

SB0269/283124/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 269
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert “providing that a project site visit or educational field tour is not a meeting for purposes of the Open Meetings Act for certain public bodies;”; in line 10, after the first comma insert “10-401(a) and (c).”; in line 15, after the first comma insert “10-407.”; and after line 27, insert:

“BY adding to

Article - Election Law

Section 2-102(d)

Annotated Code of Maryland

(2017 Replacement Volume and 2021 Supplement)”.

On page 2, after line 10, insert:

“BY repealing

Article – Natural Resources

Section 3-103.4(g)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)”.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 3-103.4(h)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)”.

On page 3, after line 1, insert:

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“BY adding to

Article - Transportation

Section 4-211

Annotated Code of Maryland

(2020 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On page 4, in line 15, after “(2)” insert “**(I)**”; in lines 16 and 17, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively; after line 17, insert:

“(II) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR SHALL NOT BE CONSIDERED A MEETING OF THE CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.

10-401.

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

(c) “Corporation” means the Maryland Technology Development Corporation.

10-407.

(a) Except as provided in subsections (b), (c), and (e) of this section, the Corporation is exempt from[:

(1) Title 10 and Division II of the State Finance and Procurement Article[; and

(2) §§ 3-301 and 3-303 of the General Provisions Article].

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(b) The Corporation is subject to the Public Information Act.

(c) The Board, the officers and employees of the Corporation, members of the investment committee, and members of any advisory committee appointed are subject to the Public Ethics Law.

(d) The officers and employees of the Corporation are not subject to the provisions of Division I of the State Personnel and Pensions Article that govern the State Personnel Management System.

(e) (1) The Corporation, its Board, and employees are subject to Title 12, Subtitle 4 of the State Finance and Procurement Article.

(2) The Board, the officers and employees of the Corporation, the members of the investment committee, and the members of any advisory committee appointed shall disclose to the State Ethics Commission whether they are employed by or have a financial interest in an entity that currently has or will apply for funds or an investment in a program administered by the Corporation.

(F) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR SHALL NOT BE CONSIDERED A MEETING OF THE CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.”;

and in line 28, strike “**BOARD**” and substitute “**CORPORATION**”.

On page 5 in line 5, on page 12 in line 11, and on page 13 in line 4, in each instance, strike the bracket.

On page 5, after line 27, insert:

(Over)

“(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR SHALL NOT BE CONSIDERED A MEETING OF THE AUTHORITY IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.”

On page 6, in line 7, after “(b)” insert “**(1)**”; in lines 8 and 9, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; and after line 9, insert:

“(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR SHALL NOT BE CONSIDERED A MEETING OF THE CENTER IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.”

On page 7, in line 10, after “(b)” insert “**(1)**”; in lines 11 and 12, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; and after line 12, insert:

“(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR SHALL NOT BE CONSIDERED A MEETING OF THE CORPORATION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.”

On page 8, after line 8, insert:

“(D) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR SHALL NOT BE CONSIDERED A MEETING OF THE STATE BOARD IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.”

On page 9, strike in their entirety lines 13 and 14.

On page 9 in lines 15, 17, 19, 21, 22, 24, 26, and 27, and on page 10 in lines 1, 2, and 3, strike “**(6)**”, “**(7)**”, “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, “**(12)**”, “**(13)**”, “**(14)**”, “**(15)**”, and “**(16)**”, respectively, and substitute “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, “**(12)**”, “**(13)**”, “**(14)**”, and “**(15)**”, respectively.

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On page 10, in line 2, strike “AND”; and in line 3, strike the period and substitute “;AND”

(16) THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION.;

strike in their entirety lines 6 through 8, inclusive, and substitute:

“(1) EACH OPEN MEETING AGENDA, TOGETHER WITH A SUMMARY OF ANY FINALIZED DOCUMENTS, WRITTEN TESTIMONY FROM THE PUBLIC, AND OTHER MATERIALS THAT THE PUBLIC BODY WILL VOTE ON AT THE OPEN MEETING:”;

and in line 23, after the first “THE” insert “EXPECTED”.

On page 12, after line 6, insert:

“Article – Natural Resources

3–103.4.

[(g) (1) The Board shall make publicly available on the Service’s website:

(i) Each open meeting agenda:

1. At least 48 hours in advance of each meeting; or

2. If the meeting is being held due to an emergency, a natural disaster, or any other unanticipated situation, as far in advance of the meeting as practicable;

(Over)

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(ii) Meeting minutes from the portions of a meeting that were held in open session, not more than 2 business days after the minutes are approved; and

(iii) Live video streaming of each portion of a meeting that is held in open session.

(2) The Service shall maintain on its website:

(i) Meeting minutes made available under paragraph (1) of this subsection for a minimum of 5 years after the date of the meeting; and

(ii) A complete and unedited archived video recording of each open meeting for which live video streaming was made available under paragraph (1) of this subsection for a minimum of 1 year after the date of the meeting.]

[(h) (G) This section may be cited as the Maryland Environmental Service Reform Act of 2021.];

and after line 27, insert:

“(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR SHALL NOT BE CONSIDERED A MEETING OF THE BOARD IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.”

On page 13, after line 21, insert:

“(2) FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR EDUCATIONAL FIELD TOUR SHALL NOT BE CONSIDERED A MEETING OF THE COMMISSION IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.”

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On page 14, after line 17, insert:

“4-211.

**FOR PURPOSES OF THE OPEN MEETINGS ACT, A PROJECT SITE VISIT OR
EDUCATIONAL FIELD TOUR SHALL NOT BE CONSIDERED A MEETING OF THE
AUTHORITY IF NO ORGANIZATIONAL BUSINESS IS CONDUCTED.”.**

AMENDMENT NO. 3

On page 14, after line 17, insert:

**“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
General Assembly that the requirement for publication of documents, testimony from
the public, and other materials in advance of an open meeting in accordance with § 3–
307 of the General Provisions Article, as enacted by Section 1 of this Act, may not be
construed to limit the discussions and deliberations of the public body to matters
referenced in the materials published prior to the meeting.”;**

and in line 18, strike “2.” and substitute “3.”.