCHANGE’S APPEALS AND GRIEVANCE PROCESS MAY:

1. APPEAL AN ORDER OR DECISION ISSUED BY THE EXCHANGE UNDER THIS SECTION; AND

2. REQUEST A HEARING.

(II) A DEMAND FOR A HEARING STAYS A DECISION OR ORDER OF THE EXCHANGE PENDING THE HEARING, AND A FINAL ORDER OF THE EXCHANGE RESULTING FROM IT, IF THE EXCHANGE RECEIVES THE DEMAND:

1. BEFORE THE EFFECTIVE DATE OF THE ORDER; OR

2. WITHIN 10 DAYS AFTER THE ORDER IS SERVED.

(III) IF A PETITION FOR JUDICIAL REVIEW IS FILED WITH THE APPROPRIATE COURT UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE, THE COURT HAS JURISDICTION OVER THE CASE AND SHALL DETERMINE WHETHER THE FILING OPERATES AS A STAY OF THE ORDER FROM WHICH THE APPEAL IS TAKEN.

31-116.

(a) The essential health benefits required under § 1302(a) of the Affordable Care Act:

(1) shall be the benefits in the State benchmark plan, selected in accordance with this section; and

(2) notwithstanding any other benefits mandated by State law, shall be the benefits required in:

(i) all individual health benefit plans and health benefit plans offered to small employers, except for grandfathered health plans, as defined in the Affordable Care Act, offered outside the Exchange; and

(ii) subject to § 31-115(c) [and (d)] of this title, all qualified health plans offered in the Exchange.”.

AMENDMENT NO. 17

On page 33, after line 7, insert:

“(a) The Exchange shall be administered in a manner designed to:

(1) prevent discrimination ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, DISABILITY, AGE, SEX, GENDER IDENTITY, OR SEXUAL ORIENTATION;

(2) streamline enrollment and other processes to minimize expenses and achieve maximum efficiency;

(3) prevent waste, fraud, and abuse; and

(4) promote financial integrity.

(d) (1) On or before December 1 of each year, the Board shall forward to the Secretary, the Governor, and, in accordance with § 2-1246 of the State Government Article, the General Assembly, a report on the activities, expenditures, and receipts of the Exchange.

(2) The report shall:

(i) be in the standardized format required by the Secretary;

(ii) include data regarding:

1. health plan participation, ratings, coverage, price, quality improvement measures, and benefits;

2. consumer choice, participation, and satisfaction information to the extent the information is available;

3. financial integrity, fee assessments, and status of the Fund; and

4. any other appropriate metrics related to the operation of the Exchange that may be used to evaluate Exchange performance, assure transparency, and facilitate research and analysis;

(iii) ASSESS AND, TO THE EXTENT FEASIBLE AND PERMITTED BY LAW, include data to identify disparities related to gender, race, ethnicity, geographic location, language, disability, GENDER IDENTITY, SEXUAL ORIENTATION, or other attributes of special populations; and

(iv) include information on its fraud, waste, and abuse detection and prevention program.”.

AMENDMENT NO. 18

On page 33, in lines 25 and 27, in each instance, after “MEDICAL” insert “OR DENTAL”.

On page 35, in line 12, strike “DENTAL OR”.

On page 36, in line 9, after “(6)” insert “(I)”; in line 10, strike “(I)” and substitute “1.”; in line 12, strike “DELIVER” and substitute “PROVIDE, IN THE ORDINARY COURSE OF BUSINESS OR PRACTICE OF A PROFESSION, HEALTH CARE”; in line 15, strike “(II)” and substitute “2. A FACILITY WHERE HEALTH CARE IS PROVIDED TO PATIENTS OR RECIPIENTS, INCLUDING:

A.”;

in the same line, strike the comma; and in line 16, after “ARTICLE” insert “;

B. A RELATED INSTITUTION AS DEFINED IN § 19-301 OF THE HEALTH – GENERAL ARTICLE;

C. A FREESTANDING AMBULATORY CARE FACILITY AS DEFINED IN § 19-3B-01 OF THE HEALTH – GENERAL ARTICLE;

D. A FACILITY THAT IS ORGANIZED PRIMARILY TO HELP IN THE REHABILITATION OF PERSONS WITH DISABILITIES;

E. A HOME HEALTH AGENCY AS DEFINED IN § 19-901 OF THE HEALTH – GENERAL ARTICLE;

F. A HOSPICE AS DEFINED IN § 19-901 OF THE HEALTH – GENERAL ARTICLE;

G. A FACILITY THAT PROVIDES RADIOLOGICAL OR OTHER DIAGNOSTIC IMAGERY SERVICES;

H. A MEDICAL LABORATORY AS DEFINED IN § 17-201 OF THE HEALTH – GENERAL ARTICLE;

I. AN ALCOHOL ABUSE AND DRUG ABUSE TREATMENT PROGRAM AS DEFINED IN § 8-403 OF THE HEALTH – GENERAL ARTICLE; AND

J. A FEDERALLY QUALIFIED HEALTH CENTER.

(II) “HEALTH CARE PROVIDER” INCLUDES THE AGENTS, EMPLOYEES, OFFICERS, AND DIRECTORS OF A HEALTH CARE PROVIDER DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH”.

On page 38, in lines 15 and 16, in each instance, after “MEDICAL” insert “OR DENTAL”; strike beginning with “INCLUDES” in line 18 down through “ACTIVITIES” in line 20 and substitute “IS SERIOUS IN NATURE”; strike beginning with “REQUIRES” in line 23 down through the comma in line 24 and substitute “IS ACTIVELY MANAGED OR SUPERVISED BY”; in line 26 after “(B)” insert “(1)”; after line 25, insert:

“(16) “THIRD-PARTY ADMINISTRATOR” MEANS AN ORGANIZATION UNDER CONTRACT WITH THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO ADMINISTER CERTAIN BENEFITS AND SERVICES PROVIDED BY THE MARYLAND MEDICAL ASSISTANCE PROGRAM.”;

and in lines 28 and 30, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively.

On page 39, in lines 1 and 2, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; after line 3, insert:

“(2) THIS SECTION:

(I) WITH RESPECT TO ANY BENEFIT OR SERVICE THAT IS PROVIDED THROUGH THE MARYLAND MEDICAL ASSISTANCE FEE-FOR-SERVICE PROGRAM:

1. SHALL NOT APPLY WHEN THE ENROLLEE IS TRANSITIONING FROM A CARRIER TO THE MARYLAND MEDICAL ASSISTANCE PROGRAM; AND

2. EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, SHALL APPLY WHEN THE ENROLLEE IS TRANSITIONING FROM THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO A CARRIER;

(II) SHALL APPLY TO CONTRACTS ISSUED OR RENEWED ON OR AFTER JANUARY 1, 2015; AND

(III) SUBJECT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH, WITH RESPECT TO DENTAL BENEFITS, SHALL APPLY TO COVERED SERVICES FOR WHICH A COORDINATED TREATMENT PLAN IS IN PROGRESS.”;

in line 4, after “(1)” insert **“WITH RESPECT TO ANY BENEFIT OR SERVICE PROVIDED THROUGH THE MARYLAND MEDICAL ASSISTANCE FEE-FOR-SERVICE PROGRAM, THIS SUBSECTION SHALL APPLY:**

(I) ONLY TO ENROLLEES TRANSITIONING FROM THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO A CARRIER; AND

(II) ONLY TO BEHAVIORAL HEALTH AND DENTAL BENEFITS, TO THE EXTENT THEY ARE AUTHORIZED BY A THIRD-PARTY ADMINISTRATOR.

(2)”;

in line 4, strike “(2)” and substitute “(3)”; in line 5, strike the second “OR”; in line 6, after the comma insert “OR HEALTH CARE PROVIDER,”; in line 7, strike “PRIOR AUTHORIZATION” and substitute “PREAUTHORIZATION”; in the same line, strike “OR” and substitute a comma; in line 8, after “ORGANIZATION” insert “, OR THIRD-PARTY ADMINISTRATOR”; after line 16, insert:

“(3) SUBJECT TO APPLICABLE LAWS RELATING TO THE CONFIDENTIALITY OF MEDICAL RECORDS, INCLUDING 42 C.F.R. PART 2, AT THE REQUEST AND WITH THE CONSENT OF AN ENROLLEE OR AN ENROLLEE’S PARENT, GUARDIAN, OR DESIGNEE, A RELINQUISHING CARRIER, MANAGED CARE ORGANIZATION, OR THIRD-PARTY ADMINISTRATOR, SHALL PROVIDE A COPY OF A PREAUTHORIZATION TO THE ENROLLEE’S RECEIVING CARRIER OR MANAGED CARE ORGANIZATION WITHIN 10 DAYS AFTER RECEIPT OF THE REQUEST.”;

in line 17, strike “(2)” and substitute “(4)”; in the same line, strike “(1)(II)” and substitute “(2)(II)”; in line 26, strike the first “OR”; in the same line, after the second comma insert “OR HEALTH CARE PROVIDER,”; and in line 31, after “(2)” insert “(I)”.

On page 40, in line 1, strike “(I)” and substitute “1.”; in lines 2, 3, 4, and 5, strike “1.”, “2.”, “3.”, and “4.”, respectively, and substitute “A.”, “B.”, “C.”, and “D.”, respectively; in line 4, after the semicolon insert “AND”; in line 6, after the semicolon insert “AND”

2. ANY OTHER CONDITION ON WHICH THE NONPARTICIPATING PROVIDER AND THE RECEIVING CARRIER OR MANAGED CARE ORGANIZATION REACH AGREEMENT.

(II) EXAMPLES OF CONDITIONS SET FORTH IN SUBPARAGRAPH (I)1A AND B OF THIS PARAGRAPH MAY INCLUDE:”;

in lines 7, 8, 9, 10, 12, and 13, strike “5.”, “6.”, “7.”, “8.”, “9.”, and “10.”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, “5.”, and “6.”, respectively; in line 9, strike “WITHIN THE PREVIOUS 30 DAYS”; strike beginning with “DIAGNOSED” in line 10 down

through “DAYS” in line 11; in line 13, strike “; AND” and substitute a period; in line 14, strike “(II)” and substitute “(III) AN ENROLLEE SHALL BE ALLOWED TO CONTINUE TO RECEIVE SERVICES FOR THE CONDITIONS UNDER THIS PARAGRAPH FOR”; in line 19, strike “PARAGRAPH (4)” and substitute “PARAGRAPHS (4) AND (5)”; strike beginning with “THE” in line 19 down through “AND” in line 20; strike beginning with “AGREE” in line 22 down through “1.” in line 24 and substitute “PAY THE NONPARTICIPATING PROVIDER”; in line 24, strike “RATES” and substitute “RATE”; and in the same line, strike “METHODS” and substitute “METHOD”.

On pages 40 and 41, strike beginning with the semicolon in line 27 on page 40 down through “SUBSECTION” in line 2 on page 41.

On page 41, after line 2, insert:

“(III) THE NONPARTICIPATING PROVIDER MAY DECLINE TO ACCEPT THE RATE OR METHOD OF PAYMENT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH BY GIVING 10 DAYS’ PRIOR NOTICE TO THE ENROLLEE AND RECEIVING CARRIER.

“(IV) SUBJECT TO PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, IF THE NONPARTICIPATING PROVIDER DOES NOT ACCEPT THE RATE OR METHOD OF PAYMENT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE NONPARTICIPATING PROVIDER AND THE RECEIVING CARRIER OR MANAGED CARE ORGANIZATION MAY REACH AGREEMENT ON AN ALTERNATIVE RATE OR METHOD OF PAYMENT FOR THE PROVISION OF COVERED SERVICES.”;

strike beginning with “AGREEMENT” in line 3 down through “ORGANIZATION” in line 4 and substitute “RATES AND METHODS OF PAYMENT UNDER PARAGRAPH (3)(II) AND (IV) OF THIS SUBSECTION”; in line 15, after “THAT” insert “:

1. AN ENROLLEE IS NOT SUBJECT TO BALANCE BILLING; AND

2.”;

in line 21, after “PROVIDER” insert “DOES NOT ACCEPT THE RATE AND METHOD OF COMPENSATION UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION,”; in line 22, strike “DO” and substitute “DOES”; in the same line, after “AGREEMENT” insert “WITH THE NONPARTICIPATING PROVIDER FOR AN ALTERNATIVE RATE AND METHOD OF PAYMENT”; in line 23, strike “(3)” and substitute “(3)(IV)”; in line 25, strike “AND”; in line 26, after “(II)” insert “§ 14-205.3 OF THIS ARTICLE, UNDER WHICH AN ENROLLEE MAY ASSIGN BENEFITS TO A NONPREFERRED PROVIDER AND THE PROVIDER MAY BALANCE BILL THE ENROLLEE, SHALL APPLY TO THE EXTENT IT WOULD APPLY ABSENT THIS SECTION; AND”

(III) UNLESS THE ENROLLEE HAS ASSIGNED BENEFITS TO A NONPREFERRED PROVIDER UNDER § 14-205.3 OF THIS ARTICLE,”;

strike beginning with “IS” in line 26 down through “PROVIDER” in line 28 and substitute “SHALL FACILITATE TRANSITION OF THE ENROLLEE TO A PROVIDER ON THE PROVIDER PANEL OF THE CARRIER OR MANAGED CARE ORGANIZATION”; in line 29, after “(E)” insert “(1)”; and in line 30, strike “(1)” and substitute “(I)”.

On page 42, in line 3, strike “(2)” and substitute “(II)”; after line 6, insert:

“(2) (I) TO ENSURE CONTINUITY OF TREATMENT IN PROGRESS FOR DENTAL SERVICES PROVIDED TO AN ENROLLEE, A RELINQUISHING CARRIER MAY ELECT TO ALLOW AN ENROLLEE TO CONTINUE TO RECEIVE DENTAL SERVICES BEING PROVIDED BY A PARTICIPATING PROVIDER OF THE RELINQUISHING CARRIER THROUGH AN ARRANGEMENT IN WHICH THE RELINQUISHING CARRIER PAYS THE PARTICIPATING PROVIDER ACCORDING TO THE RATE AND METHOD OF PAYMENT THE RELINQUISHING CARRIER NORMALLY WOULD PAY AND USE FOR THE PARTICIPATING PROVIDER.

(II) THE RATE AND METHOD OF PAYMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL COMPLY WITH:

1. THE PROHIBITION ON BALANCE BILLING UNDER SUBSECTION (D)(4)(II) OF THIS SECTION; AND

2. ANY COPAYMENTS, DEDUCTIBLES, AND COINSURANCE REQUIREMENTS IN THE ENROLLEE’S HEALTH BENEFIT PLAN UNDER THE RELINQUISHING CARRIER.”;

in line 7, after “(F)” insert “**(1) A RECEIVING CARRIER OR MANAGED CARE ORGANIZATION SHALL PROVIDE NOTICE TO A NEW ENROLLEE OF THE ENROLLEE’S OPTIONS AND RESPONSIBILITIES UNDER THIS SECTION IN A MANNER PRESCRIBED BY THE COMMISSIONER.**”

(2)”;

in the same line, after “ARE” insert “:

(I)”;

in line 9, after the second “CARE” insert “;**AND**”

(II) NOT INTENDED TO LIMIT OR MAKE MORE RESTRICTIVE ANY OTHER CONTINUITY OF CARE REQUIREMENTS IN STATE OR FEDERAL LAW, REGULATIONS, OR PROFESSIONAL CODES OF CONDUCT”;

in line 13, after “(H)” insert “**(1)**”; strike beginning with the colon in line 15 down through “(1)” in line 16; in line 16, after “DATA” insert “,**TO THE EXTENT ITS COLLECTION IS FEASIBLE AND PERMITTED BY LAW, THAT IS**”; in line 21, after “POPULATIONS” insert “,**ANY DISPARATE OR DISCRIMINATORY IMPACT ON SPECIFIC POPULATIONS,**”; in the same line, strike “; AND” and substitute a period; in line 22, after “(2)” insert “**ON**”; in the same line, strike “THE REQUISITE DATA FROM” and substitute “**OF THE COMMISSIONER, THE MARYLAND HEALTH BENEFIT EXCHANGE, OR THE SECRETARY OF HEALTH AND MENTAL HYGIENE**”; and in line 23, after “PROVIDERS” insert “**SHALL PROVIDE THE REQUISITE DATA**”.

AMENDMENT NO. 19

On page 42, in line 26, strike “reaching agreement on payment for” and substitute “**providing continuity of care in**”; in line 27, strike “to ensure continuity of care”; in line 30, after “regarding” insert “**mandatory**”; and in line 33, strike the second “and”.

On page 43, in line 1, after “Administration” insert “, and the Maryland Health Care Commission”; in line 3, strike “and”; in line 4, after “Administration” insert “, and the Maryland Health Care Commission”; in line 6, after “study,” insert “which, to the extent feasible, shall”; in the same line, strike “including” and substitute “include”; in line 7, after “has” insert “:

(i)”;

in line 8, strike “and” and substitute:

“(ii) affected newly eligible populations and trends in health disparities;

(iii) had a disparate impact on specific populations, including individuals suffering from mental health and substance use disorders; and

(iv) had a discriminatory impact based on gender identity or sexual orientation; and”;

after line 12, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That the terms of the initial members of the Performance Standards and Measurement Advisory Committee established under Section 2 of this Act shall expire as follows:

(1) three members in 2014;

(2) five members in 2015; and

(3) five members in 2016.

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Benefit Exchange and the Maryland Insurance Administration shall:

(1) conduct a study of the impact of the Affordable Care Act’s allowance of a tobacco use rating of 1.5 to 1, including:

- (i) its effect on insurance premiums generally;
 - (ii) its effect on the affordability and purchase of insurance, and access to health care, for tobacco users; and
 - (iii) any disparate impact on specific vulnerable populations; and
- (2) assess the options that may be available to the State to address any adverse consequences of the tobacco use rating.

(b) On or before September 1, 2014, the Maryland Health Benefit Exchange and the Maryland Insurance Administration shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly, on the findings of the study and any recommendations for further legislative action.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) Pending adoption of regulations under Title 31 of the Insurance Article, and after receiving comment from the Joint Committee on Administrative, Executive, and Legislative Review, the Senate Finance Committee, the House Health and Government Operations Committee, carriers, and the public, the Board of Trustees of the Maryland Health Benefit Exchange may adopt interim policies, if necessary, to ensure that the Maryland Health Benefit Exchange:

- (1) is fully prepared to begin successful operations by October 1, 2013;
and
- (2) is and will remain in compliance with all federal laws, regulations, policies, and deadlines.

(b) Interim policies under subsection (a) of this section:

- (1) may be adopted only when necessary to ensure that the Maryland Health Benefit Exchange is in compliance with federal policies, which have been and will likely continue to be in flux;
- (2) shall be made public on adoption;

(3) shall be submitted as proposed regulations to the Joint Committee on Administrative, Executive, and Legislative Review within 6 months after adoption by the Board of Trustees; and

(4) shall sunset no later than 1 year after submission as proposed regulations to the Joint Committee on Administrative, Executive, and Legislative Review.

SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Benefit Exchange and the Maryland Insurance Administration shall:

(1) conduct a study of the impact of federal regulations governing the manner in which pediatric dental benefits must be offered and purchased inside and outside the Maryland Health Benefit Exchange, including:

(i) their effect on the affordability and accessibility of pediatric dental benefits; and

(ii) their effect on children's access to dental care; and

(2) assess the options that may be available to the State to address any adverse consequences of the manner in which pediatric dental benefits must be offered and purchased under the federal regulations.

(b) On or before December 1, 2014, the Maryland Health Benefit Exchange and the Maryland Insurance Administration shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the findings of the study and any recommendations for further legislative action.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) (1) The Maryland Health Benefit Exchange and the Maryland Insurance Administration shall conduct a study of the captive producer program established under Section 2 of this Act.

(2) The study shall include an analysis of the effect of the program on:

- (i) Exchange enrollment;
- (ii) reduction in the percentage of the State’s uninsured;
- (iii) the percentage of Maryland residents eligible for federal subsidies and cost-sharing assistance who access federal affordability programs; and
- (iv) the percentage of Maryland residents who transition from health benefit plans outside the Exchange to qualified health plans inside the Exchange.

(b) On or before December 1, 2015, the Maryland Health Benefit Exchange and the Maryland Insurance Administration shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the findings of the study and any recommendations for further legislative action.”;

in lines 13, 15, and 17, strike “5.”, “6.”, and “7.”, respectively, and substitute “10.”, “11.”, and “12.”, respectively; and in line 18, strike “5 and 6” and substitute “10 and 11”.

The preceding 19 amendments were read only.

Senator Middleton moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

INTRODUCTION OF BILLS

Senator Peters moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Peters moved to suspend the rules to allow **Senate Bill 1071** to be referred immediately.

The motion was adopted.

Senate Bill 1071 – Prince George’s County Senators (By Request – Prince George’s County Administration)

AN ACT concerning

Prince George’s County – School System – Academic Revitalization and Management Effectiveness Initiative

FOR the purpose of 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 a certain ex officio voting member of the county board; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board; repealing certain provisions for the filling of a vacancy of certain members of the county board; providing for the appointment of certain nonvoting representatives to the county board; authorizing the provision of health insurance and other fringe benefits for appointed members 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; authorizing the Prince George’s County Superintendent of Schools to determine certain geographical attendance areas and consolidate schools under certain circumstances; requiring the county board to consult with the county superintendent before entering into a certain agreement; exempting Prince George’s County from certain provisions of law relating to county superintendents; requiring the County Executive to appoint the county superintendent in a certain manner; requiring the county superintendent to serve in the cabinet of the County Executive and at the pleasure of the County Executive; providing for the qualifications, term of office, reappointment, and removal of the county superintendent; providing for the compensation, office, staff, equipment, transportation, reimbursement of certain expenses, and administration of the office of the county superintendent; establishing the responsibilities, powers, and duties of the county superintendent; providing for notice of certain criminal charges; specifying certain findings of the General Assembly; establishing certain additional purposes, responsibilities, and powers of the county board; establishing that the county superintendent is the Chief Executive Officer of the Prince George’s County public school system; establishing certain responsibilities and powers of the Chief Executive Officer; 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; declaring a certain intent of the General Assembly; requiring the Chief Executive Officer to hire a certain consultant to complete a review of the school system, make a certain determination, and report certain findings and recommendations to certain committees of the General Assembly on or before a certain date, and every other year thereafter until a certain date; requiring the General Assembly to make a certain determination during a certain legislative session; establishing the Integrated School Governance Advisory Commission; providing for the composition, chair,

and staffing of the Advisory Commission; prohibiting a member of the Advisory Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Advisory Commission to study and make recommendations regarding certain matters; requiring the Advisory Commission to report its 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; 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, 4–109, 4–120, 4–123(a),
4–201 through 4–204, and 4–206

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education

Section 4–201.1; and 4–401 through 4–404 to be under the new subtitle
“Subtitle 4. Prince George's County”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 4–205

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senator Middleton moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

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.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 776)

ADJOURNMENT

At 4:54 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, March 26, 2013.

Annapolis, Maryland
Legislative Day: March 22, 2013
Calendar Day: Tuesday, March 26, 2013
10:00 A.M. Session

The Senate met at 10:10 A.M.

Prayer by Reverend Chip Wright, Calvary United Methodist Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of March 21, 2013 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 778)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 562 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Honorable Robert M. Bell
Chief Judge, Maryland Court of Appeals
in recognition of
38 years of exemplary judicial leadership. Your outstanding contributions as a jurist,
administrator, and justice advocate have laid the foundation
for future generations.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 26th day of March 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 779)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 56 – ~~Delegates Smigiel and Dumais, Dumais, Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, and Reznik~~

AN ACT concerning

~~Professional Counselors and Therapists – Qualifications, Surrender of Licenses and Certificates, and Disciplinary Actions~~
State Board of Professional Counselors and Therapists – Criminal History Records Checks

FOR the purpose of requiring applicants ~~who intend to practice as a clinical alcohol and drug counselor, clinical marriage and family therapist, clinical professional art therapist, clinical professional counselor, certified professional counselor, or certified professional counselor marriage and family therapist~~ for a license or certificate from the State Board of Professional Counselors and Therapists to submit to a certain criminal history records check; requiring certain applicants to submit certain fingerprints and certain fees to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services under certain circumstances; requiring the Central Repository to forward certain information to the ~~State Board of Professional Counselors and Therapists~~ Board and to certain applicants; providing that certain information is confidential and may be used only for certain purposes; authorizing the subject of a certain criminal history records check to contest the contents of a certain statement; altering certain application requirements; requiring the Board to consider certain facts, circumstances, and evidence in determining whether to ~~grant~~ issue or renew certain licenses or certificates; requiring the Board, beginning with a certain renewal cycle, to begin a process of requiring criminal history records checks on selected renewal applicants and former licensees who file for reinstatement after failing to renew a license after a certain period of time; requiring an additional criminal history records check to be performed with a certain frequency; prohibiting the Board from issuing or renewing certain licenses or certificates if certain criminal history record information has not been received; ~~requiring the Board to report certain admissions of guilt to local law enforcement agencies under certain circumstances;~~ altering certain requirements for the renewal of certain licenses and certificates; authorizing the Board to deny certain applicants a license or certificate, to place certain license and certificate holders on probation, to reprimand certain license and certificate holders, or to suspend or revoke certain licenses or certificates of certain license or certificate holders for failure to submit to a certain criminal history records check ~~or for engaging in certain behavior with certain patients during certain periods of time;~~ and generally

relating to the ~~regulation of professional counselors and therapists~~ criminal history records checks for individuals regulated by the State Board of Professional Counselors and Therapists.

BY adding to

Article – Health Occupations

Section ~~17-301.1, 17-301.2, 17-401.1, and 17-503(d)~~ 17-501.1, 17-503(d), and 17-504(f)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section ~~17-501, 17-504(d) and (e), 17-508(e)~~, and 17-509

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – Health Occupations~~

~~Section 17-508(b)~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2012 Supplement)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 695 – Delegate Rudolph

AN ACT concerning

Homeowner’s Insurance – Anti-Concurrent Causation Clause – Prohibited

FOR the purpose of ~~prohibiting~~ requiring an insurer ~~from issuing~~ that issues a policy of homeowner’s insurance in the State that contains a certain anti-concurrent causation clause to provide a policyholder with a certain notice; authorizing the Maryland Insurance Commissioner to adopt certain regulations; requiring a certain committee of the General Assembly to conduct a certain study and issue a final report on or before a certain date; requiring the Maryland Insurance Administration to provide certain data for the study; providing for the application of this Act; and generally relating to policies of homeowner’s insurance.

BY adding to

Article – Insurance

Section 19-215

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**House Bill 974 – Delegates Kramer, Arora, Barkley, Carr, Frick, Guzzone,
Kaiser, Luedtke, Rudolph, and Simmons**

AN ACT concerning

Election Law – Subsequent Election Absentee Ballot List

FOR the purpose of requiring a court to report certain information to the State Board of Elections when the court makes a certain finding that an individual under guardianship for mental disability cannot communicate a desire to participate in the voting process; requiring the State Board to establish guidelines for a subsequent election absentee ballot list; requiring certain forms for making an application for an absentee ballot to include certain information and require the voter to make a certain acknowledgement; requiring that a voter who receives an absentee ballot be provided the opportunity to request an absentee ballot for the next subsequent election in certain materials accompanying the absentee ballot; requiring that a voter who requests an absentee ballot for the next subsequent election be placed on the subsequent election absentee ballot list; requiring that an absentee ballot be sent to a voter on the subsequent election absentee ballot list for certain elections; requiring that a voter be removed from the subsequent election absentee ballot list under certain circumstances; requiring a voter who requests an absentee ballot for the next subsequent election to notify the local board with certain information under certain circumstances; and generally relating to the subsequent election absentee ballot list.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 3–102(b), 3–501, and 9–304
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–504(a), 9–303, and 9–305
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Election Law
Section 9–305.1
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 999 – Worcester County Delegation

SECOND PRINTING

AN ACT concerning

Worcester County – Alcoholic Beverages ~~Licenses – Fines – Alcohol~~ ~~Awareness Program~~

FOR the purpose of altering in Worcester County the privileges relating to the sale of alcoholic beverages by the holders of certain alcoholic beverages licenses; creating a Class EF (entertainment facility) beer, wine and liquor license; authorizing a license holder to sell beer, wine, and liquor, from one or more outlets in a certain entertainment facility, for consumption anywhere throughout the entertainment facility only; requiring a facility for which a license is issued to have a certain amount of capital investment; authorizing the Board of License Commissioners to issue one or more licenses for the same facility; specifying the hours of sale and a certain license fee; increasing the maximum fine in the county that may be imposed on a person for a certain alcoholic beverages violation; exempting a certain licensee in the county from a certain requirement regarding certification by an approved alcohol awareness program; allowing in the county a person who is certified by a program to be absent from the licensed premises under certain circumstances; authorizing the Department of Liquor Control, acting as a wholesaler, to purchase wine and liquor under certain circumstances; prohibiting the resale of certain wine and liquor until a certain excise tax has been paid; authorizing the Department, acting as a retailer, to purchase wine and liquor under certain circumstances; altering a certain date on which a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler; and generally relating to alcoholic beverages in Worcester County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6–201(a)(1) and (y)(1), 6–401(y)(1) and (2)(i), and 13–101(c)(1) and (2)(iii)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6–201(y)(4), 6–401(y)(2)(iv), 11–304(a)(2), ~~and~~ 13–101(c)(2)(i), (ii), and (iv)1., 15–205(l), and 15–204(e)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(y)(9)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1127 – Delegates Jameson, Barkley, Bates, Costa, Davis, Guzzone, Hershey, Hixson, Howard, Impallaria, W. Miller, and Ready

AN ACT concerning

Commercial Law – Self-Service Storage Facilities

FOR the purpose of altering certain notice procedures required to enforce a lien on certain property stored in a leased space at a self-service storage facility; ~~altering certain requirements relating to the advertisement of a sale to enforce a certain lien;~~ providing that a certain sale held on an online auction Web site shall be deemed to be held at a certain location; altering the required means of delivery of certain notices; altering the circumstances under which certain notices shall be deemed to be delivered to certain persons; authorizing an operator of a self-service storage facility to have certain property towed or removed from the self-service storage facility under certain circumstances; providing that an operator of a self-service storage facility is immune from civil liability under certain circumstances; providing that a certain limit on the value of certain property specified in a rental agreement shall be deemed to be the maximum value of the property; authorizing an operator of a self-service storage facility to charge certain late fees under certain circumstances; requiring a rental agreement to contain a certain statement; providing for the application of this Act; defining a certain ~~terms~~ term; altering certain definitions; making stylistic and clarifying changes; and generally relating to self-service storage facilities.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 18–501, 18–503(b), and 18–504

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

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

House Bill 1157 – Delegates Hucker, Barkley, and Vaughn

AN ACT concerning

Consumer Protection – Consumer Debt Collection – Disclosure Requirements

FOR the purpose of requiring collectors of certain debt to disclose ~~in writing~~ certain information in certain communications to certain debtors; ~~defining a certain term~~; making a stylistic change; providing for the application of this Act; and generally relating to consumer debt and disclosure requirements for debt collectors.

~~BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–201(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)~~

~~BY adding to
Article – Commercial Law
Section 14–201(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–202
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

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

House Bill 1310 – Delegates Dumais, Carter, Frank, Frush, Gaines, Haddaway–Riccio, Hough, Howard, McComas, McDermott, Mitchell, Morhaim, Rosenberg, Stocksdales, Szeliga, Valentino–Smith, and M. Washington

AN ACT concerning

Health Care Malpractice Claims – Definition of “Health Care Provider”

FOR the purpose of altering the definition of “health care provider” for purposes of health care malpractice claims; providing for the application of this Act; and generally relating to health care malpractice claims.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–2A–01(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 1170 – Delegate Lafferty

AN ACT concerning

Maryland Smart Growth Investment Fund Workgroup

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #54

Senate Bill 436 – Senators Peters, DeGrange, Brinkley, Colburn, Currie, Edwards, ~~and Robey~~ Robey, and Kittleman

AN ACT concerning

Recordation Taxes – Exemptions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 780)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 781)

The Bill was then sent to the House of Delegates.

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

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 – 47 Negative – 0 (See Roll Call No. 782)

The Bill was then sent to the House of Delegates.

Senate Bill 972 – Senator Pipkin

AN ACT concerning

**~~Mental Hygiene Administration – Upper Shore Community Mental Health
Center – Reopening and Maintenance~~
Task Force to Evaluate Mental Health Care Delivery on the Eastern Shore**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 783)

The Bill was then sent to the House of Delegates.

**Senate Bill 1040 – ~~Senator Garagiola~~ Senators Garagiola, Astle, Glassman,
Kelley, Klausmeier, Kittleman, Mathias, Middleton, Pipkin, Pugh, and
Ramirez**

AN ACT concerning

Mental Hygiene – Reform of Laws and Delivery of Services

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

Affirmative – 47 Negative – 0 (See Roll Call No. 784)

The Bill was then sent to the House of Delegates.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 105 – Senators Brochin and Raskin

AN ACT concerning

Criminal Law – Sexual Contact with Minors – School Employees

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0105/988370/3

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 105

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “to” in line 5 down through “employees” in line 6 and substitute “; prohibiting a certain person from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances; providing that a certain violation under this Act is not included within a certain definition for a certain registry”; and after line 18, 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, in line 14, after “person” insert “WHO IS EMPLOYED FULL-TIME AS A PERSON”; in line 15, after “who” insert “THE PERSON KNOWS”; in line 18, after “person” insert “WHO IS EMPLOYED FULL-TIME AS A PERSON”; in line 19, after “who” insert “THE PERSON KNOWS”; after line 20, insert:

“(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 21, strike “(d)” and substitute “(E)”.

AMENDMENT NO. 3

On page 3, after line 31, 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;

(2) 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;

(3) 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;

(4) 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);
- (5) 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
- (6) 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 adopted.

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 39 Negative – 6 (See Roll Call No. 785)

Read the second time and ordered prepared for Third Reading.

Senate Bill 487 – Senators Raskin, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, Robey, and Young

AN ACT concerning

Human Relations – Housing Discrimination – Source of Income

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0487/598278/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 487

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “McFadden,”; and in lines 28 and 29, strike “defining a certain term;”.

On page 2, in line 1, after “housing;” insert “requiring a certain public housing agency on or before a certain date each year to develop and publish on the Web site of the public housing agency certain information relating to the percentage of certain housing units that are occupied by individuals using certain vouchers;”; in line 2, after “law;” insert “defining certain terms;”; in line 4, strike “an interim” and substitute “a”; and strike beginning with “requiring” in line 6 down through “date” in line 8 and substitute “providing for the termination of this Act”.

AMENDMENT NO. 2

On page 7, after line 6, insert:

“(E) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “AFFECTED PUBLIC HOUSING AGENCY” MEANS A STATE OR LOCAL GOVERNMENTAL UNIT THAT ADMINISTERS THE FEDERAL HOUSING

CHOICE VOUCHER PROGRAM UNDER THE UNITED STATES HOUSING ACT OF 1937.

(III) “HOUSING CHOICE VOUCHER” MEANS A LOW-INCOME HOUSING ASSISTANCE CERTIFICATE OR VOUCHER ISSUED BY AN AFFECTED PUBLIC HOUSING AGENCY.

(2) ON OR BEFORE OCTOBER 1, 2013, AND EACH YEAR THEREAFTER, EACH AFFECTED PUBLIC HOUSING AGENCY SHALL:

(I) FOR EACH ZIP CODE IN THE JURISDICTION OF THE AFFECTED PUBLIC HOUSING AGENCY, CALCULATE THE PERCENTAGE OF ALL OCCUPIED HOUSING UNITS IN THE ZIP CODE THAT ARE OCCUPIED BY INDIVIDUALS USING HOUSING CHOICE VOUCHERS;

(II) FOR THE ENTIRE JURISDICTION OF THE AFFECTED PUBLIC HOUSING AGENCY, CALCULATE THE PERCENTAGE OF ALL OCCUPIED HOUSING UNITS THAT ARE OCCUPIED BY INDIVIDUALS USING HOUSING CHOICE VOUCHERS;

(III) DEVELOP A LIST OF ZIP CODES FOR WHICH THE PERCENTAGE CALCULATED UNDER ITEM (I) OF THIS PARAGRAPH IS EQUAL TO AT LEAST TWO TIMES THE PERCENTAGE CALCULATED UNDER ITEM (II) OF THIS PARAGRAPH; AND

(IV) PUBLISH THE LIST OF ZIP CODES DEVELOPED UNDER ITEM (III) OF THIS PARAGRAPH ON THE WEB SITE OF THE AFFECTED PUBLIC HOUSING AGENCY.”;

and in line 7, strike “(E)” and substitute “(F)”.

AMENDMENT NO. 3

On page 10, in lines 11 and 12, strike “: (1) On” and substitute “on”; in line 12, strike “2018” and substitute “2017”; in line 14, strike “an interim” and substitute “a”; strike in their entirety lines 17 through 21, inclusive; and in line 23, after the period insert “It shall remain effective for a period 5 years and, at the end of September 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 adopted.

Senator Brochin moved, duly seconded, to make the Bill and Report a Special Order for the end of today’s business.

The motion was adopted.

Senate Bill 949 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0949/894939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 949

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the semicolon insert “creating a Class EF (entertainment facility) beer, wine and liquor license; authorizing a license holder to sell beer, wine, and liquor from one or more outlets in a certain entertainment facility, for consumption anywhere throughout the entertainment facility only; requiring a facility for which a license is issued to have a certain amount of capital investment; authorizing the Board of License Commissioners to issue one or more licenses for the same facility; specifying the hours of sale and a certain license fee;”; in line 10, after “exception;” insert “altering a certain date on which a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler; authorizing the Director of the Department of Liquor Control to purchase or otherwise acquire wine and liquor from any source for resale, regardless of any other State law or regulation to the contrary, without a certain tax having been paid; providing that the wine and liquor may not be resold until a certain excise tax has been paid; making clarifying changes;”; in line 19, strike “and”; in the same line, after “13–101” insert “, 15–204(e), and 15–205(l)”; and after line 21, insert:

“BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(y)(9)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, strike beginning with “(on–sale” in line 30 down through “(off–sale)” in line 31 and substitute “ON–SALE AND OFF–SALE”.

On page 3, after line 15, insert:

“(9) (I) THERE IS A CLASS EF (ENTERTAINMENT FACILITY) BEER, WINE AND LIQUOR LICENSE.

(II) A CLASS EF LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR BY THE DRINK AND BY THE BOTTLE FROM ONE OR MORE OUTLETS IN THE ENTERTAINMENT FACILITY, FOR CONSUMPTION ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY.

(III) A HOLDER OF A CLASS EF LICENSE MAY NOT SELL ALCOHOLIC BEVERAGES FOR OFF–SALE CONSUMPTION.

(IV) NOTWITHSTANDING § 8–208(B) OF THIS ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS EF LICENSE ONLY IF THE APPLICANT HAS AN INITIAL CAPITAL INVESTMENT IN THE FACILITY FOR WHICH THE LICENSE IS SOUGHT OF AT LEAST \$45,000,000.

(V) THE BOARD MAY ISSUE ONE OR MORE CLASS EF LICENSES FOR THE SAME FACILITY.

(VI) A CLASS EF LICENSE AUTHORIZES THE SALE AND SERVING OF BEER, WINE, AND LIQUOR ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY DURING THOSE DAYS THAT THE ENTERTAINMENT FACILITY IS OPEN FOR BUSINESS AND FROM 9:00 A.M. THROUGH 4:00 A.M. THE FOLLOWING DAY.

(VII) A CLASS EF LICENSE AUTHORIZES THE PLAYING OF MUSIC AND DANCING.

(VIII) THE ANNUAL LICENSE FEE IS \$15,000.”.

AMENDMENT NO. 3

On page 4, in line 8, strike “(on–sale **OR OFF–SALE**) and beer and light wine (off–sale)” and substitute “ON–SALE AND OFF–SALE”.

On page 9, after line 20, insert:

“15–204.

(e) (1) In this subsection, “Department” means the Worcester County Department of Liquor Control.

(2) This subsection applies only in Worcester County.

(3) (i) Beginning on [May 1, 2016] **JULY 1, 2014**, a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler by providing written notice of the licensee’s intent to the Department at least 60 days before the date the purchasing activity is to start.

(ii) The notice shall contain:

1. The name of the licensee;

2. The name and address of the licensed premises; and

3. The date that the notice was sent to the Department.

(4) A licensee that meets the requirements of this subsection may purchase wine or liquor from a licensed wholesaler in addition to or instead of the Department.

(5) (i) The Department shall issue a letter of confirmation to a licensee that meets the requirements of this subsection.

(ii) The licensee shall display the letter conspicuously on the licensed premises.

15-205.

(l) In Worcester County, subject to the approval of the County Commissioners, the Director of the Department of Liquor Control may purchase or otherwise acquire:

(1) Real or personal property that the Director considers necessary to operate dispensaries, stores, or warehouses; and

(2) Wine and liquor from any source for resale, REGARDLESS OF ANY OTHER STATE LAW OR REGULATION TO THE CONTRARY, INCLUDING A GOVERNMENT ALCOHOLIC BEVERAGE CONTROL DEPARTMENT OR AGENCY OF ANOTHER STATE, ANY NONRESIDENT WHOLESALER WHETHER OR NOT LICENSED IN THIS STATE, OR ACTING AS A WHOLESALER, FROM A LICENSED WHOLESALER OR LIQUOR CONTROL BOARD WITHOUT THE TAX IMPOSED BY § 5-102 OF THE TAX – GENERAL ARTICLE HAVING TO BE PAID, BUT MAY NOT BE RESOLD UNTIL THE EXCISE TAX HAS BEEN PAID.”.

The preceding 3 amendments were read only.

Senator Conway moved, duly seconded, to make the Bill and Amendments a Special Order for March 27, 2013.

The motion was adopted.

Senate Bill 684 – Senators Garagiola, Ferguson, Klausmeier, Montgomery, Pinsky, Ramirez, Raskin, and Young

AN ACT concerning

Renewable Energy Portfolio Standard – Qualifying Biomass

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0684/187479/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 684
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “efficiency;” insert “providing that, before a certain date, certain qualifying biomass used at a certain generation unit that started commercial operation on or before a certain date and achieved a certain certification on or before a certain date is eligible as a Tier 1 renewable source;”; in line 9, after “source;” insert “providing that, on or after a certain date, certain qualifying biomass used at a certain generation unit that started commercial operation on or before a certain date and achieved a certain certification on or before a certain date is eligible as a Tier 2 renewable source; requiring the Governor, beginning in a certain fiscal year and each fiscal year thereafter and under certain circumstances, to appropriate funds in the State budget from the Strategic Energy Investment Fund or other funding sources to the Maryland Energy Administration a certain amount based on a certain calculation; requiring the Maryland Energy Administration to issue a certain grant to a certain facility under certain circumstances;”; and in line 10, after “terms;” insert “altering certain terms;”.

AMENDMENT NO. 2

On page 3, in line 28, strike “or”.

On page 4, strike in their entirety lines 1 and 2; and in line 4, strike the period and substitute “;OR

(III) GAS PRODUCED FROM THE ANAEROBIC DECOMPOSITION OF ANIMAL WASTE, POULTRY WASTE, OR BIOMASS LISTED IN ITEM (I) OR (II) OF THIS PARAGRAPH.”.

On page 5, in line 19, after “biomass” insert “LISTED IN SUBSECTION (H)(1)(I) AND (II) OF THIS SECTION”.

On page 6, in line 6, strike “and”; in line 7, strike the period and substitute “;

(13) QUALIFYING BIOMASS LISTED IN SUBSECTION (H)(1)(III) OF THIS SECTION; AND

(14) BEFORE JANUARY 1, 2018, QUALIFYING BIOMASS LISTED IN SUBSECTION (H)(1)(I) AND (II) OF THIS SECTION USED AT A GENERATION UNIT THAT:

(I) STARTED COMMERCIAL OPERATION ON OR BEFORE DECEMBER 31, 2004; AND

(II) ACHIEVED CERTIFICATION WITH THE COMMISSION ON OR BEFORE DECEMBER 31, 2005.”;

in line 10, strike “AND”; in line 11, after “BIOMASS” insert “LISTED IN SUBSECTION (H)(1)(I) AND (II) OF THIS SECTION”; in line 15, after “65%” insert “; AND”

(3) ON OR AFTER JANUARY 1, 2018, QUALIFYING BIOMASS LISTED IN SUBSECTION (H)(1)(I) AND (II) OF THIS SECTION USED AT A GENERATION UNIT THAT:

(I) STARTED COMMERCIAL OPERATION ON OR BEFORE DECEMBER 31, 2004; AND

(II) ACHIEVED CERTIFICATION WITH THE COMMISSION ON OR BEFORE DECEMBER 31, 2005”;

in line 17, strike “POWER” and substitute “ELECTRIC ENERGY”; in the same line, after “THERMAL” insert “ENERGY”; in the same line, after “OUTPUT”, in each instance, insert “MEASURED IN BTUS”; and in lines 19 and 26, in each instance, after “THERMAL” insert “ENERGY”.

On page 7, in line 36, strike “the effective date of this Act” and substitute “January 1, 2013”;

(2) facilities that:

(i) start commercial operation on or after January 1, 2014; and

(ii) enter into contracts of at least 10 years in duration before the effective date of this Act for the purchase of at least 50% of the anticipated renewable energy credits that will be generated by the facility”.

AMENDMENT NO. 3

On page 8, in line 1, strike “(2)” and substitute “(3)”; after line 3, insert:

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

(a) beginning in the first fiscal year in which final data is available for calendar year 2018 renewable energy portfolio standard compliance and each fiscal year thereafter, the Governor shall appropriate funds in the State budget from the Strategic Energy Investment Fund or other funding sources, as determined by the Governor, to the Maryland Energy Administration in an amount calculated by:

(1) multiplying:

(i) the average annual quantity of the sum of Tier 1 and Tier 2 renewable energy credits produced from January 1, 2013, to December 31, 2018, by a facility located in Western Maryland that began commercial operation on or before December 31, 2004, and achieved certification with the Public Service Commission on or before December 31, 2005; by

(ii) the average selling price of nonsolar Tier 1 renewable energy credits retired for Maryland renewable energy portfolio standard compliance in the most recent calendar year in which final data is available; and

(2) subtracting any revenues received in that same calendar year from the sale of Tier 1 or Tier 2 renewable energy credits produced by a facility referenced under subsection (a)(1)(i) of this section, as verified by the Public Service Commission;

(b) an owner of a facility referenced under subsection (a)(1)(i) of this section shall make all reasonable efforts to maximize the revenue received for the sale of Tier 1 and Tier 2 renewable energy credits produced by the facility in any markets in which the renewable energy credits are eligible for sale;

(c) the appropriation under this section shall only be made in a fiscal year in which a facility referenced under subsection (a)(1)(i) of this section, the manufacture of final paper products by a facility referenced under the most recent calendar year in

which final data for Maryland renewable energy portfolio standard compliance is available, is at least 25% of the tonnage produced in calendar year 2012; and

(d) the Administration shall issue a grant to an owner of a facility referenced under subsection (a)(1)(i) of this section for the amount of any appropriation made under subsection (a) of this section.”;

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

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 702 – Senators Madaleno, Raskin, Conway, DeGrange, Garagiola, Klausmeier, Manno, Robey, and Simonaire

AN ACT concerning

Maryland Public Art Initiative Program – Revisions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0702/547579/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 702

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Revisions” and substitute “Selection of Art for Capital Projects”; strike beginning with “altering” in line 3 down through “Commission” in line 24 and substitute “providing that artwork funded by the Maryland Public Art Initiative Program is the property of the Maryland Commission on Public Art; providing that the Commission is responsible for the inventory, maintenance, and preservation of certain artwork; requiring the State to include public art into all construction projects and major renovation projects under certain circumstances; requiring, at a certain time, that a certain group determines the identification and selection of public art to be included in a certain project; requiring the Division of Tourism, Film, and the Arts to work with the Maryland State Arts”

Council and the Commission in the selection of certain public art; requiring the Department of Budget and Management and the Department of General Services to jointly establish a certain waiver process; declaring the intent of the General Assembly; defining certain term"; in line 25, after "Program" insert "and the selection of art for capital projects".

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 1 on page 2, inclusive.

On page 2, in line 4, strike beginning with "4-603(b)" through "and"; and after line 6, insert:

"BY adding to

Article – State Finance and Procurement

Section 3-602.2

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 10 on page 2 through line 17 on page 5, inclusive.

On page 5, in lines 19, 22, and 24, in each instance, strike the brackets; strike beginning with "**EXCEPT**" in line 19 down through "**ALL**" in line 20; in lines 22 and 23, strike "Maryland Historical Trust" and substitute "COMMISSION"; and after line 24, insert:

"Article – State Finance and Procurement

3-602.2.

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

(2) "COMMISSION" MEANS THE MARYLAND COMMISSION ON PUBLIC ART ESTABLISHED UNDER TITLE 4, SUBTITLE 6 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(3) “CONSTRUCTION PROJECT” MEANS THE CONSTRUCTION OF A NEW BUILDING THAT IS PROPOSED TO CONTAIN 15,000 OR MORE SQUARE FEET.

(4) “COUNCIL” MEANS THE MARYLAND STATE ARTS COUNCIL ESTABLISHED UNDER TITLE 4, SUBTITLE 5 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(5) “DIVISION” MEANS THE DIVISION OF TOURISM, FILM, AND THE ARTS ESTABLISHED UNDER TITLE 4, SUBTITLE 1 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(6) “MAJOR RENOVATION PROJECT” MEANS THE RENOVATION OF AN EXISTING BUILDING WHERE:

(I) THE BUILDING IS TO BE RECONSTRUCTED AND REUSED AFTER THE CONSTRUCTION;

(II) THE HEATING, VENTILATION, AND AIR CONDITIONING, ELECTRICAL, AND PLUMBING SYSTEMS ARE TO BE REPLACED; AND

(III) THE SCOPE OF THE RENOVATION IS 15,000 OR MORE SQUARE FEET.

(7) (I) “PUBLIC ART” MEANS:

1. AN ARCHITECTURAL ENHANCEMENT OF ARTISTIC SIGNIFICANCE; OR

2. AN INDIVIDUAL PIECE OF ART.

(II) “PUBLIC ART” INCLUDES:

1. A MURAL;

2. A TILE MOSAIC;

3. A PAINTING; OR

4. A SCULPTURE.

(B) (1) THIS SECTION APPLIES TO CAPITAL PROJECTS THAT ARE FUNDED ENTIRELY WITH STATE FUNDS.

(2) THIS SECTION DOES NOT APPLY TO THE FOLLOWING TYPES OF UNOCCUPIED BUILDINGS:

(I) WAREHOUSE AND STORAGE FACILITIES;

(II) GARAGES;

(III) MAINTENANCE FACILITIES;

(IV) TRANSMITTER BUILDINGS;

(V) PUMPING STATIONS; AND

(VI) OTHER SIMILAR BUILDINGS, AS DETERMINED BY THE DEPARTMENT.

(C) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE REQUIREMENTS OF THIS SECTION WILL NOT INCREASE THE COST OF A CONSTRUCTION PROJECT OR A MAJOR RENOVATION PROJECT.

(D) TO THE EXTENT PRACTICABLE AND EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION, THE STATE SHALL INCLUDE PUBLIC ART IN ALL CONSTRUCTION PROJECTS AND MAJOR RENOVATION PROJECTS.

(E) DURING THE INITIAL DESIGN OF EACH CONSTRUCTION PROJECT AND MAJOR RENOVATION PROJECT, THE IDENTIFICATION AND SELECTION OF PUBLIC ART TO BE INCLUDED IN THE PROJECT SHALL BE DETERMINED BY A GROUP COMPOSED OF REPRESENTATIVES OF:

(1) THE UNIT OF STATE GOVERNMENT THAT WILL BE THE PRIMARY USER OF THE BUILDING;

(2) THE UNIT OF STATE GOVERNMENT RESPONSIBLE FOR PROJECT MANAGEMENT OF THE BUILDING; AND

(3) THE DIVISION.

(F) THE DIVISION SHALL WORK WITH THE COUNCIL AND THE COMMISSION IN THE SELECTION OF PUBLIC ART FOR ANY PROJECT UNDER THIS SECTION.

(G) (1) THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE DEPARTMENT OF GENERAL SERVICES SHALL JOINTLY ESTABLISH A PROCESS TO ALLOW A UNIT OF STATE GOVERNMENT TO OBTAIN A WAIVER FROM COMPLYING WITH THIS SECTION.

(2) THE WAIVER PROCESS SHALL:

(I) PROVIDE FOR CONSULTATION WITH THE DIVISION, ON BEHALF OF THE COUNCIL AND THE COMMISSION, TO DETERMINE IF THE INCLUSION OF PUBLIC ART IN A PROPOSED PROJECT IS TOO COSTLY OR NOT PRACTICABLE; AND

(II) REQUIRE THE APPROVAL OF THE SECRETARIES OF BUDGET AND MANAGEMENT AND GENERAL SERVICES.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 274 – The President (By Request – Administration) and Senators Currie, Ferguson, Forehand, Frosh, Jones–Rodwell, Kelley, King, Klausmeier, Madaleno, Middleton, Montgomery, Peters, Pinsky, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, and Young

AN ACT concerning

Maryland Health Progress Act of 2013

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (19) AND THE FAVORABLE REPORT.

SB0274/307973/2

BY: Finance Committee

AMENDMENTS TO SENATE BILL 274

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Astle, Garagiola, and Mathias”; in line 8, after “budget;” insert “authorizing the Secretary of Health and Mental Hygiene to provide certain grants for a certain purpose;”; in line 10, after “program;” insert “establishing the Performance Standards and Measurement Advisory Committee in the Department; providing for the purposes, membership, chair, and duties of the Committee; exempting from the insurance premium tax a qualified nonprofit health insurance issuer that meets certain requirements; requiring a portion of a certain tax to be distributed, beginning on a certain date, annually to the Maryland Health Benefit Exchange Fund for a certain purpose;”; in line 16, after “date;” insert “prohibiting certain individuals from reenrolling in the Plan under certain circumstances;”; in line 18, after “members;” insert “requiring the Board of the Plan to provide certain notice to Plan members beginning on a certain date;”; in line 24, after “program;” insert “requiring the Board of the Plan and the Board of Trustees of the Exchange to report on certain matters at certain times;”; in line 25, after “Act;” insert “exempting certain carriers that offer certain plans from a certain requirement under certain circumstances;”; and in line 26, strike “prior authorization” and substitute “preauthorization”.

On page 2, in line 2, after “circumstances;” insert “providing for the application of certain requirements relating to preauthorizations and continuity of health care services; exempting enrollees transitioning from a carrier to the Maryland Medical Assistance fee-for-service program from the preauthorization and continuity of health care services requirements;”; strike beginning with “is” in line 7 down through “provider” in line 8 and substitute “must facilitate transition of the enrollee to a provider on the provider panel of the carrier or managed care organization; authorizing a relinquishing carrier to elect to allow an enrollee to continue to receive dental services provided by a participating provider of the relinquishing carrier”.

through a certain arrangement”; in lines 15 and 16, strike “and to request the data from certain persons” and substitute “; requiring certain persons to provide the data on request”; in line 16, after the second “a” insert “person to act or represent that the person is a”; in line 17, strike “or” and substitute a comma; in the same line, after the second “navigator” insert “, or certain application counselor”; strike beginning with “to” in line 17 down through “representations” in line 18; strike beginning with “requiring” in line 19 down through “enrollees” in line 21 and substitute “providing that a carrier is not liable or subject to certain regulatory sanction under certain circumstances; requiring the Commissioner to regulate the Exchange in taking certain actions; prohibiting the Commissioner from imposing a fine or administrative penalty on the Exchange for failing to take certain actions; authorizing the Commissioner to require the Exchange to make certain restitution to certain consumers under certain circumstances; requiring the Exchange and certain carriers to hold a consumer harmless from certain consequences caused by a certain action of the Exchange; prohibiting the Commissioner from participating in certain matters as a member of the Board of Trustees of the Exchange under certain circumstances; requiring the Board of Trustees of the Exchange to establish a certain committee”; in line 25, after “Fund;” insert “requiring certain funds to be placed in a certain account for a certain purpose; establishing certain restrictions on certain expenditures from the Fund; requiring certain funds in a certain account to revert to the General Fund of the State under certain circumstances; requiring certain operating expenses to be charged to a certain fund source under certain circumstances;”; in line 29, after “budget” insert “from certain funds received from a certain premium tax”; strike beginning with the third “the” in line 29 down through “tax” in line 30 and substitute “a certain minimum appropriation for certain fiscal years”; in line 32, after “State;” insert “requiring the Exchange to comply with certain federal law in carrying out certain functions;”; in line 36, after “(Center)” insert “under certain circumstances”; in line 43, after “Center;” insert “clarifying the circumstances of individuals whom the Individual Exchange shall assist in making a certain transition; requiring the training program for insurance producers who sell qualified plans in the Individual Exchange to impart certain skills and expertise; authorizing, until a certain date, a captive producer without a certain certification to enroll certain individuals in a qualified plan offered in the Individual Exchange by a certain carrier; requiring a captive producer to refer certain individuals to an insurance producer under certain circumstances, with certain exceptions; requiring a captive producer to make a certain disclosure; establishing requirements a carrier and its captive producers must meet in offering information and assistance to the carrier’s current enrollees; prohibiting a captive producer from providing information or services related to health benefit plans or other products not offered by the captive producer’s carrier; requiring a captive producer to make certain”

referrals under certain circumstances; authorizing the Exchange to designate certain entities as application counselor sponsoring entities and to certify certain individuals as application counselors; establishing requirements for application counselor sponsoring entities and application counselors to provide certain services; providing that an application counselor is subject to certain requirements; authorizing the Exchange, in consultation with the Commissioner and the Department, to establish requirements for an application counselor sponsoring entity and to adopt regulations relating to application counselor sponsoring entities and application counselors;”; and in line 46, after “permit;” insert “requiring the Exchange, the Center, and Center employees to assist the Health Education and Advocacy Unit of the Office of the Attorney General in carrying out certain duties;”.

On page 3, in line 1, after “plan;” insert “altering requirements for qualified health plans relating to vision benefits; authorizing the Exchange to require children enrolling in a qualified health plan to have certain dental benefits;”; in line 4, after “actions;” insert “requiring the Exchange to consider certain factors in determining the amount of a certain penalty; establishing a process through which a carrier or plan may appeal a certain order or decision;”; in line 10, after “program;” insert “specifying the types of discrimination the Exchange shall be designed to prevent; altering the requirements for an annual report on the activities, expenditures, and receipts of the Exchange;”; in line 13, strike “and”; in the same line, after “Administration” insert “, and the Maryland Health Care Commission”; in line 15, after “date;” insert “requiring the Exchange and the Administration to conduct a study of the impact of the Affordable Care Act’s allowance of a certain tobacco use rating and to report to the Governor and the General Assembly on the findings of the study and certain recommendations on or before a certain date; authorizing the Board of Trustees of the Exchange to adopt certain interim policies, for certain purposes after receiving certain comment; requiring the interim policies to be submitted as proposed regulations within a certain period after adoption and to sunset within a certain time after submission as proposed regulations; requiring the Exchange and the Administration to conduct a study of the impact of federal regulations governing the offering and purchase of pediatric dental benefits and to report to the Governor and General Assembly on their findings and recommendations on or before a certain date; requiring the Exchange and the Administration to conduct a study of a certain captive producer program and to report to the Governor and General Assembly on their findings and recommendations on or before a certain date;”; in line 16, after “definitions;” insert “making certain conforming changes; providing for the initial terms of the members of the Performance Standards and Measurement Advisory Committee;”; in line 26, after “15–103(a),” insert “19–143(a),”; after line 28, insert:

“BY adding to

Article – Health – General

Section 20–1501 to be under the new subtitle “Subtitle 15. Performance Standards and Measurement Advisory Committee”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)”;

strike in their entirety lines 29 through 33, inclusive; in line 36, after “Section” insert “6–101(b).”; in the same line, after “14–504,” insert “15–1303(b).”; in the same line, after “27–405(a),” insert “31–101(i), (k), and (l).”; in the same line, after “31–103,” insert “31–106(g).”; in the same line, after “31–107,” insert “31–108(c), (d), and (e).”; in line 37, strike “31–113(h), (i), and (k)(1) and (2)” and substitute “31–113(a)(5), (b), (e), (f), (g), (h), (i), (k)(1) and (2), (l)(4), (m), (o), and (p), 31–114(a)”; in the same line, after “31–115(b)” insert “, (d), (h), and (i)(3), 31–116(a)”; and in line 38, strike “31–119(e)” and substitute “31–119(a), (d), and (e)”.

On page 4, in line 1, after “Section” insert “6–103.2.”; in the same line, strike “31–101(c–1)” and substitute “31–101(a–1), (a–2), (c–1), and (c–2)”; in the same line, after “31–107.2,” insert “31–108(c), 31–113(p) and (r)”; and after line 3, insert:

“BY repealing and reenacting, without amendments,

Article – Insurance

Section 8–301(a), 31–101(a), 31–113(a)(1), and 31–115(e)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 6, in line 6, strike “Independent” and substitute “**FORMER**”; and in line 9, after “State” insert “**, ANY OTHER STATE, OR THE DISTRICT OF COLUMBIA**”.

On page 7, in line 34, strike “Shall provide, subject” and substitute “**SUBJECT**”; in line 35, strike the second comma and substitute “**:**”

1. SHALL PROVIDE”;

in line 36, strike “independent” and substitute “**FORMER**”; and in the same line, strike the colon.

On page 8, in line 1, strike “1. Who” and substitute “WHO, ON THEIR 18TH BIRTHDAY, WERE IN FOSTER CARE UNDER THE RESPONSIBILITY OF THE STATE AND”; and strike beginning with “Whose” in line 3 down through “level” in line 4 and substitute “MAY PROVIDE COMPREHENSIVE MEDICAL CARE AND OTHER HEALTH CARE SERVICES FOR FORMER FOSTER CARE ADOLESCENTS WHO, ON THEIR 18TH BIRTHDAY, WERE IN FOSTER CARE UNDER THE RESPONSIBILITY OF ANY OTHER STATE OR THE DISTRICT OF COLUMBIA”.

AMENDMENT NO. 3

On page 9, after line 5, insert:

“19–143.

(a) (1) On or before October 1, 2009, the Commission and the Health Services Cost Review Commission shall designate a health information exchange for the State.

(2) THE SECRETARY, TO ALIGN FUNDING OPPORTUNITIES WITH THE PURPOSES OF THIS SECTION AND THE DEVELOPMENT AND EFFECTIVE OPERATION OF THE STATE’S HEALTH INFORMATION EXCHANGE, MAY PROVIDE GRANTS TO THE HEALTH INFORMATION EXCHANGE DESIGNATED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

AMENDMENT NO. 4

On page 11, after line 13, insert:

“SUBTITLE 15. PERFORMANCE STANDARDS AND MEASUREMENT ADVISORY COMMITTEE.

20–1501.

(A) THERE IS A PERFORMANCE STANDARDS AND MEASUREMENT ADVISORY COMMITTEE IN THE DEPARTMENT.

(B) THE PURPOSES OF THE COMMITTEE ARE TO:

(1) DEVELOP PERFORMANCE MEASURES FOR EVALUATING HEALTH INSURANCE PLANS OFFERED IN THE PRIVATE INSURANCE MARKET IN THE STATE; AND

(2) SUPPORT A SYSTEM OF PUBLIC REPORTING ON THE PERFORMANCE OF THE HEALTH INSURANCE PLANS BASED ON THE PERFORMANCE MEASURES DEVELOPED.

(c) (1) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(i) THREE MEMBERS WHO REPRESENT HEALTH CARE PROVIDERS AND CARRIERS THAT OFFER HEALTH INSURANCE PLANS IN THE STATE, INCLUDING QUALIFIED HEALTH PLANS OFFERED IN THE MARYLAND HEALTH BENEFIT EXCHANGE;

(ii) FOUR MEMBERS WHO REPRESENT STATE GOVERNMENT, SELECTED FROM AMONG THE FOLLOWING:

1. THE DEPARTMENT;
2. THE MARYLAND INSURANCE ADMINISTRATION;
3. THE MARYLAND HEALTH BENEFIT EXCHANGE;
4. THE MARYLAND HEALTH CARE COMMISSION;
5. THE MARYLAND HEALTH QUALITY AND COST COUNCIL; AND
6. THE HEALTH SERVICES COST REVIEW COMMISSION;

(iii) THREE EXPERTS IN THE FIELD OF PERFORMANCE MEASUREMENT WHO ARE AFFILIATED WITH AN INSTITUTION OF HIGHER EDUCATION IN THE STATE OR WHO CONDUCT OR ASSESS RESEARCH ON HOW

HEALTH CARE DELIVERY SYSTEMS SHOULD BE STRUCTURED TO IMPROVE HEALTH OUTCOMES;

(IV) ONE REPRESENTATIVE OF A CONSUMER HEALTH CARE ADVOCACY ORGANIZATION; AND

(V) TWO CONSUMER MEMBERS.

(D) (1) THE TERM OF A MEMBER OF THE COMMITTEE IS 3 YEARS.

(2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON JUNE 1, 2013.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(5) A MEMBER MAY NOT SERVE MORE THAN TWO 3-YEAR TERMS.

(E) THE GOVERNOR SHALL APPOINT A CHAIR FROM AMONG THE MEMBERS OF THE COMMITTEE WHO REPRESENT STATE GOVERNMENT.

(F) THE COMMITTEE SHALL:

(1) ESTABLISH AND OVERSEE A TRANSPARENT PROCESS FOR THE SELECTION OF PERFORMANCE MEASURES FOR EVALUATING HEALTH INSURANCE PLANS OFFERED IN THE PRIVATE HEALTH INSURANCE MARKET IN THE STATE;

(2) ENSURE THAT THE PROCESS PROVIDES OPPORTUNITIES FOR PUBLIC COMMENT AND A MECHANISM FOR RESPONDING TO PUBLIC COMMENT;

(3) RECOMMEND PERFORMANCE MEASURES THAT:

(I) ARE EVIDENCE-BASED, CONSISTENT WITH NATIONALLY RECOGNIZED PRACTICE GUIDELINES, RELIABLE, VALID, APPLICABLE TO AVAILABLE DATABASES, AND APPROPRIATE FOR MARYLAND CONSUMERS OF HEALTH CARE; AND

(II) INCLUDE MEASURES OF PUBLIC HEALTH OUTCOMES;

(4) ADVISE THE DEPARTMENT, THE MARYLAND HEALTH BENEFIT EXCHANGE, THE MARYLAND HEALTH CARE COMMISSION, THE HEALTH SERVICES COST REVIEW COMMISSION, AND PRIVATE INSURERS ON USE OF THE PERFORMANCE MEASURES;

(5) SUPPORT THE ALIGNMENT OF PERFORMANCE MEASURES ACROSS HEALTH CARE PROGRAMS IN THE STATE; AND

(6) PROVIDE INPUT TO THE DEPARTMENT ON THE MOST EFFECTIVE METHOD OF INTEGRATING THE PERFORMANCE MEASURES DEVELOPED BY THE COMMITTEE INTO THE STATESTAT PROCESS.

(G) (1) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COMMITTEE SHALL REPORT TO THE GENERAL ASSEMBLY ON ITS ACTIVITIES DURING THE PREVIOUS CALENDAR YEAR TO SUPPORT HEALTH CARE PERFORMANCE AND OUTCOME MEASURES.

(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE AN ASSESSMENT OF IMPROVEMENTS MADE IN HEALTH OUTCOMES AND CONSUMER SATISFACTION.”;

and after line 14, insert:

“6-101.

(b) The following persons are not subject to taxation under this subtitle:

(1) a nonprofit health service plan corporation that meets the requirements established under §§ 14-106 and 14-107 of this article;

(2) a fraternal benefit society;

(3) a surplus lines broker, who is subject to taxation in accordance with Title 3, Subtitle 3 of this article;

(4) an unauthorized insurer, who is subject to taxation in accordance with Title 4, Subtitle 2 of this article;

(5) the Maryland Health Insurance Plan established under Title 14, Subtitle 5, Part I of this article;

(6) the Senior Prescription Drug Assistance Program established under Title 14, Subtitle 5, Part II of this article; [or]

(7) a nonprofit health maintenance organization authorized by Title 19, Subtitle 7 of the Health – General Article that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code; AND

(8) A QUALIFIED NONPROFIT HEALTH INSURANCE ISSUER THAT IS ESTABLISHED UNDER § 1322 OF THE AFFORDABLE CARE ACT.

6-103.2.

(A) (1) (I) NOTWITHSTANDING § 2-114 OF THIS ARTICLE, BEGINNING JANUARY 1, 2015, FROM THE TAX DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION, A PORTION SHALL BE DISTRIBUTED ANNUALLY TO THE MARYLAND HEALTH BENEFIT EXCHANGE FUND ESTABLISHED UNDER § 31-107 OF THIS ARTICLE FOR THE SOLE PURPOSE OF FUNDING THE OPERATION AND ADMINISTRATION OF THE MARYLAND HEALTH BENEFIT EXCHANGE.

(II) THE OPERATION AND ADMINISTRATION OF THE MARYLAND HEALTH BENEFIT EXCHANGE MAY INCLUDE FUNCTIONS DELEGATED BY THE MARYLAND HEALTH BENEFIT EXCHANGE TO A THIRD PARTY UNDER LAW OR BY CONTRACT.

(2) (I) THE DISTRIBUTION UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ALLOCATED FROM THE TAX IMPOSED ON A PERSON UNDER § 6-102 OF THIS SUBTITLE ON PREMIUMS FOR HEALTH INSURANCE.

(II) FOR PURPOSES OF THIS PARAGRAPH, "PERSON" DOES NOT INCLUDE:

1. A MANAGED CARE ORGANIZATION AUTHORIZED BY TITLE 15, SUBTITLE 1 OF THE HEALTH – GENERAL ARTICLE; OR

2. A FOR PROFIT HEALTH MAINTENANCE ORGANIZATION AUTHORIZED BY TITLE 19, SUBTITLE 7 OF THE HEALTH – GENERAL ARTICLE.

(B) FOR STATE FISCAL YEAR 2015 AND EACH STATE FISCAL YEAR THEREAFTER, THE AMOUNT TO BE DISTRIBUTED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE SUFFICIENT TO FULLY FUND THE OPERATION AND ADMINISTRATION OF THE MARYLAND HEALTH BENEFIT EXCHANGE FOR THE STATE FISCAL YEAR."

AMENDMENT NO. 5

On page 13, in line 14, after "(1)" insert "(I)"; after line 15, insert:

"(II) A MEMBER ENROLLED IN THE PLAN AS OF DECEMBER 31, 2013, WHO THEREAFTER TERMINATES ENROLLMENT MAY NOT REENROLL IN THE PLAN."

in line 16, strike "(I)"; in the same line, strike "SUBPARAGRAPH (II) OF THIS PARAGRAPH" and substitute "PARAGRAPH (3) OF THIS SUBSECTION"; in line 21, strike "(II)" and substitute "(3)"; in line 22, strike "ANY" and substitute "ALL"; in the same line, strike "MEMBER" and substitute "MEMBERS"; in line 23, strike "2015" and substitute "2014"; and after line 23, insert:

"(G) BEGINNING OCTOBER 1, 2013, AND ANNUALLY THEREAFTER UNTIL THE PLAN NO LONGER PROVIDES COVERAGE TO MEMBERS, THE BOARD SHALL PROVIDE NOTICE TO PLAN MEMBERS THAT, EFFECTIVE JANUARY 1, 2014, THE MEMBER:

(1) MAY NOT BE DENIED HEALTH INSURANCE BECAUSE OF A PREEXISTING HEALTH CONDITION; AND

(2) MAY BE ELIGIBLE TO:

(i) ENROLL IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM;

(ii) PURCHASE A HEALTH BENEFIT PLAN OFFERED IN THE MARYLAND HEALTH BENEFIT EXCHANGE OR IN THE INSURANCE MARKET OUTSIDE THE MARYLAND HEALTH BENEFIT EXCHANGE; AND

(iii) RECEIVE FEDERAL PREMIUM AND COST-SHARING ASSISTANCE FOR THE PURCHASE OF A HEALTH BENEFIT PLAN IN THE MARYLAND HEALTH BENEFIT EXCHANGE.”.

On page 15, in line 26, after “AND” insert “ON OR BEFORE OCTOBER 1 OF”; and in line 27, after “ANY” insert “LIABILITY FOR CLAIMS SUBMITTED BY PLAN”.

On page 16, after line 3, insert:

“(5) ON OR BEFORE DECEMBER 31, 2013, AND ON OR BEFORE DECEMBER 31 OF EACH YEAR THEREAFTER UNTIL THE PLAN NO LONGER HAS ANY LIABILITY FOR CLAIMS SUBMITTED BY PLAN ENROLLEES AND THE STATE REINSURANCE PROGRAM IS TERMINATED, THE BOARD OF TRUSTEES OF THE MARYLAND HEALTH BENEFIT EXCHANGE AND THE BOARD SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

(i) THE TRANSITION OF PLAN ENROLLEES OUT OF THE PLAN, INCLUDING:

1. HOW ENROLLEES ARE MADE AWARE OF CHANGES IN THEIR INSURANCE OPTIONS;

2. HOW ENROLLEES WILL BE ASSISTED THROUGH THE TRANSITION; AND

3. WHETHER ANY FUNDING WILL BE REQUIRED TO SUPPORT THE TRANSITION; AND

(II) THE USE OF THE FUND FOR THE STATE REINSURANCE PROGRAM.”.

AMENDMENT NO. 6

On page 15 in line 12, on page 16 in line 23, and on page 32 in line 20, in each instance, strike “**2015**” and substitute “**2014**”.

AMENDMENT NO. 7

On page 16, after line 34, insert:

“15-1303.

(b) (1) Except as provided in this subsection and § 31-110(f) of this article, a carrier may not offer individual health benefit plans in the State unless the carrier also offers qualified health plans, as defined in § 31-101 of this article, in the Individual Exchange of the Maryland Health Benefit Exchange in compliance with the requirements of Title 31 of this article.

(2) A carrier is exempt from the requirement in paragraph (1) of this subsection if:

(i) **1. the reported total aggregate annual earned premium from all individual health benefit plans in the State for the carrier and any other carriers in the same insurance holding company system, as defined in § 7-101 of this article, is less than \$10,000,000; OR**

2. THE ONLY INDIVIDUAL HEALTH BENEFIT PLANS THAT THE CARRIER OFFERS IN THE STATE ARE STUDENT HEALTH PLANS AS DEFINED IN 45 C.F.R. § 147.145;

(ii) the Commissioner determines that the carrier complies with the procedures established under paragraph (3) of this subsection; and

(iii) when the carrier ceases to meet the requirements for the exemption, the carrier provides to the Commissioner immediate notice and its plan for complying with the requirement in paragraph (1) of this subsection.”.

AMENDMENT NO. 8

On page 17, in line 9, strike “OR”; in line 13, after “ARTICLE” insert “;OR

(4) AN APPLICATION COUNSELOR CERTIFIED BY THE INDIVIDUAL EXCHANGE OF THE MARYLAND HEALTH BENEFIT EXCHANGE IF THE PERSON HAS NOT RECEIVED THE APPROPRIATE CERTIFICATION UNDER OR OTHERWISE COMPLIED WITH § 31-113(R) OF THIS ARTICLE”;

after line 15, insert:

“(A-1) “APPLICATION COUNSELOR” MEANS AN INDIVIDUAL WHO HOLDS AN INDIVIDUAL EXCHANGE APPLICATION COUNSELOR CERTIFICATION ISSUED UNDER § 31-113(R) OF THIS TITLE.

(A-2) “APPLICATION COUNSELOR SPONSORING ENTITY” OR “SPONSORING ENTITY” MEANS AN ENTITY DESIGNATED BY THE INDIVIDUAL EXCHANGE AS A SPONSORING ENTITY UNDER § 31-113(R) OF THIS TITLE.

(C-1) “CAPTIVE PRODUCER” MEANS AN INSURANCE PRODUCER WHO:

(I) IS LICENSED IN THE STATE AND AUTHORIZED BY THE COMMISSIONER TO SELL, SOLICIT, OR NEGOTIATE HEALTH INSURANCE;

(II) RECEIVES AN AUTHORIZATION AND MEETS THE OTHER REQUIREMENTS SET FORTH IN § 31-113(N)(2) OF THIS TITLE;

(III) HAS A CURRENT AND EXCLUSIVE APPOINTMENT WITH A SINGLE CARRIER; AND

(IV) RECEIVES COMPENSATION AS A CAPTIVE PRODUCER ONLY FROM THAT CARRIER.”;

in line 16, strike “(C-1)” and substitute “(C-2)”; after line 19, insert:

“(i) “Individual Exchange navigator” means an individual who:

(1) holds an Individual Exchange navigator certification; and

(2) provides the services described in § 31-113(d)(1) of this title for an Individual Exchange [navigator] CONNECTOR entity.

(k) “Individual Exchange [navigator] CONNECTOR entity” means a community-based organization or other entity or a partnership of entities that:

(1) is authorized by the Individual Exchange under § 31-113(f) of this title; and

(2) employs or engages Individual Exchange navigators to provide the services described in § 31-113(d)(1) of this title.

(l) “Individual Exchange [navigator] CONNECTOR entity authorization” means a grant of authority from the Individual Exchange to an Individual Exchange [navigator] CONNECTOR entity under § 31-113(f) of this title.”.

AMENDMENT NO. 9

On page 18, strike in their entirety lines 15 through 23, inclusive, and substitute:

“(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, TO THE EXTENT THAT THE EXCHANGE, ACTING ON BEHALF OF A CARRIER OFFERING A QUALIFIED PLAN IN THE INDIVIDUAL EXCHANGE OR THE SHOP EXCHANGE, IS REQUIRED BY LAW OR CONTRACT TO COLLECT PREMIUMS, CONDUCT BILLING, SEND REQUIRED NOTICES, PROVIDE REQUIRED DISCLOSURES, OR TAKE ANY OTHER ACTION NORMALLY TAKEN BY A CARRIER UNDER THIS ARTICLE, THE CARRIER IS NOT LIABLE OR SUBJECT TO REGULATORY SANCTION BY THE COMMISSIONER FOR THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSIONER SHALL REGULATE THE EXCHANGE IN TAKING AN ACTION UNDER THIS SUBSECTION.

(II) IF THE COMMISSIONER FINDS THAT THE EXCHANGE HAS FAILED TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION, THE COMMISSIONER:

1. MAY NOT IMPOSE A FINE OR AN ADMINISTRATIVE PENALTY ON THE EXCHANGE; AND

2. MAY REQUIRE THE EXCHANGE TO:

A. MAKE RESTITUTION, NOT TO EXCEED THE AMOUNT OF ACTUAL ECONOMIC DAMAGES SUSTAINED BY THE CONSUMER, TO A CONSUMER WHO HAS SUSTAINED ACTUAL ECONOMIC DAMAGES BECAUSE OF THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION; AND

B. MAKE RESTITUTION, NOT TO EXCEED THE AMOUNT OF ACTUAL PREMIUM, PREMIUM SUBSIDIES, OR COST-SHARING SUBSIDIES THE CARRIER DID NOT RECEIVE, TO A CARRIER THAT HAS AUTHORIZED, PROVIDED, OR PAID FOR HEALTH CARE SERVICES WITHOUT RECEIVING PREMIUM, PREMIUM SUBSIDIES, OR COST-SHARING SUBSIDIES THE CARRIER OTHERWISE WOULD HAVE RECEIVED BUT FOR THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION.

(3) (I) THE EXCHANGE AND THE CARRIER SHALL HOLD A CONSUMER HARMLESS FROM ANY ADVERSE CONSEQUENCE THAT IS:

1. RELATED TO THE CONSUMER'S PURCHASE OF, OR COVERAGE UNDER, A QUALIFIED PLAN; AND

2. CAUSED BY THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION.

(II) HOLDING THE CONSUMER HARMLESS SHALL INCLUDE:

1. THE EXTENSION OF DEADLINES OR OTHER ACCOMMODATIONS NECESSARY TO PROTECT THE CONSUMER; AND

2. THE CARRIER'S AUTHORIZATION OF, PROVISION OF, OR PAYMENT FOR HEALTH CARE SERVICES THE CARRIER OTHERWISE WOULD BE UNDER AN OBLIGATION TO AUTHORIZE, PROVIDE, OR PAY FOR EXCEPT FOR THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION.

(4) THE COMMISSIONER, IN THE COMMISSIONER'S ROLE AS A MEMBER OF THE BOARD, MAY NOT PARTICIPATE IN ANY MATTER THAT INVOLVES THE ALLEGED FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION IF, IN THE COMMISSIONER'S JUDGMENT, THE COMMISSIONER'S PARTICIPATION MIGHT CREATE A CONFLICT OF INTEREST WITH RESPECT TO THE COMMISSIONER'S REGULATORY AUTHORITY OVER THE EXCHANGE'S TAKING AN ACTION UNDER THIS SUBSECTION.”;

in line 24, strike “THIS” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THIS”; in the same line, after “NOT” insert “:

(1)”;

and in line 25, after “ARTICLE” insert “; OR

(2) LIMIT THE AUTHORITY OF THE COMMISSIONER TO TAKE ACTION AGAINST ANY PERSON WITH RESPECT TO ANY PROVISION OF THIS ARTICLE”.

AMENDMENT NO. 10

On page 18, after line 25, insert:

“31-106.

(g) **(1)** To carry out the purposes of this title, the Board shall:

[(1)] (I) create and consult with AD HOC advisory committees; AND

[(2)] have at least two standing advisory committees whose members, to the extent practicable, reflect the gender, racial, ethnic, and geographic diversity of the State; and

(3)] (II) appoint to the AD HOC advisory committees representatives of:

[(i)] 1. insurers or health maintenance organizations offering health benefit plans in the State;

[(ii)] 2. nonprofit health service plans offering health benefit plans in the State;

[(iii)] 3. licensed health insurance producers and advisers;

[(iv)] 4. third-party administrators;

[(v)] 5. health care providers, including:

[1.] A. hospitals;

[2.] B. long-term care facilities;

[3.] C. mental health providers;

[4.] D. developmental disability providers;

[5.] E. substance abuse treatment providers;

[6.] F. Federally Qualified Health Centers;

[7.] G. physicians;

[8.] H. nurses;

[9.] I. experts in services and care coordination for criminal and juvenile justice populations;

[10.] J. licensed hospice providers; and

[11.] K. other health care professionals;

[(vi)] 6. managed care organizations;

[(vii)] 7. employers, including large, small, and minority-owned employers;

[(viii)] 8. public employee unions, including public employee union members who are caseworkers in local departments of social services with direct knowledge of information technology systems used for Medicaid eligibility determination;

[(ix)] 9. consumers, including individuals who:

[1.] A. reside in lower-income and racial or ethnic minority communities;

[2.] B. have chronic diseases or disabilities; or

[3.] C. belong to other hard-to-reach or special populations;

[(x)] 10. individuals with knowledge and expertise in advocacy for consumers described in item [(ix)] 9 of this item;

[(xi)] 11. public health researchers and other academic experts with knowledge and background relevant to the functions and goals of the Exchange, including knowledge of the health needs and health disparities among the State's diverse communities; and

[(xii)] 12. any other stakeholders identified by the Exchange as having knowledge or representing interests relevant to the functions and duties of the Exchange.

(2) IN ADDITION TO THE AD HOC ADVISORY COMMITTEES CREATED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD, ON OR BEFORE MARCH 15, 2014, SHALL CREATE A STANDING ADVISORY COMMITTEE THAT:

(I) CONSISTS OF MEMBERS WHO, TO THE EXTENT PRACTICABLE:

1. REFLECT THE GENDER, RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE;

2. CONSTITUTE A DIVERSE CROSS-SECTION OF STAKEHOLDERS BROADLY REPRESENTATIVE OF THE INDIVIDUALS AND ENTITIES DESCRIBED IN PARAGRAPH (1)(II) OF THIS SUBSECTION; AND

3. ARE APPOINTED BY THE BOARD FOR A TERM OF NO MORE THAN 3 YEARS IN A MANNER THAT PROVIDES CONTINUITY AND ROTATION;

(II) HAS A LIAISON TO THE BOARD WHO IS A MEMBER OF THE BOARD AND IS APPOINTED BY THE CHAIR OF THE BOARD; AND

(III) IS CHARGED WITH THE RESPONSIBILITY OF ADDRESSING THE BROAD RANGE OF POLICY ISSUES:

1. ON WHICH THE BOARD MAY SEEK ITS INPUT AND ADVICE; AND

2. THAT MAY BE PROPOSED BY THE LIAISON TO THE BOARD, IN CONSULTATION WITH THE STANDING ADVISORY COMMITTEE CHAIR AND MEMBERS.”.

On page 18, in line 28, after “(b)” insert “(1)”; and in line 29, strike “(1)” and substitute “(I)”.

On page 19, in line 1, strike “(2)” and substitute “(II)”; after line 3, insert:

“(2) THE OPERATION AND ADMINISTRATION OF THE EXCHANGE AND THE STATE REINSURANCE PROGRAM MAY INCLUDE FUNCTIONS DELEGATED BY THE EXCHANGE TO A THIRD PARTY UNDER LAW OR BY CONTRACT.”;

after line 10, insert:

“(2) ALL REVENUE DEPOSITED INTO THE FUND THAT IS RECEIVED FROM THE DISTRIBUTION OF THE PREMIUM TAX UNDER § 6-103.2 OF THIS ARTICLE.”;

and in lines 11, 15, 16, 17, 19, 20, and 21, strike “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, and “(8)”, respectively, and substitute “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively.

On page 20, after line 6, insert:

“(3) FUNDS RECEIVED FROM THE DISTRIBUTION OF THE PREMIUM TAX UNDER § 6-103.2 OF THIS ARTICLE SHALL BE PLACED IN THE ACCOUNT FOR EXCHANGE OPERATIONS AND MAY BE USED ONLY FOR THE PURPOSE OF FUNDING THE OPERATION AND ADMINISTRATION OF THE EXCHANGE.”

(H) (1) EXPENDITURES FROM THE FUND FOR THE PURPOSES AUTHORIZED BY THIS SUBTITLE MAY BE MADE ONLY:

(I) WITH AN APPROPRIATION FROM THE FUND APPROVED BY THE GENERAL ASSEMBLY IN THE STATE BUDGET; OR

(II) BY THE BUDGET AMENDMENT PROCEDURE PROVIDED FOR IN TITLE 7, SUBTITLE 2 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) NOTWITHSTANDING § 7-304 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, IF THE AMOUNT OF THE DISTRIBUTION FROM THE PREMIUM TAX UNDER § 6-103.2 OF THIS ARTICLE EXCEEDS IN ANY STATE FISCAL YEAR THE ACTUAL EXPENDITURES INCURRED FOR THE OPERATION AND ADMINISTRATION OF THE EXCHANGE, FUNDS IN THE EXCHANGE OPERATIONS ACCOUNT FROM THE PREMIUM TAX THAT REMAIN UNSPENT AT THE END OF THE STATE FISCAL YEAR SHALL REVERT TO THE GENERAL FUND OF THE STATE.

(3) IF OPERATING EXPENSES OF THE EXCHANGE MAY BE CHARGED TO EITHER STATE OR NON-STATE FUND SOURCES, THE NON-STATE FUNDS SHALL BE CHARGED BEFORE STATE FUNDS ARE CHARGED.;

in lines 7 and 12, strike “(H)” and “(I)”, respectively, and substitute “(I)” and “(J)”, respectively; in line 10, strike “No” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (H)(2) OF THIS SECTION, NO**”; in line 30, after “FOR” insert “**STATE**”; in the same line, after “EACH” insert “**STATE**”; and in lines 31 and 32, strike “DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION” and substitute “**RECEIVED FROM THE DISTRIBUTION OF THE PREMIUM TAX UNDER § 6-103.2 OF THIS ARTICLE**”.

On page 21, strike in their entirety lines 3 through 9, inclusive, and substitute:

“(2) (I) FOR STATE FISCAL YEAR 2015, THE APPROPRIATION SHALL BE NO LESS THAN \$10,000,000.

(II) FOR EACH STATE FISCAL YEAR THEREAFTER, THE APPROPRIATION SHALL BE NO LESS THAN \$35,000,000.;

in line 12, strike “OPERATIONS” and substitute “**OPERATION AND ADMINISTRATION**”; in line 14, after “ANY” insert “**STATE**”; in line 16, after “OPERATION” insert “**AND ADMINISTRATION**”; and in line 18, strike “FUNDS” and substitute “**NOTWITHSTANDING § 7-304 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, FUNDS**”.

AMENDMENT NO. 12

On page 21, after line 20, insert:

“31-108.

(C) (1) IN CARRYING OUT THE FUNCTIONS UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION, THE EXCHANGE SHALL COMPLY WITH § 508 OF THE FEDERAL REHABILITATION ACT OF 1973 AND ANY REGULATIONS ADOPTED UNDER § 508 OF THE ACT.

(2) THE OBLIGATION FOR THE EXCHANGE TO COMPLY WITH § 508 OF THE FEDERAL REHABILITATION ACT OF 1973 DOES NOT AFFECT ANY OTHER REQUIREMENTS RELATING TO ACCESSIBILITY FOR PERSONS WITH DISABILITIES TO WHICH THE EXCHANGE MAY BE SUBJECT UNDER THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990.

[(c)] (D) If an individual enrolls in another type of minimum essential coverage, neither the Exchange nor a carrier offering qualified health plans through the Exchange may charge the individual a fee or penalty for termination of coverage on the grounds that:

(1) the individual has become newly eligible for that coverage; or

(2) the individual’s employer-sponsored coverage has become affordable under the standards of § 36b(c)(2)(c) of the Internal Revenue Code.

[(d)] (E) The Exchange, through the advisory committees established under § 31-106(g) of this title or through other means, shall consult with and consider the recommendations of the stakeholders represented on the advisory committees in the exercise of its duties under this title.

[(e)] (F) The Exchange may not make available:

(1) any health benefit plan that is not a qualified health plan;

(2) any dental plan that is not a qualified dental plan; or

(3) any vision plan that is not a qualified vision plan.”.

On page 22, in line 25, after “PLAN” insert “, BASED ON THE COVERAGE LEVEL SELECTED BY THE MEMBER AND THE MEMBER’S JOB CLASSIFICATION, IF OTHERWISE PERMISSIBLE”; and in line 27, after “EMPLOYEES” insert “WITH THE SAME COVERAGE LEVEL AND JOB CLASSIFICATION”.

On page 23, in lines 3 and 5, in each instance, after “CARRIER” insert “OR INSURANCE HOLDING COMPANY SYSTEM”; and in line 24, after “Exchange” insert “, WITH THE APPROVAL OF THE COMMISSIONER AND IN CONSULTATION WITH STAKEHOLDERS,”.

AMENDMENT NO. 14

On page 24, after line 7, insert:

“(a) (1) There is a navigator program for the Individual Exchange.

(5) The Commissioner may require the Individual Exchange to:

(i) make available to the Commissioner all records, documents, data, and other information relating to the navigator program, including the authorization of Individual Exchange [navigator] CONNECTOR entities and the certification of Individual Exchange navigators; and

(ii) submit a corrective plan to take appropriate action to address any problems or deficiencies identified by the Commissioner in the Individual Exchange [navigator] CONNECTOR entity authorization process or the Individual Exchange navigator certification process.

(b) The navigator program for the Individual Exchange shall:

(1) focus outreach efforts and services on individuals without health insurance coverage;

(2) use Individual Exchange [navigator] CONNECTOR entities that:

(i) have expertise in working with vulnerable and hard-to-reach populations; and

(ii) conduct outreach and provide enrollment support for these populations; and

(3) enable the Individual Exchange to:

(i) comply with the Affordable Care Act by providing seamless entry into the Maryland Medical Assistance Program, the Maryland Children's Health Program, and qualified plans;

(ii) assist individuals who, **DUE TO FORMER INCARCERATION OR OTHER CIRCUMSTANCES**, transition between the types of coverage described in item (i) of this item or have lapsed enrollment; and

(iii) meet consumer needs and demands for health insurance coverage while maintaining high standards of quality assurance and consumer protection.

(e) (1) The Exchange may authorize an Individual Exchange [navigator] CONNECTOR entity to provide consumer assistance services that:

(i) are required to be provided by an Individual Exchange navigator; or

(ii) subject to paragraph (2)(iii) of this subsection, result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program.

(2) The Exchange:

(i) may limit the authorization of an Individual Exchange [navigator] CONNECTOR entity to the provision of a subset of services, depending on the needs of the Individual Exchange navigator program and the capacity of the Individual Exchange [navigator] CONNECTOR entity, provided that the navigator program overall provides the totality of services required by the Affordable Care Act and this subtitle;

(ii) pursuant to contractual agreement, may require an Individual Exchange [navigator] CONNECTOR entity to provide education, outreach, and other consumer assistance services in addition to the services provided under the

Individual Exchange [navigator] CONNECTOR entity's authorization in order to achieve all of the objectives of the navigator program; and

(iii) may not authorize an Individual Exchange [navigator] CONNECTOR entity to provide services that result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program without the approval of the Department of Health and Mental Hygiene.

(f) An Individual Exchange [navigator] CONNECTOR entity:

(1) shall obtain authorization from the Individual Exchange to provide services that:

(i) are required to be provided by an Individual Exchange navigator; or

(ii) result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program;

(2) may provide:

(i) those services that are within the scope of the Individual Exchange [navigator] CONNECTOR entity's authorization; and

(ii) any other consumer assistance services that:

1. are not required to be provided by an Individual Exchange navigator; or

2. do not require authorization under this subsection;

(3) to the extent the scope of its authorization includes services that must be provided by an Individual Exchange navigator, shall provide those services only through Individual Exchange navigators;

(4) in addition to the services it may provide under its authorization, may employ or engage other individuals to conduct:

(i) consumer education and outreach; and

(ii) determinations of eligibility for premium subsidies and cost-sharing assistance, the Maryland Medical Assistance Program, and the Maryland Children's Health Program;

(5) may employ or engage individuals to perform activities that:

(i) are executive, administrative, managerial, or clerical; and

(ii) relate only indirectly to services that must be provided by an Individual Exchange navigator or result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program;

(6) shall comply with all State and federal laws, regulations, and policies governing the Maryland Medical Assistance Program and the Maryland Children's Health Program;

(7) may not receive any compensation, directly or indirectly:

(i) from a carrier, an insurance producer, or a third-party administrator in connection with the enrollment of a qualified individual in a qualified health plan; or

(ii) from any managed care organization that participates in the Maryland Medical Assistance Program in connection with the enrollment of an individual in the Maryland Medical Assistance Program or the Maryland Children's Health Program; and

(8) with respect to the insurance market outside the Exchange:

(i) may not provide any information or services related to health benefit plans or other products not offered in the Exchange, except for general information about the insurance market outside the Exchange, which shall be limited to the information provided in a consumer education document developed by the Exchange and the Commissioner;

(ii) shall refer any inquiries about health benefit plans or other products not offered in the Exchange to:

1. any resources that may be maintained by the Exchange; or

2. carriers and licensed insurance producers; and

(iii) on contact with an individual who acknowledges having existing health insurance coverage obtained through an insurance producer, shall refer the individual back to the insurance producer for information and services unless:

1. the individual is eligible for but has not obtained a federal premium subsidy and cost-sharing assistance available only through the Individual Exchange;

2. the insurance producer is not authorized to sell qualified plans in the Individual Exchange; or

3. the individual would prefer not to seek further assistance from the individual's insurance producer.

(g) (1) The Commissioner may suspend or revoke an Individual Exchange [navigator] CONNECTOR entity authorization after notice and opportunity for a hearing under §§ 2–210 through 2–214 of this article if the Individual Exchange [navigator] CONNECTOR entity:

(i) has willfully violated this article or any regulation adopted under this article;

(ii) has engaged in fraudulent or dishonest practices in conducting activities under the Individual Exchange [navigator] CONNECTOR entity authorization;

(iii) has had any professional license or certification suspended or revoked for a fraudulent or dishonest practice;

(iv) has been convicted of a felony, a crime of moral turpitude, or any criminal offense involving dishonesty or breach of trust; or

(v) has willfully failed to comply with or violated a proper order or subpoena of the Commissioner.

(2) Instead of or in addition to suspending or revoking an Individual Exchange [navigator] CONNECTOR entity authorization, the Commissioner may:

(i) impose a penalty of not less than \$100 but not exceeding \$500 for each violation of this article; and

(ii) require that restitution be made to any person who has suffered financial injury because of the Individual Exchange [navigator] CONNECTOR entity's violation of this article.

(3) The penalties available to the Commissioner under this subsection shall be in addition to any criminal or civil penalties imposed for fraud or other misconduct under any other State or federal law.

(4) The Commissioner shall notify the Individual Exchange of any decision affecting the authorization of an Individual Exchange [navigator] CONNECTOR entity or any sanction imposed on an Individual [navigator] EXCHANGE CONNECTOR entity under this subsection.

(5) A carrier is not responsible for the activities and conduct of Individual Exchange [navigator] CONNECTOR entities.”;

and in lines 15, 18, and 29, in each instance, strike “navigator” and substitute “CONNECTOR”.

On page 25, in line 13, after “Hygiene” insert “, THE HEALTH EDUCATION AND ADVOCACY UNIT OF THE OFFICE OF THE ATTORNEY GENERAL,”; and after line 36, insert:

“(1) (4) The Commissioner shall notify the Individual Exchange and the Individual Exchange [navigator] CONNECTOR entity for which the Individual Exchange navigator works of any decision affecting the certification of an Individual Exchange navigator or any sanction imposed on an Individual Exchange navigator under this subsection.

(m) (1) The Exchange shall establish and administer an insurance producer authorization process for the Individual Exchange.

(2) Under the process, the Exchange shall:

(i) provide an authorization to sell qualified plans to a licensed insurance producer who meets the requirements in subsection (n) of this section; and

(ii) require renewal of an authorization every 2 years.

(3) (i) Subject to the contested case hearing provisions of Title 10, Subtitle 2 of the State Government Article, the Exchange may suspend, revoke, or refuse to renew an authorization for good cause, which shall include a finding that the insurance producer holding the authorization has committed any act described in subsection [(m)(1)] (L)(1) of this section with respect to the authorization.

(ii) The Individual Exchange shall notify the Commissioner of any decision affecting the status of an insurance producer's authorization.

(4) The Individual Exchange, with the approval of the Commissioner, shall adopt regulations to carry out this subsection.

(o) (1) The Exchange shall develop, implement, and, as appropriate, update a training program for insurance producers who sell qualified plans in the Individual Exchange.

(2) The training program shall:

(i) impart the skills and expertise necessary to perform functions specific to the Individual Exchange, such as making premium assistance eligibility determinations;

(ii) enable the Exchange to provide robust protection of consumers and adherence to high quality assurance standards; [and]

(III) IMPART THE SKILLS AND EXPERTISE NECESSARY TO FACILITATE APPROPRIATE REFERRALS OF INDIVIDUALS AND THEIR DEPENDENTS TO THE MARYLAND MEDICAL ASSISTANCE PROGRAM, THE MARYLAND CHILDREN'S HEALTH PROGRAM, THE APPROPRIATE INDIVIDUAL

EXCHANGE CONNECTOR ENTITY, AN INDEPENDENT INSURANCE PRODUCER, OR THE CONSOLIDATED SERVICES CENTER; AND

[(iii)] (IV) be approved by the Commissioner.

(P) (1) SUBJECT TO PARAGRAPHS (2) THROUGH (7) OF THIS SUBSECTION, UNTIL JANUARY 1, 2017, A CAPTIVE PRODUCER, WITHOUT BEING SEPARATELY CERTIFIED AS AN INDIVIDUAL EXCHANGE NAVIGATOR, MAY ENROLL, IN A QUALIFIED PLAN OFFERED IN THE INDIVIDUAL EXCHANGE BY THE CARRIER FROM WHICH THE CAPTIVE PRODUCER HAS AN EXCLUSIVE APPOINTMENT:

(I) AN INDIVIDUAL WHO:

1. IS CURRENTLY ENROLLED IN ONE OF THE CARRIER'S NONGROUP PLANS; AND

2. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, DOES NOT HAVE AN INSURANCE PRODUCER OF RECORD IN CONNECTION WITH THE CARRIER'S NONGROUP PLAN; OR

(II) AN INDIVIDUAL WHO:

1. INITIATES CONTACT WITH THE CAPTIVE PRODUCER OR THE CARRIER FOR THE PURPOSE OF REQUESTING ASSISTANCE OR INQUIRING ABOUT THE CARRIER'S PLANS; AND

2. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, DOES NOT ACKNOWLEDGE HAVING AN INSURANCE PRODUCER IN CONNECTION WITH ANY EXISTING INSURANCE COVERAGE.

(2) (I) IF AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION HAS AN INSURANCE PRODUCER, A CAPTIVE PRODUCER SHALL REFER THE INDIVIDUAL BACK TO THE INSURANCE PRODUCER, TOGETHER WITH ANY AVAILABLE CONTACT INFORMATION, FOR INFORMATION AND SERVICES, UNLESS:

1. THE INDIVIDUAL IS ELIGIBLE FOR, BUT HAS NOT OBTAINED A FEDERAL PREMIUM SUBSIDY AND COST-SHARING ASSISTANCE, AND THE INSURANCE PRODUCER IS NOT AUTHORIZED TO SELL QUALIFIED PLANS IN THE INDIVIDUAL EXCHANGE; OR

2. THE INDIVIDUAL WOULD PREFER NOT TO SEEK FURTHER ASSISTANCE FROM THE INDIVIDUAL'S INSURANCE PRODUCER.

(II) IF A CAPTIVE PRODUCER IS NOT AWARE OF AN INSURANCE PRODUCER OF RECORD, THE CAPTIVE PRODUCER SHALL DISCLOSE TO AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT THERE MAY BE AN INSURANCE PRODUCER OF RECORD IN CONNECTION WITH AN EXISTING POLICY.

(3) (I) A CARRIER AND ITS CAPTIVE PRODUCERS, IN OFFERING INFORMATION AND ASSISTANCE TO THE CARRIER'S CURRENT ENROLLEES REGARDING QUALIFIED PLANS OFFERED IN THE INDIVIDUAL EXCHANGE:

1. SHALL COMPLY WITH FAIR MARKETING STANDARDS DEVELOPED JOINTLY BY THE EXCHANGE AND THE COMMISSIONER;

2. MAY NOT EMPLOY MARKETING PRACTICES OR OFFER INFORMATION AND ASSISTANCE ONLY TO CERTAIN ENROLLEES IN A MANNER THAT WILL HAVE THE EFFECT OF ENROLLING A DISPROPORTIONATE NUMBER OF THE CARRIER'S ENROLLEES WITH SIGNIFICANT HEALTH NEEDS IN QUALIFIED PLANS OFFERED IN THE INDIVIDUAL EXCHANGE; AND

3. SHALL ACT IN THE BEST INTEREST OF THE INDIVIDUAL TO WHOM THE CARRIER AND ITS CAPTIVE PRODUCERS PROVIDE ASSISTANCE.

(II) A CARRIER SHALL PROVIDE TO THE EXCHANGE, AND UPDATE AS NEEDED, A LIST OF ITS CURRENT CAPTIVE PRODUCERS.

(4) BEFORE PROVIDING AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION ANY INFORMATION OR ASSISTANCE WITH RESPECT TO QUALIFIED PLANS OFFERED IN THE INDIVIDUAL EXCHANGE, A CAPTIVE PRODUCER IN A MANNER PRESCRIBED UNDER FAIR MARKETING STANDARDS ESTABLISHED BY THE COMMISSIONER AND THE EXCHANGE, SHALL:

(I) DISCLOSE TO THE INDIVIDUAL THAT:

1. THE CAPTIVE PRODUCER IS EMPLOYED BY THE CARRIER AND ABLE TO PROVIDE INFORMATION ABOUT AND SELL ONLY QUALIFIED PLANS OFFERED BY THE CARRIER; AND

2. THE INDIVIDUAL EXCHANGE OFFERS OTHER QUALIFIED PLANS, SOLD BY OTHER CARRIERS, THAT MAY MEET THE INDIVIDUAL'S NEEDS;

(II) ON THE INDIVIDUAL'S REQUEST:

1. REFER THE INDIVIDUAL FOR FURTHER ASSISTANCE TO AN INDEPENDENT INSURANCE PRODUCER, THE APPROPRIATE INDIVIDUAL EXCHANGE CONNECTOR ENTITY, OR THE CONSOLIDATED SERVICES CENTER; AND

2. A PROVIDE, THROUGH MAIL OR ELECTRONIC COMMUNICATION, WRITTEN INFORMATION ABOUT THE INDIVIDUAL EXCHANGE, THE CONNECTOR PROGRAM, AND THE CONSOLIDATED SERVICES CENTER; AND

(III) DOCUMENT THAT THE CAPTIVE PRODUCER HAS PROVIDED THE REQUIRED DISCLOSURES AND THE INDIVIDUAL HAS ACKNOWLEDGED THAT THE INDIVIDUAL:

1. UNDERSTANDS THE DISCLOSURES;

2. DOES NOT WANT TO BE REFERRED TO AN INDEPENDENT INSURANCE PRODUCER, AN INDIVIDUAL EXCHANGE CONNECTOR ENTITY, OR THE CONSOLIDATED SERVICES CENTER; AND

3. WANTS TO RECEIVE INFORMATION AND ASSISTANCE FROM THE CAPTIVE PRODUCER.

(5) A RECORD OF THE DOCUMENTATION REQUIRED UNDER PARAGRAPH (4)(III) OF THIS SUBSECTION SHALL BE:

(I) RETAINED BY A CAPTIVE PRODUCER FOR AT LEAST 3 YEARS;

(II) SUBJECT TO THE COMMISSIONER'S REVIEW IN A MARKET CONDUCT EXAMINATION; AND

(III) PROVIDED TO THE EXCHANGE ON A QUARTERLY BASIS.

(6) WITH RESPECT TO ANY HEALTH BENEFIT PLANS OR OTHER PRODUCTS OFFERED IN THE INDIVIDUAL EXCHANGE OR THE INSURANCE MARKET OUTSIDE THE INDIVIDUAL EXCHANGE BY CARRIERS OTHER THAN THE CARRIER WITH WHICH THE CAPTIVE PRODUCER HAS AN EXCLUSIVE APPOINTMENT, A CAPTIVE PRODUCER:

(I) MAY NOT PROVIDE ANY INFORMATION OR SERVICES RELATED TO HEALTH BENEFIT PLANS OR OTHER PRODUCTS NOT OFFERED BY THE CAPTIVE PRODUCER'S CARRIER; AND

(II) SHALL REFER ANY INQUIRIES ABOUT HEALTH BENEFIT PLANS OR OTHER PRODUCTS NOT OFFERED BY THE CAPTIVE PRODUCER'S CARRIER TO:

1. ANY RESOURCES THAT MAY BE MAINTAINED BY THE EXCHANGE; OR

2. A LICENSED INDEPENDENT INSURANCE PRODUCER.

(7) IF A CARRIER OR A CAPTIVE PRODUCER FAILS TO COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION, THE EXCHANGE MAY:

(I) SUSPEND, REVOKE, OR REFUSE TO RENEW THE CAPTIVE PRODUCER'S AUTHORIZATION UNDER SUBSECTION (M)(3) OF THIS SECTION; AND

(II) IMPOSE SANCTIONS AGAINST THE CARRIER UNDER § 31-115(K) OF THIS TITLE.

[(p)] (Q) Nothing in this section shall prohibit a community-based organization or a unit of State or local government from providing the consumer assistance services described in subsection (c) of this section that are not required to be provided by an Individual Exchange navigator, if the entity providing the services and its employees do not:

(1) receive any compensation, directly or indirectly, from a carrier, an insurance producer, or a third-party administrator in connection with the enrollment of a qualified individual in a qualified health plan;

(2) receive any compensation, directly or indirectly, from a managed care organization that participates in the Maryland Medical Assistance Program or the Maryland Children's Health Program; and

(3) identify themselves to the public as an Individual Exchange [navigator] CONNECTOR entities or Individual Exchange navigators.

(R) (1) TO THE EXTENT AND IN THE MANNER PERMITTED OR REQUIRED BY FEDERAL LAW OR REGULATION GOVERNING APPLICATION COUNSELORS AND OTHER EXCHANGE CONSUMER ASSISTANCE PERSONNEL, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AND DEPENDING ON ITS NEEDS AND RESOURCES, THE EXCHANGE MAY:

(I) DESIGNATE AS AN APPLICATION COUNSELOR SPONSORING ENTITY UNDER THIS SUBSECTION A COMMUNITY-BASED ORGANIZATION, HEALTH CARE PROVIDER, UNIT OF STATE OR LOCAL GOVERNMENT, OR OTHER ENTITY; AND

(II) CERTIFY AS AN APPLICATION COUNSELOR ANY AGENT, EMPLOYEE, OR VOLUNTEER OF AN APPLICATION COUNSELOR SPONSORING ENTITY WHO MEETS THE REQUIREMENTS FOR INDIVIDUAL EXCHANGE NAVIGATOR CERTIFICATION UNDER THIS SECTION.

(2) AN APPLICATION COUNSELOR SPONSORING ENTITY AND AN APPLICATION COUNSELOR AUTHORIZED TO PROVIDE SERVICES UNDER THIS SUBSECTION:

(I) MAY NOT BE COMPENSATED BY THE EXCHANGE;

(II) MAY NOT IMPOSE A FEE ON INDIVIDUALS TO WHOM THEY ARE AUTHORIZED TO PROVIDE SERVICES UNDER THIS SECTION FOR THE SERVICES;

(III) SHALL DISCLOSE TO THE EXCHANGE AND TO INDIVIDUALS TO WHOM THEY PROVIDE SERVICES ANY RELATIONSHIPS THEY HAVE WITH:

1. A CARRIER, AN INSURANCE PRODUCER, OR A THIRD-PARTY ADMINISTRATOR; OR

2. A MANAGED CARE ORGANIZATION THAT PARTICIPATES IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM AND THE MARYLAND CHILDREN'S HEALTH PROGRAM; AND

(IV) SHALL ACT IN THE BEST INTEREST OF THE INDIVIDUALS FOR WHOM THEY ARE AUTHORIZED TO PROVIDE SERVICES; AND

(V) MAY NOT BE COMPENSATED BY A CARRIER, INSURANCE PRODUCER, OR THIRD-PARTY ADMINISTRATOR FOR THEIR ENROLLMENT SERVICES.

(3) AN APPLICATION COUNSELOR IS SUBJECT TO ALL REQUIREMENTS, RESTRICTIONS, CONFLICT OF INTEREST RULES, AND OVERSIGHT APPLICABLE TO:

(i) INDIVIDUAL EXCHANGE CONNECTOR ENTITIES AND INDIVIDUAL EXCHANGE NAVIGATORS UNDER THIS SUBSECTION AND ANY OTHER RELEVANT STATE OR FEDERAL LAWS; AND

(ii) APPLICATION COUNSELORS UNDER FEDERAL LAW OR REGULATION.

(4) THE EXCHANGE, IN CONSULTATION WITH THE COMMISSIONER AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, MAY:

(i) ESTABLISH REQUIREMENTS FOR A SPONSORING ENTITY; AND

(ii) ADOPT REGULATIONS TO CARRY OUT THIS SUBSECTION.”.

AMENDMENT NO. 15

On page 28, in line 2, strike “AND”; in line 3, after “(VI)” insert “SHALL INQUIRE WHETHER AN INDIVIDUAL HAS HEALTH INSURANCE OBTAINED THROUGH AN INSURANCE PRODUCER AND, IF SO, SHALL REFER THE INDIVIDUAL TO THE INSURANCE PRODUCER FOR INFORMATION AND SERVICES UNLESS:

1. THE INDIVIDUAL IS ELIGIBLE FOR, BUT HAS NOT OBTAINED A FEDERAL PREMIUM SUBSIDY AND COST-SHARING ASSISTANCE, AND THE INSURANCE PRODUCER IS NOT AUTHORIZED TO SELL QUALIFIED PLANS IN THE INDIVIDUAL EXCHANGE; OR

2. THE INDIVIDUAL WOULD PREFER NOT TO SEEK FURTHER ASSISTANCE FROM THE INDIVIDUAL’S INSURANCE PRODUCER; AND

(VII)”;

and after line 32, insert:

“(D) THE EXCHANGE, THE CSC, AND CSC EMPLOYEES SHALL ASSIST THE HEALTH EDUCATION AND ADVOCACY UNIT OF THE OFFICE OF THE ATTORNEY GENERAL IN CARRYING OUT ITS DUTIES TO ASSIST CONSUMERS UNDER TITLE 13, SUBTITLE 4A OF THE COMMERCIAL LAW ARTICLE AND TITLE 15, SUBTITLES 10A AND 10D OF THIS ARTICLE.

31–114.

(a) Nothing in this title requires the Maryland Medical Assistance Program or the Maryland Children’s Health Program to provide any specific financial support to the Individual Exchange for the services provided by an Individual Exchange navigator or an Individual Exchange [navigator] CONNECTOR entity.”.

AMENDMENT NO. 16

On page 29, in line 8, strike “(d)” and substitute “(E)”; and after line 18, insert:

“(II) OFFERS IN EACH EXCHANGE, THE INDIVIDUAL AND THE SHOP, IN WHICH THE CARRIER PARTICIPATES, AT LEAST ONE QUALIFIED HEALTH PLAN:

- 1. AT A BRONZE LEVEL OF COVERAGE;**
- 2. AT A SILVER LEVEL OF COVERAGE; AND**
- 3. AT A GOLD LEVEL OF COVERAGE;”.**

On page 29, in lines 19, 24, 28, and 31, strike “(ii)”, “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively.

On page 30, in line 1, strike “(vi)” and substitute “(VII)”; after line 24, insert:

“(d) [(1) A qualified health plan is not required to provide essential benefits that duplicate the minimum benefits of qualified vision plans, as provided in subsection (i) of this section, if:

(i) the Exchange has determined that at least one qualified vision plan is available to supplement the qualified health plan's coverage; and

(ii) at the time the carrier offers the qualified health plan, the carrier discloses in a form approved by the Exchange that:

1. the plan does not provide the full range of essential pediatric vision benefits; and

2. qualified vision plans providing these and other vision benefits also not provided by the qualified health plan are offered through the Exchange.

(2) The Exchange may determine whether a carrier may elect to [include] OFFER COVERAGE FOR nonessential vision benefits in [a qualified health plan] EITHER THE SHOP EXCHANGE OR INDIVIDUAL EXCHANGE.

(e) A qualified health plan is not required to provide at least a bronze level of coverage under subsection (b)(3) of this section if the qualified health plan:

(1) meets the requirements and is certified as a qualified catastrophic plan as provided under the Affordable Care Act; and

(2) will be offered only to individuals eligible for catastrophic coverage.

(h) (1) Except as provided in paragraphs (2) through (5) of this subsection, the requirements applicable to qualified health plans under this title also shall apply to qualified dental plans to the extent relevant, whether offered in conjunction with or as an endorsement to qualified health plans or as stand-alone dental plans.

(2) A carrier offering a qualified dental plan shall be licensed to offer dental coverage but need not be licensed to offer other health benefits.

(3) A qualified dental plan shall:

(i) be limited to dental and oral health benefits, without substantial duplication of other benefits typically offered by health benefit plans without dental coverage; and

(ii) include at a minimum:

1. the essential pediatric dental benefits required by the Secretary under § 1302(b)(1)(j) of the Affordable Care Act; and
2. other dental benefits required by the Secretary or the Exchange.

(4) (i) The Exchange may determine:

1. the manner in which carriers must disclose the price of oral and dental benefits and, to the extent relevant, medical benefits, when offered:
 - A. to the extent permitted by the Exchange, in a qualified health plan;
 - B. in conjunction with or as an endorsement to a qualified health plan; or
 - C. as a stand-alone plan; and
2. when a carrier offers a qualified dental plan in conjunction with a qualified health plan, whether the carrier also must make the qualified health plan, the qualified dental plan, or both qualified plans available on a stand-alone basis.

(ii) In determining the manner in which carriers must offer and disclose the price of medical, oral, and dental benefits under this paragraph, the Exchange shall balance the objectives of transparency and affordability for consumers.

(5) The Exchange may:

- (i) exempt qualified dental plans from a requirement applicable to qualified health plans under this title to the extent the Exchange determines the requirement is not relevant to qualified dental plans; and

(ii) establish additional requirements for qualified dental plans in conjunction with its establishment of additional requirements for qualified health plans under subsection (b)(9) of this section.

(6) THE EXCHANGE MAY REQUIRE CHILDREN ENROLLING IN A QUALIFIED HEALTH PLAN TO HAVE THE ESSENTIAL PEDIATRIC DENTAL BENEFITS REQUIRED BY THE SECRETARY UNDER § 1302(B)(1)(J) OF THE AFFORDABLE CARE ACT, WHETHER OFFERED:

(I) IN THE QUALIFIED HEALTH PLAN;

(II) IN CONJUNCTION WITH OR AS AN ENDORSEMENT TO THE QUALIFIED HEALTH PLAN; OR

(III) AS A STAND-ALONE DENTAL PLAN.

(i) (3) A qualified vision plan shall:

(i) be limited to vision and eye health benefits, without substantial duplication of other benefits typically offered by health benefit plans without vision coverage; and

(ii) include at a minimum:

1. the essential pediatric vision benefits required by the Secretary under § 1302(b)(1)(j) of the Affordable Care Act; [and] OR

2. other vision benefits required by the Secretary or the Exchange.”;

in line 31, strike “MEET” and substitute “**HAS OTHERWISE VIOLATED**”; and in line 33, after “AND” insert “**INTERIM**”.

On page 31, in line 3, strike “MAY” and substitute “**SHALL**”; in line 23, strike “\$100” and substitute “**\$5,000**”; in line 25, after “(4)” insert “**IN DETERMINING THE AMOUNT OF A PENALTY UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION, THE EXCHANGE SHALL CONSIDER:**

(I) THE TYPE, SEVERITY, AND DURATION OF THE VIOLATION;

(II) WHETHER THE PLAN OR CARRIER KNEW OR SHOULD HAVE KNOWN OF THE VIOLATION;

(III) THE EXTENT TO WHICH THE PLAN OR CARRIER HAVE A HISTORY OF VIOLATIONS; AND

(IV) WHETHER THE PLAN OR CARRIER CORRECTED THE VIOLATION AS SOON AS THEY KNEW OR SHOULD HAVE KNOWN OF THE VIOLATION.

(5)”;

and after line 28, insert:

“(6) (I) A CARRIER OR PLAN, UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE AND THE EXCHANGE’S APPEALS AND GRIEVANCE PROCESS MAY:

1. APPEAL AN ORDER OR DECISION ISSUED BY THE EXCHANGE UNDER THIS SECTION; AND

2. REQUEST A HEARING.

(II) A DEMAND FOR A HEARING STAYS A DECISION OR ORDER OF THE EXCHANGE PENDING THE HEARING, AND A FINAL ORDER OF THE EXCHANGE RESULTING FROM IT, IF THE EXCHANGE RECEIVES THE DEMAND:

1. BEFORE THE EFFECTIVE DATE OF THE ORDER; OR

2. WITHIN 10 DAYS AFTER THE ORDER IS SERVED.

(III) IF A PETITION FOR JUDICIAL REVIEW IS FILED WITH THE APPROPRIATE COURT UNDER TITLE 10, SUBTITLE 2 OF THE STATE

GOVERNMENT ARTICLE, THE COURT HAS JURISDICTION OVER THE CASE AND SHALL DETERMINE WHETHER THE FILING OPERATES AS A STAY OF THE ORDER FROM WHICH THE APPEAL IS TAKEN.

31-116.

(a) The essential health benefits required under § 1302(a) of the Affordable Care Act:

(1) shall be the benefits in the State benchmark plan, selected in accordance with this section; and

(2) notwithstanding any other benefits mandated by State law, shall be the benefits required in:

(i) all individual health benefit plans and health benefit plans offered to small employers, except for grandfathered health plans, as defined in the Affordable Care Act, offered outside the Exchange; and

(ii) subject to § 31-115(c) [and (d)] of this title, all qualified health plans offered in the Exchange.”.

AMENDMENT NO. 17

On page 33, after line 7, insert:

“(a) The Exchange shall be administered in a manner designed to:

(1) prevent discrimination ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, DISABILITY, AGE, SEX, GENDER IDENTITY, OR SEXUAL ORIENTATION;

(2) streamline enrollment and other processes to minimize expenses and achieve maximum efficiency;

(3) prevent waste, fraud, and abuse; and

(4) promote financial integrity.

(d) (1) On or before December 1 of each year, the Board shall forward to the Secretary, the Governor, and, in accordance with § 2-1246 of the State Government Article, the General Assembly, a report on the activities, expenditures, and receipts of the Exchange.

(2) The report shall:

(i) be in the standardized format required by the Secretary;

(ii) include data regarding:

1. health plan participation, ratings, coverage, price, quality improvement measures, and benefits;

2. consumer choice, participation, and satisfaction information to the extent the information is available;

3. financial integrity, fee assessments, and status of the Fund; and

4. any other appropriate metrics related to the operation of the Exchange that may be used to evaluate Exchange performance, assure transparency, and facilitate research and analysis;

(iii) ASSESS AND, TO THE EXTENT FEASIBLE AND PERMITTED BY LAW, include data to identify disparities related to gender, race, ethnicity, geographic location, language, disability, GENDER IDENTITY, SEXUAL ORIENTATION, or other attributes of special populations; and

(iv) include information on its fraud, waste, and abuse detection and prevention program.”.

AMENDMENT NO. 18

On page 33, in lines 25 and 27, in each instance, after “MEDICAL” insert “OR DENTAL”.

On page 35, in line 12, strike “DENTAL OR”.

On page 36, in line 9, after “(6)” insert “(I)”; in line 10, strike “(I)” and substitute “1.”; in line 12, strike “DELIVER” and substitute “PROVIDE, IN THE ORDINARY COURSE OF BUSINESS OR PRACTICE OF A PROFESSION, HEALTH CARE”; in line 15, strike “(II)” and substitute “2. A FACILITY WHERE HEALTH CARE IS PROVIDED TO PATIENTS OR RECIPIENTS, INCLUDING:”

A.”;

in the same line, strike the comma; and in line 16, after “ARTICLE” insert “;

B. A RELATED INSTITUTION AS DEFINED IN § 19-301 OF THE HEALTH – GENERAL ARTICLE;

C. A FREESTANDING AMBULATORY CARE FACILITY AS DEFINED IN § 19-3B-01 OF THE HEALTH – GENERAL ARTICLE;

D. A FACILITY THAT IS ORGANIZED PRIMARILY TO HELP IN THE REHABILITATION OF PERSONS WITH DISABILITIES;

E. A HOME HEALTH AGENCY AS DEFINED IN § 19-901 OF THE HEALTH – GENERAL ARTICLE;

F. A HOSPICE AS DEFINED IN § 19-901 OF THE HEALTH – GENERAL ARTICLE;

G. A FACILITY THAT PROVIDES RADIOLOGICAL OR OTHER DIAGNOSTIC IMAGERY SERVICES;

H. A MEDICAL LABORATORY AS DEFINED IN § 17-201 OF THE HEALTH – GENERAL ARTICLE;

I. AN ALCOHOL ABUSE AND DRUG ABUSE TREATMENT PROGRAM AS DEFINED IN § 8-403 OF THE HEALTH – GENERAL ARTICLE; AND

J. A FEDERALLY QUALIFIED HEALTH CENTER.

(II) “HEALTH CARE PROVIDER” INCLUDES THE AGENTS, EMPLOYEES, OFFICERS, AND DIRECTORS OF A HEALTH CARE PROVIDER DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH”.

On page 38, in lines 15 and 16, in each instance, after “MEDICAL” insert “OR DENTAL”; strike beginning with “INCLUDES” in line 18 down through “ACTIVITIES” in line 20 and substitute “IS SERIOUS IN NATURE”; strike beginning with “REQUIRES” in line 23 down through the comma in line 24 and substitute “IS ACTIVELY MANAGED OR SUPERVISED BY”; in line 26 after “(B)” insert “(1)”; after line 25, insert:

“(16) “THIRD-PARTY ADMINISTRATOR” MEANS AN ORGANIZATION UNDER CONTRACT WITH THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO ADMINISTER CERTAIN BENEFITS AND SERVICES PROVIDED BY THE MARYLAND MEDICAL ASSISTANCE PROGRAM.”;

and in lines 28 and 30, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively.

On page 39, in lines 1 and 2, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; after line 3, insert:

“(2) THIS SECTION:

(I) WITH RESPECT TO ANY BENEFIT OR SERVICE THAT IS PROVIDED THROUGH THE MARYLAND MEDICAL ASSISTANCE FEE-FOR-SERVICE PROGRAM:

1. SHALL NOT APPLY WHEN THE ENROLLEE IS TRANSITIONING FROM A CARRIER TO THE MARYLAND MEDICAL ASSISTANCE PROGRAM; AND

2. EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, SHALL APPLY WHEN THE ENROLLEE IS TRANSITIONING FROM THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO A CARRIER;

(II) SHALL APPLY TO CONTRACTS ISSUED OR RENEWED ON OR AFTER JANUARY 1, 2015; AND

(III) SUBJECT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH, WITH RESPECT TO DENTAL BENEFITS, SHALL APPLY TO COVERED SERVICES FOR WHICH A COORDINATED TREATMENT PLAN IS IN PROGRESS.”;

in line 4, after “(1)” insert “WITH RESPECT TO ANY BENEFIT OR SERVICE PROVIDED THROUGH THE MARYLAND MEDICAL ASSISTANCE FEE-FOR-SERVICE PROGRAM, THIS SUBSECTION SHALL APPLY:

(I) ONLY TO ENROLLEES TRANSITIONING FROM THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO A CARRIER; AND

(II) ONLY TO BEHAVIORAL HEALTH AND DENTAL BENEFITS, TO THE EXTENT THEY ARE AUTHORIZED BY A THIRD-PARTY ADMINISTRATOR.

(2)”;

in line 4, strike “(2)” and substitute “(3)”;

in line 5, strike the second “OR”;

in line 6, after the comma insert “OR HEALTH CARE PROVIDER,”;

in line 7, strike “PRIOR AUTHORIZATION” and substitute “PREAUTHORIZATION”;

in the same line, strike “OR” and substitute a comma;

in line 8, after “ORGANIZATION” insert “, OR THIRD-PARTY ADMINISTRATOR”;

after line 16, insert:

“(3) SUBJECT TO APPLICABLE LAWS RELATING TO THE CONFIDENTIALITY OF MEDICAL RECORDS, INCLUDING 42 C.F.R. PART 2, AT THE REQUEST AND WITH THE CONSENT OF AN ENROLLEE OR AN ENROLLEE’S PARENT, GUARDIAN, OR DESIGNEE, A RELINQUISHING CARRIER, MANAGED CARE ORGANIZATION, OR THIRD-PARTY ADMINISTRATOR, SHALL PROVIDE A COPY OF A PREAUTHORIZATION TO THE ENROLLEE’S RECEIVING CARRIER OR MANAGED CARE ORGANIZATION WITHIN 10 DAYS AFTER RECEIPT OF THE REQUEST.”;

in line 17, strike “(2)” and substitute “(4)”; in the same line, strike “(1)(II)” and substitute “(2)(II)”; in line 26, strike the first “OR”; in the same line, after the second comma insert “OR HEALTH CARE PROVIDER,”; and in line 31, after “(2)” insert “(I)”.

On page 40, in line 1, strike “(I)” and substitute “1.”; in lines 2, 3, 4, and 5, strike “1.”, “2.”, “3.”, and “4.”, respectively, and substitute “A.”, “B.”, “C.”, and “D.”, respectively; in line 4, after the semicolon insert “AND”; in line 6, after the semicolon insert “AND

2. ANY OTHER CONDITION ON WHICH THE NONPARTICIPATING PROVIDER AND THE RECEIVING CARRIER OR MANAGED CARE ORGANIZATION REACH AGREEMENT.

(II) EXAMPLES OF CONDITIONS SET FORTH IN SUBPARAGRAPH (I)1A AND B OF THIS PARAGRAPH MAY INCLUDE:;

in lines 7, 8, 9, 10, 12, and 13, strike “5.”, “6.”, “7.”, “8.”, “9.”, and “10.”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, “5.”, and “6.”, respectively; in line 9, strike “WITHIN THE PREVIOUS 30 DAYS”; strike beginning with “DIAGNOSED” in line 10 down through “DAYS” in line 11; in line 13, strike “; AND” and substitute a period; in line 14, strike “(II)” and substitute “(III) AN ENROLLEE SHALL BE ALLOWED TO CONTINUE TO RECEIVE SERVICES FOR THE CONDITIONS UNDER THIS PARAGRAPH FOR”; in line 19, strike “PARAGRAPH (4)” and substitute “PARAGRAPHS (4) AND (5)”; strike beginning with “THE” in line 19 down through “AND” in line 20; strike beginning with “AGREE” in line 22 down through “1.” in line 24 and substitute “PAY THE NONPARTICIPATING PROVIDER”; in line 24, strike “RATES” and substitute “RATE”; and in the same line, strike “METHODS” and substitute “METHOD”.

On pages 40 and 41, strike beginning with the semicolon in line 27 on page 40 down through “SUBSECTION” in line 2 on page 41.

On page 41, after line 2, insert:

“(III) THE NONPARTICIPATING PROVIDER MAY DECLINE TO ACCEPT THE RATE OR METHOD OF PAYMENT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH BY GIVING 10 DAYS’ PRIOR NOTICE TO THE ENROLLEE AND RECEIVING CARRIER.

(IV) SUBJECT TO PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, IF THE NONPARTICIPATING PROVIDER DOES NOT ACCEPT THE RATE OR METHOD OF PAYMENT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE NONPARTICIPATING PROVIDER AND THE RECEIVING CARRIER OR MANAGED CARE ORGANIZATION MAY REACH AGREEMENT ON AN ALTERNATIVE RATE OR METHOD OF PAYMENT FOR THE PROVISION OF COVERED SERVICES.”;

strike beginning with “AGREEMENT” in line 3 down through “ORGANIZATION” in line 4 and substitute “RATES AND METHODS OF PAYMENT UNDER PARAGRAPH (3)(II) AND (IV) OF THIS SUBSECTION”; in line 15, after “THAT” insert “:

1. AN ENROLLEE IS NOT SUBJECT TO BALANCE BILLING; AND

2.”;

in line 21, after “PROVIDER” insert “DOES NOT ACCEPT THE RATE AND METHOD OF COMPENSATION UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION,”; in line 22, strike “DO” and substitute “DOES”; in the same line, after “AGREEMENT” insert “WITH THE NONPARTICIPATING PROVIDER FOR AN ALTERNATIVE RATE AND METHOD OF PAYMENT”; in line 23, strike “(3)” and substitute “(3)(IV)”; in line 25, strike “AND”; in line 26, after “(II)” insert “§ 14-205.3 OF THIS ARTICLE, UNDER WHICH AN ENROLLEE MAY ASSIGN BENEFITS TO A NONPREFERRED PROVIDER AND THE PROVIDER MAY BALANCE BILL THE ENROLLEE, SHALL APPLY TO THE EXTENT IT WOULD APPLY ABSENT THIS SECTION; AND

(III) UNLESS THE ENROLLEE HAS ASSIGNED BENEFITS TO A NONPREFERRED PROVIDER UNDER § 14-205.3 OF THIS ARTICLE,”;

strike beginning with “IS” in line 26 down through “PROVIDER” in line 28 and substitute “SHALL FACILITATE TRANSITION OF THE ENROLLEE TO A PROVIDER ON THE PROVIDER PANEL OF THE CARRIER OR MANAGED CARE ORGANIZATION”; in line 29, after “(E)” insert “(1)”; and in line 30, strike “(1)” and substitute “(I)”.

On page 42, in line 3, strike “(2)” and substitute “(II)”; after line 6, insert:

“(2) (I) TO ENSURE CONTINUITY OF TREATMENT IN PROGRESS FOR DENTAL SERVICES PROVIDED TO AN ENROLLEE, A RELINQUISHING CARRIER MAY ELECT TO ALLOW AN ENROLLEE TO CONTINUE TO RECEIVE DENTAL SERVICES BEING PROVIDED BY A PARTICIPATING PROVIDER OF THE RELINQUISHING CARRIER THROUGH AN ARRANGEMENT IN WHICH THE RELINQUISHING CARRIER PAYS THE PARTICIPATING PROVIDER ACCORDING TO THE RATE AND METHOD OF PAYMENT THE RELINQUISHING CARRIER NORMALLY WOULD PAY AND USE FOR THE PARTICIPATING PROVIDER.

(II) THE RATE AND METHOD OF PAYMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL COMPLY WITH:

1. THE PROHIBITION ON BALANCE BILLING UNDER SUBSECTION (D)(4)(II) OF THIS SECTION; AND

2. ANY COPAYMENTS, DEDUCTIBLES, AND COINSURANCE REQUIREMENTS IN THE ENROLLEE’S HEALTH BENEFIT PLAN UNDER THE RELINQUISHING CARRIER.”;

in line 7, after “(F)” insert “(1) A RECEIVING CARRIER OR MANAGED CARE ORGANIZATION SHALL PROVIDE NOTICE TO A NEW ENROLLEE OF THE ENROLLEE’S OPTIONS AND RESPONSIBILITIES UNDER THIS SECTION IN A MANNER PRESCRIBED BY THE COMMISSIONER.

(2)”;

in the same line, after “ARE” insert “:

(I)”;

in line 9, after the second “CARE” insert “; AND

(II) NOT INTENDED TO LIMIT OR MAKE MORE RESTRICTIVE ANY OTHER CONTINUITY OF CARE REQUIREMENTS IN STATE OR FEDERAL LAW, REGULATIONS, OR PROFESSIONAL CODES OF CONDUCT;

in line 13, after “(H)” insert “(1)”; strike beginning with the colon in line 15 down through “(1)” in line 16; in line 16, after “DATA” insert “, TO THE EXTENT ITS COLLECTION IS FEASIBLE AND PERMITTED BY LAW, THAT IS”; in line 21, after “POPULATIONS” insert “, ANY DISPARATE OR DISCRIMINATORY IMPACT ON SPECIFIC POPULATIONS,”; in the same line, strike “; AND” and substitute a period; in line 22, after “(2)” insert “ON”; in the same line, strike “THE REQUISITE DATA FROM” and substitute “OF THE COMMISSIONER, THE MARYLAND HEALTH BENEFIT EXCHANGE, OR THE SECRETARY OF HEALTH AND MENTAL HYGIENE”; and in line 23, after “PROVIDERS” insert “SHALL PROVIDE THE REQUISITE DATA”.

AMENDMENT NO. 19

On page 42, in line 26, strike “reaching agreement on payment for” and substitute “providing continuity of care in”; in line 27, strike “to ensure continuity of care”; in line 30, after “regarding” insert “mandatory”; and in line 33, strike the second “and”.

On page 43, in line 1, after “Administration” insert “, and the Maryland Health Care Commission”; in line 3, strike “and”; in line 4, after “Administration” insert “, and the Maryland Health Care Commission”; in line 6, after “study,” insert “which, to the extent feasible, shall”; in the same line, strike “including” and substitute “include”; in line 7, after “has” insert “:

(i);

in line 8, strike “and” and substitute:

“(ii) affected newly eligible populations and trends in health disparities;

“(iii) had a disparate impact on specific populations, including individuals suffering from mental health and substance use disorders; and

“(iv) had a discriminatory impact based on gender identity or sexual orientation; and”;

after line 12, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That the terms of the initial members of the Performance Standards and Measurement Advisory Committee established under Section 2 of this Act shall expire as follows:

- (1) three members in 2014;
- (2) five members in 2015; and
- (3) five members in 2016.

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Benefit Exchange and the Maryland Insurance Administration shall:

(1) conduct a study of the impact of the Affordable Care Act’s allowance of a tobacco use rating of 1.5 to 1, including:

- (i) its effect on insurance premiums generally;
- (ii) its effect on the affordability and purchase of insurance, and access to health care, for tobacco users; and
- (iii) any disparate impact on specific vulnerable populations; and

(2) assess the options that may be available to the State to address any adverse consequences of the tobacco use rating.

(b) On or before September 1, 2014, the Maryland Health Benefit Exchange and the Maryland Insurance Administration shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly, on the findings of the study and any recommendations for further legislative action.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) Pending adoption of regulations under Title 31 of the Insurance Article, and after receiving comment from the Joint Committee on Administrative, Executive, and Legislative Review, the Senate Finance Committee, the House Health and Government Operations Committee, carriers, and the public, the Board of Trustees of the Maryland Health Benefit Exchange may adopt interim policies, if necessary, to ensure that the Maryland Health Benefit Exchange:

(1) is fully prepared to begin successful operations by October 1, 2013;
and

(2) is and will remain in compliance with all federal laws, regulations, policies, and deadlines.

(b) Interim policies under subsection (a) of this section:

(1) may be adopted only when necessary to ensure that the Maryland Health Benefit Exchange is in compliance with federal policies, which have been and will likely continue to be in flux;

(2) shall be made public on adoption;

(3) shall be submitted as proposed regulations to the Joint Committee on Administrative, Executive, and Legislative Review within 6 months after adoption by the Board of Trustees; and

(4) shall sunset no later than 1 year after submission as proposed regulations to the Joint Committee on Administrative, Executive, and Legislative Review.

SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Benefit Exchange and the Maryland Insurance Administration shall:

(1) conduct a study of the impact of federal regulations governing the manner in which pediatric dental benefits must be offered and purchased inside and outside the Maryland Health Benefit Exchange, including:

(i) their effect on the affordability and accessibility of pediatric dental benefits; and

(ii) their effect on children’s access to dental care; and

(2) assess the options that may be available to the State to address any adverse consequences of the manner in which pediatric dental benefits must be offered and purchased under the federal regulations.

(b) On or before December 1, 2014, the Maryland Health Benefit Exchange and the Maryland Insurance Administration shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the findings of the study and any recommendations for further legislative action.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) (1) The Maryland Health Benefit Exchange and the Maryland Insurance Administration shall conduct a study of the captive producer program established under Section 2 of this Act.

(2) The study shall include an analysis of the effect of the program on:

(i) Exchange enrollment;

(ii) reduction in the percentage of the State’s uninsured;

(iii) the percentage of Maryland residents eligible for federal subsidies and cost-sharing assistance who access federal affordability programs; and

(iv) the percentage of Maryland residents who transition from health benefit plans outside the Exchange to qualified health plans inside the Exchange.

(b) On or before December 1, 2015, the Maryland Health Benefit Exchange and the Maryland Insurance Administration shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the findings of the study and any recommendations for further legislative action.”;

in lines 13, 15, and 17, strike “5.”, “6.”, and “7.”, respectively, and substitute “10.”, “11.”, and “12.”, respectively; and in line 18, strike “5 and 6” and substitute “10 and 11”.

The preceding 19 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0274/263229/1

BY: Senator Middleton

AMENDMENTS TO SENATE BILL 274, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Finance Committee Amendments (SB0274/307973/2), in Amendment No. 1, strike beginning with “establishing” in line 4 down through “Committee;” in line 6.

On page 4 of the Finance Committee Amendments, in Amendment No. 1, strike beginning with “providing” in line 12 down through “Committee;” in line 13; strike beginning with “BY” in line 15 down through “Supplement)” in line 20; and in line 22, strike “15-1303(b).”.

On page 3 of the bill, in line 16, before “providing” insert “providing for the termination of certain provisions of this Act;”.

On page 4 of the bill, before line 4, insert:

“BY repealing and reenacting, with amendments,

Article – Insurance

Section 15-1303(b)(2)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 152 of the Acts of the General Assembly of 2012)”.

AMENDMENT NO. 2

On pages 6 through 10 of the Finance Committee Amendments, in Amendment No. 4, strike beginning with “SUBTITLE” in line 2 on page 6 down through “SATISFACTION.” in line 7 on page 10.

On page 62 of the Finance Committee Amendments, in Amendment No. 19, strike beginning with “SECTION” in 8 down through “2016.” in line 13.

AMENDMENT NO. 3

In the Finance Committee Amendments, strike Amendment No. 7 in its entirety.

On page 42 of the bill, after line 23, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Insurance

15–1303.

(b) (2) A carrier is exempt from the requirement in paragraph (1) of this subsection if:

(i) 1. the reported total aggregate annual earned premium from all individual health benefit plans in the State for the carrier and any other carriers in the same insurance holding company system, as defined in § 7–101 of this article, is less than \$10,000,000; OR

2. THE ONLY INDIVIDUAL HEALTH BENEFIT PLANS THAT THE CARRIER OFFERS IN THE STATE ARE STUDENT HEALTH PLANS AS DEFINED IN 45 C.F.R. § 147.145;

(ii) the Commissioner determines that the carrier complies with the procedures established under paragraph (3) of this subsection; and

(iii) when the carrier ceases to meet the requirements for the exemption, the carrier provides to the Commissioner immediate notice and its plan for complying with the requirement in paragraph (1) of this subsection.”;

and in line 24, strike “4.” and substitute “5.”.

On page 43 of the bill, after line 16, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect January 1, 2014, the effective date of Section 2 of Chapter 152 of the Acts of the General Assembly of 2012. If the effective date of Section 2 of Chapter 152 is amended, Section 4 of this Act shall take effect on the taking effect of Section 2 of Chapter 152.”.

AMENDMENT NO. 4

On page 43 of the bill, before line 13, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That the changes to § 6–101(b) of the Insurance Article, as enacted by Section 2 of this Act, shall remain effective for a period of 5 years and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, the changes to § 6–101(b) of the Insurance Article shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 5

On page 65 of the Finance Committee Amendments, in line 21 of Amendment No. 19, strike “10.” and substitute “11.”; in line 22, strike “11.” and substitute “12.”; in the same line, strike “12.” and substitute “14.”; and in lines 22 and 23, strike “10 and 11” and substitute “11, 12, and 13”.

The preceding 5 amendments were read and 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 249 – Senators Forehand and Raskin

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –
Retaliation Against Dealers**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Klausmeier moved, duly seconded, to make the Bill and Report a Special Order for March 27, 2013.

The motion was adopted.

Senate Bill 487 – Senators Raskin, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, Robey, and Young

AN ACT concerning

Human Relations – Housing Discrimination – Source of Income

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT, AS AMENDED.

Senator Middleton moved, duly seconded, to make the Bill and Report a Special Order for March 27, 2013.

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

Affirmative – 27 Negative – 18 (See Roll Call No. 786)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 787)

ADJOURNMENT

At 12:20 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 23, 2013, Calendar Day, Wednesday, March 27, 2013.

Annapolis, Maryland
Legislative Day: March 23, 2013
Calendar Day: Wednesday, March 27, 2013
10:00 A.M. Session

The Senate met at 10:21 A.M.

Prayer by Reverend Kevin Smalls, Queens Chapel United Methodist Church, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

The Journal of March 22, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Muse be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 789)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 589 – Senator Ulysses Currie:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Dr. Henry A. Wise, Jr.
High School's 2012–2013 Football Team
in recognition of
winning the State Class 4A Football Championship, completing a 14–0 season and
averaging a 3.0 GPA
as student athletes. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 27th day of March 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 790)

Senate Resolution No. 594 – Senator Ronald N. Young:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Maryland School for the Deaf Academic Bowl Team
in recognition of
winning their fourth straight National Academic Bowl Championship.
Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 27th day of March 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 791)

INTRODUCTION

Introduction of the Indian Ambassador, Nirupamo Rao

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 792)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #55

Senate Bill 105 – Senators Brochin and Raskin

AN ACT concerning

Criminal Law – Sexual Contact with Minors – School Employees

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

Affirmative – 44 Negative – 0 (See Roll Call No. 793)

The Bill was then sent to the House of Delegates.

Senate Bill 274 – The President (By Request – Administration) and Senators Currie, Ferguson, Forehand, Frosh, Jones–Rodwell, Kelley, King, Klausmeier, Madaleno, Middleton, Montgomery, Peters, Pinsky, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, ~~and Young~~ Young, Astle, Garagiola, and Mathias

AN ACT concerning

Maryland Health Progress Act of 2013

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

Affirmative – 35 Negative – 11 (See Roll Call No. 794)

The Bill was then sent to the House of Delegates.

Senate Bill 684 – Senators Garagiola, Ferguson, Klausmeier, Montgomery, Pinsky, Ramirez, Raskin, and Young

AN ACT concerning

Renewable Energy Portfolio Standard – Qualifying Biomass

Senator Dyson moved, duly seconded, to make the Bill a Special Order for March 28, 2013.

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

Affirmative – 26 Negative – 19 (See Roll Call No. 795)

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 – 37 Negative – 9 (See Roll Call No. 796)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 115 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

FOR the purpose of authorizing the creation of a State Debt in the amount of \$4,549,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required matching fund; providing that, after a certain date, any bonds authorized under this Act shall be canceled and be of no further effect; providing that the proceeds of the loan under this Act shall be expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1372 – Delegates Jones and Griffith

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

FOR the purpose of amending certain prior authorizations of State Debt to alter the requirement that certain grantees provide certain matching funds; extending the deadline for certain grantees to present certain evidence that a matching fund will be presented; providing that certain grants may not terminate before certain dates; changing the locations of certain capital projects; altering the purpose of certain grants; changing the names of certain grantees; making a ~~technical correction~~ technical corrections; stating the public purpose of a certain grant; and generally relating to amending prior authorizations of State Debt.

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 707 of the Acts of the General Assembly of 2009
Section 12(3)(I)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004 and Chapter 396 of the Acts of the General Assembly of 2011
Section 13(3)(i) Item (A)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004, Chapter 508 of the Acts of the General Assembly of 2006, and Chapter 396 of the Acts of the General Assembly of 2011
Section 13(3)(i) Item (H)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 12(3)(AQ)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 65 of the Acts of the General Assembly of 2007, Chapter 219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the General Assembly of 2009, Chapter 372 of the Acts of the General Assembly of 2010, and Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA01(AR) and Item ZA02(AV)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ~~ZA01(N) and (CE)~~ ZA01(N), (Q), (AI), and (CE) and Item ZA02(V)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 64 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA01(O)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 707 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA02(BI)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the General Assembly of 2009, and Chapter 372 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA01(CP) and Item ZA02(AZ)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 372 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA02(BZ-1)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA02(AL)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA00(Y)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA02(N)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA03(U)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA02(V) and Item ZA03(F) and (AA)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA03(M)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 442 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA03(BE)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 639 of the Acts of the General Assembly of 2012

Section 1(3) Item ~~ZA02(AX)~~ ZA02(AH), (AX), (BB), and (BG) and ZA03(AZ), (BD), and (BI)

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item ~~ZA02(AK)~~ ZA02(A), (G), (R), (AD), (AK), and (AL) and Item ZA03(AF) and (AG) ZA03(C), (G), (AF), (AG), and (AV)

BY repealing

Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item ZA02(BK)

BY adding to

Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item DU00.02(A) and Item ZA02(BK-1), (BK-2), (BK-3), (BK-4), and (BK-5)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012

Section 1(3) Item ZA00(B), (E), (F), (M), (N), (Q), (R), (W), and (X), Item ZA01(D), (F), and (G), Item ZA02(C), (D), (F), (I), (J), (K), (M), (O), (U), (V), (Y), (Z), (AD), (AJ), (AK), (AU), (AW), (AY), (BB), (BD), (BH), (BI), (BO), and (BP), ZA02(AB), and Item ZA03(A), (D), (E), (F), (H), (J), (M), (Q), (T), (U), (W), (X), (Y), (AA), (AB), (AC), (AE), (AH), (AK), (AM), (AO), (AP), (AU), and (AX)

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

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #34

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 42 – Senators Montgomery, Colburn, Jones–Rodwell, King, Manno, Garagiola, Forehand, Madaleno, Raskin, and Currie

AN ACT concerning

State Government – Commemorative Days – Maryland Emancipation Day

SB0042/134639/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 42

(First Reading File Bill)

In the sponsor line, strike “and Currie” and substitute “Currie, Benson, Dyson, Ferguson, Jacobs, Kittleman, Klausmeier, Mathias, Muse, Pinsky, Rosapepe, and Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 175 – Senators Kelley, Benson, Colburn, Manno, Montgomery, Reilly, and Rosapepe

AN ACT concerning

State Government – Commemorative Days – Maryland Centenarians Day

SB0175/724737/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 175

(First Reading File Bill)

In the sponsor line, strike “and Rosapepe” and substitute “Rosapepe, Conway, Ferguson, and Pinsky”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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**

SB0385/904433/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 385

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “Provider Data Warehouse” and substitute “–Submission of Documents in Electronic Form”; strike beginning with “requiring” in line 4 down through “warehouse” in line 19 and substitute “requiring the Council for the Procurement of Health, Education, and Social Services to establish a workgroup to determine a process for certain entities to submit certain electronic documents to certain agencies; requiring the Council to report to certain committees of the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to health, education, and social services and the electronic submission of documents”; and strike in their entirety lines 20 through 25, inclusive.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 17 on page 2 through line 9 on page 4 and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Council for the Procurement of Health, Education, and Social Services shall:

(a) establish a workgroup of Council members and appropriate staff from the State agencies that license health, education, or social services programs to determine a process for nongovernmental entities that provide health, education, or social services in the State to submit documents in an electronic form to the State agencies, by direct transmission or by posting to an online system for document storage, including:

(1) naming and formatting documents;

(2) submitting, updating, and retrieving documents;

(3) security measures;

(4) standards necessary for the efficient and secure submission of electronic documents; and

(5) a recommended implementation date; and

(b) on or before October 1, 2013, report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on the process determined under subsection (a) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act may be construed to limit any existing authority of a State agency to accept documents or information by electronic transmission.”;

in line 10, strike “2.” and substitute “3.”; and in line 11, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

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

SB0672/724138/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 672

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 25, after “program;” insert “requiring the Board to adopt certain regulations to allow a certain licensee to receive up to a certain number of credit hours for providing certain services;”.

On page 2, in line 21, after “allegations;” insert “repealing certain obsolete language regarding a certain request for proposals; repealing the requirement that the Board, under certain circumstances, provide direct rehabilitation services for physicians;”.

On page 3, strike beginning with “requiring” in line 11 down through “circumstances;” in line 13 and substitute “requiring the Board, in consultation with certain interested parties, to adopt regulations to define certain circumstances under which certain reporting is required by hospitals, related institutions, and alternative health systems;”; and strike beginning with “requiring” in line 17 down through “penalty;” in line 19.

On page 4, in line 13, after “14–207(b),” insert “14–316.”.

AMENDMENT NO. 2

On page 5, in line 9, after “DISCIPLINE” insert “IN A FAIR AND UNBIASED MANNER”.

AMENDMENT NO. 3

On page 7, strike in their entirety lines 6 through 9, inclusive; in lines 10, 15, 18, 20, 22, 25, and 27, strike “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, “(14)”, and “(15)”, respectively, and substitute “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, and “(14)”, respectively; strike in their entirety lines 11 and 12; and in lines 13 and 14, strike “(II)” and “(III)”, respectively, and substitute “(I)” and “(II)”, respectively.

On page 8, in lines 1, 3, 6, 9, 11, 13, and 17, strike “(16)”, “(17)”, “(18)”, “(19)”, “(20)”, “(21)”, and “(22)”, respectively, and substitute “(15)”, “(16)”, “(17)”, “(18)”, “(19)”, “(20)”, and “(21)”, respectively.

AMENDMENT NO. 4

On page 11, after line 23, insert:

“14–316.

(d) (1) In addition to any other qualifications and requirements established by the Board, the Board may establish continuing education requirements as a condition to the renewal of licenses under this section.

(2) In establishing these requirements, the Board shall evaluate existing methods, devices, and programs in use among the various medical specialties and other recognized medical groups.

(3) THE BOARD SHALL ADOPT REGULATIONS THAT ALLOW A LICENSEE SEEKING RENEWAL TO RECEIVE UP TO 5 CONTINUING EDUCATION CREDITS PER RENEWAL PERIOD FOR PROVIDING UNCOMPENSATED, VOLUNTARY MEDICAL SERVICES DURING EACH RENEWAL PERIOD.

[(3)](4) The Board may not establish or enforce these requirements if they would so reduce the number of physicians in a community as to jeopardize the availability of adequate medical care in that community.

[(4)](5) The Board may impose a civil penalty of up to \$100 per continuing medical education credit in lieu of a sanction under § 14–404 of this title, for a first offense, for the failure of a licensee to obtain the continuing medical education credits required by the Board.”.

AMENDMENT NO. 5

On page 12, in line 15, strike the second “**6**” and substitute “**7**”.

AMENDMENT NO. 6

On page 16, strike beginning with “(1)” in line 26 down through “the” in line 27 and substitute “**THE**”; and strike in their entirety lines 31 through 33, inclusive.

AMENDMENT NO. 7

On page 28, in line 21, strike the brackets.

On page 29, strike beginning with the semicolon in line 12 down through “**REPORT**” in line 16; and after line 26, insert:

“(5) THE BOARD, IN CONSULTATION WITH ALL INTERESTED PARTIES, MAY ADOPT REGULATIONS TO DEFINE:

(I) CHANGES IN EMPLOYMENT OR PRIVILEGES THAT REQUIRE REPORTING UNDER THIS SECTION; AND

(II) ACTIONS BY LICENSEES THAT ARE GROUNDS FOR DISCIPLINE AND THAT REQUIRE REPORTING UNDER THIS SECTION.”.

On page 30, in line 20, strike the brackets.

On pages 30 and 31, strike beginning with the semicolon in line 31 on page 30 down through “REPORT” in line 2 on page 31.

On page 31, after line 13, insert:

“(5) THE BOARD, IN CONSULTATION WITH ALL INTERESTED PARTIES, MAY ADOPT REGULATIONS TO DEFINE:

(I) CHANGES IN EMPLOYMENT OR PRIVILEGES THAT REQUIRE REPORTING UNDER THIS SECTION; AND

(II) ACTIONS BY LICENSEES THAT ARE GROUNDS FOR DISCIPLINE AND REQUIRE REPORTING UNDER THIS SECTION.”.

AMENDMENT NO. 8

On page 32, in line 1, strike “(1)”; in line 4, strike “(2)” and substitute “(B)”; and strike in their entirety lines 6 through 8, inclusive.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Joint Resolution 3 – Senator Peters

A Senate Joint Resolution concerning

**Crisis in Waiting Periods for Veterans with Disabilities to Receive Services
from the Federal Veterans Benefits Administration**

SJ0003/394734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE JOINT RESOLUTION 3

(First Reading File Joint Resolution)

On page 1, strike “Senator Peters” and substitute “Senators Peters, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin”.

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 FINANCE REPORT #22

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 881 – Senator Middleton

AN ACT concerning

Community Health Resources Commission – Revisions

SB0881/217075/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 881

(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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 930 – Senators Pugh, Conway, Ferguson, Middleton, Montgomery, Muse, Ramirez, and Young

AN ACT concerning

Maryland Automobile Insurance Fund – Acceptance of Premiums on Installment Payment Basis

SB0930/757379/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 930

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Garagiola, Kelley, Klausmeier, and Mathias”; in line 2, strike “Maryland Automobile Insurance Fund” and substitute “Property and Casualty Insurance – Premium Payments”; in the same line, strike “of Premiums”; in line 3, after “Basis” insert “and Premium Finance Agreements”; strike beginning with “paying” in line 8 down through “producers” in line 9 and substitute “considering, in determining certain commissions, whether a fund producer placed an insured in an installment payment plan”; strike beginning with “requiring” in line 11 down through “Assembly;” in line 17 and

substitute “requiring a premium finance agreement to contain a certain statement; authorizing a premium finance agreement to include certain provisions with respect to certain commercial insurance; authorizing a premium finance agreement to include monthly payments for the purchase price of a motor club service contract; altering the computation of a certain finance charge; requiring an insured to receive a certain refund calculated in a certain manner under certain circumstances; specifying when a finance charge is earned; prohibiting a premium finance company from retaining more of a finance charge than is earned; authorizing, with respect to certain commercial insurance, the imposition of a finance charge on any unpaid principal balance of a certain loan; prohibiting a premium finance company from using a certain rule in computing a certain finance charge; altering the calculation of a certain cancellation fee; authorizing a premium finance company to require the payment of a certain reinstatement charge under certain circumstances; specifying when a premium finance company may impose a certain cancellation charge; altering the delivery method for certain notices; authorizing a premium finance company to send certain notices by electronic means under certain circumstances; altering the period of time within which certain gross unearned premiums must be returned; prohibiting a premium finance company from imposing certain charges on certain payments for the purchase price of a motor club service contract; prohibiting a premium finance company from canceling an insurance contract under certain circumstances;”; in line 17, strike “independent”; in line 18, after “disclosure;” insert “authorizing, with respect to certain personal insurance, a premium finance company to assign certain rights and obligations under certain circumstances; authorizing, with respect to certain commercial insurance, a premium finance company to assign certain rights and obligations under certain circumstances; requiring certain notices to be given to certain insureds under certain circumstances; requiring the Executive Director of the Fund, in consultation with the Commissioner and certain State agencies, to develop certain criteria for evaluating the effectiveness and impact of the Fund’s installment payment plan; requiring the Fund to submit a certain report to the Commissioner on or before a certain date; requiring the Commissioner to make a certain determination and submit a certain report to certain committees of the General Assembly on or before a certain date; defining certain terms; altering certain definitions; providing for the termination of certain provisions of this Act;”; in line 20, after “Fund” insert “and premium finance agreements”; in line 28, after “Section” insert “20–504,”; and in the same line, after “20–507” insert “, 23–101, 23–301, 23–304, 23–307, 23–307.1, 23–401.1, 23–405.”.

On page 2, after line 2, insert:

“BY adding to

Article – Insurance

Section 23– 301.2 and 23–501.1

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“20–504.

(a) (1) In this section, “add–on coverage” means coverages or services sold in connection with a policy issued by the Fund, other than coverages authorized to be offered by the Fund under this subtitle.

(2) “Add–on coverage” includes:

(i) rental reimbursement coverage;

(ii) personal effects theft coverage;

(iii) collision and comprehensive deductible waiver coverage, other than collision and comprehensive coverages provided by the Fund or other authorized insurers;

(iv) supplemental hospital benefit coverage;

(v) emergency living expense coverage;

(vi) vehicle towing coverage; [and]

(vii) emergency vehicle repair service coverage; AND

(VIII) MOTOR CLUB SERVICES.

(3) “Add–on coverage” does not include fire, life, and health insurance coverages that are not directly related to the underlying motor vehicle insurance coverage and are written by an authorized insurer.

(b) (1) At the time coverage provided by the Fund is bound and before any add-on coverage is sold, a fund producer shall provide a clear and conspicuous written disclosure, in the form approved by the Commissioner, that:

(i) states that the cost of add-on coverage is not part of the premium for the related policy issued by the Fund;

(ii) includes an itemized list of any add-on coverages to be sold to the insured;

(iii) states the nature and cost of each add-on coverage to be sold; and

(iv) states that add-on coverage is optional and is not required under § 17-103 of the Transportation Article.

(2) Before an insured may purchase add-on coverage, the insured shall expressly consent to the purchase by signing the disclosure form.

(c) On continuation of a policy that includes add-on coverage, an insured need not sign a disclosure form if:

(1) the number and type of add-on coverages under the continuation do not change from the preceding policy; and

(2) the insured has signed the original disclosure form.

(d) (1) A fund producer may not:

(i) require an insured or prospective insured to purchase an add-on coverage as a condition to purchasing the related policy issued by the Fund; or

(ii) sell add-on coverage or any combination of add-on coverages in an amount that exceeds \$200 per covered vehicle in connection with a private passenger auto insurance policy.

(2) A pattern or practice of violations of this section by a fund producer is subject to the same penalties as a violation of § 20-513 of this subtitle.”.

On page 3, in line 23, after “THAN” insert “:

A. FOR A TOTAL ANNUAL PREMIUM OF LESS THAN \$3,000.”;

in the same line, after “TOTAL” insert “ANNUAL”; in the same line, after the semicolon insert “AND

B. FOR A TOTAL ANNUAL PREMIUM OF \$3,000 OR MORE, 20% OF THE TOTAL ANNUAL PREMIUM;

2. ADJUSTS THE AMOUNT OF THE TOTAL ANNUAL PREMIUM USED TO DETERMINE THE INITIAL PREMIUM PAYMENT UNDER ITEM 1 OF THIS SUBPARAGRAPH ON OCTOBER 1 OF EACH YEAR USING DATA FROM THE U.S. GOVERNMENT BUREAU OF LABOR STATISTICS MOTOR VEHICLE INSURANCE EXPENDITURE CATEGORY OF THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS;”;

in lines 24, 28, and 30, strike “2.”, “3.”, and “4.”, respectively, and substitute “3.”, “4.”, and “5.”, respectively; in line 28, after “THAN” insert “:

A. FOR A POLICY UNDER ITEM 1A OF THIS SUBPARAGRAPH.”;

in line 29, after the semicolon, insert “AND

B. FOR A POLICY UNDER ITEM 1B OF THIS SUBPARAGRAPH, EIGHT INSTALLMENT PAYMENTS ON THE 12-MONTH POLICY;”;

and strike beginning with the comma in line 32 down through “TRANSFER” in line 33.

On page 4, in line 1, strike “5.” and substitute “6.”; in line 5, strike “WRITTEN OR EARNED”; strike beginning with “OR” in line 6 down through the second “ENTITY” in line 7; strike beginning with “THE” in line 8 down through “AGREEMENT” in line 11 and substitute “IN DETERMINING COMMISSIONS PAID TO A FUND PRODUCER, THE FUND MAY NOT CONSIDER WHETHER THE FUND PRODUCER PLACED AN INSURED IN AN INSTALLMENT PAYMENT PLAN”; in line 25, after “POLICY;” insert

“OR”; and strike beginning with the semicolon in line 27 down through “POLICY” in line 29.

On pages 5 and 6, strike in their entirety the lines beginning with line 4 on page 5 through line 8 on page 6, inclusive.

On page 6, after line 8, insert:

“23–101.

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

(b) “**ACTUARIAL METHOD**” HAS THE MEANING STATED IN § 12–1009 OF THE COMMERCIAL LAW ARTICLE.

(C) (1) “Premium finance agreement” means an agreement:

(i) by which an insured or prospective insured promises to pay a premium finance company the amount advanced or to be advanced under the agreement, together with interest and a service fee, to an insurer or an insurance producer in payment of premiums; and

(ii) that contains an assignment of or is otherwise secured by the unearned premium or refund obtainable from the insurer on cancellation of the insurance contract.

(2) “Premium finance agreement” does not include a premium financed in connection with a time sale of goods or services or an extension of credit without charge by an insurance producer.

[(c)] (D) “Premium finance company” means a person that engages in the business of entering into or accepting premium finance agreements.

23–301.

(a) (1) A premium finance agreement shall be dated and signed by or on behalf of the insured.

(2) [The] EXCEPT AS PROVIDED UNDER SUBSECTION (B)(5)(VIII) OF THIS SECTION, THE printed part of the premium finance agreement shall be in approximately 8–point type and be easily readable by an average individual.

(b) A premium finance agreement shall contain:

(1) the name and place of business of the insurance producer negotiating the related insurance contract;

(2) the name and residence or place of business of the insured as specified by the insured;

(3) the name and place of business of the premium finance company to which payments may be made;

(4) an itemized list for each insurance contract or coverage financed under the premium finance agreement that includes:

(i) the applicable application number, binder number, or policy number;

(ii) the effective date of the insurance contract or coverage;

(iii) the name of the company issuing the insurance contract or coverage; and

(iv) the premium for the insurance contract or coverage; and

(5) if applicable, the following items:

(i) the total amount of the premiums;

(ii) the amount of the down payment;

(iii) the principal balance (the difference between items (i) and (ii) of this item);

(iv) the amount of the finance charge;

(v) the balance payable by the insured (the sum of items (iii) and (iv) of this item);

(vi) the number of installments required, the amount of each installment expressed in dollars, and the due date or period of each installment; [and]

(vii) the electronic payment fee[.]; AND

(VIII) IN AT LEAST 12-POINT TYPE, THE FOLLOWING STATEMENT: "IF THIS AGREEMENT IS CANCELED OR THE LOAN IS PREPAID IN FULL BEFORE THE END OF ITS TERM, THE ACTUARIAL METHOD WILL BE USED TO CALCULATE THE EARNED FINANCE CHARGE. UNDER THIS METHOD, MOST OF THE FINANCE CHARGE IS EARNED IN THE EARLY MONTHS OF THE LOAN TERM RATHER THAN EQUALLY IN EACH MONTH. YOU MAY REQUEST A SAMPLE ILLUSTRATION OF HOW THE FINANCE CHARGE IS EARNED."

(c) (1) The items set out in subsection (b)(5) of this section need not be stated in the sequence in which they appear.

(2) Additional items may be included to explain the computations made in determining the amount to be paid by the insured.

(3) WITH RESPECT TO COMMERCIAL AUTOMOBILE, FIRE, OR LIABILITY INSURANCE, A PREMIUM FINANCE AGREEMENT MAY INCLUDE SEPARATE PROVISIONS REQUIRING REPRESENTATIONS, WARRANTIES, OR OTHER OBLIGATIONS OF THE INSURANCE PRODUCER WHO SELLS, SOLICITS, OR NEGOTIATES THE INSURANCE POLICY, THE PREMIUMS FOR WHICH ARE FINANCED UNDER THE PREMIUM FINANCE AGREEMENT.

(d) A premium finance agreement may provide for additional insurance premiums to be financed and added to the initial premium finance agreement.

(E) SUBJECT TO §§ 23-501.1 AND 23-505.2 OF THIS TITLE, A PREMIUM FINANCE AGREEMENT MAY INCLUDE MONTHLY PAYMENTS FOR THE PURCHASE PRICE OF A MOTOR CLUB SERVICE CONTRACT.

(A) The finance charge shall be computed:

(1) on the amount of the entire premium loan advanced, including any taxes or fees that are financed under § 23–301.1 of this subtitle, after subtracting any down payment on the premium loan made by the insured;

(2) from the inception date of the insurance contract or from the due date of the premium, disregarding any grace period or credit allowed for payment of the premium, through the date when the final installment under the premium finance agreement is payable; and

(3) [at a rate] IN AN AMOUNT not exceeding THE SUM OF 1.15% for each 30 days[, charged] OF THE LOAN, COMPUTED in advance.

(B) (1) AN INSURED SHALL RECEIVE A REFUND OF A FINANCE CHARGE THAT EXCEEDS ANY AMOUNT DUE UNDER THE PREMIUM FINANCE AGREEMENT IF:

(I) THE INSURANCE CONTRACT IS CANCELLED; OR

(II) THE INSURED PREPAYS THE LOAN IN FULL AT ANY TIME.

(2) THE AMOUNT OF THE REFUND UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE CALCULATED BY THE ACTUARIAL METHOD.

(3) (I) A FINANCE CHARGE:

1. IS EARNED IN 30–DAY INCREMENTS; AND

2. IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH, MAY BE EARNED ON THE FIRST DAY OF EACH 30–DAY PERIOD.

(II) IF A FINANCE CHARGE IS EARNED ON THE FIRST DAY OF EACH 30–DAY PERIOD, THE PREMIUM FINANCE AGREEMENT SHALL CONTAIN A NOTIFICATION THAT THE FINANCE CHARGE IS EARNED ON THE FIRST DAY OF EACH 30–DAY PERIOD.

(4) A PREMIUM FINANCE COMPANY MAY NOT RETAIN MORE OF THE FINANCE CHARGE THAN IS EARNED UNDER THIS SECTION.

(C) WITH RESPECT TO COMMERCIAL AUTOMOBILE, FIRE, OR LIABILITY INSURANCE ONLY, A FINANCE CHARGE MAY BE IMPOSED ON ANY UNPAID PRINCIPAL BALANCE OF THE LOAN REMAINING AFTER ALL UNEARNED PREMIUMS HAVE BEEN RETURNED IF THE UNEARNED PREMIUMS ARE LESS THAN THE UNPAID PRINCIPAL BALANCE DUE TO:

(1) AN AUDIT BY THE INSURER RESULTING IN ADDITIONAL PREMIUM;

(2) THE APPLICATION OF A MINIMUM PREMIUM ON A POLICY;

(3) AN ENDORSEMENT THAT IS MADE AFTER A POLICY IS ISSUED AND RESULTS IN ADDITIONAL PREMIUM; OR

(4) A LAWFUL DELAY IN CANCELLING AN INSURANCE POLICY THAT IS BEYOND THE CONTROL OF THE PREMIUM FINANCE COMPANY.

(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PREMIUM FINANCE COMPANY MAY NOT USE THE RULE OF 78S IN COMPUTING A FINANCE CHARGE UNDER THIS SECTION.

23-307.

(a) [A] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A premium finance agreement may require the insured to pay a cancellation charge if a default in paying an installment results in the cancellation of an insurance contract listed in the premium finance agreement.

(b) A cancellation charge shall be:

(1) with respect to private passenger automobile or personal fire or liability insurance, equal to the difference between a delinquency and collection charge imposed under § 23-306 of this subtitle with respect to the installment in default and:

(I) \$15 FOR A DEFAULT BEFORE OR DURING CALENDAR YEAR 2014;

(II) \$16 FOR A DEFAULT DURING CALENDAR YEAR 2015;

(III) \$17 FOR A DEFAULT DURING CALENDAR YEAR 2016;

(IV) \$18 FOR A DEFAULT DURING CALENDAR YEAR 2017;

(V) \$19 FOR A DEFAULT DURING CALENDAR YEAR 2018;

AND

(VI) \$20 FOR A DEFAULT DURING OR AFTER CALENDAR YEAR 2019; and

(2) with respect to commercial automobile, fire, or liability insurance, 5% of the installment, not to exceed an amount equal to the difference between a delinquency and collection charge imposed under § 23–306 of this subtitle with respect to the installment in default and \$100.

(c) [If a notice of cancellation is withdrawn and the insurance coverage is reinstated, the premium finance agreement may require the insured to pay a reinstatement charge in the same amount as the cancellation charge that would have been paid if the cancellation had actually taken effect.] A PREMIUM FINANCE COMPANY MAY REQUIRE THE PAYMENT OF A REINSTATEMENT CHARGE THAT IS IN PLACE OF AND IN THE SAME AMOUNT AS THE CANCELLATION CHARGE IF, AFTER A CANCELLATION CHARGE IS IMPOSED IN ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION, THE INSURED PAYS THE DEFAULTED INSTALLMENT.

(D) A PREMIUM FINANCE AGREEMENT MAY IMPOSE A CANCELLATION CHARGE:

(1) ON OR AFTER THE EFFECTIVE DATE STATED IN THE NOTICE OF CANCELLATION ISSUED TO THE INSURER UNDER § 23–403 OF THIS TITLE; OR

(2) ON OR AFTER THE CANCELLATION EFFECTIVE DATE STATED IN THE NOTICE OF INTENT TO CANCEL DELIVERED OR MAILED TO THE INSURED UNDER § 23-402 OF THIS TITLE, IF:

(I) THE PREMIUM FINANCE COMPANY HAS NOTIFIED THE INSURED IN THE NOTICE OF INTENT TO CANCEL THAT A CANCELLATION FEE WILL BE IMPOSED ON THE CANCELLATION EFFECTIVE DATE STATED IN THE NOTICE OF INTENT TO CANCEL; AND

(II) THE NOTICE OF INTENT TO CANCEL INCLUDES THE FOLLOWING STATEMENT IN 12 POINT OR LARGER TYPE: “IF YOU DO NOT PAY THE DELINQUENT AMOUNT BEFORE THE CANCELLATION EFFECTIVE DATE STATED IN THIS NOTICE, AT ANY TIME WITHIN 30 DAYS OF THE CANCELLATION EFFECTIVE DATE, YOUR INSURANCE POLICY IS SUBJECT TO CANCELLATION ON THE CANCELLATION EFFECTIVE DATE. THIS MEANS THAT IF YOU HAVE A LOSS ON OR AFTER THE CANCELLATION EFFECTIVE DATE STATED IN THIS NOTICE, YOU MAY NOT HAVE COVERAGE FOR THE LOSS.”

23-307.1.

(a) (1) In this section[,] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) “ELECTRONIC CHECK” MEANS A FORM OF PAYMENT IN WHICH A FUND TRANSFER IS MADE ELECTRONICALLY FROM A PAYER’S BANK ACCOUNT TO A PREMIUM FINANCE COMPANY’S BANK ACCOUNT.

(II) “ELECTRONIC CHECK” DOES NOT INCLUDE A WRITTEN CHECK THAT IS DELIVERED TO A PREMIUM FINANCE COMPANY OR AN AGENT BY HAND DELIVERY, REGULAR MAIL, OR OTHER FORM OF PERSONAL DELIVERY.

(3) [“electronic] “ELECTRONIC payment” includes payment by credit card [or], debit card, OR ELECTRONIC CHECK.

(b) A premium finance agreement may require the insured to pay an electronic payment fee if the insured elects to pay a premium finance company by means of an electronic payment.

(c) A premium finance company may charge an electronic payment fee, which may not exceed \$8, for actual expenses incurred by the premium finance company for the electronic payment.

23-401.1.

(a) Subject to subsection (b) of this section, at the option of the insured a premium finance company may send any notice required under this subtitle by personal delivery, first-class mail, commercial delivery service, electronic mail, or facsimile transmission.

(b) [A notice delivery method other than personal delivery, first-class mail, or commercial delivery service may be used only with the written consent of the insured] A PREMIUM FINANCE COMPANY MAY SEND ANY NOTICE REQUIRED UNDER THIS SUBTITLE BY ELECTRONIC MEANS ONLY IF THE PREMIUM FINANCE COMPANY MEETS THE REQUIREMENTS FOR DELIVERING A NOTICE UNDER § 27-601.2 OF THIS ARTICLE.

23-405.

(a) (1) Notwithstanding any other provision of this article, when an insurance contract is canceled, whether by a premium finance company, an insurer, or an insured, the insurer shall return any gross unearned premiums that are due under the insurance contract, computed pro rata, and excluding any expense constant, administrative fee, or any nonrefundable charge filed with and approved by the Commissioner, to the premium finance company for the account of the insured within a reasonable time not exceeding 45 days after:

(i) receipt by the insurer of a notice of cancellation from the premium finance company or the insured;

(ii) the date the insurer cancels the insurance contract; or

(iii) WITH RESPECT TO COMMERCIAL AUTOMOBILE, FIRE, OR LIABILITY INSURANCE, completion of any [payroll] audit necessary to determine the amount of premium earned while the insurance contract was in force.

(2) An audit under paragraph (1)(iii) of this subsection shall be performed within 45 days after the insurer receives the notice of cancellation.

(b) (1) After the insurer returns to the premium finance company any gross unearned premiums that are due under the insurance contract, the premium finance company shall refund to the insured the amount of unearned premium that exceeds any amount due under the premium finance agreement.

(2) A premium finance company need not make a refund to the insured if the amount of the refund would be less than \$5.

(c) Whenever an insurer, after receiving notice of the existence of a premium finance agreement, returns any unearned premiums to a person other than the premium finance company named in the premium finance agreement, the insurer shall be directly responsible to the premium finance company for all unearned premiums arising from the cancellation of the premium finance agreement.

(d) (1) An insurer that fails to return any premium required under this section shall pay interest of 1% per month on the unearned premium that has not been returned until the unearned premium is returned.

(2) Any payment under this subsection to the premium finance company shall be credited to the account of the insured.

(e) An insurer may not deduct from any return premium any amount owed to the insurer by the insured under any other insurance contract.

(f) An insurance producer shall return any gross unearned commissions, calculated as provided in subsection (a)(1) of this section, to an insurer within a reasonable period of time as required by the insurer.

23-501.1.

(A) A PREMIUM FINANCE COMPANY MAY NOT IMPOSE ANY FINANCE CHARGE OR OTHER CHARGE ON ANY PAYMENT FOR THE PURCHASE PRICE OF A MOTOR CLUB SERVICE CONTRACT.

(B) A PREMIUM FINANCE COMPANY MAY NOT CANCEL AN INSURANCE CONTRACT IF ANY PAYMENT UNDER THE PREMIUM FINANCE AGREEMENT:

(1) IS SUFFICIENT TO PAY THE INSTALLMENT DUE UNDER THE PREMIUM FINANCE AGREEMENT THAT IS RELATED TO THE INSURANCE CONTRACT OBLIGATION; BUT

(2) IS NOT SUFFICIENT TO COVER THE AMOUNT OF THE MONTHLY PAYMENT FOR THE MOTOR CLUB SERVICE CONTRACT.”.

AMENDMENT NO. 3

On page 6, in line 15, strike “(1)”; strike beginning with “OTHER” in line 15 down through “FUND” in line 17; in line 17, strike “independent”; strike lines 21 through 25 in their entirety; and after line 34, insert:

“(D) AN INSURANCE PRODUCER, OR AN EMPLOYEE OR AGENT OF THE INSURANCE PRODUCER, WHO DIRECTLY OR INDIRECTLY HAS AN OWNERSHIP INTEREST IN A MOTOR CLUB SHALL PROVIDE A DISCLOSURE TO BE SIGNED BY THE INSURED INFORMING THE INSURED OF THE INSURANCE PRODUCER’S OR THE INSURANCE PRODUCER’S EMPLOYEE’S OR AGENT’S INTEREST IN THE MOTOR CLUB.

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

Article – Insurance

23-301.2.

(A) (1) WITH RESPECT TO PRIVATE PASSENGER MOTOR VEHICLE INSURANCE AND PERSONAL INSURANCE, A PREMIUM FINANCE COMPANY MAY:

(I) ASSIGN ALL RIGHTS AND OBLIGATIONS UNDER A PREMIUM FINANCE AGREEMENT TO ANOTHER PREMIUM FINANCE COMPANY THAT IS REGISTERED IN THE STATE UNDER THIS TITLE; OR

(II) PLEDGE A PREMIUM FINANCE AGREEMENT AS COLLATERAL FOR A LOAN.

(2) IF A PREMIUM FINANCE COMPANY ASSIGNS THE OBLIGATION TO SERVICE A PREMIUM FINANCE AGREEMENT TO ANOTHER PREMIUM FINANCE COMPANY UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE ASSIGNING PREMIUM FINANCE COMPANY SHALL NOTIFY THE INSURED IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION:

(I) THAT THE OBLIGATION TO SERVICE THE PREMIUM FINANCE AGREEMENT HAS BEEN ASSIGNED TO ANOTHER PREMIUM FINANCE COMPANY THAT IS REGISTERED IN THE STATE UNDER THIS TITLE; AND

(II) OF THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE PREMIUM FINANCE COMPANY TO WHICH THE OBLIGATION HAS BEEN ASSIGNED.

(B) (1) WITH RESPECT TO COMMERCIAL AUTOMOBILE, FIRE, OR LIABILITY INSURANCE, A PREMIUM FINANCE COMPANY:

(I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, MAY ASSIGN ALL RIGHTS AND OBLIGATIONS UNDER A PREMIUM FINANCE AGREEMENT TO ANOTHER PERSON IF THE PREMIUM FINANCE AGREEMENT EXPRESSLY CONFERS THE RIGHT TO ASSIGN ALL RIGHTS AND OBLIGATIONS UNDER THE PREMIUM FINANCE AGREEMENT; OR

(II) MAY PLEDGE A PREMIUM FINANCE AGREEMENT AS COLLATERAL FOR A LOAN.

(2) A PREMIUM FINANCE COMPANY THAT ASSIGNS RIGHTS AND OBLIGATIONS UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL:

(I) RETAIN THE OBLIGATION TO SERVICE THE PREMIUM FINANCE AGREEMENT; OR

(II) ASSIGN THE OBLIGATION TO SERVICE THE PREMIUM FINANCE AGREEMENT TO ANOTHER PREMIUM FINANCE COMPANY THAT IS REGISTERED IN THE STATE UNDER THIS TITLE.

(3) IF A PREMIUM FINANCE COMPANY ASSIGNS THE OBLIGATION TO SERVICE A PREMIUM FINANCE AGREEMENT TO ANOTHER PREMIUM FINANCE COMPANY UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION, THE ASSIGNING PREMIUM FINANCE COMPANY SHALL NOTIFY THE INSURED IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION:

(i) THAT THE OBLIGATION TO SERVICE THE PREMIUM FINANCE AGREEMENT HAS BEEN ASSIGNED TO ANOTHER PREMIUM FINANCE COMPANY THAT IS REGISTERED IN THE STATE UNDER THIS TITLE; AND

(ii) OF THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE PREMIUM FINANCE COMPANY TO WHICH THE OBLIGATION HAS BEEN ASSIGNED.

(c) A NOTICE REQUIRED UNDER SUBSECTION (A)(2) OR (B)(3) OF THIS SUBSECTION SHALL BE BY:

(1) FIRST-CLASS MAIL; OR

(2) IF THE PREMIUM FINANCE COMPANY MEETS THE REQUIREMENTS FOR DELIVERING A NOTICE UNDER § 27-601.2 OF THIS ARTICLE, ELECTRONIC MEANS.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) (1) The Executive Director of the Maryland Automobile Insurance Fund, in consultation with the Maryland Insurance Commissioner and State agencies as appropriate, shall develop criteria for evaluating the effectiveness and impact of the Fund's installment payment plan.

(2) The evaluation shall include the impact of the Fund's installment payment plan on:

(i) the cost of automobile insurance for Fund insureds;

(ii) the number of insured and uninsured motorists in the State;

(iii) the number of Fund policies in force by geographic area;

(iv) the duration of Fund policies in force; and

(v) the frequency of payment methods used by Fund insureds, including the Fund's installment payment plan, premium finance agreements, and cash and credit card payments.

(3) On or before October 1, 2015, the Fund shall submit a report to the Commissioner based on the Fund's determination of the effectiveness and impact of the Fund's installment payment plan for the prior year based on:

(i) the evaluation criteria developed under paragraph (2) of this subsection; and

(ii) the limitations of the terms of the installment payment plan under § 20-507(g)(1)(ii)1 and 4 of the Insurance Article, as enacted under Section 1 of this Act.

(b) (1) On receipt of the report under subsection (a)(3) of this section, the Commissioner shall make a determination of the effectiveness and impact of the Fund's installment payment plan, including a review of complaints received by the Commissioner relating to the Fund's installment payment plan and premium finance agreements.

(2) On or before December 31, 2015, the Commissioner shall submit a report, in accordance with § 2-1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee on the Commissioner's determination of the effectiveness of the Fund's installment payment plan and its impact on:

(i) the Fund;

(ii) the private passenger automobile industry;

(iii) the premium finance company industry; and

(iv) Maryland consumers.

SECTION 4. AND BE IT FURTHER ENACTED, That the Maryland Insurance Administration shall:

(1) keep track of complaints received from consumers who have had all rights and obligations under premium finance agreements for commercial automobile, fire, or liability insurance assigned under § 23–301.2(b) of the Insurance Article, as enacted by Section 2 of this Act; and

(2) on or before December 31, 2014, report any findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.”.

AMENDMENT NO. 4

On page 7, in lines 1 and 4, strike “2.” and “3.”, respectively, and substitute “5.” and “6.”, respectively; in line 2, after “policies” insert “issued”; in the same line, strike “contracts issued by the Maryland Automobile Insurance Fund” and substitute “premium finance agreements entered into”; in line 5, strike “October” and substitute “July”; and in the same line, after the period insert “Section 2 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 2015, 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 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 1064 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Water Heating Systems

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES REPORT #12

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1069 – Senator Shank

AN ACT concerning

**Criminal Procedure – Issuance of Summonses and Arrest Warrants and
Restrictions on Pretrial Release**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1070 – Senator Jennings

AN ACT concerning

Baltimore County – Correctional Officers’ Bill of Rights

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

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 Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Joint Resolution be re-referred to the Committee on Budget and Taxation:

Senate Joint Resolution 5 – Senator Muse

A Senate Joint Resolution concerning

Public-Private Partnerships

The bill was re-referred to the Committee on Budget and Taxation.

SPECIAL ORDERS

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

Senate Bill 522 – Senator Young

AN ACT concerning

Frederick Regional Higher Education Advisory Board

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Conway moved, duly seconded, to recommit the Bill.

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

Affirmative – 26 Negative – 15 (See Roll Call No. 797)

Senate Bill 949 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0949/894939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 949

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the semicolon insert “creating a Class EF (entertainment facility) beer, wine and liquor license; authorizing a license holder to sell beer, wine, and liquor from one or more outlets in a certain entertainment facility, for consumption anywhere throughout the entertainment facility only; requiring a facility for which a license is issued to have a certain amount of capital investment; authorizing the Board of License Commissioners to issue one or more licenses for the same facility; specifying the hours of sale and a certain license fee;”; in line 10, after

“exception;” insert “altering a certain date on which a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler; authorizing the Director of the Department of Liquor Control to purchase or otherwise acquire wine and liquor from any source for resale, regardless of any other State law or regulation to the contrary, without a certain tax having been paid; providing that the wine and liquor may not be resold until a certain excise tax has been paid; making clarifying changes;”; in line 19, strike “and”; in the same line, after “13-101” insert “, 15-204(e), and 15-205(l)”; and after line 21, insert:

“BY adding to

Article 2B – Alcoholic Beverages

Section 6-201(y)(9)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, strike beginning with “(on-sale” in line 30 down through “(off-sale)” in line 31 and substitute “ON-SALE AND OFF-SALE”.

On page 3, after line 15, insert:

“(9) (I) THERE IS A CLASS EF (ENTERTAINMENT FACILITY) BEER, WINE AND LIQUOR LICENSE.

(II) A CLASS EF LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR BY THE DRINK AND BY THE BOTTLE FROM ONE OR MORE OUTLETS IN THE ENTERTAINMENT FACILITY, FOR CONSUMPTION ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY.

(III) A HOLDER OF A CLASS EF LICENSE MAY NOT SELL ALCOHOLIC BEVERAGES FOR OFF-SALE CONSUMPTION.

(IV) NOTWITHSTANDING § 8-208(B) OF THIS ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS EF LICENSE ONLY IF THE APPLICANT HAS AN INITIAL CAPITAL INVESTMENT IN THE FACILITY FOR WHICH THE LICENSE IS SOUGHT OF AT LEAST \$45,000,000.

(V) THE BOARD MAY ISSUE ONE OR MORE CLASS EF LICENSES FOR THE SAME FACILITY.

(VI) A CLASS EF LICENSE AUTHORIZES THE SALE AND SERVING OF BEER, WINE, AND LIQUOR ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY DURING THOSE DAYS THAT THE ENTERTAINMENT FACILITY IS OPEN FOR BUSINESS AND FROM 9:00 A.M. THROUGH 4:00 A.M. THE FOLLOWING DAY.

(VII) A CLASS EF LICENSE AUTHORIZES THE PLAYING OF MUSIC AND DANCING.

(VIII) THE ANNUAL LICENSE FEE IS \$15,000.”.

AMENDMENT NO. 3

On page 4, in line 8, strike “(on-sale **OR OFF-SALE**) and beer and light wine (off-sale)” and substitute “ON-SALE AND OFF-SALE”.

On page 9, after line 20, insert:

“15-204.

(e) (1) In this subsection, “Department” means the Worcester County Department of Liquor Control.

(2) This subsection applies only in Worcester County.

(3) (i) Beginning on [May 1, 2016] **JULY 1, 2014**, a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler by providing written notice of the licensee’s intent to the Department at least 60 days before the date the purchasing activity is to start.

(ii) The notice shall contain:

1. The name of the licensee;

2. The name and address of the licensed premises; and

3. The date that the notice was sent to the Department.

(4) A licensee that meets the requirements of this subsection may purchase wine or liquor from a licensed wholesaler in addition to or instead of the Department.

(5) (i) The Department shall issue a letter of confirmation to a licensee that meets the requirements of this subsection.

(ii) The licensee shall display the letter conspicuously on the licensed premises.

15-205.

(1) In Worcester County, subject to the approval of the County Commissioners, the Director of the Department of Liquor Control may purchase or otherwise acquire:

(1) Real or personal property that the Director considers necessary to operate dispensaries, stores, or warehouses; and

(2) Wine and liquor from any source for resale, REGARDLESS OF ANY OTHER STATE LAW OR REGULATION TO THE CONTRARY, INCLUDING A GOVERNMENT ALCOHOLIC BEVERAGE CONTROL DEPARTMENT OR AGENCY OF ANOTHER STATE, ANY NONRESIDENT WHOLESALER WHETHER OR NOT LICENSED IN THIS STATE, OR ACTING AS A WHOLESALER, FROM A LICENSED WHOLESALER OR LIQUOR CONTROL BOARD WITHOUT THE TAX IMPOSED BY § 5-102 OF THE TAX – GENERAL ARTICLE HAVING TO BE PAID, BUT MAY NOT BE RESOLD UNTIL THE EXCISE TAX HAS BEEN PAID.”.

The preceding 3 amendments were read only.

Senator Conway moved, duly seconded, to make the Bill and Amendments a Special Order for March 28, 2013.

The motion was adopted.

Senate Bill 249 – Senators Forehand and Raskin

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –
Retaliation Against Dealers**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Klausmeier moved, duly seconded, to make the Bill and Report a Special Order for March 28, 2013.

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

Affirmative – 31 Negative – 12 (See Roll Call No. 798)

Senate Bill 487 – Senators Raskin, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, Robey, and Young

AN ACT concerning

Human Relations – Housing Discrimination – Source of Income

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Rosapepe moved, duly seconded, to recommit the Bill.

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

Affirmative – 23 Negative – 22 (See Roll Call No. 799)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 800)

ADJOURNMENT

At 12:03 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 24, 2013, Calendar Day, Thursday, March 28, 2013 in memory of Captain Larry Simms.

Annapolis, Maryland
Legislative Day: March 24, 2013
Calendar Day: Thursday, March 28, 2013
10:00 A.M. Session

The Senate met at 10:06 A.M.

Prayer by Rabbi Menachem Weissmann, Rabbinic Fellow at the New England Rabbinical College in Providence, Rhode Island, guest of Senator Miller.

(See Exhibit A of Appendix III)

The Journal of March 23, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Peters be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 802)

INTRODUCTION OF RESOLUTIONS

Resolution

Be it hereby known to all that
The Maryland General Assembly
offers its sincerest congratulations to

The Baltimore Ravens

in recognition of

the hard work, dedication and teamwork that lead to
capturing the franchise's second World Championship
with a victory in Super Bowl XLVII.

The entire membership extends best wishes on
this memorable occasion and directs this resolution to be

presented on this 28th day of March, 2013.

Read and adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #21

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

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

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 861 – Senator Zirkin

AN ACT concerning

**Crimes – Committing a Crime of Violence in the Presence of a Minor –
Penalties**

SB0861/758178/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 861

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Zirkin” and substitute “Senators Zirkin and Forehand”; strike beginning with “providing” in line 11 down through “purposes;” in line 13; and strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 14, inclusive.

On page 3, 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.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 1052 – Senator Kittleman

AN ACT concerning

Criminal Law – Electronic Harassment of a Minor

SB1052/508972/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1052

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Electronic Harassment of a Minor” and substitute “Misuse of Interactive Computer Service”; after line 2, insert:

“(Grace’s Law)”;

strike beginning with the second “a” in line 3 down through “minor” in line 11 and substitute “an interactive computer service to maliciously engage in a certain course of conduct that inflicts serious emotional distress on a minor or places a minor in reasonable fear of death or serious bodily injury under certain circumstances”; in line 11, after “defining” insert “a”; in the same line, strike “terms” and substitute “term”; strike in their entirety lines 14 through 19, inclusive; in line 20, strike “adding to” and substitute “repealing and reenacting, with amendments,”; and in line 22, strike “3–805.1” and substitute “3–805”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with “That” in line 26 on page 1 down through “ENACTED,” in line 1 on page 2.

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 21 on page 3, inclusive, and substitute:

“3–805.

(a) **(1) In this section [, “electronic] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) “ELECTRONIC communication” means the transmission of information, data, or a communication by the use of a computer or any other electronic means that is sent to a person and that is received by the person.

(3) “INTERACTIVE COMPUTER SERVICE” MEANS AN INFORMATION SERVICE, SYSTEM, OR ACCESS SOFTWARE PROVIDER THAT PROVIDES OR ENABLES COMPUTER ACCESS BY MULTIPLE USERS TO A COMPUTER SERVER, INCLUDING A SYSTEM THAT PROVIDES ACCESS TO THE INTERNET AND CELLULAR PHONES.

(b) **(1) A person may not maliciously engage in a course of conduct, through the use of electronic communication, that alarms or seriously annoys another:**

[(1)] (I) with the intent to harass, alarm, or annoy the other;

[(2)] (II) after receiving a reasonable warning or request to stop by or on behalf of the other; and

[(3)] (III) without a legal purpose.

(2) A PERSON MAY NOT USE AN INTERACTIVE COMPUTER SERVICE TO MALICIOUSLY ENGAGE IN A COURSE OF CONDUCT THAT INFLECTS SERIOUS EMOTIONAL DISTRESS ON A MINOR OR PLACES A MINOR IN REASONABLE FEAR OF DEATH OR SERIOUS BODILY INJURY WITH THE INTENT:

(I) TO KILL, INJURE, HARASS, OR CAUSE SERIOUS EMOTIONAL DISTRESS TO THE MINOR; OR

(II) TO PLACE THE MINOR IN REASONABLE FEAR OF DEATH OR SERIOUS BODILY INJURY.

(c) It is not a violation of this section for any of the following persons to provide information, facilities, or technical assistance to another who is authorized by federal or State law to intercept or provide electronic communication or to conduct surveillance of electronic communication, if a court order directs the person to provide the information, facilities, or technical assistance:

(1) a provider of electronic communication;

(2) an officer, employee, agent, landlord, or custodian of a provider of electronic communication; or

(3) a person specified in a court order directing the provision of information, facilities, or technical assistance to another who is authorized by federal or State law to intercept or provide electronic communication or to conduct surveillance of electronic communication.

(d) [This] SUBSECTION (B)(1) OF THIS section does not apply to a peaceable activity intended to express a political view or provide information to others.

(e) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$500 or both.”.

On page 3, in line 22, 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.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #15

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 90 – Senator Astle

AN ACT concerning

Natural Resources – Vessel Excise Tax – Maximum Tax

SB0090/609634/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 90

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Motor Fuel Tax Distribution – Waterway Improvement Fund”; strike beginning with the first “of” in line 3 down through “vessel” in line 5 and substitute “altering a certain distribution of certain motor fuel tax revenue; requiring the Comptroller to distribute a certain percentage of the revenue to the Waterway Improvement Fund; and generally relating to the distribution of motor fuel tax revenue”; and strike in their entirety lines 6 through 10, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1104

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 1 through line 11 on page 2, inclusive, and substitute:

“Article – Tax – General

2–1104.

(a) Except as otherwise provided in this section, after making the distributions required under §§ 2–1101 through 2–1103 of this subtitle, from the remaining motor fuel tax revenue, the Comptroller shall distribute:

(1) 2.3% to the Chesapeake Bay 2010 Trust Fund; and

(2) 0.5% TO THE WATERWAY IMPROVEMENT FUND; AND

[(2)](3) any remaining balance to the Gasoline and Motor Vehicle Revenue Account of the Transportation Trust Fund.

(b) For each fiscal year beginning on or before July 1, 2015, instead of the distribution required under subsection (a)(1) of this section, the Comptroller shall distribute 2.3% of the remaining motor fuel tax revenue as follows:

(1) to the General Fund of the State:

(i) \$5,000,000 for each fiscal year beginning on or before July 1, 2011;

(ii) \$5,000,000 for each of the fiscal years beginning July 1, 2012, July 1, 2013, and July 1, 2014; and

(iii) \$4,624,687 for the fiscal year beginning July 1, 2015;

(2) \$8,000,000 to the Budget Restoration Fund for the fiscal year beginning July 1, 2012; and

(3) the balance to the Chesapeake Bay 2010 Trust Fund.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 103 – Senators Peters, Astle, Brinkley, Brochin, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Garagiola, Getty, Glassman, Jacobs, Jennings, King, Kittleman, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Income Tax – Military Retirement Income

SB0103/719233/2

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 103

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, Kasemeyer, Jones–Rodwell, and Madaleno”.

AMENDMENT NO. 2

On page 1, in line 4, after “income” insert “for individuals who are at least a certain age”.

On page 2, in line 20, after “includes” insert “:

(I) IF, ON THE LAST DAY OF THE TAXABLE YEAR, THE INDIVIDUAL IS UNDER THE AGE OF 65 YEARS OLD, THE FIRST \$5,000 OF MILITARY RETIREMENT INCOME RECEIVED BY AN INDIVIDUAL DURING THE TAXABLE YEAR; AND

(II) IF, ON THE LAST DAY OF THE TAXABLE YEAR, THE INDIVIDUAL IS AT LEAST 65 YEARS OLD,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 684 – Senators Garagiola, Ferguson, Klausmeier, Montgomery, Pinsky, Ramirez, Raskin, and Young

AN ACT concerning

Renewable Energy Portfolio Standard – Qualifying Biomass

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

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

Affirmative – 33 Negative – 13 (See Roll Call No. 803)

The Bill was then sent to the House of Delegates.

Senate Bill 949 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0949/894939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 949

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the semicolon insert “creating a Class EF (entertainment facility) beer, wine and liquor license; authorizing a license holder to sell beer, wine, and liquor from one or more outlets in a certain entertainment facility, for consumption anywhere throughout the entertainment facility only; requiring a facility for which a license is issued to have a certain amount of capital investment; authorizing the Board of License Commissioners to issue one or more licenses for the same facility; specifying the hours of sale and a certain license fee;”; in line 10, after “exception;” insert “altering a certain date on which a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler; authorizing the Director of the Department of Liquor Control to purchase or otherwise acquire wine and liquor from any source for resale, regardless of any other State law or regulation to the contrary, without a certain tax having been paid; providing that the wine and liquor may not be resold until a certain excise tax has been paid; making clarifying changes;”; in line 19, strike “and”; in the same line, after “13–101” insert “, 15–204(e), and 15–205(l)”; and after line 21, insert:

“BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(y)(9)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, strike beginning with “(on–sale” in line 30 down through “(off–sale)” in line 31 and substitute “ON–SALE AND OFF–SALE”.

On page 3, after line 15, insert:

“(9) (I) THERE IS A CLASS EF (ENTERTAINMENT FACILITY) BEER, WINE AND LIQUOR LICENSE.

(II) A CLASS EF LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR BY THE DRINK AND BY THE BOTTLE FROM ONE OR MORE OUTLETS IN THE ENTERTAINMENT FACILITY, FOR CONSUMPTION ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY.

(III) A HOLDER OF A CLASS EF LICENSE MAY NOT SELL ALCOHOLIC BEVERAGES FOR OFF–SALE CONSUMPTION.

(IV) NOTWITHSTANDING § 8–208(B) OF THIS ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS EF LICENSE ONLY IF THE APPLICANT HAS AN INITIAL CAPITAL INVESTMENT IN THE FACILITY FOR WHICH THE LICENSE IS SOUGHT OF AT LEAST \$45,000,000.

(V) THE BOARD MAY ISSUE ONE OR MORE CLASS EF LICENSES FOR THE SAME FACILITY.

(VI) A CLASS EF LICENSE AUTHORIZES THE SALE AND SERVING OF BEER, WINE, AND LIQUOR ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY DURING THOSE DAYS THAT THE ENTERTAINMENT FACILITY IS OPEN FOR BUSINESS AND FROM 9:00 A.M. THROUGH 4:00 A.M. THE FOLLOWING DAY.

(VII) A CLASS EF LICENSE AUTHORIZES THE PLAYING OF MUSIC AND DANCING.

(VIII) THE ANNUAL LICENSE FEE IS \$15,000.”.

AMENDMENT NO. 3

On page 4, in line 8, strike “(on–sale **OR OFF–SALE**) and beer and light wine (off–sale)” and substitute “ON–SALE AND OFF–SALE”.

On page 9, after line 20, insert:

“15–204.

(e) (1) In this subsection, “Department” means the Worcester County Department of Liquor Control.

(2) This subsection applies only in Worcester County.

(3) (i) Beginning on [May 1, 2016] **JULY 1, 2014**, a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler by providing written notice of the licensee’s intent to the Department at least 60 days before the date the purchasing activity is to start.

(ii) The notice shall contain:

1. The name of the licensee;

2. The name and address of the licensed premises; and

3. The date that the notice was sent to the Department.

(4) A licensee that meets the requirements of this subsection may purchase wine or liquor from a licensed wholesaler in addition to or instead of the Department.

(5) (i) The Department shall issue a letter of confirmation to a licensee that meets the requirements of this subsection.

(ii) The licensee shall display the letter conspicuously on the licensed premises.

15–205.

(l) In Worcester County, subject to the approval of the County Commissioners, the Director of the Department of Liquor Control may purchase or otherwise acquire:

(1) Real or personal property that the Director considers necessary to operate dispensaries, stores, or warehouses; and

(2) Wine and liquor from any source for resale, REGARDLESS OF ANY OTHER STATE LAW OR REGULATION TO THE CONTRARY, INCLUDING A GOVERNMENT ALCOHOLIC BEVERAGE CONTROL DEPARTMENT OR AGENCY OF ANOTHER STATE, ANY NONRESIDENT WHOLESALER WHETHER OR NOT LICENSED IN THIS STATE, OR ACTING AS A WHOLESALER, FROM A LICENSED WHOLESALER OR LIQUOR CONTROL BOARD WITHOUT THE TAX IMPOSED BY § 5–102 OF THE TAX – GENERAL ARTICLE HAVING TO BE PAID, BUT MAY NOT BE RESOLD UNTIL THE EXCISE TAX HAS BEEN PAID.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0949/173821/4

BY: Senator Mathias

AMENDMENTS TO SENATE BILL 949, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0949/894939/1), strike beginning with “to” in line 10 of Amendment No. 1 down through “paid” in line 13 and substitute “, acting as a wholesaler, to purchase wine and liquor under certain circumstances; prohibiting the resale of certain wine and liquor until a certain excise tax has been paid; authorizing the

Department, acting as a retailer, to purchase wine and liquor under certain circumstances”.

AMENDMENT NO. 2

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments, in line 6 of Amendment No. 3, after “(1)” insert “**(1)**”; in line 9, strike “(1)” and substitute “**(I)**”; and strike beginning with “(2)” in line 11 down through “**PAID**” in line 18 and substitute:

“(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WINE AND LIQUOR FROM ANY SOURCE FOR RESALE.

(2) (I) 1. ACTING AS A WHOLESALER, THE DEPARTMENT OF LIQUOR CONTROL MAY PURCHASE WINE AND LIQUOR, ON WHICH THE EXCISE TAX HAS NOT BEEN PAID, FROM A LICENSED WHOLESALER.

2. THE DEPARTMENT OF LIQUOR CONTROL MAY ONLY RESELL THE WINE AND LIQUOR PURCHASED UNDER THIS SUBPARAGRAPH TO A NONDISPENSARY, LICENSED RETAILER AND ONLY AFTER THE EXCISE TAX HAS BEEN PAID.

(II) ACTING AS A RETAILER, THE DEPARTMENT OF LIQUOR CONTROL MAY PURCHASE WINE AND LIQUOR, ON WHICH THE EXCISE TAX HAS BEEN PAID, FROM A LICENSED WHOLESALER FOR RETAIL SALE IN DISPENSARY STORES”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 249 – Senators Forehand and Raskin

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –
Retaliation Against Dealers**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 804)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #56

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 805)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 806)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 807)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 808)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 809)

The Bill was then sent to the House of Delegates.

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**

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

Affirmative – 38 Negative – 8 (See Roll Call No. 810)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 1 (See Roll Call No. 811)

The Bill was then sent to the House of Delegates.

Senate Bill 1064 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Water Heating Systems

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

Affirmative – 46 Negative – 0 (See Roll Call No. 812)

The Bill was then sent to the House of Delegates.

**Senate Joint Resolution 3 – ~~Senator Peters~~ Senators Peters, Astle, Benson,
Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson,
Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden,
Glassman, Jacobs, Jennings, Jones-Rodwell, Kasemeyer, Kelley, King,
Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden,
Middleton, Miller, Montgomery, Muse, Pinsky, Pipkin, Pugh, Ramirez,
Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and
Zirkin**

A Senate Joint Resolution concerning

**Crisis in Waiting Periods for Veterans with Disabilities to Receive Services
from the Federal Veterans Benefits Administration**

Senator Robey moved, duly seconded, to make the Joint Resolution a Special Order for March 29, 2013.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 813)

ADJOURNMENT

At 11:11 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 25, 2013, Calendar Day, Friday, March 29, 2013.

Annapolis, Maryland
Legislative Day: March 25, 2013
Calendar Day: Friday, March 29, 2013
10:00 A.M. Session

The Senate met at 10:19 A.M.

Prayer by Reverend Doctor Romaine N. Williams, Retired Pastor, guest of Senator Kelley.

(See Exhibit A of Appendix III)

The Journal of March 24, 2013 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 817)

INTRODUCTION OF BILLS

Senator Pipkin moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Klausmeier moved to suspend the rules to allow **Senate Bill 1073** to be referred immediately.

The motion was adopted.

Senate Bill 1073 – Senator Pipkin

AN ACT concerning

**Task Force to Evaluate the Quality of Patient Care Under a Capitated
Payment System**

FOR the purpose of establishing the Task Force to Evaluate the Quality of Patient Care Under a Capitated Payment System; 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 certain matters related to the impact of moving to a certain payment model; requiring the Task Force to report its findings to the Governor and certain standing committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Evaluate the Quality of Patient Care Under a Capitated Payment System.

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

Senator Pipkin moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Klausmeier moved to suspend the rules to allow **Senate Bill 1074** to be referred immediately.

The motion was adopted.

Senate Bill 1074 – Senator Pipkin

AN ACT concerning

Task Force to Evaluate the Impact of Maryland's Proposal to Maintain the Medicare Waiver

FOR the purpose of establishing the Task Force to Evaluate the Impact of Maryland's Proposal to Maintain the Medicare Waiver; 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 certain matters related to a certain waiver application; requiring the Task Force to report its findings to the Governor and certain standing committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Evaluate the Impact of Maryland's Proposal to Maintain the Medicare Waiver.

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

Senator Pipkin moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the

Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Klausmeier moved to suspend the rules to allow **Senate Bill 1075** to be referred immediately.

The motion was adopted.

Senate Bill 1075 – Senator Pipkin

AN ACT concerning

State Medicare Waivers – Applications, Reapplications, Modifications, or Amendments – Legislative Approval Required

FOR the purpose of prohibiting the Department of Health and Mental Hygiene and the Health Services Cost Review Commission from submitting to the federal Centers for Medicare and Medicaid Services an application for a certain Medicare waiver, or a reapplication, a modification, or an amendment to a certain existing Medicare waiver, until the General Assembly takes certain action; and generally relating to State Medicare waivers.

BY adding to

Article – Health – General

Section 15–147

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #57

Senate Bill 90 – Senator Astle

AN ACT concerning

~~Natural Resources – Vessel Excise Tax – Maximum Tax~~
Motor Fuel Tax Distribution – Waterway Improvement Fund

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

Affirmative – 46 Negative – 0 (See Roll Call No. 818)

The Bill was then sent to the House of Delegates.

Senate Bill 103 – Senators Peters, Astle, Brinkley, Brochin, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Garagiola, Getty, Glassman, Jacobs, Jennings, King, Kittleman, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, ~~and Zirkin~~ Zirkin, Kasemeyer, Jones–Rodwell, and Madaleno

AN ACT concerning

Income Tax – Military Retirement Income

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

Affirmative – 46 Negative – 0 (See Roll Call No. 819)

The Bill was then sent to the House of Delegates.

Senate Bill 249 – Senators Forehand and Raskin

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –
Retaliation Against Dealers**

Senator Ramirez moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

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

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 820)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 46 Negative – 1 (See Roll Call No. 821)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 822)

The Bill was then sent to the House of Delegates.

Senate Bill 1052 – Senator Kittleman

AN ACT concerning

**Criminal Law – ~~Electronic Harassment of a Minor~~ Misuse of Interactive Computer Service
(Grace’s Law)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 823)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES**FIRST READING OF HOUSE BILLS**

House Bill 101 – The Speaker (By Request – Administration)

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2013,
and the Maryland Consolidated Capital Bond Loans of 2006, 2007, 2008, 2009,
2010, 2011, and 2012**

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~One Billion, One Hundred Three Million, Six Thousand Dollars (\$1,103,006,000)~~ One Billion, One Hundred Eight Million, One Hundred and Eighty-Four Thousand Dollars (\$1,108,184,000), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to certain requirements that certain matching funds be provided and expended by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt in certain years to be used for certain purposes; providing that certain funds allocated to certain eligible school construction projects in a county that are not spent for the project may be applied to another eligible project or reserved in a certain contingency fund for certain purposes; providing for a restricted purpose for certain Program Open Space funds if certain matching fund requirements are met; prohibiting the expenditure of certain funds until certain Memoranda of Understanding are developed; prohibiting the expenditure of certain funds until a certain university submits a certain report to the Department of Budget and Management; providing for participation in a certain report by the Maryland State Archives; declaring a certain intent of the General Assembly; prohibiting the expenditure of certain funds until certain reports are submitted to certain committees of the General Assembly; prohibiting the expenditure of certain funds for certain acquisitions prior to providing certain cost benefit analyses to certain committees of the General Assembly; prohibiting the expenditure of certain funds until certain universities develop and submit to certain committees of the General Assembly a certain plan to provide access to certain higher education institutions; prohibiting the expenditure of certain funds until a certain department provides a certain report to certain committees of the General Assembly; providing for the construction and effect of certain provisions of the Local Government Article; altering the number of days before seeking approval of certain bond issuances from the Board of Public Works that the Maryland Stadium Authority must provide certain plans to certain committees of the General Assembly; repealing the requirement for certain funds approved for certain school construction projects that have not been contracted for within a certain period of time to revert to a certain fund and authorizing the funds to be available or reserved for certain eligible projects; requiring certain reserved funds not used within a certain period of time to be made available for certain purposes; imposing a certain tax on all assessable property in the State; requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; providing that the proceeds of

certain loans must be expended or encumbered by a certain date; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; providing for certain additional information to be detailed about each project in the capital program under certain circumstances; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization acts; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item RB27(C)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 488 of the Acts of the General Assembly of 2007, Chapter 485 of the Acts of the General Assembly of 2009, and Chapter 444 of the Acts of the General Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item DE02.01(D)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item VD01(A)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008, Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, and Chapter 444 of the Acts of the General Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item QB08(A), QP00(A), and ZA00(R)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item KA05(B)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item MF05(A)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item DE02.01(H)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by
Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of
the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the
General Assembly of 2011, and Chapter 444 of the Acts of the General
Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item DE02.01(E), KA05(C), MF05(A), QG00(A), QP00(A) and (B),
and ZA00(V)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item DH01(A) and Section 12(3) Item ZB02(C)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 483 of the Acts of the General Assembly of 2010 and Chapter 396
of the Acts of the General Assembly of 2011
Section 12(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 483 of the Acts of the General Assembly of 2010 and Chapter 444
of the Acts of the General Assembly of 2012
Section 1(3) Item RE01(B)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 396 of the Acts of the General Assembly of 2011 and Chapter 444
of the Acts of the General Assembly of 2012
Section 1(3) Item QB08.01(A)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item RE01(C)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of
the Acts of the General Assembly of 2011, and Chapter 444 of the Acts of
the General Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item MM06(A)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by
Chapter 396 of the Acts of the General Assembly of 2011 and Chapter 444
of the Acts of the General Assembly of 2012
Section 1(3) Item QP00(A)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item VE01(A)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by
Chapter 396 of the Acts of the General Assembly of 2011 and Chapter 444
of the Acts of the General Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item RB29(A) and ZA00(J)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item MM06(D), RB34(A), VE01(A), and ZA00(C) and (P)

BY repealing
Chapter 444 of the Acts of the General Assembly of 2012
Section 12, 13, and 14

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–640(b), 10–641(c), 10–642(b), 10–643(b), and 10–644(c)
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–301(j)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

THE COMMITTEE ON RULES REPORT #13

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

House Bill 115 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

House Bill 1372 – Delegates Jones and Griffith

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

The bill was re-referred to the Committee on Budget and Taxation.

SPECIAL ORDERS

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

Senate Joint Resolution 3 – ~~Senator Peters~~ Senators Peters, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

A Senate Joint Resolution concerning

Crisis in Waiting Periods for Veterans with Disabilities to Receive Services from the Federal Veterans Benefits Administration

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 824)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #35

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 26 – Senator Colburn

AN ACT concerning

State Designations – State Sandwich – Soft–Shell Crab Sandwich

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 32 – Senator Colburn

AN ACT concerning

Alcoholic Beverages – Brewery License – On-Premises Consumption

SB0032/904035/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 32

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “consumption” insert “under certain circumstances; requiring a certain local licensing board to grant an on-site consumption permit to an applicant that holds certain licenses; providing that an on-site consumption permit entitles the holder to sell beer brewed at the brewery for on-premises consumption to persons that have attained the legal drinking age; providing that before a local licensing board that does not issue a Class D beer license may grant a permit, the local licensing board shall establish an equivalent license and require that the applicant obtain that license”; and in line 5, after “Act;” insert “authorizing a local licensing board to charge a certain fee and require that a certain person comply with certain alcohol awareness training requirements.”.

AMENDMENT NO. 2

On page 2, in line 5, strike “**SELL**” and substitute “**SUBJECT TO SUBSECTION (B)(2) OF THIS SECTION, SELL**”; in lines 12 and 18, in each instance, strike the brackets; strike beginning with the semicolon in line 19 down through “**ANNUALLY**” in line 25; and after line 25, insert:

“(2) (I) A LOCAL LICENSING BOARD SHALL GRANT AN ON-SITE CONSUMPTION PERMIT TO AN APPLICANT THAT HOLDS A CLASS 5 MANUFACTURER’S LICENSE AND, SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, A CLASS D BEER LICENSE.

(II) AN ON-SITE CONSUMPTION PERMIT ENTITLES THE HOLDER TO SELL BEER BREWED AT THE BREWERY FOR ON-PREMISES CONSUMPTION TO PERSONS THAT HAVE ATTAINED THE LEGAL DRINKING AGE.

(III) BEFORE A LOCAL LICENSING BOARD THAT DOES NOT ISSUE A CLASS D BEER LICENSE MAY GRANT AN ON-SITE CONSUMPTION PERMIT, THE LOCAL LICENSING BOARD SHALL:

1. ESTABLISH AN EQUIVALENT LICENSE; AND
2. REQUIRE THAT THE APPLICANT OBTAIN THAT LICENSE.

(IV) THE TOTAL AMOUNT OF BEER SOLD EACH YEAR FOR ON-PREMISES CONSUMPTION UNDER THIS PARAGRAPH MAY NOT EXCEED 500 BARRELS.

(V) A LOCAL LICENSING BOARD MAY:

1. CHARGE A FEE FOR GRANTING AN ON-SITE CONSUMPTION PERMIT; AND
2. REQUIRE THAT THE HOLDER OF THE PERMIT OR AN EMPLOYEE DESIGNATED BY THE HOLDER COMPLY WITH THE ALCOHOL AWARENESS TRAINING REQUIREMENTS UNDER § 13-101 OF THIS ARTICLE.”.

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 FINANCE REPORT #23

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 390 – Senator Raskin

AN ACT concerning

Health – Food Allergy Awareness

SB0390/697677/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 390

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Awareness” insert “, Food Safety, and Food Service Facility Letter Grading – Posting Requirement and Task Force”; strike beginning with the second “and” in line 4 down through “allergies” in line 6; strike beginning with “and” in line 9 down through “awareness” in line 21 and substitute “; establishing a Task Force to Study Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading; providing for the membership and chair of the Task Force; authorizing the Task Force to form subcommittees from among its members; requiring the Department of Health and Mental Hygiene to provide staff for 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 effective dates of this Act; providing for the termination of certain provisions of this Act; and generally relating to food allergy awareness, food safety, and food service facility letter grading”.

On pages 1 and 2, strike in their entirety the lines beginning with line 27 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 9, strike “**(1)**”; strike beginning with the colon in line 9 down through “**DISPLAY**” in line 10 and substitute “DISPLAY”; strike beginning with the semicolon in line 13 down through “**ALLERGIES**” in line 16; in line 17, strike “**(2)**” and substitute “**(B)**”; strike beginning with the second “**THE**” in line 18 down through “**NETWORK**” in line 19 and substitute “FOOD ALLERGY RESEARCH AND EDUCATION”; strike beginning with the colon in line 20 down through “**THE**” in line 21 and substitute “**THE**”; in line 22, strike “**PARAGRAPH (1)(I) OF THIS**”; and in the same line, after “**SUBSECTION**” insert “**(A) OF THIS SECTION.**”.

AMENDMENT NO. 3

On pages 2 through 4, strike beginning with the semicolon in line 22 on page 2 down through the period in line 2 on page 4 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force to Study Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading.

(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) one representative of the Department of Health and Mental Hygiene, appointed by the Secretary of Health and Mental Hygiene;

(4) the President of the Baltimore City Council, or the President’s designee;

(5) the Prince George’s County Health Officer, or the Health Officer’s designee; and

(6) the following members, appointed by the Governor:

(i) one representative of Food Allergy Research and Education;

(ii) one consumer with a food allergy;

(iii) one parent of a child with a food allergy;

(iv) one representative of the Restaurant Association of Maryland;

(v) one representative of the National Restaurant Association;

(vi) one representative of the Maryland Retailers Association;

(vii) one representative of the Maryland Hotel and Lodging Association;

(viii) one representative of the Inter-Jurisdictional Food Service Manager Program Committee;

(ix) one representative of the Maryland Association of County Health Officers who is not from a jurisdiction with a certified food service manager program; and

(x) one representative of the Maryland Conference of Local Environmental Health Directors.

(c) The President of the Senate and Speaker of the House jointly shall designate the chair of the Task Force.

(d) The Task Force may form subcommittees from among its members.

(e) The Department of Health and Mental Hygiene shall provide staff for the Task Force.

(f) 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.

(g) The Task Force shall:

(1) study and make recommendations regarding:

(i) food allergy awareness and food allergy training for food service facilities in the State;

(ii) food safety training for food service facilities in the State;
and

(iii) the use of systems for grading and classifying health inspection results for food service facilities in the State;

(2) review food safety efforts at the State and local level, including:

(i) the frequency of food service facility inspections, the most common violations, and the reasons for closures;

(ii) the number of food-borne illness cases that have been linked to food service facilities; and

(iii) the impact of local food service manager certification programs;

(3) study:

(i) the most common food allergies and issues related to food preparation and cross-contamination in food service facilities;

(ii) existing and planned food allergy training material, programs, and certifications;

(iii) food allergy awareness and training mandates for food service facilities in other states;

(iv) legal issues related to food allergens, including potential civil liability, compliance with the Americans with Disabilities Act, and negligence issues;

(v) the use of grading and classifying health inspection results for food service facilities by other jurisdictions;

(vi) the frequency of food-borne illness cases linked to food service facilities in jurisdictions that grade and classify health inspection results compared to similar jurisdictions that do not use grading and classification systems;

(vii) the costs of implementing and administering grading and classifying systems, how the costs of these systems are paid for, and any cost-benefit analyses of these systems that have been completed;

(viii) the alternatives to grading and classifying health inspection results, including the State's existing pass-fail inspection system, online posting of health inspection results, a system that informs consumers regarding the frequency of health inspections at food service facilities, and any other options the Task Force considers appropriate; and

(ix) any other issues the Task Force considers appropriate; and

(4) study and evaluate:

(i) mandated food service manager certification and mandated food handler training options; and

(ii) online food safety training programs for certification and recertification.

(h) On or before January 1, 2014, the Task Force shall report its findings and recommendations related to food allergy awareness and training, food safety training, and the use of grading and classifying health inspections results for food service facilities to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee.”.

On page 4, in line 3, after “That” insert “Section 1 of”; and after line 4, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2013. Section 2 of this Act 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, Section 2 of this Act shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**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**

SB1010/697379/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1010

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 21 down through “circumstances;” in line 23; and in line 24, after “notice” insert “and subject to a certain limitation”.

AMENDMENT NO. 2

On page 10, in line 14, strike “(1)”; strike in their entirety lines 20 through 24, inclusive; and in line 29, after “ADMINISTRATION” insert “, SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET,”.

The preceding 2 amendments were read only.

Senator Brinkley moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 1068 – Senator Glassman

AN ACT concerning

Commission to Study the Regulation of Payroll Services

SB1068/587972/2

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1068

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 6, strike “and”; after line 6, insert:

“(8) one representative of the federal Internal Revenue Service or a taxpayer advocate, appointed by the Governor; and”;

and in line 7, strike “(8)” and substitute “(9)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 23, inclusive, and substitute:

“(1) study:

(i) the function, size, and structure of the payroll services industry operating in the State;

(ii) the role of the payroll services industry in the tax payment system at the State and federal levels; and

(iii) the nature, oversight, and regulation of payroll service companies in other jurisdictions, including any licensing, permitting, and bonding requirements; and

(2) make recommendations for regulating payroll service companies in the State, including:

(i) the best practices for preventing fraud by payroll service companies in the collection and payment of taxes; and

(ii) the feasibility and cost of establishing State licensure or registration of payroll service companies, including requiring qualifying examinations and the potential benefits of licensure or registration.”;

in line 25, strike “Education, Health, and Environmental Affairs” and substitute “Finance”; in line 29, strike “July” and substitute “June”; and in the same line, after “year” insert “and 1 month”.

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 FINANCE REPORT #24

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 164 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Department of Health and Mental Hygiene – Regulatory Authority – Permit and Licensing Renewals and Building Plan Reviews

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 227 – The Speaker (By Request – Administration) and Delegates Olszewski, Mitchell, Clippinger, Davis, and Busch

AN ACT concerning

Maryland Employment Advancement Right Now (EARN) Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 348 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Employer Contributions – Application for Refund or Adjustment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 349 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation) and Delegates O’Donnell and Fisher

AN ACT concerning

Business Regulation – Cemeteries – Prohibited Acts and Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 350 – Chair, Economic Matters Committee (By Request – Departmental – State Police)

AN ACT concerning

Business Regulation – Outdoor Musical Festival Promoter License – Repeal of Safety Permit Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 354 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Recovery of Benefits – Monetary Penalty for Fraud

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**House Bill 356 – Chair, Economic Matters Committee (By Request –
Departmental – Veterans Affairs)**

AN ACT concerning

**Military Personnel and Veteran–Owned Small Business No–Interest Loan
Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 370 – ~~Delegate Costa~~ Anne Arundel County Delegation

AN ACT concerning

Workers’ Compensation – Anne Arundel County Deputy Sheriff

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**House Bill 392 – Chair, Economic Matters Committee (By Request –
Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Motor Vehicle Liability Insurance – Personal Injury Protection Coverage –
Prohibition on Premium Increase**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**House Bill 583 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Relief from Charges for Overpayment of Benefits
– Restrictions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**House Bill 724 – Chair, Health and Government Operations Committee (By
Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Risk Based Capital Standards – Fraternal Benefit Societies and
Life Insurers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**House Bill 863 – The Speaker (By Request – Administration) and Delegates
Anderson, Barkley, Barnes, Barve, Bobo, Braveboy, Clagett, Clippinger,
Cullison, DeBoy, Feldman, Frick, Frush, Gaines, Glenn, Gutierrez,
Guzzone, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Hucker,
Ivey, Jameson, Jones, Kaiser, Kramer, Lafferty, Luedtke, Malone,
McHale, McIntosh, A. Miller, Mizeur, Pena–Melnik, Pendergrass,
Proctor, Reznik, B. Robinson, Stein, F. Turner, V. Turner, Valderrama,
A. Washington, M. Washington, and Zucker**

AN ACT concerning

Higher Education Fair Share Act

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 895 – Howard County Delegation

AN ACT concerning

**Education – Howard County Library System – Collective Bargaining
Ho. Co. 3–13**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**House Bill 1330 – Chair, Economic Matters Committee (By Request –
Departmental – Workers’ Compensation Commission)**

AN ACT concerning

Workers' Compensation – Insurance Coverage – Employer ComplianceFavorable report adopted.Read the second time and ordered prepared for Third Reading.**THE COMMITTEE ON BUDGET AND TAXATION REPORT #16****CONSENT CALENDAR #50**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 69	FAV	Dorchester County Delegation	Dorchester County – Restriction on Sunday Gaming – Repeal
HB 201	FAV	Del Hershey, et al	Queen Anne's County – Property Tax Credit – Commercial Investment and Economic Development
HB 305	FAV	Carroll County Delegation	Carroll County – Budgeting and Finance Procedures – Surplus Funds
HB 376	FAV	Del Griffith (Chr Jt Com on Pnsns)	State Retirement and Pension System – Correction of Errors in Benefits
HB 452	FAV	Del Beitzel	Garrett County – Bonds for Garrett County Memorial Hospital
HB 470	FAV	Del Otto	Somerset Co – Co Tres – Abolishment and Transf of Functions to the Co Supvr of Tax Collection
HB 546	FAV	Washington County Delegation	Washington County – Public Facilities Bonds
HB 852	FAV	Del Griffith (Chr Jt Com on Pnsns)	State Ret and Pension Systems – Cost-of-Living Adjustments – Simplification and Clarif
HB 1053 (Emergency Bill)	FAV	Del B. Robinson (BCA) et al	Video Lottery Facilities – Employee Licenses – Crimes of Moral Turpitude or Gambling

Favorable report adopted.Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #17

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 103 – Delegates Morhaim, Barve, Cardin, Cluster, Feldman, Frank, Griffith, Hammen, Ivey, Kramer, Lafferty, Luedtke, Mitchell, Mizeur, Murphy, Nathan–Pulliam, Proctor, Reznik, S. Robinson, Stein, F. Turner, Walker, and Zucker

AN ACT concerning

School Buildings – Solar Technology – Design Development Documents

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 288 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Facility Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 390 – Delegates Griffith ~~and James~~, James, Aumann, Bates, Bohanan, Eckardt, Gutierrez, Haynes, B. Robinson, Serafini, Szeliga, and Zucker

AN ACT concerning

State Retirement and Pension System – Board of Trustees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 492 – Delegate Otto

AN ACT concerning

**Employees’ Pension System – Somerset County Economic Development
Commission – Eligible Governmental Unit**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**House Bill 1155 – Delegates Branch, Barve, Hixson, Luedtke, Myers,
F. Turner, and Walker**

AN ACT concerning

Video Lottery Facilities – Table Game Proceeds

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 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 249 – Senators Forehand and Raskin

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –
Retaliation Against Dealers**

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator DeGrange moved, duly seconded, to make the Bill a Special Order for April 1, 2013.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #18

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 829 – Senators Miller, Garagiola, Currie, Kasemeyer, Madaleno, Manno, McFadden, and Raskin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Transportation Trust Fund – Financing – Use of Funds

SB0829/629931/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 829

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Raskin” and substitute “Raskin, Brinkley, Colburn, DeGrange, Edwards, Jones–Rodwell, King, Peters, and Robey”.

The preceding amendment was read only.

Senator Reilly moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

Senator Madaleno moved, duly seconded, to suspend rule 53.

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

Affirmative – 38 Negative – 6 (See Roll Call No. 825)

SB0829/629931/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 829

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Raskin” and substitute “Raskin, Brinkley, Colburn, DeGrange, Edwards, Jones–Rodwell, King, Peters, and Robey”.

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 BUDGET AND TAXATION REPORT #19

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1515 – The Speaker (By Request – Administration)

AN ACT concerning

Transportation Infrastructure Investment Act of 2013

Favorable report adopted by a roll call vote as follows:

Affirmative – 27 Negative – 20 (See Roll Call No. 826)

FLOOR AMENDMENT

HB1515/133226/1

BY: Senator Jennings

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 2, strike “2–1302.2” and substitute “2–1102.1, 2–1302.2”.

AMENDMENT NO. 2

On page 3, after line 22, insert:

“2-1102.1.

(A) IN THIS SECTION, “MARINA” MEANS A PERSON THAT MAINTAINS A PLACE OF BUSINESS WHERE MOTOR FUEL IS SOLD PRIMARILY TO VESSELS.

(B) AFTER MAKING THE DISTRIBUTIONS REQUIRED UNDER §§ 2-1101 AND 2-1102 OF THIS SUBTITLE, THE COMPTROLLER SHALL DISTRIBUTE THE REMAINING MOTOR FUEL TAX REVENUE AND THE REVENUE ATTRIBUTABLE TO THE SALES AND USE TAX EQUIVALENT RATE IMPOSED UNDER § 9-306 OF THIS ARTICLE FROM MOTOR FUEL SOLD TO A MARINA TO THE WATERWAY IMPROVEMENT FUND ESTABLISHED UNDER § 8-707 OF THE NATURAL RESOURCES ARTICLE.”;

and in line 24, strike “and 2-1102” and substitute “, 2-1102, AND 2-1102.1”.

On page 4, in line 1, after “(3)” insert “THE REMAINING”; and in line 4, after “(4)” insert “THE REMAINING”.

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

HB1515/373525/1

BY: Senator Kittleman

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “year;” insert “requiring the Comptroller to provide certain notice on certain dates of the increase in certain motor fuel tax rates;”.

AMENDMENT NO. 2

On page 6, after line 14, insert:

“(C) (1) ON JULY 1, 2014, AND ON JULY 1 OF EACH SUBSEQUENT YEAR, THE COMPTROLLER SHALL MAINTAIN, OR CAUSE TO BE MAINTAINED, ON THE COMPTROLLER’S WEB SITE A NOTICE OF THE INCREASE IN THE MOTOR FUEL TAX RATES UNDER SUBSECTION (B)(4) OF THIS SECTION AND A STATEMENT OF THE AMOUNT OF THE INCREASE IN THE TAX RATE FROM THE PREVIOUS YEAR.

(2) THE COMPTROLLER SHALL MAINTAIN, OR CAUSE TO BE MAINTAINED, THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) PROMINENTLY ON THE FRONT PAGE OF THE COMPTROLLER’S WEB SITE; AND

(II) UNTIL THE NEXT INCREASE IN THE MOTOR FUEL TAX RATES UNDER SUBSECTION (B)(4) OF THIS SECTION OCCURS.

(D) ON JULY 1, 2014, AND ON JULY 1 OF EACH SUBSEQUENT YEAR, THE COMPTROLLER SHALL CAUSE NOTICE TO BE PUBLISHED IN NEWSPAPERS OF GENERAL CIRCULATION IN THE STATE OF THE INCREASE IN THE MOTOR FUEL TAX RATES UNDER SUBSECTION (B)(4) OF THIS SECTION AND STATING THE AMOUNT OF THE INCREASE IN THE TAX RATE FROM THE PREVIOUS YEAR.”.

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

Affirmative – 21 Negative – 26 (See Roll Call No. 827)

FLOOR AMENDMENT

HB1515/543529/1

BY: Senator Glassman

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, strike beginning with “REVENUE” in line 30 down through “OR” in line 31; and in line 34, after the semicolon insert “AND”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 1 through 3, inclusive; and in line 4, strike “(4)” and substitute “(3)”.

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

Affirmative – 20 Negative – 27 (See Roll Call No. 828)

FLOOR AMENDMENT

HB1515/283227/1

BY: Senator Jacobs

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 38, after “Act;” insert “making this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 26, in line 11, after “2013” insert “, contingent on the passage of S.B. 829 of 2013 by both houses of the General Assembly, and if S.B. 829 of 2013 is not passed by both houses of the General Assembly, this Act shall be null and void without the necessity of further action by the General Assembly”.

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

Affirmative – 16 Negative – 29 (See Roll Call No. 829)

FLOOR AMENDMENT

HB1515/863322/1

BY: Senator Getty

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 35, after “date;” insert “stating the intent of the General Assembly that certain revenue in certain fiscal years be used for certain purposes;”.

AMENDMENT NO. 2

On page 26, after line 9, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that for fiscal years 2014 and 2015, at least 50% of any new revenue generated under this Act be used only for the construction, reconstruction, or rehabilitation of the State highway system.”;

and in line 10, strike “13.” and substitute “14.”.

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

Affirmative – 17 Negative – 30 (See Roll Call No. 830)

FLOOR AMENDMENT

HB1515/283724/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “year;” in line 11.

On page 2, strike beginning with “requiring” in line 33 down through “date;” in line 35; in line 42, in each instance, strike the comma; in the same line, after “2–1103” insert “and”; and in the same line, strike “and 9–305”.

AMENDMENT NO. 2

On page 3, strike beginning with “**REVENUE**” in line 30 down through “**OR**” in line 31; and in line 34, after the semicolon, insert “AND”.

On page 4, strike beginning with “**REVENUE**” in line 1 down through “**(4)**” in line 4.

On pages 4 through 6, strike beginning with line 7 on page 4 through line 14 on page 6.

On page 7, in line 4, strike “§ 9-305(A)(2),” and substitute “§ 9-305(2),”.

On page 9, in lines 25 and 26, strike “, 2-1103(3),”; and in line 29, strike “§ 2-1103(4)” and substitute “§ 2-1103(3)”.

On page 22, in line 2, strike “§ 9-305(A)(2)” and substitute “§ 9-305(2)”.

On page 25, strike in their entirety lines 12 through 22, inclusive; and in lines 23 and 33, strike “11.” and “12.”, respectively, and substitute “10.” and “11.”, respectively.

On page 26, in lines 2, 10, and 11, strike “11”, “13.”, and “11 and 12”, respectively, and substitute “10”, “12.”, and “10 and 11”, respectively.

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

Affirmative – 19 Negative – 27 (See Roll Call No. 831)

FLOOR AMENDMENT

HB1515/163122/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Transportation – Transit Authorities – Red Line and Purple Line”.

On pages 1 and 2, strike beginning with “altering” in line 3 on page 1 down through “investment” in line 39 on page 2 and substitute “establishing the Red Line Transit Authority and the Purple Line Transit Authority to finance, construct, and operate the Red Line and the Purple Line light rail transit lines; providing for the members, appointments, terms, chairs, and staff of the Authorities; prohibiting the Department of Transportation from exercising jurisdiction or authority over the Red Line and the Purple Line light rail transit lines; authorizing the Authorities to take”

certain actions in the performance of their duties; authorizing the Authorities to tax to the same extent as the State within certain districts for the purpose of financing the Red Line and the Purple Line transit facilities and transit service; authorizing the Authorities to provide for the collection of any tax and to grant exemptions from any tax; authorizing the Authorities to issue revenue bonds payable from certain fees, fares, and taxes for the purpose of financing transit facilities; providing that bonds issued by the Authorities do not constitute a debt or pledge of the full faith and credit of certain entities; providing that bonds issued by the Authorities do not obligate certain entities to impose any tax; requiring the Authorities to determine certain matters concerning bonds they issue; providing for the issuance and execution of the bonds; authorizing the Authorities to issue bonds to refinance the cost of transit facilities; authorizing the Authorities to issue revenue refunding bonds for certain purposes; authorizing the Authorities to issue interim certificates or temporary bonds; authorizing the Authorities to issue bond anticipation notes; authorizing revenue bonds issued by the Authorities to be secured by certain trust agreements; requiring certain fees, fares, and taxes designated by the Authorities as security for bonds to be adjusted in a certain manner; requiring that certain revenues of the Authorities shall be deemed to be trust funds to be used only in a certain manner; authorizing the trustee or a holder of revenue bonds issued by the Authorities to bring a legal action to enforce certain rights and compel the performance of certain duties; providing that bonds issued by the Authorities are securities in which certain persons may invest and that may be deposited with certain persons; exempting revenue bonds issued by the Authorities from taxation; defining certain terms; and generally relating to the creation of the Red Line Transit Authority and the Purple Line Transit Authority to finance, construct, and operate certain transit lines”.

On pages 2 and 3, strike in their entirety the lines beginning with line 40 on page 2 through line 19 on page 3, inclusive, and substitute:

“BY adding to

Article – Transportation

Section 9–101 through 9–413 to be under the new title “Title 9. Regional Transit Authorities”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)”.

On page 3, after line 21, insert:

“Article – Transportation

TITLE 9. REGIONAL TRANSIT AUTHORITIES.

SUBTITLE 1. DEFINITIONS.

9-101.

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

(B) “AUTHORITIES” MEANS:

(1) THE RED LINE TRANSIT AUTHORITY; AND

(2) THE PURPLE LINE TRANSIT AUTHORITY.

(C) “COST” HAS THE MEANING STATED IN § 3-101 OF THIS ARTICLE.

(D) “DISTRICT” MEANS:

(1) THE RED LINE TRANSIT DISTRICT, CONSISTING OF BALTIMORE CITY AND BALTIMORE COUNTY; OR

(2) THE PURPLE LINE TRANSIT DISTRICT, CONSISTING OF MONTGOMERY COUNTY AND PRINCE GEORGE’S COUNTY.

(E) “LIGHT RAIL TRANSIT” HAS THE MEANING STATED IN § 7-101 OF THIS ARTICLE.

(F) “PURPLE LINE” MEANS A LIGHT RAIL TRANSIT LINE FROM BETHESDA IN MONTGOMERY COUNTY TO NEW CARROLLTON IN PRINCE GEORGE’S COUNTY.

(G) “RED LINE” MEANS A LIGHT RAIL TRANSIT LINE FROM WOODLAWN IN BALTIMORE COUNTY TO JOHNS HOPKINS BAYVIEW MEDICAL CENTER CAMPUS IN BALTIMORE CITY.

(H) "TRANSIT FACILITY" HAS THE MEANING STATED IN § 7-101 OF THIS ARTICLE.

(I) "TRANSIT SERVICE" HAS THE MEANING STATED IN § 7-101 OF THIS ARTICLE.

SUBTITLE 2. RED LINE TRANSIT AUTHORITY AND PURPLE LINE TRANSIT AUTHORITY.

9-201.

THERE IS A RED LINE TRANSIT AUTHORITY AND A PURPLE LINE TRANSIT AUTHORITY.

9-202.

(A) THE RED LINE TRANSIT AUTHORITY CONSISTS OF EIGHT MEMBERS AS FOLLOWS:

(1) TWO MEMBERS APPOINTED BY THE COUNTY EXECUTIVE OF BALTIMORE COUNTY, SUBJECT TO THE CONFIRMATION OF THE COUNTY COUNCIL;

(2) TWO MEMBERS APPOINTED BY THE MAYOR OF BALTIMORE CITY, SUBJECT TO THE CONFIRMATION OF THE CITY COUNCIL; AND

(3) FOUR MEMBERS APPOINTED BY THE GOVERNOR, SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE.

(B) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE AUTHORITY.

(C) EACH MEMBER OF THE AUTHORITY SERVES FOR A TERM OF 4 YEARS AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(D) THE TERMS OF THE MEMBERS OF THE AUTHORITY BEGIN ON JULY 1 IN THE YEAR OF APPOINTMENT.

(E) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED TERM SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(F) A MEMBER OF THE AUTHORITY IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

9-203.

(A) THE PURPLE LINE TRANSIT AUTHORITY CONSISTS OF EIGHT MEMBERS AS FOLLOWS:

(1) TWO MEMBERS APPOINTED BY THE COUNTY EXECUTIVE OF MONTGOMERY COUNTY, SUBJECT TO THE CONFIRMATION OF THE COUNTY COUNCIL;

(2) TWO MEMBERS APPOINTED BY THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY, SUBJECT TO THE CONFIRMATION OF THE COUNTY COUNCIL; AND

(3) FOUR MEMBERS APPOINTED BY THE GOVERNOR, SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE.

(B) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE AUTHORITY.

(C) EACH MEMBER OF THE AUTHORITY SERVES FOR A TERM OF 4 YEARS AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(D) THE TERMS OF THE MEMBERS OF THE AUTHORITY BEGIN ON JULY 1 IN THE YEAR OF APPOINTMENT.

(E) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED TERM SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(F) A MEMBER OF THE AUTHORITY IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

9-204.

THE RED LINE TRANSIT AUTHORITY AND THE PURPLE LINE TRANSIT AUTHORITY ARE ENTITLED TO THE STAFF PROVIDED IN THE STATE BUDGET.

SUBTITLE 3. JURISDICTION AND POWERS.

9-301.

(A) THE RED LINE TRANSIT AUTHORITY SHALL:

(1) FINANCE, CONSTRUCT, OPERATE, REPAIR, AND MAINTAIN IN GOOD ORDER THE RED LINE TRANSIT FACILITY AND TRANSIT SERVICE; AND

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, HAVE GENERAL AND EXCLUSIVE JURISDICTION OVER THE RED LINE TRANSIT FACILITY AND TRANSIT SERVICE.

(B) THE DEPARTMENT MAY NOT EXERCISE JURISDICTION OR AUTHORITY OVER THE RED LINE TRANSIT FACILITY AND TRANSIT SERVICE.

9-302.

(A) THE PURPLE LINE TRANSIT AUTHORITY SHALL:

(1) FINANCE, CONSTRUCT, OPERATE, REPAIR, AND MAINTAIN IN GOOD ORDER THE PURPLE LINE TRANSIT FACILITY AND TRANSIT SERVICE; AND

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, HAVE GENERAL AND EXCLUSIVE JURISDICTION OVER THE PURPLE LINE TRANSIT FACILITY AND TRANSIT SERVICE.

(B) THE DEPARTMENT MAY NOT EXERCISE JURISDICTION OR AUTHORITY OVER THE PURPLE LINE TRANSIT FACILITY AND TRANSIT SERVICE.

9-303.

THE AUTHORITIES MAY DO THE FOLLOWING IN THE EXERCISE OF THEIR POWERS AND PERFORMANCE OF THEIR DUTIES:

- (1) ACQUIRE, HOLD, AND DISPOSE OF PROPERTY;
- (2) SUE AND BE SUED IN THEIR OWN NAMES;
- (3) MAKE CONTRACTS AND AGREEMENTS;
- (4) EMPLOY AND FIX THE COMPENSATION OF ATTORNEYS, CONSULTING ENGINEERS, ACCOUNTANTS, CONSTRUCTION AND FINANCIAL EXPERTS, MANAGERS, AND ANY OTHER AGENTS OR EMPLOYEES;
- (5) APPLY FOR AND RECEIVE GRANTS FROM A FEDERAL AGENCY OR ANY OTHER SOURCE;
- (6) CONDEMN PROPERTY IN ACCORDANCE WITH TITLE 12 OF THE REAL PROPERTY ARTICLE;
- (7) FIX, REVISE, CHARGE, AND COLLECT RENTALS, RATES, FEES, FARES, AND OTHER CHARGES FOR THE USE OF THEIR FACILITIES OR SERVICES;
AND
- (8) ADOPT RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS TITLE.

SUBTITLE 4. FINANCING OF TRANSIT FACILITIES AND TRANSIT SERVICES.

9-401.

FOR THE PURPOSE OF FINANCING THE RED LINE AND THE PURPLE LINE TRANSIT FACILITIES AND TRANSIT SERVICES, THE AUTHORITIES MAY, WITHIN THE LIMITS OF THEIR RESPECTIVE DISTRICTS, EXERCISE THE POWER TO TAX TO THE SAME EXTENT AS THE STATE, PROVIDE FOR THE COLLECTION OF ANY TAX, AND GRANT EXEMPTIONS FROM ANY TAX.

9-402.

(A) TO FINANCE THE COST OF TRANSIT FACILITIES, THE AUTHORITIES MAY ISSUE REVENUE BONDS, NOTES, OR OTHER EVIDENCE OF OBLIGATION, PAYABLE SOLELY FROM THE RENTALS, RATES, FEES, FARES, AND TAXES EACH AUTHORITY IS EMPOWERED TO IMPOSE UNDER THIS TITLE.

(B) BOND PROCEEDS MAY BE USED SOLELY FOR PAYING THE COST OF TRANSIT FACILITIES.

9-403.

(A) BONDS ISSUED BY THE AUTHORITIES UNDER THIS SUBTITLE MAY NOT:

(1) CONSTITUTE A DEBT OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE OTHER THAN THE AUTHORITIES, AND SHALL SO STATE ON THEIR FACE;

(2) CONSTITUTE A PLEDGE OF THE FULL FAITH AND CREDIT OF THE AUTHORITIES OR THE STATE OR A POLITICAL SUBDIVISION OF THE STATE; OR

(3) DIRECTLY OR INDIRECTLY OBLIGATE THE STATE OR A POLITICAL SUBDIVISION OF THE STATE TO IMPOSE ANY TAX, AND SHALL CONTAIN A STATEMENT ON THEIR FACE TO THAT EFFECT.

(B) THE AUTHORITIES SHALL DETERMINE THE FOLLOWING CONCERNING BONDS ISSUED BY THE AUTHORITIES:

(1) DATE OF ISSUE;

(2) INTEREST RATE;

(3) DATE AND AMOUNT OF MATURITY, EXCEPT THAT A BOND MAY NOT MATURE MORE THAN 40 YEARS AFTER ITS DATE OF ISSUE;

(4) FORM AND MANNER OF EXECUTION;

(5) MANNER OF SALE; AND

(6) ANY OTHER MATTER RELATING TO THE FORM, TERMS, CONDITIONS, ISSUANCE, SALE, AND DELIVERY OF THE BONDS.

(C) THE AUTHORITIES MAY ISSUE BONDS:

(1) WITHOUT OBTAINING THE CONSENT OF ANY INSTRUMENTALITY, AGENCY, OR UNIT OF THE STATE; AND

(2) WITHOUT ANY PROCEEDINGS OR THE OCCURRENCE OF ANY CONDITIONS OR OBLIGATIONS OTHER THAN THOSE SPECIFICALLY REQUIRED BY THIS SUBTITLE.

(D) (1) CONSOLIDATED TRANSPORTATION BONDS SHALL BE EXECUTED ON BEHALF OF THE AUTHORITIES BY THE MANUAL OR FACSIMILE SIGNATURES OF THE CHAIRS OF THE AUTHORITIES.

(2) OTHER SIGNATURES ON THE BONDS MAY BE EITHER MANUAL OR FACSIMILE.

(E) IF AN INDIVIDUAL WHOSE MANUAL OR FACSIMILE SIGNATURE APPEARS ON ANY BOND OR COUPON CEASES TO SERVE IN AN AUTHORIZED CAPACITY BEFORE THE DELIVERY OF THE BOND, THE SIGNATURE

NEVERTHELESS IS AS VALID AND SUFFICIENT FOR ALL PURPOSES AS IF THE INDIVIDUAL HAD REMAINED IN THAT CAPACITY UNTIL DELIVERY OF THE BOND.

9-404.

(A) WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY, THE AUTHORITIES MAY ISSUE BONDS TO REFINANCE ALL OR ANY PART OF THE COST OF TRANSIT FACILITIES FOR WHICH AN AUTHORITY PREVIOUSLY ISSUED BONDS UNDER THIS SUBTITLE.

(B) IF, BY REASON OF INCREASED CONSTRUCTION COSTS, ERROR IN ESTIMATES, OR OTHERWISE, THE PROCEEDS OF THE REVENUE BONDS OF ANY ISSUE ARE LESS THAN THE AMOUNT REQUIRED FOR THE PURPOSE FOR WHICH THE BONDS ARE AUTHORIZED, ADDITIONAL REVENUE BONDS MAY BE ISSUED IN A SIMILAR MANNER TO PROVIDE THE AMOUNT OF THE DEFICIENCY.

9-405.

(A) IN THIS SECTION, "REFUNDING" MEANS THE RETIREMENT AND CANCELLATION OF BONDS, INCLUDING REVENUE BONDS OF PRIOR ISSUES, AFTER THEIR ACQUISITION BY OR FOR THE AUTHORITIES, WHETHER BEFORE, AT, OR AFTER MATURITY, EITHER IN EXCHANGE FOR OTHER BONDS OR BY PAYMENT, PURCHASE, OR REDEMPTION WITH THE PROCEEDS OF THE SALE OF OTHER BONDS.

(B) THE AUTHORITIES MAY ISSUE REVENUE REFUNDING BONDS FOR:

(1) REFUNDING ANY BONDS ISSUED UNDER THIS SUBTITLE OR ANY REVENUE BONDS OF PRIOR ISSUES, INCLUDING THE PAYMENT OF ANY REDEMPTION PREMIUM ON THE BONDS AND ANY INTEREST ACCRUED OR TO ACCRUE TO THE DATE OF REDEMPTION OF THE BONDS; AND

(2) CONSTRUCTING IMPROVEMENTS OR EXTENSIONS TO OR ENLARGEMENTS OF ANY TRANSIT FACILITY.

9-406.

BEFORE THE PREPARATION OF DEFINITIVE BONDS, THE AUTHORITIES MAY ISSUE INTERIM CERTIFICATES OR TEMPORARY BONDS, WITH OR WITHOUT COUPONS, EXCHANGEABLE FOR DEFINITIVE BONDS WHEN THE DEFINITIVE BONDS HAVE BEEN EXECUTED AND ARE AVAILABLE FOR DELIVERY.

9-407.

(A) THE AUTHORITIES MAY ISSUE BOND ANTICIPATION NOTES PAYABLE TO THE BEARER OR REGISTERED HOLDER OF THE NOTES OUT OF THE FIRST PROCEEDS OF THE NEXT SALE OF BONDS ISSUED UNDER THIS SUBTITLE.

(B) THE ISSUANCE OF BOND ANTICIPATION NOTES, THE DETAILS OF THEIR ISSUANCE, THE RIGHTS OF THEIR HOLDERS, AND THE RIGHTS, DUTIES, AND OBLIGATIONS OF THE AUTHORITIES WITH RESPECT TO THE BOND ANTICIPATION NOTES ARE GOVERNED BY THE PROVISIONS OF THIS SUBTITLE RELATING TO THE ISSUANCE OF THE BONDS IN ANTICIPATION OF THE SALE OF WHICH THE NOTES ARE ISSUED, INsofar AS THOSE PROVISIONS ARE APPLICABLE.

9-408.

(A) REVENUE BONDS ISSUED UNDER THIS SUBTITLE MAY BE SECURED BY A TRUST AGREEMENT BETWEEN THE RED LINE TRANSIT AUTHORITY OR THE PURPLE LINE TRANSIT AUTHORITY AND A CORPORATE TRUSTEE, WHICH MAY BE ANY TRUST COMPANY OR BANK HAVING TRUST POWERS WITHIN OR WITHOUT THE STATE.

(B) THE TRUST AGREEMENT MAY PLEDGE OR ASSIGN ALL OR ANY PART OF THE REVENUES OF THE RED LINE TRANSIT AUTHORITY OR THE PURPLE LINE TRANSIT AUTHORITY OR OF ANY TRANSIT FACILITY BUT MAY NOT MORTGAGE ANY PART OF ANY TRANSIT FACILITY.

9-409.

THE RENTALS, RATES, FEES, FARES, AND TAXES DESIGNATED AS SECURITY FOR BONDS ISSUED UNDER THIS SUBTITLE SHALL BE FIXED AND ADJUSTED SO AS TO PROVIDE FUNDS THAT ARE SUFFICIENT AS LONG AS THE

BONDS ARE OUTSTANDING AND UNPAID TO PAY THE PRINCIPAL OF AND THE INTEREST ON THE BONDS AS THEY BECOME DUE AND PAYABLE.

9-410.

ALL MONEY THAT IS RECEIVED BY THE AUTHORITIES AS PROCEEDS FROM THE SALE OF REVENUE BONDS, NOTES, OR OTHER EVIDENCES OF OBLIGATION UNDER THIS SUBTITLE AND, BY WAY OF RENTALS, RATES, FEES, FARES, AND TAXES, THAT IS DESIGNATED BY ANY TRUST AGREEMENT AS SECURITY FOR THE BONDS, NOTES, OR OTHER EVIDENCES OF OBLIGATION SHALL BE DEEMED TO BE TRUST FUNDS TO BE HELD AND APPLIED ONLY AS PROVIDED IN THIS SUBTITLE.

9-411.

EXCEPT TO THE EXTENT RESTRICTED BY THE TRUST AGREEMENT, THE TRUSTEE OR ANY HOLDER OF REVENUE BONDS ISSUED UNDER THIS SUBTITLE OR OF ANY OF THE COUPONS APPERTAINING TO THE BONDS MAY:

(1) BRING A SUIT OR OTHER PROCEEDING TO PROTECT AND ENFORCE ANY RIGHT UNDER THE LAWS OF THE STATE OR UNDER THE TRUST AGREEMENT; AND

(2) ENFORCE AND COMPEL THE PERFORMANCE OF ALL DUTIES REQUIRED BY THIS SUBTITLE OR BY THE TRUST AGREEMENT TO BE PERFORMED BY THE AUTHORITIES OR BY ANY OF THEIR OFFICERS, INCLUDING THE FIXING, CHARGING, IMPOSING, AND COLLECTING OF RENTALS, RATES, FEES, FARES, AND TAXES.

9-412.

BONDS ISSUED UNDER THIS SUBTITLE ARE SECURITIES:

(1) IN WHICH ALL PUBLIC OFFICERS AND PUBLIC BODIES OF THE STATE AND ITS POLITICAL SUBDIVISIONS, ALL INSURANCE COMPANIES, STATE BANKS AND TRUST COMPANIES, NATIONAL BANKING ASSOCIATIONS, SAVINGS BANKS, SAVINGS AND LOAN ASSOCIATIONS, INVESTMENT COMPANIES,

EXECUTORS, ADMINISTRATORS, TRUSTEES, AND OTHER FIDUCIARIES MAY PROPERLY AND LEGALLY INVEST FUNDS, INCLUDING CAPITAL IN THEIR CONTROL OR BELONGING TO THEM; AND

(2) THAT MAY BE PROPERLY AND LEGALLY DEPOSITED WITH AND RECEIVED BY ANY STATE OR COUNTY OFFICER OR ANY AGENCY OR POLITICAL SUBDIVISION OF THE STATE FOR ANY PURPOSE FOR WHICH THE DEPOSIT OF BONDS OR OBLIGATIONS OF THE STATE IS AUTHORIZED BY LAW.

9-413.

THE REVENUE BONDS, NOTES, AND OTHER EVIDENCES OF OBLIGATION ISSUED UNDER THIS SUBTITLE, THEIR TRANSFER, THE INTEREST PAYABLE ON THEM, AND ANY INCOME DERIVED FROM THEM, INCLUDING ANY PROFIT REALIZED IN THEIR SALE OR EXCHANGE, SHALL BE EXEMPT FROM TAXATION BY THE STATE OR BY ANY OF ITS POLITICAL SUBDIVISIONS, MUNICIPAL CORPORATIONS, OR PUBLIC AGENCIES.”.

On pages 3 through 26, strike in their entirety the lines beginning with line 22 on page 3 through line 9 on page 26, inclusive.

On page 26, in line 10, strike “13.” and substitute “2.”; strike beginning with “, except” in line 10 down through “Act,” in line 11; and in line 11, strike “June” and substitute “October”.

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

Affirmative – 14 Negative – 32 (See Roll Call No. 832)

FLOOR AMENDMENT

HB1515/803627/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Transportation Trust Fund – Use of Funds – Transit Financing”.

On pages 1 and 2, strike beginning with “altering” in line 3 on page 1 down through “investment” in line 39 on page 2 and substitute “requiring that certain funds in the Transportation Trust Fund be allocated for highway expenditures, transit expenditures, and other transportation expenditures in a certain manner; establishing the Mass Transit Account in the Transportation Trust Fund; requiring that certain revenues be credited to the Mass Transit Account; requiring that funds in the Mass Transit Account be used to pay certain costs of transit facilities and transit service; requiring that revenues attributable to certain county taxes be used to pay the cost of transit facilities and transit service in the county where the tax was collected; authorizing the governing body of a county that is served by certain transit agencies to impose a county transportation property tax; requiring a county transportation property tax to be imposed on the same property that is subject to the county property tax in the same manner as the county property tax; authorizing the governing body of a county that is served by certain transit agencies to impose a county motor fuel tax on each gallon of motor fuel that is sold by a distributor to a retail service station dealer in the county; requiring the tax to be imposed at a certain time and collected and paid in a certain manner; requiring a distributor to file a county motor fuel tax return at certain times; allowing a distributor to deduct a certain amount of the county motor fuel tax due to reimburse the distributor for certain expenses; requiring persons that hold motor fuel on a date that the county motor fuel tax is adjusted to remit any county motor fuel tax that is due on the motor fuel; providing that certain exemptions, refunds, procedures, and penalties that apply to the motor fuel tax also apply to the county motor fuel tax, unless certain regulations provide otherwise; requiring the Comptroller to adopt regulations implementing the county motor fuel tax; requiring regulations adopted by the Comptroller to address certain matters; requiring that county motor fuel tax revenues be distributed in a certain manner; defining certain terms; and generally relating to the use of funds in the Transportation Trust Fund and the financing of transit facilities and transit service”.

On pages 2 and 3, strike in their entirety the lines beginning with line 40 on page 2 through line 19 on page 3, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Transportation

Section 3–216(a), (b), and (c)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 3–216(c)(2)(i) and (d)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Transportation

Section 3–216(d)(7), 7–309, and 7–310

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General

Section 1–101(f–1); 2–11A–01 through 2–11A–03 to be under the new subtitle

“Subtitle 11A. County Motor Fuel Tax Distribution”; and 9–401 through

9–406 to be under the new subtitle “Subtitle 4. County Motor Fuel Tax”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

On page 3, after line 21, insert:

“Article – Transportation

3–216.

(a) There is a Transportation Trust Fund for the Department.

(b) Except as otherwise expressly provided by statute, there shall be credited to the Transportation Trust Fund for the account of the Department all taxes, fees, charges, and revenues collected or received by or paid, appropriated, or credited to the account of the Department or any of its units in the exercise of their rights, powers, duties, or obligations, including the cash proceeds of the sale of consolidated transportation bonds, notes, or other evidences of obligation issued by the Department, any General Fund appropriations, and the proceeds of any State loan or federal grant made for transportation purposes.

(c) (1) There shall be maintained in the Transportation Trust Fund one or more sinking fund accounts to which shall be credited and from which shall be paid, from the proceeds of the taxes levied and imposed for that purpose or from any other funds of the Department, amounts sufficient at all times to meet the debt service on all bonds of prior issues and consolidated transportation bonds from time to time outstanding and unpaid.

(2) (i) The Gasoline and Motor Vehicle Revenue Account, the Driver Education Account, THE MASS TRANSIT ACCOUNT, and the Motorcycle Safety Program Account shall be maintained in the Transportation Trust Fund.

(d) (1) [After] SUBJECT TO PARAGRAPH (7) OF THIS SUBSECTION, AFTER meeting its debt service requirements, the Department may use the funds in the Transportation Trust Fund for any lawful purpose related to the exercise of its rights, powers, duties, and obligations.

(7) (I) THIS PARAGRAPH DOES NOT APPLY TO HIGHWAY USER REVENUES DISTRIBUTED TO COUNTIES, MUNICIPALITIES, AND BALTIMORE CITY UNDER § 8-403 OF THIS ARTICLE.

(II) BEGINNING IN FISCAL YEAR 2014, THE FUNDS IN THE TRANSPORTATION TRUST FUND SHALL BE ALLOCATED AMONG TRANSIT EXPENDITURES, HIGHWAY EXPENDITURES, AND OTHER TRANSPORTATION EXPENDITURES AS PROVIDED IN THIS PARAGRAPH.

(III) OF THE FUNDS IN THE TRANSPORTATION TRUST FUND, NOT INCLUDING FUNDS CREDITED TO THE MASS TRANSIT ACCOUNT:

1. THE PORTION ALLOCATED FOR HIGHWAY EXPENDITURES SHALL EQUAL:

A. 26.71% IN FISCAL YEAR 2014;

B. 28.42% IN FISCAL YEAR 2015;

C. 30.13% IN FISCAL YEAR 2016;

D. 31.84% IN FISCAL YEAR 2017; AND

E. 33.55% IN FISCAL YEAR 2018 AND IN EACH FISCAL YEAR THEREAFTER;

2. SUBJECT TO § 7-309 OF THIS ARTICLE, THE PORTION ALLOCATED FOR TRANSIT EXPENDITURES SHALL EQUAL:

A. 44.36% IN FISCAL YEAR 2014;

B. 42.72% IN FISCAL YEAR 2015;

C. 41.08% IN FISCAL YEAR 2016;

D. 39.44% IN FISCAL YEAR 2017; AND

E. 37.8% IN FISCAL YEAR 2018 AND IN EACH FISCAL YEAR THEREAFTER; AND

3. IN EACH FISCAL YEAR, THE FUNDS NOT ALLOCATED TO HIGHWAY EXPENDITURES OR TRANSIT EXPENDITURES UNDER ITEMS 1 AND 2 OF THIS SUBPARAGRAPH SHALL BE ALLOCATED FOR ALL OTHER EXPENDITURES OF THE TRANSPORTATION TRUST FUND.

7-309.

(A) THERE IS A MASS TRANSIT ACCOUNT IN THE TRANSPORTATION TRUST FUND.

(B) THERE SHALL BE CREDITED TO THE MASS TRANSIT ACCOUNT:

(1) REVENUES ATTRIBUTABLE TO ANY INCREASE IN TRANSIT FARES CHARGED BY THE ADMINISTRATION ABOVE THE AMOUNT IN EFFECT ON JULY 1, 2013;

(2) REVENUES ATTRIBUTABLE TO A COUNTY MOTOR FUEL TAX THAT IS DISTRIBUTED TO THE MASS TRANSIT ACCOUNT UNDER § 2-11A-03 OF THE TAX – GENERAL ARTICLE; AND

(3) REVENUES ATTRIBUTABLE TO A COUNTY TRANSPORTATION PROPERTY TAX IMPOSED UNDER § 7-310 OF THIS SUBTITLE.

(C) (1) FUNDS IN THE MASS TRANSIT ACCOUNT SHALL BE USED ONLY TO PAY COSTS OF TRANSIT FACILITIES AND TRANSIT SERVICE THAT ARE IN EXCESS OF THE AMOUNT ALLOCATED FOR TRANSIT EXPENDITURES UNDER § 3-216(D)(7)(III)2 OF THIS ARTICLE.

(2) REVENUES ATTRIBUTABLE TO A COUNTY MOTOR FUEL TAX OR A COUNTY TRANSPORTATION PROPERTY TAX SHALL BE USED ONLY TO PAY THE COST OF TRANSIT FACILITIES OR TRANSIT SERVICE IN THE COUNTY WHERE THE TAX WAS COLLECTED.

7-310.

(A) THE GOVERNING BODY OF A COUNTY THAT IS SERVED BY THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY OR THE ADMINISTRATION MAY IMPOSE A COUNTY TRANSPORTATION PROPERTY TAX IN ACCORDANCE WITH THIS SECTION.

(B) FOR THE PURPOSE OF FINANCING TRANSIT FACILITIES AND TRANSIT SERVICE, A COUNTY MAY IMPOSE A TRANSPORTATION PROPERTY TAX ON THE ASSESSMENT OF PROPERTY THAT IS SUBJECT TO THE COUNTY PROPERTY TAX.

(C) THE PROPERTY TAX AUTHORIZED UNDER THIS SECTION SHALL BE LEVIED IN THE SAME MANNER, ON THE SAME ASSESSMENTS, FOR THE SAME TIME PERIOD OR PERIODS, AND AS OF THE SAME DATE OR DATES OF FINALITY AS ARE NOW OR MAY HEREAFTER BE PRESCRIBED FOR THE COUNTY PROPERTY TAX.

(D) THE PROPERTY TAX AUTHORIZED UNDER THIS SECTION SHALL BE COLLECTED AND SECURED IN THE SAME MANNER AS THE COUNTY PROPERTY TAX AND SHALL BE SUBJECT TO THE SAME PENALTIES AND THE SAME PROCEDURE, SALE, AND LIEN PRIORITY IN CASE OF DELINQUENCY AS PROVIDED FOR THE COUNTY PROPERTY TAX.”;

and after line 22, insert:

“1-101.

(F-1) “COUNTY MOTOR FUEL TAX” MEANS THE TAX IMPOSED UNDER TITLE 9, SUBTITLE 4 OF THIS ARTICLE.

SUBTITLE 11A. COUNTY MOTOR FUEL TAX DISTRIBUTION.

2-11A-01.

FROM THE COUNTY MOTOR FUEL TAX REVENUES, THE COMPTROLLER SHALL DISTRIBUTE THE AMOUNT NECESSARY TO PAY REFUNDS RELATING TO THE COUNTY MOTOR FUEL TAX TO A REFUND ACCOUNT.

2-11A-02.

AFTER MAKING THE DISTRIBUTION REQUIRED UNDER § 2-11A-01 OF THIS SUBTITLE, THE COMPTROLLER SHALL DISTRIBUTE THE AMOUNT NECESSARY TO ADMINISTER THE COUNTY MOTOR FUEL TAX TO AN ADMINISTRATIVE COST ACCOUNT.

2-11A-03.

AFTER MAKING THE DISTRIBUTIONS REQUIRED UNDER §§ 2-11A-01 AND 2-11A-02 OF THIS SUBTITLE, THE COMPTROLLER SHALL DISTRIBUTE THE REMAINING REVENUES FROM THE COUNTY MOTOR FUEL TAX TO THE MASS TRANSIT ACCOUNT IN THE TRANSPORTATION TRUST FUND.

SUBTITLE 4. COUNTY MOTOR FUEL TAX.

9-401.

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

(B) "DISTRIBUTOR" MEANS A PERSON THAT ENGAGES IN THE BUSINESS OF SELLING MOTOR FUEL AT WHOLESALE TO RETAIL SERVICE STATION DEALERS FOR RETAIL SALE IN THE STATE.

(C) "RETAIL SERVICE STATION DEALER" HAS THE MEANING STATED IN § 10-101 OF THE BUSINESS REGULATION ARTICLE.

9-402.

THE GOVERNING BODY OF A COUNTY THAT IS SERVED BY THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY OR THE MARYLAND TRANSIT ADMINISTRATION MAY IMPOSE, BY LAW, A TAX ON EACH GALLON OF MOTOR FUEL THAT IS SOLD BY A DISTRIBUTOR TO A RETAIL SERVICE STATION DEALER IN THE COUNTY.

9-403.

(A) THE COUNTY MOTOR FUEL TAX IS IMPOSED AT THE TIME OF SALE OF MOTOR FUEL BY A DISTRIBUTOR TO A RETAIL SERVICE STATION DEALER.

(B) A DISTRIBUTOR SHALL PAY THE COUNTY MOTOR FUEL TAX IN ACCORDANCE WITH § 9-404 OF THIS SUBTITLE.

(C) A DISTRIBUTOR SHALL STATE SEPARATELY THE AMOUNT OF THE COUNTY MOTOR FUEL TAX AND ADD THE AMOUNT OF THE TAX TO THE SALES PRICE OF MOTOR FUEL.

(D) THE COUNTY MOTOR FUEL TAX IS:

(1) A DEBT OF A RETAIL SERVICE STATION DEALER TO THE DISTRIBUTOR UNTIL PAID; AND

(2) RECOVERABLE BY A DISTRIBUTOR FROM A RETAIL SERVICE STATION DEALER IN THE SAME MANNER AS OTHER DEBTS.

9-404.

(A) A DISTRIBUTOR SHALL COMPLETE, UNDER OATH, AND FILE WITH THE COMPTROLLER A COUNTY MOTOR FUEL TAX RETURN FOR EACH MONTH IN WHICH THE DISTRIBUTOR SELLS MOTOR FUEL IN A COUNTY THAT IMPOSES THE COUNTY MOTOR FUEL TAX.

(B) THE COUNTY MOTOR FUEL TAX RETURN IS DUE AT THE TIME A MOTOR FUEL TAX RETURN IS DUE UNDER § 9-308(A) OF THIS TITLE.

(C) A DISTRIBUTOR MAY DEDUCT 0.5% OF THE COUNTY MOTOR FUEL TAX DUE ON A MONTHLY BASIS TO REIMBURSE THE DISTRIBUTOR FOR EXPENSES INCURRED FOR THE STATE IN KEEPING RECORDS AND COLLECTING THE COUNTY MOTOR FUEL TAX.

(D) EACH PERSON HOLDING MOTOR FUEL FOR SALE AT THE START OF BUSINESS ON A DAY THAT THE COUNTY MOTOR FUEL TAX RATE IS ADJUSTED SHALL COMPILE AND FILE AN INVENTORY OF THE MOTOR FUEL HELD AT THE CLOSE OF BUSINESS ON THE DAY BEFORE THE DAY THAT THE COUNTY MOTOR FUEL TAX RATE IS ADJUSTED AND REMIT WITHIN 30 DAYS ANY MOTOR FUEL TAX THAT IS DUE ON THE MOTOR FUEL.

9-405.

EXCEPT AS OTHERWISE PROVIDED IN REGULATIONS ADOPTED BY THE COMPTROLLER:

(1) EXEMPTIONS AND REFUNDS THAT APPLY TO THE MOTOR FUEL TAX ALSO APPLY TO THE COUNTY MOTOR FUEL TAX; AND

(2) PROCEDURES AND PENALTIES THAT APPLY TO THE MOTOR FUEL TAX UNDER TITLE 13 OF THIS ARTICLE ALSO APPLY TO THE COUNTY MOTOR FUEL TAX.

9-406.

(A) THE COMPTROLLER SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

(B) REGULATIONS ADOPTED BY THE COMPTROLLER UNDER THIS SECTION SHALL:

(1) ESTABLISH REQUIREMENTS FOR THE MAINTENANCE OF RECORDS BY DISTRIBUTORS AND OTHER PERSONS AS NECESSARY TO ADMINISTER THE COUNTY MOTOR FUEL TAX AND PROVIDE FOR INSPECTION OF THOSE RECORDS BY THE COMPTROLLER; AND

(2) PROVIDE FOR ALL ASPECTS OF THE LICENSING OF DISTRIBUTORS, INCLUDING:

(I) QUALIFICATIONS FOR A LICENSE;

(II) THE LICENSE APPLICATION PROCESS;

(III) THE TERM OF A LICENSE;

(IV) RIGHTS OF LICENSE HOLDERS;

(V) CANCELLATION OF A LICENSE; AND

(VI) THE PROCESS FOR APPEALING A DECISION TO DENY OR CANCEL A LICENSE.”.

On pages 3 through 26, strike in their entirety the lines beginning with line 23 on page 3 through line 9 on page 26, inclusive.

On page 26, in line 10, strike “13.” and substitute “2.”; strike beginning with “, except” in line 10 down through “Act,” in line 11; and in line 11, strike “June” and substitute “July”.

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

Affirmative – 13 Negative – 33 (See Roll Call No. 833)

FLOOR AMENDMENT

HB1515/303627/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “requiring” in line 25 down through “date;” in line 29.

AMENDMENT NO. 2

On pages 23 and 24, strike in their entirety the lines beginning with line 31 on page 23 through line 4 on page 24, inclusive.

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

Affirmative – 17 Negative – 28 (See Roll Call No. 834)

FLOOR AMENDMENT

HB1515/913427/1

BY: Senator Brinkley

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “dates;” insert “providing that a certain average annual retail price may not exceed a certain amount;”.

AMENDMENT NO. 2

On page 7, in line 11, after “(D)” insert “(1)”; in lines 13 and 16, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 19, insert:

“(2) THE AVERAGE ANNUAL RETAIL PRICE DETERMINED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT EXCEED \$4.00.”.

AMENDMENT NO. 3

On page 22, in line 9, after “(D)” insert “(1)”; in lines 11 and 14, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 17, insert:

“(2) THE AVERAGE ANNUAL RETAIL PRICE DETERMINED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT EXCEED \$4.00.”.

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

Affirmative – 21 Negative – 26 (See Roll Call No. 835)

FLOOR AMENDMENT

HB1515/893029/1

BY: Senator Rosapepe

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page insert “CONSTITUTIONAL AMENDMENT”; in line 3, after “of” insert “proposing an amendment to the Maryland Constitution relating to transportation financing; providing that the General Assembly may authorize a referendum on a transportation investment program; providing that a transportation investment program submitted to referendum may include a certain source of revenue or authorize the issuance of certain bonds; requiring that a transportation investment program submitted to referendum include a list of certain transportation projects; providing that a transportation investment program submitted to referendum becomes law, after approval by the voters of the State, at a time specified in a certain law; submitting this amendment to the qualified voters of the State for their adoption or rejection;”.

On page 2, after line 39, insert:

“BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 53”.

AMENDMENT NO. 2

On page 3, after line 19, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
MARYLAND, (Three-fifths of all the members elected to each of the two Houses
concurring), That it be proposed that the Maryland Constitution read as follows:

Article III – Legislative Department

53.

(A) THE GENERAL ASSEMBLY MAY, BY LAW, AUTHORIZE A
REFERENDUM ON A TRANSPORTATION INVESTMENT PROGRAM.

(B) A TRANSPORTATION INVESTMENT PROGRAM SUBMITTED TO
REFERENDUM UNDER THIS SECTION:

(1) SHALL INCLUDE A LIST OF TRANSPORTATION PROJECTS TO
BE COMPLETED THROUGH THE TRANSPORTATION INVESTMENT PROGRAM;

(2) MAY INCLUDE A SOURCE OF REVENUE THAT MAY BE USED
SOLELY TO FULLY OR PARTIALLY FINANCE THE PROJECTS IDENTIFIED IN THE
TRANSPORTATION INVESTMENT PROGRAM; AND

(3) MAY AUTHORIZE THE ISSUANCE OF BONDS SPECIFICALLY TO
FINANCE THE PROJECTS IDENTIFIED IN THE TRANSPORTATION INVESTMENT
PROGRAM.

(C) A TRANSPORTATION INVESTMENT PROGRAM SUBMITTED TO
REFERENDUM UNDER THIS SECTION SHALL BECOME LAW, AFTER APPROVAL BY
A MAJORITY OF THE QUALIFIED VOTERS IN THE STATE VOTING ON THE

QUESTION IN A GENERAL ELECTION, AT A TIME SPECIFIED BY THE GENERAL ASSEMBLY IN THE LAW AUTHORIZING THE REFERENDUM.”;

and in lines 20 and 21, strike beginning with “1.” in line 20 down through “MARYLAND” in line 21 and substitute “1A. AND BE IT FURTHER ENACTED”.

AMENDMENT NO. 3

On page 26, after line 9, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed by Section 1 of this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply.

SECTION 14. AND BE IT FURTHER ENACTED, That the amendment to the Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified voters of the State at the next general election to be held in November 2014 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that general election, the vote on this proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be printed the words “For the Constitutional Amendment” and “Against the Constitutional Amendment,” as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV.”;

in line 10, strike “13.” and substitute “15.”; and in line 11, strike “11 and 12” and substitute “11, 12, 13, and 14”.

The preceding 3 amendments were withdrawn.

FLOOR AMENDMENT

HB1515/403128/1

BY: Senator Brinkley

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 21 through 23, strike in their entirety the lines beginning with line 14 on page 21 through line 3 on page 23.

AMENDMENT NO. 2

On page 23, in line 4, strike “6.” and substitute “5.”; and in line 15, strike “7.” and substitute “6.”.

On page 24, in lines 5 and 9, strike “8.” and “9.”, respectively, and substitute “7.” and “8.”, respectively.

On page 25, in lines 12 and 23, strike “10.” and “11.”, respectively, and substitute “9.” and “10.”, respectively.

AMENDMENT NO. 3

On pages 25 and 26, strike in their entirety the lines beginning with line 33 on page 25 through line 9 on page 26.

AMENDMENT NO. 4

On page 26, in line 10, strike “13.” and substitute “11.”; and in line 11, strike “Sections” and substitute “Section”; and in the same line, strike “11 and 12” and substitute “10”.

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 19 Negative – 28 (See Roll Call No. 836)

FLOOR AMENDMENT

HB1515/533726/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “requiring a sticker to be placed on a motor fuel retail dispensing pump at the time of inspection and testing that states”

the dollar amount of the tax imposed on a gallon of motor fuel as of the date of inspection and testing for each grade designation sold at the retail service station;”.

On page 2, after line 39, insert:

“BY repealing and reenacting, without amendments,
Article – Agriculture
Section 11–204(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY adding to

Article – Agriculture
Section 11–204(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, after line 21, insert:

“Article – Agriculture

11–204.

(b) Unless otherwise provided, the Secretary may inspect and test to ascertain if they are correct, every weight and measure possessed, offered, or exposed for sale. The Secretary shall inspect and test every weight and measure commercially used in determining:

(1) The weight, measurement, or count of any commodity sold, or offered or exposed for sale, on the basis of weight, measure, or count;

(2) Any charge or payment for services rendered on the basis of weight, measure, or count; and

(3) Weight, measurement, or count when a charge is made for the determination.

(E) A STICKER SHALL BE PLACED ON A MOTOR FUEL RETAIL DISPENSING PUMP AT THE TIME OF INSPECTION AND TESTING THAT STATES THE DOLLAR AMOUNT OF THE TAX IMPOSED ON A GALLON OF MOTOR FUEL AS OF THE DATE OF INSPECTION AND TESTING FOR EACH GRADE DESIGNATION SOLD AT THE RETAIL SERVICE STATION.”.

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

Affirmative – 20 Negative – 25 (See Roll Call No. 837)

FLOOR AMENDMENT

HB1515/153123/1

BY: Senator Jennings

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 38, after “Act;” insert “making this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 26, in line 11, after “2013” insert “, contingent on the passage of S.B. 90 of 2013 by both houses of the General Assembly, and if S.B. 90 of 2013 is not passed by both houses of the General Assembly, this Act shall be null and void without the necessity of further action by the General Assembly”.

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

Affirmative – 18 Negative – 28 (See Roll Call No. 838)

FLOOR AMENDMENT

HB1515/763321/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 1515

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “revenue;” insert “requiring certain retail service station dealers, on or before a certain date, to reprogram certain motor fuel pumps to print an itemized receipt that includes certain information; requiring a certain motor fuel pump purchased by a retail service station dealer on or after a certain date to be capable of printing a certain receipt;”.

On page 2, after line 39, insert:

“BY adding to

Article – Business Regulation

Section 10–315.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, after line 21, insert:

“Article – Business Regulation

10–315.1.

(A) ON OR BEFORE JUNE 1, 2014, A RETAIL SERVICE STATION DEALER THAT OWNS A MOTOR FUEL PUMP THAT IS CAPABLE OF BEING REPROGRAMMED SHALL REPROGRAM THE MOTOR FUEL PUMP TO PRINT AN ITEMIZED RECEIPT THAT INCLUDES A SEPARATE LINE ITEM LISTING THE TOTAL AMOUNT OF TAXES PAID BY A CUSTOMER FOR THE MOTOR FUEL PURCHASED.

(B) ANY MOTOR FUEL PUMP PURCHASED BY A RETAIL SERVICE STATION DEALER ON OR AFTER JUNE 1, 2013, SHALL BE CAPABLE OF PRINTING AN ITEMIZED RECEIPT AS DESCRIBED IN SUBSECTION (A) OF THIS SECTION.”.

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

Affirmative – 20 Negative – 27 (See Roll Call No. 839)

FLOOR AMENDMENT

HB1515/653222/1

BY: Senator Pipkin

AMENDMENT TO HOUSE BILL 1515

(Third Reading File Bill)

On page 1, in line 2, strike “Transportation Infrastructure Investment” and substitute “Gas Tax and Job Killing”.

The preceding amendment was withdrawn.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #20

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 860 – Baltimore City Delegation

AN ACT concerning

Baltimore City Public Schools Construction Authority and Revitalization Act of 2013**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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ADJOURNMENT

At 2:15 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 2:15 P.M. on Legislative Day March 26, 2013, Calendar Day, Friday, March 29, 2013.

Annapolis, Maryland
Legislative Day: March 26, 2013
Calendar Day: Friday, March 29, 2013
2:15 P.M. Session

The Senate met at 2:17 P.M.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 840)

The Journal of March 25, 2013 was read and approved.

BILLS ON THIRD READING

House Bill 1515 – The Speaker (By Request – Administration)

AN ACT concerning

Transportation Infrastructure Investment Act of 2013

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

Affirmative – 27 Negative – 20 (See Roll Call No. 841)

The Bill was then sent to the House of Delegates.

House Bill 860 – Baltimore City Delegation

AN ACT concerning

**Baltimore City Public Schools Construction ~~Authority~~ and Revitalization Act
of 2013**

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

Affirmative – 40 Negative – 7 (See Roll Call No. 842)

The Bill was then sent to the House of Delegates.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #58

Senate Bill 829 – Senators Miller, Garagiola, Currie, Kasemeyer, 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

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

Affirmative – 45 Negative – 2 (See Roll Call No. 843)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 844)

ADJOURNMENT

At 3:00 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Legislative Day March 27, 2013, Calendar Day, Monday, April 1, 2013 in memory of former Delegate Jerry Curran.