

Journal *of* Proceedings
of the
House of Delegates
of
Maryland

2017 Regular Session

Volume II

Compiled and edited by:

Colleen Cassidy
Journal Clerk
Chief Clerk's Office

...

Sylvia Siegert
Chief Clerk

Library and Information Services
and
Legislative Document Management
of the Department of Legislative Services
General Assembly of Maryland
prepared this document.

For further information concerning this document contact:

Library and Information Services
Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401

Baltimore Area: (410-946-5400) Washington Area: (301-970-5400)

Other Areas: (1-800-492-7122)

TTY: (410-946-5401) (301-970-5401)

TTY users may also call the
Maryland Relay Service to contact the General Assembly.

E-Mail: libr@mlis.state.md.us
Home Page: <http://mgaleg.maryland.gov>

The Department of Legislative Services does not discriminate on the basis of age, ancestry, color, creed, marital status, national origin, race, religion, gender, gender identity, sexual orientation, or disability in the admission or access to its programs, services, or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at the telephone numbers shown above.

2017 HOUSE JOURNAL

INDEX OF DAYS

<u>Legislative Day</u>	<u>Page</u>	<u>Legislative Day</u>	<u>Page</u>
January 11.....	1	March 1.....	1406
January 12.....	54	March 2.....	1445
January 13.....	61	March 3.....	1468
January 16.....	67	March 6.....	1488
January 17.....	90	March 7.....	1514
January 18.....	100	March 8.....	1603
January 19.....	131	March 9.....	1688
January 20.....	159	March 10.....	1706
January 23.....	188	March 11.....	1829
January 24.....	225	March 12.....	1933
January 25.....	228	March 13.....	2057
January 26.....	295	March 14.....	2148
January 27.....	353	March 15.....	2265
January 30.....	396	March 16.....	2439
January 31.....	466	March 17.....	2540
February 1.....	472	March 18.....	2564
February 2.....	525	March 19.....	2623
February 3.....	566	March 20.....	2644
February 6.....	634	March 21.....	2657
February 7.....	716	March 22.....	2723
February 8.....	724	March 23.....	2755
February 9.....	794	March 24.....	2823
February 10.....	887	March 25.....	2842
February 13.....	1114	March 26.....	2853
February 14.....	1119	March 27.....	2880
February 15.....	1146	March 28.....	3067
February 16.....	1171	March 29.....	3124
February 17.....	1181	March 30.....	3191
February 20.....	1213	March 31.....	3336
February 21.....	1230	April 1.....	3445
February 22.....	1265	April 2.....	3596
February 23.....	1286	April 3.....	3647
February 24.....	1304	April 4.....	3772
February 27.....	1344	April 5.....	3829
February 28.....	1363		

**Annapolis, Maryland
Friday, February 10, 2017
11:00 A.M. Session**

The House met at 11:15 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Ric Metzgar of Baltimore County.

QUORUM CALL

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

(See Roll Call No. 70)

EXCUSED:

Del. Adams – personal

Del. Angel – doctor’s appointment

Del. Clark – funeral

Del. Fisher – funeral

Del. McConkey – illness

Del. McMillan – business

Del. A. Miller – National Women’s Parliament Event

The Journal of February 9, 2017 was read and approved.

APPOINTMENT

FEBRUARY 10, 2017

RESOLVED, that the Speaker makes the following Committee Appointment:

Hon. Jazz Lewis to the Judiciary Committee

BY ORDER, SYLVIA SIEGERT, CHIEF CLERK

Read and adopted.

CONSENT CALENDAR OF INTRODUCTORY HOUSE BILLS NO. 22

**House Bill 1213 – Delegates Hixson, Barkley, Fraser-Hidalgo, Healey, Kramer,
Lafferty, Tarlau, and M. Washington**

AN ACT concerning

Main Street Fairness Act of 2017

FOR the purpose of altering the definition of “engage in the business of an out-of-state vendor”, for purposes of establishing nexus under the sales and use tax law, to include vendors who sell or deliver, during a certain period of time, tangible personal property or taxable services to customers in the State under certain circumstances; and generally relating to the application of the sales and use tax to sales or deliveries by out-of-state vendors to customers in the State.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 11-701(a)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11-701(b)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1214 – Delegates Cullison, Barron, Krebs, McCray, Moon, Platt, and Sample-Hughes

AN ACT concerning

Health Occupations – Dental Therapists – Licensure

FOR the purpose of requiring the State Board of Dental Examiners to adopt regulations for the licensure of dental therapists and the practice of dental therapy; requiring the Board to adopt regulations establishing criteria for taking certain action relating to a collaboration agreement; requiring the Board to adopt a code of ethics for the practice of dental therapy; requiring the Board to set certain fees and to pay all fees collected to the Comptroller; requiring the Comptroller to distribute all fees to the State Board of Dental Examiners Fund; requiring, with certain exceptions and beginning on a certain date, that an individual be licensed by the Board before the individual may practice dental therapy in the State; providing for the construction of certain provisions of this Act; requiring that a license issued to a dental therapist limit the dental therapist’s scope of practice to certain acts; specifying the patient services that may be provided by a dental therapist under a collaboration agreement with a supervising dentist; prohibiting a dentist from supervising a dental therapist in the performance of delegated acts without filing a completed collaboration agreement with the Board; prohibiting a dental therapist from performing certain

acts; providing that a dental therapist is the agent of the supervising dentist in the performance of certain activities; authorizing a dentist to delegate acts to a dental therapist only after a collaboration agreement has been executed, filed with, and approved by the Board; requiring that the collaboration agreement be consistent with certain standards, include certain items, set forth certain expectations, and be signed and maintained by the supervising dentist and the dental therapist and updated as necessary, with certain approval; limiting the number of dental therapists with whom a supervising dentist may have a collaboration agreement; authorizing the Board to take certain action relating to a collaboration agreement; requiring the Board to notify the supervising dentist and the dental therapist in a certain manner if the Board takes a certain action relating to the collaboration agreement; prohibiting the Board from restricting the submission of an amendment to the collaboration agreement; requiring the Board, to the extent practicable, to take certain action within a certain time period after receiving a completed collaboration agreement; authorizing the Board to take certain action if the Board determines that a supervising dentist or dental therapist is practicing in a certain manner; authorizing a dental therapist to practice only in accordance with a collaboration agreement filed with the Board; establishing the qualifications that an applicant must meet to qualify for a license to practice dental therapy and for a dental therapist licensed in another state to obtain a license; requiring an applicant to submit a certain application and pay a certain fee to apply for a license to practice dental therapy; requiring the Board to issue a license to a certain applicant; providing that a license authorizes an individual to practice as a dental therapist in the State under a collaboration agreement while the license is effective; authorizing a dental therapist to practice under the general supervision of a dentist except under certain circumstances; providing for the renewal and reinstatement of a dental therapist license; requiring a licensed dental therapist to notify the Board in writing of a change in name or address within a certain period of time; prohibiting a licensed dental therapist from surrendering a license and prohibiting the lapse of a license under certain circumstances; authorizing the Board to take certain disciplinary action against an applicant or a licensee for certain reasons; authorizing the Board to impose a certain fine on a licensee under certain circumstances; requiring the Board to adopt regulations to set certain standards; requiring the Board to pay a certain fine into the General Fund of the State; requiring the Board to give a certain individual an opportunity for a hearing before the Board and to give certain notice and hold the hearing in accordance with certain provisions of law; authorizing the Board to issue subpoenas and administer oaths under certain circumstances; authorizing a certain court to take certain action against an individual who disobeys a subpoena from the Board or an order by the Board; authorizing the Board to hear and determine a certain matter under certain circumstances; authorizing an individual aggrieved by a decision of the Board to take certain action under certain circumstances; authorizing the Board to reinstate the certificate of an individual whose license has been revoked; prohibiting an individual from practicing, attempting to practice, or offering to practice dental therapy in the State without a license; establishing certain penalties for violations of certain provisions of this Act; establishing a certain short title; requiring the Board to report certain information to certain committees of the General Assembly on or before certain dates; stating the

intent of the General Assembly regarding the initial funding of the Board and the reimbursement to the General Fund for certain costs, under certain circumstances; defining certain terms; and generally relating to licensing of dental therapists and the State Board of Dental Examiners.

BY adding to

Article – Health Occupations

Section 4–6A–01 through 4–6A–24 to be under the new subtitle “Subtitle 6A. Dental Therapists”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1215 – Delegates Anderson, Vallario, Atterbeary, Buckel, Cluster, Conaway, Glenn, Parrott, and B. Wilson

AN ACT concerning

Criminal Procedure – Pretrial Release

FOR the purpose of altering a certain requirement for the construction of a certain provision of law relating to pretrial release of a certain defendant on personal recognizance; altering a certain authorization for a court to release a certain defendant on personal recognizance so as to require that a defendant charged only with one or more misdemeanors be released on personal recognizance; altering the circumstances under which a defendant may not be released on personal recognizance; providing that the amount of a certain bail may not be higher than necessary to achieve certain purposes under certain circumstances; providing that a judicial officer may not set bail under certain circumstances; providing that a defendant may satisfy a certain bail and be released pending trial after providing certain security; providing that a defendant who is released before trial shall be released either on personal recognizance or on bail, with additional conditions imposed in accordance with a certain provision of law; prohibiting the release of a certain defendant under certain circumstances; requiring a judicial officer to consider certain information when determining whether to release a defendant before trial and the amount of bail or appropriate conditions or both to impose on the defendant at a certain time; repealing certain requirements that the court or a District Court commissioner consider including certain protections as a condition of pretrial release for a defendant under certain circumstances; repealing a certain authorization for a court to require that a certain defendant be monitored by a certain agency as a condition of pretrial release under certain circumstances; authorizing a judicial officer to impose certain conditions in addition to ordering a certain defendant released on either personal recognizance or bail; requiring a certain person to provide the State’s Attorney, Public Defender, and District Court judges for the county with a certain report at a certain time; requiring the State’s Attorney, Public Defender, and District Court judges to review a certain report to

make a certain determination for a certain purpose; requiring that a certain counsel be included in a certain review under certain circumstances; authorizing the filing of a motion making a certain claim at a certain time under certain circumstances; requiring the court to review a certain motion and any supporting information at a certain time; requiring a court to make a certain presumption at a certain time; authorizing a court to alter a certain bail amount if a certain defendant proves certain matters by a certain standard of evidence; authorizing a court to modify certain terms of release for a certain defendant in a certain manner under certain circumstances; requiring a court to advise a certain defendant of certain rights at a certain time; prohibiting a certain release of a certain defendant from being premised on a waiver of a certain right or protection under certain circumstances; requiring that a certain judicial officer order that a certain defendant be detained pending trial under certain circumstances; requiring a defendant charged with first degree murder to be subject to a certain rebuttable presumption and detained pending trial; requiring that a defendant charged with escape from a correctional facility or other place of confinement be presumed ineligible for pretrial release and detained pending trial; requiring a judge to order the continued detention of a certain defendant if the judge makes a certain determination at a certain time; altering certain restrictions on pretrial release; authorizing a judge to release a certain defendant on certain conditions of release, bond, or both release and bond; defining a certain term; and generally relating to pretrial release.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–101
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY adding to
Article – Criminal Procedure
Section 5–103, 5–201, 5–201.1, 5–201.2, 5–202, and 5–202.1
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing
Article – Criminal Procedure
Section 5–201 and 5–202
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1216 – Delegates Cullison, Gilchrist, Kramer, McMillan, and Morales

AN ACT concerning

**Maryland Medical Assistance Program – Medication Adherence Technology
Pilot Program**

FOR the purpose of establishing a certain pilot program to expand the use of medication adherence technology to increase prescription drug adherence of certain Maryland Medical Assistance Program recipients; requiring the Department of Health and Mental Hygiene to administer the pilot program; requiring the Department to select and provide a medication adherence technology system to certain Program recipients; requiring the Department to target certain individuals in selecting participants for the pilot program; requiring the Department to collect certain data for a certain purpose; requiring the pilot program to aim to achieve a certain reduction in certain health care expenditures; requiring the Department to submit a certain report to the Governor and to certain legislative committees on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to a pilot program to expand the use of medication adherence technology to increase prescription drug adherence of Maryland Medical Assistance Program recipients.

BY adding to

Article – Health – General

Section 15–149

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1217 – Dorchester County Delegation (By Request)

AN ACT concerning

**Dorchester County Board of Education – Nonprofessional Personnel
Appointment – Advice and Consent**

FOR the purpose of requiring the Dorchester County Superintendent of Schools to appoint certain clerical and nonprofessional personnel with the advice and consent of the Dorchester County Board of Education; and generally relating to the Dorchester County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 6–201(c)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1218 – Delegates Moon, Angel, Hill, Morales, Pena–Melnyk, Platt, Robinson, and Tarlau

AN ACT concerning

Criminal Procedure – Pretrial Release – Financial Conditions

FOR the purpose of prohibiting a certain court from including as a condition of pretrial release a certain financial condition; requiring each county in the State to establish a certain pretrial supervision program that provides certain services; making conforming changes; providing for the applicability of this Act; providing for a delayed effective date for a certain provision of this Act; and generally relating to pretrial release.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 5–201, 5–202, 5–203, 5–204, 5–205(a), 5–207, 5–211, and 5–214

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY adding to

Article – Criminal Procedure

Section 5–205(e)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1219 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Sex Trafficking

FOR the purpose of altering the definition of “sexual abuse” in provisions of law relating to children in need of assistance to include an act that involves the sex trafficking of a child by any individual; defining the terms “sexual molestation or exploitation” and “sex trafficking” in provisions of law relating to children in need of assistance; making certain conforming changes; and generally relating to children in need of assistance and sex trafficking.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 3–801(a) and (f)

Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–801(x)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–801(x), (y), (z), (aa), (bb), and (cc)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1220 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Commission of Crime of Violence in Presence of Minor

PG 313–17

FOR the purpose of prohibiting a person in Prince George’s County from committing a certain crime of violence when the person knows or reasonably should know that a minor is present in a residence; establishing certain circumstances under which a minor is present; providing certain penalties; providing that a sentence 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; altering the definition of “neglect” in certain provisions of law governing the reporting and investigation of suspected child abuse or neglect; and generally relating to the commission of a crime of violence in the presence of a minor.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–601.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Criminal Law
Section 3–601.2
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–701(s)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–704
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1221 – Delegates Gutierrez, Angel, Barron, Carr, Hill, C. Howard, Kelly, Kramer, McKay, A. Miller, Moon, Morales, Pena–Melnik, Pendergrass, Robinson, Sanchez, Tarlau, M. Washington, Wilkins, and K. Young

AN ACT concerning

Public Utilities – Residential Copper Landline Replacement – Moratorium and Study

FOR the purpose of prohibiting a telephone company that provides certain service from replacing certain copper landline service with certain other service, subject to an exception; requiring the Public Service Commission to report to certain committees of the General Assembly on or before a certain date; specifying the scope of a certain provision of law; providing for the termination of this Act; and generally relating to telephone service.

BY adding to
Article – Public Utilities
Section 8–207
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1222 – Delegates A. Washington, Angel, Patterson, Tarlau, M. Washington, Wilkins, and Ali

AN ACT concerning

Maryland School Discipline Reform Act

FOR the purpose of requiring each county board of education to adopt the Maryland Guidelines for a State Code of Discipline as the code of discipline for the local school

system; requiring the State Department of Education to disaggregate certain data in any student discipline data report in a certain manner; requiring that special education data in a certain student discipline data report be disaggregated in a certain manner; requiring the Department to report certain discipline–related data in an electronic spreadsheet format for the Maryland Report Card and the Maryland Longitudinal Data System; requiring the Department to collect certain data on alternative school discipline practices; requiring the Department to disaggregate certain data in an alternative school discipline practices data report in a certain manner; requiring that special education data in an alternative school discipline practices data report be disaggregated in a certain manner; requiring the Department to report certain alternative school discipline practices data in an electronic spreadsheet format for the Maryland Report Card and the Maryland Longitudinal Data System; requiring the Department to develop and implement certain standardized training practices on student discipline for all public school security personnel; requiring the Department to study certain best practices and consult with certain organizations on certain matters on or before a certain date; requiring a local school system to provide certain training to certain school security personnel on or before a certain date; defining a certain term; making a stylistic change; and generally relating to discipline in public schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–306
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1223 – Delegates Glass and Hornberger

AN ACT concerning

Public Health – State Funding for Abortions – Prohibition and Exceptions

FOR the purpose of prohibiting the use of State funds to pay for an abortion procedure or health benefits coverage of abortion procedures; providing that a certain prohibition does not apply under certain circumstances; and generally relating to State funding for abortions.

BY adding to
Article – Health – General
Section 20–217 to be under the new part “Part V. State Funding”
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1224 – Delegate Rosenberg

AN ACT concerning

Environment – Liquid Waste Hauler – Vehicle License and Inspection

FOR the purpose of prohibiting a person from engaging in business as a liquid waste hauler in the State unless the vehicle used by the person to haul liquid waste is licensed annually by the Department of the Environment; establishing certain requirements for applying for a certain vehicle license; prohibiting the Department from issuing a certain vehicle license unless the vehicle is annually inspected and approved by the Department; requiring the Department to set certain fees for the licensing and inspection of certain vehicles in a certain manner; authorizing the Department to delegate to a local health department certain vehicle inspection authority; authorizing a local health department to set certain inspection fees under certain circumstances; requiring the Department to adopt certain regulations; providing for certain criminal penalties; defining certain terms; and generally relating to the licensing and inspection of vehicles used to haul liquid waste.

BY adding to

Article – Environment

Section 9–11A–01 through 9–11A–07 to be under the new subtitle “Subtitle 11A.
Liquid Waste Haulers”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1225 – Delegates Lewis, Clippinger, Frush, Healey, McCray, and McIntosh

AN ACT concerning

**University of Maryland School of Public Health, Center for Health Equity –
Workgroup on Health in All Policies**

FOR the purpose of requiring the University of Maryland School of Public Health, Center for Health Equity, in consultation with the Department of Health and Mental Hygiene, to convene a workgroup to study and make recommendations to units of State and local government on laws and policies to implement that will positively impact the health of residents of the State; requiring the workgroup, using a certain framework, to examine certain matters, make certain recommendations, and foster collaboration among units of State and local government; requiring the workgroup to include certain members; requiring, to the extent practicable, the workgroup to reflect a certain diversity; prohibiting a member of the workgroup from receiving

certain compensation, but authorizing the reimbursement of certain expenses; requiring a unit of State government to provide information requested by the workgroup in a certain manner; requiring a unit of State government represented on the workgroup to provide certain staff support; requiring, on or before a certain date, the University of Maryland School of Public Health, Center for Health Equity, to report certain findings and recommendations to certain committees of the General Assembly; defining a certain term; providing for the termination of this Act; and generally relating to a workgroup convened by the University of Maryland School of Public Health, Center for Health Equity, to study and make recommendations relating to the health of residents of the State.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1226 – Delegates C. Wilson, Branch, Carey, Frick, Jameson, and Lisanti

AN ACT concerning

Public Safety – Elevator Inspections – Testing

FOR the purpose of requiring that a certain test on an elevator unit performed in connection with a certain inspection be performed by a certain licensed elevator mechanic; requiring a State inspector or third-party qualified inspector to be physically present during a certain test in its entirety to witness that the test has been performed correctly and to verify the proper recording of the result of a certain test on an elevator unit; and generally relating to elevators.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12-806
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1227 – Delegates Mosby, Jones, Kaiser, McIntosh, Davis, Pena-Melnyk, Ali, Barron, Branch, Glenn, C. Howard, Korman, Lewis, McMillan, Morales, Oaks, Platt, Queen, Rosenberg, Sample-Hughes, Sanchez, Tarlau, and M. Washington

AN ACT concerning

The Problem Gambling Funding and Treatment Act of 2017

FOR the purpose of increasing a certain annual fee paid by video lottery operation licensees for certain video lottery terminals to the Problem Gambling Fund; increasing the maximum amount of a certain annual fee that may be paid by a video lottery operation licensee for certain table games to the Fund; specifying that the primary

purpose of the Fund is to provide money for certain problem gambling treatment and prevention programs; requiring the Department of Health and Mental Hygiene to use certain funds to establish a certain outreach program for certain individuals; providing that certain programs developed and implemented by the Department be free or reduced cost programs; requiring a certain organization to make a certain report to the General Assembly by a certain date; and generally relating to fees assessed on video lottery terminals and table games and the Problem Gambling Fund.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–33
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1228 – Delegates Mosby, Hayes, and Conaway

AN ACT concerning

Creation of a State Debt – Baltimore City – EMAGE Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of CityWide Youth Development, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1229 – Delegates Buckel, Beitzel, Kittleman, Mautz, McComas, McKay, Rose, Shoemaker, and B. Wilson

AN ACT concerning

Correctional Facilities – Unmanned Aircraft Systems – Proximity

FOR the purpose of prohibiting, except under certain circumstances, a person from using a certain unmanned aircraft system within a certain distance of a correctional facility; establishing certain penalties for a violation of this Act; defining a certain term; and generally relating to unmanned aircraft systems.

BY adding to
Article – Correctional Services

Section 10–802
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1230 – Delegates Mosby, B. Barnes, Buckel, Fisher, and Hornberger

AN ACT concerning

Gaming – Instant Ticket Lottery Machines – Fraternal Organizations

FOR the purpose of authorizing fraternal organizations as eligible recipients of a license issued by the Director of the State Lottery and Gaming Control Agency that allows the operation in certain counties of a certain number of instant ticket lottery machines under certain conditions; defining a certain term; and generally relating to the operation of instant ticket lottery machines in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–112
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1231 – Delegate Barron

AN ACT concerning

Indigent Defendants – Caseloads – Panel Attorney Program

FOR the purpose of requiring the Office of the Public Defender to establish certain caseload standards; prohibiting the Office from providing representation to a certain indigent defendant or party if representation violates a certain caseload standard except under certain circumstances; requiring a panel attorney to provide representation to an indigent defendant or party who is denied representation by the Office for a violation of a certain caseload standard; making conforming changes; and generally relating to indigent defendants.

BY transferring
Article – Criminal Procedure
Section 16–208
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

to be

Article – State Government

Section 9–3301 to be under the new subtitle “Subtitle 33. Maryland Private Panel Attorney Program”
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 16–101(a) and (f)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 16–204
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–3301(a)(1) and (d)(2) through (4)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)
(As enacted by Section 1 of this Act)

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

House Bill 1232 – Delegates Mosby, Hayes, and Conaway

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland Art Place

FOR the purpose of authorizing the creation of a State Debt in the amount of \$100,000, the proceeds to be used as a grant to the Board of Trustees of Maryland Art Place, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1233 – Delegate Sydnor

AN ACT concerning

Maryland Medical Assistance Program – Enhanced Security Compassionate Release Program

FOR the purpose of establishing the Enhanced Security Compassionate Release Program in the Department of Health and Mental Hygiene; providing for the purpose of the Program; requiring the Program to include a certain initial cap on participation, a certain requirement that a certain individual be found to be medically incapacitated, and a requirement that a nursing facility meet certain requirements; providing for the construction of certain provisions of this Act; requiring the Department to adopt certain regulations; requiring, on or before a certain date, the Department to apply to the Centers for Medicare and Medicaid Services for a waiver to establish the Enhanced Security Compassionate Release Program; requiring the Department to take certain action if the waiver is approved; making certain provisions of this Act subject to a certain contingency; providing for the termination of certain provisions of this Act under certain circumstances; and generally relating to an Enhanced Security Compassionate Release Program waiver.

BY adding to

Article – Health – General

Section 15–140

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1234 – Delegates Wilkins, Kaiser, Hixson, Hornberger, Patterson, and Walker

AN ACT concerning

Property Tax – Credit for Retired Military Service Members – Eligibility

FOR the purpose of expanding eligibility for a credit authorized against the county or municipal corporation property tax for retired military service members to include certain members of the uniformed services of the United States, the military reserves, and the National Guard; providing for the application of this Act; and generally relating to a property tax credit for retired military service members.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–258

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1235 – Delegates Long, Bromwell, Grammer, Hornberger, Kittleman, Malone, McComas, W. Miller, Shoemaker, and P. Young

AN ACT concerning

Income Tax – Subtraction Modification – Qualified Maryland Toll Expenses

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain amounts paid in a certain manner by taxpayers for certain toll expenses; requiring a taxpayer to submit certain documentation to qualify for the subtraction modification; defining certain terms; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain amounts paid in a certain manner for certain tolls.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to
Article – Tax – General
Section 10–208(w)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1236 – Delegates Moon, Cullison, Ebersole, Hettleman, Kelly, Korman, Lierman, Morales, Mosby, Platt, Robinson, Sanchez, Tarlau, Waldstreicher, Wilkins, and K. Young

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Constitutional Amendment – Cannabis – Right to Use, Possess, and Cultivate

FOR the purpose of amending the Maryland Constitution to establish that, subject to certain exceptions, an individual in the State who is at least a certain age has the right under State law to use, possess in a certain amount, and cultivate to a certain extent cannabis; providing that the right enumerated in this amendment may not be infringed except that the transfer of cannabis by purchase or sale shall be regulated as necessary to ensure health and safety and taxed to the extent that the revenues are used for certain purposes; providing that the right enumerated in this

amendment does not require an employer to allow or accommodate the use or possession of cannabis by an employee or in the workplace; providing that the right enumerated in this amendment does not apply to laws related to driving under the influence of cannabis; providing that the right enumerated in this amendment does not apply to laws prohibiting or regulating the public smoking of cannabis; providing that the right enumerated in this amendment does not prohibit a person who owns, occupies, or controls a property from prohibiting or regulating the use or cultivation of cannabis on or in that property; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
Declaration of Rights
Article 48

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

House Bill 1237 – Delegates C. Wilson, Ali, Angel, Atterbeary, Barron, Conaway, Glass, Haynes, Kittleman, Moon, Morales, Mosby, Oaks, Rosenberg, Tarlau, Valentino-Smith, Vallario, A. Washington, M. Washington, B. Wilson, and P. Young

AN ACT concerning

Criminal Procedure – Expungement of Court and Police Records – Acquittal, Dismissal, or Nolle Prosequi

FOR the purpose of providing that a person who is entitled to expungement under a certain provision of law based on an acquittal, a dismissal, a nolle prosequi, or a nolle prosequi with the requirement of drug or alcohol treatment may not be required to pay any fee or costs in connection with the expungement; and generally relating to the expungement of a court or police record.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–105
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1238 – Delegates Fisher, Buckel, Clark, S. Howard, McDonough, McKay, Metzgar, Rey, and West

AN ACT concerning

Personal Property Tax – Exemption for Business Personal Property

FOR the purpose of exempting business personal property from the property tax imposed by a county or municipal corporation, subject to certain exceptions; requiring the State Department of Assessments and Taxation to identify certain provisions of law and submit a certain report to the General Assembly; providing for the application of this Act; and generally relating to an exemption from the personal property tax for certain businesses.

BY adding to

Article – Tax – Property

Section 7–402

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1239 – Delegates Frush and Gutierrez

AN ACT concerning

Environment – Nonwoven Disposable Products – Advertising and Labeling

FOR the purpose of prohibiting the manufacturer of a nonwoven disposable product from, beginning on a certain date, advertising or labeling the nonwoven disposable product in a certain manner unless the nonwoven disposable product is flushable; requiring the manufacturer of a nonwoven disposable product to label a nonwoven disposable product in a certain manner beginning on a certain date; defining certain terms; and generally relating to nonwoven disposable products.

BY adding to

Article – Environment

Section 9–258

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1240 – Delegates Kaiser, Atterbeary, Ebersole, Frick, Haynes, Healey, Hill, Jalisi, Korman, Krimm, Lam, Lierman, Luedtke, McComas, Moon, Mosby, Patterson, Rey, Turner, Valentino-Smith, M. Washington, and K. Young

AN ACT concerning

Individualized Education Programs – Burden of Proof in Due Process Hearings and Studies

FOR the purpose of requiring certain complaining parties to bear a certain burden of proof in due process hearings that are held to resolve a dispute relating to the provision of a free appropriate public education to children with disabilities; providing a certain exception that if a parent or guardian files a due process complaint against a public agency concerning a dispute over the delivery of certain services, the public agency is required to bear a certain burden of proof; providing a certain exception that requires a parent or guardian seeking tuition reimbursement for a unilateral placement of a student by the parent or guardian to bear a certain burden of proof; authorizing a certain administrative law judge to shift a certain burden of proof under certain circumstances; requiring the State Department of Education to study and make recommendations regarding certain matters; requiring the Department to report its findings and recommendations to the General Assembly on or before a certain date; requiring the Department to contract with a public or private entity to conduct a certain study of the individualized education program process in the State and to make certain recommendations regarding the process; requiring the Governor to include sufficient funds in the State budget for certain fiscal years to cover the costs of a certain study; requiring the Department to report the findings and recommendations of a certain study to the General Assembly on or before a certain date; providing for a delayed effective date for a certain provision of this Act; providing for the termination of certain provisions of this Act; and generally relating to the burden of proof in due process hearings and the study of the individualized education program process.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–413
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1241 – Delegates Saab, Aumann, Cluster, S. Howard, Jacobs, Krebs, Malone, McComas, McConkey, W. Miller, Morgan, and Simonaire

AN ACT concerning

Public Bodies – Use and Retention of E-Mail – Requirements

FOR the purpose of prohibiting an employee of a public body from creating or maintaining government e-mail by using a personal e-mail account; requiring an employee of a public body, under certain circumstances, to forward government e-mail to the official e-mail account of the employee within a certain time period; requiring each public body to retain government e-mail for at least a certain period of time; requiring the State Archivist to adopt certain regulations; providing for the construction of a certain provision of this Act; defining certain terms; and generally relating to the use and retention of e-mail by public bodies.

BY adding to

Article – General Provisions

Section 4.5–101 through 4.5–103 to be under the new title “Title 4.5. E-Mail Use and Retention”

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1242 – Delegates Glass, Hornberger, Jalisi, and Moon

AN ACT concerning

Sales and Use Tax – Exemption – Bluetooth Headset or Hands-Free Device

FOR the purpose of providing an exemption under the sales and use tax for the sale of a certain headset or certain electronic device under certain circumstances; providing for the termination of this Act; and generally relating to the sales and use tax.

BY adding to

Article – Tax – General

Section 11–233

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1243 – Delegates Glass, Cassilly, Hornberger, McDonough, McKay, Moon, Reilly, and Simonaire

AN ACT concerning

Income Tax Credit – Veterinary Services for Adopted Government Service Dogs

FOR the purpose of allowing certain individuals a credit against the State income tax for the cost of certain veterinary services for certain adopted government service dogs; providing that the credit may not exceed a certain amount; providing that the credit may not be carried over to another taxable year; defining a certain term; providing for the application of this Act; and generally relating to an income tax credit for certain veterinary costs.

BY adding to

Article – Tax – General

Section 10–741

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1244 – Delegates Brooks, Atterbeary, Aumann, Barkley, Bromwell, Carey, Carr, Chang, Ebersole, Folden, Glenn, Haynes, Hettleman, C. Howard, Impallaria, Jackson, Jalisi, Jameson, Jones, Krebs, Lafferty, Lam, Lierman, Lisanti, Metzgar, Patterson, Sydnor, Valentino-Smith, Vogt, B. Wilson, and P. Young

AN ACT concerning

**Income Tax – Subtraction Modification – Military Retirement Income –
Individuals Under the Age of 65 Years**

FOR the purpose of altering a subtraction modification under the Maryland income tax for certain military retirement income for individuals who are under a certain age; providing for the application of this Act; and generally relating to a subtraction modification for military retirement income.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–207(q)

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1245 – Delegates Waldstreicher, Buckel, Carr, Gutierrez, Hixson, Hornberger, Luedtke, Queen, Rose, Shoemaker, Simonaire, Tarlau, Walker, and A. Washington

AN ACT concerning

Sales and Use Tax – Diapers – Exemption

FOR the purpose of providing an exemption from the sales and use tax for the sale of diapers; and generally relating to a sales and use tax exemption for diapers.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–211(c)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1246 – Delegates Clark, Chang, Fisher, S. Howard, Jackson, Jameson, Morgan, Otto, Patterson, Rey, Sophocleus, Vallario, and West

AN ACT concerning

Forests and Parks – Public Recreation on Private and State-Owned Land – Hunting

FOR the purpose of expanding a certain liability exemption for a landowner who agrees to the use of a defined part of the landowner's property for cross-country skiing or off-highway vehicle use to apply to hunting; making certain conforming changes; making a certain stylistic change; and generally relating to public recreation on private and State-owned land.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–1101(a) and (g), 5–1104, 5–1106, 5–1108, and 10–411
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1109
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1247 – Delegate McMillan

AN ACT concerning

Family Law – Child Support Actions – Court Costs

FOR the purpose of requiring that a court award costs to the prevailing party in certain family law proceedings; and generally relating to costs in family law proceedings.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 12–103
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1248 – Delegate Malone

AN ACT concerning

Child Support Guidelines – Presumption of Full-Time Work at Minimum Wage Rate

FOR the purpose of establishing a rebuttable presumption under the child support guidelines that a parent is able to work a certain number of hours per week at a certain minimum wage rate; and generally relating to the child support guidelines.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 12-204(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1249 – Delegate Sydnor

AN ACT concerning

Corporations and Associations – Domestications – Authorization

FOR the purpose of authorizing certain nonstock and religious corporations to domesticate as certain entities under certain circumstances; establishing the procedures for a domestication, including certain notice requirements and required approval of a domestication by the directors or trustees and the members of a domesticating corporation; requiring articles of domestication to be filed for record with the State Department of Assessments and Taxation and signed by a certain representative; specifying the contents of articles of domestication; requiring certain articles of incorporation to be attached to articles of domestication; providing for the effects of a domestication; providing for the timing of the effectiveness of articles of domestication and the effective time for the completion of a domestication; providing for the abandonment of a domestication under certain circumstances; providing for the effects of an abandonment of a domestication; establishing a certain processing fee for articles of domestication; requiring articles of domestication to be executed in a certain manner; authorizing a nonstock corporation to domesticate under certain provisions of this Act; defining certain terms; making conforming changes; providing for the application of this Act; and generally relating to the domestication of corporations.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations

Section 1–203(b)(1), 1–301(a), and 5–207
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Corporations and Associations
Section 3–1001 through 3–1009 to be under the new subtitle “Subtitle 10.
Domestications of Corporations”
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

CONSENT CALENDAR OF INTRODUCTORY HOUSE BILLS NO. 23

House Bill 1250 – Delegate Korman

AN ACT concerning

Higher Education – Student Employees – Collective Bargaining

FOR the purpose of removing student employees at the University System of Maryland, Morgan State University, St. Mary’s College of Maryland, and Baltimore City Community College from the list of employees who are ineligible to engage in collective bargaining; and generally relating to collective bargaining for student employees at the University System of Maryland, Morgan State University, St. Mary’s College of Maryland, and Baltimore City Community College.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 3–102
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1251 – Delegates Korman, Platt, Barkley, B. Barnes, Barron, Carr, Chang, Cullison, Dumais, Fraser-Hidalgo, Frick, Gaines, Gilchrist, Haynes, Hettleman, Jackson, Jalisi, Jones, Krimm, Lam, Lewis, Lierman, A. Miller, Pendergrass, Reznik, Robinson, Sophocleus, Stein, Waldstreicher, M. Washington, Wilkins, K. Young, and P. Young

AN ACT concerning

The Roadkill Bill of 2017

FOR the purpose of requiring the State Highway Administration, in consultation with all interested parties, to adopt timely and comprehensive regulations establishing an accessible process for citizens to report to the Administration roadkill on State highways; making a certain stylistic correction; and generally relating to highways.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–602(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1252 – Dorchester County Delegation

AN ACT concerning

County Boards of Education – Disposition of School Property

FOR the purpose of repealing provisions of law requiring the approval of the State Superintendent of Schools before a county board of education may dispose of any land, school site, or building that is no longer needed for school purposes; and generally relating to the disposition of surplus school property by a county board of education.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–115
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1253 – Delegate Long

AN ACT concerning

State Boat Act – Removal of Abandoned or Sunken Vessels

FOR the purpose of clarifying that certain provisions of law relating to the removal and disposal of abandoned vessels apply to sunken vessels; extending liability protections for damage that may occur during removal, storage, or custody of an abandoned or sunken vessel to a person that removes, preserves, or stores the abandoned or sunken vessel on behalf of the Department of Natural Resources; authorizing the Department to adopt certain regulations; making certain stylistic changes; and generally relating to the removal of abandoned or sunken vessels.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–721
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1254 – Delegates Arentz, Ghrist, and Jacobs

AN ACT concerning

Creation of a State Debt – Queen Anne’s County – Compass Regional Hospice

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Compass Regional Hospice, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1255 – Delegates Jalisi, Haynes, and Proctor

AN ACT concerning

Juveniles – Mechanical Restraints

FOR the purpose of requiring the Department of Juvenile Services to adopt regulations applicable to certain facilities that specify policies for the use of mechanical restraints on children; authorizing the transport of a child to or from a detention facility or hardware secure facility in mechanical restraints, except under certain circumstances and subject to certain conditions; prohibiting a child from being transported to or from a staff secure program in mechanical restraints, except under certain circumstances; requiring certain written documentation to be placed in a child’s case file when a child is transported in mechanical restraints; requiring the Department to report to the Governor and the General Assembly annually, on or before a certain date, on the transport of children in mechanical restraints; specifying the requirements of the report; defining certain terms; and generally relating to juveniles and mechanical restraints.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 9–227(a) and (b)(3)
Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–227(b)(2) and 9–237
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

BY adding to
Article – Human Services
Section 9–247
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

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

House Bill 1256 – Delegates Jalisi, Haynes, and Proctor

AN ACT concerning

Juveniles – Strip Search – Limitations

FOR the purpose of requiring that the Department of Juvenile Services adopt regulations applicable to certain facilities that prohibit the strip search of a child except under certain circumstances; authorizing the strip search of a child at a facility under certain circumstances; requiring facility staff to exhaust certain alternatives before the strip search of a child; authorizing the strip search of a child on admission to a certain facility under certain circumstances; requiring that a certain authorization for a strip search of a child be made in writing and include certain information; requiring the Department to make a certain report; and generally relating to juvenile strip searches.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 9–227(a) and (b)(3)
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–227(b)(2) and 9–237
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

BY adding to
Article – Human Services
Section 9–247

Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

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

House Bill 1257 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Abandoned Property – Special Property Tax Rate

FOR the purpose of requiring the governing body of Prince George’s County to set a special property tax rate at a certain level for a class of real property that consists of certain abandoned property for which there is a record owner; providing that a requirement that the county set a single property tax rate for all real property does not apply to the special property tax rate on abandoned property; and generally relating to a special property tax rate for abandoned property in Prince George’s County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–302
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1258 – Delegates C. Wilson and McComas

AN ACT concerning

Criminal Law – Assault in the Second Degree – Educators

FOR the purpose of prohibiting a person from intentionally causing physical injury to another if the person knows or has reason to know that the other is a certain educator; applying certain penalties; and generally relating to assaults on educators.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–203
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1259 – Delegates B. Wilson, Glenn, McKay, and Wivell

EMERGENCY BILL

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Medical Cannabis Grower Licenses

FOR the purpose of increasing the number of medical cannabis grower licenses that may be authorized by the Natalie M. LaPrade Medical Cannabis Commission; requiring the Commission to grant a certain approval to certain applicants; making this Act an emergency measure; and generally relating to the Natalie M. LaPrade Medical Cannabis Commission and medical cannabis grower licenses.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3306(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1260 – Delegate McMillan

AN ACT concerning

Annual Reports and Personal Property Reports – Fees, Exemption, and Affidavit

FOR the purpose of reducing the fee that certain business entities must pay for filing an annual report with the State Department of Assessments and Taxation if the business entity did not own personal property that is subject to property tax during the preceding calendar year; exempting a person who did not own personal property that is subject to property tax during the preceding calendar year from submitting a report on personal property to the Department; requiring the person to submit a certain affidavit to the Department on or before a certain date; specifying the form and contents of the affidavit; providing that the affidavit may be submitted to the Department electronically; authorizing a person who has filed a certain affidavit with the Department to file an amended report within a certain time period under certain circumstances; and generally relating to certain reports filed with the State Department of Assessments and Taxation.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–203(b)(3)(ii)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Corporations and Associations
Section 1–203(b)(15)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 11–101 and 11–103(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1261 – Delegates Wilkins, Barron, Carr, Fennell, Frick, Luedtke, Moon,
and M. Washington**

AN ACT concerning

Barbers – Criminal Penalties for Violations of Barbering Law – Repeal

FOR the purpose of repealing certain criminal penalties for violations of the barbering law;
making stylistic changes; and generally relating to practicing barbering.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 4–601
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 4–607
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1262 – Delegate Adams

AN ACT concerning

Pharmacists – Administration of the Influenza Vaccination – Age Requirement

FOR the purpose of altering the age of an individual to whom a pharmacist may administer
an influenza vaccination; and generally relating to pharmacists and the
administration of the influenza vaccination.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–508(a)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1263 – Delegate Dumais

AN ACT concerning

Family Law – Child Abuse and Neglect – Definitions

FOR the purpose of altering the definition of “abuse” for the purpose of certain child abuse and neglect statutes to include the physical or mental injury of a child by a person who, because of the person’s position or occupation, exercises authority over the child under certain circumstances; providing that “abuse” does not include the physical injury of a child by accidental means; altering the definition of “mental injury” for the purpose of certain child abuse and neglect statutes; making certain conforming changes to the definition of “sexual abuse” for the purpose of certain child abuse and neglect statutes; and generally relating to child abuse and neglect.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–701(b), (r), and (x)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1264 – Delegate Conaway

AN ACT concerning

Dyslexia Education Pilot Program Advisory Board

FOR the purpose of establishing the Dyslexia Education Pilot Program Advisory Board in the State Department of Education; providing for the composition, chair, and staffing of the Advisory Board; prohibiting a member of the Advisory Board from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Advisory Board, in consultation with the Department, to identify a principal investigator for the Program; requiring the Advisory Board, in consultation with the Department, to develop a certain Request for Proposals, select certain partners for the Program, and establish a Pilot Program Implementation Team; requiring the Advisory Board, in consultation with certain entities, to establish a process to select local school systems to participate in the Program and establish a

Local Education Agency Team; requiring the Advisory Board, in consultation with a Principal Investigator and the Pilot Program Implementation Team, to implement the Program for a certain period of time; requiring the Advisory Board to report its progress to the Governor and the General Assembly on or before a certain date each year; defining certain terms; providing for the termination of this Act; and generally relating to the Dyslexia Education Pilot Program Advisory Board.

BY adding to

Article – Education

Section 7–10C–01 through 7–10C–05 to be under the new subtitle “Subtitle 10C.
Dyslexia Education Pilot Program Advisory Board”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1265 – Chair, Health and Government Operations Committee

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 the related 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 statutory and regulatory authority of the State Board of Physicians and the committees; altering the content of a certain statistical report regarding complaints of sexual misconduct; authorizing certain health occupations boards to enter into a certain agreement regarding prescriber–pharmacist agreements with the State Board of Pharmacy; altering the definition of “allied health professional” to include naturopathic doctors; requiring the State Board of Physicians to submit an annual report on or before a certain date each year to the Governor, the Secretary of Health and Mental Hygiene, and the General Assembly that includes certain data on a fiscal year basis; codifying the requirement that the State Board of Physicians provide certain training at least at certain intervals to the Office of Administrative Hearings; authorizing the State Board of Physicians to discipline individuals exempt from licensure under a certain provision of this Act in a certain manner and for certain grounds; requiring the State Board of Physicians to consider certain factors in determining whether to take disciplinary action based on criminal history record information against certain physicians or allied health professionals, rather than in determining whether to renew or reinstate the license; altering the circumstances under which a disciplinary panel is required to refer an allegation to peer review; repealing certain provisions of law rendered obsolete by certain provisions of this Act; repealing the requirement that hospitals, related institutions, and alternative health systems report certain information to the State Board of Physicians at certain intervals; altering the circumstances under which

certain provisions of law related to penalties for the unlicensed practice of medicine do not apply to certain licensees; making conforming and technical changes requiring the State Board of Physicians, under certain circumstances, to submit a certain proposal to certain committees of the General Assembly regarding moving certain cases from the jurisdiction of the full State Board of Physicians to the jurisdiction of the disciplinary panels; requiring that the State Board of Physicians include certain information in certain reports; limiting the scope of a certain full evaluation to certain matters; and generally relating to the State Board of Physicians and the related allied health advisory committees.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–212(e), 12–6A–03(b), 14–101(a–1), 14–302(a), 14–316(g), 14–401.1(a)(5)(i), (c)(2), (k), and (l), 14–411.1(b)(6)(iv), 14–413(a)(1) and (2), 14–414(a)(1) and (2), 14–5A–13(g), 14–5A–25, 14–5B–12(g), 14–5B–21, 14–5C–14(g), 14–5C–25, 14–5D–12(h), 14–5D–20, 14–5E–13(g), 14–5E–25, 14–5F–15(d), 14–5F–32, 14–602(c), 14–606(a)(5), 14–702, 15–307(g), and 15–502

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 14–205.1, 14–205.2, and 14–302.2

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 14–401.1(c)(1) and 14–606(a)(4)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing

Article – Health Occupations

Section 14–401.1(j)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 24–201(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 24–201(d)

Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–405(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–405(b)(5)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing
Chapter 539 of the Acts of the General Assembly of 2007
Section 4 and 5

BY repealing
Chapter 109 of the Acts of the General Assembly of 1988, as amended by Chapter
271 of the Acts of 1992 and Chapter 662 of the Acts of 1994
Section 5

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1266 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Class BLX License – Movie Theaters

PG 303–17

FOR the purpose of authorizing the Prince George’s County Board of License Commissioners to issue a Class BLX (on–premises) beer, wine, and liquor license for use in a movie theater with average daily receipts from the sale of food that exceed the average daily receipts from the sale of alcoholic beverages; establishing the hours for sale under the Class BLX movie theater license; making certain conforming changes; and generally relating to the issuance of Class BLX beer, wine, and liquor licenses for use in movie theaters.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 26–102
Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 26–1616 and 26–2004(f)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1267 – Delegate Valderrama

AN ACT concerning

**Workers’ Compensation – Members of Volunteer Company – Computation of
Average Weekly Wage**

FOR the purpose of altering the wages used for the purpose of computing the average weekly wage of certain covered employees who are members of a volunteer company; and generally relating to workers’ compensation for members of volunteer companies.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–602(g)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1268 – Delegate A. Washington

AN ACT concerning

**Education – Student Achievement Gap Standard – Establishment
(Maryland Student Achievement Act)**

FOR the purpose of requiring the State Department of Education, on or before a certain date, to establish a standard to measure and quantify the student achievement gap, identify certain achievement gaps between certain student groups, and issue best practices and annual benchmarks to close the student achievement gap between certain groups over a certain time period; requiring a certain standard to include certain criteria; requiring certain local school systems, beginning on or before a certain date, to document the student achievement gap in the district for a certain time period using a certain standard and develop a certain strategic plan to close the student achievement gap; requiring a certain strategic plan to include certain costs; requiring certain local school systems to conduct a certain number of public meetings

in developing a certain strategic plan; and generally relating to the establishment of a student achievement gap standard.

BY adding to

Article – Education

Section 7–204.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1269 – Delegate Simonaire

AN ACT concerning

Anne Arundel County – Property Tax – Credit for Seniors of Limited Income

FOR the purpose of authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on real property owned and used as a principal residence by an individual of a certain minimum age and of limited income; authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to provide, by law, for the amount and duration of the credit, the eligibility criteria and application process for the credit, and any other provision necessary to administer the credit; providing for the application of this Act; and generally relating to a property tax credit in Anne Arundel County for individuals of a certain age and income.

BY adding to

Article – Tax – Property

Section 9–303(b)(7)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1270 – Delegates Waldstreicher, Adams, Brooks, Clippinger, Fennell, Frick, Gutierrez, Hettleman, Lam, Lewis, Lierman, Lisanti, Stein, Sydnor, Tarlau, and Mosby

AN ACT concerning

Credit Regulation – Unsecured Open End Credit Plans – Fees and Charges

FOR the purpose of providing that certain fees and charges permitted to be imposed on a certain consumer borrower under a certain unsecured open end credit plan, when combined with any interest charged under the plan, may not exceed a certain

effective rate of interest; making a conforming change; and generally relating to the regulation of fees and charges under unsecured open end credit plans.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–905
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1271 – Delegate Branch

AN ACT concerning

Business Regulation – Security Systems – Permitting and Registration

FOR the purpose of specifying the scope and construction of certain provisions of law; requiring the Department of State Police to develop a uniform basic permit for use in connection with a low-voltage security system project and to make the uniform basic permit available to certain local governments; specifying the terms for use of a uniform basic permit; requiring a local government to take certain actions regarding a certain uniform basic permit; prohibiting a local government from taking certain actions against a certain contractor relating to a certain uniform basic permit; prohibiting a local government from charging more than a certain fee for a uniform basic permit; requiring a contractor to take certain actions relating to a certain uniform basic permit; requiring a local government that requires a uniform basic permit to develop and make available to a contractor a Uniform Notice of Low-Voltage Security System Project; specifying the contents of the Uniform Notice of Low-Voltage Security System Project; requiring a contractor to submit a Uniform Notice of Low-Voltage Security System Project to a local government within a certain amount of time after a certain date; authorizing a local government to coordinate directly with an owner, a customer, a tenant, or an authorized representative to provide for the inspection of a certain low-voltage security system project; requiring a contractor to take corrective action if a low-voltage security system project fails a certain inspection; prohibiting a local government from adopting or enforcing certain local laws or ordinances; prohibiting a local government from taking certain actions relating to a wireless security system; authorizing a local government to require certain individuals to register a security system with the local government; requiring a contractor or a security system monitoring agency to take certain actions to provide certain notice if a local government requires registration; requiring a certain contractor to provide a certain notice; requiring a certain individual, under certain circumstances, to register a security system with the applicable local government within a certain period of time; prohibiting a local government from taking certain actions relating to registration of certain security systems; authorizing a local government to assess or impose a certain penalty or fine against a contractor for failing to take certain actions; prohibiting a local government

from assessing or imposing a certain civil penalty or fine against a certain contractor or security system monitoring agency under certain circumstances; defining certain terms; and generally relating to security systems.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 18–101 and 18–102
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to
Article – Business Regulation
Section 19–901 through 19–905 to be under the new subtitle “Subtitle 9. Security Systems”
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1272 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Domestic Violence – Definition of Abuse

PG 314–17

FOR the purpose of altering, in Prince George’s County, the definition of “abuse” to include harassment and malicious destruction of property for purposes of certain provisions of law relating to domestic violence; defining certain terms; and generally relating to domestic violence in Prince George’s County.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–501(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–501(b)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Family Law
Section 4–501.1

Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1273 – Delegates Cullison, Angel, Barron, Hayes, Kelly, Kipke, Krebs, McDonough, Miele, Morales, Morgan, Platt, Reznik, Saab, Sample–Hughes, West, K. Young, and P. Young

AN ACT concerning

Pharmacists – Substitution and Dispensing of Biological Products

FOR the purpose of authorizing a pharmacist to substitute an interchangeable biological product for a certain prescribed product under certain circumstances; requiring a pharmacist or the pharmacist's designee, except under certain circumstances, to inform certain consumers of the availability of an interchangeable biological product and the approximate cost difference as compared to a certain drug; requiring the State Board of Pharmacy to maintain on its Web site a link to certain lists of biological products; requiring a pharmacist who makes a certain substitution to notify the patient in writing that a certain product is interchangeable and to record and keep a record of certain information relating to the substitution; authorizing the Department of Health and Mental Hygiene to disqualify an interchangeable biological product from being used as a substitute in the State under certain circumstances; requiring the Department to provide an opportunity for public comment under certain circumstances; providing that a pharmacist who substitutes an interchangeable biological product in compliance with certain provisions of law incurs no greater liability than would be incurred in filling the prescription by dispensing a certain drug or device; requiring, within a certain period of time after dispensing a biological product to a patient, the dispensing pharmacist or the pharmacist's designee to communicate the specific biological product dispensed, including certain information, to the prescriber except under certain circumstances; specifying the methods by which the communication must be provided except under certain circumstances; defining certain terms; and generally relating to the substitution and dispensing of biological products.

BY renumbering

Article – Health Occupations

Section 12–101(c) through (j) and (k) through (aa), respectively

to be Section 12–101(d) through (k) and (n) through (dd), respectively

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–101(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 12–101(c), (l), and (m) and 12–504.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–504

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1274 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Land Bank Authority

PG 423–17

FOR the purpose of authorizing the governing body of Prince George’s County to enact a law establishing a certain land bank authority; requiring an ordinance establishing an Authority to include certain articles of incorporation and requiring certain articles of incorporation to be filed, accepted, and amended in a certain manner; authorizing Prince George’s County to take certain actions relating to the Authority; providing for the disposition of property and obligation of the Authority on termination; requiring a law creating the Authority to establish and provide for a board of directors; specifying the membership of the board of directors; establishing the powers of the Authority; authorizing the Authority to delegate certain powers; authorizing the Authority to acquire and dispose of certain real property; authorizing the Authority to employ certain staff and retain certain consultants; authorizing a court to appoint the Authority to serve as a certain receiver; requiring the Authority to adopt a certain code of ethics, establish certain policies and procedures, and comply with certain provisions of law; providing that the procedures of Prince George’s County control certain matters under certain circumstances; authorizing the Authority to exercise certain powers of Prince George’s County; specifying that the local law establishing the Authority may grant to the Authority certain immunities; authorizing the Authority to take certain actions relating to property held or owned by the Authority; requiring the Authority to be made a party to certain actions and proceedings; requiring property held by the Authority to be inventoried and classified in a certain manner; prohibiting a certain register of deeds from charging a certain fee; authorizing the Authority to accept a certain deed or assignment of interest in a certain property instead of certain other penalties under

certain circumstances; prohibiting a certain conveyance of property from affecting or impairing another lien on the property; providing that a certain tax lien may be released or abated under certain circumstances; providing that certain money received by the Authority shall be returned to the local taxing unit for certain purposes under certain circumstances; providing certain tax exemptions for certain properties and activities; authorizing the Authority to bring a certain civil action; requiring the Authority to be made a party to certain actions; prohibiting a certain proceeding from being held until certain service of process is made; specifying that property of the Authority is public property devoted to a certain purpose and that income of the Authority is considered to be for a certain purpose; providing that the Authority is subject to certain local zoning laws, permitting processes, and land use controls; requiring the Authority to make a certain annual report to the County Executive and County Council of Prince George's County and the General Assembly; defining certain terms; providing for the construction of this Act; establishing that the powers granted in this Act are supplemental to certain other powers; establishing that this Act does not authorize the Authority to exercise certain powers or levy certain taxes or assessments; and generally relating to a land bank authority in Prince George's County.

BY adding to

Article – Local Government

Section 9–601 through 9–619 to be under the new subtitle “Subtitle 6. Prince George's County Land Bank Authority”

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1275 – Delegates Vogt, Brooks, Folden, C. Wilson, and P. Young

AN ACT concerning

**State Government – Department of Veterans Affairs – Veterans' Services
Specialists**

FOR the purpose of requiring units of State government to designate an employee of the unit as a veterans' services specialist to coordinate services with the director of the veterans Outreach and Advocacy Program in the Department of Veterans Affairs and attend certain training, to provide the Department of Veterans Affairs with certain information, and to post certain information on the unit's Web site; requiring certain governmental units to direct veterans to contact the Department and provide the veterans with certain contact information; requiring the Department to coordinate certain meetings and submit a certain report; and generally relating to veterans' services specialists at units of State government.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–943
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Government
Section 9–944
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1276 – Delegates Barron, Bromwell, Kipke, and B. Wilson

AN ACT concerning

Health – Patient–Centered Opioid Addiction Treatment Act

FOR the purpose of requiring, on or before a certain date, certain opioid treatment programs to meet certain requirements; requiring an opioid treatment program to establish certain treatment protocols; requiring an opioid treatment program to provide a copy of certain protocols to the Office of Health Care Quality before being licensed by the Behavioral Health Administration; defining a certain term; and generally relating to patient–centered opioid addiction treatment.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–101
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Health – General
Section 8–407
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1277 – Delegate Davis

AN ACT concerning

Insurance – Producer Licensing – Examinations

FOR the purpose of altering the number of days an applicant for a license to act as an insurance producer who fails a certain examination must wait before retaking the

examination; and generally relating to examination requirements for insurance producers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–108 and 10–109
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1278 – Delegates Pena–Melnyk, Angel, Barron, Kelly, and Tarlau

AN ACT concerning

**Public Health – Health Care Facilities and Health Care Systems – Availability of
Buprenorphine Prescribers**

FOR the purpose of requiring certain health care facilities and health care systems to make available to patients the services of at least one health care provider who is authorized to prescribe buprenorphine under federal law for every certain number of patients; requiring the health care facilities and health care systems to use a certain average number for the purpose of calculating the number of health care providers required under a certain provision of this Act; authorizing certain health care facilities and health care systems to contract with certain health care providers to comply with a certain provision of this Act; defining a certain term; and generally relating to the availability of buprenorphine prescribers in health care facilities and health care systems.

BY adding to
Article – Health – General
Section 8–1101 to be under the new subtitle “Subtitle 11. Availability of
Buprenorphine Prescribers”
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1279 – Delegates Morales, Anderson, Atterbeary, Conaway, Dumais,
Fraser–Hidalgo, Gutierrez, Kittleman, McComas, A. Miller, Moon, Proctor,
Queen, Sanchez, and Sydnor**

AN ACT concerning

Police Training Commission – Training Requirements – Human Trafficking

FOR the purpose of requiring the Police Training Commission to require that certain entrance–level and in–service police training conducted by the State and each county and municipal police training school include certain training relating to the criminal laws concerning human trafficking and the appropriate treatment of victims of human trafficking; authorizing certain training to be conducted in person or online; and generally relating to police training requirements.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–207(a)(6)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Public Safety
Section 3–207(h)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1280 – Delegates Anderson, Vallario, Atterbeary, Buckel, Cluster, Conaway, Glenn, and B. Wilson

AN ACT concerning

Criminal Procedure – Pretrial Release – Criteria

FOR the purpose of providing that a defendant is entitled to be released before verdict on personal recognizance or on bail, with or without conditions imposed, under certain circumstances; creating a presumption that a certain defendant shall be released on personal recognizance; requiring a judicial officer to take certain information into account in making a certain determination; requiring a judicial officer to impose certain conditions of release on a certain defendant under certain circumstances; specifying certain authorized conditions of release; providing that a judicial officer is not prohibited from setting bail in a certain amount under certain circumstances; providing that a defendant does not have the right to post bail in a certain amount; defining a certain term; and generally relating to pretrial release.

BY adding to
Article – Criminal Procedure
Section 5–103
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1281 – Delegates Jacobs, Arentz, Mautz, and Otto

AN ACT concerning

Oyster Poaching – Administrative Penalties – Gear Violations

FOR the purpose of repealing the offense of taking oysters with certain gear in certain areas that is subject to certain enhanced administrative penalties; establishing the offense of taking oysters with a power dredge in certain areas that is subject to certain enhanced administrative penalties; and generally relating to administrative penalties for oyster poaching gear violations.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1210
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1282 – Delegate Lisanti

AN ACT concerning

Public Service Commission – Out-of-State Carbon Pollution Program – Study

FOR the purpose of requiring the Public Service Commission to study and make recommendations about establishing a program to address carbon pollution attributed to electricity generated out-of-state but consumed within the State; requiring the Commission to study and make recommendations regarding establishing the program; requiring that the Commission solicit input from certain entities and organizations; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; and generally relating to out-of-state carbon pollution.

Read the first time and referred to the Committee on Economic Matters.

House Bill 1283 – Delegate Branch

AN ACT concerning

Alcoholic Beverages – Class 5 Brewery License

FOR the purpose of repealing a certain provision of law authorizing a holder of a Class 5 brewery license to serve certain samples of beer brewed at the brewery to certain

individuals at no charge; specifying that beer sold by a holder of a Class 5 brewery license at retail to a certain individual for off-premises consumption must be in a container other than a keg; repealing certain provisions of law requiring a local licensing board to grant an on-site consumption permit to a certain applicant and to take certain related actions; repealing a certain provision of law authorizing a local licensing board to charge a certain fee; authorizing a local licensing board to issue in a certain manner a Class D beer license for on-premises consumption to a holder of a Class 5 brewery license; providing that a certain Class D beer license entitles the holder to sell beer brewed at the brewery under a certain trade name to a certain individual for on-premises consumption; requiring a holder of a Class D beer license or a certain employee to comply with certain alcohol awareness training requirements; requiring a holder of a Class D beer license to abide by certain trade practice restrictions; repealing a certain provision of law authorizing a holder of a brewery promotional event permit to provide certain samples to consumers; authorizing the holder of certain licenses to exercise the privileges of the licenses during certain hours on certain days; making conforming changes; and generally relating to Class 5 brewery licenses.

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 2–207
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1284 – Delegates Stein, Frush, Healey, Holmes, and Lafferty

AN ACT concerning

Natural Resources – Aquaculture Leases – National Register of Historic Places

FOR the purpose of prohibiting an Aquaculture Enterprise Zone and certain aquaculture leases from being located within a certain distance of the shoreline of certain property listed on the National Register of Historic Places; requiring, instead of authorizing, the Department of Natural Resources to take certain actions to protect the public health, safety, and welfare; and generally relating to aquaculture leases.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–11A–05(a), 4–11A–06(a), 4–11A–07(a), 4–11A–08(a), and 4–11A–11(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources

Section 4–11A–05(b)(2), 4–11A–06(b)(2), 4–11A–07(c)(1), 4–11A–08(c)(1),
4–11A–09(d), and 4–11A–11(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1285 – Delegates Stein, Fraser–Hidalgo, and Frush

AN ACT concerning

Motor Vehicles – Passenger Seat Belt Requirement – Primary Offense

FOR the purpose of making the failure to wear a seat belt in a rear passenger seat of a motor vehicle a primary offense rather than a secondary offense; requiring a certain motor vehicle passenger in a front seat position that is not adjacent to a door of the motor vehicle to be restrained by a seat belt; requiring the Police Training and Standards Commission to report to the General Assembly on or before a certain date; making conforming changes; and generally relating to seat belt requirements for passengers in motor vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–412.3(a) and (c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1286 – Delegate Lisanti

AN ACT concerning

Harford County – Admissions and Amusement Tax – Limitations in Municipal Corporations

FOR the purpose of providing that the admissions and amusement tax may not be imposed by a municipal corporation in Harford County on gross receipts derived from certain admissions and amusement charges; and generally relating to certain limitations on the admissions and amusement tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–103(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1287 – Delegates A. Washington, Angel, D. Barnes, Haynes, Lierman, Pena–Melnyk, Sydnor, Tarlau, Walker, and M. Washington

AN ACT concerning

Commission on the School–to–Prison Pipeline and Restorative Practices

FOR the purpose of establishing the Commission on the School–to–Prison Pipeline and Restorative Practices; 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 the General Assembly on or before certain dates; defining certain terms; providing for the termination of this Act; and generally relating to the Commission on the School–to–Prison Pipeline and Restorative Practices.

Read the first time and referred to the Committee on Ways and Means.

House Bill 1288 – Delegates Rosenberg, Angel, Cullison, Hayes, Hill, Kelly, Kipke, Morales, Platt, and West

AN ACT concerning

Maryland Insurance Administration – Workgroup on the Provision and Coverage of Behavioral Health Crisis Services

FOR the purpose of requiring the Maryland Insurance Administration to convene a workgroup that includes certain individuals and interested stakeholders to identify barriers to the provision of behavioral health crisis services and coverage of the services by health insurance carriers; requiring the workgroup to identify barriers to the provision and coverage of certain services and treatment; authorizing the workgroup to examine certain issues; requiring the Administration to report certain findings and recommendations of the workgroup to the General Assembly on or before a certain date; and generally relating to a workgroup to identify barriers to the provision and coverage of behavioral health crisis services.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1289 – Delegate A. Washington

AN ACT concerning

Higher Education – Student Financial Assistance – Notification

FOR the purpose of requiring the Office of Student Financial Assistance in the Maryland Higher Education Commission, in consultation with certain county boards of education, to mail certain informational materials to certain students on or before a certain date each year; requiring the informational materials to be mailed to a certain address; and generally relating to the notification of student financial assistance by the Office of Student Financial Assistance in the Maryland Higher Education Commission.

BY adding to

Article – Education

Section 18–204.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1290 – Delegates Lafferty, Fraser–Hidalgo, Healey, Hill, Jalisi, Kelly, McCray, Platt, and K. Young

AN ACT concerning

State Government – Management of Public Buildings – Indoor Air Quality

FOR the purpose of requiring the Secretary of Labor, Licensing, and Regulation, in consultation with the Department of the Environment, to adopt regulations establishing certain air quality standards and a schedule for certain testing; requiring the Secretary to make certain recommendations and establish a certain timetable; requiring the Department of General Services and the Department of Transportation to submit certain air quality reports relating to each public building maintained by the respective department; requiring that the air quality reports include a certain plan and certain information; requiring the Department of General Services and the Department of Transportation to provide certain report supplements to the Secretary, under certain circumstances, on or before a certain day of certain years; requiring the Department of General Services and the Department of Transportation to conform certain procedures to regulations established by the Secretary; requiring the Secretary to provide certain notice to the Department of General Services and the Department of Transportation within a certain period of time; requiring the Department of General Services and the Department of Transportation to revise and resubmit an air quality report or report supplement within a certain period of time; authorizing certain persons to obtain a copy of an air quality report or a report supplement for a certain building; requiring the Department of General Services and the Department of Transportation to send to a certain person a certain copy within a certain period of time; defining certain terms; requiring the Secretary to adopt certain regulations on or before a certain date; and generally relating to the management of public buildings.

BY adding to

Article – State Government

Section 10–1601 to be under the new subtitle “Subtitle 16. Air Quality in State Public Buildings”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1291 – Delegates B. Barnes, Anderson, Atterbeary, Barron, Dumais, Hettleman, Korman, Lierman, Morales, Rosenberg, Sydnor, and Valentino-Smith

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

FOR the purpose of increasing the amount that the State Comptroller is required to distribute of certain abandoned property funds each year to the Maryland Legal Services Corporation Fund; and generally relating to Maryland Legal Services Corporation funding.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 17–317

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Human Services

Section 11–402

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

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

House Bill 1292 – Delegates West, Mautz, Cullison, Hayes, Hill, and Kelly

AN ACT concerning

State Board of Dental Examiners – Ownership, Management, or Operation of a Dental Practice

FOR the purpose of requiring a dental practice to be owned, managed, or operated by a licensed dentist, subject to certain exceptions; authorizing, under certain circumstances, an heir of a licensed dentist who was the owner of a dental practice to serve as an owner of the dental practice for a certain time period; authorizing the State Board of Dental Examiners to extend a certain time period under certain

circumstances; requiring that all patient care be provided by certain individuals and in accordance with certain scopes of practice during the temporary ownership of a dental practice by an heir; prohibiting the temporary ownership of a dental practice by an heir from affecting the exercise of independent judgment by certain licensed dentists; authorizing an unlicensed person to take certain actions; prohibiting a licensed dentist from raising a certain defense in a certain action; repealing a certain exemption from the requirements of the Maryland Dentistry Act; authorizing the Board to take certain action against certain applicants and licensees for accepting or tendering rebates or split fees; authorizing the Board to issue a cease and desist order for certain violations; prohibiting certain persons from aiding or abetting the unauthorized practice of dentistry; establishing certain penalties for aiding or abetting the unauthorized practice of dentistry; altering certain penalties; exempting certain persons from certain penalty provisions; repealing certain references to certain places of imprisonment; establishing certain civil penalties; requiring the Office of Oral Health in the Department of Health and Mental Hygiene to include the exception provided for in a certain provision of this Act in a certain report; repealing the requirement that the office include a certain exception in a certain report; repealing the exemption for certain dental practices from the requirement that a dental practice be owned, managed, or operated by a licensed dentist; providing for the effective dates of this Act; altering a certain definition; making stylistic changes; and generally relating to the ownership, management, and operation of a dental practice.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–2504
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–101(l), 4–102, 4–315(a)(33) and (34), 4–601, and 4–606
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Health Occupations
Section 4–103, 4–315(a)(35), and 4–321
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 4–301 and 4–602
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–2504(b)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–103(d)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1293 – Delegate Valderrama

AN ACT concerning

Workers’ Compensation – Permanent Partial Disability – Survival of Claim

FOR the purpose of limiting the survivability of the right to compensation for permanent partial disability payable under certain provisions of law to total compensation not exceeding a certain amount; providing for the application of this Act; and generally relating to the survivability of rights to compensation for permanent partial disability.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–632
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1294 – Delegate Valderrama

AN ACT concerning

Workers’ Compensation – Permanent Total Disability – Survival of Claim

FOR the purpose of altering a certain limitation on the survivability of the right to compensation for permanent total disability payable under certain provisions of law; providing for the application of this Act; and generally relating to the survivability of rights to compensation for permanent total disability.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–640
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1295 – Delegates Brooks, Ebersole, Fennell, Glenn, Gutierrez, Hettleman, Jones, Lam, Lewis, Lierman, Moon, Platt, Sydnor, Tarlau, M. Washington, and Mosby

AN ACT concerning

Low–Cost Automobile Insurance Program

FOR the purpose of establishing a Low–Cost Automobile Insurance Program; establishing the purpose of the Program; providing that the Program is part of the Maryland Automobile Insurance Fund; altering the purpose of the Fund; providing for the administration and development of the Program; authorizing the Program to sell, issue, and deliver certain policies of automobile insurance to individuals who meet certain eligibility requirements; providing that low–cost automobile insurance policies issued by the Program shall provide certain minimum coverages with certain exceptions and may contain other provisions under certain circumstances; establishing certain limitations on policies issued by the Program; providing that a low–cost policy issued by the Program shall satisfy certain minimum security required by certain provisions of law; requiring the Executive Director of the Maryland Automobile Insurance Fund to determine certain premiums subject to the approval of the Maryland Insurance Commissioner; authorizing certain insurance producers to bind certain coverage under certain circumstances; requiring certain notice to applicants about the limitations under the low–cost policies; authorizing the Program to reject applications for coverage under the Program and to cancel low–cost policies under certain circumstances; requiring the Board of Trustees of the Maryland Automobile Insurance Fund, in consultation with the Maryland Insurance Administration, to adopt certain regulations; defining a certain term; and generally relating to the Low–Cost Automobile Insurance Program.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–301
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Insurance
Section 20–6A–01 through 20–6A–08 to be under the new subtitle “Subtitle 6A.
Low–Cost Automobile Insurance Program”

Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1296 – Delegates Glass, Hornberger, McDonough, and Parrott

AN ACT concerning

Vehicle Laws – Class G (Trailer) Vehicles – Permanent Registration

FOR the purpose of requiring the Motor Vehicle Administration to issue a one-time, permanent registration for certain trailer vehicles under certain circumstances; establishing a certain fee schedule for the permanent registration of certain trailer vehicles under certain circumstances; establishing that a registration issued under this Act is not transferable; and generally relating to permanent registration for trailer vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–927 and 13–930
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1297 – Delegates Valentino-Smith, Atterbeary, Dumais, McComas, and Sanchez

AN ACT concerning

Domestic Violence – Petitioner – Attorney for Child

FOR the purpose of expanding the list of “petitioners” under the domestic violence statutes who may seek relief from abuse on behalf of a minor child to include an attorney appointed by the court in certain family law actions to represent the minor child; and generally relating to domestic violence.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 1–202 and 4–501(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–501(o)

Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1298 – Delegate McMillan

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Annapolis Shakespeare
Company Theatre**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$272,000, the proceeds to be used as a grant to the Board of Directors of the Annapolis Shakespeare Company, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1299 – Howard County Delegation

AN ACT concerning

Howard County Board of Education – Elected School Board

Ho. Co. 11–17

FOR the purpose of requiring that, beginning with a certain election, certain members of the Howard County Board of Education shall reside in certain districts and be elected by the voters of the entire county and that certain members may reside anywhere in the county and shall be elected at large by the voters of the entire county; providing that a member elected to the county board from a certain geographic area but whose district boundaries are subsequently altered may remain as a member of the county board for a certain period; providing that in making an appointment to fill a vacancy on the county board the County Executive of Howard County shall endeavor to ensure that the county board reflects certain characteristics of the county population; providing for the termination of the terms of certain members of the county board; providing for the terms of certain members of the county board; providing for the application of this Act; and generally relating to the election of the members of the Howard County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–701

Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

CONSENT CALENDAR OF INTRODUCTORY HOUSE BILLS NO. 24

House Bill 1300 – Charles County Delegation

AN ACT concerning

Charles County – Garbage Disposal Services – Provider Displacement

FOR the purpose of requiring the County Commissioners of Charles County to hold a certain public hearing and provide certain notice before taking any action that results in a certain displacement of a person that has been providing garbage collection, removal, or disposal services in Charles County; requiring the county commissioners to provide written notice of a certain displacement to a certain person within a certain time period under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to the provision of garbage collection, removal, and disposal services in Charles County.

BY repealing and reenacting, without amendments,

Article – Local Government
Section 9–302(a)
Annotated Code of Maryland
(2013 Volume and 2016 Supplement)

BY adding to

Article – Local Government
Section 13–402.1
Annotated Code of Maryland
(2013 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1301 – Delegates Frush, Chang, Gutierrez, and Tarlau

AN ACT concerning

Vehicle Laws – School Crossing Guards – Authority to Direct Traffic

FOR the purpose of expanding the authority of school crossing guards to direct traffic by authorizing a school crossing guard who meets certain qualifications to direct vehicles and pedestrians on a highway or on school grounds in order to assist nonschool vehicles in entering and leaving school grounds; providing for the

application of this Act; and generally relating to the authority of school crossing guards to direct traffic.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–107
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1302 – Delegates Glass, Hornberger, Jalisi, Lisanti, McDonough, McKay, Moon, Simonaire, and K. Young

AN ACT concerning

Income Tax Credit – Cat and Dog Adoption

FOR the purpose of allowing an individual who adopts a cat or dog from an animal shelter or a rescue facility a credit against the State income tax; providing that an individual may not claim the credit for more than 1 taxable year with respect to the same cat or dog; providing that an individual may not claim a credit greater than a certain amount for any taxable year; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to a credit against the State income tax for adopting a cat or dog.

BY adding to
Article – Tax – General
Section 10–741
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1303 – Delegates Lewis, Clippinger, and Lierman

AN ACT concerning

Creation of a State Debt – Baltimore City – House of Freedom Commercial Kitchen Renovation

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,400,000, the proceeds to be used as a grant to the Board of Directors of the House of Freedom, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or

expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1304 – Delegates Lewis, Clippinger, and Lierman

AN ACT concerning

**Creation of a State Debt – Baltimore City – Meals on Wheels Kitchen
Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$275,000, the proceeds to be used as a grant to the Board of Directors of Meals on Wheels of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1305 – Delegate Fennell

AN ACT concerning

Labor and Employment – Payment of Wages – Minimum Wage

FOR the purpose of altering the date beginning on which a certain State minimum wage is required to be paid; specifying the State minimum wage rate that is in effect beginning on a certain date; and generally relating to the payment of the minimum wage.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–413
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1306 – Delegates Fisher, Clark, S. Howard, Morgan, and Sophocleus

AN ACT concerning

Cable Service – Broadband Connection Requirement – Enforcement

FOR the purpose of authorizing a county or municipality to establish certain penalties for certain failures to comply with a certain franchise agreement for a cable television system; requiring that a franchise agreement include a service connection requirement for wired broadband service, subject to certain conditions; providing that a certain failure to install wired broadband on request under a service connection requirement of a certain franchise agreement constitutes a certain breach; authorizing a county or municipality to enforce a service connection requirement in certain manners; authorizing a county or municipality to request the Public Service Commission to enforce a service connection requirement in a certain manner; providing that a certain remedy is in addition to and not in place of certain other actions; authorizing the Commission to begin certain enforcement actions on a certain request; authorizing the Commission to enforce a service connection requirement in certain manners; authorizing the Commission to adopt certain regulations and issue certain orders under certain circumstances; providing that certain cable television systems and wired broadband service providers are deemed to be public service companies for certain purposes; defining certain terms; providing for the construction and application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to cable television service and franchises.

BY repealing and reenacting, with amendments,

Article – Local Government

Section 1–708

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

BY adding to

Article – Public Utilities

Section 8–701 to be under the new subtitle “Subtitle 7. Miscellaneous”

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 13–101, 13–201, 13–205, and 13–208

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1307 – Delegates Valderrama, Angel, Atterbeary, Aumann, Chang, Fennell, Hettleman, Hill, Kelly, Lam, Lewis, Lierman, Morales, Pena–Melnyk, Proctor, Sanchez, and Valentino–Smith

AN ACT concerning

Labor and Employment – Regulation of Farm Labor Contractors and Foreign Labor Contractors

FOR the purpose of establishing licensing and regulatory requirements for foreign labor contractors; providing that an agreement by a foreign worker to waive certain rights is void as contrary to public policy; authorizing the Commissioner of Labor and Industry to enter certain housing at certain times for a certain purpose; requiring the Commissioner to keep a certain public registry of all licensed foreign labor contractors beginning on a certain date; authorizing the Attorney General, under certain circumstances, to investigate certain allegations and proceed in a court to enforce certain provisions of law; requiring an individual to be licensed by the Commissioner before the individual may perform a foreign labor contracting service in the State for consideration; altering the contents of a certain application; providing that a certain license authorizes the licensee to perform foreign labor contracting services for consideration; requiring a licensee to take certain actions while performing a foreign labor contracting service in the State; altering the grounds on which the Commissioner is authorized to deny a certain license or suspend or revoke a certain license; authorizing the Commissioner to suspend a license summarily under certain circumstances; authorizing the Commissioner to pass an order under certain circumstances to require a person immediately to cease performing a foreign labor contracting service; requiring the Commissioner to require, except under certain circumstances, a foreign labor contractor to post a surety bond or other security under certain circumstances; authorizing the Commissioner to require security in a certain amount; requiring each foreign labor contractor to provide each foreign worker with a certain contract at a certain time and in a certain language; prohibiting changes to a certain contract from being made except under certain circumstances; requiring a foreign labor contractor who provides certain housing to ensure that certain conditions of occupancy are posted conspicuously while the foreign worker stays in the housing; requiring the Commissioner to make available to a foreign labor contractor a certain contract; requiring a foreign labor contractor to file with the Commissioner certain contracts; prohibiting a foreign labor contractor or an employer that uses a foreign labor contractor from assessing to a foreign worker certain costs, fees, and expenses; requiring a foreign labor contractor to immediately repay a foreign worker and provide the foreign worker with certain employment under certain circumstances; requiring certain employers to file with the Commissioner certain information; providing that a certain employer is jointly and severally liable for a violation of certain provisions of this Act committed by a foreign labor contractor; requiring the Commissioner to require by regulation a foreign labor contractor to keep certain records; requiring a foreign labor contractor to keep certain records even if the foreign labor contractor is not responsible for paying a foreign worker; requiring that certain information be included on a certain pay stub; requiring each foreign labor contractor to ensure that certain vehicles meet certain standards and that certain drivers are authorized under certain provisions of law to drive certain vehicles; requiring that each foreign labor contractor ensure that owners of certain vehicles have certain liability policies; prohibiting a person from performing a foreign labor contracting service in the State for consideration except under certain

circumstances; prohibiting a foreign labor contractor from discriminating against a foreign worker to the same extent an employer is prohibited from discriminating under certain provisions of law; prohibiting a person from making certain representations to the public except under certain circumstances; prohibiting a person from using a foreign labor contractor to perform a foreign labor contracting service except under certain circumstances; providing that a person is not liable for hiring a certain person under certain circumstances; altering certain penalties; requiring the Commissioner to consider certain factors before assessing a certain penalty against a foreign labor contractor; establishing certain penalties for a willful violation of certain provisions of law by a foreign labor contractor; prohibiting a foreign labor contractor from taking adverse action against a foreign worker for a certain reason; authorizing a foreign worker, under certain circumstances, to bring an action in a certain court to recover certain damages; making conforming changes; defining certain terms; altering a certain defined term; providing for the construction of this Act; and generally relating to regulation of farm labor contractors and foreign labor contractors.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 7-101, 7-103, 7-202, 7-203, 7-205, 7-301, 7-302, 7-305, 7-307, 7-308, 7-310, 7-311; 7-403 and 7-404 to be under the amended subtitle “Subtitle 4. Responsibilities of Farm Labor and Foreign Labor Contractors”; and 7-501, 7-502, 7-503, 7-506, and 7-507 to be under the amended title “Title 7. Farm Labor and Foreign Labor Contractors”

Annotated Code of Maryland
(2016 Replacement Volume)

BY adding to

Article – Labor and Employment

Section 7-312.1, 7-401.1, 7-401.2, 7-401.3, and 7-508

Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1308 – Delegate Branch

AN ACT concerning

Electricity – Construction of Overhead Transmission Lines – Condemnation Authority

FOR the purpose of authorizing a person to which a certificate of public convenience and necessity is issued for the construction of a certain overhead transmission line to acquire certain property or rights by condemnation subject to approval by the Public Service Commission; and generally relating to the construction of overhead transmission lines.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–207(b)(3)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1309 – Delegates Frush and Waldstreicher

AN ACT concerning

Environment – Recycling – Special Events

FOR the purpose of altering the application of certain provisions of law relating to recycling at special events; requiring a county, a municipality, or any other local government to provide a certain written statement before issuing a certain permit for a special event; requiring a county, a municipality, or any other local government to enforce certain provisions of law relating to recycling at a special event; altering certain penalties; making stylistic changes; and generally relating to recycling at special events.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1712
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1310 – Delegates Ebersole, Fennell, Hixson, Kelly, Shoemaker, Tarlau, and Turner

AN ACT concerning

Education – Ethical Special Education Advocate Certificate Program

FOR the purpose of requiring the State Department of Education to establish the Ethical Special Education Advocate Certificate Program on or before a certain date; specifying the purpose of the Program; specifying certain qualifications and application procedures for a certain certificate; requiring the Department to issue a certificate to any applicant who meets certain requirements; authorizing an applicant to petition for judicial review of a decision of the Department that relates to issuing or renewing a certificate; providing that a certificate authorizes an individual to represent to the public that the individual is a certified ethical special education advocate while the certificate is effective; providing for the renewal of a

certificate; requiring the Department to adopt certain regulations; defining a certain term; and generally relating to the Ethical Special Education Advocate Certificate Program.

BY adding to

Article – Education

Section 8–420

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1311 – Delegate McCray

AN ACT concerning

Public Safety – Light Frame Combustible Construction – Requirements

FOR the purpose of requiring the Department of Housing and Community Development to adopt by regulation a certain statewide building code relating to certain buildings constructed with or being constructed by certain light frame combustible construction; providing requirements for the construction of certain buildings; prohibiting a certain construction project from using a certain type of construction to proceed unless a certain fire watch warden is present; establishing qualifications and responsibilities for the fire watch warden; authorizing the State Fire Marshal to take certain actions; requiring the Department to adopt by regulation a statewide building code relating to the affixing of a certain emblem and certain placard to certain structures; providing for the application of this Act; defining certain terms; and generally relating to building codes.

BY adding to

Article – Public Safety

Section 12–1201 through 12–1206 to be under the new subtitle “Subtitle 12. Light Frame Combustible Construction”

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1312 – Delegates Kipke and Simonaire

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Hancock’s Resolution Visitor Center and Barn

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the County Executive and County Council of Anne Arundel County and the Board of Directors of the Friends of Hancock's Resolution, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1313 – Delegates Fisher, Clark, S. Howard, Mautz, W. Miller, Morgan, and Sophocleus

AN ACT concerning

**Public Utilities – Telephone Companies – Wired Broadband
(Wired Broadband Act of 2017)**

FOR the purpose of requiring a certain telephone company to provide and maintain wired broadband service in a certain manner or pay the cost of providing wired broadband service to the Rural Broadband Assistance Fund; requiring the Public Service Commission, to the extent authorized under federal law, to cooperate with the Federal Communications Commission for a certain purpose; requiring the Commission to make a certain annual report and recommendations to the General Assembly on or before a certain date; defining a certain term; providing for the application of this Act; and generally relating to providing wired broadband in the State.

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 5–1102

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY adding to

Article – Public Utilities

Section 8–701 through 8–704 to be under the new subtitle “Subtitle 7. Wired Broadband”

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1314 – Delegates Jacobs, Arentz, Mautz, and Otto

AN ACT concerning

Crabs – Holiday Harvest Times – Trotlines and Crab Pots

FOR the purpose of requiring the Department of Natural Resources to adopt regulations that allow a tidal fish licensee authorized to catch crabs using trotlines or crab pots to work certain hours during certain time periods; and generally relating to harvest times for crabs using trotlines and crab pots.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–803
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1315 – Delegates Valderrama, Barkley, and W. Miller

AN ACT concerning

Workers’ Compensation – Tiered Rating Plans and Merit Rating Plans

FOR the purpose of authorizing a workers’ compensation insurer to develop a certain tiered rating plan; requiring a workers’ compensation insurer to submit a certain tiered rating plan to the Insurance Commissioner at least a certain number of days in advance of the tiered rating plan’s use; requiring the Commissioner to disapprove a certain tiered rating plan under certain circumstances; authorizing a workers’ compensation insurer to use a certain merit rating plan under certain circumstances; and generally relating to workers’ compensation insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 11–329
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 394 of the Acts of the General Assembly of 2016)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1316 – Delegates McCray and Glenn

AN ACT concerning

Creation of a State Debt – Baltimore City – Harford Road Assisted Living and Medical Adult Day Care Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the 6040 Harford ALF, LLC for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1317 – Prince George’s County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George’s County Delegation – Appointment of Board of License Commissioners

PG 310–17

FOR the purpose of repealing the requirement that the Governor appoint all of the members of the Board of License Commissioners for Prince George’s County; requiring the County Executive to make the appointments, subject to confirmation by the County Council; requiring the County Executive rather than the Governor to make an appointment to fill a vacancy; authorizing the County Executive rather than the Governor to remove a member under certain conditions; requiring a certain certification letter to be addressed to the County Executive rather than the Governor; requiring the County Executive rather than the Governor to appoint the chair of the Board; repealing a provision of law prohibiting the County Executive and County Council from adopting a certain policy; authorizing the Board to set the compensation of the Board employees in accordance with the county’s classification plan; replacing the position of Board administrator with the position of executive director of the Board; requiring the County Executive to appoint the executive director, subject to confirmation by the County Council; providing for the salary of the executive director; allowing the executive director to participate in the county’s supplemental retirement plan; requiring that the attorney whom the Board appoints shall receive an amount as specified in the county budget; repealing certain provisions of law regarding the compensation of the attorney; requiring that an employee of the Board be subject to the county ethics laws; specifying that the expenses of the Board be contained in the county budget; repealing certain provisions of law regarding the payment of certain expenses; altering the number of full-time inspectors and the number of part-time inspectors; altering the salary of a part-time inspector; providing that the terms of office of the members of the Board or successor members who are in office as of the effective date of this Act shall terminate on a certain date; providing for staggered terms of office for members appointed after a certain date; making this Act an emergency measure; and generally relating to the Board of License Commissioners for Prince George’s County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 26–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 26–202 through 26–206
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1318 – Delegates Anderson, Conaway, Glenn, Hayes, McCray, Oaks,
and Rosenberg**

AN ACT concerning

Baltimore City – Nonviolent Offenders – Release Without Bail

FOR the purpose of requiring a judicial officer in Baltimore City to authorize the pretrial release of a defendant not charged with a certain crime of violence under certain conditions; prohibiting the use of secured monetary bail as a condition of pretrial release of a defendant not charged with a certain crime of violence; defining a certain term; and generally relating to pretrial release in Baltimore City.

BY adding to
Article – Criminal Procedure
Section 5–201.1
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1319 – Delegates A. Washington, Barron, Tarlau, and Valderrama

AN ACT concerning

Child Care Centers – Operating Without a License – Penalties

FOR the purpose of increasing the penalties imposed for operating a child care center without a license; establishing that it is a misdemeanor subject to certain penalties to operate a child care center without a license if a child suffers serious physical injury or death in the center; and generally relating to child care centers.

BY repealing and reenacting, without amendments,
Article – Education
Section 9.5–405(a) and 9.5–416(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 9.5–417
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1320 – Charles County Delegation

AN ACT concerning

Counties – Towing Companies – Authority to Regulate

FOR the purpose of authorizing the governing body of a county to adopt rules and regulations for the licensing, maintenance, and operation of towing companies in the county for certain purposes; authorizing certain rules and regulations adopted by a county to require a person who operates a towing company in the county to obtain a certain license and pay a certain fee; requiring a county to hold a certain hearing that is advertised in advance in a certain manner before adopting certain rules and regulations; providing that a person who violates certain rules and regulations is guilty of a misdemeanor and is subject to a certain penalty; providing that each day that a certain violation continues is a separate offense; stating that, in the event of a conflict with certain federal or State laws or certain written guidance issued by a unit of federal or State government, the rules and regulations adopted in accordance with this Act shall be preempted; providing for the application of this Act; defining certain terms; and generally relating to the authority of counties to regulate towing companies.

BY adding to
Article – Local Government
Section 13–1001 through 13–1007 to be under the new subtitle “Subtitle 10. Towing Companies”
Annotated Code of Maryland
(2013 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1321 – Delegate Valentino–Smith

AN ACT concerning

Child Protection – Reporting Requirements – Threat of Harm

FOR the purpose of requiring a certain individual acting in a professional capacity to notify the local department of social services or the appropriate law enforcement agency if the individual has reason to believe that a verbal threat of a substantial risk of imminent harm to a child has been made; prohibiting a person from preventing or interfering with the making of a report under this Act; providing certain immunity to a person who participates in certain activities relating to a report made under this Act; making conforming changes; and generally relating to child abuse and neglect and requiring the reporting of threats of harm to a child.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–704, 5–705.2(a), and 5–708
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1322 – Delegates Beidle, Anderson, Anderton, Arentz, Barkley, B. Barnes, Carr, Ciliberti, Flanagan, Lisanti, Mautz, McComas, McCray, McKay, Miele, Morgan, Pena–Melnyk, Platt, Shoemaker, Sophocleus, M. Washington, and K. Young

AN ACT concerning

Local Infrastructure Fast Track for Maryland Act

FOR the purpose of authorizing the Office of Legislative Audits to perform a certain audit of certain local governments that receive a distribution of highway user revenues; requiring that the employees or authorized representatives of the Office have access to certain records; increasing the portion of highway user revenues that is distributed to local governments; altering the allocation of the local share of highway user revenues among Baltimore City, counties, and municipalities; requiring, under certain circumstances, that certain additional distributions of highway user revenues be made to municipalities in certain fiscal years for certain purposes; requiring, under certain circumstances, that a certain distribution be reduced; requiring that certain additional distributions of highway user revenues be allocated among municipalities in a certain manner; prohibiting the State Highway Administration from disbursing, for a certain period of time, highway user revenues to certain jurisdictions that do not submit a certain report or use highway user revenues in a certain manner; requiring the Department of Budget and Management to report to the General Assembly on certain matters relating to local infrastructure on or before a certain date; repealing obsolete language; making a stylistic change; and generally relating to financing and studying certain county and municipal infrastructure projects.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1220(c) and 2–1223(a)(3)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 1–101(a) and (e)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–402, 8–403, and 8–412(a)(1) and (c)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation and the Committee on Appropriations.

House Bill 1323 – Delegates Long, Grammer, Malone, McComas, and W. Miller

AN ACT concerning

Property Tax – Credit for Revitalization Districts

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on a dwelling that is located in a certain revitalization district and is owned by a homeowner who, on or after a certain date, made certain substantial improvements to the dwelling that cause the dwelling to be reassessed at a higher value; requiring the credit to equal the amount of the county or municipal corporation property tax attributable to the improvements made to the property multiplied by a certain percentage; providing that if ownership of a dwelling is transferred the grantee is eligible to claim the property tax credit in the same manner as the grantor under certain circumstances; requiring the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to define revitalization districts for purposes of the tax credit; authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to provide for certain matters relating to the tax credit; providing for the application of this Act; defining certain terms; and generally relating to a property tax credit for dwellings located in revitalization districts that have undergone substantial improvements.

BY adding to

Article – Tax – Property
Section 9–259
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1324 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Commission to Study Licensing
and Regulation of Sales**

PG 311–17

FOR the purpose of establishing the Commission to Study the Licensing and Regulation of Establishments Selling Alcoholic Beverages in Prince George’s County; 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, compare, and make recommendations regarding certain matters related to alcoholic beverages in Prince George’s County; 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 to Study the Licensing and Regulation of Establishments Selling Alcoholic Beverages in Prince George’s County.

Read the first time and referred to the Committee on Economic Matters.

House Bill 1325 – Delegates Fraser–Hidalgo, Robinson, Barve, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Beidle, Branch, Bromwell, Brooks, Carr, Chang, Conaway, Cullison, Dumais, Ebersole, Fennell, Frush, Gutierrez, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Jackson, Jameson, Jones, Kaiser, Kelly, Knotts, Kramer, Krimm, Lafferty, Lam, Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Platt, Queen, Reznik, Rosenberg, Sanchez, Sophocleus, Stein, Turner, Valderrama, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, and Mosby

AN ACT concerning

Oil and Natural Gas – Hydraulic Fracturing – Prohibition

FOR the purpose of prohibiting a person from engaging in the hydraulic fracturing of a well for the exploration or production of oil or natural gas in the State; repealing a certain

provision of law that requires the Department of the Environment to adopt certain regulations on or before a certain date; repealing a certain provision of law that prohibits the Department from issuing a permit to authorize the hydraulic fracturing of a well for the exploration or production of natural gas in the State until a certain date; defining a certain term; and generally relating to hydraulic fracturing for the exploration or production of oil and natural gas.

BY repealing and reenacting, with amendments,
Article – Environment
Section 14–107.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1326 – Delegate Valentino–Smith

AN ACT concerning

Child Protection – Reporting – Threat of Harm

FOR the purpose of authorizing an individual to notify the local department of social services or the appropriate law enforcement agency if the individual has reason to believe that a verbal threat of imminent severe bodily harm or death to a child has been made by a certain individual and that the child is at substantial risk of child abuse; specifying certain procedures and requirements for a report concerning a certain verbal threat of harm to a child; authorizing the local department or law enforcement agency to receive a report concerning a certain verbal threat of harm to a child; requiring the law enforcement agency to immediately refer the report to the local department under certain circumstances; requiring the Secretary of Human Resources to adopt certain regulations; requiring the local department to make a thorough investigation to protect the health, safety, and welfare of any child who may be at substantial risk of abuse under certain circumstances; requiring the local department to conduct a certain investigation jointly with the appropriate law enforcement agency; authorizing the local department to decline to make an investigation of a certain subsequent report under certain circumstances; requiring the local department and the appropriate law enforcement agency to take certain actions; making stylistic changes; and generally relating to child protection.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–704.1 and 5–706.2
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1327 – Delegates Lisanti, Barkley, Frick, and C. Wilson

AN ACT concerning

Task Force on Local Alcoholic Beverages Regulation

FOR the purpose of establishing a Task Force on Local Alcoholic Beverages Regulation to study certain matters relating to boards of license commissioners and local alcoholic beverages regulation; providing for the purposes of the Task Force and the study; 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 on certain matters; requiring certain State and local units to cooperate with the Task Force; requiring the Task Force to submit an interim report and a final report on or before certain dates to the Governor and certain committees; and generally relating to the Task Force on Local Alcoholic Beverages Regulation.

Read the first time and referred to the Committee on Economic Matters.

House Bill 1328 – Delegates A. Washington, Tarlau, Barkley, and B. Barnes

AN ACT concerning

Alcoholic Beverages – Class 1 Distillery Licenses – Samples and Sales of Product

FOR the purpose of removing a limit on the number of samples a holder of a Class 1 distillery license may serve to a certain individual under certain circumstances; authorizing the holder of a Class 1 distillery license to provide samples in an amount not exceeding a certain amount of a single product to a certain individual at no charge or for a fee; altering the amount of certain products a holder of a Class 1 distillery license may sell for off-premises consumption to a certain individual; and generally relating to the serving of samples and sale of product by Class 1 distillery license holders.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 2–202(a)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–202(c)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1329 – Delegates Bromwell and Hayes

AN ACT concerning

Heroin and Opioid Prevention Effort (HOPE) and Treatment Act of 2017

FOR the purpose of requiring certain institutions of higher education to offer credits in substance use disorders, effective treatment for substance use disorders, and pain management; requiring the Behavioral Health Administration to establish at least a certain number of crisis treatment centers that provide individuals who are in a substance use disorder crisis with access to certain clinical staff; requiring that at least one crisis treatment center be located in each geographical region of the State; requiring the Department of Health and Mental Hygiene to establish and operate a certain Health Crisis Hotline using certain resources and technology; requiring that the Health Crisis Hotline assist callers in identifying certain services for a certain purpose; requiring the Department of Health and Mental Hygiene to collect and maintain certain information to provide to callers on the Health Crisis Hotline; requiring the Department of Health and Mental Hygiene to provide certain training for certain staff who assist callers on the Health Crisis Hotline; requiring the Department of Health and Mental Hygiene, to the extent practicable, to ensure that information provided to callers on the Health Crisis Hotline is up to date and accurate; requiring the Department of Health and Mental Hygiene to disseminate certain information in a certain manner; requiring certain health care facilities and health care systems to make available to patients the services of at least a certain number of health care providers who are authorized to prescribe buprenorphine under federal law for every certain number of patients; requiring the health care facilities and health care systems to use a certain average number of certain patients for the purpose of calculating the number of health care providers required under a certain provision of this Act; requiring, except under certain circumstances, the Department of Health and Mental Hygiene to adjust the rate of reimbursement for certain community providers each fiscal year by the rate adjustment included in a certain State budget; requiring that the Governor's proposed budget for a certain fiscal year, and for each fiscal year thereafter, include rate adjustments for certain community providers based on the funding provided in certain legislative appropriations; requiring that a certain rate of adjustment equal the average annual percentage change in a certain Consumer Price Index for a certain period; requiring, under certain circumstances, managed care organizations to pay a certain rate for a certain time period for services provided by community providers and to adjust the rate of reimbursement for community providers each fiscal year by at least a certain amount; requiring the Department of Health and Mental Hygiene to submit a certain report to the Governor and the General Assembly on or before a certain date each year, beginning on or before a certain date; authorizing the Department of Health and Mental Hygiene to require certain community providers to submit certain information to the Department of Health and Mental Hygiene in the form and

manner required by the Department of Health and Mental Hygiene; requiring, on or before a certain date, each hospital to have a certain protocol for discharging a patient who was treated by the hospital for a drug overdose; requiring a hospital to include certain services in its annual community benefit report to the Health Services Cost Review Commission; altering certain coverage requirements applicable to certain health benefit plans for the diagnosis and treatment of mental illness and emotional, drug use, and alcohol use disorders; altering certain definitions; defining certain terms; providing for the application of certain provisions of this Act; requiring the State Department of Education, in collaboration with stakeholders and on or before a certain date, to develop a plan to establish certain regional recovery schools and report its findings and recommendations to the General Assembly; requiring the Department of Public Safety and Correctional Services, in collaboration with the Department of Health and Mental Hygiene and stakeholders, on or before a certain date, to develop a certain plan and submit the plan and any recommendations to the General Assembly; and generally relating to the treatment of and education regarding substance use disorders.

BY adding to

Article – Education

Section 15–121

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health – General

Section 7.5–207; 7.5–501 to be under the new subtitle “Subtitle 5. Health Crisis Hotline”; 8–1101 to be under the new subtitle “Subtitle 11. Availability of Buprenorphine Prescribers”; and 16–201.3 and 19–310.3

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–802

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1330 – Delegates Angel, Frush, Kipke, Oaks, Pena–Melnik, and Tarlau

AN ACT concerning

**Large Family Child Care Homes and Child Care Centers – Green Product
Cleaning Supplies – Regulations**

FOR the purpose of requiring the State Board of Education to adopt certain regulations that require, subject to certain exceptions, a large family child care home to use certain green product cleaning supplies, establish guidelines for purchasing certain green product cleaning supplies, establish certain green cleaning practices, require certain staff training, and require a large family child care home that does not procure green product cleaning supplies to provide certain annual written notice to the Department; requiring the State Board of Education to adopt certain regulations that require a child care center to use, subject to certain exceptions, certain green product cleaning supplies, establish certain guidelines for purchasing certain green product cleaning supplies, establish certain green cleaning practices, require certain staff training, and require a child care center that does not procure green product cleaning supplies for use in the child care center to provide certain annual written notice to the Department; providing that the regulations may not preclude the use of certain products that are regulated by a certain federal law; and generally relating to the adoption of regulations relating to the procurement of green product cleaning supplies by large family child care homes and child care centers.

BY repealing and reenacting, without amendments,
Article – Education
Section 9.5–303(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 9.5–303(e)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 9.5–404
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1331 – Delegates McMillan and Ghrist

AN ACT concerning

Estate Fairness Act – Inheritance Tax Repeal

FOR the purpose of repealing the inheritance tax; providing for the application of this Act; and generally relating to the inheritance tax.

BY repealing

Article – Tax – General

Section 7–201 through 7–204, 7–207 through 7–211, 7–214 through 7–221, 7–224, 7–225, 7–228, and 7–231 through 7–234 and the subtitle “Subtitle 2. Inheritance Tax”

Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1332 – Delegate Frick

AN ACT concerning

Insurance – Property and Casualty Insurance Guaranty Corporation – Covered Claims

FOR the purpose of altering the definition of “covered claims” for purposes of the Property and Casualty Insurance Guaranty Corporation to include claims resulting from an injury or damage that took place before the earlier of certain dates; providing for the application of this Act; and generally relating to the Property and Casualty Insurance Guaranty Corporation and covered claims.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 9–301(d)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1333 – Delegates McMillan and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Annapolis Masonic Lodge No. 89

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Trustees of the Annapolis Masonic Lodge No. 89 for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1334 – Delegates A. Washington, Jalisi, McCray, Sanchez, Tarlau, Valderrama, and Valentino-Smith

AN ACT concerning

State Highway Administration – Traffic Control Devices – Decorative Treatments

FOR the purpose of requiring the State Highway Administration to establish a certain policy regarding the application of decorative treatments on certain traffic control devices; authorizing a person to apply to a district office within the Administration for a certain permit to install certain decorative treatments; authorizing a district office to issue a permit to install certain decorative treatments on a traffic control device within the jurisdiction of the district office; requiring the Administration to adopt certain regulations; authorizing the Administration to adopt certain regulations; and generally relating to the installation of decorative treatments on traffic control devices.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 8–101(a) and (b)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 8–659
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1335 – Delegates Wilkins, Carr, Luedtke, Platt, Sanchez, and Tarlau

AN ACT concerning

Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement

FOR the purpose of providing for enforcement only as a secondary offense for a violation of the prohibition under certain circumstances against a person driving a vehicle on a highway with any object, material, or obstruction hanging from the rearview mirror under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Transportation

Section 21–1104
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1336 – Delegate Folden

AN ACT concerning

Creation of a State Debt – Frederick County – The Youth Ranch

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Sheriffs' Youth Ranch, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1337 – Delegates Long, Bromwell, Ciliberti, Clark, Cluster, Folden, Grammer, Hornberger, Kittleman, Malone, McComas, Metzgar, W. Miller, Reilly, Rose, Shoemaker, West, and P. Young

AN ACT concerning

Sales and Use Tax – Tax-Free Periods – University and College Textbooks

FOR the purpose of designating certain periods each year to be tax-free periods during which an exemption from the sales and use tax is provided for the sale of certain textbooks purchased by certain individuals; defining a certain term; and generally relating to sales and use tax-free periods for the sale of university and college textbooks.

BY adding to
Article – Tax – General
Section 11–233
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1338 – Delegates McKay, Beitzel, and Buckel

AN ACT concerning

Alcoholic Beverages – Wholesalers – Payment on Delivery

FOR the purpose of altering the acceptable forms of payment that a retail dealer may use to pay a holder of a wholesaler's license for the delivery of beer; authorizing a holder of a wholesaler's license to accept payment on delivery from a retail dealer for the delivery of wine and liquor; making certain stylistic and conforming changes; and generally relating to alcoholic beverages.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–314, 10–501, 11–501, 13–501, 14–501, 16–501, 23–501, 25–501, 26–501, 29–501, 31–501, 32–501, and 33–501

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1339 – Delegates Jacobs, Arentz, Mautz, and Otto

AN ACT concerning

Natural Resources – Gill Nets – Mesh Size

FOR the purpose of establishing a certain maximum mesh size and altering a certain maximum stretched mesh size for gill nets used in the Chesapeake Bay and its tributaries; and generally relating to maximum mesh sizes for gill nets in the Chesapeake Bay.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–710(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1340 – Delegates McMillan, Beidle, Carey, Chang, S. Howard, Malone, McConkey, Saab, Simonaire, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – The Bernie House

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of The Bernie House, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a

matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1341 – Delegate A. Washington

AN ACT concerning

Maryland Public School Transparency and Accountability Act

FOR the purpose of requiring the county commissioners, county council, or City Council of Baltimore to establish an Office of the Inspector General if the local school system has received a certain number of repeat findings in a certain audit by the Office of Legislative Audits; requiring the Office of the Inspector General to be independent of the county board of education and county superintendent of schools; requiring the Office of the Inspector General to remain in place until certain conditions are met; providing for the selection and appointment of the Inspector General; providing for the qualifications, term of office, and the filling of a vacancy in the Office of the Inspector General; requiring the Inspector General to examine and investigate certain affairs of the local school system; requiring the Inspector General to receive certain complaints and establish a certain method by which certain complaints may be filed; requiring the Inspector General to notify certain entities under certain circumstances; authorizing the Inspector General to assist in certain investigations conducted by certain entities under certain circumstances; requiring the Inspector General to have access to certain documents and certain buildings during a certain investigation; authorizing the Inspector General to take certain actions in the performance of certain duties; providing for the process in which the Inspector General is authorized to issue certain subpoenas; providing that certain records are confidential and not subject to disclosure under a certain provision of law; requiring the Inspector General to make a certain report to the county board and the General Assembly on or before a certain date; and generally relating to the establishment of the Office of the Inspector General to encourage transparency and accountability in public schools.

BY adding to

Article – Education

Section 4–110

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1342 – Delegates A. Washington, Ali, Anderson, Angel, Moon, Morales, Proctor, Sanchez, Sydnor, and Valderrama

AN ACT concerning

Public Safety – Deaths Involving a Correctional Officer – Reports

FOR the purpose of requiring State and local correctional facilities annually to provide the Governor’s Office of Crime Control and Prevention with certain information on correctional officer–involved deaths and deaths in the line of duty; requiring the Office to adopt certain procedures for collecting and analyzing certain information; requiring the Office to analyze and disseminate certain information; requiring the Office to report certain information on correctional officer–involved deaths and deaths in the line of duty to the General Assembly on or before a certain date; defining certain terms; and generally relating to the reporting of correctional officer–involved deaths and deaths in the line of duty.

BY adding to

Article – Public Safety

Section 3–520

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1343 – Howard County Delegation

AN ACT concerning

Howard County – Fire and Explosive Investigator – Authority

Ho. Co. 24–17

FOR the purpose of providing that under certain circumstances, a Howard County fire and explosive investigator operating in Howard County has the same authority as the State Fire Marshal and a full–time investigative and inspection assistant in the Office of the State Fire Marshal to make arrests without a warrant and exercise certain powers of arrest; authorizing a Howard County fire and explosive investigator to exercise certain authority while operating outside Howard County under certain circumstances; authorizing the Howard County Fire Chief to limit certain authority of a fire and explosive investigator and to express the limitation in writing; excluding a Howard County fire and explosive investigator from the definition of “law enforcement officer” under the law relating to the Law Enforcement Officers’ Bill of Rights; including a Howard County fire and explosive investigator in the definition of “police officer” in connection with provisions of law relating to the Maryland Police Training and Standards Commission and in the definition of “law enforcement official” in connection with the authorized carrying of a handgun by a person engaged in law enforcement; defining certain terms; requiring the Maryland Police Training and Standards Commission to certify certain fire and explosive investigators as police officers by a certain date under certain

circumstances; and generally relating to the authority of the Howard County fire and explosive investigators.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 4–201(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–201(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–208
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY adding to
Article – Criminal Procedure
Section 2–208.6
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(a) and 3–201(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)(2) and 3–201(f)(2)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1344 – Delegates C. Wilson and McComas

AN ACT concerning

**Charles and Prince George’s Counties – Recall of Former Judge for Temporary
Assignment – Eligibility**

FOR the purpose of altering the eligibility requirements for recall of a former judge in Charles County and Prince George's County for temporary assignment; and generally relating to the recall of former judges for temporary assignment.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 1–302(a) and (c)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–302(b)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1345 – Delegate A. Washington

AN ACT concerning

National Capital Strategic Economic Development Fund

FOR the purpose of establishing the National Capital Strategic Economic Development Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; specifying certain eligibility criteria for awarding grants from the Fund; requiring interest earnings of the Fund to be credited to the Fund; requiring an appropriation to the Fund to be allocated in a certain manner; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining a certain term; and generally relating to the National Capital Strategic Economic Development Fund.

BY adding to
Article – Housing and Community Development
Section 4–510
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

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

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)94. and 95.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)96.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1346 – Delegate Lafferty

AN ACT concerning

Residential Leases – Definition of “Rent”

FOR the purpose of defining “rent” for the purpose of premises subject to a residential lease;
and generally relating to residential leases.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–401(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
The Public Local Laws of Baltimore City
Section 9–1A
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1347 – Delegates Cullison, Kipke, Barve, Beitzel, Bromwell, Carey, Cluster, Dumais, Ebersole, Frick, Frush, Glenn, Healey, Kaiser, Kelly, Kittleman, Kramer, Krebs, Krimm, Lam, Lewis, Mautz, McComas, Morgan, Morhaim, Oaks, Reznik, Rose, Szeliga, West, B. Wilson, and P. Young

AN ACT concerning

Maryland No-Fault Birth Injury Fund

FOR the purpose of declaring certain findings and the intent of the General Assembly; establishing a system for adjudication of a claim involving a birth-related neurological injury; excluding certain rights and remedies of a claimant and certain other persons; providing for certain procedures; providing for certain benefits and compensation of a claimant under this Act; requiring the Maryland Patient Safety Center to convene a certain Perinatal Clinical Advisory Committee; establishing the Maryland No-Fault Birth Injury Fund; providing for the governance, administration, and purposes of the Fund; providing for certain premiums to be used to finance and administer the Fund; providing for certain credits for certain medical liability coverage for the obstetrical practice or services of certain health care practitioners and hospitals; providing for certain patient safety initiatives; authorizing the Office of Health Care Quality, the State Board of Physicians, and the State Board of Nursing to investigate a certain claim and take appropriate action with respect to a certain health care facility, physician, or nurse; requiring the Office of Administrative Hearings to provide certain training to certain administrative law judges; defining certain terms; providing for the application of this Act; and generally relating to establishment of a system of adjudication and compensation of a claimant for a birth-related neurological injury through the Maryland No-Fault Birth Injury Fund.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–2D–01 through 3–2D–08 to be under the new subtitle “Subtitle 2D. Maryland No-Fault Birth Injury Fund Claims”

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health – General

Section 20–1801 through 20–1803 to be under the new subtitle “Subtitle 18. Birth Injury Prevention”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Insurance

Section 32–101 through 32–304 to be under the new title “Title 32. Maryland No-Fault Birth Injury Fund”

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Judiciary.

House Bill 1348 – Delegates Clippinger, Lierman, and Lewis

AN ACT concerning

Baltimore City – 46th District Alcoholic Beverages Act of 2017

FOR the purpose of authorizing the Board to issue a Class B beer, wine, and liquor license for a restaurant in the area that is commonly known as Port Covington; specifying the boundaries of the area; requiring that the restaurant meet certain seating, capital investment, and food sales standards; authorizing the Board to issue a certain number of Class B licenses for use by establishments in certain areas; prohibiting the licenses from being transferred; and generally relating to alcoholic beverages licenses issued in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 12–102, 12–1102(a), and 12–1604(b)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 12–1604(c) and (g)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1349 – Delegate Robinson

AN ACT concerning

**Environment – Compostable, Degradable, and Biodegradable Plastic Products –
Labeling**

FOR the purpose of prohibiting a person from selling in the State a certain plastic product that is labeled as biodegradable, degradable, or decomposable on or after a certain date subject to a certain exception; prohibiting a person from selling a certain plastic product in the State labeled as compostable, marine degradable, or home compostable on or after a certain date unless the plastic product meets certain standards; prohibiting a person from selling in the State a certain film plastic product labeled as soil degradable ag mulch film or biodegradable mulch film on or after a certain date unless the product meets certain standards; requiring a person that distributes or sells a certain compostable plastic bag for certain purposes to ensure that the compostable plastic bag is labeled in a certain manner; requiring a person that distributes or sells a certain compostable food or beverage product for certain purposes to ensure that the food or beverage product is labeled in a certain manner; specifying certain provisions of this Act apply to a certain extent; establishing certain penalties for certain violations; providing for the disposition of

certain penalties collected under this Act; and generally relating to compostable, degradable, and biodegradable plastic products.

BY adding to

Article – Environment

Section 9–2101 through 9–2105 to be under the new subtitle “Subtitle 21. Plastic Products”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation and the Committee on Economic Matters.

CONSENT CALENDAR OF INTRODUCTORY HOUSE BILLS NO. 25

House Bill 1350 – Delegates Rose, S. Howard, Afzali, Krebs, Lisanti, McKay, and Shoemaker

AN ACT concerning

Public Service Commission – Application for Certificate of Public Convenience and Necessity – Consistency With Comprehensive Plan

FOR the purpose of requiring the Public Service Commission to provide a copy of certain application materials for a certificate of public convenience and necessity to each appropriate unit of local government in which the construction of a generating station or of a certain overhead transmission line is proposed to be located; requiring each unit of local government to review the application materials and make a certain determination as to whether the application is consistent with the jurisdiction’s comprehensive plan; prohibiting the Commission from holding a public hearing on an application or issuing a certificate of public convenience and necessity if any unit of local government determines that an application is not consistent with the comprehensive plan; applying certain provisions of law regarding consistency with a comprehensive plan to a determination made under this Act; altering a certain definition; and generally relating to an application for a certificate of public convenience and necessity.

BY repealing and reenacting, with amendments,

Article – Land Use

Section 1–301 and 1–302

Annotated Code of Maryland

(2012 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Land Use

Section 1–303

Annotated Code of Maryland
(2012 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–207(d) and (e)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1351 – Delegates Rose, Anderton, Beitzel, Chang, Cullison, Folden,
Hornberger, Krebs, McComas, McCray, McKay, Morgan, Shoemaker,
Simonaire, and Stein**

AN ACT concerning

**Education – Foreign Language Requirement – Computer Programming
Language Courses**

FOR the purpose of allowing county boards of education to authorize certain students to satisfy certain foreign language requirements by completing a certain course in computer programming language; requiring the State Board of Education to adopt certain regulations to establish certain courses; and generally relating to computer programming language courses that satisfy a foreign language requirement.

BY adding to
Article – Education
Section 7–205.4
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1352 – Delegates Rose, Krebs, and Shoemaker

AN ACT concerning

**On-Site Sewage Disposal – Historic and Culturally Significant Properties –
Regulations**

FOR the purpose of requiring the Department of the Environment, on or before a certain date, to adopt regulations providing for the correction of failing on-site sewage disposal systems located on historic and culturally significant properties; requiring the regulations to be designed to facilitate the use and preservation of, and to accommodate certain characteristics associated with, certain properties; and

generally relating to on-site sewage disposal systems located on historic and culturally significant properties.

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1353 – Delegate Waldstreicher

AN ACT concerning

**Local Government Tort Claims Act and Maryland Tort Claims Act – Damages
Sustained on Artificial or Synthetic Turf Playing Fields**

FOR the purpose of establishing that the limits on liability of a local government under the Local Government Tort Claims Act do not apply to certain tort actions related to artificial or synthetic turf playing fields; providing that the State, its officers, and its units may not raise sovereign immunity as a defense in a certain action related to artificial or synthetic turf playing fields; establishing that the limit on the liability of the State under the Maryland Tort Claims Act does not apply to certain actions related to artificial or synthetic turf playing fields; providing that certain special procedures do not apply to certain actions related to artificial or synthetic turf playing fields; providing for the application of this Act; and generally relating to the Local Government Tort Claims Act and the Maryland Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–303 and 5–304
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–104 and 12–106
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1354 – Delegates Shoemaker and Rose

AN ACT concerning

Voter Registration Integrity Act of 2017

FOR the purpose of requiring a jury commissioner to provide certain prospective juror information concerning individuals who are not citizens of the United States to the State Board of Elections within a certain time period; requiring the State Administrator of Elections to make certain arrangements to receive the information;

requiring the State Administrator to retain a list of certain individuals whose information has been submitted; requiring the State Administrator to direct a certain election director to remove an individual on a certain list from the statewide voter registration list; requiring the State Administrator to provide certain information to the Office of the United States Attorney for a certain purpose; requiring the State Administrator to publish annually certain information on the State Board's Web site; and generally relating to the disclosure of juror information to the State Board of Elections.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–105
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Election Law
Section 3–504(a)(4)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Ways and Means.

House Bill 1355 – Delegates Rose, Adams, Anderton, Beitzel, Bromwell, Buckel, Chang, Cluster, Folden, Grammer, Hayes, Hornberger, Jacobs, Kittleman, Krebs, Long, McComas, McKay, W. Miller, Morgan, Otto, Saab, Shoemaker, Simonaire, and B. Wilson

AN ACT concerning

Sewerage Systems – Residential Major Subdivisions in Tier III and Tier IV Areas

FOR the purpose of authorizing a local jurisdiction to authorize a residential major subdivision served by on-site sewage disposal systems, community sewerage systems, or shared systems in Tier III and Tier IV areas under certain circumstances; exempting certain residential major subdivisions from certain provisions of law; specifying that this Act does not create new development rights; and generally relating to sewerage systems.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–206(a), (b), (c), and (e)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–206(d), (f), and (g)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1356 – Delegates Gilchrist, Healey, Hixson, Moon, Platt, Robinson, and Sanchez

AN ACT concerning

**Washington Suburban Sanitary Commission – Entry Into Public Roadways –
Regulations by Municipal Corporations**

FOR the purpose of authorizing the governing body of a municipal corporation to adopt regulations concerning the Washington Suburban Sanitary Commission's entry into or use of certain public roadways; requiring that the regulations be adopted after consultation with the Commission; authorizing the regulations to contain certain provisions relating to the review and approval of certain required permits; prohibiting the regulations from being administered in a certain manner, divesting the Commission of certain rights, or prohibiting the Commission from installing a facility in a certain roadway; prohibiting the regulations from being inconsistent with certain laws; prohibiting a certain review and approval procedure from resulting in any cost to the Commission; providing that a certain permit is not effective unless approved by a certain municipal corporation under certain circumstances; requiring the Commission to give certain advance notice to a certain municipal corporation under certain circumstances; requiring the Commission to submit certain proposed construction plans to a certain municipal corporation and apply for and obtain a certain permit under certain circumstances; providing for the prompt processing of a certain permit application; requiring the Commission to notify a certain municipal corporation of certain emergency work as soon as is practicable; authorizing a municipal corporation to make certain repairs and charge certain costs to the Commission under certain circumstances; and generally relating to regulations adopted by a municipal corporation regarding the entry into and use of a public roadway by the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 27–102
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1357 – Delegate Waldstreicher

AN ACT concerning

**Public Senior Higher Education Institutions – Policies Related to Inventions
and Patents**

FOR the purpose of prohibiting a public senior higher education institution from qualifying to receive student financial assistance or research funding from the State unless the institution adopts certain policies relating to inventions and patents; specifying that the policy must encompass certain requirements; prohibiting an institution from assigning or exclusively licensing a patent to a certain entity; providing that the assignment of a patent shall be considered void and unenforceable under certain circumstances; defining certain terms; making a stylistic change; and generally relating to public senior higher education institution policies related to inventions and patents.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–107
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

**House Bill 1358 – Delegates Mosby, Barron, Ali, Branch, Brooks, Conaway, Glenn,
Hayes, Haynes, Korman, Lewis, McIntosh, Moon, Morales, Oaks, Queen,
Rosenberg, Sanchez, Sydnor, Tarlau, and A. Washington**

AN ACT concerning

Maryland Lead Poisoning Recovery Act

FOR the purpose of establishing that this Act applies only to an action brought by a certain person against a certain manufacturer of lead pigment for certain damages allegedly caused by the presence of lead-based paint in a residential building; providing that this Act does not apply to certain actions for certain damages arising from personal injury or death or to certain actions against a person other than a manufacturer; providing that a plaintiff in an action under this Act is not required to prove that a specific manufacturer manufactured or produced the lead pigment used in the lead-based paint alleged to have caused the plaintiff's harm; providing that a certain manufacturer may be held liable for certain damages in an action under this Act under certain circumstances; establishing certain defenses to an action under this Act; providing for the apportionment of certain damages among certain manufacturers under certain circumstances; providing that failure to join a certain manufacturer in a certain action does not constitute failure to join a required party for any purpose; prohibiting a counterclaim or cross-claim from being filed in an action under this Act, subject to a certain exception; providing that certain provisions

of this Act may not be construed or interpreted to prohibit a manufacturer from bringing certain claims against another manufacturer; providing that an action under this Act is not exclusive and is independent of and in addition to certain other rights, remedies, and causes of action; creating the Lead-Based Paint Restitution Fund; providing for the uses of and expenditures from the Fund; declaring a certain intent of the General Assembly; defining certain terms; providing for the application of this Act; and generally relating to the liability of manufacturers for damage caused by lead pigment in lead-based paint.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–2101 through 3–2107 to be under the new subtitle “Subtitle 21. Maryland Lead Poisoning Recovery Act”

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation and the Committee on Judiciary.

House Bill 1359 – Delegate Stein

AN ACT concerning

Prohibition on Use of Wireless Communication and Text-Messaging Devices While Driving – Enforcement – Study

FOR the purpose of requiring the Department of State Police, in consultation with the Maryland Chiefs of Police Association and the Maryland Sheriffs’ Association, to conduct a study on potential methods of improving the enforcement of laws that prohibit the use of wireless communication and text-messaging devices while operating a motor vehicle; requiring the study to examine certain issues relevant to the enforcement of laws governing the use of wireless communication and text-messaging devices, including the feasibility of using certain new technologies for certain enforcement purposes; requiring the Department 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 study of potential methods of improving the enforcement of laws that prohibit the use of wireless communication and text-messaging devices while operating a motor vehicle.

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1360 – Delegates Hixson, Buckel, Gutierrez, Rose, and M. Washington

AN ACT concerning

Estates and Trusts – Vehicle Transfers – Excise Tax and Fee Exemption

FOR the purpose of providing that the motor vehicle excise tax and certificate of title fee may not be imposed for the issuance of a certificate of title for certain vehicles transferred, under certain circumstances, to a trust or from a trust to certain beneficiaries; altering a certain definition; defining a certain term; and generally relating to an exemption from the motor vehicle excise tax and certificate of title fee.

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 14.5–103(a), (d), (t), and (v)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 14.5–1001
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 13–802(c) and 13–810(a)(26)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–810(a)(24) and (25)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1361 – Delegates Glass, Cassilly, Hornberger, S. Howard, McConkey, McKay, Parrott, Reilly, and Saab

AN ACT concerning

Criminal Law – Animal Cruelty – Hunting Exemptions

FOR the purpose of establishing that certain prohibitions against animal cruelty do not apply to bow hunting in a certain manner; altering the exemption under certain circumstances for hunting from the prohibition against certain animal cruelty; and generally relating to hunting exemptions from the prohibition against animal cruelty.

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 10–603
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–604
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1362 – Delegates Morales, Sanchez, Pena–Melnik, Gutierrez, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barve, Beidle, Brooks, Carr, Clippinger, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frush, Gaines, Gilchrist, Glenn, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jameson, Jones, Kaiser, Kelly, Knotts, Korman, Kramer, Lafferty, Lam, Lewis, Lierman, Luedtke, McCray, McIntosh, A. Miller, Moon, Morhaim, Mosby, Oaks, Patterson, Pendergrass, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample–Hughes, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Valentino–Smith, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, P. Young, and Ali

AN ACT concerning

Maryland Law Enforcement and Governmental Trust Act

FOR the purpose of expressing the intent of the General Assembly to restore community trust in Maryland law enforcement and government by clarifying the parameters of local participation in federal immigration enforcement efforts; prohibiting a certain government agent from taking certain actions for certain purposes; prohibiting a law enforcement official from stopping, arresting, searching, or detaining an individual for the purpose of investigating a suspected immigration violation or inquiring about certain matters; prohibiting a government agent from using certain funds, facilities, property, equipment, or personnel for certain purposes; prohibiting a government agent from making a certain database available for a certain purpose; prohibiting a State or local law enforcement agency from placing a law enforcement officer under a certain supervision or employing a certain law enforcement officer under certain circumstances; prohibiting a certain agent from taking certain actions without a judicial warrant; requiring the Attorney General to develop certain policies in consultation with certain stakeholders; requiring all public schools, hospitals, and courthouses to establish and publish certain policies; providing that nothing in this Act shall prevent a certain State agent from responding to a certain request or sending or receiving certain information; requiring all State agencies to review certain policies, identify certain changes, and make certain changes at a certain time

for certain purposes; establishing that a certain agreement that conflicts with a certain provision of this Act is null and void at a certain time; defining certain terms; making the provisions of this Act severable; and generally relating to State and local participation in federal immigration enforcement efforts.

BY adding to

Article – Criminal Procedure

Section 5–103

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1363 – Delegates Mosby, Tarlau, Ali, Barron, Glenn, Haynes, Kelly, Korman, Lewis, McCray, Moon, Morales, Oaks, Pena-Melnyk, Platt, Robinson, Rosenberg, and M. Washington

AN ACT concerning

Maryland Small Donor Incentive Act

FOR the purpose of establishing a system of public financing of campaigns for candidates for election to the General Assembly; establishing certain powers and duties of the Campaign Finance Division in the State Board of Elections; requiring a candidate who seeks to qualify for public financing to file a certain notice, establish a certain campaign account, collect certain qualifying contributions, and submit certain information to the Division; establishing certain procedures governing a determination by the Division as to whether a candidate qualifies for public financing; establishing certain requirements and procedures concerning a participating candidate's publicly funded campaign account; prohibiting a participating candidate from being a member of a slate, except under certain circumstances; requiring that certain eligible contributions be matched in a certain manner with money from the Fair Campaign Financing Fund; establishing certain limits on the total amount of matching funds a candidate may receive; authorizing the Division to alter certain qualifying contributions requirements and matching funds limits based on inflation by regulation after a certain date; authorizing a participating candidate to choose an alternative apportionment of the matching funds limits established for the candidate; prohibiting a candidate whose election is uncontested from receiving matching funds; requiring the Division to authorize the disbursement of matching funds at certain times; requiring that matching funds be used only for certain elections; requiring a participating candidate to return to the Fund matching funds not expended on certain elections; authorizing a candidate nominated by petition to receive matching funds under certain circumstances; requiring a candidate who opts out of public financing to take certain actions and pay a certain penalty; providing that this Act may not be construed to prohibit a political party from using its funds for certain expenses; providing for judicial review of actions of the Division; prohibiting certain conduct and establishing certain civil

and criminal penalties for certain violations; requiring the Comptroller to credit certain money to the Fund and make certain distributions from the Fund; requiring the State Board to adopt certain regulations; requiring the Governor to include in the State budget a certain appropriation annually beginning in a certain fiscal year; altering a certain exception to the prohibition on campaign fund-raising by certain officials during the General Assembly session; defining certain terms; providing that certain captions included in this Act are not law; making the provisions of this Act severable; and generally relating to public financing of elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–235 and 15–103
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to
Article – Election Law
Section 15.5–101 through 15.5–114 to be under the new title “Title 15.5. Maryland
Small Donor Incentive Act”
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1364 – Delegates McMillan, Barron, Bromwell, Hayes, McCray, Miele,
Morgan, Morhaim, Oaks, Pena–Melnik, Platt, Sanchez, Mosby, and Ali**

AN ACT concerning

State Government – eCheck Payments – Prohibition on Convenience Fee

FOR the purpose of providing that a unit of State government that allows a person to make a payment using a certain method may not charge a convenience fee; and generally relating to the use of certain payment methods.

BY adding to
Article – State Finance and Procurement
Section 2–108
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1365 – Delegate Lisanti

AN ACT concerning

County Student Loan Refinancing Authorities

FOR the purpose of authorizing a county to create a county student loan refinancing authority through an ordinance enacted by the county governing body; providing for the purpose of an authority; requiring a county to take certain actions before establishing an authority; requiring an authority to meet certain requirements if an authority is established; providing that the provisions of the county charter or other governing document do not apply to an authority unless expressly provided by law; prohibiting certain obligations of an authority from being obligations of the State and political subdivisions of the State; adding an authority to the definition of “local government” for purposes of the Local Government Tort Claims Act; providing for the construction of this Act; making certain provisions of this Act subject to a certain contingency; and generally relating to county student loan refinancing authorities.

BY adding to

Article – Education

Section 18–31A–01 through 18–31A–03 to be under the new subtitle “Subtitle 31A.
County Student Loan Refinancing Authorities”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–301(d)(28) and (29)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 5–301(d)(30)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1366 – Delegates Fisher, Arentz, Folden, S. Howard, Kittleman, Krebs,
McComas, McConkey, McKay, Metzgar, W. Miller, Morgan, Reilly, and Rey**

AN ACT concerning

**Labor and Employment – Number of Employees Granted H–1B or L–1 Visa –
Disclosure**

FOR the purpose of requiring each employer, on or before a certain date each year, to report to the Department of Labor, Licensing, and Regulation and the Maryland Higher Education Commission and make available to the public the number of the employer’s employees who have been granted an H–1B or L–1 visa by the U.S.

Citizenship and Immigration Services; and generally relating to the disclosure of the number of employees granted H-1B or L-1 visas.

BY adding to
Article – Labor and Employment
Section 1–203
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1367 – Delegates Fisher, Clark, S. Howard, and Morgan

AN ACT concerning

Personal Property Tax – Investments in Maryland

FOR the purpose of providing an exemption from personal property tax for property that is owned by certain businesses organizing in or moving into the State; exempting certain personal property from the property tax imposed by a county or municipal corporation as of a certain date; providing that certain personal property remains subject to a county or municipal corporation property tax; requiring the Department of Assessments and Taxation to identify certain provisions of law and submit a certain report to the General Assembly; providing for the application of this Act; and generally relating to a personal property tax for certain businesses.

BY adding to
Article – Tax – Property
Section 7–245 and 7–402
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1368 – Delegate Hornberger

AN ACT concerning

Electricians – Local Licenses – Repeal

FOR the purpose of requiring that an individual be licensed by the State Board of Master Electricians before the individual provides certain electrical services in the State; repealing the authority of a local board to issue a local license to provide certain electrical services; providing that local jurisdictions may locally regulate certain work by establishing a system of registrations designed to take action against certain registrants, and to report enforcement action to the State Board; authorizing licensees who have certain local licenses to renew the local license before a certain

date under certain circumstances; providing that local licenses will no longer be valid on and after a certain date; repealing certain provisions relating to the issuance, authorization, assignment, and renewal of, and the reciprocal waiver of requirements for, local licenses; requiring the State Board to provide certain notice to local licensing boards; defining certain terms; altering certain definitions; making conforming changes; and generally relating to the repeal of local electricians' licenses.

BY repealing

Article – Business Occupations and Professions

Section 6–302, 6–307, and 6–321; 6–401 and 6–402 and the subtitle “Subtitle 4. Assignment of Local Licenses”; 6–501 through 6–506 and the subtitle “Subtitle 5. Reciprocity”; and 6–601 and 6–602

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 6–101, 6–103, 6–202(c), 6–301, 6–303, 6–304, 6–305, 6–306, 6–309 through 6–315, 6–316(a) and (b), 6–319, 6–320, and 6–604

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY renumbering

Article – Business Occupations and Professions

Section 6–306.1; 6–603, 6–605, and 6–606 and the subtitle “Subtitle 6. Miscellaneous Provisions”; and 6–701 and 6–702 and the subtitle “Subtitle 7. Short Title; Termination of Title”, respectively

to be Section 6–306; 6–401, 6–403, and 6–404 and the subtitle “Subtitle 4. Miscellaneous Provisions”; and 6–501 and 6–502 and the subtitle “Subtitle 5. Short Title; Termination of Title”, respectively

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1369 – Delegates Proctor, Angel, Atterbeary, Barron, Chang, Clark, Conaway, Dumais, Frush, Haynes, C. Howard, Jackson, Moon, Pena-Melnyk, Queen, Sanchez, Sophocleus, Vallario, and C. Wilson

AN ACT concerning

Condominiums and Homeowners Associations – Sales of Common Elements and Common Areas

FOR the purpose of requiring the governing body of a condominium to provide a certain notice before the sale of any common element in the condominium; requiring the

governing body of a homeowners association to provide a certain notice before the sale of any common area owned by the homeowners association; requiring that when a tax lien is imposed on certain properties, the governing body imposing the lien must provide certain notice; defining certain terms; and generally relating to the sale of common elements in condominiums and common areas owned by homeowners associations.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–108(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Real Property
Section 11–108(d) and 11B–106.2
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–804
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1370 – Delegates P. Young, Carr, Glenn, Jackson, Korman, McCray, Moon, Morales, Platt, Sanchez, and Tarlau

AN ACT concerning

**Labor and Employment – Employment Rights for Local Government Employees
– Establishment**

FOR the purpose of requiring certain counties and municipal corporations to enact a local law, on or before a certain date, to authorize collective bargaining between the county or municipal corporation and a certain employee organization; authorizing certain counties and municipal corporations to enact a local law to authorize collective bargaining between the county or municipal corporation and a certain employee organization; requiring that a local law enacted under a certain provision of this Act include certain provisions; requiring, under certain circumstances, that a memorandum of understanding between a charter county and an exclusive representative binds the charter county for a certain period of time subject to certain charter provisions; defining certain terms; providing for the construction of this Act; providing for the application of this Act; and generally relating to employment rights for local government employees.

BY adding to

Article – Labor and Employment

Section 4–701 through 4–704 to be under the new subtitle “Subtitle 7. Employment Rights for Local Government Employees”

Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 1371 – Delegates Waldstreicher and Luedtke

AN ACT concerning

Gaming – Video Lottery Facilities – Voluntary Exclusion

FOR the purpose of requiring a video lottery operation licensee to report to the State Lottery and Gaming Control Commission the names of certain individuals on a certain voluntary exclusion list who enter or attempt to enter a video lottery facility; requiring the Commission to provide certain information to certain individuals; requiring a licensee to remove, without the use of certain law enforcement officers, certain individuals from a video lottery facility using a certain procedure; authorizing, under certain circumstances, a licensee to request that certain law enforcement officers remove certain individuals from a video lottery facility; requiring the Commission’s application for voluntary exclusion to contain certain information; and generally relating to the removal of individuals on the voluntary exclusion list from video lottery facilities.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–24(e)

Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1372 – Delegate Beitzel

AN ACT concerning

Public Health – Ibogaine Treatment Pilot Program

FOR the purpose of establishing the Ibogaine Treatment Pilot Program; requiring the Program to begin on or before a certain date and to continue for a certain number of years; providing for the purposes of the Program; establishing the Ibogaine Treatment Pilot Program Advisory Board; providing for the purposes and membership of the Advisory Board; providing for the terms of the members of the

Advisory Board; requiring the Secretary of Health and Mental Hygiene to designate the chair of the Advisory Board; providing that a member of the Advisory Board may not receive certain compensation, but is entitled to certain reimbursement; requiring the Department of Health and Mental Hygiene to provide staff support for the Advisory Board; requiring a certain health care facility to submit a certain proposal to participate in the Program; requiring the Advisory Board to review certain proposals; requiring the Advisory Board, within a certain time period after receiving a certain proposal, to approve a health care facility for participation in the Program under certain circumstances or to deny the request to participate in the Program in a certain manner; requiring a health care facility that participates in the Program to conduct certain research, adopt certain guidelines and protocols, and take certain measures to develop and implement the Program; authorizing certain persons to provide and receive certain treatment, notwithstanding certain provisions of law; prohibiting the provision or receipt of certain treatment from being a basis for a certain seizure or forfeiture, notwithstanding certain provisions of law; prohibiting the imposition of certain penalties on certain persons based solely on the provision or receipt of certain treatment, notwithstanding certain provisions of law; authorizing certain providers to collect or attempt to collect certain fees and certain reimbursement, notwithstanding certain provisions of law; authorizing recipients of services under the Program to remit payment for certain fees, notwithstanding certain provisions of law; authorizing certain health insurance carriers to reimburse certain providers for certain fees, notwithstanding certain provisions of law; providing that certain health care practitioners may not be subject to certain disciplinary action under certain circumstances; authorizing certain providers to fund the costs of providing certain treatment under the Program with certain appropriations, certain revenue, certain grants and assistance, and certain money; requiring certain health care facilities to submit certain reports to the Department and Advisory Board on or before certain dates; requiring the Department to submit certain compilations of certain reports to the Governor and to the General Assembly on or before certain dates; defining certain terms; providing for the termination of this Act; and generally relating to the Ibogaine Treatment Pilot Program.

BY adding to

Article – Health – General

Section 8–1101 through 8–1108 to be under the new subtitle “Subtitle 11.
Ibogaine Treatment Pilot Program”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1373 – Delegates Wilkins, Angel, Morales, Proctor, Sanchez, and Sydnor

AN ACT concerning

Maryland Tort Claims Act – Certain Claim Requirement

FOR the purpose of repealing the requirement that a claimant make a certain motion and show good cause before a court may entertain a certain action under the Maryland Tort Claims Act; requiring a court to entertain an action under the Maryland Tort Claims Act even if a claimant fails to submit a certain written claim, subject to a certain exception; providing for the application of this Act; and generally relating to the Maryland Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–106
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1374 – Delegates Wilkins, Valderrama, Angel, Cullison, Glenn, Gutierrez, Hill, Hixson, Jackson, Korman, Luedtke, Moon, Pena–Melnyk, Turner, Walker, A. Washington, and M. Washington

AN ACT concerning

State Highway Administration Neighbor Notification Act

FOR the purpose of requiring the State Highway Administration to send a certain notice to nearby property owners a certain period of time in advance of planned construction on a State highway; requiring the Administration to send the notice on behalf of certain persons involved in the planned construction; requiring the notice to include certain information; requiring the Administration to send another notice to nearby property owners if planned construction is postponed under certain circumstances; providing that this Act does not apply under certain circumstances; defining certain terms; and generally relating to notification of nearby property owners of planned construction on a State highway.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 8–101(a), (i), and (q)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 8–659
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1375 – Delegates Proctor, Dumais, Anderson, Atterbeary, Jackson, Jalisi, Jameson, Moon, Morhaim, Patterson, Queen, Sophocleus, Vallario, and C. Wilson

AN ACT concerning

Criminal Procedure – Testing – HIV and Hepatitis C

FOR the purpose of including hepatitis C as a disease for which a certain person charged with causing a prohibited exposure to a victim may be tested under certain circumstances; authorizing a certain judge to issue a search warrant to obtain a certain sample from a person to be tested for the presence of HIV under certain circumstances; requiring a certain application for a search warrant to meet certain requirements; requiring a certain law enforcement officer to deliver a certain sample to a local health official or certain health care provider to be tested for the presence of HIV; requiring a certain test to be performed within a certain period of time; requiring a local health official or certain health care provider to provide notice of a certain test result to certain persons; establishing a certain disclosure restriction and evidentiary limitation for a test result; requiring the Department of Health and Mental Hygiene to adopt certain regulations; requiring a certain health care provider to adopt certain procedures; defining a certain term; making conforming changes; and generally relating to testing for HIV and hepatitis C.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–107(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–107(e) and (f), 11–109, 11–110, 11–112(a), 11–113(a), and 11–117 to be under the amended part “Part II. Right to HIV and Hepatitis C Testing”

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY adding to

Article – Criminal Procedure

Section 11–110.1

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1376 – Delegate Malone

AN ACT concerning

Real Property – Mortgages – Substitution of Surviving Spouse

FOR the purpose of requiring a lender to substitute the name of a surviving spouse for the name of a deceased mortgagor in a mortgage under certain circumstances and within a certain period of time; defining a certain term; and generally relating to mortgages and surviving spouses.

BY adding to

Article – Real Property

Section 7–114

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1377 – Delegate Waldstreicher

AN ACT concerning

State Government – Maryland Program Evaluation Act – Periodic Full Evaluations

FOR the purpose of requiring the Department of Legislative Services to conduct a certain full evaluation of certain governmental activities or units in certain years and every specified period of years thereafter; requiring the Department to complete certain full evaluations by a certain day in an evaluation year; altering a certain definition; making a certain clarifying change; and generally relating to full evaluations conducted under the Maryland Program Evaluation Act.

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–401(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–401(f) and 8–405

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1378 – Delegate Conaway

AN ACT concerning

Task Force to Study the Feasibility of Building a Maryland Inclusive Maritime Facility

FOR the purpose of establishing the Task Force to Study the Feasibility of Building a Maryland Inclusive Maritime Facility; 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 the feasibility of building a sustainable and inclusive maritime facility that includes certain features; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Feasibility of Building a Maryland Inclusive Maritime Facility.

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1379 – Delegate Frick

AN ACT concerning

Courts – Criminal and Civil Immunity – Prescribing, Dispensing, and Administering Opioid Antagonists

FOR the purpose of providing that a health care provider, under certain circumstances, is not criminally or civilly liable for prescribing, dispensing, or administering an opioid antagonist to treat or prevent a drug overdose or any adverse effect arising from the use of a certain opioid antagonist; providing that an individual who is not a health care provider is not criminally or civilly liable under certain circumstances for any adverse effect arising from the individual administering an opioid antagonist; and generally relating to immunity from criminal or civil liability for prescribing, dispensing, or administering opioid antagonists.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–630.1

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1380 – Delegates Beitzel, Arentz, Buckel, Ghrist, Jacobs, Otto, Rose, and Shoemaker

AN ACT concerning

Public Safety – State Fire Marshal – Appointment and Term

FOR the purpose of repealing a requirement that the Secretary of State Police appoint the State Fire Marshal; requiring that the Governor appoint the State Fire Marshal with the advice and consent of the Senate; reducing the term that the State Fire Marshal serves and requiring that the term of the State Fire Marshal correspond with the term of the Governor; providing that the Governor, rather than the Secretary of State Police, has authority to remove the State Fire Marshal under certain circumstances after following certain procedures; making a conforming change; establishing that the term of a certain State Fire Marshal will expire on a certain date; and generally relating to the State Fire Marshal.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 6–302
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1381 – Delegates Clippinger, Lisanti, Carey, and Buckel

AN ACT concerning

Adult High School Pilot Program

FOR the purpose of establishing an Adult High School Pilot Program; providing for the purpose of the Program; providing that the Program is under the authority and supervision of the State Department of Education and the Department of Labor, Licensing, and Regulation; authorizing the Department, in consultation with the Department of Labor, Licensing, and Regulation, to approve up to a certain number of pilots; establishing requirements for a pilot under the Program; requiring the Department and the Department of Labor, Licensing, and Regulation to consider certain items when considering whether to approve a certain pilot; providing that a certain pilot is not a public school for certain purposes; requiring an applicant to submit a certain plan to the Department and the Department of Labor, Licensing, and Regulation that includes certain information; requiring the Department, in consultation with the Department of Labor, Licensing, and Regulation, to approve or disapprove certain items within a certain period of time; requiring the State Board of Education to grant a certain pilot a waiver from certain regulations; prohibiting the State Board from granting a waiver of a certain assessment requirement in a certain regulation; requiring a pilot to be subject to the requirements of a certain federal law; requiring the Department and the Department of Labor, Licensing, and Regulation to establish qualifications for operators of pilots under the Program; providing for the minimum content of certain qualifications; requiring certain operators to adopt certain written standards; requiring certain standards to be

submitted to the Department and Department of Labor, Licensing, and Regulation for approval; authorizing an operator to partner with certain entities; requiring an Advisory Board to govern a pilot; providing for the membership, appointments, officers, and filling of vacancies for an Advisory Board; authorizing the operator or the Advisory Board to apply for and accept certain funding from certain entities; requiring an operator to conduct a certain evaluation each year; requiring an operator, after receiving certain approval from the Advisory Board, to submit a certain evaluation report to certain departments; requiring, beginning on a certain date, a certain operator to submit certain information to certain departments; requiring the Department and the Department of Labor, Licensing, and Regulation to jointly submit to the Governor and the General Assembly a certain report on or before a certain date; requiring the Department and the Department of Labor, Licensing, and Regulation to send a certain written notice to certain pilots under certain circumstances; requiring the Department and the Department of Labor, Licensing, and Regulation to jointly adopt certain regulations; defining certain terms; and generally relating to the Adult High School Pilot Program.

BY adding to

Article – Education

Section 9.7–101 through 9.7–110 to be under the new title “Title 9.7. Adult High School Pilot Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Ways and Means.

House Bill 1382 – Delegate Barron

AN ACT concerning

Election Law – Candidate for Circuit Court Judge Defeated in Primary Election

FOR the purpose of prohibiting a candidate for the office of judge of the circuit court who is defeated for the nomination at a primary election in certain contests from appearing on the ballot at the next succeeding general election as a candidate for any office; making a conforming change; and generally relating to a candidate for circuit court judge defeated in a primary election.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 5–706

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Ways and Means.

House Bill 1383 – Delegates Barron and Kipke

AN ACT concerning

Behavioral Health Administration – Outpatient Civil Commitment Pilot Program

FOR the purpose of authorizing the Behavioral Health Administration to establish an outpatient civil commitment pilot program for certain individuals; requiring the Administration to adopt certain criteria, establish certain requirements, and specify certain rights under the pilot program; requiring the Administration, under certain circumstances, to submit a certain report to certain committees of the General Assembly on or before a certain date each year the pilot program is in existence; stating the intent of the General Assembly; and generally relating to an outpatient civil commitment pilot program.

BY adding to

Article – Health – General

Section 7.5–205.1

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Judiciary.

House Bill 1384 – Delegate Rosenberg

AN ACT concerning

Task Force to Study Implementing the German Academic–Apprenticeship Model for Adults Without a High School Education

FOR the purpose of establishing the Task Force to Study Implementing the German Academic–Apprenticeship Model for Adults Without a High School Education; 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 Implementing the German Academic–Apprenticeship Model for Adults Without a High School Education.

Read the first time and referred to the Committee on Ways and Means.

House Bill 1385 – Delegates Valderrama, Barkley, Lisanti, Waldstreicher, and West

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

FOR the purpose of establishing that the owner of a rental 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; authorizing certain persons to request certain information from a motor vehicle rental company in a certain manner; requiring a motor vehicle rental company to disclose certain information about a person that rents or is authorized to drive a rental vehicle to a certain person under certain circumstances; providing a certain exception to the requirement that a motor vehicle rental company disclose certain information; prohibiting a motor vehicle rental company from being compelled to disclose certain additional information; establishing a certain immunity from liability for a motor vehicle rental company that discloses certain information in accordance with this Act; defining certain terms; and generally relating to required security for certain rental vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 17–103
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 17–104 and 18–102
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 17–104.3
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1386 – Delegates Lisanti, Barkley, and C. Wilson

AN ACT concerning

Maryland Public Ethics Law – Members and Employees of Boards of License Commissioners

FOR the purpose of making State restrictions and requirements of the Maryland Public Ethics Law apply to members and employees of boards of license commissioners by adding the members and employees of the boards to a certain list of public officials; altering a certain definition to remove members and employees of boards of license commissioners from the scope of certain provisions of law that apply to counties and municipal corporations; and generally relating to members and employees of boards of license commissioners and the Maryland Public Ethics Law.

BY repealing and reenacting, without amendments,
Article – General Provisions
Section 5–101(a)
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–101(y) and 5–103(b)
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation and the Committee on Economic Matters.

House Bill 1387 – Delegates Kramer and Fraser–Hidalgo

AN ACT concerning

Criminal Law – Hydraulic Fracturing – Prohibition

FOR the purpose of prohibiting the use of hydraulic fracturing for any purpose; establishing certain penalties; and generally relating to hydraulic fracturing.

BY adding to
Article – Criminal Law
Section 10–112.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation and the Committee on Judiciary.

House Bill 1388 – Delegates Flanagan, Atterbeary, Kittleman, McComas, and B. Wilson

AN ACT concerning

Sexual Crimes – Video Games – Prohibited Conduct and Warnings to Game Developers

FOR the purpose of prohibiting a person who has been convicted of a certain sexual crime involving a child from using a certain type of game; establishing penalties for a violation of this Act; requiring the Department of Public Safety and Correctional Services to post a certain warning on its Web site; defining certain terms; and generally relating to sexual crimes.

BY adding to

Article – Criminal Law

Section 3–326

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–713

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1389 – Delegates C. Wilson, Aumann, Barkley, Brooks, Buckel, Chang, Fennell, Folden, Hixson, Hornberger, S. Howard, Kipke, McComas, McCray, McMillan, Patterson, Pena–Melnik, Proctor, Queen, Reilly, Rose, Saab, Sanchez, Shoemaker, Sophocleus, Turner, and Valentino–Smith

AN ACT concerning

**Income Tax – Subtraction Modification – Military Retirement Income –
Individuals at Least 65 Years Old**

FOR the purpose of altering a subtraction modification under the State income tax for certain military retirement income for individuals who are at least a certain age; providing for the application of this Act; and generally relating to the State income taxation of certain retirement income.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–207(q)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

CONSENT CALENDAR OF INTRODUCTORY HOUSE BILLS NO. 26

House Bill 1390 – Delegates Barron, Dumais, West, Hettleman, McMillan, Korman, Miele, Lierman, Ali, Anderson, Angel, B. Barnes, D. Barnes, Barve, Bromwell, Brooks, Carr, Chang, Conaway, Cullison, Fennell, Fraser–Hidalgo, Frick, Gaines, Gilchrist, Glenn, Hayes, Haynes, Healey, Hill, Holmes, Jackson, Jalisi, Jones, Kelly, Krimm, Lafferty, Lewis, Lisanti, Luedtke, McCray, McIntosh, Moon, Morales, Morhaim, Patterson, Pena–Melnik, Pendergrass, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample–Hughes, Sanchez, Stein, Sydnor, Tarlau, Turner, Valderrama, Valentino–Smith, A. Washington, M. Washington, Wilkins, and P. Young

AN ACT concerning

Criminal Procedure – Pretrial Release – Reform

FOR the purpose of altering a certain requirement for the construction of a certain provision of law relating to pretrial release of a certain defendant on personal recognizance and unsecured bond; requiring a judicial officer to impose a certain condition or combination of conditions of release under certain circumstances; requiring that a certain decision be based on a consideration of certain facts and circumstances; requiring the inclusion of certain restrictions as conditions of any release of a certain defendant; authorizing a judicial officer to impose one or more nonfinancial conditions on a certain defendant, under certain circumstances, in accordance with a certain provision of law; specifying the types of nonfinancial conditions that may be imposed by a certain judicial officer under certain circumstances; authorizing a judicial officer to amend a certain order at a certain time for a certain purpose; authorizing a judicial officer to impose financial conditions only for a certain purpose; prohibiting a judicial officer from imposing a certain financial condition for a certain reason; authorizing a judicial officer to consider certain resources when making a certain determination; prohibiting a judicial officer from releasing a certain defendant pretrial on a certain determination; prohibiting a judicial officer from setting a financial condition by reference to a certain schedule; requiring a judicial officer to require a certain alternative on finding that a certain defendant should not be released on personal recognizance or on a certain unsecured bond; requiring a judicial officer to give consideration to a certain recommendation in determining whether a defendant should be released and the conditions of release; requiring a judicial officer to

consider certain factors when making a certain determination; prohibiting a District Court commissioner from authorizing the pretrial release of a certain defendant who is subject to extradition under a certain provision of law; repealing the authority of a District Court judge to set bond or bail; authorizing a District Court judge to impose conditions when releasing a defendant on personal recognizance; authorizing a District Court judge to set a financial condition; changing certain references from bail to financial condition; requiring a certain county to either establish a certain agency or collaborate with certain providers for pretrial services on or before a certain date; providing that certain counties shall be eligible for certain funding through grants from certain entities; requiring the Governor's Office of Crime Control and Prevention, with the assistance of an academic institution, to collaborate with all counties to develop or update a certain risk assessment tool that may be used by District Court commissioners for a certain purpose; requiring certain risk assessment tools to be developed on or before a certain date and in use by certain District Court commissioners on or before a certain date; authorizing a county to request funding assistance for development of a certain risk assessment tool through a certain entity; making conforming changes; and generally relating to pretrial release.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–101, 5–201, 5–202, 5–205, and 5–206
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1391 – Delegates Brooks, West, Aumann, Cluster, Ebersole, Glenn, Grammer, Hettleman, Hill, Jones, Lafferty, Lam, Metzgar, Miele, Stein, Szeliga, and C. Wilson

AN ACT concerning

Baltimore County – Class 5 Brewery

FOR the purpose of requiring the Board of License Commissioners for Baltimore County to issue an on-site consumption permit to a certain holder of a Class 5 brewery license located in a certain area at the time the permit is first issued; providing for the sale of a certain quantity of beer under the permit each year under certain circumstances; providing that beer may be sold in excess of a certain quantity in a year only if purchased from a licensed beer wholesaler; and generally relating to alcoholic beverages in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 2–207(e) and 13–102
Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 13–401
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 13–403
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1392 – Delegates Sanchez, Moon, and Sydnor

AN ACT concerning

**Task Force to Study the Imposition of Life Without the Possibility of Parole for
Persons Found Guilty of Murder in the First Degree**

FOR the purpose of establishing the Task Force to Study the Imposition of Life Without the Possibility of Parole for Persons Found Guilty of Murder in the First Degree; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Imposition of Life Without the Possibility of Parole for Persons Found Guilty of Murder in the First Degree.

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

**House Bill 1393 – Delegates Dumais, Barron, Hayes, Lewis, Lierman, McCray,
A. Miller, Moon, Pena–Melnik, Rosenberg, and M. Washington**

AN ACT concerning

**Criminal Procedure – Petition for Writ of Actual Innocence – Nontrial
Convictions**

FOR the purpose of defining the term “conviction” as it relates to the standard required to file a petition for writ of actual innocence by a person convicted at trial; establishing a standard required to file a petition for writ of actual innocence by a person

convicted as a result of a guilty plea, an Alford plea, or a plea of nolo contendere; and generally relating to a petition for writ of actual innocence.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–301(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

**House Bill 1394 – Delegates McMillan, Hornberger, Reilly, Simonaire, Tarlau,
A. Washington, and M. Washington**

AN ACT concerning

Property Tax – Reassessment After Appeal

FOR the purpose of prohibiting the supervisor or the State Department of Assessments and Taxation from automatically resetting the assessment of a property to its value before an appeal during a subsequent reassessment; authorizing the supervisor or the Department to increase the assessment of a property above the level determined during an appeal only if circumstances arising after the appeal justify an increase in the assessment; and generally relating to reassessments of properties after appeals.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 8–205
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1395 – Delegate A. Washington

AN ACT concerning

Solar Energy Grant Program – Energy Storage

FOR the purpose of providing that the Solar Energy Grant Program in the Maryland Energy Administration may award grants not to exceed certain amounts for the installed cost of certain energy storage equipment; adding grants for certain energy storage equipment to the purposes of the Program; defining “energy storage equipment”; authorizing the Director of the Administration to designate certain equipment as energy storage equipment; and generally relating to the Solar Energy Grant Program and energy storage.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–2001
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2007
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1396 – Delegates Clippinger, Anderson, Atterbeary, Lafferty, Lewis,
Lierman, McCray, Queen, Rosenberg, Sydnor, and B. Wilson**

AN ACT concerning

**Wearing, Carrying, or Transporting a Handgun – Penalties – Subsequent
Offenders**

FOR the purpose of prohibiting the suspension of a sentence for wearing, carrying, or transporting a handgun under certain circumstances for a person previously convicted of certain crimes; and generally relating to wearing, carrying, or transporting a handgun.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 4–203(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–203(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

**House Bill 1397 – Delegates McMillan, Glass, Hornberger, Reilly, Simonaire,
Tarlau, A. Washington, and M. Washington**

AN ACT concerning

Property Tax Appeals – Method of Calculating Assessment – Provision to Taxpayers

FOR the purpose of requiring that a person appealing a property tax assessment before a supervisor of assessments receive all calculations used to derive the property assessment, including any mathematical equation or formula, at least a certain number of days before the hearing; and generally relating to requiring that the method of calculating an assessment be provided to taxpayers making an appeal.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–510.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1398 – Delegates Glass, Hornberger, McDonough, and Parrott

AN ACT concerning

Public Safety – Police Profiling – “Right-to-Carry” Permit

FOR the purpose of establishing that it is not a legitimate law enforcement purpose to use certain captured plate data that indicates the owner of the vehicle has been issued a permit to carry, wear, or transport a handgun as the sole basis to stop and question the vehicle’s driver; and generally relating to law enforcement.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–509
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1399 – Delegates S. Howard, Beidle, Carey, Malone, McConkey, McMillan, Saab, Simonaire, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Southern High School Athletic Facilities

FOR the purpose of authorizing the creation of a State Debt in the amount of \$120,000, the proceeds to be used as a grant to the Board of Education of Anne Arundel County for certain development or improvement purposes; providing for disbursement of the

loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1400 – Delegates S. Howard, Carey, Clark, Fisher, Impallaria, Jacobs, Lisanti, Malone, Mautz, McConkey, W. Miller, Saab, Simonaire, and Sophocleus

AN ACT concerning

Commercial Law – Credit Card Processors – Service Agreements

FOR the purpose of prohibiting a certain services agreement between a credit card processor and a business entity from including a certain provision authorizing liquidated damages or specifying a certain fee for the termination of a services agreement; prohibiting a credit card processor who has received a certain termination notice from debiting or accessing the bank account of a certain business entity after a certain period of time; authorizing the Commissioner of Financial Regulation to take certain actions; establishing certain civil penalties for a violation of this Act; defining certain terms; and generally relating to credit card processors and service agreements.

BY adding to

Article – Commercial Law

Section 12–1401 through 12–1404 to be under the new subtitle “Subtitle 14. Credit Card Processors”

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1401 – Delegates C. Wilson, Aumann, Brooks, Buckel, Chang, Dumais, Fennell, Folden, Gaines, Haynes, Hixson, Hornberger, S. Howard, Jalisi, McComas, McMillan, Miele, Morgan, Patterson, Pena–Melnik, Proctor, Queen, Reilly, Rey, Rose, Saab, Sanchez, Shoemaker, Sophocleus, and Valentino–Smith

AN ACT concerning

Vehicle Laws – Special Registration Plate – United States Armed Forces

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available for certain vehicles a special registration plate honoring the armed forces of the United States; authorizing certain persons to apply for the special registration plate; requiring certain owners of vehicles assigned a special registration plate under

this Act to pay certain fees; requiring that certain fees be used only for certain purposes; requiring a registration plate issued under this Act to contain a certain graphic design and certain words; requiring the Administration to adopt regulations to carry out the provisions of this Act; and generally relating to a special registration plate honoring the armed forces of the United States.

BY adding to

Article – Transportation

Section 13–619.4

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1402 – Delegates McMillan, Hornberger, Reilly, Simonaire, Tarlau, and A. Washington

AN ACT concerning

Property Tax Appeals – Payment of Refunds – Deadline

FOR the purpose of requiring a tax collector to issue a refund of excess property tax to a taxpayer within a certain period of time after a certain appeal authority issues a decision reducing the taxpayer's assessment; defining a certain term; and generally relating to the deadline for paying refunds in property tax appeals.

BY adding to

Article – Tax – Property

Section 14–516

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1403 – Baltimore City Delegation and Delegates Branch, Conaway, Fennell, Glenn, Haynes, Lewis, Lierman, McCray, McIntosh, Oaks, Rosenberg, Sanchez, and M. Washington

AN ACT concerning

Baltimore City – Office of State's Attorney – Authority to Appoint Criminal Investigators

FOR the purpose of authorizing the State's Attorney for Baltimore City to appoint certain criminal investigators, subject to the approval of the Mayor and City Council of Baltimore City; authorizing the State's Attorney for Baltimore City to designate a chief investigator and assign other ranks and titles to certain criminal investigators

under certain circumstances; providing that a criminal investigator who is appointed under this Act shall serve at the pleasure of the State's Attorney for Baltimore City, is subject to the regulations of the State's Attorney for Baltimore City, shall perform the duties that the State's Attorney for Baltimore City designates, shall take a certain oath of office, shall meet certain criteria regarding training and experience, may serve a certain summons or subpoena, may wear or display certain badges, and is not subject to the Law Enforcement Officers' Bill of Rights; authorizing the State's Attorney for Baltimore City to designate a criminal investigator as a peace officer under certain circumstances; providing that a criminal investigator designated as a peace officer may not be subject to the Law Enforcement Officers' Bill of Rights; authorizing a criminal investigator designated as a peace officer to arrest a certain person, serve a certain warrant, summons, or subpoena, and possess and carry a certain firearm; and generally relating to the Office of the State's Attorney for Baltimore City.

BY adding to

Article – Criminal Procedure

Section 15–403.1

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1404 – Delegates McComas, Glass, Parrott, Valentino-Smith, and B. Wilson

AN ACT concerning

Public Safety – Sexual Assault Examination Kits – Best Practices Study

FOR the purpose of requiring the Secretary of State Police, the Forensic Laboratory Advisory Committee, and the Secretary of Health and Mental Hygiene to collaborate on research to improve the State's collection, testing, and storage of sexual assault examination kits, as well as victim notification procedures; requiring the research to include certain issues, to identify certain improvements, to outline a certain plan, and to recommend certain regulations; requiring the Secretary of State Police to submit a certain report to the General Assembly on or before a certain date; and generally relating to sexual assault examination kits.

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

House Bill 1405 – Delegates Luedtke, Kaiser, and Queen

AN ACT concerning

**Creation of a State Debt – Montgomery County – Laytonsville Lions Club
Medical Equipment Loan Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$5,000, the proceeds to be used as a grant to the Board of Trustees of the Laytonsville Lions Club Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1406 – Delegates Glass, Anderson, Barron, Carr, Conaway, Fisher, Kittleman, Malone, McConkey, McDonough, McKay, McMillan, Metzgar, Moon, Proctor, Robinson, Rose, Rosenberg, Saab, Sanchez, Simonaire, Vallario, Vogt, and B. Wilson

AN ACT concerning

Gas and Electricity – Smart Meters – Customer Rights and Required Reports

FOR the purpose of requiring a certain utility company to give certain written notice to certain customers prior to deploying smart meters throughout all or a portion of the utility company's service territory; specifying the contents of a certain notice; prohibiting a utility company from imposing certain additional fees or charges on certain customers; requiring the Public Service Commission to report on certain matters to certain committees of the General Assembly on or before certain dates; requiring the Department of Health and Mental Hygiene and the Commission jointly to report on certain matters to certain committees of the General Assembly on or before a certain date; specifying the contents of certain reports; requiring the Commission, in consultation with the Department of Health and Mental Hygiene, to select and retain an independent expert to prepare a certain report; defining certain terms; and generally relating to gas and electricity service and smart meters.

BY adding to

Article – Public Utilities

Section 7–302.1

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1407 – Delegate Glass

AN ACT concerning

Criminal Procedure – Search Warrants – Full Names

FOR the purpose of requiring a certain search warrant to include the full legal name of the person to be searched; and generally relating to search warrants.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 1–203(a)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1408 – Delegates Sanchez and Vallario

AN ACT concerning

Criminal Law – Controlled Dangerous Substances – Places of Use

FOR the purpose of altering the prohibition against keeping a dwelling, a building, a vehicle, a vessel, an aircraft, or any other place resorted to by individuals for the purpose of administering illegally controlled dangerous substances to remove the prohibition from provisions relating to common nuisance; altering a certain penalty; and generally relating to controlled dangerous substances.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601(a) and 5–605
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1409 – Delegates Glass, Atterbeary, Moon, and Sanchez

AN ACT concerning

**Courts – Law Enforcement Officer as Witness – Prohibition on Postponement
for Inability to Appear**

FOR the purpose of prohibiting a court from postponing a trial or hearing for a certain violation of the Maryland Vehicle Law, except under certain circumstances; and generally relating to the postponement of certain trials and hearings.

BY adding to
Article – Courts and Judicial Proceedings
Section 9–206
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1410 – Delegates Anderson, Arentz, Clark, S. Howard, Impallaria, Knotts, Kramer, Morgan, and Rey

AN ACT concerning

Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders – Exception

FOR the purpose of providing that a certain prohibition against operating or riding on a motorcycle without certain protective headgear does not apply to an individual at least a certain age who has been licensed to operate a motorcycle for a certain period of time, has completed a certain motorcycle safety course, or is a passenger on a motorcycle operated by a driver who has been licensed for a certain period or completed a certain safety course; making stylistic changes; and generally relating to the requirement that protective headgear be worn by operators or riders of motorcycles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1306
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1411 – Delegates Dumais, Barron, Hayes, Lewis, Lierman, McCray, A. Miller, Moon, Pena–Melnyk, Rosenberg, and M. Washington

AN ACT concerning

DNA Testing – Postconviction Review

FOR the purpose of clarifying the group of persons who may file a certain petition for postconviction DNA testing or a database or log search; requiring a court to order a new trial under certain circumstances for certain classes of persons filing for postconviction DNA testing and having received favorable results; altering the remedy for intentional and willful destruction of DNA evidence; defining a certain term; and generally relating to postconviction review of DNA evidence.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–201
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1412 – Delegates McMillan, Beitzel, Folden, Holmes, S. Howard, Jackson, Knotts, McComas, Pena-Melnyk, Rey, Sophocleus, Valentino-Smith, Vogt, C. Wilson, and P. Young

AN ACT concerning

Education – Public School Holidays – Veterans’ Day and Easter Monday

FOR the purpose of repealing the requirement that the Monday after Easter be a public school holiday; requiring Veterans’ Day to be a public school holiday; authorizing a county board of education to designate the Monday after Easter as a public school holiday; providing for a delayed effective date; making certain stylistic changes; and generally relating to public school holidays.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–103(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1413 – Delegates Proctor, Clark, Frush, Haynes, Jackson, Jameson, Patterson, Pena-Melnyk, and Valentino-Smith

AN ACT concerning

Real Property – New Residential Construction – Correction of Drainage Defect

FOR the purpose of requiring a certain home builder to correct a certain drainage defect within a certain time period if a certain owner provides written notice of the defect, including certain documentation, to the home builder within a certain time period; defining certain terms; and generally relating to new residential construction and the correction of drainage defects.

BY adding to
Article – Real Property
Section 10–711
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1414 – Delegate Jameson

AN ACT concerning

Renewable Energy Portfolio Standard – Study

FOR the purpose of requiring the Maryland Clean Energy Center and the University of Maryland Energy Research Center jointly to conduct a study on the renewable energy portfolio standard and certain related matters; providing for the scope of the study; providing certain specific subjects that the study must address; requiring certain State and local units to cooperate with the centers in the conduct of the study; requiring the centers to report to the Governor and certain committees on or before certain dates; providing for the termination of this Act; and generally relating to the renewable energy portfolio standard and the State's energy policies.

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–701(a), (b), (i), (n), (o), and (p)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY adding to

Article – Public Utilities

Section 7–714

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1415 – Delegate Anderson

AN ACT concerning

Commercial Law – Maryland Antitrust Act – Indirect Purchasers

FOR the purpose of altering the circumstances under which a person, whose business or property has been injured or threatened with injury by a violation of certain provisions of law, may maintain an action for damages, an injunction, or both, against any person who has committed the violation, regardless of whether the person maintaining the action dealt directly or indirectly with the person who has committed the violation; altering a certain defense that a defendant may raise in certain actions for damages; making stylistic changes; and generally relating to civil actions to enforce State antitrust laws.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 11–209(b)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1416 – Delegates Waldstreicher, Tarlau, Ali, Anderson, Angel, Atterbeary, Barron, Barve, Carr, Conaway, Cullison, Fennell, Fraser-Hidalgo, Frush, Glenn, Gutierrez, Hayes, Haynes, Hixson, C. Howard, Jackson, Jones, Kaiser, Knotts, Korman, Lafferty, Lewis, Luedtke, McCray, McIntosh, Moon, Morales, Mosby, Pena-Melnyk, Pendergrass, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sanchez, Turner, Valderrama, Vallario, A. Washington, M. Washington, and Wilkins

AN ACT concerning

**Labor and Employment – Payment of Minimum Wage Required
(Fight for Fifteen)**

FOR the purpose of specifying the State minimum wage rate that is in effect for certain time periods for certain employers; increasing, except under certain circumstances, the State minimum wage rate in effect for certain periods of time based on annual growth in the Consumer Price Index; requiring the Commissioner of Labor and Industry, beginning at a certain time, to annually determine and announce the growth in the Consumer Price Index, if any, and the new State minimum wage rate; requiring the Board of Revenue Estimates, during a certain time period, to conduct a certain analysis, report its findings and recommendations, certify certain information to the Governor and the Commissioner, and publish its findings and recommendations on a certain Web site; authorizing, under certain circumstances, the Governor to temporarily suspend an increase in the minimum wage; requiring the Governor and the Commissioner to take certain action based on whether the Governor temporarily suspends a minimum wage rate increase; providing that certain minimum wage rate increases are postponed under certain circumstances for a certain period of time; specifying the tip credit amount that is in effect for certain time periods; prohibiting an employer, beginning on a certain date, from including a tip credit amount as part of the wage of certain employees; requiring an employer, beginning at a certain time, to pay certain employees a wage that is at least equal to the State minimum wage rate; requiring the Governor, in certain fiscal years, to include in a certain budget proposal certain funding increases to reimburse community service providers; defining certain terms; and generally relating to the payment of wages.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–307
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 3–413
Annotated Code of Maryland
(2016 Replacement Volume)

BY adding to

Article – Labor and Employment
Section 3–413.1
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 3–419
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1417 – Delegate Lisanti

AN ACT concerning

Creation of a State Debt – Harford County – The Epicenter at Edgewood

FOR the purpose of authorizing the creation of a State Debt in the amount of \$50,000, the proceeds to be used as a grant to the Board of Directors of The Epicenter at Edgewood for certain development or improvement purposes; providing for disbursement of the loan proceeds; prohibiting the use of the loan proceeds for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1418 – Delegate Dumais

AN ACT concerning

Justice Reinvestment Act – Modifications

FOR the purpose of requiring a certain designee who may conduct a certain assessment to be certified or licensed, rather than certified and licensed; providing that a certain court may grant a certain application without a hearing, but may not deny an application without a hearing; authorizing a certain person serving a certain term of confinement for an offense relating to drug distribution or volume dealing in cocaine base imposed on or before a certain date to file a certain motion to modify or reduce

the sentence under certain circumstances; repealing a provision of law excluding certain sex offender registrants from eligibility for a certain geriatric parole; repealing a certain incorrect statutory reference; altering a certain incorrect statutory reference; repealing a requirement that a certain person file a certain petition in a certain court under certain circumstances; altering a provision relating to the expiration of the terms of certain members of the Justice Reinvestment Oversight Board; making conforming changes; providing for the effective date of this Act; and generally relating to justice reinvestment.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–601(e)(1), 5–609.1, and 14–101(f)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

BY adding to

Article – Criminal Law

Section 5–612.1

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–110(a) and (b)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Chapter 515 of the Acts of the General Assembly of 2016

Section 10

Read the first time and referred to the Committee on Judiciary and the Committee on Health and Government Operations.

House Bill 1419 – Delegates Glass, Barron, Buckel, Carr, Conaway, Fennell, Fisher, Hornberger, C. Howard, Kittleman, Malone, McConkey, McDonough, McKay, McMillan, Metzgar, Moon, Parrott, Proctor, Robinson, Rose, Rosenberg, Saab, Sanchez, Simonaire, Vallario, and Vogt

AN ACT concerning

Gas and Electricity – Analog Meters – Purchase and Installation

FOR the purpose of requiring the Public Service Commission to authorize a certain customer of a gas company or an electric company to purchase and install a certain

analog meter; requiring the meter to comply with certain standards; requiring a gas company or an electric company to install the meter or allow certain persons to install the meter at the customer's request; providing that an analog meter may replace a different type of meter; prohibiting a gas company or an electric company from requiring a certain customer to install additional controls or perform or pay for certain additional tests; requiring a gas company or an electric company to replace only certain tested meters under certain circumstances; requiring the Commission to refund certain testing fees under certain circumstances; and generally relating to gas service, electric service, and meters.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–301 and 7–302
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1420 – Delegates Barkley, Afzali, Anderton, Atterbeary, Aumann, Barve, Beitzel, Brooks, Buckel, Carozza, Carr, Ciliberti, Clippinger, Dumais, Ebersole, Fennell, Frick, Gilchrist, Grammer, Gutierrez, Hill, Hixson, Jacobs, Kelly, Kipke, Korman, Krebs, Krimm, Lafferty, Lam, Lisanti, Luedtke, McCray, Metzgar, Moon, Otto, Parrott, Platt, Reznik, Robinson, Rose, Sanchez, Shoemaker, Szeliga, Tarlau, Turner, Vogt, A. Washington, M. Washington, B. Wilson, and K. Young

AN ACT concerning

Alcoholic Beverages – Modern Brewery License

FOR the purpose of establishing a Class 10 modern brewery license; authorizing the license holder to establish and operate a brewery for certain activities and import beer from a certain person; authorizing a license holder to contract with or on behalf of a certain person to perform certain activities; authorizing a license holder to brew, blend, or package beer and to sell and deliver beer under certain circumstances; authorizing a license holder to serve samples of beer under certain circumstances and to sell beer for off-premises consumption under certain circumstances; specifying certain amounts of beer that the license holder may sell annually for on-premises consumption under certain circumstances; authorizing a license holder to sell or serve certain foods; specifying certain persons that may not act as a caterer of food; providing hours of sale for beer sold for on-premises consumption; providing that this Act does not limit the application of a certain statute to certain activities; authorizing the license holder to store certain beer under certain circumstances; authorizing a license holder located on a farm to sponsor a multibrewery activity under certain circumstances; authorizing the Comptroller to issue a brewery promotional event permit under certain circumstances; allowing the license holder to be issued certain licenses; prohibiting a license holder that obtains a Class B

license from producing more than a certain amount of beer annually; allowing holders of certain licenses to keep their licenses, obtain a Class 10 license, or exchange their licenses for a Class 10 license; establishing certain license fees; providing for a fee credit under certain circumstances; authorizing a holder of a Class 10 license to obtain additional licenses and a brewing company off-site permit under certain circumstances; authorizing a certain holder of a Class 10 license to obtain a Class 7 license under certain conditions; making certain conforming changes; and generally relating to a Class 10 modern brewery license.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–130, 2–212(a)(2) and (b)(3), 2–311(b)(3), 9–401(a), 10–401(a), 11–401(a), 12–401(a), 13–401(a), 14–401(a), 15–401(a), 16–401(a), 17–401(a), 18–401, 19–401(a), 20–401(a), 21–401(a), 22–401(a), 23–401(a), 24–401(a), 25–401(a), 26–401(a), 27–401(a), 28–401(a), 29–401(a), 30–401(a), 31–401(a), 32–401(a), and 33–401(a)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 2–210.1

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 9–102, 10–102, 11–102, 12–102, 13–102, 14–102, 15–102, 16–102, 17–102, 18–102, 19–102, 20–102, 21–102, 22–102, 23–102, 24–102, 25–102, 26–102, 27–102, 28–102, 29–102, 30–102, 31–102, 32–102, and 33–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1421 – Delegates Hayes, Conaway, Mosby, and Rosenberg

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Museum of Art

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the governing board of The Baltimore Museum of Art, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or

expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1422 – Delegates C. Wilson, Aumann, Barkley, Brooks, Buckel, Chang, Fennell, Folden, Hill, Hixson, Hornberger, S. Howard, Jones, McComas, McDonough, McMillan, Morgan, Patterson, Pena–Melnik, Proctor, Queen, Reilly, Rose, Saab, Sanchez, Turner, and Valentino–Smith

AN ACT concerning

Income Tax Checkoff – Maryland Veterans Trust Fund

FOR the purpose of establishing a certain income tax checkoff for voluntary contributions to the Maryland Veterans Trust Fund; requiring the Comptroller to include a checkoff on the individual income tax return; providing that the income tax checkoff include a certain statement; requiring the Comptroller to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff; providing that the Fund may consist of certain contributions from the income tax checkoff and certain other money; providing for the application of this Act; and generally relating to an income tax checkoff for contributions to the Maryland Veterans Trust Fund.

BY adding to

Article – Tax – General
Section 2–115 and 10–804(l)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government
Section 9–913(e), (f), (h), and (i)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–913(g)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1423 – Delegate Fisher

AN ACT concerning

**Calvert County – Board of License Commissioners – Notice and Hearing on
Proposed Legislation**

FOR the purpose of requiring the Board of License Commissioners for Calvert County, before submitting a legislative proposal to the Calvert County Delegation for introduction as a bill in a session of the General Assembly, to post notice, send certain e-mails, and hold a public hearing on the proposal at least a certain amount of time before the start of the General Assembly session; and generally relating to legislative proposals concerning alcoholic beverages in Calvert County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 14–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 14–204.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1424 – Delegates Atterbeary, Ali, Anderson, Barkley, Barron, Branch, Brooks, Carr, Conaway, Cullison, Davis, Dumais, Ebersole, Fraser-Hidalgo, Frick, Gilchrist, Gutierrez, Hettleman, Hill, Hixson, Holmes, Jalisi, Jones, Kaiser, Kelly, Korman, Kramer, Lafferty, Lam, Lierman, Luedtke, Moon, Morales, Morhaim, Mosby, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample-Hughes, Sanchez, Sydnor, Tarlau, Turner, Valderrama, Valentino-Smith, Waldstreicher, Walker, Wilkins, C. Wilson, and P. Young

AN ACT concerning

Criminal Procedure – Firearms – Transfer

FOR the purpose of requiring a court to inform a person convicted of a certain offense that the person is prohibited from possessing a certain firearm under certain provisions of law; requiring the court to advise the person that certain proof must be provided to the Department of Public Safety and Correctional Services that certain firearms owned by the person or in the person's possession have been transferred from the person's possession; providing for the procedure to transfer certain firearms; requiring a person accepting a transferred firearm to issue a certain notice or proof of transfers; requiring a person who is subject to a certain order to file certain proof

with the Department of Public Safety and Correctional Services or attest certain facts to the Department within a certain period; authorizing the disposal of a certain firearm under certain circumstances; providing an exception for a certain person from a prohibition against carrying, transporting, or possessing a certain firearm under certain circumstances; defining certain terms; and generally relating to firearms.

BY adding to

Article – Criminal Procedure
Section 6–234
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY adding to

Article – Public Safety
Section 5–133(f)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 5–205(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1425 – Delegate McKay

AN ACT concerning

Washington County – Alcoholic Beverages – Wineries – Special Event Permits

FOR the purpose of establishing a special event permit in Washington County; authorizing a holder of a Class 3 winery license or a Class 4 limited winery license in the county to sell beer, wine produced by the holder, and liquor for on–premises consumption at certain events; requiring the permit holder to notify the Board of License Commissioners on or before a certain time before using the permit; establishing a certain limit on the number of times the permit may be used; providing for a certain permit fee; providing for the termination of this Act; and generally relating to sales of alcoholic beverages in Washington County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 31–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–401
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 31–402.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1426 – Delegate Fisher

AN ACT concerning

Calvert County – Personal Property Tax – Exemption

FOR the purpose of exempting certain personal property from the Calvert County property tax beginning on a certain date; providing that certain personal property remains subject to the Calvert County property tax; providing that certain personal property that is subject to a payment in lieu of taxes agreement shall be subject to the Calvert County property tax on the termination of the agreement; providing for the application of this Act; and generally relating to an exemption from the Calvert County personal property tax.

BY adding to
Article – Tax – Property
Section 7–402
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1427 – Delegates McMillan, Clark, Holmes, Jacobs, Jalisi, and Stein

AN ACT concerning

Natural Resources – Apprentice Hunting License – Establishment

FOR the purpose of establishing an apprentice hunting license that confers certain rights on a purchaser of the license; authorizing a person to obtain an apprentice hunting license on completion of a certain course; authorizing certain persons to hunt under an apprentice hunting license only if accompanied and directly supervised by certain

other persons; requiring a person who accompanies and directly supervises an apprentice hunting licensee to maintain certain contact with, provide certain direction to, and be in a certain physical position related to the apprentice hunting licensee; authorizing certain apprentice hunting licensees to hunt without supervision under certain circumstances; limiting to a certain amount the number of apprentice hunting licenses that may be issued to a person in the person's lifetime; prohibiting the renewal of an apprentice hunting license; prohibiting the issuance of an apprentice hunting license to certain persons; establishing certain fees for resident and nonresident apprentice hunting licenses; and generally relating to the establishment of the apprentice hunting license.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–301(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–301(g)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1428 – Chair, Judiciary Committee (By Request – Departmental – Office of Crime Control and Prevention)

AN ACT concerning

Criminal Procedure – Victim Services Unit – Victims' Compensation

FOR the purpose of establishing a Victim Services Unit in the Governor's Office of Crime Control and Prevention; transferring the Criminal Injuries Compensation Board from the Department of Public Safety and Correctional Services to the Victim Services Unit; transferring the program for sexual assault forensic examinations from the Department of Health and Mental Hygiene to the Victim Services Unit; transferring certain duties and rights regarding the Criminal Injuries Compensation Board from the Secretary of Public Safety and Correctional Services to the Executive Director of the Governor's Office of Crime Control and Prevention; providing the Executive Director with certain authority over the Criminal Injuries Compensation Board; transferring and altering provisions of law to require the Criminal Injuries Compensation Board to pay certain claims related to forensic examinations for certain sexually related crimes under certain circumstances; providing for the appointment and salary of a Director of the Victim Services Unit; requiring the Victim Services Unit to perform certain duties; providing that certain employees transferred to the Victim Services Unit under this Act be transferred without

diminution of certain rights, benefits, or employment or retirement status; providing for the employment status of employees of the Victim Services Unit hired on or after the effective date of this Act; providing for the continuity of certain transactions affected by or flowing from this Act; providing for the continuity of certain laws, rules and regulations, standards and guidelines, policies, orders, and other directives, permits and licenses, applications, forms, plans, memberships, contracts, property, investigations, and administrative and judicial responsibilities; defining certain terms; providing for the transfer of certain services, appropriations, funding, and grants to the Victim Services Unit on a certain date; providing for the transfer of certain property, records, fixtures, appropriations, credits, assets, liabilities, obligations, rights, and privileges to the Victim Services Unit; providing for appropriate transitional provisions relating to the continuity of certain boards and other units; providing for the continuity of certain persons that are licensed, registered, permitted, and certified under certain departments, offices, and units; providing for the continuity of certain contracts, agreements, grants, or other obligations; requiring the adoption of certain regulations under certain circumstances; requiring the Justice Reinvestment Oversight Board to report by a certain date on certain issues relating to restitution; providing for a delayed effective date; and generally relating to a Victim Services Unit in the Governor's Office of Crime Control and Prevention.

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 2–201(10) through (14)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY adding to

Article – Criminal Procedure

Section 11–801(f), 11–816.1, and 11–1007; and 11–1101 through 11–1106 to be under the new subtitle, “Subtitle 11. Victim Services Unit”

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–801(f), 11–803, 11–804(a), (b)(3), and (d), 11–805(a), 11–814, and 11–815(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing

Article – Health – General

Section 15–127

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1429 – Delegates Platt and Buckel

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Medical Cannabis Grower Licenses

FOR the purpose of requiring the Natalie M. LaPrade Medical Cannabis Commission, on or before a certain date, to license a certain number of medical cannabis growers; requiring the Commission to actively seek to achieve geographic diversity when licensing medical cannabis growers, while giving certain weight and consideration to certain applicants; requiring the Commission to actively seek applicants for a medical cannabis grower license that incorporate elements of a certain research program in their applications; and generally relating to the Natalie M. LaPrade Medical Cannabis Commission and medical cannabis grower licenses.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3306(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1430 – Delegate B. Wilson

AN ACT concerning

Washington County – Alcoholic Beverages – Class CT (Cinema/Theater License)

FOR the purpose of altering the requirements for a Class CT (cinema/theater) license in Washington County so that the license may be issued only for a cinema or theater that is in a stand-alone building with certain characteristics; altering certain requirements for the sale of beer, wine, and liquor by the license holder; altering the days that a license holder may exercise the privileges of the license; establishing a Sunday permit and a Sunday permit fee; repealing the termination provisions of certain Acts regarding cinema/theater licenses; and generally relating to alcoholic beverages licenses in Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 31–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–1001.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 586 of the Acts of the General Assembly of 2016
Section 2

BY repealing and reenacting, with amendments,
Chapter 587 of the Acts of the General Assembly of 2016
Section 2

Read the first time and referred to the Committee on Economic Matters.

House Bill 1431 – Delegates Lisanti and Impallaria

AN ACT concerning

Harford County Sheriff – Deputy Sheriffs and Correctional Officers – Collective Bargaining

FOR the purpose of authorizing the representatives of certain deputy sheriffs and certain correctional officers in the Office of the Sheriff of Harford County to bargain collectively with the Harford County Sheriff and the Harford County Executive on certain issues; authorizing certain deputy sheriffs and certain correctional officers to take certain actions in connection with certain labor organizations with regard to certain collective bargaining activities; providing for the procedures for certifying a labor organization as a certified labor organization for certain collective bargaining negotiations; requiring the certified labor organization, the Sheriff, and the County Executive to follow certain procedures for collective bargaining; providing for a certain method to resolve a dispute if the certified labor organization and the Sheriff are unable to negotiate a certain agreement; providing that any additional funding required as a result of a certain agreement is subject to approval by the County Executive and County Council; providing a certain method for requesting certain additional funding; requiring a collective bargaining agreement to contain certain matters; prohibiting a collective bargaining agreement that impairs certain rights and responsibilities of the Sheriff; providing for the construction of this Act; and generally relating to the salaries and collective bargaining rights of sworn law enforcement officers and correctional officers of the Harford County Sheriff's Office.

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(n)(9) and (10)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

**House Bill 1432 – Chair, Health and Government Operations Committee (By
Request – Departmental – Health and Mental Hygiene)**

EMERGENCY BILL

AN ACT concerning

**Health Care Providers – Prescription Opioids – Limits on Prescribing
(The Prescriber Limits Act of 2017)**

FOR the purpose of authorizing the Department of Health and Mental Hygiene to take certain action relating to a controlled dangerous substances registration under certain circumstances; prohibiting health care providers from prescribing to a patient more than a certain number of days' supply of certain opioid controlled dangerous substances under certain circumstances; providing that a violation of a certain provision of this Act is grounds for disciplinary action by a certain health occupations board; requiring certain health occupations boards to adopt certain regulations; authorizing certain health occupations boards to take certain disciplinary actions against certain individuals for a violation of certain provisions of this Act; defining a certain term; making this Act an emergency measure; and generally relating to the prescribing of opioid controlled dangerous substances.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–307(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Health Occupations
Section 1–223, 4–315(a)(35), 8–316(a)(36), and 14–404(a)(43)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–315(a)(33) and (34), 8–316(a)(34)(ii) and (35), 14–404(a)(41)(ii) and (42),
and 16–311(a)(8)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1433 – Delegates Valentino-Smith, Fennell, Adams, Anderton, D. Barnes, Beitzel, Frush, Ghrist, McComas, McKay, Sanchez, Tarlau, Waldstreicher, and A. Washington

AN ACT concerning

**Local Income Tax Overpayments – Local Reserve Account Repayment –
Forgiveness**

FOR the purpose of repealing a requirement that a county or municipal corporation that receives a certain overpayment of local income tax revenue reimburse a certain account for its share of the overpayment; repealing a certain requirement that the Comptroller withhold, under certain circumstances, the amount certain counties or municipal corporations owe to a certain account from certain distributions; prohibiting the Comptroller from requiring a county or municipal corporation that receives an overpayment to reimburse a certain account; repealing a certain requirement that the Comptroller perform a certain analysis before requiring a county or municipal corporation to make a certain reimbursement; and generally relating to the requirement that certain counties or municipal corporations repay certain overpayments of local income tax revenue.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–611

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing

Chapter 24 of the Acts of the General Assembly of 2016

Section 2

Read the first time and referred to the Committee on Ways and Means.

House Bill 1434 – Delegate McMillan

AN ACT concerning

Business Regulation – Marina Fuel Sales – Fuel Sales

FOR the purpose of authorizing certain marinas to sell certain types of gasoline; requiring the Comptroller to adopt certain regulations; and generally relating to the sale of certain types of gasoline by marinas.

BY adding to

Article – Business Regulation

Section 10–504
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 9–305(a)(2)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1435 – Delegate Barron

AN ACT concerning

**Civil Actions – Discovery in Aid of Enforcement of Money Judgment – Body
Attachment**

FOR the purpose of prohibiting a court from issuing a body attachment for an individual for failure to appear in court in response to a certain show cause order unless the court makes certain findings; prohibiting money paid by an individual arrested on a certain body attachment or another person on behalf of the individual to obtain the individual's release on certain conditions from being applied to reduce the amount of an outstanding money judgment or otherwise forfeited to the judgment creditor unless the court makes certain findings; altering certain terminology; and generally relating to enforcement of a money judgment.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 6–411
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1436 – Delegate Lisanti

AN ACT concerning

Civil Actions – Duty to Render Assistance

FOR the purpose of requiring an individual to provide reasonable assistance to certain individuals who are under threat of or have incurred serious physical injury if providing such assistance does not endanger self or others; establishing a certain penalty for a violation of this Act; providing civil immunity for a certain individual

who renders reasonable assistance to certain individuals under this Act subject to certain limitations; and generally relating to an affirmative duty to render aid.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–809

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1437 – Delegates Proctor, Angel, Atterbeary, D. Barnes, Barron, Chang, Clark, Conaway, Dumais, Frush, Haynes, C. Howard, Jackson, Jameson, Kittleman, Krimm, Moon, Mosby, Patterson, Queen, Sanchez, Sophocleus, Valentino-Smith, Vallario, and C. Wilson

AN ACT concerning

**Foreclosed and Vacant Residential Property – Common Ownership
Communities – Payment of Regular Assessments**

FOR the purpose of requiring, with regard to a residential property in a common ownership community that is in foreclosure and vacant, the secured party that files the action to foreclose a mortgage or deed of trust on the residential property to pay certain regular assessments for a certain period of time under certain circumstances; making a secured party that fails to pay regular assessments under certain circumstances subject to a certain fine; defining certain terms; and generally relating to the payment of regular assessments on foreclosed and vacant residential property in common ownership communities.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 7–105.1(a)(12)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Real Property

Section 7–114

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1438 – Delegates Stein, Gilchrist, Holmes, Jacobs, and Otto

AN ACT concerning

Natural Resources – Program Open Space – Use of Local Funds

FOR the purpose of repealing a requirement that certain local governing bodies use at least a certain amount of the local governing body's annual apportionment for certain acquisition projects under Program Open Space; authorizing a local governing body to use all of the local governing body's annual apportionment for acquisition projects; altering the required contents of a local land preservation and recreation plan; repealing a requirement that the Department of Planning prepare certain guidelines with the Department of Natural Resources; increasing the amount of funds that a subdivision may use for certain purposes within a certain period of time; repealing the requirement that a local governing body use part of certain funds for a local advance option and purchase fund; authorizing a local governing body to use its annual apportionment for a local advance option and purchase fund; requiring certain projects to be consistent with and support the goals, objectives, and priorities presented in a certain plan and program; repealing the authorization for a local governing body to use a certain percentage of its future annual apportionment for certain projects for a certain period of time under certain circumstances; altering certain requirements related to how much funding the State should provide for certain projects under certain circumstances; providing that certain requirements related to donated land apply to certain local projects and not certain State projects; making conforming changes; and generally relating to the use of local acquisition and development funds under Program Open Space.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–905
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1439 – Calvert County Delegation

AN ACT concerning

Calvert County – Bonding Authority

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$17,620,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of

maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

House Bill 1440 – Calvert County Delegation

AN ACT concerning

Calvert County – Solid Waste Disposal Contracts

FOR the purpose of authorizing Calvert County to enter into a contract for solid waste disposal that may include transportation, may require payment of certain funds or receipt of certain payment, and is for an initial term of not more than a certain number of years; making a certain stylistic change; and generally relating to contracts for solid waste disposal entered into by Calvert County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Calvert County
Section 6–103
Article 5 – Public Local Laws of Maryland
(2002 Edition and May 2015 Supplement, as amended)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1441 – Delegate A. Washington

AN ACT concerning

Homeowners' Property Tax Credit Program – Transfer of Excess Funds (The Maryland Affordable Housing Trust Fund Act of 2017)

FOR the purpose of requiring the Governor to transfer, by budget amendment, certain funds not needed to reimburse the counties for tax credits granted under the homeowners' property tax credit program to the Maryland Affordable Housing Trust Fund; and generally relating to the homeowners' property tax credit program.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–104(b)

Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1442 – Delegates Parrott and McComas

AN ACT concerning

**Business Regulation – Parcel Delivery Services
(Safe Package Delivery Act of 2017)**

FOR the purpose of requiring each person that offers certain delivery services to an address in the State to establish a certain system to allow recipients to identify certain delivery preferences, make the delivery selection process known to recipients, and provide a certain pickup location; establishing certain requirements for the system under this Act; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations; and generally relating to parcel delivery services.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 1–101(a) and (f)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Business Regulation
Section 19–901 to be under the new subtitle “Subtitle 9. Parcel Delivery Services”
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1443 – Delegates Glenn, Ali, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Beidle, Branch, Brooks, Carr, Chang, Clippinger, Conaway, Cullison, Davis, Fennell, Fraser-Hidalgo, Frush, Gaines, Gutierrez, Hayes, Haynes, Healey, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jameson, Jones, Kelly, Knotts, Kramer, Lafferty, Lewis, Lierman, Luedtke, McCray, A. Miller, Moon, Morales, Mosby, Oaks, Patterson, Pena-Melnyk, Platt, Proctor, Queen, Reznik, Robinson, Sample-Hughes, Sanchez, Sophocleus, Sydnor, Tarlau, Turner, Valderrama, Walker, A. Washington, M. Washington, Wilkins, C. Wilson, and P. Young

EMERGENCY BILL

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission Reform Act

FOR the purpose of repealing provisions of law establishing the Natalie M. LaPrade Medical Cannabis Commission, authorizing the Commission to register certifying providers, authorizing the Commission to license medical cannabis growers, dispensaries, processors, certain agents, and independent testing laboratories, and requiring the Commission to provide certain reports and adopt certain regulations; repealing provisions of law related to the functions of the Commission; establishing the Medical Cannabis Division in the Department of Health and Mental Hygiene; providing for the purpose of the Division; requiring the Division to develop certain identification cards and adopt certain regulations; requiring the Division to develop and maintain a Web site that provides certain information; authorizing the Division to employ certain staff and set certain fees; establishing the Natalie M. LaPrade Medical Cannabis Licensing Unit in the Division; providing for the membership of the Unit; requiring the membership of the Unit to reflect the racial and gender diversity of the State; providing for the terms of the members; requiring the Governor to designate the chair of the Unit; providing that a majority of the full authorized membership of the Unit is a quorum; providing that a member of the Unit shall receive a certain annual salary and is entitled to certain reimbursement; requiring the Unit to solicit, review, minimally qualify, and rank applications for certain licenses each year; establishing the Natalie M. LaPrade Medical Cannabis Division Fund; requiring the Division to administer the Fund; providing that the Fund is a special, nonlapsing fund that is not subject to a certain provision of law; requiring the State Treasurer to hold the Fund separately, and the Comptroller to account for the Fund; requiring the Fund to be invested and reinvested in a certain manner; providing that investment earnings of the Fund shall be retained to the credit of the Fund; providing that the Fund is subject to a certain audit; requiring the Comptroller to pay out money from the Fund as directed by the Division; providing that the Fund consists of certain money and fees; prohibiting any part of the Fund from reverting or being credited to certain funds; providing that expenditures from the Fund may be made only in accordance with the State budget; establishing the Small, Minority, and Women–Owned Medical Cannabis Business Account under the authority of the Board of Public Works; providing for the purpose of the Account; providing that the Account shall receive a certain percentage of certain sales; requiring money in the Account to be invested and reinvested by the Treasurer and that interest and earnings shall accrue to the Account; requiring the Comptroller to account for the Account and to pay out money from the Account in a certain manner; providing that the Account is a special, nonlapsing fund that is not subject to a certain provision of law; providing that expenditures from the Account shall be made only in a certain manner; requiring the Board of Public Works to make certain grants; requiring certain eligible fund managers to reserve a certain portion of certain grants for a certain purpose; requiring the Unit to consider certain funds when scoring and ranking certain applications; requiring certain eligible fund managers to prioritize meeting certain needs, keep certain records, and provide a certain annual report; authorizing certain eligible fund managers to make a certain determination; providing that certain eligible fund managers are subject to a certain

audit; authorizing an eligible fund manager to use certain money to pay certain expenses; requiring the Division to register certain individuals as certifying providers; requiring a provider to submit a certain proposal to the Division to be registered as a certifying provider; prohibiting the Division from requiring an individual to meet certain requirements to be registered as a certifying provider; encouraging the Division to approve provider applications for certain medical conditions; prohibiting the Division from limiting treatment of a particular medical condition to one class of providers; authorizing the Division to approve certain applications; prohibiting a certifying provider or the spouse of a certifying provider from receiving certain gifts or having a certain ownership interest; authorizing a certifying provider to receive certain compensation under certain circumstances; providing that a qualifying patient may be a patient of a certifying provider or may be referred by the certifying provider; requiring a certifying provider to provide each written certification to the Division; requiring the Division to issue an identification card to certain individuals under certain circumstances; authorizing a certifying provider to discuss medical cannabis with a patient; providing that a qualifying patient or caregiver may obtain medical cannabis only from certain entities; providing that certain qualifying patients may obtain medical cannabis only through a certain individual; providing that a caregiver may serve no more than a certain number of qualifying patients at any time; providing that a qualifying patient may have no more than a certain number of caregivers; authorizing a certifying provider to register on a certain basis; requiring the Division to grant or deny a certain renewal based on the performance of the certifying provider in complying with certain regulations; requiring the Division, on or before a certain date each year, to report certain information to the Governor and the General Assembly; requiring the Division to license medical cannabis growers that meet certain requirements; requiring the Division, on or before a certain date, to provide certain assistance to the Unit and to award a certain number of medical cannabis grower licenses; authorizing the Division, on or before a certain date and with a certain frequency, to award a certain number of medical cannabis grower licenses; requiring the Division to establish a certain application review process; requiring that certain applicants be placed on a certain waiting list in a certain order; requiring the Division to consider a certain applicant's placement on the waiting list when awarding certain licenses unless the Division makes a certain determination; prohibiting the Division from awarding more than one medical cannabis grower license to each applicant; requiring a medical cannabis grower to pay a certain application fee; requiring the Division to set certain standards; requiring each medical cannabis grower agent to be registered with the Division and to obtain a certain criminal history records check; requiring a medical cannabis grower to apply to the Division for a certain registration card in a certain manner; requiring a medical cannabis grower to follow certain procedures after a grower agent ceases to be associated with the grower within a certain time frame; requiring the Division to take certain action on receipt of a certain notice; prohibiting the Division from registering certain persons as grower agents; providing that a medical cannabis grower license is valid for a certain number of years on initial licensure and on renewal; providing that a certain application may be submitted in certain forms; requiring the Division to encourage the licensure of certain medical cannabis growers; requiring certain factors to

account for certain percentages of a certain score if a certain scoring system is used; requiring the Division to actively seek to achieve certain diversity when licensing certain growers, processors, and dispensaries; requiring the Division to strongly encourage and conduct ongoing outreach to certain business enterprises to apply for certain licensure; requiring the Division to establish a certain evaluation preference; requiring certain growers, dispensaries, and processors, beginning on a certain date, to provide certain information to the Division at certain intervals; requiring certain entities to meet certain requirements; providing that certain growers may provide medical cannabis only to certain entities and individuals; authorizing certain growers to dispense medical cannabis from a certain location; authorizing certain individuals to obtain medical cannabis from certain facilities; authorizing certain entities to grow and process medical cannabis on the same premises; requiring certain growers to ensure that certain safety precautions are followed; requiring the Division to establish certain requirements; authorizing the Division to inspect certain entities for a certain purpose; authorizing the Division to impose certain penalties or rescind certain licenses under certain circumstances; requiring the Division to license medical cannabis dispensaries; requiring an applicant for a medical cannabis dispensary license to submit a certain application and fee to the Division; requiring the Division to award a certain number of medical cannabis dispensary licenses; prohibiting the Division from awarding more than one medical cannabis dispensary license to each applicant; providing that a medical cannabis dispensary license is valid for a certain number of years on initial licensure and on renewal; providing that certain dispensaries and certain dispensary agents may not be subject to certain penalties; requiring each medical cannabis dispensary agent to be at least a certain age, be registered with the Division, and obtain a certain criminal history records check; requiring a medical cannabis dispensary to apply to the Division for a certain registration card in a certain manner; requiring a medical cannabis dispensary to follow certain procedures after a dispensary agent ceases to be associated with the dispensary within a certain time frame; prohibiting the Division from registering certain individuals as dispensary agents; requiring the Division to license medical cannabis processors; requiring an applicant for a medical cannabis processor license to submit a certain application and fee to the Division; requiring the Division to award a certain number of medical cannabis processor licenses; prohibiting the Division from awarding more than one medical cannabis processor license to each applicant; providing that a medical cannabis processor license is valid for a certain number of years on initial licensure and on renewal; providing that certain processors and certain processor agents may not be subject to certain penalties; requiring each medical cannabis processor agent to be at least a certain age, be registered with the Division, and obtain a certain criminal history records check; requiring a medical cannabis processor to apply to the Division for a certain registration card in a certain manner; requiring a medical cannabis processor to follow certain procedures after a processor agent ceases to be associated with the processor within a certain time frame; prohibiting the Division from registering certain persons as processor agents; requiring the Division to license at least a certain number of private independent testing laboratories for a certain purpose; requiring a laboratory to meet certain requirements to be registered as an independent testing laboratory; authorizing the Division to inspect certain

independent testing laboratories for a certain purpose; authorizing the sale or transfer of certain licenses under certain circumstances; providing for the forfeiture of certain licenses under certain circumstances with a certain exception; requiring certain entities to follow certain procedures when selling or transferring a certain license; requiring certain applicants to submit certain forms and fees to the Criminal Justice Information System Central Repository as part of a certain process; requiring the Central Repository to forward certain information to the Division; authorizing the Division to accept an alternate method of a criminal history records check under certain circumstances; providing that certain information is confidential, may not be disseminated, and may be used only for a certain purpose; authorizing certain individuals to contest the contents of certain statements as provided in a certain provision of law; providing that certain persons may not be subject to certain penalties for the medical use of cannabis; prohibiting a person from distributing, possessing, manufacturing, or using cannabis that has been diverted from certain individuals or entities; establishing certain penalties; providing that certain penalties are in addition to certain other penalties; providing that certain provisions of this Act may not be construed to authorize an individual to engage in certain activities and does not prevent the imposition of certain penalties for certain actions; providing that this Act may not be construed to provide certain immunity to certain persons; providing that this Act may not be construed to require certain facilities or programs to report certain disciplinary actions to the Division; providing that certain State employees are eligible for certain reimbursement under certain circumstances; authorizing the Governor to suspend implementation of certain provisions of this Act under certain circumstances; making a conforming change; requiring all functions, powers, duties, equipment, assets, liabilities, and employees of the Natalie M. LaPrade Medical Cannabis Commission to be transferred to the Medical Cannabis Division; requiring the Department to take certain actions to ensure that the Medical Cannabis Division and the Unit are operational within a certain period of time; requiring the Department to assign certain staff to the Division and to the Unit; providing that certain actions of the Natalie M. LaPrade Medical Cannabis Commission shall be given full force and effect by the Division; specifying the terms of the initial members of the Unit; making the provisions of this Act severable; defining certain terms; making this Act an emergency measure; and generally relating to the repeal of the Natalie M. LaPrade Medical Cannabis Commission and the establishment of the Medical Cannabis Division and the Natalie M. LaPrade Medical Cannabis Licensing Unit in the Department of Health and Mental Hygiene.

BY repealing

Article – Health – General

Section 13–3301 through 13–3316 and the subtitle “Subtitle 33. Natalie M. LaPrade Medical Cannabis Commission”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health – General

Section 13–3301 through 13–3318 to be under the new subtitle “Subtitle 33. Medical Cannabis Division”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)73.

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1444 – Delegates Fisher, Afzali, Ciliberti, Clark, Folden, Glass, Hornberger, S. Howard, Kittleman, Malone, Mautz, McComas, McKay, McMillan, Metzgar, W. Miller, Morgan, Reilly, Rey, Rose, Saab, Vogt, and West

AN ACT concerning

Retire in Maryland Act of 2017

FOR the purpose of including income from certain retirement plans and certain unearned income sources within a certain subtraction modification allowed under the Maryland income tax for certain individuals who are at least a certain age or who are disabled or whose spouse is disabled; repealing a limitation on the maximum amount of a subtraction modification allowed under the State income tax for certain retirement income of certain individuals; providing that income included in certain subtraction modifications may not be taken into account for purposes of a certain subtraction modification allowed under the Maryland income tax for certain individuals who are at least a certain age or who are disabled or whose spouse is disabled; altering a certain definition; defining a certain term; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for retirement income and income from certain unearned income sources.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–209

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1445 – Delegates Reilly and Cassilly

AN ACT concerning

Harford County – Alcoholic Beverages – Cigar Shop Licenses

FOR the purpose of establishing a cigar shop beer, wine, and liquor license in Harford County; authorizing the Board of License Commissioners to issue the license to a certain establishment; specifying that the license authorizes the license holder to sell beer, wine, and liquor to a customer who is at least a certain age who is a member or guest of a member of the license holder's cigar shop for consumption in the smoking room of the cigar shop during certain hours; prohibiting the average daily receipts from the sale of alcoholic beverages at the cigar shop from exceeding a certain amount; prohibiting the sale of certain products at the licensed premises; prohibiting the transfer of the license to another location; providing that the license holder is subject to certain alcohol awareness training requirements; providing for an annual fee; and generally relating to alcoholic beverages licenses in Harford County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 22–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 22–1007

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1446 – Delegates Hayes, Angel, Bromwell, Krebs, Morgan, Morhaim, and Platt

AN ACT concerning

**Procurement Preferences – Blind Industries and Services of Maryland –
Janitorial Products**

FOR the purpose of clarifying that the requirement that a State or State aided or controlled entity include in certain maintenance contracts a requirement that a prime contractor procure certain products from the Blind Industries and Services of Maryland under certain circumstances applies to products made or manufactured by

the Blind Industries and Services of Maryland; providing for the application of a certain provision of law; and generally relating to procurement preferences related to the Blind Industries and Services of Maryland.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–103
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1447 – Delegates McMillan, Folden, Holmes, Jacobs, Jalisi, and Stein

AN ACT concerning

Motor Vehicle Administration – Registration Plates – Return and Expiration

FOR the purpose of providing that certain registration plates required to be returned to the Motor Vehicle Administration may be returned through the mail; providing that certain registration plates may not expire until the Administration makes a determination on a certain application; and generally relating to the return and expiration of motor vehicle registration plates.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–101 and 11–131
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 13–410(h) and (i)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1448 – Delegates Davis, Ebersole, Gilchrist, Hixson, Kelly, Lierman, Moon, Pena–Melnik, Platt, Robinson, Sanchez, and Waldstreicher

AN ACT concerning

Public Safety – Rifles and Shotguns – Transactions

FOR the purpose of providing that a person who is not a certain licensee may not complete the transfer of a certain rifle or shotgun in a certain role, except under certain

circumstances; requiring, before a certain transfer is conducted, the transferor and transferee to meet jointly with a certain licensee and request that the licensee facilitate the transfer; requiring a certain licensee to take certain actions when facilitating a certain transfer; authorizing a certain transferor to remove a certain rifle or shotgun from certain premises under certain circumstances; prohibiting a certain licensee and transferor from completing a certain transfer if a certain background check has a certain result; authorizing a certain transferor to remove a certain rifle or shotgun from certain premises if a certain background check has a certain result; authorizing a certain licensee to charge a reasonable fee for facilitating a certain transfer; establishing certain penalties for violating this Act and for providing false information while conducting a transfer under this Act; excluding certain transfers from the scope of this Act; defining certain terms; and generally relating to rifles and shotguns.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–201
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Public Safety
Section 5–204.1
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1449 – Delegates Rosenberg, Hayes, and Ali

AN ACT concerning

**Baltimore City – Modifying or Closing Public School Facility – Review by
Community Task Force**

FOR the purpose of requiring that, before taking final action concerning the continued use of a certain public school facility, the Baltimore City Department of Planning shall appoint a community task force to review and make recommendations concerning the future use of the public school facility; specifying that the task force include certain members; and generally relating to the modification or closure of certain programs and public school facilities in Baltimore City and the engagement of a community task force to review and make recommendations concerning the use of the public school facility.

BY repealing and reenacting, without amendments,
Article – Education
Section 4–301(g)

Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 4–320
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

CONSENT CALENDAR OF INTRODUCTORY HOUSE BILLS NO. 27

House Bill 1450 – Delegate Wivell

AN ACT concerning

Washington County – Alcoholic Beverages – Hotel and Motel Licenses

FOR the purpose of altering the privileges of Class B beer, wine, and liquor hotel and restaurant licenses issued in Washington County so that the privileges may be exercised for on– and off–premises consumption for certain licenses and for on–premises consumption only for all other licenses; making certain conforming changes; and generally relating to alcoholic beverages licenses in Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 31–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–903
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1451 – Delegates Folden, Parrott, C. Howard, S. Howard, McKay, McMillan, W. Miller, Oaks, and C. Wilson

AN ACT concerning

Vehicle Laws – Left Lane – Use for Passing

FOR the purpose of providing that, on a roadway that has two or more lanes for traffic moving in the same direction with a certain posted maximum speed limit, the far left lane may be used only for overtaking and passing another vehicle in a certain manner and under certain circumstances; establishing certain penalties for a violation of this Act; making a certain stylistic change; and generally relating to the overtaking and passing of vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–303
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1452 – Delegates Clippinger and B. Barnes

AN ACT concerning

Renewable Energy Portfolio Standard Requirements – Standard Offer Service

FOR the purpose of requiring an electric company to contract for certain renewable energy credits and electricity generated from certain Tier 1 renewable sources to meet a certain portion of the renewable energy portfolio standard for electricity that the electric company provides to certain customers beginning on a certain date; requiring an electric company to solicit bids for a certain contract from certain renewable energy facilities; requiring an electric company to use a competitive procurement process to award a certain contract; requiring that a term for a certain contract be for a certain minimum and maximum duration; authorizing an electric company to recover certain costs associated with this Act; providing for the application of this Act; and generally relating to the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–701(a) and (r)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to
Article – Public Utilities
Section 7–703.1
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1453 – Delegate Lisanti

AN ACT concerning

Creation of a State Debt – Harford County – Skipjack Martha Lewis

FOR the purpose of authorizing the creation of a State Debt in the amount of \$75,000, the proceeds to be used as a grant to the Board of Directors of the Chesapeake Heritage Conservancy, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1454 – Delegate Parrott

AN ACT concerning

Task Force on Electric Power Grid Security

FOR the purpose of establishing the Task Force on Electric Power Grid Security; 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 on Electric Power Grid Security.

Read the first time and referred to the Committee on Economic Matters.

House Bill 1455 – Delegate Parrott

AN ACT concerning

Highway Parking – Prohibition Against Prolonged Parking of Inoperable or Disabled Vehicle

FOR the purpose of prohibiting the parking of a disabled, inoperable, or immobilized vehicle on a public street for more than a certain amount of time; requiring that certain notice be posted on a vehicle parked in violation of this Act prior to towing the vehicle; requiring that certain notice be provided following the impounding of a vehicle under this Act; defining a certain term; providing for the application of this Act; and generally relating to parking requirements.

BY adding to

Article – Transportation

Section 21–1004(g)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 25–204

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1456 – Delegate Parrott

AN ACT concerning

Vehicle Laws – Passing to the Right – Use of Shoulder

FOR the purpose of authorizing the driver of a vehicle to pass to the right of another vehicle making or about to make a left turn under certain circumstances; making a certain technical correction and certain conforming changes; and generally relating to the use of the shoulder to pass on the right.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–304

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1457 – Delegate Clippinger

AN ACT concerning

Public Utilities – Renewable Energy Portfolio Standard – Revisions

FOR the purpose of altering the renewable energy portfolio standard percentage derived from Tier 1 renewable sources for certain years; altering the minimum required percentage of Tier 1 renewable energy that must be derived from solar energy in the State's renewable energy portfolio standard for certain years; altering the calculation for determining the amount of credit that an electricity supplier receives toward meeting the renewable energy portfolio standard for energy derived from solar photovoltaic systems of certain sizes; altering the compliance fee for an electricity

supplier that fails to comply with certain renewable energy portfolio standards for certain years; altering the length of time that a renewable energy credit exists from the date created; providing that existing obligations or contract rights may not be impaired by this Act; providing for the application of this Act; and generally relating to the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–701(a), (n), (o), and (r) and 7–704(a) and (b)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–703, 7–705(b), and 7–709(d)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to
Article – Public Utilities
Section 7–704(j)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1458 – Delegates Sample–Hughes, Pena–Melnik, Hill, and Morales

AN ACT concerning

**State Board of Professional Counselors and Therapists – Maryland Music
Therapists Act**

FOR the purpose of establishing the Music Therapist Advisory Committee within the State Board of Professional Counselors and Therapists; requiring the Board to adopt certain regulations and a certain code of ethics; requiring the Board to set certain fees for services provided by the Board to music therapists; requiring the Board to pay the fees to the Comptroller; requiring the Comptroller to distribute the fees to the Board; requiring the fees to be used to cover certain costs; providing for the composition, appointment, terms, compensation, and removal of the Committee members; requiring the Committee to elect a chair and a vice chair and to determine the manner of election of officers and the duties of each officer; providing that a majority of the members then serving on the Committee is a quorum; providing for meetings of the Committee; establishing certain powers and duties of the Committee; requiring individuals, beginning on a certain date, to be licensed by the Board as music therapists before performing certain work in the State except under certain circumstances; establishing certain certification, education, training, and other

requirements to qualify for a license; requiring the Board to waive certain license requirements for a certain applicant until a certain date; establishing certain application fees and requirements for obtaining a license; establishing certain license terms and procedures for the renewal of a license; requiring the Board to issue a license to certain applicants; providing that a music therapist license authorizes the licensee to engage in the practice of music therapy; specifying the contents of a license; prohibiting the Board from issuing a license if certain information has not been received; requiring the Board to place a licensee on inactive status under certain circumstances; providing that a license may not lapse under certain circumstances; requiring a licensee to notify the Board of a change of name or address in a certain manner and within a certain time period; authorizing the Board to deny a license to an applicant, reprimand a licensee, place a licensee on probation, or suspend or revoke a license under certain circumstances; establishing certain requirements for reinstatement of a license; providing for certain criminal, civil, and administrative penalties; establishing certain hearing and appeal procedures for certain persons; authorizing the Board to issue a cease and desist order under certain circumstances; authorizing a certain action to be maintained to enjoin the unauthorized practice of music therapy or certain conduct; providing for a certain music therapist rehabilitation subcommittee; specifying the manner in which the music therapist rehabilitation subcommittee may function; providing that the proceedings, records, and files of the music therapist rehabilitation subcommittee are not discoverable or admissible in evidence in certain actions under certain circumstances; providing that a certain individual is not civilly liable for certain action as a member of the music therapist rehabilitation subcommittee; prohibiting a person from practicing, attempting to practice, or offering to practice music therapy in the State unless licensed by the Board except under certain circumstances; prohibiting an individual from representing to the public that the individual is a licensed music therapist or using certain titles, abbreviations, signs, cards, or other representations except under certain circumstances; establishing a certain short title; providing that the Committee is subject to the provisions of the Maryland Program Evaluation Act; requiring that an evaluation of the Committee and the statutes and regulations that relate to the Committee be performed on or before a certain date; defining certain terms; specifying the terms of the initial members of the Committee; providing for the termination of certain provisions of this Act; and generally relating to the licensing and regulation of music therapists and the Music Therapist Advisory Committee.

BY renumbering

Article – State Government
Section 8–403(b)(38) through (58), respectively
to be Section 8–403(b)(39) through (59), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 17–6B–01 through 17–6B–31 to be under the new subtitle “Subtitle 6B.
Music Therapists”
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Government
Section 8–403(b)(38)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1459 – Delegates Anderson, Conaway, Moon, and Sydnor

AN ACT concerning

Civil Actions – Noneconomic Damages

FOR the purpose of altering the maximum amount of noneconomic damages that may be recovered in certain wrongful death actions or survival actions arising on or after a certain date; providing that a jury may be informed of a certain limitation on noneconomic damages in certain civil actions; making a clarifying change; and generally relating to noneconomic damages in certain civil actions.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–2A–09(a) and 11–108
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–2A–09(b)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1460 – Delegates Kelly, B. Barnes, and Barron

AN ACT concerning

Hospitals – Acquisitions of Physician Offices, Group Practices, and Outpatient Health Care Entities – Notice

FOR the purpose of requiring a hospital to provide certain patients of a certain office, practice, or entity certain notice of a certain acquisition at least a certain number of days before the acquisition; requiring the notice to be in a certain form; establishing a certain penalty for a violation of this Act; defining certain terms; and generally relating to hospitals and acquisitions of physician offices, group practices, and outpatient health care entities.

BY adding to

Article – Health – General

Section 19–349.2

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1461 – Delegates Beitzel, Buckel, Hornberger, McKay, Otto, Reilly, Rose, and Shoemaker

AN ACT concerning

Environment – Natural Gas and Oil Interest Restitution Fund

FOR the purpose of establishing the Natural Gas and Oil Interest Restitution Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of the Environment to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; requiring that a certain owner of a natural gas or oil interest make a certain demonstration in order to receive compensation from the Fund; requiring that certain investment earnings be credited to the Fund; requiring the owner of a certain generating system or facility to deposit a certain amount of revenue from the sale of certain renewable energy credits for certain purposes to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; authorizing money in the Strategic Energy Investment Fund to be distributed to the Fund; altering the purpose for which a certain compliance fee may be used; defining certain terms; providing that existing obligations or contract rights may not be impaired by this Act; making this Act contingent on the enactment of a certain prohibition or a prohibition or delay on issuing a certain permit; requiring the Department of the Environment to notify the Department of Legislative Services of certain actions within a certain period of time; and generally relating to natural gas and oil interests.

BY repealing and reenacting, without amendments,
Article – Environment
Section 14–107.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Environment
Section 14–107.2
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Public Utilities
Section 7–704(j)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)94. and 95.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)96.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–20B–05(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–20B–05(f) and (i)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation and the Committee on Economic Matters.

House Bill 1462 – Delegate Glenn

AN ACT concerning

State Designations – Henrietta Lacks Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Henrietta Lacks Day; and generally relating to Henrietta Lacks Day.

BY renumbering

Article – General Provisions

Section 7–414 through 7–417, respectively

to be Section 7–415 through 7–418, respectively

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY adding to

Article – General Provisions

Section 7–414

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1463 – Delegates Frush, Angel, Chang, Ciliberti, Healey, Luedtke, Malone, Robinson, Rosenberg, Saab, Vogt, and Waldstreicher

AN ACT concerning

Veterinary Practitioners – Animal Cruelty and Animal Fighting – Reporting

FOR the purpose of repealing certain provisions of law requiring the State Board of Veterinary Medical Examiners to adopt regulations encouraging a veterinary practitioner to report suspected instances of certain animal cruelty to certain agencies; repealing certain provisions of law providing immunity from civil liability for a veterinary practitioner who reports suspected animal cruelty to certain agencies; requiring a veterinary practitioner who has reason to believe that an animal that has been treated by the veterinary practitioner has been subjected to cruelty or fighting in violation of certain provisions of law to report the suspected animal cruelty or animal fighting to a certain law enforcement agency or county animal control agency in a certain manner; authorizing the Board to impose certain disciplinary actions on a veterinary practitioner for failure to comply with certain animal cruelty and animal fighting reporting requirements; providing immunity

from civil liability or criminal prosecution for a veterinary practitioner who reports suspected animal cruelty or animal fighting or participates in an investigation of suspected animal cruelty or animal fighting; and generally relating to the reporting of animal cruelty and animal fighting by veterinary practitioners.

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 2–301(a), (d), (h), and (i)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing

Article – Agriculture

Section 2–304(f)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–310(10) and (11)

Annotated Code of Maryland

(2016 Replacement Volume)

BY adding to

Article – Agriculture

Section 2–310(12) and 2–313.1

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–424

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1464 – Delegates Waldstreicher and Barkley

AN ACT concerning

Make Office Vacancies Extinct Program

FOR the purpose of establishing the Make Office Vacancies Extinct Program in the Department of Commerce; providing for the purposes of the Program; establishing qualifications for participation in the Program; providing for certain grants to certain businesses under the Program; providing for the coordination of certain activities of

the Program with comparable county programs; providing that a certain grant recipient may be required to return certain funds under certain circumstances; establishing a Make Office Vacancies Extinct Matching Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Commerce to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; requiring the Secretary to review and evaluate the Program on a periodic basis; authorizing the Secretary to submit certain recommendations to the Governor and the General Assembly; authorizing the Secretary to adopt certain regulations; defining certain terms; and generally relating to the Make Office Vacancies Extinct Program.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–102
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY adding to
Article – Economic Development
Section 5–1501 through 5–1507 to be under the new subtitle “Subtitle 15. Make
Office Vacancies Extinct Program”
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)94. and 95.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)96.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1465 – Delegate Hayes

AN ACT concerning

Baltimore City – Police Community Policing Steering Committee

FOR the purpose of establishing the Baltimore City Police Community Policing Steering Committee; providing for the composition, terms of office, quorum, chair, governance procedures, subcommittee structure, meetings, and duties of the Committee; providing that the Committee is subject to open meetings laws; requiring the Committee, in cooperation with the Baltimore City Police Department, to develop annually a Baltimore City Police Department Community Interaction Plan; specifying the focus of the Plan; requiring the Plan to include certain elements; requiring the Committee to submit the Plan to the Mayor of Baltimore, the Baltimore City Council, and the members of the Baltimore City Senate and House Delegations to the General Assembly on or before a certain date annually; defining certain terms; and generally relating to the Baltimore City Police Community Policing Steering Committee.

BY adding to

The Public Local Laws of Baltimore City

Section 16–15

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

House Bill 1466 – Delegates P. Young, Barron, Brooks, Grammer, Jackson, Krimm, Reznik, Sydnor, and Vogt

AN ACT concerning

State Personnel – Disabled Veterans – Noncompetitive Appointment

FOR the purpose of authorizing an appointing authority to select certain disabled veterans for certain positions in the State Personnel Management System using a certain selection process; requiring an appointing authority for a certain position in a unit in the Executive Branch of State government with an independent personnel system to develop a certain selection process for certain disabled veterans; providing that certain provisions of law relating to appointments to certain positions in the State Personnel Management System do not apply to the selection of certain disabled veterans under certain provisions of this Act; requiring a certain appointing authority to interview certain disabled veterans under certain circumstances; providing that an appointing authority is not required to interview certain applicants under certain circumstances; providing for the effect of certain provisions

of this Act; making a conforming change; and generally relating to the appointment of disabled veterans to positions in State government.

BY adding to

Article – State Personnel and Pensions
Section 2–205
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 7–203
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1467 – Delegate Rosenberg

AN ACT concerning

**Maryland Technology Development Corporation – Enterprise Fund – Start-Up
Businesses**

FOR the purpose of requiring the Maryland Technology Development Corporation to give particular consideration to a certain start-up business when lending, granting, or investing money in the Enterprise Fund; making conforming changes; defining a certain term; and generally relating to the use of the Enterprise Fund under the Maryland Technology Development Corporation.

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 5–514(a) and 10–469
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1468 – Delegates Valentino–Smith, Kelly, and West

AN ACT concerning

**Medical Records – Disclosure of Directory Information and Medical Records –
Mental Health Services**

FOR the purpose of altering the circumstances under which a health care provider may disclose a medical record developed primarily in connection with mental health

services to certain family members of a patient or other individuals without the authorization of a person in interest; altering the definition of “directory information” as it relates to confidentiality of medical records to include health care information developed primarily in connection with mental health services; and generally relating to confidentiality of directory information and medical records relating to mental health services.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–301(a) and 4–302(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–301(b) and 4–305(b)(7)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1469 – Delegates P. Young, Angel, Atterbeary, B. Barnes, Chang, Clippinger, Ebersole, Gutierrez, Haynes, Hettleman, Jackson, Korman, Krimm, Lam, Lierman, McConkey, McKay, A. Miller, Mosby, Platt, Reznik, Rosenberg, Sophocleus, Sydnor, Valentino-Smith, Waldstreicher, M. Washington, West, and Wivell

AN ACT concerning

Public Assistance – Family Investment Program – Child Support Pass Through

FOR the purpose of requiring that a certain amount of child support received in a month pass through to a family seeking assistance under the Family Investment Program and prohibiting the consideration of that child support in computing the amount of assistance received; and generally relating to the Family Investment Program.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 5–310(a)
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

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

House Bill 1470 – Delegate McCray

AN ACT concerning

Apprenticeship and Training Council – Apprentice Ratios – Electrical Craft or Trade

FOR the purpose of requiring the Apprenticeship and Training Council, on or before a certain date, to adopt regulations establishing a certain ratio of journeyworkers to apprentices; prohibiting the Council from establishing a ratio less than a certain amount; requiring an employer in the electrical craft or trade to comply with certain regulations; requiring the Commissioner of Labor and Industry to investigate a certain suspected violation under certain circumstances; requiring the Commissioner, on a certain determination, to require a certain employer to correct a certain violation; establishing certain civil penalties for a violation of this Act; authorizing the Commissioner to waive a certain civil penalty under certain circumstances; and generally relating to the Apprenticeship and Training Council and journeyworker–apprentice ratios.

BY adding to

Article – Labor and Employment

Section 11–405.1

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1471 – Delegate Krebs

AN ACT concerning

Business Occupations and Professions and Health Occupations – Regulation of Occupational Boards

FOR the purpose of requiring the Office of Policy Analysis in the Department of Legislative Services to include in certain analyses of legislation that may lead to the adoption of a regulation by an occupational board a certain review and information; specifying a certain policy of the State; specifying a certain intent of the State; establishing an Office of Supervision of Occupational Boards in the Executive Branch of State government; specifying the purpose of the Office; prohibiting an attorney who provides counsel to the Office from engaging in certain activities; requiring the Office to review and approve or reject certain proposed occupational board regulations, policies, enforcement actions, or other regulatory actions before their adoption or implementation; authorizing a person to file a certain complaint with the Office; requiring the Office to take certain actions regarding a certain complaint within a certain time frame; authorizing a member of the General Assembly to request the Attorney General to review a certain regulation, policy, or enforcement action of an occupational board, the supervision of an occupational board by the Office, or the response of the Office to a certain complaint; requiring the Department to review each year a certain percentage of the occupations regulated under the Business

Occupations and Professions Article and the Health Occupations Article and make certain recommendations on how to improve their regulation starting on a certain date for a period of 5 years; requiring the Department to report annually certain findings and recommendations to the Attorney General and the General Assembly for a period of 5 years; defining certain terms; and generally relating to the regulation of business occupations and health occupations occupational boards in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1239
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Government
Section 8–3B–01 through 8–3B–04 to be under the new subtitle “Subtitle 3B. Office of Supervision of Occupational Boards”
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Health and Government Operations.

House Bill 1472 – Delegates Jalisi, Aumann, Lafferty, Lam, Morhaim, Sydnor, and P. Young

AN ACT concerning

Baltimore County – Property Tax – Credit for Individuals at Least 65 Years Old

FOR the purpose of requiring the governing body of Baltimore County to grant a property tax credit against the county property tax imposed on a certain dwelling owned by a certain homeowner of a certain age under certain circumstances; providing for the calculation of, eligibility for, and application of the credit; providing that the State Department of Assessments and Taxation is responsible for certain administrative duties with respect to the credit; prohibiting the Department and the county from requiring a homeowner to file a separate application in order to receive the credit; requiring the county to reimburse the Department for certain costs; authorizing the county to provide, by law, for certain regulations and procedures; defining certain terms; providing for the application of this Act; and generally relating to a tax credit against the county property tax imposed on certain real property in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–245(a)

Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Tax – Property
Section 9–305(f)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1473 – Delegates Jalisi, McDonough, McMillan, and Sophocleus

AN ACT concerning

Gas and Electric Companies – Deposit Charges

FOR the purpose of prohibiting a gas company or an electric company from imposing a certain deposit requirement on certain customers; prohibiting a gas company or an electric company from terminating certain service for failure to pay all or part of a deposit under certain circumstances; providing for the application of this Act; and generally relating to electric utilities and customer billing.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–305
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–307
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1474 – Delegate Krebs

AN ACT concerning

Office of Health Occupations

FOR the purpose of establishing the Office of Health Occupations in the Department of Health and Mental Hygiene; transferring the State Commission on Kidney Disease and the Natalie M. LaPrade Medical Cannabis Commission to the Office; renaming the State Commission on Kidney Disease to be the State Board on Kidney Disease;

renaming the Natalie M. LaPrade Medical Cannabis Commission to be the Natalie M. LaPrade State Board on Medical Cannabis; providing that certain health occupations boards and certain commissions are units within the Office; transferring the Secretary of Health and Mental Hygiene's administrative oversight, duties, and responsibilities relating to the health occupations boards and certain commissions to the Director of Health Occupations of the Office; repealing certain prohibitions on the authority of the Secretary relating to the health occupations boards; providing for the appointment, responsibilities, duties, and salary of the Director; prohibiting the Director from engaging in the practice of certain health professions while employed as the Director; establishing the State Health Occupations Management Board in the Office; providing for the appointment, terms, removal, and compensation of the members of the Management Board; requiring the Office to provide staffing for the Management Board; requiring the Director to appoint the chair of the Management Board; providing for the duties of the Management Board; authorizing the Director to adopt certain regulations; requiring the Director to confirm the appointment of each administrator or executive director of certain health occupations boards; providing that the administrator or executive director of a health occupations board serves at the pleasure of the Director and the health occupations board that makes the appointment; repealing a requirement for the Secretary to submit a certain report; altering the member appointment process for certain health occupations boards; altering certain appeal procedures regarding a final decision of a health occupations board; expanding the authorized use of certain funds for certain health occupations boards' funds; requiring the State Board on Kidney Disease to certify a dialysis or transplant center that meet certain standards; requiring the Office to pay certain indirect costs of the State Board on Kidney Disease; repealing a provision of law requiring that expenditures from the Natalie M. LaPrade State Board on Medical Cannabis Fund be spent in a certain manner; requiring the Natalie M. LaPrade State Board on Medical Cannabis Fund to be used to cover certain costs; repealing certain provisions of law that authorize the Secretary to set the compensation of certain employees of the State Board of Physicians under certain circumstances; requiring the State Board of Physicians to hire a certain number of investigators and hearing officers; requiring the State Board of Physicians, after a certain review of the standards of certain accrediting organizations and certain consultations with certain organizations, to adopt certain regulations; repealing a requirement that the State Board of Podiatric Medical Examiners include certain information on a certain license; altering the provisions for removal of members of the State Board for Certification of Residential Child Care Program Professionals; requiring the State Board for Certification of Residential Child Care Program Professionals to submit an annual report to the Director and the Governor's Office for Children; defining certain terms; altering certain definitions; making stylistic and conforming changes; providing for the transfer of certain responsibilities, appropriations, grants, functions, property, and employees from the Department of Health and Mental Hygiene to the Office of Health Occupations; providing for the continuity of certain laws, regulations, standards and guidelines, policies, orders, directives, forms, plans, memberships, contracts, property, investigations, responsibilities, and rights; requiring the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of

Legislative Services, to correct any cross-references or terminology rendered incorrect by this Act and to adequately describe any corrections made in an editor's note following the section affected; specifying the initial terms of the members of the State Health Occupations Management Board; providing for a delayed effective date; and generally relating to health occupations boards and the Office of Health Occupations.

BY transferring

Article – Health – General

Section 13–304 through 13–307, 13–308(a) through (d), 13–310, and 13–310.1, respectively

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

to be

Article – Health Occupations

Section 6A–101 through 6A–107, respectively, and the title “Title 6A. Kidney Disease”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY transferring

Article – Health – General

Section 13–3301, 13–3304, 13–3305, 13–3313, and 13–3314, respectively, and the subtitle “Subtitle 33. Natalie M. LaPrade Medical Cannabis Commission”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 474 of the Acts of the General Assembly of 2016)

to be

Article – Health Occupations

Section 7A–101, 7A–104, 7A–105, 7A–113, and 7A–114, respectively, and the title “Title 7A. Medical Cannabis”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY transferring

Article – Health – General

Section 13–3302, 13–3303, 13–3306 through 13–3312, 13–3315, and 13–3316, respectively

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

to be

Article – Health Occupations

Section 7A–102, 7A–103, 7A–106 through 7A–112, 7A–115, and 7A–116, respectively

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY renumbering

Article – Health – General
Section 13–311 through 13–316, respectively
to be Section 13–306 through 13–311, respectively
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY renumbering

Article – Health Occupations
Section 1–201, 1–202, and 1–204 through 1–222, respectively, and the subtitle
“Subtitle 2. General Provisions”
to be Section 1–2A–01 through 1–2A–21, respectively, and the title “Title 2A.
General Provisions”
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 2–104(l), 2–106, 13–302(b), 13–308(e), 13–309, and 19–3B–03(d)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General
Section 13–302(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 1–101, 1–602(a), 1–608, 1A–201, 1A–202(c), 1A–206(d), 1A–311(b), 2–201,
2–202(a), (b), and (g), 2–204(e), 2–316(b), 3–201, 3–202(a) and (h), 3–205(b),
3–316(b), 4–201, 4–202(a), 4–204(a), 4–319(b), 5–201, 5–202(a)(3) and (4), (b),
and (e), 5–313(b), 6–201, 6–202(a) and (g), 6–206(b), 6–310(b), 7–201, 7–202(a)
and (i), 7–204(b), 7–320(b), 8–201, 8–202(b) and (j), 8–204(b) and (d),
8–205(a)(8) and (c), 8–206(e), 8–318(b), 8–6B–04(c), 8–6B–21(b), 9–201,
9–202(b) and (h), 9–203(b), 9–204(c), 9–205(b), 9–316(b), 10–201, 10–202(a)
and (g), 10–204(d), 10–317(b), 11–201, 11–202(a) and (g), 11–204(b),
11–318(b), 11–404(g), 11–404.1(b)(1), 11–404.3, 12–201, 12–202(a) and (g),
12–205(b)(2), 12–316(b), 12–601(b), 12–603(h)(1), 12–604(a), 13–201,
13–202(a) and (h), 13–318(b), 14–201, 14–202(a)(1) and (k), 14–204,
14–205(a)(17) and (c)(1), 14–207(e)(1), 14–306(d), 14–411(q), 14–501(b)
through (d), 14–5A–17.1(a), 14–5B–14.1(a), 14–5D–15(b), 14–5E–17(a),
15–301(h), 15–315(b), 16–201, 16–202(a), 16–305, 16–315(b), 16–317(a)(2),
17–201, 17–202(a) and (e), 17–205(b)(2), 17–6A–22(b), 18–201, 18–202(a) and
(g), 18–204(b), 18–206(b)(2), 18–316(b), 19–201, 19–202(a)(4) and (h),
19–204(e), 19–313(b), 20–201, 20–202(b) and (h), 20–204(e) and (f),
20–205(b)(2), 20–315(b), 21–201, 21–202(a)(1), (f), and (g), and 21–205(b)(5)

Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations
Section 1–201 through 1–208 to be under the new subtitle “Subtitle 2. Office of
Health Occupations”
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing

Article – Health Occupations
Section 1–203
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 1–2A–11(e), 1–2A–16, and 1–2A–21
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)
(As enacted by Section 4 of this Act)

BY repealing and reenacting, without amendments,

Article – Health Occupations
Section 1A–206(a), 8–206(a), 14–207(a), 19–202(a)(1), and 20–202(a)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 6A–101 through 6A–107
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 7A–101, 7A–102, 7A–103(a) and (c) through (h), 7A–104 through 7A–111,
7A–112(c) through (e), 7A–113(a) through 7A–116
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)
(As enacted by Section 2 of this Act)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)73.

Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1475 – Delegates A. Washington, Luedtke, Patterson, Turner, and M. Washington

AN ACT concerning

Residential Boarding Education Programs for At-Risk Youth – Eligibility

FOR the purpose of establishing a certain residential boarding education program for students enrolled in certain grades; providing that certain students shall be eligible to participate in the program if an operator files a certain plan; requiring operators of the program to meet certain qualifications, adopt certain standards, submit a certain charter and bylaws, and conduct certain outreach programs; providing that the program may be part of a certain other program; requiring an operator to submit a certain plan to the State Department of Education that includes certain information; requiring the Department to review and approve a plan if it is consistent with certain educational purposes; and generally relating to residential boarding education programs for at-risk youth in grade 7 or higher.

BY repealing and reenacting, without amendments,
Article – Education
Section 8–701, 8–702, and 8–704
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 8–703
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 8–704.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1476 – Delegates Glenn, Anderson, Barkley, Clippinger, Frick, Hayes, McCray, Stein, Tarlau, and Waldstreicher

AN ACT concerning

**Workers' Compensation – Failure to Report Accident or Action to Deter or
Dissuade From Filing a Claim – Penalties**

FOR the purpose of altering the penalties imposed on an employer who fails to report an accidental personal injury within the time required under the workers' compensation law; providing that an employer who takes an action to deter or dissuade a covered employee from filing a certain claim application form is guilty of a misdemeanor and on conviction is subject to certain penalties; requiring an employer to pay to a covered employee a certain amount of compensation or benefits under certain circumstances; defining a certain term; and generally relating to workers' compensation claims.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–1102

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1477 – Delegates McMillan, Holmes, and Jalisi

AN ACT concerning

Motor Vehicles – Wireless Communication Devices – Prohibited Acts

FOR the purpose of repealing a certain provision of law that applies a certain prohibition involving the use of a wireless communication device to drivers of Class H (school) vehicles only if the motor vehicle is in motion; providing that certain prohibitions against the use of a wireless communication device by a driver of a Class H (school) vehicle or a minor while operating a motor vehicle apply only if the motor vehicle is in the travel portion of the roadway; and generally relating to prohibitions against the use of a wireless communication device 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 and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1478 – Calvert County Delegation

AN ACT concerning

Calvert County – Competitive Bidding Process

FOR the purpose of altering the method by which the County Commissioners of Calvert County or the official authorized to contract for the county shall invite proposals for certain contracts; authorizing the Commissioners or the official authorized to contract for the county to use other methods to invite proposals for certain contracts; and generally relating to the competitive bidding process in Calvert County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Calvert County
Section 6–101
Article 5 – Public Local Laws of Maryland
(2002 Edition and May 2015 Supplement, as amended)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1479 – Delegates Reilly and Hornberger

AN ACT concerning

Motor Vehicles – Dump Trucks – Gross Vehicle Weight Limits

FOR the purpose of allowing dump trucks registered in the State to exceed the motor vehicle's maximum gross vehicle weight by a certain amount; and generally relating to gross vehicle weight limits.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–919(c)(2)(ii)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–919(h)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1480 – Delegate Parrott

AN ACT concerning

Washington County – Alcoholic Beverages – Penalties

FOR the purpose of providing that for a first offense for selling or providing alcoholic beverages to an individual under the age of 21 years, a license holder or an employee

of the license holder is guilty of a misdemeanor and is subject to a certain fine; providing that for each subsequent offense, a license holder or an employee of the license holder who violates a certain provision of law is guilty of a misdemeanor and is subject to a certain fine; and generally relating to alcoholic beverages in Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 31–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–2702
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1481 – Delegates McMillan, Hayes, and Oaks

AN ACT concerning

Public Health – Immunizations of Adolescents – Recommendations

FOR the purpose of requiring the Statewide Advisory Commission on Immunizations to develop and make available to each primary care provider a notice regarding the recommendations of the Centers for Disease Control and Prevention related to immunizations of adolescents and guidance for making a certain recommendation as required under a certain provision of this Act; requiring each primary care provider during certain encounters to make a certain assessment and strongly recommend to certain adolescents, parents, and legal guardians that the adolescents receive all immunizations recommended by the Centers for Disease Control and Prevention for which the adolescents are eligible; requiring a primary care provider to document a certain declination in an adolescent's medical record under certain circumstances; and generally relating to recommendations related to immunizations of adolescents.

BY adding to
Article – Health – General
Section 18–214.2
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1482 – Delegates Brooks, Branch, Fennell, and Glenn

AN ACT concerning

**Health – Medical Cannabis Grower, Processor, and Dispensary Licenses – Sale
or Transfer and Forfeiture**

FOR the purpose of authorizing a medical cannabis grower, processor, or dispensary to sell or transfer a license under certain circumstances; requiring certain licensees to forfeit a license under certain circumstances; authorizing the Natalie M. LaPrade Medical Cannabis Commission to extend the time frame for certain licensees to become operational under certain circumstances; requiring certain entities buying or obtaining a certain license to meet certain requirements; and generally relating to the Natalie M. LaPrade Medical Cannabis Commission and the sale or transfer and forfeiture of medical cannabis grower, processor, and dispensary licenses.

BY adding to

Article – Health – General

Section 13–3311.1

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1483 – Delegates A. Washington and Luedtke

AN ACT concerning

Income Tax Credit – Eligible Employers – Eligible Internships

FOR the purpose of allowing certain eligible employers a credit, up to a certain amount, against the State income tax for employing certain eligible interns subject to certain limitations; requiring an eligible employer to enter into a certain agreement with a certain eligible institution of higher education; requiring a certain eligible employer to submit a certain application to the Department of Labor, Licensing, and Regulation at a certain time; requiring the Department to approve certain applications on a first–come, first–served basis and within a certain time period; limiting the amount of tax credit certificates that may be issued in any taxable year to a certain amount; providing for the carryforward of the credit; requiring the Department to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a tax credit for certain internships.

BY adding to

Article – Tax – General

Section 10–741

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1484 – Delegates Glenn and W. Miller

AN ACT concerning

Workers' Compensation – Medical Benefits – Payment of Medical Services and Treatment

FOR the purpose of requiring a provider to submit to an employer or an employer's insurer, within a certain period of time, a certain bill and documentation for certain medical services or treatment provided to a covered employee under a certain provision of law; prohibiting the employer or the employer's insurer from being required to pay a certain bill except under certain circumstances; and generally relating to the payment for medical services and treatment provided under the workers' compensation law.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–660

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1485 – Delegates Luedtke, Barkley, Kaiser, Queen, Reznik, and Robinson

AN ACT concerning

Creation of a State Debt – Montgomery County – Community Services for Autistic Adults and Children

FOR the purpose of authorizing the creation of a State Debt not to exceed \$95,000, the proceeds to be used as a grant to the Board of Directors of Community Services for Autistic Adults and Children, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1486 – Delegate Stein

AN ACT concerning

Teachers and Teacher Preparation Programs – Research-Based Reading Instruction

FOR the purpose of requiring the Professional Standards and Teacher Education Board, on or before a certain date, to require certain candidates to pass a certain test of research-based reading instruction; requiring a certain test to include certain elements; requiring the Board and the State Board of Education jointly to set a certain passing score, subject to a certain condition; requiring the Board and the State Board jointly to set certain standards for the delivery of research-based reading instruction by certain teacher preparation programs; requiring the standards to include certain elements; providing for the application of certain provisions of this Act; and generally relating to research-based reading instruction for teachers and as part of teacher preparation programs.

BY adding to

Article – Education

Section 6–704.2 and 6–709

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1487 – Delegate Rosenberg

AN ACT concerning

Landlord and Tenant – Repossession for Failure to Pay Rent – Procedures

FOR the purpose of requiring an action for repossession for failure to pay rent to contain a certain statement on whether the property is an affected property under certain lead-based paint abatement laws; authorizing a court to dismiss an action for repossession for failure to pay rent that does not include certain information on the status of the property as an affected property; altering certain time frames for scheduling a trial date and serving a summons in an action for repossession for failure to pay rent under certain circumstances; requiring a constable or sheriff to refund service fees under certain circumstances; authorizing a court to adjourn a certain trial to obtain documents or other proof of a claim or defense; repealing a certain prohibition against raising as an issue of fact a landlord's compliance with certain requirements related to lead-based paint abatement; authorizing a court to take certain actions pending a decision on a certain appeal; prohibiting a landlord from seeking a certain judgment for unpaid rent when there is an existing judgment or warrant of restitution in effect for the same rent; prohibiting a landlord from filing an action for repossession for failure to pay rent after a certain time; and generally relating to actions for repossession for failure to pay rent.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–401
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1488 – Delegates Mautz, Adams, Anderton, Cassilly, Flanagan, Folden, Glass, Hornberger, Kittleman, Lisanti, McComas, Otto, and Sample–Hughes

AN ACT concerning

Tidal Fish Licenses – Oyster Authorizations – Revocation

FOR the purpose of authorizing, rather than requiring, the Department of Natural Resources to revoke the authorization to catch oysters of a person who the Department finds or concludes has knowingly committed one of certain offenses; authorizing a person whose authorization to catch oysters is revoked under certain provisions of law to apply for reinstatement of the authorization after a certain period of time; making certain technical corrections; and generally relating to revocation of an authorization to catch oysters.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1210
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1489 – Delegates Parrott, Buckel, Malone, McComas, Otto, Saab, and Shoemaker

AN ACT concerning

Medical Laboratories – Advertising or Solicitation of Business – Repeal of Prohibition

FOR the purpose of repealing a prohibition on certain advertising or solicitation of business for any medical laboratory from anyone except a physician or certain medical care facilities; and generally relating to medical laboratories.

BY repealing
Article – Health – General
Section 17–215
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1490 – Delegate Dumais

EMERGENCY BILL

AN ACT concerning

Drunk Driving – Administrative Per Se Offenses – Ignition Interlock System Program

FOR the purpose of modifying the periods of time that persons who commit administrative per se offenses may be required to participate in the Ignition Interlock System Program; requiring a police officer to provide certain advice and information to persons who commit administrative per se offenses; making this Act an emergency measure; and generally relating to participation in the Ignition Interlock System Program by persons who commit certain administrative per se offenses.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–205.1(b)(1)(i) and (f)(4)(i) and (8)(v)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–205.1(b)(2)(iii) and (3)(vii), (g), and (p)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1491 – Delegates Mautz, Adams, Anderton, Beitzel, Carey, Hornberger, Jacobs, McComas, and Otto

AN ACT concerning

Public Institutions of Higher Education – Events Held by Conservation Organizations

FOR the purpose of authorizing a certain conservation organization to hold an event on the campus of certain public institutions of higher education, notwithstanding certain provisions of law, regulation, or policy; defining a certain term; and generally relating to events held at public institutions of higher education.

BY adding to

Article – Education

Section 15–121
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1492 – Delegates Hayes, Ali, Anderson, Conaway, Glenn, Lewis, McCray, McIntosh, Mosby, and Rosenberg

AN ACT concerning

Housing and Community Development – Food Deserts – Small Loans

FOR the purpose of authorizing financial assistance under the Business Development Program to be used for certain small loans; authorizing the Department of Housing and Community Development to provide small loans that are not more than a certain amount to certain entities for a certain purpose; authorizing the Department to work with intermediaries to administer small loans; and generally relating to small loans for food desert projects under the Business Development Program.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–307 and 6–308.3
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 6–308(c) and 6–308.1(a)
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1493 – Delegate C. Wilson

AN ACT concerning

Commercial Law – Assertions Made in Bad Faith – Prohibition

FOR the purpose of prohibiting a person from making in bad faith a certain assertion regarding a Web site or other electronic communication failing to comply with the federal Americans with Disabilities Act; authorizing a court to consider certain factors as evidence of whether a person has made a certain assertion in bad faith or in good faith; altering the authority of the Division of Consumer Protection of the Office of the Attorney General to take certain actions; authorizing certain individuals, under certain circumstances, to bring a civil action in a certain court to

recover for certain injuries or losses sustained as a result of a violation of certain provisions of this Act; altering the circumstances under which a court may award certain damages and remedies under certain circumstances; altering certain definitions; defining certain terms; and generally relating to bad faith assertions regarding failure to comply with the Americans with Disabilities Act.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–1601
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Commercial Law
Section 11–1603.1
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 11–1604 and 11–1605
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1494 – Delegates C. Wilson, Chang, Fennell, and Proctor

AN ACT concerning

Bail Bond – Installment Contract – Confessed Judgment Prohibition

FOR the purpose of prohibiting a bail bondsman from including a certain confessed judgment clause in a certain agreement to accept payment for the premium charged for a bail bond in installments; providing that it is an unfair trade practice to include a certain confessed judgment clause in a certain agreement to accept payment for the premium charged for a bail bond in installments; and generally relating to bail bonds.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–309
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance

Section 27–201
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Insurance
Section 27–225
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Economic Matters.

House Bill 1495 – Delegates Glenn and McCray

AN ACT concerning

Creation of a State Debt – Baltimore City – Harford House

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of the Govans Ecumenical Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1496 – Allegany County Delegation

AN ACT concerning

Tax Sales – Property Maintenance and Nuisance Condition Violation Judgments

FOR the purpose of authorizing a tax sale for real property for certain unpaid judgments for property maintenance and nuisance condition violations of local law; establishing that certain judgments are a first lien on real property; establishing the priority of certain liens on real property; authorizing a municipal corporation to institute a tax sale under certain circumstances; defining a certain term; altering a certain definition; and generally relating to tax sales for property maintenance and nuisance condition violation judgments.

BY repealing and reenacting, with amendments,
Article – Tax – Property

Section 14–801, 14–805(a), and 14–809(a)(2)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1497 – Delegates Waldstreicher and Luedtke

AN ACT concerning

Video Lottery Operations – Persons on Voluntary Exclusion List – Trespass

FOR the purpose of requiring a person on a certain voluntary exclusion list from video lottery operations who commits, on the premises of a video lottery operation licensee, a first violation of a certain prohibition against trespass to complete a certain treatment or counseling program; prohibiting the person from being subject to fine or imprisonment; and generally relating to video lottery operations.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 6–403
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1498 – Delegates A. Washington and Tarlau

AN ACT concerning

Campaign Finance – Political Organizations – Disclosure

FOR the purpose of requiring certain persons that make independent expenditures or disbursements for electioneering communications to identify a registered agent located in the State for service of process; providing that certain civil penalties for failure to file certain reports concerning independent expenditures and electioneering communications are the joint and several liability of certain persons; prohibiting certain individuals making independent expenditures or disbursements for electioneering communications who have failed to pay certain civil penalties or late fees from serving in certain roles in certain political organizations; requiring certain political action committees to include certain information concerning contributions and expenditures in certain disclosure reports; requiring a registration form filed by certain participating organizations to include certain information; repealing certain provisions concerning the deadlines and contents of certain reports filed by participating organizations; defining certain terms; requiring a participating organization to file a report with the State Board of Elections within a certain period of time after making aggregate political disbursements of more than a certain

amount; requiring a participating organization to file an additional report with the State Board within a certain period of time after making aggregate political disbursements of more than a certain amount after the closing date of the participating organization's previous report; requiring a report filed by a participating organization to include certain information; providing that a participating organization is not required to file any reports if the participating organization provides a link to certain information on its Web site; requiring a participating organization report to be signed and filed by the treasurer or another individual designated by the participating organization; requiring certain participating organizations to identify a registered agent located in the State for service of process; requiring a participating organization to file an amended report under certain circumstances; authorizing the State Board to assess certain civil penalties for failure to file certain participating organization reports; providing for the payment and distribution of certain civil penalties; authorizing a participating organization to seek relief from certain civil penalties under certain circumstances; prohibiting certain individuals holding certain positions in a participating organization who have failed to pay certain civil penalties or late fees from serving in certain roles in certain political organizations; requiring a participating organization to keep certain records; authorizing the State Board to adopt certain regulations; and generally relating to disclosure requirements for political organizations.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–306, 13–307, 13–309.1, and 13–309.2
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1499 – Delegates Gutierrez, Barkley, Barron, Carr, Chang, Cullison, Gaines, C. Howard, Jackson, Jones, Kelly, Korman, Krimm, Lierman, Moon, Morales, Pena–Melnyk, Platt, Queen, Robinson, Tarlau, Valentino–Smith, M. Washington, Wilkins, and K. Young

AN ACT concerning

Consumer Protection – Bank Overdraft Plans – Requirements

FOR the purpose of requiring that an overdraft protection plan of a banking institution be made available to customers only on an optional basis; requiring the plan to disclose, in a certain manner, certain fees and penalties and the method of applying debits and credits to a customer's account; requiring the plan to allow a customer to address an overdraft on a certain day and in a certain manner; providing for the application of certain provisions of this Act; providing that a violation of certain provisions of this Act is subject to certain penalties under certain provisions of law; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of

the Maryland Consumer Protection Act; and generally relating to banking institutions and bank overdraft plans.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301(14)(xxix)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 13–301(14)(xxx)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Commercial Law
Section 13–301(14)(xxxi)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 5–807
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Financial Institutions
Section 5–807.1
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1500 – Harford County Delegation

AN ACT concerning

Sheriff of Harford County – Salary

FOR the purpose of altering the annual salary of the Sheriff of Harford County beginning on a certain date; providing for the application of this Act; and generally relating to the salary of the Sheriff of Harford County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings

Section 2-309(n)(1)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**House Bill 1501 – Delegates Vogt, Arentz, Buckel, Conaway, McKay, C. Wilson,
and Wivell**

AN ACT concerning

**Natalie M. LaPrade Medical Cannabis Commission – Grower and Processor
Licenses and Local Impact Grants**

FOR the purpose of requiring the Natalie M. LaPrade Medical Cannabis Commission to distribute a certain amount in local impact grants among certain counties and municipalities for a certain purpose; requiring a local development council to be established in certain geographic areas and to consist of certain members appointed in a certain manner; requiring a county or municipality to develop a certain plan, in consultation with a certain local development council, before any expenditure of local impact grant funds; requiring a county or municipality to submit the plan to the local development council for review and comment before taking certain actions; requiring the local development council to advise the county or municipality on certain issues; providing that a local development council has a certain amount of time to review, comment, and make recommendations on the plan; requiring a county or municipality to hold a public hearing under certain circumstances; requiring a county or municipality to make best efforts to accommodate certain recommendations and address certain testimony before adopting a certain plan; requiring a grower or processor to provide a certain master plan to a certain local development council; requiring, instead of authorizing, the Commission to issue no more than a certain number of licenses to medical cannabis growers; increasing the maximum number of medical cannabis licenses that may be issued by the Commission; requiring the Commission to award certain preapproval to certain applicants for certain licenses; requiring the Commission to establish a certain application review process for a certain purpose; requiring the Commission to license a certain number of medical cannabis processors; authorizing the Commission, beginning on a certain date, to issue a certain number of medical cannabis processor licenses; defining a certain term; and generally relating to the Natalie M. LaPrade Medical Cannabis Commission, grower and processor licenses, and local impact grants.

BY adding to

Article – Health – General
Section 13-3303.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3306 and 13–3309
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1502 – Delegates Gutierrez, Angel, Atterbeary, Barkley, B. Barnes, Barron, Beitzel, Carr, Chang, Clippinger, Cullison, Fraser–Hidalgo, Frush, Gaines, Gilchrist, Glenn, Hill, C. Howard, Jackson, Jalisi, Jones, Kelly, Korman, Kramer, Krimm, Lam, Lierman, Luedtke, McIntosh, McKay, Moon, Morales, Morhaim, Pena–Melnyk, Platt, Queen, Robinson, Sanchez, Sophocleus, Tarlau, Turner, Valderrama, Valentino–Smith, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, and P. Young

AN ACT concerning

Task Force to Expand Dual Language Programs in Maryland

FOR the purpose of establishing the Task Force to Expand Dual Language Programs 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 certain recommendations to the Governor and certain committees of the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force to Expand Dual Language Programs in Maryland.

Read the first time and referred to the Committee on Ways and Means.

House Bill 1503 – Delegates Haynes, Anderson, Angel, Atterbeary, Brooks, Carr, Conaway, Davis, Fennell, Gaines, Glass, Glenn, Gutierrez, Hayes, Hill, Holmes, C. Howard, Jalisi, Jones, McCray, Morales, Oaks, Patterson, Proctor, Queen, Sample–Hughes, Sydnor, Turner, Valderrama, A. Washington, Ali, Mosby, Wilkins, and Lewis

AN ACT concerning

**Public Safety – State Funding – Requirement for Use of Force De–Escalation
Training of Law Enforcement Officers**

FOR the purpose of requiring a certain law enforcement agency to meet a certain eligibility requirement to receive money from certain funds and grant programs; requiring certain individuals employed by a certain law enforcement agency to meet certain use of force de–escalation training requirements as a precondition to the law

enforcement agency receiving certain funding; and generally relating to State funding for public safety.

BY adding to

Article – Public Safety

Section 4–801 to be under the new subtitle “Subtitle 8. Eligibility Criteria”

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Finance and Procurement

Section 7–214

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1504 – Delegate Anderson

AN ACT concerning

Baltimore City – Control of Baltimore City Police Department

FOR the purpose of providing that the Police Department of Baltimore City is an agency and instrumentality of the City of Baltimore, instead of the State; providing that certain police officers have the authority conferred under a certain provision of law; making a conforming change; and generally relating to the Baltimore City Police Department.

BY repealing and reenacting, with amendments,

The Public Local Laws of Baltimore City

Section 16–2(a) and 16–3

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (27)

(2007 Replacement Volume, as amended)

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

House Bill 1505 – Delegates Parrott, Malone, McComas, W. Miller, and Morgan

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Constitutional Amendment – Clarification of Referendum Process – Veto
Override**

FOR the purpose of proposing an amendment to the Maryland Constitution requiring that, as to the taking effect of an Act passed by the General Assembly over the veto of the Governor and the filing of the remainder of the signatures required for a referendum petition, the time be extended to a certain day under certain circumstances; requiring that a certain percentage of signatures to a certain referendum petition be submitted within a certain number of days under certain circumstances; making a conforming change; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article XVI – The Referendum
Section 2 and 3

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

**House Bill 1506 – Delegates Glenn, Conaway, Hayes, Haynes, Lewis, McCray,
Oaks, and M. Washington**

AN ACT concerning

**State Government – Office of Minority Affairs and Interdepartmental Advisory
Committee on Minority Affairs – Renaming**

FOR the purpose of renaming the Governor's Office of Minority Affairs to be the Governor's Office of Small, Minority, and Women Business Affairs; renaming the Special Secretary for the Office of Minority Affairs to be the Special Secretary for the Office of Small, Minority, and Women Business Affairs; renaming the Interdepartmental Advisory Committee on Minority Affairs to be the Interdepartmental Advisory Committee on Small, Minority, and Women Business Affairs; making conforming changes; requiring the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct any cross-references or terminology rendered incorrect by this Act and to describe any corrections made in an editor's note following the section affected; and generally relating to the renaming of the Office of Minority Affairs and the Interdepartmental Advisory Committee on Minority Affairs.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 14–103(d) and (e)
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 11–1001(d) and (e)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–345(d)(5), 9–421(d)(5), 9–1605.2(i)(4), and 9–1605.3(f)(2)(v)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 20–1004(21)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

Section 4–501.1(d) and (e)

Annotated Code of Maryland

(2006 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 20–303(c)(3) and (4) and 24–310(d) and (e)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–704.1(d)(4)(iii)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–222(f)(3) and (4), 12–105(c)(1), 12–110(c)(1), 14–302(a)(9)(iv) and (v) and (11)(iii)2., 14–303(b)(19), 14–305, 14–308(c), 14–503, and 14–505

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–10(b), 9–1A–23(d), 9–1A–36(l); 9–301 through 9–303.1 to be under the amended subtitle “Subtitle 3. Office of Small, Minority, and Women Business

Affairs”; 9–306, and 9–20C–02(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–116(d)(3) and (4) and 35–302(b)(3) and (4)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1507 – Delegate Lisanti

AN ACT concerning

Creation of a State Debt – Harford County – National Center for Manufacturing Sciences

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Board of Directors of the National Center for Manufacturing Sciences for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1508 – Delegates Hixson, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Carr, Chang, Cullison, Ebersole, Fennell, Fraser–Hidalgo, Gaines, Gilchrist, Glenn, Gutierrez, Healey, Hettleman, Hill, C. Howard, Jackson, Kelly, Korman, Kramer, Krimm, Lafferty, Lam, Lewis, Lierman, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Mosby, Patterson, Pena–Melnik, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sanchez, Tarlau, Turner, Valderrama, Valentino–Smith, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, and P. Young

AN ACT concerning

Higher Education – Tuition Rates – Exemptions

FOR the purpose of altering the circumstances under which certain individuals are exempt from paying the out-of-state tuition rate at certain community colleges; altering the circumstances under which certain individuals are eligible to pay a certain tuition rate at certain institutions of higher education; authorizing certain individuals to remain eligible to pay certain tuition rates until the individual is awarded a certain

degree; and generally relating to tuition rates at community colleges and public senior higher education institutions.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.8
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1509 – Delegates Glenn and Hayes

AN ACT concerning

Maryland Healthy Vending Choices Act

FOR the purpose of providing that certain packaged food or beverage options may not contain more than a certain amount of trans fat or a certain amount of sodium; providing that certain beverage containers may not contain more than a certain number of calories or a certain number of fluid ounces; requiring certain healthy food or beverage options to be displayed and stocked in a certain manner; requiring a vending machine operator to post a certain sign in a certain manner under certain circumstances; providing that a healthy beverage option may not contain more than a certain number of calories; providing that certain beverages are considered a healthy beverage option; establishing the requirements that must be met to be considered a healthy food option; providing that certain foods are considered healthy food options; requiring the Department of General Services to designate certain staff to disseminate certain information and train certain persons on standards established under this Act; requiring any request for bids or proposals for food and beverage vending machines service to include provisions concerning breach of contract and enforcement relating to the requirements of this Act; requiring that a request for bids or proposals incorporate certain requirements; requiring the Department to monitor the compliance of certain persons with the requirements of this Act on a schedule established by the Department; requiring the schedule to require that compliance checks be completed at intervals of not less than every certain number of years; requiring the Department, on or before a certain date and with a certain frequency, to issue a certain report to the Governor and the General Assembly; requiring the Department, on or before a certain date and with certain frequency, to convene a certain workgroup and issue a certain report to the Governor and the General Assembly; providing for the application of this Act; requiring this Act to be implemented in accordance with certain laws; requiring certain leasing entities to encourage certain tenants to meet the requirements of this Act under certain circumstances; defining certain terms; and generally relating to healthy food and beverage options in vending machines on State property.

BY adding to

Article – State Finance and Procurement

Section 20–101 through 20–106 to be under the new title “Title 20. Maryland Healthy Vending Choices Act”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1510 – Delegates Glenn, Barkley, Brooks, Carey, Carr, Chang, Fennell, Frick, Hettleman, Lierman, Luedtke, McCray, Moon, Patterson, Robinson, Rosenberg, Tarlau, Valderrama, and Waldstreicher

AN ACT concerning

Procurement – Public Work Contracts – Contractor Occupational Safety and Health Requirements

FOR the purpose of requiring a prospective bidder or offeror when submitting a bid or offer for a public work contract to submit to the public body a certain contractor safety and health plan and a certain attestation; requiring that a contractor safety and health plan include certain information; requiring a prospective bidder or offeror to provide a copy of the contractor safety and health plan to the Commissioner of Labor and Industry on request; requiring the Commissioner to develop a certain safety and health calculation worksheet and specified safety and health rating system; requiring each contractor and subcontractor working under a public work contract to complete a certain safety and health calculation worksheet within a certain number of days after entering into the public work contract and implement certain additional safety and health measures; requiring the Commissioner to adopt regulations to carry out this Act; authorizing the Commissioner to require by regulation that a prospective bidder or offeror, a contractor, or a subcontractor subject to this Act maintain certain records; requiring the Commissioner to investigate as necessary to determine whether certain persons are complying with this Act; authorizing the Commissioner to enter a place of business or a work site for certain purposes; requiring the Commissioner to issue a certain citation and proposed order to a prospective bidder or offeror, a contractor, or a subcontractor under certain circumstances; requiring the citation and proposed order to be sent by certified mail and contain certain information; authorizing a certain prospective bidder, contractor, or subcontractor to request a certain hearing within a certain number of days after receiving the citation and proposed order; requiring the Commissioner to schedule a hearing on receipt of a request for a hearing; providing that a certain proposed order becomes a final order under certain circumstances; providing that a certain decision of the Commissioner is final except under certain circumstances; requiring the Commissioner to assess certain civil penalties under certain circumstances; requiring the Commissioner to consider certain factors in determining the amount of a penalty to be assessed; authorizing the Commissioner, under certain circumstances, to recommend to a public body that a prospective bidder or offeror, contractor, or subcontractor be debarred from entering into a

certain public work contract for a certain time period; prohibiting a prospective bidder or offeror, contractor, or subcontractor from taking certain action against an employee for certain reasons; authorizing a certain employee to submit to the Commissioner a certain written complaint; requiring that an employee submit a certain complaint within a certain time period; requiring the Commissioner to investigate a certain complaint; requiring the Commissioner, under certain circumstances, to refer a certain matter to the Office of Administrative Hearings for findings of fact and a proposed decision under certain provisions of law; providing for the application of a certain provision of this Act; defining certain terms; and generally relating to contractor occupational safety and health requirements on public work contracts.

BY adding to

Article – State Finance and Procurement

Section 17–801 through 17–807 to be under the new subtitle “Subtitle 8. Contractor Occupational Safety and Health Requirements”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1511 – Delegates Morales, Carr, Glenn, Gutierrez, McCray, Sanchez, Tarlau, Waldstreicher, A. Washington, and M. Washington

AN ACT concerning

Prevailing Wage Rates – Public Work Contracts – Suits by Employees

FOR the purpose of authorizing certain employees to sue to recover the difference between certain prevailing wage rates and certain amounts under certain circumstances; providing that a certain determination by the Commissioner of Labor and Industry does not preclude certain employees from filing certain actions; providing that certain actions are suits for certain wages; providing for the force and effect of certain judgments; providing for the failure of certain employees to protest certain circumstances; requiring a court to order the payment of certain damages under certain circumstances; providing for the awarding of certain counsel fees and costs under certain circumstances; and generally relating to private rights of action under the State prevailing wage law.

BY adding to

Article – State Finance and Procurement

Section 17–224.1

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1512 – Delegates Glenn, Barkley, Branch, Brooks, Clippinger, Conaway, Cullison, Hayes, Haynes, Hettleman, Lewis, Lierman, Lisanti, McCray, Oaks, Patterson, Proctor, Tarlau, Valentino–Smith, Waldstreicher, M. Washington, and P. Young

AN ACT concerning

Labor and Employment – Clean Energy Workforce Account – Establishment

FOR the purpose of establishing the Clean Energy Workforce Account in the Maryland Employment Advancement Right Now Program; providing for the funding of the Account; specifying the purpose for which the Account may be used; specifying the priority for grants awarded from the Account; requiring a pre–apprenticeship job training program to include certain training and curriculum, a certain documented strategy, and certain performance and evaluation methods to qualify for a grant awarded from the Account; requiring the Maryland Energy Administration to use the Maryland Strategic Energy Investment Fund in a certain manner; requiring proceeds from a certain Public Service Commission order to be allocated in a certain manner; defining a certain term; and generally relating to the Clean Energy Workforce Account.

BY adding to

Article – Labor and Employment
Section 11–708.1
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government
Section 9–20B–01(a), (b), (d), and (e)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–20B–05(f) and (i) through (l)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Government
Section 9–20B–05(i)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1513 – Delegates Jones, Atterbeary, Gaines, Gutierrez, Hixson, C. Howard, McIntosh, Oaks, M. Washington, K. Young, and P. Young

AN ACT concerning

Maryland Historic Trust Grant Fund Improvement Act

FOR the purpose of authorizing the Maryland Historic Trust Grant Fund to be used to pay for certain reasonable and necessary administrative costs, not to exceed a certain amount; requiring the Governor, beginning in a certain fiscal year, to include a certain appropriation to the Fund in the annual State budget bill; limiting the amount of grants from the Fund that may be awarded to historic properties owned by the Maryland Historic Trust; requiring the Trust to include certain information in a certain annual report; and generally relating to the Maryland Historic Grant Fund.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–328
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1514 – Delegates Hixson, D. Barnes, Lafferty, Tarlau, A. Washington, and M. Washington

AN ACT concerning

Housing and Community Development – Community Development Program Act

FOR the purpose of establishing the Community Development Program in the Department of Housing and Community Development; requiring the Department to perform certain duties; establishing the Community Development Board in the Department; providing for the membership and chair of the Board; requiring the Board to perform certain duties; establishing the Community Development Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; providing for the imposition of the community development transfer fee under certain circumstances; establishing the amount of the community development transfer fee under certain circumstances; exempting certain transfers from the community development transfer fee under certain circumstances; providing for the application of the community development transfer

fee to certain corporate transfers; providing for the payment of the community development transfer fee; providing for the distribution of revenue from the community development transfer fee; defining certain terms; and generally relating to the Community Development Program Act.

BY adding to

Article – Housing and Community Development

Section 6–601 through 6–609 to be under the new subtitle “Subtitle 6. Community Development Program Act”

Annotated Code of Maryland

(2006 Volume and 2016 Supplement)

BY adding to

Article – Tax – Property

Section 13–601 through 13–607 to be under the new subtitle “Subtitle 6. Community Development Transfer Fee”

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation and the Committee on Ways and Means.

House Bill 1515 – Delegate Lafferty

AN ACT concerning

Residential Property – Foreclosure Timelines and Procedures

FOR the purpose of altering requirements for a certain final loss mitigation affidavit; altering the timeline for filing an action to foreclose a mortgage or deed of trust on residential property; requiring a certain notice of intent to foreclose to be accompanied by a loss mitigation application for specific loss mitigation programs that are applicable to a certain loan; requiring an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property to include a certain affidavit; increasing the period for which the Office of Administrative Hearings may extend the time for completing foreclosure mediation under certain circumstances; providing that good cause for extending the time for completing foreclosure mediation exists if the Office of Administrative Hearings determines that the secured party has failed to act in good faith, as required by certain provisions of law; requiring any representative of the secured party at a foreclosure mediation to have the authority to settle the matter; providing that a secured party has the sole obligation to provide certain documents and information to the mediator at a foreclosure mediation; requiring a secured party to provide a certain affidavit at a foreclosure mediation; requiring a secured party or a representative of a secured party to act in good faith with respect to transparency and the disclosure of certain information and participation in foreclosure mediation; authorizing the Office of Administrative Hearings to enter certain orders; altering the timeline for a

mortgagor or grantor to file a motion to stay a foreclosure sale; requiring a certain notice to a record owner to be sent not later than a certain number of days before the date of a certain sale; providing for the application of this Act; and generally relating to foreclosure timelines and procedures.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–105.1(a), (b)(1), (c)(5), (e), and (k) through (m) and 7–105.2(c)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1516 – Delegates Hill, Brooks, Flanagan, Hettleman, Jalisi, Lafferty, Lam, McMillan, Morhaim, Oaks, Rosenberg, and Stein

AN ACT concerning

Public Health – Health Record and Payment Clearing House – Pilot Program

FOR the purpose of requiring the Maryland Health Care Commission, on or before a certain date, to research and evaluate certain health record and payment clearing houses, develop certain standards, determine certain information, and report certain recommendations and funding requests to the General Assembly; requiring, subject to the limitations of the State budget, the Commission to establish and implement for use in a pilot program a certain health record and payment clearing house on or before a certain date; authorizing the Commission to contract with an outside entity or the Chesapeake Regional Information System to establish and maintain the health record and payment clearing house; specifying the capabilities the health record and payment clearing house must have; requiring the Commission to select persons, as appropriate, from certain groups to use and provide feedback regarding the health record and payment clearing house as part of the pilot program; requiring the Commission to submit certain status reports to certain committees of the General Assembly on or before certain dates; defining a certain term; providing for the termination of this Act; and generally relating to the health record and payment clearing house pilot program.

BY adding to

Article – Health – General

Section 19–150 and 19–151 to be under the new part “Part VI. Health Record and Payment Clearing House Pilot Program”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1517 – Delegates Glenn and M. Washington

AN ACT concerning

Maryland Nonprofit Development Center Program and Fund – Bridge Loans

FOR the purpose of renaming the Maryland Not–For–Profit Development Center Program and the Maryland Not–For–Profit Development Center Program Fund to be the Maryland Nonprofit Development Center Program and the Maryland Nonprofit Development Center Program Fund; expanding the scope of the Program to include bridge loans for certain nonprofit entities; expanding the Fund to include certain proceeds of video lottery terminals; authorizing the Department of Commerce to provide a certain bridge loan under certain circumstances; requiring the Department to establish a certain application process and receive a certain written confirmation before providing a bridge loan; requiring a bridge loan to be repaid within a certain period of time; requiring the Comptroller to pay a certain amount from the proceeds of certain video lottery terminals to the Fund; requiring the Department to report to the Governor and the General Assembly on or before a certain date on certain matters; altering certain definitions; making certain conforming changes; and generally relating to the Maryland Nonprofit Development Center Program.

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 5–1201 through 5–1205 to be under the amended subtitle “Subtitle 12.
Maryland Nonprofit Development Center Program”

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–27(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–27(b) and (c)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1518 – Delegates Adams, Kittleman, Korman, Mautz, W. Miller, Moon,
and B. Wilson**

AN ACT concerning

Interception of Communication – Financial Institutions

FOR the purpose of providing that it is lawful under a certain provision of law for an employee or agent of a financial institution to intercept and record a certain oral communication under certain circumstances; providing that a certain audio recording may be retained by a financial institution only in connection with a certain felony; providing that a certain audio recording may be made available by a financial institution only to certain persons; providing that access to a certain audio recording shall be limited to a certain portion of the audio recording; defining a certain term; and generally relating to authorizing the interception and recording of certain oral communications under a certain provision of law.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10–402(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 10–402(c)(12)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1519 – Delegate Lewis

AN ACT concerning

Morgan State University – Task Force on Reconciliation and Equity

FOR the purpose of requiring Morgan State University to convene a task force to foster reconciliation and achieve racial equity by taking certain actions; requiring the task force to include certain members; requiring, to the extent practicable, the members of the task force to have expertise in certain matters and reflect a certain diversity; prohibiting a member of the task force from receiving certain compensation, but authorizing the reimbursement of certain expenses; providing for the chair and staffing of the task force; authorizing the task force to establish certain subcommittees; requiring the task force to consult with certain units of State government; authorizing the task force to consult with certain units of State or local government; requiring, on request of the task force, a unit of State government to provide information or staff support in a certain manner or to designate a representative to serve as a member or attend a meeting or hearing of the task force; requiring the task force to hold certain hearings and invite certain persons to testify at the hearings, to study and make recommendations regarding certain matters, and to monitor and evaluate the implementation of certain recommendations using certain criteria; prohibiting a certain person from retaliating against an individual

for giving testimony at a hearing held by the task force; requiring, on or before certain dates, Morgan State University to submit certain preliminary and final reports to the Governor and the General Assembly; providing for the termination of this Act; and generally relating to a task force on reconciliation and equity convened by Morgan State University.

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

House Bill 1520 – Delegates Flanagan and McCray

AN ACT concerning

Vehicle Laws – Personal Motor Vehicle Rentals

FOR the purpose of establishing provisions of law governing the rental of personal motor vehicles to other persons in a certain manner; establishing that certain persons may rent only certain classes of personal motor vehicles to other persons; prohibiting a renter of a personal motor vehicle from using the motor vehicle for certain purposes; prohibiting a person from renting a personal motor vehicle to another person unless the motor vehicle is covered by certain security; requiring the Motor Vehicle Administration to suspend the registration of a personal motor vehicle used for rentals if the owner fails to maintain the required security; prohibiting certain persons from renting a personal motor vehicle to another person who does not meet certain driver's licensing standards; requiring a certain person that rents or facilitates the rental of a personal motor vehicle to keep certain records; authorizing the Administration or any police officer to inspect certain records; prohibiting under certain circumstances certain persons from renting to another person a personal motor vehicle for which any charge is based on the miles traveled; establishing certain provisions governing rental rates and rental agreements for rented personal motor vehicles; providing for the application of certain provisions of law governing for-rent vehicles and personal motor vehicle rentals; establishing that certain violations of this Act are unfair or deceptive trade practices subject to certain enforcement actions; defining certain terms; and generally relating to personal motor vehicle rentals.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 13–301(14)(xiii)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation

Section 18–101.1; and 18–201 through 18–206 to be under the new subtitle “Subtitle 2. Personal Motor Vehicle Rentals”

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

House Bill 1521 – Delegate Rosenberg

AN ACT concerning

**Department of Health and Mental Hygiene – Commission to Study Firearm
Violence – Establishment**

FOR the purpose of establishing the Maryland Commission to Study Firearm Violence; providing that the Commission is an independent commission that functions within the Department of Health and Mental Hygiene; requiring the Commission to award certain loans and grants, develop certain recommendations, administer a certain fund, and develop certain processes; providing for the membership of the Commission; providing for the terms of certain members of the Commission; requiring the Governor to designate the chair 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 report certain information to the Governor and the General Assembly on or before a certain date each year; establishing the Maryland Firearm Violence Research Fund as a special, nonlapsing fund that is not subject to a certain provision of law; specifying the purpose of the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purposes for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; providing that money expended from the Fund for certain purposes is supplemental to and not intended to replace certain other funding; defining certain terms; and generally relating to the Maryland Commission to Study Firearm Violence.

BY adding to

Article – Health – General

Section 13–3401 through 13–3405 to be under the new subtitle “Subtitle 34.
Maryland Commission to Study Firearm Violence”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)94. and 95.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)96.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1522 – Delegate Hill

AN ACT concerning

Needs Assessment for Student School Based Behavioral Health Counseling Services Throughout the Year

FOR the purpose of requiring the Department of Mental Health and Hygiene and the Maryland State Department of Education to conduct a needs assessment for student school based behavioral health counseling services throughout the school year; requiring the assessment to include certain matters; and generally relating to an assessment of student school based behavioral counseling services throughout the school year.

Read the first time and referred to the Committee on Ways and Means.

INTRODUCTORY HOUSE JOINT RESOLUTIONS NO. 28

House Joint Resolution 6 – Delegates Gaines, Anderson, Angel, Atterbeary, B. Barnes, D. Barnes, Bromwell, Brooks, Carr, Cullison, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frush, Glenn, Gutierrez, Haynes, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jameson, Jones, Kelly, Knotts, Kramer, Krimm, Lam, Lewis, Lierman, Lisanti, Luedtke, McCray, A. Miller, Moon, Morales, Morhaim, Oaks, Patterson, Pena–Melnik, Platt, Proctor, Queen, Reznik, Robinson, Sanchez, Sophocleus, Stein, Tarlau, Turner, Valderrama, Valentino–Smith, Vallario, A. Washington, M. Washington, C. Wilson, K. Young, P. Young, and Wilkins

A House Joint Resolution concerning

United States Constitution – Amendments Convention – Democracy Amendment

FOR the purpose of applying to the U.S. Congress for an amendments convention called under Article V of the U.S. Constitution, on the application of the legislatures of two-thirds of the several states, to propose an amendment to the U.S. Constitution that affirms every citizen's individual right to vote, reserves constitutional rights to natural persons, and authorizes regulation of contributions and expenditures intended to influence elections; and generally relating to an application to Congress for a convention to propose an amendment to the U.S. Constitution.

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

House Joint Resolution 7 – Delegates McConkey, Buckel, Ciliberti, S. Howard, Kittleman, Krebs, Malone, Mautz, McKay, W. Miller, Rose, Saab, and Shoemaker

A House Joint Resolution concerning

United States Constitution – Amendments Convention – Limitations on Federal Power

FOR the purpose of applying to the U.S. Congress for an amendments convention called under Article V of the U.S. Constitution, on the application of the legislatures of two-thirds of the several states, to propose amendments to the U.S. Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for officials of the federal government and for the members of the U.S. Congress; and generally relating to an application to Congress for a convention to propose amendments to the U.S. Constitution.

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

House Joint Resolution 8 – Delegate Hixson

A House Joint Resolution concerning

Establishment of a Presidential Youth Council

FOR the purpose of supporting the establishment of a Presidential Youth Council and urging the President of the United States to establish a Presidential Youth Council to advise the President of the United States and the administration on certain matters; providing that a copy of this resolution be sent by the Department of Legislative Services to certain individuals; and generally relating to the establishment of a Presidential Youth Council.

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

House Joint Resolution 9 – Delegates Moon, Busch, Ali, Barkley, Barve, Brooks, Carr, Cullison, Fraser-Hidalgo, Frick, Glenn, Gutierrez, Hettleman, Hill,

Hixson, Holmes, Kelly, Kramer, Lam, Lewis, Lierman, Luedtke, McIntosh, A. Miller, Morales, Morhaim, Mosby, Pena–Melnik, Pendergrass, Platt, Queen, Reznik, Robinson, Rosenberg, Sanchez, Stein, Sydnor, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, and P. Young

A House Joint Resolution concerning

The Protection of the Federal Affordable Care Act

FOR the purpose of expressing the sharp disagreement of the General Assembly of Maryland with the repeal of the federal Affordable Care Act; urging the U.S. Congress to promptly protect certain provisions of the federal Affordable Care Act; urging the Governor of Maryland to join in urging the U.S. Congress to promptly protect certain provisions of the federal Affordable Care Act; and generally relating to the repeal of the federal Affordable Care Act.

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

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 10

Senate Bill 61 – ~~Senator Mathias~~ Senators Mathias, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Middleton, Reilly, and Rosapepe

EMERGENCY BILL

AN ACT concerning

Health Insurance – Coverage for Digital Tomosynthesis

FOR the purpose of establishing that a certain coverage requirement applicable to certain insurers, nonprofit health service plans, and health maintenance organizations includes coverage for digital tomosynthesis under certain circumstances; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a copayment or coinsurance requirement for digital tomosynthesis that is greater than a copayment or coinsurance requirement for other breast cancer screenings for which coverage is required under certain provisions of law; defining a certain term; providing for the application of this Act; making this Act an emergency measure; and generally relating to health insurance coverage for tomosynthesis.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–814

Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 116 – Senators Edwards and Middleton

AN ACT concerning

**Program Open Space – Attainment of Acquisition Goals – Local Government
Apportionment and Use of Funds**

FOR the purpose of altering the amount a certain local government may spend on development projects and capital renewal after it has ~~attained~~ exceeded its acquisition goals under Program Open Space; repealing a certain limitation on the use of certain funds for a certain local government; requiring the Joint Subcommittee on Program Open Space and Agricultural Land Preservation to review a certain standard, make a certain determination, and report to certain committees of the General Assembly on or before a certain date; and generally relating to the apportionment and use of local government funds for Program Open Space.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–905(c)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 124 – Senator Waugh

AN ACT concerning

St. Mary’s County – Vocational Training Facility – Repeal

FOR the purpose of repealing a certain provision of law that relates to the authority of the County Commissioners of St. Mary’s County to establish a certain board of directors for the purposes of establishing and overseeing a vocational training facility for certain purposes; and generally relating to the repeal of an obsolete provision of law relating to a vocational training facility in St. Mary’s County.

BY repealing
The Public Local Laws of St. Mary’s County
Section 144–1 and the chapter “Chapter 144 Vocational Training Facility”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2015 Supplement, as amended)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 125 – Senator Feldman

AN ACT concerning

Woodrow Wilson Bridge and Tunnel Compact – Repeal

FOR the purpose of repealing provisions relating to the Woodrow Wilson Bridge and Tunnel Compact; repealing a requirement that the Governor execute the compact with the Commonwealth of Virginia and the District of Columbia under certain circumstances; repealing the Woodrow Wilson Memorial Bridge and Tunnel Authority; repealing the board of the Authority; repealing a requirement that the compact may not be interpreted to affect the levy of taxes by signatories to the compact; repealing provisions concerning the manner in which the compact is adopted; repealing provisions concerning withdrawal from the compact; repealing a requirement that certain officials enter into a certain agreement with the federal government; repealing a requirement that the Authority prepare a certain management plan; repealing provisions concerning the legal liability of the Authority; repealing a requirement that certain bonds may not be deemed to constitute a debt or pledge of the full faith and credit of the Authority or any signatory of the compact; repealing the power of the Authority to establish, finance, construct, maintain, repair, and operate a project to upgrade the Interstate 95 Potomac River crossing; repealing certain additional powers of the Authority; repealing the power of the Authority to acquire land and property by purchase or condemnation in a certain manner; repealing provisions concerning procurement by the Authority; repealing the power of the Authority to alter or relocate public highways or public utilities; repealing the power of the Authority to issue revenue bonds; repealing the power of the Authority to secure bonds by a trust indenture; repealing the power of the Authority to fix, revise, charge, and collect tolls for the use of the project; repealing a requirement that tolls and certain other revenues be used to pay the cost of operating and maintaining the project and the principal of and interest on certain bonds; repealing a requirement that tolls be set at certain rates; repealing a requirement that all money received under the compact be deemed trust funds; repealing the authority of certain bondholders to legally enforce certain rights; repealing a certain exemption from Maryland taxes; repealing the authority of certain persons to invest in certain bonds; repealing certain provisions concerning police officers employed by the Authority; repealing a requirement that the Authority submit a certain report; repealing certain criminal penalties; repealing certain definitions; repealing requirements that the compact may not take effect until the Commonwealth of Virginia, the State of Maryland, and the United States Department of Transportation have entered into a certain agreement; repealing requirements that the compact may not take effect until the Commonwealth of Virginia and the District of Columbia have passed similar acts and the compact has been approved by the United States Congress; repealing a requirement that the Maryland Department of Transportation and the Maryland Transportation Authority submit a certain report; repealing a requirement that the Maryland

Department of Transportation monitor traffic on the American Legion Bridge and collect tolls on the American Legion Bridge under certain circumstances; and generally relating to the repeal of the Woodrow Wilson Bridge and Tunnel Compact.

BY repealing

Article – Transportation

Section 10–301 and the subtitle “Subtitle 3. Woodrow Wilson Bridge and Tunnel Compact”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 494 of the Acts of the General Assembly of 1995)

BY repealing

Article – Transportation

Section 10–302 and 10–303

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 494 of the Acts of the General Assembly of 1995, as amended by Chapter 599 of the Acts of the General Assembly of 1996)

BY repealing

Chapter 494 of the Acts of the General Assembly of 1995

Section 2, 3, and 4

BY repealing

Chapter 599 of the Acts of the General Assembly of 1996

Section 2

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 128 – Senator Simonaire

AN ACT concerning

Public Health – Required Temperatures for Sale of Crab Meat – Repeal

FOR the purpose of repealing a certain provision of law that prohibits a person from keeping for sale any unfrozen crab meat, any frozen crab meat, or any pasteurized crab meat at temperatures that exceed certain maximum temperatures; and generally relating to the sale of crab meat.

BY repealing

Article – Health – General

Section 21–342

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 158 – Senator Conway

AN ACT concerning

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

FOR the purpose of altering the basis for calculating a certain license fee credited to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund; expanding, for certain fiscal years, the purposes for which the Department of the Environment may use money in the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund; extending the deadline by which the owner of a certain eligible heating oil tank may apply for reimbursement of certain costs from the Oil Contaminated Site Environmental Cleanup Fund; and generally relating to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund.

BY repealing and reenacting, with amendments,

Article – Environment

Section 4-411 and 4-705

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 162 – Senator Waugh

AN ACT concerning

St. Mary's County – Mobile Home Parks – Repeal

FOR the purpose of repealing certain provisions of law that relate to the licensing and operation of mobile home parks in St. Mary's County; and generally relating to the repeal of certain provisions of law on the licensing and operation of mobile home parks in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County

Section 136-1 through 136-4, 136-7, 136-11, and 136-13 through 136-19 and the Chapter "Chapter 136. Trailers"

Article 19 – Public Local Laws of Maryland

(2007 Edition and March 2015 Supplement, as amended)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 169 – Senators Middleton and Kasemeyer, Kasemeyer, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe

AN ACT concerning

Maryland Medical Assistance Program Health – Cost of Emergency Room Visits to Treat Dental Conditions – Study

FOR the purpose of ~~requiring~~ authorizing the ~~Department of Health and Mental Hygiene~~ Maryland Dental Action Coalition to conduct a study to determine the annual cost of emergency room visits to treat dental conditions of ~~adult enrollees in the Maryland Medical Assistance Program~~ certain adults; ~~requiring~~ authorizing the ~~Department~~ Coalition to conduct the study in a certain manner, report the findings of the study to the Department of Health and Mental Hygiene and the General Assembly on or before a certain date, and distribute the report to certain stakeholders or a certain coalition of stakeholders; and generally relating to ~~the Maryland Medical Assistance Program and~~ a study of the cost of emergency room visits to treat dental conditions.

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 189 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Insurance Administration – Sunset Review – Required Reports and Repeal of Preliminary Evaluation Requirement

FOR the purpose of repealing the requirement that the Maryland Insurance Administration, and the statutes and regulations that relate to the Administration, be subject to a preliminary evaluation in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law); requiring the Administration to submit certain reports to certain committees of the General Assembly and the Department of Legislative Services at certain times; making a conforming change; and generally relating to the Maryland Insurance Administration and the Maryland Program Evaluation Act.

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing

Article – State Government

Section 8–403(b)(29)

Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY renumbering

Article – State Government
Section 8–403(b)(30) through (58), respectively
to be Section 8–403(b)(29) through (57), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 190 – The President (By Request – Department of Legislative Services)

AN ACT concerning

**Elevator Safety Review Board – Sunset Extension, Program Evaluation, and
Reporting Requirement**

FOR the purpose of continuing the Elevator Safety Review Board 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; requiring that an evaluation of the Board and the statutes and regulations that govern the Board be performed on or before a certain date; requiring the Board to study and make recommendations regarding certain matters; requiring the Board to report its findings and recommendations to the Department of Legislative Services, the Senate Finance Committee, and the House Economic Matters Committee on or before a certain date; and generally relating to the Elevator Safety Review Board.

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 12–842
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 8–403(b)(17)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 201 – Senators King, Benson, Currie, Feldman, Kagan, Manno, Peters, Smith, Young, and Zucker

AN ACT concerning

Education – Fire Drill Requirements – State Fire Prevention Code

FOR the purpose of requiring the State Superintendent of Schools to require certain county superintendents of schools to hold fire drills in each public school in accordance with the State Fire Prevention Code; and generally relating to fire drills in public schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–408
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 6–206(a)(1) and (d)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 216 – Senators Kelley, Astle, Benson, King, Klausmeier, Lee, Manno, Mathias, Middleton, Nathan–Pulliam, Robinson, ~~and Rosapepe~~ Rosapepe, Feldman, Hershey, Jennings, and Reilly

AN ACT concerning

Maryland Caregivers Support Coordinating Council – Renaming and Altering Membership and Duties

FOR the purpose of renaming the Maryland Caregivers Support Coordinating Council to be the Maryland Commission on Caregiving; altering the membership of the Commission to include certain members of the General Assembly; requiring the Governor to consider groups representing certain individuals when appointing members to the Commission; requiring the Commission to provide ongoing analysis of best practices in family caregiver support programs and to monitor implementation of the Commission's recommendations; making certain conforming changes; and generally relating to the Maryland Commission on Caregiving.

BY repealing and reenacting, with amendments,

Article – Human Services
Section 7–301 through 7–305 and 10–705(2)
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 10–702
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 234 – Senator Waugh

AN ACT concerning

St. Mary’s County – Land Records – Repeal

FOR the purpose of repealing a certain provision of law concerning the preparation of certain documents submitted for inclusion in the land records of St. Mary’s County; and generally relating to land records in St. Mary’s County.

BY repealing
The Public Local Laws of St. Mary’s County
Section 73–1 and the chapter “Chapter 73. Land Records”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2015 Supplement, as amended)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 240 – Senators Robinson, Conway, Klausmeier, Muse, ~~and Nathan Pulliam~~ Nathan Pulliam, Astle, Benson, Feldman, Hershey, Jennings, Mathias, Middleton, Reilly, and Rosapepe

AN ACT concerning

**Department of Health and Mental Hygiene – Abuser Registry Workgroup
Recommendations – Report**

FOR the purpose of requiring the Department of Health and Mental Hygiene to report on the status of the implementation of certain recommendations of the Abuser Registry Workgroup; specifying certain recommendations on which the Department must report; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; and generally relating to the Abuser Registry Workgroup and the Department of Health and Mental Hygiene.

Read the first time and referred to the Committee on Health and Government Operations.

QUORUM CALL

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

(See Roll Call No. 71)

CALENDAR OF THIRD READING HOUSE BILLS NO. 3

House Bill 78 – ~~Delegate Korman~~ Delegates Korman, Pendergrass, Bromwell, Angel, Barron, Hayes, Hill, Kelly, Kipke, Metzgar, Miele, Morales, Morgan, Oaks, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

AN ACT concerning

State Government – Maryland Manual – Revisions (Maryland Manual Modernization Act)

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

Affirmative – 131 Negative – 0 (See Roll Call No. 72)

The Bill was then sent to the Senate.

House Bill 115 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Mold Remediation Services Providers – Licensure and Program Evaluation

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

Affirmative – 132 Negative – 0 (See Roll Call No. 73)

The Bill was then sent to the Senate.

House Bill 117 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Elevator Safety Review Board – Sunset Extension, Program Evaluation, and Reporting Requirement

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

Affirmative – 131 Negative – 1 (See Roll Call No. 74)

The Bill was then sent to the Senate.

House Bill 140 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors – Supervision of Appraiser Trainees

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

Affirmative – 132 Negative – 0 (See Roll Call No. 75)

The Bill was then sent to the Senate.

House Bill 148 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland State Archives)

AN ACT concerning

State Archives – Care of Fine Art or Decorative Art – Procurement Exemption

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

Affirmative – 131 Negative – 1 (See Roll Call No. 76)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 4

House Bill 159 – Delegates B. Barnes, D. Barnes, Anderson, Busch, Conaway, Ebersole, Fennell, Frick, Frush, Gilchrist, Hill, Hixson, C. Howard, Jackson, Kelly, Korman, Krimm, Lafferty, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Pena-Melnyk, Platt, Reznik, Robinson, Sanchez, Tarlau, Valderrama, Waldstreicher, A. Washington, M. Washington, and P. Young

AN ACT concerning

Weapon-Free Higher Education Zones

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

Affirmative – 84 Negative – 49 (See Roll Call No. 77)

The Bill was then sent to the Senate.

House Bill 180 – Delegates Morhaim, Kipke, Oaks, ~~and West~~ West, Pendergrass, Bromwell, Angel, Barron, Hayes, Hill, Kelly, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

Department of Health and Mental Hygiene – Renaming

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

Affirmative – 133 Negative – 0 (See Roll Call No. 78)

The Bill was then sent to the Senate.

House Bill 198 – Charles County Delegation

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Cell Tower Batteries – Required Record

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

Affirmative – 133 Negative – 0 (See Roll Call No. 79)

The Bill was then sent to the Senate.

House Bill 207 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Local Plumbing Code – Repeal

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

Affirmative – 133 Negative – 0 (See Roll Call No. 80)

The Bill was then sent to the Senate.

House Bill 208 – St. Mary’s County Delegation

AN ACT concerning

St. Mary's County – Electricians and Board of Electrical Examiners – Repeal

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

Affirmative – 133 Negative – 0 (See Roll Call No. 81)

The Bill was then sent to the Senate.

House Bill 291 – Delegate Davis

AN ACT concerning

Homeowner's Insurance – Notices

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

Affirmative – 133 Negative – 0 (See Roll Call No. 82)

The Bill was then sent to the Senate.

LETTERS OF REASSIGNMENT

February 10, 2017

MEMORANDUM

To: Chair, Health and Government Operations Committee
From: Michael E. Busch, Speaker of the House
Re: Reassignment of Bill/Resolution

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill/Resolution No.</u>	<u>Reassignment</u>
HB 1167	HGO

Read and ordered journalized.

MESSAGE FROM THE SENATE**INTRODUCTORY SENATE BILLS NO. 11**

Senate Joint Resolution 5 – Senators Kasemeyer, Madaleno, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Manno, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

A Senate Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

FOR the purpose of directing the Attorney General to take certain actions regarding civil and criminal suits and actions that are based on the federal government's action or inaction that threatens the public interest and welfare of the residents of the State; requiring the Attorney General, except under certain circumstances, to provide the Governor with certain notice and an opportunity to review and comment on certain suits and actions before commencing certain suits and actions; requiring the Governor, under certain circumstances, to provide in writing reasons for certain objections to the Attorney General within a certain time period; requiring the Attorney General, except under certain circumstances, to consider the Governor's objections before commencing a certain suit or action; and generally relating to the powers of the Attorney General.

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

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 83)

ADJOURNMENT

At 12:24 P.M. on motion of Delegate Frick the House adjourned until 8:00 P.M. on Monday, February 13, 2017.

**Annapolis, Maryland
Monday, February 13, 2017
8:00 P.M. Session**

The House met at 8:03 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Carl Anderton, Jr. of Wicomico County.

QUORUM CALL

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

(See Roll Call No. 84)

EXCUSED:

Del. B. Barnes – personal

Del. Davis – illness

Del. McKay – business

Del. Morgan – illness

Del. Parrott – business

Del. Turner – personal

The Journal of February 10, 2017 was read and approved.

INTRODUCTORY HOUSE BILLS NO. 29

House Bill 1523 – Delegates Lierman, Clippinger, and R. Lewis

AN ACT concerning

**Creation of a State Debt – Baltimore City – Baltimore Regional Education and
Training Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of CASA de Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1524 – Delegate Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – Tucker Road Ice Rink

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1525 – Delegates J. Lewis, Sanchez, and Vallario

AN ACT concerning

Criminal Procedure – Victim Notification – Dissemination and National Standards

FOR the purpose of altering a certain definition of “disseminate” to exclude providing information to victims of crime or their representatives; altering the purposes of certain provisions of law relating to the Criminal Justice Information System; requiring the Department of Information Technology to conduct a certain study relating to interfaces used for automated victim notification and to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; and generally relating to victim notification.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–201(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–201(g) and 10–203
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1526 – Delegates Angel and Vallario

AN ACT concerning

Criminal Procedure – Postsentencing – Victim Notification

FOR the purpose of expanding the types of crimes for which a victim may receive certain notification regarding a certain offender's mandatory supervision, parole, commutation of sentence, pardon, or remission of sentence; expanding the types of crimes for which a victim may submit a certain impact statement to the Parole Commission or the Division of Parole and Probation; making stylistic changes; defining certain terms; and generally relating to victim notification.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–505(b), 7–801, 7–803, 7–804, and 7–805
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–104(a)(4) and (5)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing
Article – Criminal Procedure
Section 11–502
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–505
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 1

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

House Joint Resolution 3 – Delegates Rosenberg, Barve, Busch, Davis, Frick, Jones, Kaiser, McIntosh, Pendergrass, and Vallario

A House Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

Favorable report adopted.

Delegate Healey moved to make the Bill a Special Order for February 14, 2017.

The motion was adopted.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Joint Resolution 5 – Senators Kasemeyer, Madaleno, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Manno, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

A Senate Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

Favorable report adopted.

Delegate Healey moved to make the Bill a Special Order for February 14, 2017.

The motion was adopted.

LETTERS OF REASSIGNMENT

February 13, 2017

MEMORANDUM

To: Chair, Environment and Transportation Committee
From: Michael E. Busch, Speaker of the House
Re: Reassignment of Bill/Resolution

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill/Resolution No.</u>	<u>Reassignment</u>
HB 1351	W&M

Read and ordered journalized.

LINCOLN'S DAY ADDRESS

Delegate Meagan C. Simonaire
Anne Arundel County

(Exhibit H of Appendix II)

Delegate Kipke moved the Delegate's remarks be journalized.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 85)

ADJOURNMENT

At 8:22 P.M. on motion of Delegate Frick the House adjourned until 11:00 A.M. on Tuesday, February 14, 2017.

Annapolis, Maryland
Tuesday, February 14, 2017
11:00 A.M. Session

The House met at 11:03 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseline A. Pena–Melnik of Prince George’s and Anne Arundel Counties.

QUORUM CALL

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

(See Roll Call No. 86)

EXCUSED:

Del. Barron – late – stuck in traffic

Del. Sample–Hughes – illness

The Journal of February 13, 2017 was read and approved.

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 12

Senate Bill 12 – ~~Senator Ramirez~~ Senators Ramirez, Brochin, Lee, Muse, and Smith

AN ACT concerning

Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement

FOR the purpose of providing for enforcement only as a secondary offense for a violation of the prohibition under certain circumstances against a person driving a vehicle on a highway with any object, material, or obstruction hanging from the rearview mirror under certain circumstances.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–1104

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 22 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Claimant Award
Basis**

FOR the purpose of altering the minimum eligibility threshold for a certain award of lost earnings or support; establishing eligibility for a certain award of lost wages for certain individuals related to a victim who died as a direct result of a crime or delinquent act; prohibiting compensation for certain lost average weekly wage claims from exceeding a certain amount; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–810 and 11–811
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

**Senate Bill 34 – Chair, Budget and Taxation Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

Motor Vehicles – Leased Vehicles – Inspections, Insurance, and Excise Tax

FOR the purpose of exempting from the motor vehicle excise tax a vehicle that is leased by the State or a political subdivision of the State; prohibiting the Motor Vehicle Administration from issuing, reinstating, or renewing a vehicle registration for a motor vehicle lessee who has an unpaid insurance penalty; exempting a leased vehicle transferred to the lessee at the end of the lease term from the requirement to obtain a motor vehicle safety inspection; and generally relating to leased vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–810(a)(3), 17–106(e)(3), and 23–106(a)(7) and (8)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation

Section 17–106(e)(1) and 23–106(b)(1) and (2)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 23–106(a)(9)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 35 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Juvenile Services)**

AN ACT concerning

Juvenile Law – Informal Adjustment – Mental Health Program

FOR the purpose of establishing that a juvenile informal adjustment process may exceed a certain length of time if a juvenile intake officer determines that additional time is necessary for a child to ~~complete~~ participate in a certain substance-related disorder treatment program or a certain mental health program; making a technical change; and generally relating to juvenile law.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–10(f)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

**Senate Bill 45 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Administration – Driving Instructors – Criminal History Records
Checks**

FOR the purpose of requiring the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services to provide to the Motor Vehicle Administration certain revised criminal history record information under certain circumstances; altering the application process for a criminal history records check for driving instructors; making a certain technical correction; making a

stylistic change; and generally relating to criminal history records checks for driving instructors.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–804(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 77 – Senator Simonaire

AN ACT concerning

Anne Arundel County and Harford County – Courthouse Dog and Child Witness Pilot Program

FOR the purpose of expanding the application of the Courthouse Dog and Child Witness Pilot Program to civil court proceedings by altering the definition of “child witness”; and generally relating to the Courthouse Dog and Child Witness Pilot Program.

BY repealing and reenacting, with amendments,
Chapter 467 of the Acts of the General Assembly of 2016
Section 1

BY repealing and reenacting, without amendments,
Chapter 467 of the Acts of the General Assembly of 2016
Section 2

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

Senate Bill 78 – Senator Rosapepe

AN ACT concerning

Vehicle Laws – School Crossing Guards – Authority to Direct Traffic

FOR the purpose of expanding the authority of school crossing guards to direct traffic by authorizing a school crossing guard who meets certain qualifications to direct vehicles and pedestrians on a highway or on school grounds in order to assist nonschool vehicles in entering and leaving school grounds; ~~providing for the application of this Act;~~ and generally relating to the authority of school crossing guards to direct traffic.

BY repealing and reenacting, with amendments,
Article – Transportation

Section 21–107
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 86 – Senator Norman

AN ACT concerning

Motor Vehicles – Use of Fog Lights When Windshield Wipers Operating – Repeal

FOR the purpose of repealing the authority of a driver to use a vehicle’s fog lights instead of the vehicle’s headlamps during the continuous operation of the vehicle’s windshield wipers under certain circumstances; and generally relating to the use of vehicle lamps and lights when the windshield wipers are operating.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–201.2
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 101 – Senator Waugh

AN ACT concerning

St. Mary’s County – Licensing and Operation of Amusement Devices – Repeal

FOR the purpose of repealing certain provisions of law that relate to the licensing and operation of certain amusement devices in St. Mary’s County.

BY repealing
The Public Local Laws of St. Mary’s County
Section 77–1 through 77–4 and the chapter “Chapter 77. Licenses”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2014 Supplement, as amended)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 111 – Senator McFadden

AN ACT concerning

Recordation and Transfer Taxes – Exemptions – Property Conveyed From Sole Proprietorship to Limited Liability Company

FOR the purpose of exempting a transfer of real property from a sole proprietorship to a limited liability company from recordation and transfer taxes if the sole member of the limited liability company is identical to the converting sole proprietor and certain other conditions are met; providing that the transfer of a controlling interest in a limited liability company that is the product of an untaxed conversion from a sole proprietorship is subject to the recordation and transfer tax under certain circumstances; defining a certain term; and generally relating to an exemption from recordation and transfer taxes for property conveyed from a sole proprietorship to a limited liability company.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–108(y) and 12–117(a)(6)(i) and (c)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 12–117(a)(1) and (b)(1), 13–103(a) and (b), and 13–207(a)(18)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 138 – Senators Manno and Miller

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs – Extension

FOR the purpose of extending the number of taxable years for which an individual or corporation may claim a credit against the State income tax for certain costs incurred to obtain federal security clearances, to rent certain spaces, and to construct or renovate certain sensitive compartmented information facilities in the State; making certain stylistic changes; and generally relating to a credit against the State income tax for costs related to federal security clearances.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–732
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 143 – Senator Zirkin

AN ACT concerning

Injury to or Death of Pet – Damages

FOR the purpose of providing that a person who tortiously causes an injury to or death of a pet while acting through an animal under the person's ownership is liable to the owner of the pet for certain compensatory damages; repealing a certain cap on the compensatory damages for which a person who tortiously causes an injury to or death of a pet is liable; providing for the application of this Act; and generally relating to civil liability for causing injury to or death of a pet.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–110
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

Senate Bill 154 – Senators King, Feldman, Guzzone, Kagan, Lee, Madaleno, Manno, Peters, Smith, Young, ~~and Zucker~~ Zucker, and Simonaire

AN ACT concerning

Vehicle Laws – School Bus Monitoring Cameras – Civil Penalty

FOR the purpose of altering the civil penalty for a violation recorded by a school bus monitoring camera for failure to stop for a school vehicle operating alternately flashing red lights; ~~repealing a requirement that the District Court prescribe a certain civil penalty;~~ and generally relating to civil penalties for violations recorded by school bus monitoring cameras.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–706 and 21–706.1(a)(6)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–706.1(e)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 165 – The President (By Request – Department of Legislative Services
– Code Revision)**

AN ACT concerning

Code Revision – Maryland Vehicle Law – Penalties

FOR the purpose of revising, restating, and recodifying the laws of this State relating to penalties for violations of the Maryland Vehicle Law; repealing certain redundant provisions; clarifying language; making certain technical and stylistic changes; providing for the construction of this Act; providing for the effect and construction of certain provisions of this Act; authorizing the publisher of the Annotated Code to make certain corrections in a certain manner; and generally relating to the Maryland Vehicle Law.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12–301, 13–402, 13–402.1, 13–616, 13–616.1, 13–616.2, 13–704, 14–102, 14–103, 14–104, 14–107, 14–110, 15–302, 15–311.2, 15–312, 15–313, 15–314, 15–402, 15–411, 15–502, 15–509, 16–101, 16–102, 16–113, 16–301, 16–303, 16–806, 16–807, 16–808, 16–812, 16–813.1, 16–815, 17–107, 17–110, 18–104, 20–102, 20–103, 20–104, 20–105, 20–108, 21–206, 21–502, 21–706, 21–802.1, 21–803.1, 21–901.1, 21–902, 21–902.1, 21–904, 21–1003, 21–1010, 21–1116, 21–1122, 21–1124.3, 21–1126, 21–1127, 21–1128, 21–1411, 21–1414, 22–404.4, 22–404.5, 22–405.1, 22–409, 22–415, 22–611, 23–305, 23–403, 24–107, 24–111, 24–111.1, 24–112, 24–304, 25–110, 25–111, 25–112, 25–209, and 26–305

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation

Section 15–515, 16–303.1, 21–406, 21–902.2, 21–902.3, 21–902.4, 21–10A–07; 24–401 to be under the new subtitle “Subtitle 4. Penalties for Certain Weight Violations”; and 27–101 through 27–104

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–401, 21–401.1, 21–402 through 21–404, 21–404.1, 21–405, 21–10A–01 through 21–10A–06, and 24–303

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 23–109

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 91 of the Acts of the General Assembly of 2014)

BY repealing

Article – Transportation

Section 27–101

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

BY repealing

Article – Transportation

Section 27–101.1, 27–101.2, 27–102 through 27–107, 27–107.1, and 27–108 through 27–115

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 182 – Senators Middleton, Peters, and Miller

EMERGENCY BILL

AN ACT concerning

**~~Charles and~~ Baltimore City and Charles, Prince George’s, and Harford Counties
– Recall of Former Judge for Temporary Assignment – Eligibility**

FOR the purpose of altering the eligibility requirements for recall of a former judge in Baltimore City, Charles County, Harford County, and Prince George’s County for temporary assignment; making this Act an emergency measure; and generally relating to the recall of former judges for temporary assignment.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 1–302(a) and (c)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 1–302(b)

Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

Senate Bill 211 – Cecil County Senators

AN ACT concerning

Cecil County – Orphans’ Court Judges – Travel Expense Allowance

FOR the purpose of increasing the allowance for traveling expenses for the judges of the Orphans’ Court for Cecil County; specifying that the allowance is to be paid by the county; providing for the application of this Act; making stylistic changes; and generally relating to traveling expense allowances for judges of the Orphans’ Court for Cecil County.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–108(a) and (i)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 256 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ and Teachers’ Pension Systems – Reformed Contributory Pension
Benefit – Service Credit Purchase Clarification**

FOR the purpose of clarifying that a member of the Employees’ Pension System or the Teachers’ Pension System who is subject to the Reformed Contributory Pension Benefit is eligible to purchase service credit for a certain period of employment under certain circumstances; and generally relating to the purchase of service credit for a member of the Employees’ Pension System or the Teachers’ Pension System who is subject to the Reformed Contributory Pension Benefit.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–306.2
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 268 – Senators Young, Benson, Guzzone, and Pinsky**EMERGENCY BILL**

AN ACT concerning

**Cownose Ray ~~Fishing Tournaments—Prohibition~~ Fishery Management Plan
and Moratorium on Tournaments**

FOR the purpose of ~~prohibiting a person from organizing, sponsoring, promoting, conducting, or participating in a cownose ray fishing tournament in State waters; requiring the Secretary of Natural Resources to adopt certain regulations; defining a certain term; and generally relating to cownose ray fishing tournaments~~ requiring the Department of Natural Resources to prepare a certain fishery management plan for the cownose ray species on or before a certain date; prohibiting a person from organizing, sponsoring, promoting, conducting, or participating in a certain cownose ray fishing tournament in State waters until a certain date; making this Act an emergency measure; and generally relating to the cownose ray fishery.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-215(b)(23) and (24)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Natural Resources

Section ~~4-748~~ 4-215(b)(25)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 356 – Senators Serafini, Cassilly, Edwards, Hershey, Jennings, Ready, Salling, and Simonaire

AN ACT concerning

Workgroup to Study the Optional Retirement Program

FOR the purpose of establishing the Workgroup to Study the Optional Retirement Program; 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 study and make recommendations regarding certain matters; 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 Workgroup to Study the Optional Retirement Program.

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

APPROPRIATIONS COMMITTEE REPORT NO. 2

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

House Bill 62 – Delegate McConkey

AN ACT concerning

State Retirement and Pension System – Disability Retirement – Alterations

HB0062/524966/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 62 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Alterations” and substitute “Reemployment Earnings Limitation”; strike beginning with “authorizing” in line 3 down through “conditions;” in line 8; in line 10, after “allowance” insert “from the State Retirement and Pension System”; in line 11, strike “alterations to the disability retirement process” and substitute “the reemployment earnings limitation for disability retirees”; and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 19, inclusive.

On page 3, in line 19, strike “**OR § 29–115.1**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 201 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ and Teachers’ Pension Systems – Reformed Contributory Pension
Benefit – Service Credit Purchase Clarification**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 202 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement Agency – Authority to Arrange Custody of Investments and
Procurement Exemption**

HB0202/714361/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 202

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Agency” and substitute “and Pension System”; in line 5, strike “State Retirement Agency” and substitute “Board of Trustees for the State Retirement and Pension System”; strike beginning with “Chief” in line 7 down through “Agency” in line 8 and substitute “Board of Trustees; providing for the application of this Act”; strike in their entirety lines 15 through 19, inclusive; and in line 22, strike “21–122(d)” and substitute “21–123”.

AMENDMENT NO. 2

On page 2, in line 16, strike “**§ 21–122(D)**” and substitute “**§ 21–123(F)**”; and strike in their entirety lines 19 through 31, inclusive, and substitute:

“21–123.”

(a) Except for those assets that the law requires another entity or person to control, the State Retirement Agency, under the supervision of the Board of Trustees, shall manage all assets of the several systems.

(b) The Board of Trustees:

(1) is deemed the owner of all the assets of the several systems; but

(2) may delegate some or all incidents of ownership to the State Retirement Agency to administer the investment portfolios of the several systems.

(c) (1) The Board of Trustees may invest assets of the several systems subject to the conditions that it imposes.

(2) The Board of Trustees shall include the conditions that it adopts under paragraph (1) of this subsection in the investment policy manual required by § 21–116(c) of this subtitle.

(d) (1) This subsection applies only to the execution of:

(i) ground rent redemption deeds;

(ii) releases or reassignments of mortgages; and

(iii) satisfactions or reassignments of notes conveying, releasing, or reassigning any interest owned by the State for the use of a fund of the several systems.

(2) An instrument must be executed by any two of:

(i) the State Treasurer;

(ii) the Executive Director of the State Retirement Agency;

(iii) the Chief Investment Officer of the State Retirement Agency; or

(iv) another employee of the State Retirement Agency as the Executive Director designates with the approval of the Board of Trustees.

(e) (1) The Board of Trustees may commingle assets of the several systems, including the Postretirement Health Benefits Trust Fund, if the Board of Trustees keeps separate sets of records for each State system or group of State systems listed in paragraph (2) of this subsection that show:

(i) the percentage of participation of each State system or group of State systems, including the Postretirement Health Benefits Trust Fund;

(ii) the percentage of income, gains, and losses applicable to each State system or group of State systems, including the Postretirement Health Benefits Trust Fund; and

(iii) the total contributions and disbursements applicable to each State system or group of State systems, including the Postretirement Health Benefits Trust Fund.

(2) The Board of Trustees shall keep records required by paragraph (1) of this subsection for each of the following:

(i) the group that consists of the Correctional Officers' Retirement System, the Employees' Pension System, the Employees' Retirement System, and the Legislative Pension Plan;

(ii) the Judges' Retirement System;

(iii) the Law Enforcement Officers' Pension System;

(iv) the State Police Retirement System;

(v) the group that consists of the Teachers' Pension System and the Teachers' Retirement System; and

(vi) the Postretirement Health Benefits Trust Fund.

(F) ON BEHALF OF THE SEVERAL SYSTEMS, THE BOARD OF TRUSTEES SHALL MAKE ARRANGEMENTS FOR THE SAFE CUSTODY, DOMESTIC OR GLOBAL, OF INVESTMENTS WITH ONE OR MORE DULY QUALIFIED CUSTODIAN BANKS OR TRUST COMPANIES.

[(f)] (G) (1) Notwithstanding any other law in force on or after July 1, 1988, unless the law makes specific reference to this subsection, and subject to paragraph (2) of this subsection, the Board of Trustees may keep all analyses, forecasts, negotiations, papers, records, recommendations, and reports closed to public inspection until:

(i) the release of the information would not adversely affect the negotiation for or market price of a security; and

(ii) completion of:

1. a proposed purchase or program of purchases leading to a cumulative position in a security;

2. the making, sale, or prepayment of a loan;

3. any proposed sale or program of sales leading to the elimination of a position in a security; or

4. the sale or purchase of real estate.

(2) The sale or purchase of real estate shall be subject to the approval of a majority of the Comptroller, Treasurer, and Secretary of Budget and Management, in their capacity as members of the Board of Trustees.

[(g)] (H) Any direct owned real estate purchased as an investment by the State Retirement and Pension System shall be managed by an external investment manager selected by the Chief Investment Officer.

[(h)] (I) Title 4, Subtitle 3, Part III and § 10–305 of the State Finance and Procurement Article do not apply to the sale, acquisition, lease, transfer, exchange, or other disposition of any real or personal property acquired by the Board of Trustees in any transaction authorized under this title.”.

AMENDMENT NO. 3

On page 4, after line 7, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any contract or amendments to any contracts resulting from a request for proposals for global custody services issued by the State Treasurer before the effective date of this Act.”;

and in line 8, 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.

ECONOMIC MATTERS COMMITTEE REPORT NO. 3

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

House Bill 212 – Delegates Waldstreicher, Angel, Barkley, Carr, Clippinger, Conaway, Cullison, Fraser-Hidalgo, Frush, Glenn, Gutierrez, Haynes, Healey, Hettleman, Hill, Holmes, Jackson, Jalisi, Kaiser, Kramer, Lafferty, Lam, Lierman, Lisanti, McCray, A. Miller, Morales, Pena-Melnyk, Platt,

**Proctor, Queen, Robinson, Rosenberg, Sanchez, Sydnor, Turner,
Valderrama, C. Wilson, K. Young, and Lewis**

AN ACT concerning

**Consumer Protection – Credit Report Security Freezes – Prohibition on Fees
and Required Notices**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 258 – Delegates Morales, Anderson, Atterbeary, Conaway, Dumais,
Moon, Queen, Sanchez, Sydnor, and Valentino-Smith**

AN ACT concerning

**Adult Entertainment Establishments – National Human Trafficking Resource
Center Hotline Information – Sign Posting Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 261 – Delegates Jackson, Angel, Knotts, Krimm, and Tarlau

AN ACT concerning

**Public Utilities – Termination of Service to Multifamily Dwelling Unit
– Notification to Property Owner or Property Manager**

HB0261/183294/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 261

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “terminate” insert “, because of nonpayment,”; in line 6, after the first “service” insert “if the property owner or property manager has enrolled in a

certain notification program”; in line 7, after “circumstances;” insert “requiring a certain property owner or property manager to obtain certain consent from a customer in order to enroll in a certain termination program;”; and in line 8, strike “requiring” and substitute “authorizing”.

AMENDMENT NO. 2

On page 1, in line 19, strike “**SUBJECT TO SUBSECTION (B) OF THIS SECTION, IF A**” and substitute “A”; and in line 20, strike “**IS GOING TO TERMINATE**” and substitute “THAT TERMINATES, BECAUSE OF NONPAYMENT,”; in line 21, strike “**, THE PUBLIC SERVICE COMPANY**”; and in line 23, after “CUSTOMER” insert “IF THE PROPERTY OWNER OR PROPERTY MANAGER HAS ENROLLED IN A THIRD-PARTY TERMINATION NOTIFICATION PROGRAM”.

On page 2, strike beginning with “ENROLLS” in line 3 down through “ADOPTS” in line 4 and substitute “:

(1) NOTIFIES THE PUBLIC SERVICE COMPANY OF THE PROPERTY OWNER’S OR PROPERTY MANAGER’S ENROLLMENT IN A THIRD-PARTY NOTIFICATION PROGRAM; AND

(2) PROVIDES DOCUMENTATION THAT THE PROPERTY OWNER OR PROPERTY MANAGER OBTAINED THE CUSTOMER’S WRITTEN CONSENT AUTHORIZING THE PROPERTY OWNER OR PROPERTY MANAGER TO RECEIVE THE CUSTOMER’S NOTICE OF TERMINATION”;

in line 5, after “(C)” insert “IN ORDER FOR A PROPERTY OWNER OR PROPERTY MANAGER TO ENROLL IN A THIRD-PARTY NOTIFICATION PROGRAM, THE PROPERTY OWNER OR PROPERTY MANAGER SHALL OBTAIN THE CUSTOMER’S WRITTEN CONSENT AUTHORIZING THE PROPERTY OWNER OR PROPERTY MANAGER TO RECEIVE THE CUSTOMER’S NOTICE OF TERMINATION FROM THE THIRD-PARTY NOTIFICATION PROGRAM.

(D)”;

in line 7, strike “(D)” and substitute “(E)”; and in the same line, strike “SHALL” and substitute “MAY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 451 – Delegate Cluster

AN ACT concerning

Insurance – Bail Bondsmen – Continuing Education Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 511 – Delegates Jameson, Arentz, Barkley, Branch, Clippinger, Davis,
Impallaria, Mautz, and W. Miller**

AN ACT concerning

**Public Utilities – Water Companies and Sewage Disposal Companies – Rate
Cases and Proceedings**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 1

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 11 – Delegates Lam, Barve, Hill, Ebersole, Lafferty, Pendergrass,
Fraser-Hidalgo, Tarlau, Robinson, and Ciliberti**

AN ACT concerning

**Vehicle Laws – Causing Diesel Emissions to Discharge Onto Another –
Prohibition**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 23 – Delegate Lam

AN ACT concerning

Vehicle Laws – School Vehicles – Definition

HB0023/740017/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 23

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Lam” and substitute “Delegates Lam and Beitzel”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 26 – Delegate Holmes

AN ACT concerning

**Real Property – Notices of Foreclosure Sale and Postponement or Cancellation
of Foreclosure Sale**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 34 – Delegate Holmes

AN ACT concerning

Real Property – Homeowners Associations – Resale of Lot – Inspection Fees**HB0034/540111/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 34

(First Reading File Bill)

On page 3, in line 33, after “owner” insert “**OTHER THAN A DECLARANT**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 41 – Delegate Holmes

AN ACT concerning

Real Property – Common Ownership Communities – Statewide Registration**HB0041/990618/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 41

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Department,” insert “requiring the Department to work with any county that maintains a local registry of common ownership communities under certain circumstances; requiring the Department to establish a certain registration fee;”; in the same line, strike “a certain registration fee and”; and strike beginning with “requiring” in line 12 down through “community;” in line 14.

AMENDMENT NO. 2

On page 2, in lines 10 and 23, in each instance, after “USED” insert “ONLY”.

On page 3, in line 14, strike “OR”; and in line 17, after “LOTS” insert “; OR”

(3) A COMMON OWNERSHIP COMMUNITY THAT:

(I) IS LOCATED IN A COUNTY THAT MAINTAINS A REGISTRY OF COMMON OWNERSHIP COMMUNITIES AND REGULARLY SHARES WITH THE DEPARTMENT INFORMATION FROM THE COUNTY REGISTRY; AND

(II) IS REGISTERED IN THE COUNTY IN WHICH THE COMMON OWNERSHIP COMMUNITY IS LOCATED”.

AMENDMENT NO. 3

On page 3, after line 25, insert:

“(D) THE DEPARTMENT SHALL WORK WITH ANY COUNTY THAT MAINTAINS A LOCAL REGISTRY OF COMMON OWNERSHIP COMMUNITIES SO AS TO FACILITATE THE TRANSMITTAL OF INFORMATION FROM THE COUNTY.”;

in line 27, after “THE” insert “DEPARTMENT SHALL ESTABLISH THE”; and in line 28, strike “SHALL BE \$3” and substitute “NOT TO EXCEED \$10”.

On page 4, in line 25, strike “2019” and substitute “2018”; in line 27, strike the second “THE” and substitute “;”

(1) THE IMPLEMENTATION OF THIS SUBTITLE; AND

(2) THE”;

and in line 28, after “SUBTITLE” insert “AND ANY COUNTY THAT SHARES WITH THE DEPARTMENT INFORMATION FROM THE COUNTY’S REGISTRY OF COMMON OWNERSHIP COMMUNITIES”.

On page 5, strike beginning with “AND” in line 16 down through “3.” in line 23.

AMENDMENT NO. 4

On page 4, strike beginning with “**PROOF**” in line 6 down through the semicolon in line 8 and substitute “**IF APPLICABLE, THE NAME AND ADDRESS OF ANY OTHER COMMON OWNERSHIP COMMUNITY THAT IS GOVERNED BY THE COMMON OWNERSHIP COMMUNITY; AND**”; strike beginning with “**EACH**” in line 10 down through “**ANY**” in line 12 and substitute “**THE**”; in line 12, strike “**HIRED**” and substitute “**EMPLOYED**”; in line 14, strike “**AND**” and substitute “**OR**”

(II) IF THE COMMON OWNERSHIP COMMUNITY DOES NOT EMPLOY A PROPERTY MANAGER OR OTHER PERSON TO PROVIDE PROPERTY MANAGEMENT SERVICES, ONE OR MORE INDIVIDUALS DESIGNATED BY THE BOARD OF DIRECTORS OR GOVERNING BODY TO ANSWER INQUIRIES ON BEHALF OF THE COMMON OWNERSHIP COMMUNITY.”;

and strike in their entirety lines 15 and 16.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Krebs moved to make the Bill a Special Order for February 15, 2017.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 44 – Delegate McCray

AN ACT concerning

**Residential Property – Ground Lease Registration Form – Contact Information
Option**

HB0044/610318/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 44

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Form” and substitute “Forms”; and in line 6, after “information,” insert “requiring the reporting form for changes or corrections required by the State Department of Assessments and Taxation to include a section that provides the ground lease holder the option to provide certain contact information.”.

AMENDMENT NO. 2

On page 1, in line 21, strike “(c)” and substitute “**(D)**”.

On page 2, in line 15, after “(c)” insert “**THE REPORTING FORM FOR CHANGES OR CORRECTIONS TO A GROUND LEASE REGISTRATION SHALL INCLUDE A SECTION THAT PROVIDES THE GROUND LEASE HOLDER THE OPTION TO INCLUDE THE GROUND LEASE HOLDER’S TELEPHONE NUMBER AND E-MAIL ADDRESS.**”.

(D)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 51 – Delegate Lam

AN ACT concerning

Vehicle Laws – Electric Personal Assistive Mobility Device – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 126 – Chair, Environment and Transportation Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Wildlife and Hunting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

LETTERS OF REASSIGNMENT

February 14, 2017

MEMORANDUM

To: Chair, Economic Matters Committee
From: Michael E. Busch, Speaker of the House
Re: Reassignment of Bill/Resolution

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill/Resolution No.</u>	<u>Reassignment</u>
HB 1482	HGO

Read and ordered journalized.

SPECIAL ORDER CALENDAR NO. 8

House Joint Resolution 3 – Delegates Rosenberg, Barve, Busch, Davis, Frick, Jones, Kaiser, McIntosh, Pendergrass, and Vallario

A House Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

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

FLOOR AMENDMENT

HJ0003/443826/1

BY: Delegate Flanagan

AMENDMENTS TO HOUSE JOINT RESOLUTION 3
(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in line 6, strike “, except under certain circumstances,”; in line 7, after “Governor” insert “and the Legislative Policy Committee”; in line 9, after “Governor” insert “and the Legislative Policy Committee”; and strike beginning with “requiring” in line 10 down through “action;” in line 12 and substitute “providing for the construction of this Resolution;”.

AMENDMENT NO. 2

On page 2, strike beginning with “unless” in line 15 down through “government,” in line 18; in line 18, strike the first “the” and substitute “a”; in line 19, after “Governor” insert “and the Legislative Policy Committee”; in lines 23 and 25, in each instance, after “Governor” insert “or the Legislative Policy Committee”; in line 24, after “provided” insert a comma; in lines 24 and 25, strike “:

(1);

and strike beginning with “and” in line 26 down through “action;” in line 29.

On pages 2 and 3, strike in their entirety the lines beginning with line 30 on page 2 through line 2 on page 3, inclusive, and substitute:

“RESOLVED, That this Resolution may not be construed to authorize the Attorney General to commence, prosecute, or defend a suit or action against the federal government without the approval of the Governor or the Legislative Policy Committee; and be it further”.

Delegate Morgan moved the previous question.

The motion was adopted.

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

Affirmative – 50 Negative – 88 (See Roll Call No. 87)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 9

Senate Joint Resolution 5 – Senators Kasemeyer, Madaleno, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kelley, King, Lee,

Manno, McFadden, Middleton, Miller, Muse, Nathan-Pulliam, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

A Senate Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

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

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 88)

ADJOURNMENT

At 12:04 P.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Wednesday, February 15, 2017.

Annapolis, Maryland
Wednesday, February 15, 2017
10:00 A.M. Session

The House met at 10:13 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Deborah C. Rey of St. Mary's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 89)

EXCUSED:

Del. Carr – personal

The Journal of February 14, 2017 was read and approved.

CONSENT CALENDAR OF INTRODUCTORY HOUSE BILLS NO. 30

House Bill 1527 – Delegate Bromwell

AN ACT concerning

Creation of a State Debt – Baltimore County – Double Rock Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1528 – Delegates Rey, Adams, Beitzel, Flanagan, Jacobs, Jameson, Kipke, Kittleman, Korman, Kramer, Lafferty, Mautz, McComas, Patterson, Queen, Rose, Shoemaker, and B. Wilson

AN ACT concerning

Income Tax – Oyster Shell Recycling Credit – Sunset Repeal

FOR the purpose of repealing certain termination provisions related to a State income tax credit for each bushel of oyster shells recycled during a taxable year; and generally relating to an income tax credit for oyster shell recycling.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–724.1

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 278 of the Acts of the General Assembly of 2013

Section 2

BY repealing and reenacting, with amendments,

Chapter 279 of the Acts of the General Assembly of 2013

Section 2

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

House Bill 1529 – Delegate Walker

AN ACT concerning

**Elementary School Students – Daily Physical Activity
(Student Health and Fitness Act)**

FOR the purpose of requiring a public school student in elementary school to be provided a certain minimum level of a program of physical activity each week; requiring that the program of physical activity for a certain category of student be consistent with a certain plan for the student; requiring public elementary schools to designate a certain group to plan and coordinate certain activities; requiring the State Board of Education to adopt certain regulations; providing for certain extensions; requiring a county school system that receives a certain extension to have a plan to ensure the county school system's compliance with this Act by a certain date; and generally relating to student health and fitness.

BY renumbering

Article – Education

Section 7–409(b), (c), (d), (e), and (f), respectively

to be Section 7–409(c), (d), (e), (f), and (g), respectively

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 7–205(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–409(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 7–409(b)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1530 – Delegate Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – Torah School of Greater Washington

FOR the purpose of authorizing the creation of a State Debt not to exceed \$375,000, the proceeds to be used as a grant to the Board of Directors of The Torah School of Greater Washington, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1531 – Delegate Lisanti

AN ACT concerning

Alcoholic Beverages – Limited Winery Licenses – Auxiliary Winery Permits

FOR the purpose of establishing an auxiliary winery permit; authorizing the Comptroller to issue the permit to a Class 4 limited winery for use at a location off the licensed premises anywhere in the State; providing that the Comptroller may issue only one permit to a single applicant; authorizing the holder of the permit to exercise the

privileges with certain exceptions that are allowed at the premises for which the holder's Class 4 license is issued; requiring that an agent who is certified by an approved alcohol awareness program be present while a permit holder sells or provides samples of wine; requiring an applicant for a permit to submit a certain application to the Comptroller; providing for an annual permit fee; repealing certain requirements relating to the authority of a holder of a Class 3 winery license to sell at retail wine made at the plant; repealing certain requirements relating to the authority of a holder of a Class 3 winery license to serve, at no charge, no more than a certain amount of wine to a certain individual; repealing a certain maximum limit on the amount of wine an individual may purchase under certain conditions; requiring a holder of a Class 4 limited winery license to own or have under contract a certain amount of acres of grapes or other fruit in cultivation for use in the production of wine in the State or use a certain amount of Maryland grown grapes, other fruit, or other agricultural products in the production of its wine; making a certain exception; requiring certain holders of a Class 4 winery license to meet certain requirements beginning on a certain date; and generally relating to limited winery licenses and the establishment of an auxiliary winery permit.

BY adding to

Article – Alcoholic Beverages
Section 2–132.4
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 2–205 and 2–206
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1532 – Delegate Walker

AN ACT concerning

State Board of Education – Financial Literacy Curriculum – Graduation Requirement

FOR the purpose of requiring the State Board of Education to develop curriculum content for a certain course in financial literacy; requiring each county board of education to implement the financial literacy curriculum content developed by the State Board in certain high schools; requiring students to complete a certain course in order to graduate from high school; and generally relating to the development and implementation of a course in financial literacy that is required for graduation from a public high school in the State.

BY adding to

Article – Education

Section 7–205.4

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1533 – Delegate Fennell

AN ACT concerning

Termination of Electric or Gas Service – Prohibition

FOR the purpose of prohibiting a public service company from terminating, under certain circumstances, electric or gas service to a residential customer during a severe weather period for a severe weather event and on certain days; prohibiting a public service company, on receipt of a certain request or subsequent request, from terminating, under certain circumstances, electric or gas service to a residential customer for a certain period of time beyond a scheduled termination of service date under certain circumstances; prohibiting a public service company from granting an additional period of service under certain circumstances; requiring that certain claims made in a certain request be certified to the public service company by certain medical professionals, subject to a certain exception; limiting the number of times a certain request may be made during a certain period of time; requiring the Public Service Commission to adopt certain regulations; defining certain terms; and generally relating to the termination of electric or gas service.

BY adding to

Article – Public Utilities

Section 7–307.3, 7–307.4, and 7–307.5

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

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

House Bill 1534 – Delegate Conaway

AN ACT concerning

Task Force to Study the Economic Benefits of Dual Enrollment in High School

FOR the purpose of establishing the Task Force to Study the Economic Benefits of Dual Enrollment in High School; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters;

requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Economic Benefits of Dual Enrollment in High School.

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

House Bill 1535 – Delegate Hixson

AN ACT concerning

Income Tax Credit – HVAC Air Stratification Technology

FOR the purpose of allowing a credit against the State income tax for certain costs of certain HVAC air stratification technology; providing that the credit may not exceed a certain amount; providing that the credit may not be carried forward to another taxable year; requiring a taxpayer claiming the credit to attach certain proof to the taxpayer's return; defining a certain term; providing for the application of this Act; and generally relating to an income tax credit for certain HVAC air stratification technology.

BY adding to

Article – Tax – General

Section 10–741

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 1536 – Delegate Hayes

AN ACT concerning

State Board of Physicians – Athletic Trainers – Scope of Practice

FOR the purpose of altering the definition of “practice athletic training” to allow athletic trainers to apply, under the supervision of a licensed physician, certain principles and methods for managing athletic injuries suffered by individuals in good overall health who are employed in professions specified by the State Board of Physicians in regulations; requiring the Board to adopt regulations that specify the professions that involve athletic activities and may result in an individual who is employed in the profession suffering a certain injury; altering the definition of “athletic activity” to include other activities that meet certain requirements; making stylistic changes; and generally relating to the scope of practice of athletic trainers.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5D–01
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Health Occupations
Section 14–5D–06(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–5D–07(a) and 14–5D–10
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1537 – Delegate Bromwell

AN ACT concerning

Video Lottery Facilities – Donation of Coins From Gaming Payouts – Expansion

FOR the purpose of requiring the State Lottery and Gaming Control Commission to adopt regulations that require each video lottery operator to adopt certain procedures to offer certain players the opportunity to donate coins when receiving cash on payout to the Maryland Veterans Trust Fund under certain circumstances; and generally relating to gaming payouts and revenues for the Maryland Veterans Trust Fund.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–01(a) and (cc)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–04(d)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1538 – Delegates Gaines, Healey, Knotts, and A. Washington

AN ACT concerning

Creation of a State Debt – Prince George’s County – Hyattsville Veteran’s Memorial

FOR the purpose of authorizing the creation of a State Debt not to exceed \$30,000, the proceeds to be used as a grant to the Board of Directors of the Hyattsville Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1539 – Delegate Beidle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Class H Licenses

FOR the purpose of increasing the number of Class H beer, wine, and liquor or Class H beer and wine licenses that the Board of License Commissioners for Anne Arundel County may issue to a certain license holder under certain circumstances; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 11–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 11–1609
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1540 – Delegates B. Barnes, Frush, Gaines, Healey, Pena–Melnik, and A. Washington

AN ACT concerning

Creation of a State Debt – Prince George’s County – Riverdale Park Station Pedestrian Improvements

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of the College Park City–University Partnership, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1541 – Delegate Brooks

AN ACT concerning

Maryland Automobile Insurance Fund – Operations

FOR the purpose of repealing an exception for the Maryland Automobile Insurance Fund from certain provisions of law governing the imposition of a certain premium tax; altering the scope of certain provisions of law governing prior approval rate making to exclude the Fund from prior approval rate making; providing that certain provisions of law governing competitive rating rate making apply to the Fund under certain circumstances; repealing a provision of law that makes the Fund subject to the provisions of the Open Meetings Act; removing the Executive Director of the Fund as a member of a certain audit committee; clarifying that, under certain circumstances, the Board of Trustees of the Fund adopts policies and not regulations; clarifying that, with respect to certain provisions of law, the Fund is subject to the Administrative Procedure Act; authorizing the Fund to sell, issue, and deliver a policy that provides a certain security to a person that has been uninsured for a certain continuous period of time immediately preceding the effective date of the Fund policy and meets certain other requirements; authorizing the Fund to reinstate a canceled policy without a lapse in coverage under certain circumstances and in a certain manner; authorizing the Fund to charge a policyholder a certain reinstatement fee not to exceed a certain amount; authorizing a certain fund producer to charge a policyholder a certain reinstatement fee not to exceed a certain amount; making conforming and clarifying changes; and generally relating to the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 6–101(a), 11–303, 20–201(d), 20–304(a), 20–502(a), 20–507(a), (b), and (d),
20–509(a) and (b), 20–513, 20–514, and 20–516

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1542 – Delegate Beitzel

AN ACT concerning

**Creation of a State Debt – Garrett County – Believe in Tomorrow Children’s
House at Deep Creek Lake**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Believe in Tomorrow National Children’s Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1543 – Delegate Conaway

AN ACT concerning

**Task Force to Study the Feasibility of Installing Solar Panels on Baltimore City
Public Schools**

FOR the purpose of establishing the Task Force to Study the Feasibility of Installing Solar Panels on Baltimore City Public Schools; 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 Baltimore City Delegation to 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 Feasibility of Installing Solar Panels on Baltimore City Public Schools.

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

House Bill 1544 – Delegate Haynes

AN ACT concerning

Creation of a State Debt – Baltimore City – My Brother’s Keeper

FOR the purpose of authorizing the creation of a State Debt in the amount of \$280,000, the proceeds to be used as a grant to the Board of Trustees of the Irvington My Brother’s Keeper, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance

or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1545 – Delegates Valderrama, Knotts, and Walker

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Hard Bargain Farm
Environmental Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Alice Ferguson Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1546 – Delegates Hixson, Moon, and Wilkins

AN ACT concerning

Creation of a State Debt – Montgomery County – Gandhi Brigade Media Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Gandhi Brigade Incorporated for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1547 – Cecil County Delegation

AN ACT concerning

Public Safety – Agritourism – Permit Exemption

FOR the purpose of adding Cecil County to the list of counties that exempt agricultural buildings engaged in agritourism from a certain permit requirement; providing for the number of people allowed to occupy a building engaged in agritourism in Cecil

County under certain circumstances; and generally relating to a permit exemption for certain buildings engaged in agritourism.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–508
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1548 – Delegates Ebersole, Lam, Luedtke, and Turner

AN ACT concerning

Income Tax Credit – Renewable Energy Property

FOR the purpose of allowing certain individuals or business entities a credit against the State income tax for a certain percentage of the eligible cost of certain renewable energy property constructed or purchased and placed in service in the State; limiting the amount of the credit for each installation of renewable energy property; limiting the aggregate amount of tax credit certificates that may be issued during a certain period; requiring the credit to be claimed in certain taxable years in a certain manner; authorizing an individual or a business entity to carry over to certain taxable years any excess credit; requiring an individual or a business entity to file an application for a tax credit certificate with the Maryland Energy Administration before placing renewable energy property in service to claim the credit; requiring the application to include certain information; establishing a certain application fee and making the fee nonrefundable under certain circumstances; requiring an individual or a business entity claiming the credit to maintain and make available certain records; requiring the Administration to issue certain notices of approval and tax credit certificates on a first–come, first–served basis; establishing certain procedures related to notices of approval and tax credit certificates; requiring an individual or a business entity that receives a notice of approval to place renewable energy property in service within a certain period of time; specifying certain procedures if an individual or a business entity that receives a notice of approval does not place renewable energy property in service within a specified period of time; prohibiting the Administration from issuing a tax credit certificate before a certain date or after a certain date; authorizing the tax credit to be transferred; specifying procedures that apply when the tax credit is transferred; authorizing the tax credit to be allocated among partners, members, or shareholders of certain business entities; authorizing the lessor and the lessee of renewable energy property to elect to treat a lease of renewable energy property as a sale of part or all of the property to the lessee for tax purposes; specifying procedures that apply when a lease of renewable energy property is treated as a sale of part or all of the property to the lessee for tax purposes; requiring the recapture of the tax credit under certain circumstances; authorizing the Administration to adopt regulations to implement the tax credit;

defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for renewable energy property.

BY adding to

Article – Tax – General

Section 10–741

Annotated Code of Maryland

(2016 Replacement Volume)

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

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 13

Senate Bill 81 – Senator Simonaire

AN ACT concerning

Interstate Boating Violator Compact

FOR the purpose of authorizing the Governor to enter into the Interstate Boating Violator Compact; providing for the purposes of the Compact; providing for procedures for states issuing citations for boating violations to certain persons residing in party states; providing for procedures for home states for certain persons receiving certain citations; providing for the reciprocal recognition of suspension of certain privileges or licenses under certain circumstances; providing for the application of other laws relating to certain watercraft operating privileges or licenses; providing for a Board of Boating Compact Administrators for certain purposes; providing for the entry into and withdrawal from the Compact; providing for amendments to the Compact; providing for the severability of provisions of the Compact; requiring the Secretary of Natural Resources to appoint a Boating Compact Administrator; requiring the Boating Compact Administrator to serve at the pleasure of the Secretary; requiring the Department of Natural Resources to take certain actions under certain circumstances in accordance with this Act; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to interstate enforcement of boating violations.

BY adding to

Article – Natural Resources

Section 8–801 through 8–804 to be under the new subtitle “Subtitle 8. Interstate Boating Violator Compact”

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 261 – Senators Bates, Edwards, Ready, ~~and Young~~ Young, Guzzone, and Kasemeyer

AN ACT concerning

Property Tax Credit – Residential Property Damaged by Natural Disaster

FOR the purpose of altering a certain property tax credit authorized against the county or municipal corporation property tax for certain residential real property damaged by flooding to include damage caused by a natural disaster; providing for the application of this Act; and generally relating to a property tax credit for residential real property damaged by a natural disaster.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–211
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 323 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$25,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency-related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State,

County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 2

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

House Bill 128 – Chair, Health and Government Operations Committee (By Request – Departmental – Disabilities)

AN ACT concerning

State Disabilities Plan and Interagency Disabilities Board – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 132 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

Long-Term Care Ombudsman Program – Regulations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 146 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

**Secretary of Aging – Administration of Commodity Supplemental Food Program
and Regulatory Authority**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 147 – Chair, Health and Government Operations Committee (By
Request – Departmental – Aging)**

AN ACT concerning

Healthy Aging Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 165 – Delegates Barron and Pena–Melnyk

AN ACT concerning

State Government – Maryland Uniform Electronic Legal Materials Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 10

House Bill 41 – Delegate Holmes

AN ACT concerning

Real Property – Common Ownership Communities – Statewide Registration

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

FLOOR AMENDMENT

HB0041/713325/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 41, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Environment and Transportation Committee Amendments (HB0041/990618/1), in Amendment No. 1, strike beginning with “requiring” in line 3 down through “fee;” in line 4.

AMENDMENT NO. 2

On page 1 of the bill, strike beginning with “making” in line 8 down through “fine;” in line 9; and in line 24, strike “14-707” and substitute “14-706”.

AMENDMENT NO. 3

On page 2 of the Environment and Transportation Committee Amendments, in line 4 of Amendment No. 3, strike “DEPARTMENT SHALL ESTABLISH THE”; and in line 5, strike “NOT TO EXCEED \$10”.

AMENDMENT NO. 4

On page 3 of the bill, strike in their entirety lines 27 through 28; and in line 29, strike “(B)”.

AMENDMENT NO. 5

On page 4 of the bill, strike in their entirety lines 18 through 24, inclusive; and in line 29, strike “14-707.” and substitute “14-706.”.

The preceding 5 amendments were read only.

Delegate Barve moved to make the Bill and Amendments a Special Order for February 16, 2017.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 90)

CALENDAR OF THIRD READING SENATE BILLS NO. 1

Senate Joint Resolution 5 – Senators Kasemeyer, Madaleno, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Manno, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

A Senate Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

Delegate McMillan moved the previous question.

The motion was adopted.

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

Affirmative – 89 Negative – 50 (See Roll Call No. 91)

The Bill was then returned to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 5

House Joint Resolution 3 – Delegates Rosenberg, Barve, Busch, Davis, Frick, Jones, Kaiser, McIntosh, Pendergrass, and Vallario

A House Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

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

Affirmative – 89 Negative – 50 (See Roll Call No. 92)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE**INTRODUCTORY SENATE BILLS NO. 14****Senate Bill 1 – ~~Senator Conway~~ Senators Conway, Madaleno, Lee, Zucker, and Smith**

AN ACT concerning

Education – Specialized Intervention Services – Reports

FOR the purpose of requiring certain county boards of education to report certain information relating to the provision of specialized intervention services to the State Department of Education and the General Assembly on or before a certain date each year; requiring the State Department of Education to establish certain guidelines; requiring certain county boards and the Department to publish annually certain information on certain Web sites; defining a certain term; and generally relating to the reporting of specialized intervention services.

BY adding to

Article – Education

Section 5–111.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 110 – Senator Conway

AN ACT concerning

Public Health – Expedited Partner Therapy – Pharmacist Dispensing

FOR the purpose of authorizing, notwithstanding any other provision of law, a licensed pharmacist to dispense antibiotic therapy prescribed to certain partners of patients diagnosed with certain sexually transmitted infections without making a certain physical assessment; and generally relating to expedited partner therapy and dispensing of antibiotic therapy by a licensed pharmacist.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 18–214.1

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 117 – Senators Edwards and Serafini

AN ACT concerning

Community Colleges – Out-of-State Fee – Waiver for Border State Residents

FOR the purpose of authorizing the boards of trustees of community colleges with service areas that border other states to set an out-of-state fee for certain students who reside in out-of-state counties that border Maryland; requiring that this fee be more than the out-of-county fee paid by certain Maryland students; allowing this fee to be less than the usual out-of-state fee paid by certain out-of-state students; prohibiting students attending community colleges by paying this fee from being counted for the purposes of certain State aid to community colleges; making a conforming change; and generally relating to a fee for out-of-state community college students residing in counties bordering their school's service area.

BY repealing and reenacting, with amendments,
Article – Education
Section 16–310(a) and 16–505(g)(4)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 16–310(b)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 163 – Senator Waugh

AN ACT concerning

St. Mary's County – Electricians and Board of Electrical Examiners – Repeal

FOR the purpose of repealing certain provisions of law that relate to the Board of Electrical Examiners and the licensing and regulation of electricians in St. Mary's County; and generally relating to the repeal of certain provisions of law that relate to electricians and the Board of Electrical Examiners in St. Mary's County.

BY repealing
The Public Local Laws of St. Mary's County
Section 38–1 through 38–10 and 38–12 through 38–22 and the chapter "Chapter 38.
Electrical Examiners"

Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2015 Supplement, as amended)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 183 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Mold Remediation Services Providers – Licensure and Program Evaluation

FOR the purpose of extending to a certain date the date by which companies or firms providing mold remediation services must be licensed; repealing the requirement that a certain evaluation of mold remediation licensing, regulation, and services be performed on or before a certain date in accordance with the Maryland Program Evaluation Act (sunset law); and generally relating to mold remediation services providers.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 8–707(a) and 8–718
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing
Article – State Government
Section 8–403(b)(37)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 537 of the Acts of the General Assembly of 2008, as amended by Chapter
333 of the Acts of the General Assembly of 2011
Section 3

BY renumbering
Article – State Government
Section 8–403(b)(38) through (58), respectively
to be Section 8–403(b)(37) through (57), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 185 – Senator Feldman

AN ACT concerning

**Public Health – Repeal of AIDS Education Program for Persons Convicted of
Drug- or Sex-Related Crimes**

FOR the purpose of repealing a certain educational program on acquired immune deficiency syndrome (AIDS) for persons who plead guilty or nolo contendere to or are found guilty of certain drug- or sex-related crimes; and generally relating to AIDS education for drug and sex offenders.

BY repealing

Article – Health – General

Section 18–339

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 232 – Senators Manno, Benson, Conway, Feldman, Kelley, King, Lee,
Madaleno, Muse, Nathan–Pulliam, Robinson, Smith, and Zucker**

AN ACT concerning

Education – Pregnant and Parenting Students – Attendance Policy

FOR the purpose of specifying that certain absences from school are lawful absences under certain circumstances; requiring each county board of education to develop a certain attendance policy for pregnant and parenting students ~~that excuses certain absences under certain circumstances and provides a certain number of days of excused absences for certain students under certain circumstances; requiring certain schools to allow certain students to make up the work that the student missed in a certain time period and to choose the method by which to make up the work that the student missed;~~ and generally relating to absences from school for pregnant and parenting students.

BY adding to

Article – Education

Section 7–301.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 276 – Senator Madaleno

AN ACT concerning

Inheritance Tax – Exemption – Evidence of Domestic Partnership

FOR the purpose of establishing that a certain affidavit ~~is not required~~ or certain other proof may be provided as evidence of a domestic partnership to qualify for an exemption from the inheritance tax on the receipt of an interest in certain real property held in joint tenancy that passes from a decedent to a domestic partner; altering a certain definition; and generally relating to the inheritance tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 7–203(l)

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 279 – ~~Senator Middleton~~ Senators Middleton, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe

AN ACT concerning

Homeowner's Insurance – Notices

FOR the purpose of authorizing certain offers, notices, statements, and disclosures relating to homeowner's insurance to be delivered by electronic means if the insurer complies with certain requirements; authorizing insurers to comply with certain renewal notice requirements relating to homeowner's insurance by sending a certain notice; requiring the Maryland Insurance Commissioner to adopt by regulation a certain notice to be provided to insureds or policyholders at each renewal that contains certain information; providing for the form and contents of a certain renewal notice; providing that a certain renewal notice does not create a private right of action; authorizing insurers to comply with certain renewal notice requirements by sending a certain notice; and generally relating to notices under homeowner's insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–202, 19–205, 19–206, 19–206.1, 19–207, 19–209.1, 19–210, 19–214, 19–215, and 27–501(n)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – Insurance

Section 19–216

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 27–601.2

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 289 – ~~Senator Middleton~~ Senators Middleton, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe

AN ACT concerning

**Maryland Insurance ~~Commissioner~~ Administration – Rate Making for
Automobile and Homeowner's Insurance ~~– Reports~~**

FOR the purpose of repealing provisions of law that require the Maryland Insurance Commissioner to provide to the Governor and the General Assembly certain reports on the effect of competitive rating on the insurance markets in the State; repealing provisions of law that require the Commissioner, on or before a certain date each year, to submit a report to the General Assembly about the use of territory as a factor in establishing private passenger automobile insurance rates by insurers and the Maryland Automobile Insurance Fund; requiring the Maryland Insurance Administration to continue to collect and analyze data relating to the competitiveness of certain insurance markets and notify the Governor and the General Assembly if there are certain changes; requiring the Administration to continue to review and analyze certain information regarding the use of a certain factor in establishing certain rates and notify the Governor and the General Assembly if there are certain changes; requiring the Administration, on request, to make certain information available in accordance with certain provisions of law; and generally relating to reports by the Maryland Insurance Commissioner rate making for private passenger automobile and homeowner's insurance.

BY repealing

Article – Insurance

Section 11–338 and 11–339

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 324 – Carroll County Senators

AN ACT concerning

**Carroll County – Mechanical Musical Devices – Licensing Requirements –
Repeal**

FOR the purpose of repealing a licensing requirement for certain mechanical musical devices in Carroll County; and generally relating to licensing requirements in Carroll County.

BY repealing

The Public Local Laws of Carroll County

Section 6–103

Article 7 – Public Local Laws of Maryland

(2014 Edition and January 2016 Supplement, as amended)

Read the first time and referred to the Committee on Environment and Transportation.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 93)

ADJOURNMENT

At 11:28 A.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Thursday, February 16, 2017.

Annapolis, Maryland
Thursday, February 16, 2017
10:00 A.M. Session

The House met at 10:01 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Edith J. Patterson of Charles County.

QUORUM CALL

The presiding officer announced a quorum call, showing 118 Members present.

(See Roll Call No. 94)

EXCUSED:

Del. Angel – late – business
Del. Holmes – late – business
Del. J. Lewis – late – business
Del. Saab – late – personal
Del. Sample–Hughes – illness
Del. Valderrama – late – business
Del. Walker – illness

The Journal of February 15, 2017 was read and approved.

INTRODUCTORY HOUSE BILLS NO. 31

**House Bill 1549 – Chair, Health and Government Operations Committee (By
Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

Public Health – Drug Overdose Prevention Programs – Revisions

FOR the purpose of authorizing the Department of Health and Mental Hygiene to deny, suspend, revoke, or refuse to renew a certain registration if a certain applicant or a certain registrant has surrendered a certain federal registration or fails to meet certain requirements to obtain a certain registration; authorizing the Department to limit the scope of a certain initial registration or renewal of a certain registration; requiring a drug overdose fatality review team to review information on nonfatal overdoses at a certain meeting; requiring a certain local drug overdose fatality review team, at the request of the chair of the local team, to be provided access to certain information and records related to an individual whose near fatality is being

reviewed by the local team; prohibiting the disclosure of identifying information of or of involvement of an agency with an individual who has experienced an overdose or of certain individuals related to an individual who has experienced an overdose during a public meeting of a certain local team; providing that the Overdose Response Program is to be administered by the Department for a certain purpose; repealing certain provisions of law relating to the qualifications for, application for, and issuance of a certificate for completion of a certain educational training program relating to an opioid overdose; altering the scope of the Program to include the prescribing and dispensing of other opioid antagonists in addition to naloxone; authorizing the Department to authorize certain entities to conduct certain education and training on opioid overdose recognition and response; authorizing an individual who has received certain education and training to receive from a certain health care provider a prescription for an opioid antagonist and certain related supplies; authorizing certain individuals to possess and administer an opioid antagonist under certain circumstances; authorizing a licensed health care provider with prescribing authority to prescribe and dispense an opioid antagonist by issuing a standing order under certain circumstances; authorizing a certain licensed health care provider who issues a certain standing order to delegate the dispensing of an opioid antagonist to a certain employee or a certain volunteer under certain circumstances; prohibiting certain individuals who administer an opioid antagonist to a certain individual from being considered to be practicing medicine or registered nursing; prohibiting an employee or a volunteer of a certain entity who provides an opioid antagonist to a certain individual from being considered to be practicing medicine, registered nursing, or pharmacy; defining a certain term; altering certain definitions; and generally relating to drug overdose prevention programs.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–301(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–307
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 5–901
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General

Section 5–903 through 5–905, 13–3101 through 13–3103, and 13–3107 through 13–3111

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – Health – General

Section 13–3104 through 13–3106

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1550 – Delegate Beidle

AN ACT concerning

Landlord and Tenant – Action for Repossession of Commercial Property – Service of Process

FOR the purpose of creating a certain exception to the general requirements for service of process on a tenant if the action for repossession involves a commercial property; and generally relating to service of process in an action for repossession.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–401(b)(5)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1551 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County Local Management Board – Strategic Plan and Report

PG 426–17

FOR the purpose of requiring the Prince George’s County Local Management Board to develop and implement a certain strategic plan and to submit the strategic plan to certain entities on or before a certain date; authorizing the Prince George’s County Local Management Board to apply for and accept donations, grants, or other financial assistance from certain entities; requiring the Prince George’s County Local Management Board to submit a certain report including certain information to

certain entities on or before a certain date each year; and generally relating to a strategic plan and report by the Prince George's County Local Management Board.

BY adding to

Article – Human Services

Section 8–306

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

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

House Bill 1552 – Delegate Waldstreicher

AN ACT concerning

Public Utilities – Transportation Network Services – Operators' Licenses and Vehicle Permits

FOR the purpose of requiring that a passenger motor vehicle used to provide certain transportation network services have a certain safety inspection certificate issued within a certain period after the first use of the vehicle to provide certain services and annually after that; requiring that a safety inspection certificate be issued by certain facilities; requiring a transportation network company to verify certain information; requiring a safety inspection to verify the safe and proper operating condition of certain equipment; prohibiting the Public Service Commission from establishing a maximum age for certain passenger motor vehicles used to provide certain services; requiring the Commission to adopt certain regulations; prohibiting the Commission from denying an application for certain transportation network operators' licenses due to a criminal conviction or traffic violation that occurred more than a certain number of years before the application, subject to an exception; authorizing the Commission to deny a certain application if the applicant has been convicted of certain crimes of violence or included on certain lists; defining certain terms; and generally relating to the issuance of certain licenses and permits related to transportation network services.

BY adding to

Article – Public Utilities

Section 9–209

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 10–404

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

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

House Bill 1553 – Delegate Cullison

EMERGENCY BILL

AN ACT concerning

Nonprofit Health Entity – Acquisition – Waiver of Waiting Period

FOR the purpose of authorizing a certain regulating entity, under certain circumstances, to waive a certain waiting period between the date a determination is made on a certain acquisition of a nonprofit health entity and the date the determination takes effect; making conforming changes; making this Act an emergency measure; and generally relating to acquisitions of nonprofit health entities.

BY repealing and reenacting, with amendments,
Article – State Government
Section 6.5–203
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 95)

CALENDAR OF THIRD READING HOUSE BILLS NO. 6

**House Bill 11 – Delegates Lam, Barve, Hill, Ebersole, Lafferty, Pendergrass,
Fraser–Hidalgo, Tarlau, Robinson, and Ciliberti**

AN ACT concerning

**Vehicle Laws – Causing Diesel Emissions to Discharge Onto Another –
Prohibition**

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

Affirmative – 94 Negative – 30 (See Roll Call No. 96)

The Bill was then sent to the Senate.

House Bill 23 – ~~Delegate Lam~~ Delegates Lam and Beitzel

AN ACT concerning

Vehicle Laws – School Vehicles – Definition

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

Affirmative – 127 Negative – 0 (See Roll Call No. 97)

The Bill was then sent to the Senate.

House Bill 26 – Delegate Holmes

AN ACT concerning

**Real Property – Notices of Foreclosure Sale and Postponement or Cancellation
of Foreclosure Sale**

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

Affirmative – 130 Negative – 0 (See Roll Call No. 98)

The Bill was then sent to the Senate.

House Bill 34 – Delegate Holmes

AN ACT concerning

Real Property – Homeowners Associations – Resale of Lot – Inspection Fees

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

Affirmative – 85 Negative – 44 (See Roll Call No. 99)

The Bill was then sent to the Senate.

House Bill 44 – Delegate McCray

AN ACT concerning

**Residential Property – Ground Lease Registration ~~Form~~ Forms – Contact
Information Option**

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

Affirmative – 131 Negative – 0 (See Roll Call No. 100)

The Bill was then sent to the Senate.

House Bill 51 – Delegate Lam

AN ACT concerning

Vehicle Laws – Electric Personal Assistive Mobility Device – Definition

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

Affirmative – 133 Negative – 0 (See Roll Call No. 101)

The Bill was then sent to the Senate.

**House Bill 126 – Chair, Environment and Transportation Committee (By Request
– Departmental – Natural Resources)**

AN ACT concerning

Natural Resources – Wildlife and Hunting

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

Affirmative – 134 Negative – 1 (See Roll Call No. 102)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 7

House Bill 62 – Delegate McConkey

AN ACT concerning

**State Retirement and Pension System – Disability Retirement – ~~Alterations~~
Reemployment Earnings Limitation**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 103)

The Bill was then sent to the Senate.

House Bill 201 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees' and Teachers' Pension Systems – Reformed Contributory Pension
Benefit – Service Credit Purchase Clarification**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 104)

The Bill was then sent to the Senate.

House Bill 202 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement ~~Agency~~ and Pension System – Authority to Arrange Custody of
Investments and Procurement Exemption**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 105)

The Bill was then sent to the Senate.

**House Bill 212 – Delegates Waldstreicher, Angel, Barkley, Carr, Clippinger,
Conaway, Cullison, Fraser-Hidalgo, Frush, Glenn, Gutierrez, Haynes,
Healey, Hettelman, Hill, Holmes, Jackson, Jalisi, Kaiser, Kramer, Lafferty,
Lam, Lierman, Lisanti, McCray, A. Miller, Morales, Pena-Melnyk, Platt,
Proctor, Queen, Robinson, Rosenberg, Sanchez, Sydnor, Turner,
Valderrama, C. Wilson, K. Young, and R. Lewis**

AN ACT concerning

**Consumer Protection – Credit Report Security Freezes – Prohibition on Fees
and Required Notices**

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

Affirmative – 87 Negative – 49 (See Roll Call No. 106)

The Bill was then sent to the Senate.

**House Bill 258 – Delegates Morales, Anderson, Atterbeary, Conaway, Dumais,
Moon, Queen, Sanchez, Sydnor, and Valentino-Smith**

AN ACT concerning

**Adult Entertainment Establishments – National Human Trafficking Resource
Center Hotline Information – Sign Posting Requirements**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 107)

The Bill was then sent to the Senate.

House Bill 261 – Delegates Jackson, Angel, Knotts, Krimm, and Tarlau

AN ACT concerning

**Public Utilities – Termination of Service to Multifamily Dwelling
Unit – Notification to Property Owner or Property Manager**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 108)

The Bill was then sent to the Senate.

House Bill 451 – Delegate Cluster

AN ACT concerning

Insurance – Bail Bondsmen – Continuing Education Requirements

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

Affirmative – 133 Negative – 3 (See Roll Call No. 109)

The Bill was then sent to the Senate.

**House Bill 511 – Delegates Jameson, Arentz, Barkley, Branch, Clippinger, Davis,
Impallaria, Mautz, and W. Miller**

AN ACT concerning

**Public Utilities – Water Companies and Sewage Disposal Companies – Rate
Cases and Proceedings**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 110)

The Bill was then sent to the Senate.

LETTERS OF REASSIGNMENT

February 16, 2017

MEMORANDUM

To: Chair, Environment and Transportation Committee
From: Michael E. Busch, Speaker of the House
Re: Reassignment of Bill/Resolution

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill/Resolution No.</u>	<u>Reassignment</u>
HB 1343	JUD

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 111)

ADJOURNMENT

At 10:31 A.M. on motion of Delegate Frick the House adjourned until 11:00 A.M. on Friday, February 17, 2017.

Annapolis, Maryland
Friday, February 17, 2017
11:00 A.M. Session

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM, PRESIDING

The House met at 11:01 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Sally Jameson of Charles County.

QUORUM CALL

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

(See Roll Call No. 112)

EXCUSED:

Speaker Busch – out of town

Del. Barron – illness

Del. Folden – personal

Del. Valentino-Smith – personal

Del. C. Wilson – medical appointment

The Journal of February 16, 2017 was read and approved.

CONSENT CALENDAR OF INTRODUCTORY HOUSE BILLS NO. 32

House Bill 1554 – Delegate Lisanti

AN ACT concerning

**Harford County – Alcoholic Beverages – Stadium Beer, Wine, and Liquor
License – Beer Vendors**

FOR the purpose of repealing a certain provision of law that prohibits a stadium beer, wine, and liquor license holder in Harford County from allowing a roving vendor to dispense beer; and generally relating to alcoholic beverages in Harford County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 22-102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 22–1006
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1555 – Delegate Lisanti

AN ACT concerning

Alcoholic Beverages – Distilleries – Service

FOR the purpose of authorizing the holder of a Class 1 distillery license to sell and serve up to a certain number of mixed drinks containing certain ingredients to an individual who has attained the legal drinking age under certain circumstances; and generally relating to alcoholic beverages and distilleries.

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 2–202
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1556 – Delegate K. Young

AN ACT concerning

Public and Nonpublic Schools – Classwork and Assessment Involving Live and Dead Animals – Student Right of Refusal

FOR the purpose of authorizing a student in a public school or nonpublic school to refuse to participate in or observe, in whole or in part, classwork or an assessment that includes certain actions conducted on a certain animal; authorizing a student to exercise a certain right of refusal at a certain time; requiring a certain student to complete certain classwork or a certain assessment by an alternate educational method determined by a certain teacher for a certain purpose; requiring that a certain assignment meet certain requirements; prohibiting a teacher or a public school or a nonpublic school from penalizing or discriminating against a certain student under certain circumstances in a certain manner; requiring the State Department of Education to send a certain notice to each county board of education on or before a certain date each year; requiring a county board to distribute a certain notice to certain public schools at certain times; requiring the Department to adopt

certain regulations; providing that a nonpublic school may establish a certain policy; defining certain terms; and generally relating to a student's right of refusal regarding classwork and assessment involving live and dead animals.

BY adding to

Article – Education

Section 7–124

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1557 – Delegate Kipke

AN ACT concerning

Health Insurance – Coverage for Male Sterilization – High–Deductible Health Plans

FOR the purpose of exempting a high–deductible health plan from the prohibition on application of a deductible to coverage for male sterilization; providing for the application of this Act; providing for the effective date of this Act; and generally relating to coverage for male sterilization under health insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–826.2

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

(As enacted by Chapters 436 and 437 of the Acts of the General Assembly of 2016)

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

House Bill 1558 – Delegate Anderson

AN ACT concerning

Postconviction Relief – Ineffective Assistance by Counsel – Mandatory Referral to Attorney Grievance Commission

FOR the purpose of requiring the court, when granting an order in favor of the petitioner in a certain postconviction motion on the grounds of ineffectiveness of counsel, to refer a certain attorney to the Attorney Grievance Commission for certain proceedings; and generally relating to postconviction relief.

BY adding to

Article – Criminal Procedure

Section 7–110
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1559 – Delegate Kelly

AN ACT concerning

**Commission on Access to Tax–Preferred Health and Childcare Savings Accounts
for All Marylanders**

FOR the purpose of establishing the Commission on Access to Tax–Preferred Health and Childcare Savings Accounts for All Marylanders; 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 the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Commission on Access to Tax–Preferred Health and Childcare Savings Accounts for All Marylanders.

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

House Bill 1560 – Delegates Kelly and Morales

AN ACT concerning

Education – Family Life and Human Sexuality Curriculum – Consent

FOR the purpose of requiring a county board of education to provide age appropriate instruction on consent as part of the Family Life and Human Sexuality curriculum in all grades in which the curriculum is taught in public schools in the county beginning in a certain school year; defining a certain term; and generally relating to the Family Life and Human Sexuality curriculum in public schools in the State.

BY adding to

Article – Education
Section 7–440
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1561 – Delegate Frush

AN ACT concerning

Personal Property Tax – Exemption – Property Used in Well Construction

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to exempt, under certain circumstances, certain personal property used in the construction of certain wells from the county or municipal corporation property tax; authorizing the governing body of a county or municipal corporation to enact certain provisions to carry out the exemption; providing for the application of this Act; and generally relating to an exemption from the personal property tax.

BY adding to

Article – Tax – Property

Section 7–520

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1562 – Delegate Beidle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Disposition of Fees

FOR the purpose of requiring the Comptroller to approve and remit to the Anne Arundel County Board of License Commissioners, instead of to Anne Arundel County, certain amounts necessary to pay certain salaries, benefits, and expenses of the Board; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 11–102 and 11–1406

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 11–207

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

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

House Bill 1563 – Delegates Knotts and Jackson

AN ACT concerning

**Prince George's County – Video Lottery Terminals – Local Impact Grant
Distribution**

FOR the purpose of specifying that a certain portion of the local impact grants distributed to Prince George's County from certain proceeds of video lottery terminals are to be distributed to the Town of Forest Heights in certain fiscal years; and generally relating to the distribution of local impact grants from video lottery terminals in Prince George's County.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–31(a)(1), (2), and (3)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–31(a)(7)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1564 – Delegates J. Lewis, Barron, and C. Howard

AN ACT concerning

Task Force on Practices and Procedures on Solitary Confinement

FOR the purpose of establishing the Task Force on Practices and Procedures on Solitary Confinement; 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 on certain issues related to solitary confinement in the correctional system of the State; 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 Practices and Procedures on Solitary Confinement.

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

House Bill 1565 – Prince George's County Delegation

AN ACT concerning

**Prince George's County Board of Education – Academic Revitalization and
Management Effectiveness Initiative – Repeal**

PG 402-17

FOR the purpose of revising the composition of the Prince George's County Board of Education from an elected and appointed board to an elected board; altering the number of members on the county board; altering the method by which a vacancy on the county board is filled; requiring the county board to hold a certain annual meeting; altering the number of affirmative votes necessary for the passage of a motion by the county board under certain circumstances; repealing certain provisions relating to the position, powers, and responsibilities of the Chief Executive Officer of the Prince George's County public school system; providing that in Prince George's County the county superintendent is the executive officer, secretary, and treasurer of the county board; subjecting the county superintendent of Prince George's County to the statutory requirements of a county superintendent; requiring the county board to employ certain individuals in certain circumstances; requiring the county superintendent to nominate certain positions for appointment by the county board; repealing the requirement that the County Executive of Prince George's County and the Prince George's County Council appoint certain members to the county board on or before a certain date; repealing the requirement that a certain search committee be appointed; repealing the requirement that the Chief Executive Officer and the county board hire a certain consultant and make certain recommendations on or before a certain date; repealing the requirement that the County Executive, Chief Executive Officer, and the county board submit certain reports on or before certain dates; repealing the requirement that the General Assembly deliberate and determine whether certain provisions of law should be terminated during a certain session; providing that the terms of certain appointed members of the county board terminate on a certain date; repealing a certain definition; making conforming changes; and generally relating to the Prince George's County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 3-105, 3-114, 3-1002 through 3-1004, 4-101, 4-102, 4-120, 4-201, 4-202, 4-204, 4-206, and 6-201(a) and (b)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing

Article – Education

Section 4-201.1; and 4-401 through 4-403 and the subtitle "Subtitle 4. Prince George's County"

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing

Chapter 147 of the Acts of the General Assembly of 2013
Section 2 through 4

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

House Bill 1566 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Licenses

PG 307–17

FOR the purpose of altering the fee for a Class B beer, wine, and liquor license in Prince George’s County; exempting certain applicants for a Class BH license from certain application requirements for sole proprietorships and partnerships in Prince George’s County; prohibiting the Board of License Commissioners for Prince George’s County from making available for issuance at a hearing less than a certain number of licenses; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 26–102 and 26–902(a)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 26–902(f), 26–1405, and 26–1511
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1567 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Tax Sales – Release of Liens on Vacant Property

PG 413–17

FOR the purpose of authorizing the Revenue Authority of Prince George’s County to release liens for unpaid county real property taxes or other charges and assessments imposed by Prince George’s County on certain vacant property under certain

circumstances; authorizing the Authority to waive a certain requirement under certain circumstances; requiring that a transferor's property tax debt be reduced by a certain amount if certain conditions are met; providing that a release of a lien under this Act does not reduce the transferor's liability for the remaining amount of the tax debt; authorizing the Authority to set additional standards and requirements for approval of the release of liens under this Act; and generally relating to the release of certain liens on certain property in Prince George's County.

BY adding to

Article – Tax – Property

Section 14–807

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1568 – Prince George's County Delegation

AN ACT concerning

Workgroup on Transportation for Middle and High School Students in Prince George's County

PG 415–17

FOR the purpose of establishing the Workgroup on Transportation for Middle and High School Students in Prince George's County; providing for the composition 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 certain matters; requiring the Workgroup to report its findings and recommendations to the Prince George's County House Delegation and the Prince George's County Senators on or before a certain date; providing for the termination of this Act; and generally relating to the Workgroup on Transportation for Middle and High School Students in Prince George's County.

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

House Bill 1569 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Juvenile Offender in Need of Supervision Program – Study

PG 304–17

FOR the purpose of requiring the Prince George's County Police Department to conduct a certain study on the feasibility of establishing a Juvenile Offender in Need of Supervision program in each county precinct; requiring the study to consider certain criteria; requiring the Department to report to the Prince George's County delegation to the General Assembly on certain findings on or before a certain date; providing for the termination of this Act; and generally relating to a Juvenile Offender in Need of Supervision program in Prince George's County.

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

House Bill 1570 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Municipal Authority to Regulate Fences

PG 418–17

FOR the purpose of exempting the exercise of certain powers by a municipal corporation from a prohibition against the exercise of any powers relating to planning, subdivision control, or zoning by a municipal corporation in Prince George's County in the Maryland–Washington Regional District; authorizing a municipal corporation in Prince George's County to enact a comprehensive local law regulating fences in the municipal corporation; establishing that a certain local law regulating fences in a municipal corporation may be less restrictive than certain local and zoning laws; and generally relating to the authority of municipal corporations in Prince George's County to regulate fences.

BY repealing and reenacting, with amendments,
Article – Land Use
Section 20–709, 22–202, and 22–203
Annotated Code of Maryland
(2012 Volume and 2016 Supplement)

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

House Bill 1571 – Prince George's County Delegation

AN ACT concerning

**Prince George's County School System Academic Revitalization and
Management Effectiveness Task Force**

PG 416–17

FOR the purpose of establishing the Prince George's County School System Academic Revitalization and Management Effectiveness Task Force; 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 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 Prince George's County School System Academic Revitalization and Management Effectiveness Task Force.

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

House Bill 1572 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Authority to Prohibit the Use of Disposable Bags

PG 422-17

FOR the purpose of authorizing Prince George's County to enact a law that prohibits certain retail establishments from using disposable bags as part of a retail sale of products; defining certain terms; and generally relating to the authority for Prince George's County to prohibit the use of disposable bags.

BY adding to

Article – Local Government

Section 13-1001 to be under the new subtitle "Subtitle 10. Miscellaneous Provisions"

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

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

House Bill 1573 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Tax Sales – Limited Auction and Foreclosure for Abandoned Property

PG 411-17

FOR the purpose of requiring the tax collector in Prince George's County to conduct a certain limited auction prior to conducting a public auction for property subject to tax liens; specifying the individuals who may participate in a limited auction; requiring a purchaser of property at a limited auction to occupy the property as the

purchaser's dwelling; requiring the tax collector to include the date, time, and location of a limited auction in certain notices; establishing that a limited auction shall be subject to the same requirements as a certain public auction; establishing that the purchase of property at a limited auction shall be treated the same as the purchase of property at a certain public auction; requiring the tax collector to establish a system to verify that individuals who place bids at a limited auction are eligible to place bids; establishing that a certificate of sale for property purchased at a limited auction is void if it is not purchased by an individual who meets certain criteria; requiring property offered for sale at a limited auction that is not sold at the limited auction to be offered for sale at a public auction; establishing certain remedies when a certificate of sale for property sold at a limited auction is void; authorizing a holder of a certificate of sale for certain property sold at a limited auction to file a complaint to foreclose all rights of redemption in the property at any time after the date of sale; and generally relating to tax sales of property in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–817 and 14–833(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–833(d)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Tax – Property
Section 14–833(h)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1574 – Prince George's County Delegation

AN ACT concerning

Prince George's County Pretrial Release, Work Release, and Diversion Programs Task Force

PG 305–17

FOR the purpose of establishing the Prince George's County Pretrial Release, Work Release, and Diversion Programs 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 study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor, members of the Prince George's County Delegation to the General Assembly, and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Prince George's County Pretrial Release, Work Release, and Diversion Programs Task Force.

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

House Bill 1575 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Duties of Sheriff – Responding to Domestic Violence Calls

PG xx-17

FOR the purpose of altering the law enforcement duties of the Sheriff of Prince George's County and the Sheriff's deputies to repeal the duty to respond to domestic violence calls; and generally relating to the duties of the Sheriff of Prince George's County and the Sheriff's deputies.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2-309(r)(8)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1576 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Student Loan Refinancing Authority

PG 419-17

FOR the purpose of expressing the intent of the General Assembly for Prince George's County to study whether a higher education financial assistance program should be offered in the county; requiring Prince George's County, on or before a certain date, to perform certain actions related to a study of a student loan refinancing program in Prince George's County, including reviewing the Prince George's County Supplemental Higher Educational Loan Authority and performing a certain

feasibility and demand study; requiring the Authority to meet certain requirements if a certain loan authority is reestablished or established; providing for the termination of this Act; and generally relating to a student loan refinancing authority in Prince George's County.

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

House Bill 1577 – Prince George's County Delegation

AN ACT concerning

Prince George's County – School Facilities Surcharge Exemption – Veteran Housing

PG 410–17

FOR the purpose of establishing an exemption from the school facilities surcharge in Prince George's County for a single-family detached dwelling that is designated as temporary housing for a veteran or a veteran's family; and generally relating to the applicability of the school facilities surcharge in Prince George's County.

BY repealing and reenacting, without amendments,
The Public Local Laws of Prince George's County
Section 10–192.01(a)(1)
Article 17 – Public Local Laws of Maryland
(2011 Edition, as amended)

BY adding to
The Public Local Laws of Prince George's County
Section 10–192.01(b)(7)
Article 17 – Public Local Laws of Maryland
(2011 Edition, as amended)

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

House Bill 1578 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Property Tax Exemption for Economic Development Projects – Sunset Repeal

PG 407–17

FOR the purpose of repealing a certain termination provision relating to certain exemptions from the county real property tax in Prince George's County for certain economic development projects located in certain areas; repealing as obsolete a

certain reporting requirement; and generally relating to a property tax exemption for certain economic development projects located in Prince George's County.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 7–516
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing
Chapter 402 of the Acts of the General Assembly of 2012
Section 2

BY repealing and reenacting, with amendments,
Chapter 402 of the Acts of the General Assembly of 2012
Section 3

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

House Bill 1579 – Delegates Sydnor and P. Young

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2016 – Baltimore County –
Morning Star Family Life Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2016 to add an additional grantee to certain grants; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2016.

BY repealing and reenacting, with amendments,
Chapter 27 of the Acts of the General Assembly of 2016
Section 1(3) Item ZA02(AB) and ZA03(AD)

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

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 15

Senate Bill 16 – Senators Hough and Ready

AN ACT concerning

Public Safety – Firearm Application

FOR the purpose of repealing a requirement that a certain firearm application contain a copy of the applicant's handgun qualification license; requiring that a firearm application contain the applicant's handgun qualification license number, with a certain exception; and generally relating to firearm applications.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–118(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

Senate Bill 26 – Senators Kagan, Young, King, and Peters

AN ACT concerning

Maryland False Claims Act – Municipal Corporations

FOR the purpose of altering the definition of “governmental entity” to include a municipal corporation for purposes of the Maryland False Claims Act; requiring the attorney for each municipal corporation to report annually to the General Assembly certain information relating to the Maryland False Claims Act; providing for the application of this Act; and generally relating to false claims against municipal corporations.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 8–101(e) and 8–110(a)
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

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

Senate Bill 49 – Senators Cassilly and Jennings

AN ACT concerning

Landlord and Tenant – Military Personnel – Limitation on Liability for Rent

FOR the purpose of altering the circumstances under which the liability, for rent under a lease, of a person on active duty with the United States military is limited; limiting the liability for rent of the spouse of a person on active duty with the United States military under certain circumstances; clarifying the liability of a person on active duty or the spouse of a person on active duty for rent under a lease under certain

circumstances; defining a certain term; and generally relating to the liability for rent of certain military personnel and spouses.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–212.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 73 – Senator Reilly

AN ACT concerning

Estates and Trusts – Share of Intestate Estate Inherited by Surviving Spouse

FOR the purpose of increasing the share of the intestate estate of a decedent inherited by a surviving spouse under certain circumstances; and generally relating to intestate property inherited by a surviving spouse.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 3–102
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 106 – Senator Ready

AN ACT concerning

Carroll County – Local Government Tort Claims Act

FOR the purpose of removing a reference to a certain public transportation provider in Carroll County from the definition of “local government” under the Local Government Tort Claims Act; and generally relating to the definition of “local government” under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–301(d)(25)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

Senate Bill 109 – Senator Conway

AN ACT concerning

Procurement – Prohibitions on Participation

FOR the purpose of providing that certain prohibitions on participation in procurement apply only for a certain period of time following the issuance of an invitation for bids or a request for proposals; providing that certain prohibitions on participation in procurement do not apply to certain invitations for bids or requests for proposals; and generally relating to the prohibitions on participation in procurement.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–212.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 130 – Senator Simonaire

AN ACT concerning

Election Law – Ballot Issues – Contributions or Donations by Foreign Principals

FOR the purpose of prohibiting a foreign principal from making a contribution to a ballot issue committee or making a donation to a person that makes independent expenditures or electioneering communications relating to a ballot issue; defining a certain term; and generally relating to campaign activity concerning ballot issues and contributions and donations by foreign principals.

BY adding to
Article – Election Law
Section 13–236.1
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 207 – Senator Feldman

AN ACT concerning

Criminal Procedure – Charges Against Correctional Officer – Review by State’s Attorney

FOR the purpose of altering a certain definition to make certain provisions of law requiring State’s Attorney review of an application for a statement of charges against a law enforcement officer applicable to an application for a statement of charges against ~~a correctional officer~~ certain other law enforcement officers; and generally relating to charging documents against law enforcement officers.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–608
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

Senate Bill 231 – Senators Manno, Feldman, Klausmeier, Middleton, Peters, and Smith

AN ACT concerning

Labor and Employment – Hiring and Promotion Preferences – Veterans of Commissioned Corps

FOR the purpose of altering the definition of “eligible veteran” to include certain commissioned corps for the purpose of granting a certain preference in hiring and promotion to certain veterans, spouses of certain veterans, and surviving spouses of certain veterans; and generally relating to hiring and promotion preferences for veterans and their spouses.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–714
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 246 – Senator Mathias

AN ACT concerning

Somerset County – State’s Attorney – Annual Salary

FOR the purpose of altering the annual salary of the State’s Attorney for Somerset County; providing for the application of this Act; and generally relating to the salary of the State’s Attorney for Somerset County.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–420(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–420(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 272 – Senators Kelley, Benson, Brochin, Guzzone, Jennings, King, Lee, Madaleno, Manno, Muse, Norman, Peters, Pinsky, Ramirez, Ready, Smith, Young, Zirkin, and Zucker

AN ACT concerning

Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court

FOR the purpose of authorizing the juvenile court to direct the provision of certain services to a certain child during a certain disposition hearing; requiring the juvenile court to direct the provision of certain services to a certain child during a certain permanency planning hearing or guardianship hearing; providing that, if the juvenile court enters an order directing the provision of certain services to a certain child, the juvenile court retains jurisdiction for a certain time period and for a certain purpose, notwithstanding certain provisions of law; providing that a certain order shall remain effective for a certain period of time; and generally relating to the jurisdiction and authority of the juvenile court.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(a) and (l)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–804, 3–819(c), and 3–823(h)
Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 3–819(m) and 3–823(k)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–301, 5–324(b), and 5–328

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Family Law

Section 5–324(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 299 – Senator Waugh

AN ACT concerning

Motor Vehicle Registration – Exception for Golf Carts – Golden Beach Patuxent Knolls

FOR the purpose of creating an exception from motor vehicle registration requirements under certain circumstances for golf carts on county highways in the community of Golden Beach Patuxent Knolls, St. Mary's County; providing that a person who operates a golf cart on a county highway in the community of Golden Beach Patuxent Knolls may operate the golf cart only on certain county roads at certain times and only if the golf cart is equipped with certain lighting devices; requiring a person who operates a golf cart on a county highway in the community of Golden Beach Patuxent Knolls to keep as far to the right of the roadway as feasible and possess a valid driver's license; authorizing the St. Mary's County Department of Public Works and Transportation, in consultation with the State Highway Administration, to designate the county highways in the community of Golden Beach Patuxent Knolls on which a person may operate a golf cart; and generally relating to an exception to motor vehicle registration requirements for golf carts in the community of Golden Beach Patuxent Knolls, St. Mary's County.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 13–402(a)(1)

Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–402(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 21–104.3
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 343 – Senators Eckardt, Ready, Serafini, ~~and Waugh~~ Waugh, and Simonaire

AN ACT concerning

Bay Restoration Fund – Eligible Costs – Expansion

FOR the purpose of altering the definition of “eligible costs” as it relates to projects that receive funding from the Bay Restoration Fund to include any wastewater facility upgrade to enhanced nutrient removal, as determined by the Department of the Environment; making conforming changes; and generally relating to the Bay Restoration Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(i)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(i)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 375 – Senator Jennings

AN ACT concerning

Insurance – Bail Bondsmen – Continuing Education Requirements

FOR the purpose of requiring certain insurance producers who sell, solicit, or negotiate bail bonds to receive continuing education that directly relates to bail bond insurance; and generally relating to continuing education for insurance producers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–116
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 382 – Senator McFadden

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program –
Participation by Satellite Organizations**

FOR the purpose of altering the definition of “qualifying not–for–profit organization”, for purposes of provisions of law that authorize certain qualifying not–for–profit organizations to participate in the State Employee and Retiree Health and Welfare Benefits Program, to include a corporation, a limited liability company, or any other entity that is wholly owned by the Legal Aid Bureau, Inc.; authorizing the employees of the corporation, limited liability company, or other entity to enroll and participate in the Program under certain circumstances; and generally relating to participation of employees of satellite organizations in the State Employee and Retiree Health and Welfare Benefits Program.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–512
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

WAYS AND MEANS COMMITTEE REPORT NO. 3

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

**House Bill 100 – Delegates Hixson, Beidle, Bromwell, Carey, Chang, Lisanti,
Luedtke, Sample–Hughes, and Sophocleus**

AN ACT concerning

**Income Tax Subtraction Modification – Retirement Income of Law
Enforcement, Fire, Rescue, and Emergency Services Personnel**

HB0100/295569/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 100

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Sophocleus” and substitute “Sophocleus, Afzali, Ali, D. Barnes, Buckel, Ebersole, Fennell, Hornberger, C. Howard, Kaiser, Krimm, Long, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Turner, Walker, A. Washington, M. Washington, and Wilkins”; and in line 7, after “personnel;” insert “defining a certain term;”.

AMENDMENT NO. 2

On page 1, in line 21, after “(a)” insert “**(1)**”; in the same line, strike the colon and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2) “EMERGENCY SERVICES PERSONNEL” MEANS EMERGENCY MEDICAL TECHNICIANS OR PARAMEDICS.”;

in line 22, strike “(1)” and substitute “**(3)** **(1)**”; and in the same line, strike ““employee” and substitute “**“EMPLOYEE”**”.

On page 2, in lines 1, 3, 6, 8, 10, 11, and 13, strike “(i)”, “(ii)”, “(i)”, “(ii)”, “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**1.**”, “**2.**”, “**1.**”, “**2.**”, “**3.**”, “**4.**”, and “**5.**”, respectively; in line 4, strike “; and” and substitute a period; in line 5, strike “(2)” and substitute “**(II)**”; and in the same line, strike ““employee” and substitute “**“EMPLOYEE”**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Clark moved to make the Bill a Special Order for February 21, 2017.

The motion was adopted.

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

House Bill 102 – Delegates Chang, Beidle, Carey, Frush, S. Howard, Malone, McConkey, Pena–Melnik, Simonaire, and Sophocleus

AN ACT concerning

Anne Arundel County Board of Education – Human Trafficking Awareness Pilot Program

HB0102/535565/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 102

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike beginning with “Delegates” down through “Sophocleus” and substitute “Anne Arundel County Delegation”; in line 8, strike “and training”; in line 10, strike “certain resource information and”; and strike beginning with “requiring” in line 10 down through “Assembly;” in line 12.

AMENDMENT NO. 2

On page 2, in line 7, strike “AND TRAINING”; strike beginning with the colon in line 11 down through “**MATERIALS**” in line 13 and substitute “**MATERIALS**”; and strike in their entirety lines 16 through 21, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 118 – Delegate Luedtke

AN ACT concerning

Election Law – Persons Doing Public Business – Reporting by Governmental Entities

HB0118/555564/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 118

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “persons” insert “and be submitted by a certain date”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 10 through 13, inclusive, and substitute:

“(II) A QUARTERLY REPORT SENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

1. INCLUDE THE REQUIRED INFORMATION FOR ANY PERSON THAT WAS AWARDED A CONTRACT THAT CAUSED THE PERSON TO BE DOING PUBLIC BUSINESS WITH THE GOVERNMENTAL ENTITY DURING THE PRECEDING CALENDAR QUARTER; AND

2. BE SUBMITTED TO THE STATE BOARD NO LATER THAN 10 BUSINESS DAYS AFTER THE CLOSE OF EACH CALENDAR QUARTER.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 143 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)

AN ACT concerning

Elections – Miscellaneous Duties and Procedures**HB0143/545563/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 143

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 8 down through “circumstances” in line 9 and substitute “altering the date on which a candidate who fails to file a certain financial disclosure statement is deemed to have withdrawn the candidacy”.

AMENDMENT NO. 2

On page 4, in line 30, strike “5” and substitute “8”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate McDonough moved to make the Bill a Special Order for February 21, 2017.

The motion was adopted.

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

House Bill 197 – Delegate Luedtke

AN ACT concerning

**Education – Remote Classroom Technology Grant Program – Establishment
(Peyton’s Bill)****HB0197/295260/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 197

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Luedtke” and substitute “Delegates Luedtke, Afzali, Ali, D. Barnes, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Kaiser, Long, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Turner, Walker, A. Washington, M. Washington, and Wilkins”; and in line 7, strike “a certain” and substitute “an”.

AMENDMENT NO. 2

On page 2, in line 2, strike “**OF AT LEAST \$500,000**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0197/273025/1

BY: Delegate A. Miller

AMENDMENT TO HOUSE BILL 197, AS AMENDED

In the Committee on Ways and Means Amendments (HB0197/295260/1), in line 4 of Amendment No. 1, strike “and Wilkins” and substitute “Wilkins, and A. Miller”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 257 – Delegate Hixson

AN ACT concerning

**Education – Maryland Meals for Achievement In-Classroom Breakfast Program
– Administration
(Maryland Meals for Achievement for Teens Act of 2017)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 287 – Delegate Hixson

AN ACT concerning

Hunger-Free Schools Act of 2017

HB0287/635469/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 287

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Hixson” and substitute “Delegates Hixson, Haynes, Walker, Branch, Mosby, Tarlau, A. Washington, M Washington, C. Howard, Turner, Ebersole, Patterson, D. Barnes, Simonaire, Wilkins, and Ali”; and strike beginning with “requiring” in line 5 down through “date;” in line 6.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 22 on page 2 through line 32 on page 3, inclusive.

On page 3, in line 33, 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.

SPECIAL ORDER CALENDAR NO. 11

House Bill 41 – Delegate Holmes

AN ACT concerning

Real Property – Common Ownership Communities – Statewide Registration

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. KREBS PENDING.

Delegate Barve moved to make the Bill a Special Order for February 21, 2017.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 113)

CALENDAR OF THIRD READING HOUSE BILLS NO. 8

House Bill 128 – Chair, Health and Government Operations Committee (By Request – Departmental – Disabilities)

AN ACT concerning

State Disabilities Plan and Interagency Disabilities Board – Revisions

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

Affirmative – 135 Negative – 0 (See Roll Call No. 114)

The Bill was then sent to the Senate.

House Bill 132 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

Long-Term Care Ombudsman Program – Regulations

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

Affirmative – 134 Negative – 0 (See Roll Call No. 115)

The Bill was then sent to the Senate.

House Bill 146 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

**Secretary of Aging – Administration of Commodity Supplemental Food Program
and Regulatory Authority**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 116)

The Bill was then sent to the Senate.

**House Bill 147 – Chair, Health and Government Operations Committee (By
Request – Departmental – Aging)**

AN ACT concerning

Healthy Aging Program

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

Affirmative – 134 Negative – 1 (See Roll Call No. 117)

The Bill was then sent to the Senate.

House Bill 165 – Delegates Barron and Pena–Melnyk

AN ACT concerning

State Government – Maryland Uniform Electronic Legal Materials Act

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

Affirmative – 135 Negative – 0 (See Roll Call No. 118)

The Bill was then sent to the Senate.

MESSAGE FROM THE CHIEF EXECUTIVE

GOVERNOR LAWRENCE J. HOGAN, JR.
2016 GUBERNATORIAL APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit I of Appendix II)

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

QUORUM CALL

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

(See Roll Call No. 119)

ADJOURNMENT

At 11:40 A.M. on motion of Delegate Frick the House adjourned until 8:00 P.M. on Monday, February 20, 2017.

Annapolis, Maryland
Monday, February 20, 2017
8:00 P.M. Session

The House met at 8:01 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Eric Ebersole of Baltimore and Howard Counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 120)

EXCUSED:

Del. Glass – personal

Del. Proctor – medical

The Journal of February 17, 2017 was read and approved.

INTRODUCTORY HOUSE BILLS NO. 33

House Bill 1580 – Delegate B. Barnes

AN ACT concerning

State Retirement Agency – Investment Division Personnel

FOR the purpose of authorizing the Board of Trustees for the State Retirement and Pension System to determine the qualifications and compensation of certain positions in the Investment Division in the State Retirement Agency; authorizing the Board of Trustees to create certain positions in the Investment Division; requiring certain positions to be funded from certain existing funds; requiring the Board of Trustees to report certain information to certain General Assembly committees; requiring the Board of Trustees to establish certain criteria for setting the qualifications and compensation of certain positions; requiring the Board of Trustees to submit the criteria to certain General Assembly committees each year by a certain date; requiring certain expenses for certain personnel to be paid from a certain fund; requiring the Board of Trustees to include certain expenses for certain personnel in a certain calculation; making a technical correction; and generally relating to the Investment Division of the State Retirement Agency.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 21–122 and 21–315
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1581 – Delegates Hayes, Conaway, and Mosby

AN ACT concerning

Creation of a State Debt – Baltimore City – Center Stage

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Trustees of the Center Stage Associates, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1582 – Delegates Luedtke, Kaiser, and Queen

AN ACT concerning

Alcoholic Beverages – Family Beer and Wine Facility Permit

FOR the purpose of repealing a provision of law that prohibits a family beer and wine facility permit holder from holding another license simultaneously; and generally relating to family beer and wine facility permits.

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 2–138
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1583 – Delegates Ali and Kaiser

AN ACT concerning

Income Tax – Earned Income Tax Credit – Notice of Availability

FOR the purpose of requiring the Comptroller, beginning on a certain date, to provide certain written and electronic notice of the availability of certain credits against the State and federal income taxes for earned income; establishing certain requirements for the form and content of the notice; requiring that certain written notice be included in certain income tax return materials in a certain manner; requiring that certain electronic notice be posted on the Internet tax filing system of the Comptroller in a certain manner and include links to certain information; requiring the Comptroller to adopt certain regulations; and generally relating to the earned income tax credit.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–704(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY adding to

Article – Tax – General

Section 10–704(e)

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 1584 – Delegate Angel

AN ACT concerning

Maryland Dentistry Act – Scope of Practice and Penalties for Violations

FOR the purpose of prohibiting a person from being considered to be practicing dentistry or violating certain provisions of law based solely on whether the person provides certain services or engages in certain acts; providing that certain provisions of law do not prohibit a dentist or dental practice from contracting to receive or receiving certain services or benefiting from certain acts; prohibiting the State Board of Dental Examiners from prohibiting a person from contracting to provide certain services or engaging in certain acts, or a dentist or dental practice from contracting to receive or receiving certain services or benefiting from certain acts; prohibiting a person from aiding or abetting the unauthorized practice of dentistry in the State; altering certain penalties for certain acts related to the unauthorized practice of dentistry; altering certain penalties for violating certain provisions of law related to dental laboratory work or advertising a dental appliance; providing for the application of certain provisions of this Act; repealing certain provisions of law that specify certain places of imprisonment; defining a certain term; altering a certain definition; and generally relating to the scope of practice of dentistry and penalties for violations of the Maryland Dentistry Act.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–101, 4–301, 4–601, and 4–606
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1585 – Delegates Szeliga, Cluster, and Metzgar

AN ACT concerning

Baltimore County – Alcoholic Beverages – Sunday Sales

FOR the purpose of authorizing the Board of License Commissioners for Baltimore County to grant a Sunday permit to a holder of a Class A beer, wine, and liquor license for an additional permit fee to be established by the Board; establishing that the permit authorizes the holder to sell alcoholic beverages for off-premises consumption on Sunday during certain hours; submitting this Act to a referendum of the qualified voters of Baltimore County; requiring the Board to conduct a certain economic impact study within a certain time period and, under certain circumstances, to work with certain license holders in developing a fee for the Sunday permit and mitigating a certain impact; providing for a delayed effective date for certain provisions of this Act; and generally relating to sales of alcoholic beverages on Sundays in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 13–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 13–901 and 13–2004(a)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1586 – Delegate Lisanti

AN ACT concerning

Department of Commerce – Employment in the State’s Defense Industry – Army Alliance Study

FOR the purpose of requiring the Department of Commerce, in conjunction with the Department of Veterans Affairs and the Department of Labor, Licensing, and Regulation, to conduct a study on employment in the State's defense industry; specifying the minimum requirements of the study; requiring the Department of Commerce to consult with certain entities; requiring the Department of Commerce to report, on or before a certain date, to the General Assembly on the findings of the study; providing for the termination of this Act; and generally relating to a study on employment in the State's defense industry.

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

House Bill 1587 – Washington County Delegation

AN ACT concerning

Community Colleges – Out-of-State Fee – Waiver for Border State Residents

FOR the purpose of authorizing the boards of trustees of community colleges with service areas that border other states to set an out-of-state fee for certain students who reside in out-of-state counties that border Maryland; requiring that this fee be more than the out-of-county fee paid by certain Maryland students; allowing this fee to be less than the usual out-of-state fee paid by certain out-of-state students; prohibiting students attending community colleges by paying this fee from being counted for the purposes of certain State aid to community colleges; making a conforming change; and generally relating to a fee for out-of-state community college students residing in counties bordering their school's service area.

BY repealing and reenacting, with amendments,

Article – Education

Section 16–310(a) and 16–505(g)(4)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 16–310(b)(1)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1588 – Delegates Fennell and Tarlau

AN ACT concerning

Creation of a State Debt – Prince George's County – St. Ann's Center for Children, Youth and Families

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of St. Ann's Center for Children, Youth and Families for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1589 – Delegate Busch

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Historic Annapolis Museum

FOR the purpose of authorizing the creation of a State Debt in the amount of \$90,000, the proceeds to be used as a grant to the Board of Trustees of Historic Annapolis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 16

Senate Bill 265 – Senators Feldman, Kagan, Kelley, King, Lee, Madaleno, Manno, Pinsky, Rosapepe, Smith, and Zucker

EMERGENCY BILL

SECOND PRINTING

AN ACT concerning

Washington Metrorail Safety Commission Membership Act

FOR the purpose of requiring that certain members of the board of directors of the Washington Metrorail Safety Commission be appointed by the Governor with the advice and consent of the Senate; requiring one regular member of the board of directors of the Commission who is appointed by the Governor to be a resident of

Montgomery County or Prince George's County; providing that the regular member of the board of directors of the Commission who is a resident of Montgomery County or Prince George's County may not be succeeded by an individual who is a resident of the same county; ~~making this Act contingent on the taking effect of another Act; establishing the Washington Metrorail Safety Commission; establishing the Metrorail Safety Commission Interstate Compact; granting the Commission safety, regulatory, and enforcement authority over the Washington Metropolitan Area Transit Authority Rail System and the power to act as the State safety oversight authority for WMATA; specifying the membership, powers, organization, and duties of the Commission; making the Compact contingent on the adoption of the Compact by certain other jurisdictions; making this Act an emergency measure; and generally relating to the membership of the Washington Metrorail Safety Commission.~~

BY adding to

Article – Transportation

Section 7–709 and 10–208

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 493 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

FOR the purpose of generally curing previous Acts of the General Assembly with possible title defects; repealing a certain provision of law that limits to distillery license holders that manufacture not more than a certain amount of product the authority to sell bottles of products and related merchandise to certain participants in guided tours; requiring the Garrett County Board of License Commissioners to charge certain issuing fees for certain alcoholic beverages licenses in Garrett County; expanding coverage of regional development councils under the Local Government Tort Claims Act by altering the definition of “local government” to include certain regional development councils; authorizing the Secretary of Commerce by regulation to establish certain requirements related to the aerospace, electronics, or defense contract tax credit program; establishing immunity from certain liability for certain acts or omissions of individuals providing diabetes care services to students under certain circumstances; repealing a certain condition that a religious educational institution must satisfy in order to operate without a certificate of approval from the Maryland Higher Education Commission and enroll Maryland students in a certain online distance education program without a certain registration; repealing certain provisions of law authorizing an institution of higher education to use up to a certain percentage of a certain Part–Time Grant Program allocation for certain purposes;

providing that the Maryland Corps Program Fund may be subject to an audit by the Legislative Auditor; requiring that certain accumulated contributions of a public employee subject to a certain forfeiture order be reduced by an amount equal to certain benefit payments; prohibiting the total aggregate amount of certain credits claimed by members of pass-through entities against the State income tax for certain preservation and conservation easements from exceeding a certain amount for each taxable year; requiring the Administrative Office of the Courts to report on or before a certain date to the Governor and the General Assembly on the operation and results of the Courthouse Dog and Child Witness Pilot Program; providing for the effect and construction of certain provisions of this Act; making this Act an emergency measure; and generally repealing and reenacting without amendments certain Acts of the General Assembly that may be subject to possible title defects in order to validate those Acts.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 2–202(a) and (c)(5)(iii), 21–601(a) and (c)(2), 21–602(a) and (e), 21–604(a) and (c)(2), 21–701(a) and (d)(2), 21–801(a) and (c)(2), 21–802(a) and (e), 21–803(a) and (f), 21–805(a) and (f), 21–902(a) and (h), 21–903(a) and (g), 21–904(b) and (g)(2), 21–905(a)(1) and (f), and 21–1001(a) and (f)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 3–1301(a), 3–1302, 3–1307, 3–1308, and the subtitle designation “Subtitle 13. Remedies for Shoplifting and Employee Theft”; and 5–301(d)(17) and (e)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 5–601(c)(2)(i)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 6–707

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 7–426.4(d), 11–202.1(b), 18–1402(a), and 24–1108(a) and (l)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 14–101(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 13–1406
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–201(f)
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 8–716(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 21–708
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 220 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–723(d)(5)(i)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–304(c)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Chapter 467 of the Acts of the General Assembly of 2016

Section 1(e)

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

Senate Bill 494 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

FOR the purpose of correcting certain errors or omissions in certain articles of the Annotated Code and in certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; ratifying certain corrections made by the publishers of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for the effect and construction of certain provisions of this Act; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–508.1(c), 9–101(d), and 10–907
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 3–603(b)(6), 12–202(f)(4), 13–1201(c), 17–401, 21–403(b), 21–404(b),
21–405(b), 21–903(b) and (e), 21–904(f)(2), 21–1103(a), (b), and (c)(1) and
(2)(iii), 21–1104(a), 21–1105(b) and (c), 21–1406, 21–2004(b), (c), (d), (e), and
(f)(1), 21–2006(b)(1)(iii) and (d)(1), 25–405(b)(2), 25–1405(a),
25–1406(a), 26–1405(b)(1), 33–602(b), 33–604(b)(1), 33–802(b),
33–804(b), 33–902(b)(3) and (c), and 33–904(c)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 15–305(f)(1)(iii) and 17–530(a)(3)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(9)

Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–314(c) and (f) and 7–103(e)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–13A–02(a)(2), 7–203.3(d), 8–405(b)(2)(i)1.A., 9.5–307(e)(1), 9.5–316(a),
9.5–401(c)(3)(iii) and (iv), 9.5–404(b)(5)(ii)1., 9.5–604(a) and (c),
18–402(a)(1)(ii), and 18–601(a)(6)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–1401(c)(3)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 22 of the Acts of the General Assembly of 2015)

BY repealing
Article – Education
Section 18–601(a)(5)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 18–601(a)(6)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 23–503(b)(1)(vii)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 549 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 5–1002(b)(2)(ii), 9–503(e), and 14–101(l)(2)(iii)
Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 4–202.1(c)(2)(i)3. and (j)(5)(ii)1.

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 124 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, with amendments,

Article – Environment

Section 6–817(b)(2)(i) and (ii) and (3)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–349(b)(4)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 15–603(c), 15–614(b)(1), and 17–202

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 7–101

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 10–119.3(j)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 312 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 2–117(e)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions
Section 5–101(hh) and (ll)(4)
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 3–403(a)(2)(vii), 4–301(j)(2), 4–302(b)(1)(iii), 10–630(d)(1), 13–1102(i),
15–1003(a)(2), 21–2A–01(g)(3)(iii), 21–2A–06(b)(9)(v), and 21–1113(j)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 3–206(e)(2), 6–302(a)(4), 6–308(b), 8–206(f)(2), 8–508(d)(3),
12–102(c)(2)(ii)4.C. and D. and (l), 12–102.1(b) and (c), 12–102.2(b),
12–313(b)(29), 12–413(b), 12–6B–09(29), 12–6D–11(22), and 14–411.1(b)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–235(b)(1)(ii)1. and 6–405(d)(4)
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

BY repealing
Article – Insurance
Section 15–112(a)(12)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112(a)(13) and 31–101(g)(4)(iii)1.
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Insurance
Section 15–112(a)(13)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 2–102(b) and 9–801

Annotated Code of Maryland
(2016 Replacement Volume)
(As enacted by Chapter 8 of the Acts of the General Assembly of 1991)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–206(a) and 11–408
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Land Use
Section 1–401(a)
Annotated Code of Maryland
(2012 Volume and 2016 Supplement)

BY adding to
Article – Land Use
Section 1–401(b)(20)
Annotated Code of Maryland
(2012 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–401(b)(20) through (22), 1–509(a), and 7–307
Annotated Code of Maryland
(2012 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 5–104
Annotated Code of Maryland
(2013 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 1–405(a), (c)(1) and (2), and (h)(3), (7), and (10), 4–215(g)(3), 4–217(b)(1),
4–611(a), 4–701(d)(2)(ii)2.B.II., 4–713(h), 5–102(b)(2), and 10–302(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 7–304(d)(2)(i)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–106(e)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 7–311(j)(1)(ii)2., 14–103(a)(3)(iii), and 14–501(c)(1)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–26(a)(3)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–309.1(b), 22–406(c)(4)(xi), and 23–407(c)(4)(ix)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–202(a)(1)(i), 4–102(c)(1), 13–203(c)(8), and 13–912(c)(1)(ii) and (e)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–104(d)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 2–103.7(a)(1)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 36 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–205(e)(3)(iv) and (v), (7)(i) and (ii), (8), (9)(i), and (11),
16–404.1(d)(1)(i)4., and 21–202.1(a)(3)(ii)

Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–504(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–110(c)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

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

LETTERS OF REASSIGNMENT

February 20, 2017

MEMORANDUM

To: Chair, Rules and Executive Nominations Committee
From: Michael E. Busch, Speaker of the House
Re: Reassignment of Bill/Resolution

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill/Resolution No.</u>	<u>Reassignment</u>
SB 165	JUD

Read and ordered journalized.

WASHINGTON DAY ADDRESS

Delegate Eric G. Luedtke
Montgomery County

(See Exhibit J of Appendix II)

Delegate Frick moved the Delegate's remarks be journalized.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 121)

ADJOURNMENT

At 8:30 P.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Tuesday, February 21, 2017.

Annapolis, Maryland
Tuesday, February 21, 2017
10:00 A.M. Session

The House met at 10:18 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Keith E. Haynes of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 122)

EXCUSED:

Del. R. Lewis – business

Del. McConkey – business

The Journal of February 20, 2017 was read and approved.

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 17

Senate Bill 36 – Senator Mathias

AN ACT concerning

Tax Credits – Electronic Filing Requirements – Waiver

FOR the purpose of authorizing the Comptroller, under certain circumstances, to grant a waiver from the requirement that a taxpayer claiming certain tax credits submit a claim for the credit by certain electronic means; providing for the application of this Act; and generally relating to the requirement to submit an electronic claim for certain tax credits.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–804(j)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 54 – Senators Young and Waugh

AN ACT concerning

Motor Fuel Tax – Aviation Gasoline – Definition

FOR the purpose of altering the definition of aviation gasoline for purposes of the motor fuel tax; and generally relating to the definition of aviation gasoline for purposes of the motor fuel tax.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 9–101(a) and (g)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 9–101(c)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

APPROPRIATIONS COMMITTEE REPORT NO. 3

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

House Bill 167 – Delegates McCray, Anderton, Barron, Cassilly, Hayes, Knotts, Moon, Stein, and Wivell

AN ACT concerning

Counties and Municipalities – At-Will Supervisory Employees – Residency Requirements

HB0167/454569/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 167

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after the semicolon insert “providing for the application of a certain local law, ordinance, or policy enacted or adopted by a county or municipality;”.

AMENDMENT NO. 2

On page 2, after line 24, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That a local law, ordinance, or policy enacted or adopted in accordance with this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to the continued employment of any individual employed by a county or municipality before the effective date of the local law, ordinance, or policy enacted or adopted by the county or municipality in accordance with this Act.”;

and in line 25, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 395 – Delegates Kelly, Frick, Gaines, Gutierrez, Hettleman, Jackson, Lafferty, Lam, Lierman, McCray, A. Miller, Morales, Platt, Reznik, Turner, Valentino–Smith, Waldstreicher, A. Washington, M. Washington, and K. Young

AN ACT concerning

Child Care Subsidy Program – Alternative Methodology – Report

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 418 – Delegates Kelly, Angel, Ebersole, Frick, Gaines, Gutierrez, Hettleman, Jackson, Lafferty, Lam, Lierman, McCray, A. Miller, Morales, Platt, Reznik, Turner, Valderrama, Valentino–Smith, Waldstreicher, A. Washington, M. Washington, and K. Young

AN ACT concerning

Child Care Subsidy Program – Reimbursement Rate Adjustments

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 446 – Charles County Delegation (By Request)

AN ACT concerning

Charles County – Collective Bargaining for Public Safety Officials

HB0446/394469/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 446
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering the definition of “employer” to include Charles County for the purpose of certain provisions of law;”; in line 4, strike “of Charles County”; strike beginning with “the” in line 4 down through “matters” in line 5 and substitute “certain counties and municipal corporations; altering a certain provision of law to provide that, with respect to Charles County, a certain memorandum of understanding between Charles County and a certain exclusive representative is subject to provisions concerning budgetary and fiscal procedures contained in local law, regulation, or policy”; strike beginning with “providing” in line 5 down through “definition;” in line 30; and strike beginning with “providing” in line 30 down through “Act;” in line 31.

On page 2, in line 1, strike “the County Commissioners of”; and after line 7, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 4–502 and 4–503

Annotated Code of Maryland

(2016 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, after line 24, insert:

“4–502.

Each employer covered by this subtitle shall have the authority to enact a local law or ordinance to permit voluntary collective bargaining between the employer and any employee organization that the employer has recognized as an exclusive representative of its employees.

4–503.

Once authorized by a local law or ordinance, collective bargaining between an employer covered by this subtitle and an exclusive representative may include in a memorandum of understanding between the employer and the employee organization specific terms and conditions of employment.”;

in line 26, strike “(A)”; and in line 27, after “charter” insert “OR, WITH RESPECT TO CHARLES COUNTY, LOCAL LAW, REGULATION, OR POLICY”.

On pages 3 through 10, strike in their entirety the lines beginning with line 1 on page 3 through line 20 on page 10, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 457 – Charles County Delegation

AN ACT concerning

**Charles County – State’s Attorney’s Office and Child Support Enforcement
Administration – Transfer of Personnel**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 4

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

House Bill 138 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Occupational and Professional Licensing Boards, Commissions, and Regulatory Entities – Notifications of Applicants, Licensees, Registrants, and Permit Holders

HB0138/513199/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 138

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, strike “6.5–312(b)(1),” and substitute “6.5–312(b)”; in line 18, strike “14–314(b)(1)” and substitute “14–314(b)”; in the same line, strike “15–314(b)(1)” and substitute “15–314(b)”; and in line 19, strike “16–5A–04(b)(2)” and substitute “16–5A–04(b)(2) and (3)”.

AMENDMENT NO. 2

On page 2, in line 26, after “(b)” insert “(1)”; and in lines 28, 29, and 30, strike “(1)”, “(2)”, and “(i)”, respectively, and substitute “(I)”, “(II)”, and “1.”, respectively.

On page 3, in line 1, strike “(ii)” and substitute “2.”; after line 3, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 5, after “(2)” insert “(I)”; in lines 8, 9, 10, and 11, strike “(i)”, “(ii)”, “1.”, and “2.”, respectively, and substitute “1.”, “2.”, “A.”, and “B.”, respectively; after line 13, insert:

“(II) IF AN ELECTRONIC TRANSMISSION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 21, after “(b)” insert “(1)”; and in lines 24, 25, 26, and 27, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively.

On page 4, after line 1, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 3, after “(b)” insert “(1)”; in lines 5, 6, 7, and 8, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 10, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 12, after “(b)” insert “(1)”; in lines 15, 16, 17, and 18, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 20, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

and in line 25, after “(c)” insert **“(1)”**.

On page 5, in lines 1, 2, 3, and 4, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute **“(I)”**, **“(II)”**, **“1.”**, and **“2.”**, respectively; after line 6, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 8, after “(c)” insert **“(1)”**; in lines 11, 12, 13, and 15, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute **“(I)”**, **“(II)”**, **“1.”**, and **“2.”**, respectively; after line 18, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE APPRENTICE BARBER, AT THE LAST KNOWN ADDRESS OF THE APPRENTICE BARBER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 20, after “(b)” insert **“(1)”**; in lines 23, 24, 25, and 26, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute **“(I)”**, **“(II)”**, **“1.”**, and **“2.”**, respectively; and after line 28, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS

SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

AMENDMENT NO. 3

On page 6, in line 5, after “(c)” insert “**(1)**”; in lines 7, 8, 9, and 10, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 12, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 14, after “(c)” insert “**(1)**”; in lines 17, 18, 19, and 20, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 22, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE INDIVIDUAL, AT THE LAST KNOWN ADDRESS OF THE INDIVIDUAL, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 24, after “(b)” insert “**(1)**”; and in line 27, strike “(1)” and substitute “**(I)**”.

On page 7, in lines 1, 2, and 3, strike “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 5, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE BEAUTY SALON PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE BEAUTY SALON PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 11, after “(b)” insert “(1)”; in lines 14, 15, 16, and 17, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 19, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE STATE BOARD AS UNDELIVERABLE, THE STATE BOARD SHALL MAIL TO THE STATE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE STATE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE STATE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 21, after “(2)” insert “(I)”; and in lines 24, 25, and 26, strike “(i)”, “(ii)”, and “1.”, respectively, and substitute “1.”, “2.”, and “A.”, respectively.

On page 8, in line 1, strike “2.” and substitute “B.”; after line 4, insert:

“(II) IF AN ELECTRONIC TRANSMISSION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS RETURNED TO THE STATE BOARD AS UNDELIVERABLE, THE STATE BOARD SHALL MAIL TO THE INDIVIDUAL, AT THE LAST KNOWN ADDRESS OF THE INDIVIDUAL, THE MATERIALS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

after line 14, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”

[(2)] (3) The failure of a licensee to receive the notice as provided for in this subsection does not prevent the license from expiring as specified under subsection (a) of this section.”;

in line 25, after “(b)” insert “(1)”; and in lines 27 and 28, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively.

On page 9, in lines 1 and 2, strike “(i)” and “(ii)”, respectively, and substitute “1.” and “2.”, respectively; after line 4, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 6, after “(b)” insert “(1)”; in lines 9, 10, and 14, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; after line 14, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE CERTIFICATE HOLDER, AT THE LAST KNOWN ADDRESS OF THE CERTIFICATE HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 16, after “(b)” insert “(1)”; in lines 18, 19, 20, and 21, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 23, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

and in line 25, after “(b)” insert “(1)”.

AMENDMENT NO. 4

On page 10, in lines 1, 2, 3, and 4, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 6, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 8, after “(b)” insert “(1)”; in lines 10, 11, 12, and 13, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 15, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 17, after “(b)” insert “(1)”; in lines 19, 20, 21, and 22, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; and after line 24, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

On page 11, in lines 6, 9, 10, and 13, in each instance, strike the bracket; in lines 10 and 13, strike “(III)” and “(IV)”, respectively; and after line 23, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD

SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.

[(2)] (3) The failure of a licensee to receive the notice for which this subsection provides does not prevent the license from expiring as specified under subsection (a) of this section.”;

in line 25, after “(b)” insert “**(1)**”; and in line 28, strike “(1)” and substitute “**(I)**”.

On page 12, in lines 1, 2, and 3, strike “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 5, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

after line 14, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.

[(2)] (3) The failure of a licensee to receive the notice for which this subsection provides does not prevent the license from expiring as specified under subsection (a) of this section.”;

in line 16, after “(b)” insert “**(1)**”; in lines 19, 20, 21, and 22, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; and after line 24, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

AMENDMENT NO. 5

On page 13, in line 1, after “(b)” insert “(1)”; in lines 4, 5, 6, and 7, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 9, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE COMMISSION AS UNDELIVERABLE, THE COMMISSION SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE COMMISSION RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 11, after “(b)” insert “(1)”; in lines 13, 14, 15, and 16, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 16, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE COMMISSION AS UNDELIVERABLE, THE COMMISSION SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE COMMISSION RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

and after line 26, insert:

“(3) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (2) OF THIS SUBSECTION IS RETURNED TO THE COMMISSION AS UNDELIVERABLE, THE COMMISSION SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION

WITHIN 10 BUSINESS DAYS OF THE DATE THE COMMISSION RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.

[(3)] (4) The failure of a licensee to receive the notice under this subsection does not prevent the license from expiring as specified under subsection (a) of this section.

On page 14, after line 16, insert:

“(3) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OR (2) OF THIS SUBSECTION IS RETURNED TO THE COMMISSION AS UNDELIVERABLE, THE COMMISSION SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE COMMISSION RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in lines 23, 27, and 28, in each instance, strike the bracket; and in line 28, strike “(III)”.

On page 15, in lines 3, 5, 14, 17, 18, and 21, in each instance, strike the bracket; in lines 3 and 5, strike “(IV)” and “(V)”, respectively; and in lines 18 and 21, strike “(III)” and “(IV)”, respectively.

On page 16, in line 14, after “(b)” insert “(1)”; in lines 17, 18, 19, and 20, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 22, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE INDIVIDUAL, AT THE LAST KNOWN ADDRESS OF THE INDIVIDUAL, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 25, after “(b)” insert “(1)”; and in line 28, strike “(1)” and substitute “(I)”.

On page 17, in lines 1, 2, and 3, strike “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(II)”, “1.”, and “2.”, respectively; after line 6, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE DIRECTOR AS UNDELIVERABLE, THE DIRECTOR SHALL MAIL TO THE REGISTRANT OR PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE REGISTRANT OR PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE DIRECTOR RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 8, after “(c)” insert “**(1)**”; in lines 10, 11, 12, and 13, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 15, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE COMMISSION AS UNDELIVERABLE, THE COMMISSION SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE COMMISSION RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 21, after “(b)” insert “**(1)**”; and in lines 23, 24, 25, and 26, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively.

On page 18, after line 1, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE SECRETARY AS UNDELIVERABLE, THE SECRETARY SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE SECRETARY RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 3, after “(d)” insert “**(1)**”; in lines 5, 6, 8, 11, 12, and 13, strike “(1)”, “(2)”, “(3)”, “(4)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, “**1.**”, and “**2.**”, respectively; after line 15, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE SECRETARY AS UNDELIVERABLE, THE

SECRETARY SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE SECRETARY RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 18, after “(b)” insert “**(1)**”; in lines 20, 21, 22, and 23, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; and after line 25, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 182 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

**Commissioner of Financial Regulation and State Collection Agency Licensing
Board – Licensees – Revisions**

HB0182/863794/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 182

(First Reading File Bill)

On page 29, in line 25, strike “\$250” and substitute “**\$125**”.

On page 32, in line 7, strike “\$175” and substitute “\$125”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 459 – Delegates Queen, Barron, Cassilly, Dumais, Luedtke, McCray,
Moon, Sanchez, Sydnor, B. Wilson, and K. Young**

AN ACT concerning

**Higher Education – Adult Correctional Institutions – Job Training and
Education**

Favorable report adopted.

Delegate Kipke moved to make the Bill a Special Order for February 22, 2017.

The motion was adopted.

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

House Bill 505 – Delegate McMillan

AN ACT concerning

**Maryland Tourism Development Board – Destination Marketing Organization
Officials – Voting Rights**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 506 – Delegates Carr, Fennell, Glenn, Hornberger, and Jameson

AN ACT concerning

Labor and Employment – Noncompete and Conflict of Interest Clauses

Favorable report adopted.

Delegate West moved to make the Bill a Special Order for February 22, 2017.

The motion was adopted.

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

House Bill 514 – Delegates Jameson, Aumann, Barkley, B. Barnes, Branch, Brooks, Cassilly, Clippinger, Davis, Frick, Glenn, Hettleman, Kramer, Lam, Lierman, Lisanti, Moon, Morales, Platt, and Waldstreicher

AN ACT concerning

**Energy Efficiency Programs – Calculation of Program Savings and
Consideration of Cost-Effectiveness**

HB0514/943995/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 514

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 7, strike “beginning with a” and substitute “for the duration of”; in line 7, strike “cycle” and substitute “cycles”; and in line 13, strike “defining certain terms” and substitute “requiring the Commission to determine the advisability of certain matters relating to energy efficiency and conservation programs beginning in a certain program cycle”.

AMENDMENT NO. 2

On page 4, in line 2, strike “**BEGINNING WITH**” and substitute “**FOR THE DURATION OF**”; in the same line, after “**2018–2020**” insert “**AND 2021–2023**”; in the same line, strike “**CYCLE**” and substitute “**CYCLES**”; in line 12, after “**SALES**” insert “**AND ELECTRICITY LOSSES**”; in line 18, after “**MEASURED**” insert “**SHALL:**”

1. REFLECT SALES ASSOCIATED WITH CUSTOMER CLASSES SERVED BY UTILITY-ADMINISTERED PROGRAMS ONLY; AND;

in the same line, strike “**SHALL**” and substitute:

“2.”;

and after line 19, insert:

“(IV) THE TARGETED ANNUAL INCREMENTAL GROSS ENERGY SAVINGS SHALL BE ACHIEVED BASED ON THE 3-YEAR AVERAGE OF AN ELECTRIC COMPANY’S PLAN SUBMITTED UNDER SUBSECTION (H)(2) OF THIS SECTION.”.

AMENDMENT NO. 3

On page 5, strike beginning with “(1)” in line 22 down through “ARREARAGES.” in line 33; in line 34, strike the brackets; and in the same line, strike “(2)”.

On page 6, in line 2, strike “PORTFOLIO” and substitute “SUBPORTFOLIO”; in lines 18, 21, 22, and 26, in each instance, strike the brackets; and in the same lines, strike “(3)”, “(4)”, “(3)”, and “(5)”, respectively.

AMENDMENT NO. 4

On page 8, after line 15, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before July 1, 2022, the Public Service Commission shall determine the advisability of maintaining the methodology and magnitude of the savings trajectory established in § 7-211(g)(2) of the Public Utilities Article, as enacted by this Act, as the basis for designing cost-effective energy efficiency and conservation programs and services in subsequent program cycles that the Commission shall authorize beginning with the 2024–2026 program cycle.”;

and in line 16, strike “3.” and substitute “4.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for February 22, 2017.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 60 – Delegate McConkey

AN ACT concerning

Commission on the Disposition of the Crownsville Hospital Center Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 82 – Delegate Carr (Chair, Joint Committee on Federal Relations)

AN ACT concerning

Woodrow Wilson Bridge and Tunnel Compact – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 121 – Chair, Environment and Transportation Committee (By Request
– Departmental – Environment)**

AN ACT concerning

Environment – Hazardous Material Security – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 122 – Chair, Environment and Transportation Committee (By Request
– Departmental – State Police)**

AN ACT concerning

Motor Vehicles – Electronic Inspection Certificates for Used Vehicles – Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 125 – Chair, Environment and Transportation Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Emergency Action Plans for Dams

HB0125/350814/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 125

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “regulations;” insert “providing for the application of this Act;”; in line 21, after “(A)” insert “(1)”; and in line 22, strike “(1)” and substitute “(I)”.

AMENDMENT NO. 2

On page 2, in line 1, strike “(2)” and substitute “(II)”; and after line 3, insert:

“(2) THIS SECTION DOES NOT APPLY TO A DAM THAT IS LICENSED BY, AND SUBJECT TO THE JURISDICTION OF, THE FEDERAL ENERGY REGULATORY COMMISSION IF THE OWNER OF THE DAM SUBMITS TO THE DEPARTMENT:

(I) ON OR BEFORE AUGUST 1, 2017, A COPY OF THE EXISTING EMERGENCY ACTION PLAN FOR THE DAM; AND

(II) WITHIN 30 DAYS AFTER FILING WITH THE FEDERAL ENERGY REGULATORY COMMISSION ANY UPDATE TO THE EMERGENCY ACTION PLAN, A COPY OF THE UPDATE TO THE EMERGENCY ACTION PLAN.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 130 – Chair, Environment and Transportation Committee (By Request
– Departmental – Agriculture)**

AN ACT concerning

Maryland Wine and Grape Promotion Fund

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 155 – Chair, Environment and Transportation Committee (By Request
– Departmental – Agriculture)**

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easement Termination

Favorable report adopted.

Delegate Rey moved to make the Bill a Special Order for February 22, 2017.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 176 – Delegates Morgan, Clark, and Rey

AN ACT concerning

**Motor Vehicle Registration – Exception for Golf Carts – Golden Beach Patuxent
Knolls**

HB0176/480018/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 176

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, strike “, in consultation with the State Highway Administration,”.

AMENDMENT NO. 2

On page 4, strike beginning with the comma in line 2 down through the comma 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.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 216 – Delegates Lam, Afzali, Barve, Chang, Ebersole, Glass, Grammer, Hill, Hixson, Jameson, Kaiser, Krebs, Krimm, Luedtke, McDonough, A. Miller, Morhaim, Patterson, Stein, Waldstreicher, B. Wilson, and K. Young

AN ACT concerning

Emergency Veterinary Care – Immunity From Liability**HB0216/110014/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 216

(First Reading File Bill)

On page 3, in line 34, strike “AND”.

On page 4, in line 2, after “SUBSECTION” insert “; AND”

(6) AN INDIVIDUAL EMPLOYED OR DESIGNATED BY A LOCAL GOVERNMENT AS AN ANIMAL CONTROL OFFICER WHILE RESPONDING IN THE INDIVIDUAL’S OFFICIAL CAPACITY TO A CALL IN THE COMMUNITY;

in line 8, after “COMPENSATION” insert “**FROM THE OWNER OR CUSTODIAN OF THE ANIMAL**”; and in line 12, after “WITH” insert “**LICENSED VETERINARY**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 218 – Carroll County Delegation

AN ACT concerning

Carroll County – Huckster, Hawker, or Peddler License – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 237 – Delegates Carr, Korman, Robinson, and Tarlau

AN ACT concerning

Vehicle Laws – Intersections – Prohibited Acts

HB0237/690117/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 237

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 5 down through “intersection” in line 7 and substitute “establishing certain exceptions to the prohibition”; and in line 12, strike “and 21–403”.

AMENDMENT NO. 2

On page 4, in line 1, after “(2)” insert “(I)”; in the same line, after “TURN” insert “WHEN FACING A CIRCULAR GREEN SIGNAL”; in line 2, after “TO” insert “A PEDESTRIAN OR”; after line 3, insert:

“(II) A VEHICLE THAT IS MAKING A RIGHT TURN MAY ENTER THE INTERSECTION WHILE YIELDING THE RIGHT-OF-WAY TO A PEDESTRIAN OR A BICYCLIST.”;

and strike in their entirety lines 9 through 30, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 249 – Carroll County Delegation

AN ACT concerning

Carroll County – Mechanical Musical Devices – Licensing Requirements – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 334 – Delegates Kramer, Aumann, Barkley, B. Barnes, Carozza, Chang, Folden, Frick, Frush, Gilchrist, Hill, Impallaria, Jalisi, Kipke, Lam, McConkey, A. Miller, Patterson, Pena-Melnyk, Robinson, Valderrama, Waldstreicher, and K. Young

AN ACT concerning

Local Government – Regulation of Animals – Kennel Licenses**HB0334/180613/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 334**(First Reading File Bill)**

On page 2, in line 3, strike “8” and substitute “6”.

The preceding amendment was read and adopted.Favorable report, as amended, adopted.Read the second time and ordered prepared for Third Reading.**JUDICIARY COMMITTEE REPORT NO. 1**

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

House Bill 162 – Delegate Dumais

AN ACT concerning

Public Safety – Firearm ApplicationFavorable report adopted.Read the second time and ordered prepared for Third Reading.

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

House Bill 166 – Delegate Dumais

AN ACT concerning

Criminal Procedure – Charges Against Correctional Officer – Review by State’s AttorneyFavorable report adopted.Read the second time and ordered prepared for Third Reading.

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

House Bill 181 – Delegates Anderson, Barron, Atterbeary, B. Barnes, D. Barnes, Branch, Bromwell, Brooks, Clippinger, Conaway, Dumais, Fennell, Folden, Fraser–Hidalgo, Glass, Glenn, Jackson, Kramer, Lam, Lierman, McCray, McIntosh, Moon, Morales, Oaks, Parrott, Proctor, Queen, Rosenberg, Sample–Hughes, Sydnor, Turner, Vallario, Waldstreicher, A. Washington, M. Washington, B. Wilson, and C. Wilson

AN ACT concerning

Maryland Police Training and Standards Commission – Guidelines for Use of Electronic Control Devices

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 213 – Delegates Queen, Morales, Anderson, Angel, Clippinger, Conaway, Dumais, Fraser–Hidalgo, Glenn, Kelly, Korman, Lierman, Luedtke, A. Miller, Moon, Platt, Lewis, Reznik, Robinson, Tarlau, and M. Washington

AN ACT concerning

Public Safety – Maryland Police Training and Standards Commission – Sexual Assault Investigation Training

HB0213/552010/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 213

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 7, in each instance, after “assault” insert “investigations”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with the colon in line 20 on page 1 down through “**RESOLVED**” in line 2 on page 2 and substitute “**ENSURE USE OF BEST PRACTICES IN SEXUAL ASSAULT INVESTIGATIONS**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 219 – Carroll County Delegation

AN ACT concerning

Carroll County – Local Government Tort Claims Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 226 – Delegate Anderson

AN ACT concerning

Baltimore Police Department – Reporting on Community Policing

HB0226/262518/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 226

(First Reading File Bill)

On page 1, in line 18, strike “January [1] 15” and substitute “**FEBRUARY 1**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 236 – Delegates Barron, Jameson, West, and C. Wilson

AN ACT concerning

Legal Advice to Corporations – Clarification**HB0236/702515/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 236

(First Reading File Bill)

AMENDMENT NO. 1On page 1, in line 6, after “affiliates,” insert “defining certain terms”.AMENDMENT NO. 2On page 2, in line 3, after “(1)” insert “(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(II) “AFFILIATE” MEANS A PERSON THAT, DIRECTLY OR INDIRECTLY THROUGH ONE OR MORE INTERMEDIARIES, CONTROLS, IS CONTROLLED BY, OR IS UNDER COMMON CONTROL WITH AN EMPLOYER.

(III) “CONTROL” MEANS THE POSSESSION, DIRECTLY OR INDIRECTLY, OF THE POWER TO DIRECT OR CAUSE THE DIRECTION OF, WHETHER THROUGH THE OWNERSHIP OF VOTING SECURITIES, BY CONTRACT, OR BY SOME OTHER MEANS, THE MANAGEMENT AND POLICIES OF A PERSON.

(2)”;

and in lines 3 and 9, in each instance, strike “(2)” and substitute “(3)”.The preceding 2 amendments were read and adopted.Favorable report, as amended, adopted.Read the second time and ordered prepared for Third Reading.

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

House Bill 256 – Delegates Carozza, Atterbeary, Aumann, Dumais, Krebs, McComas, Proctor, Rey, Valentino-Smith, and B. Wilson

AN ACT concerning

Adult Protective Services – Investigation – Time Period Increase

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 374 – Delegates Sanchez, Korman, Moon, Queen, Tarlau, and Vallario

AN ACT concerning

Criminal Procedure – Expungement – Denial of Petition Without Hearing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 12

House Bill 41 – Delegate Holmes

AN ACT concerning

Real Property – Common Ownership Communities – Statewide Registration

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. KREBS PENDING.

FLOOR AMENDMENT

HB0041/713325/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 41, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Environment and Transportation Committee Amendments (HB0041/990618/1), in Amendment No. 1, strike beginning with “requiring” in line 3 down through “fee;” in line 4.

AMENDMENT NO. 2

On page 1 of the bill, strike beginning with “making” in line 8 down through “fine;” in line 9; and in line 24, strike “14-707” and substitute “14-706”.

AMENDMENT NO. 3

On page 2 of the Environment and Transportation Committee Amendments, in line 4 of Amendment No. 3, strike “DEPARTMENT SHALL ESTABLISH THE”; and in line 5, strike “NOT TO EXCEED \$10”.

AMENDMENT NO. 4

On page 3 of the bill, strike in their entirety lines 27 through 28; and in line 29, strike “(B)”.

AMENDMENT NO. 5

On page 4 of the bill, strike in their entirety lines 18 through 24, inclusive; and in line 29, strike “14-707.” and substitute “14-706.”.

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

Affirmative – 48 Negative – 89 (See Roll Call No. 123)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 13

House Bill 100 – Delegates Hixson, Beidle, Bromwell, Carey, Chang, Lisanti, Luedtke, Sample-Hughes, and Sophocleus

AN ACT concerning

Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel

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

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 14**House Bill 143 – Chair, Ways and Means Committee (By Request – Departmental
– State Board of Elections)**

AN ACT concerning

Elections – Miscellaneous Duties and Procedures

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

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 124)

CALENDAR OF THIRD READING HOUSE BILLS NO. 9

**House Bill 102 – ~~Delegates Chang, Beidle, Carey, Frush, S. Howard, Malone,
McConkey, Pena Melnyk, Simonaire, and Sophocleus~~ Anne Arundel
County Delegation**

AN ACT concerning

**Anne Arundel County Board of Education – Human Trafficking Awareness Pilot
Program**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 125)

The Bill was then sent to the Senate.

House Bill 118 – Delegate Luedtke

AN ACT concerning

**Election Law – Persons Doing Public Business – Reporting by Governmental
Entities**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 126)

The Bill was then sent to the Senate.

House Bill 197 – ~~Delegate Luedtke~~ Delegates Luedtke, Afzali, Ali, D. Barnes, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Kaiser, Long, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Turner, Walker, A. Washington, M. Washington, and Wilkins Wilkins, and A. Miller

AN ACT concerning

**Education – Remote Classroom Technology Grant Program – Establishment
(Peyton’s Bill)**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 127)

The Bill was then sent to the Senate.

House Bill 257 – Delegate Hixson

AN ACT concerning

**Education – Maryland Meals for Achievement In-Classroom Breakfast Program
– Administration
(Maryland Meals for Achievement for Teens Act of 2017)**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 128)

The Bill was then sent to the Senate.

House Bill 287 – ~~Delegate Hixson~~ Delegates Hixson, Haynes, Walker, Branch, Mosby, Tarlau, A. Washington, M. Washington, C. Howard, Turner, Ebersole, Patterson, D. Barnes, Simonaire, Wilkins, and Ali

AN ACT concerning

Hunger-Free Schools Act of 2017

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

Affirmative – 127 Negative – 10 (See Roll Call No. 129)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 130)

ADJOURNMENT

At 11:19 A.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Wednesday, February 22, 2017.

Annapolis, Maryland
Wednesday, February 22, 2017
10:00 A.M. Session

The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Tony McConkey of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 131)

EXCUSED:

Del. Ali – illness

The Journal of February 21, 2017 was read and approved.

INTRODUCTORY HOUSE BILLS NO. 34

House Bill 1590 – Delegate Frick

AN ACT concerning

**State Government – Creation and Maintenance of Religious Registry –
Prohibitions and Immunity for Refusal to Provide Information**

FOR the purpose of providing that an official of State government, local government, or a municipality is immune from certain liability for refusing to provide information to the federal government or another state that will be used for the creation or maintenance of a registry of individuals who belong to a specific religion or who hold specific religious beliefs; authorizing the State to indemnify a certain official for certain costs and judgments; prohibiting an officer or unit of State government from spending money from an appropriation to create or maintain a certain registry or to provide information to the federal government or another state that will be used in the creation or maintenance of a certain registry; prohibiting the State from reimbursing any expenditure to the extent that the expenditure violates a certain provision of this Act; providing that the State is not obligated to appropriate money to pay an expenditure that violates a certain provision of this Act; providing that each employee or member of a unit and each officer of the State government who makes a certain expenditure is guilty of neglect of official duty and is subject to removal; prohibiting a person that receives State funds from using the State funds

to create or maintain a certain registry or to provide information to the federal government or another state that will be used in the creation or maintenance of a certain registry; and generally relating to prohibited activities and immunity for a refusal to provide information related to the creation and maintenance of a religious registry.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–527

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Finance and Procurement

Section 7–239 and 7–407

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1591 – Delegates Hayes, Conaway, and Mosby

AN ACT concerning

Creation of a State Debt – Baltimore City – Sellers Mansion

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of St. James' Terrace Apartments, Incorporated for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1592 – Delegates Jameson, Arentz, Beidle, and Lisanti

AN ACT concerning

Local Jurisdictions – Zoning Authority – Generating Stations

FOR the purpose of authorizing a local jurisdiction to adopt certain zoning regulations for the siting of generating stations; requiring a local jurisdiction that adopts zoning regulations in accordance with this Act to make a certain determination regarding the types of energy generating technologies that the zoning regulations will include; prohibiting the siting or construction of a certain generating station beginning on

the date of a certain notice until certain zoning regulations are adopted or after a certain period of time from the date of a certain notice, subject to a certain exception; requiring a local jurisdiction to provide a certain notice before proposing certain zoning regulations; requiring a local jurisdiction to offer to meet with certain representatives of energy generation technologies that will be included in the zoning regulations within a certain period of time from the date of a certain notice; requiring a certain power plant environmental research program to identify and recommend certain representatives to meet with a local jurisdiction; requiring a local jurisdiction to consider certain factors when establishing certain zoning regulations; requiring a local jurisdiction to identify certain generating station sites for certain energy generation technologies included in the zoning regulations; requiring the Public Service Commission to review and comment on a local jurisdiction's proposed zoning regulations; establishing that a local jurisdiction's zoning regulations in effect before a certain date are deemed to be in compliance with this Act and binding on a certain generating station if the Commission makes a certain determination; requiring a local jurisdiction to comply with the requirements of this Act when amending, repealing, or reclassifying zoning regulations adopted under this Act; requiring the owner of a certain generating station to comply with zoning regulations adopted in accordance with this Act; authorizing the Commission to preempt a local jurisdiction's zoning regulations adopted in accordance with this Act under certain circumstances; applying this Act to charter counties and Baltimore City; prohibiting the Commission from issuing a certificate of public convenience and necessity for or approving the construction of a certain generating station unless the construction complies with a local jurisdiction's zoning regulations adopted in accordance with this Act; requiring a certain power plant environmental research program to study and make certain recommendations regarding certain matters; requiring the power plant environmental research program to consult with certain representatives in conducting the study and developing recommendations; requiring the program to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; defining a certain term; providing for the application of this Act; and generally relating to zoning authority and generating stations.

BY repealing and reenacting, with amendments,

Article – Land Use

Section 1–401(b) and 10–103(b)

Annotated Code of Maryland

(2012 Volume and 2016 Supplement)

BY adding to

Article – Land Use

Section 4–211

Annotated Code of Maryland

(2012 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–207(b)(1) and 7–207.1(b)

Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

House Bill 1593 – Delegates Gaines and Healey

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Transit Oriented
Development Public Art Projects**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$280,000, the proceeds to be used as a grant to the Board of Directors of the Prince George’s Arts and Humanities Council, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1594 – Delegates Gaines, Healey, and A. Washington

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Maryland Multicultural
Youth Centers**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$75,000, the proceeds to be used as a grant to the Board of Directors of the Latin American Youth Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1595 – Delegates Jones and McIntosh

EMERGENCY BILL

AN ACT concerning

Baltimore City Community College – Restructuring

FOR the purpose of repealing the Board of Trustees of Baltimore City Community College; establishing the Restructuring Board of Baltimore City Community College and transferring the powers and duties of the Board of Trustees to the Restructuring Board; providing for the composition and duties of the Restructuring Board; requiring each member of the Restructuring Board to serve for the duration of the Restructuring Board; altering a certain authority of the Maryland Higher Education Commission; requiring the Restructuring Board to elect one of its members as its chair, select a certain president and develop a certain strategic plan on or before a certain date, review and focus certain offerings on certain needs, make workforce development and job placement a certain priority, improve student pathways to success, enter into certain memoranda of understanding, align a certain budget with certain projections, engage in a certain review of positions and staff, establish certain relationships with certain stakeholders, rebuild and market a certain brand, address certain information technology needs, develop or sell certain real estate holdings, identify certain barriers that impede the efficient and effective operation of the College, recommend a certain structure and composition of a newly constructed Board of Trustees, and ensure a certain transition; requiring the President of the College to meet certain criteria; prohibiting the President of the College from being a member of the Restructuring Board or a member of the Board of Trustees as it existed on a certain date; requiring the Restructuring Board to submit a certain report to the Governor and the General Assembly, on or before a certain date, annually, regarding its progress in implementing its duties and responsibilities; altering certain definitions; making certain conforming changes; providing for the expiration of the terms of the members of the Board of Trustees; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct cross-references and terminology in the Code that are rendered incorrect by this Act; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the restructuring of Baltimore City Community College.

BY repealing and reenacting, with amendments,

Article – Education

Section 10–101(e), 11–105(i)(1), 16–302.1(a)(3), 16–502, 16–504, 16–505, 16–506, 16–507(a) and (c), 16–511, 16–512(c) and (d)(3), and 16–513(c) and (d)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 16–501

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 16–505.1 and 16–505.2

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1596 – Delegates Branch, Glenn, and McCray

AN ACT concerning

Creation of a State Debt – Baltimore City – Roberta’s House

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Directors of Roberta’s House, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1597 – Delegates Jacobs, Arentz, and Ghrist

AN ACT concerning

Creation of a State Debt – Kent County – Echo Hill Outdoor School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$310,000, the proceeds to be used as a grant to the Board of Directors of the Echo Hill Outdoor School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1598 – Delegates Gutierrez, Carr, and Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – A Wider Circle Community Service Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of A Wider Circle, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the

loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1599 – Delegate Morgan

AN ACT concerning

Nursing Homes – Partial Payment for Services Provided

FOR the purpose of requiring the Department of Health and Mental Hygiene to make a certain advance payment to a nursing home at the request of the nursing home under certain circumstances; providing that the advance payment may not exceed a certain amount; requiring the Department to pay the balance due to a nursing home under certain circumstances; requiring the Department to recover certain advance payments in a certain manner under certain circumstances; defining a certain term; and generally relating to the Maryland Medical Assistance Program and advance payments to nursing homes.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–101(a) and (h)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Health – General
Section 15–149
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1600 – Delegate Jones

AN ACT concerning

State Board of Cosmetologists – License Renewal – Continuing Education

FOR the purpose of requiring the State Board of Cosmetologists to require, beginning on a certain date, certain licensees to complete continuing education to qualify for the renewal of a license; requiring the Board to adopt certain regulations; and generally relating to continuing education for a license renewal for cosmetologists.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions

Section 5–205 and 5–311
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

House Bill 1601 – Delegate Beidle

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Class B Beer, Wine, and Liquor
Licenses – Fees**

FOR the purpose of altering the annual fee for a Class B beer, wine, and liquor license in Anne Arundel County; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 11–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 11–902
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1602 – Delegate Kipke

AN ACT concerning

Public Health – Vital Records – Fees

FOR the purpose of prohibiting the Department of Health and Mental Hygiene from collecting a fee for a copy of a vital record issued to a law enforcement agency or a State's Attorney's office in connection with a criminal investigation or prosecution; defining a certain term; and generally relating to fees for copies of vital records.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–217(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1603 – Delegates Atterbeary and Ebersole

AN ACT concerning

Education – County Boards of Education – Removal of County Superintendents

FOR the purpose of authorizing certain county boards of education to remove certain county superintendents of schools for certain reasons; requiring certain county boards to send certain notice, provide a certain opportunity, and hold a certain hearing under certain circumstances; requiring certain county superintendents to be compensated in a certain manner under certain circumstances; making stylistic changes; and generally relating to the removal of a county superintendent by a county board of education.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–201
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1604 – Howard County Delegation

AN ACT concerning

**Howard County – Transfer Tax Exemption and Rate Reduction – Law
Enforcement Officers and Fire and Rescue Services Members**

Ho. Co. 17–17

FOR the purpose of exempting from the Howard County transfer tax the sale of residential real property to certain law enforcement officers and fire and rescue services members under certain circumstances; establishing the maximum Howard County transfer tax rate applied to the sale of residential real property to certain law enforcement officers and fire and rescue services members under certain circumstances; establishing certain qualifications for the transfer tax exemption or rate reduction; providing for the recapture of the transfer tax exempted or reduced under this Act under certain circumstances; defining a certain term; and generally relating to the transfer tax in Howard County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Howard County
Section 20.300

Article 14 – Public Local Laws of Maryland
(1977 Edition and August 2008 Supplement, as amended)

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

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 3

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

House Bill 145 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

**Board of Examiners of Nursing Home Administrators – Nonlicensed Persons –
Provisional Licensure**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 154 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Insurance – Pharmacy Benefits Managers – Registration Expiration Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 184 – Delegates Morales, Angel, Barron, Cullison, Hill, Miele, Sample-Hughes, Tarlau, and K. Young

AN ACT concerning

**Public Health – Treatment of Attention-Deficit/Hyperactivity Disorder – Notice
of Guidelines**

HB0184/806583/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 184

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, Pena–Melnik, and Platt”; in line 2, after “Disorder –” insert “Identification and Posting”; in the same line, strike “Notice”; in line 3, strike “Guidelines” and substitute “Information”; in line 4, strike “develop” and substitute “identify”; strike beginning with the first “the” in line 5 down through “of” in line 7 and substitute “certain stakeholders, certain information relating to”; strike beginning with “in” in line 7 down through the second “certain” in line 8 and substitute “; requiring the Department to post certain information in a certain form on the Department’s”; strike beginning with “requiring” in line 9 down through “office;” in line 10; in line 10, after “to” insert “the identification and”; in the same line, strike “notice” and substitute “posting”; and in line 11, strike “guidelines” and substitute “information”.

AMENDMENT NO. 2

On page 2, in line 4, strike “**DEVELOP**” and substitute “**IDENTIFY**”; strike beginning with “**THE**” in line 4 down through “**PEDIATRICS**” in line 5 and substitute “**STAKEHOLDERS WHO WISH TO PARTICIPATE**”; strike beginning with “**A**” in line 5 down through “**OF**” in line 7 and substitute “**UP-TO-DATE, EVIDENCE-BASED, WRITTEN INFORMATION RELATING TO**”; in line 8, strike “**IN CHILDREN AND ADOLESCENTS**” and substitute “**THAT:**”

(I) HAS BEEN REVIEWED BY MEDICAL EXPERTS, MENTAL HEALTH CARE PRACTITIONERS, AND NATIONAL AND LOCAL ORGANIZATIONS SPECIALIZING IN THE PROVISION OF SERVICES FOR THE TREATMENT OF ATTENTION-DEFICIT/HYPERACTIVITY DISORDER;

(II) IS DESIGNED FOR USE BY HEALTH CARE PRACTITIONERS AND THE FAMILIES OF CHILDREN AND ADOLESCENTS WHO ARE DIAGNOSED WITH ATTENTION-DEFICIT/HYPERACTIVITY DISORDER;

(III) IS CULTURALLY AND LINGUISTICALLY APPROPRIATE FOR POTENTIAL RECIPIENTS OF THE INFORMATION; AND

(IV) INCLUDES:

1. TREATMENT OPTIONS FOR ATTENTION-DEFICIT/HYPERACTIVITY DISORDER, INCLUDING MEDICATION USAGE, BEHAVIORAL HEALTH SERVICES, AND NONPHARMACOLOGICAL INTERVENTION STRATEGIES; AND

2. CONTACT INFORMATION FOR NATIONAL AND LOCAL EDUCATION PROGRAMS AND SUPPORT SERVICES”;

in line 10, strike “NOTICE” and substitute “**INFORMATION IDENTIFIED BY THE DEPARTMENT UNDER ITEM (1) OF THIS SUBSECTION**”; in line 11, after “SITE” insert “**THAT MAY BE ACCESSED BY HEALTH CARE PRACTITIONERS ENGAGED IN TREATING CHILDREN AND ADOLESCENTS FOR ATTENTION-DEFICIT/HYPERACTIVITY DISORDER**”; and strike in their entirety lines 12 through 16, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 190 – Delegates Queen and Sample–Hughes

AN ACT concerning

Mammography Centers – Dense Breast Tissue – Notification of Breast Cancer Screening Options

HB0190/886789/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 190

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Sample–Hughes” and substitute “, Sample–Hughes, K. Young, and Angel”; in line 5, after “letter” insert a semicolon; and strike beginning with “to” in line 5 down through “that” in line 6 and substitute “requiring the notice to state that together, a patient and the patient’s physician can decide whether additional screening options”.

AMENDMENT NO. 2

On page 3, strike beginning with “**BREAST**” in line 11 down through “**TOMOSYNTHESIS,**” in line 13 and substitute “**SCREENING OPTIONS**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 221 – Delegate Cullison

AN ACT concerning

Maryland Council on Advancement of School–Based Health Centers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 253 – Delegates Angel, Morgan, Pena–Melnyk, Pendergrass, and Saab

AN ACT concerning

**State Board of Nursing – Registered Nurses and Licensed Practical Nurses
– Renewal of Licenses – Continuing Education Units**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 275 – Delegates Queen, Angel, Frush, Korman, Luedtke, Patterson, and C. Wilson

AN ACT concerning

Department of Health and Mental Hygiene – Recommended Courses in Military Culture

HB0275/676889/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 275

(First Reading File Bill)

On page 1, in the sponsor line, strike “and C. Wilson” and substitute “C. Wilson, Pendergrass, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnyk, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 283 – Delegates Krebs, Anderson, Jacobs, Metzgar, and Miele

AN ACT concerning

Procurement – Prohibitions on Participation

HB0283/616585/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 283

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Miele” and substitute “Miele, Angel, Hayes, Hill, McDonough, Morales, Pena–Melnik, Saab, West, and K. Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 298 – Delegates Kelly, Angel, and Platt

AN ACT concerning

**Health Insurance – Licensed Clinical Professional Art Therapists –
Reimbursement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 383 – Delegates Moon, Morales, Barron, Hill, Kelly, Korman, Platt,
Queen, Sanchez, and Sydnor**

AN ACT concerning

**Public Information Act – Denials of Inspection – Explanation Regarding
Redaction**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 581 – Delegates Hill and Lam

AN ACT concerning

**Maryland Medical Practice Act – Individuals Exempt From Licensure – Repeal
of Criminal History Records Check Requirement**

HB0581/626383/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 581

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; strike beginning with the second “a” in line 5 down through “program” in line 6 and substitute “certain individuals”; and strike beginning with “making” in line 7 down through the second “change;” in line 8 and substitute “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 1, strike beginning with “if” in line 20 down through “subtitle” in line 21; and in lines 22 and 24, in each instance, strike the bracket.

On page 2, in lines 1, 6, 8, and 14, in each instance, strike the brackets; and in the same lines, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively.

On pages 2 and 3, strike beginning with “THE” in line 27 on page 2 down through “(2)” in line 3 on page 3.

On page 3, in lines 3, 6, 8, 10, 13, 14, 15, and 17, in each instance, strike the bracket; strike beginning with “and” in line 4 down through the bracket in line 5; in lines 6, 8, 10, 13, 15, and 17, strike “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively; in line 14, strike “(III)”; and in the same line, strike “ITEM”.

AMENDMENT NO. 3

On page 3, strike beginning with “shall” in line 20 down through “2017” in line 21 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 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 587 – Delegates Reznik, Barkley, Frick, Healey, Hixson, C. Howard, Jackson, Kipke, Lafferty, Patterson, Queen, and Valentino-Smith

AN ACT concerning

State Finance and Procurement – Veteran-Owned Small Business Enterprises – Definitions

HB0587/476588/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 587

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike beginning with “defining” through “for” and substitute “defining “veteran” and altering the definition of “veteran-owned small business enterprise” for”; and strike beginning with “procurement” in line 5 down through “enterprise” in line 6 and substitute “the structure of a unit’s procurement procedures”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 19 and 20.

On page 2, in lines 1 and 4, strike “(C)” and “(D)”, respectively, and substitute “(B)” and “(C)”, respectively; in line 4, strike “SMALL”; in line 5, after “that” insert “:

(1) MEETS THE SIZE STANDARDS ADOPTED BY THE UNITED STATES SMALL BUSINESS ADMINISTRATION IN 13 C.F.R. 121.201 AND ANY SUBSEQUENT REVISION OF THAT REGULATION; AND

(2)”;

in line 7, after “WHO” insert “:

(I);

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

(II) CONTROL THE MANAGEMENT AND DAILY OPERATIONS OF THE BUSINESS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 15

**House Bill 155 – Chair, Environment and Transportation Committee (By Request
– Departmental – Agriculture)**

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easement Termination

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

FLOOR AMENDMENT

HB0155/583428/1

BY: Delegate Rey

AMENDMENT TO HOUSE BILL 155

(First Reading File Bill)

On page 3, in line 16, after “EASEMENT” insert “:

(I) CONDUCTS A PUBLIC HEARING ON THE TERMINATION REQUEST AFTER ADEQUATE PUBLIC NOTICE; AND

(II) AFTER THE PUBLIC HEARING,”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 16

**House Bill 459 – Delegates Queen, Barron, Cassilly, Dumais, Luedtke, McCray,
Moon, Sanchez, Sydnor, B. Wilson, and K. Young**

AN ACT concerning

**Higher Education – Adult Correctional Institutions – Job Training and
Education**

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

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 17

House Bill 506 – Delegates Carr, Fennell, Glenn, Hornberger, and Jameson

AN ACT concerning

Labor and Employment – Noncompete and Conflict of Interest Clauses

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

FLOOR AMENDMENT

HB0506/683920/1

BY: Delegate West

AMENDMENT TO HOUSE BILL 506

(First Reading File Bill)

On page 1, in line 16, after “(A)” insert “**(1)**”; in the same line, strike “**THIS**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS**”; and in lines 17, 19, and 20, strike “**(1)**”, “**(I)**”, and “**(II)**”, respectively, and substitute “**(I)**”, “**1.**”, and “**2.**”, respectively.

On page 2, in line 1, strike “**(2)**” and substitute “**(II)**”; and after line 3, insert:

“(2) THIS SECTION DOES NOT APPLY TO AN EMPLOYMENT CONTRACT OR SIMILAR DOCUMENT OR AGREEMENT CONCERNING AN EMPLOYEE WHOSE JOB DESCRIPTION INCLUDES THE EMPLOYEE ACCESSING:

(I) THE NAMES OF THE CUSTOMERS OR CLIENTS OF THE EMPLOYER; OR

(II) PRICING INFORMATION RELATING TO THE EMPLOYER’S CONTRACTS OR AGREEMENTS WITH THE EMPLOYER’S CUSTOMERS OR CLIENTS.”.

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

Affirmative – 51 Negative – 87 (See Roll Call No. 132)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 18

House Bill 514 – Delegates Jameson, Aumann, Barkley, B. Barnes, Branch, Brooks, Cassilly, Clippinger, Davis, Frick, Glenn, Hettleman, Kramer, Lam, Lierman, Lisanti, Moon, Morales, Platt, and Waldstreicher

AN ACT concerning

Energy Efficiency Programs – Calculation of Program Savings and Consideration of Cost-Effectiveness

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

Delegate Szeliga moved to make the Bill a Special Order for February 23, 2017.

The motion was adopted.

RECONSIDERATION

Delegate Patterson moved to reconsider the vote by which **House Bill 457** was ordered printed for Third Reading.

The motion was adopted.

House Bill 457 – Charles County Delegation

AN ACT concerning

**Charles County – State’s Attorney’s Office and Child Support Enforcement
Administration – Transfer of Personnel**

FLOOR AMENDMENT

HB0457/213225/1

BY: Delegate Patterson

AMENDMENTS TO HOUSE BILL 457

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 23, after “actuary;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 4, strike beginning with “shall” in line 11 down through “2017” in line 12 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 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 133)

ADJOURNMENT

At 10:55 A.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Thursday, February 23, 2017.

Annapolis, Maryland
Thursday, February 23, 2017
10:00 A.M. Session

The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Shane Robinson of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 134)

EXCUSED:

Del. Ali – illness

Del. Lam – business

The Journal of February 22, 2017 was read and approved.

INTRODUCTORY HOUSE BILLS NO. 35

House Bill 1605 – Delegates Sydnor, P. Young, Brooks, Ebersole, Grammer, Hettleman, Hill, Jalisi, Lafferty, Lam, Metzgar, Stein, and West

AN ACT concerning

Election Law – Voting System – Optical Scanners in Baltimore County

FOR the purpose of requiring the State Board of Elections to include a certain number of optical scanners for each polling place in Baltimore County as part of the voting system for voting in polling places; and generally relating to optical scanners in polling places in Baltimore County.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 9–101 and 9–102(i)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

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

House Bill 1606 – Delegates Cassilly and Reilly

AN ACT concerning

Creation of a State Debt – Harford County – Hosanna School Museum

FOR the purpose of authorizing the creation of a State Debt not to exceed \$45,000, the proceeds to be used as a grant to the Board of Directors of The Hosanna Community House, Incorporated for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1607 – Delegates Cassilly and Reilly

AN ACT concerning

Creation of a State Debt – Harford County – Miracle League of Harford County

FOR the purpose of authorizing the creation of a State Debt in the amount of \$100,000, the proceeds to be used as a grant to the Board of Directors of the Miracle League of Harford County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1608 – Delegates Otto, Adams, Anderton, Carozza, Mautz, and Sample-Hughes

AN ACT concerning

Somerset County – Community College – Eligibility of Students to Pay No Tuition or Fees

FOR the purpose of providing that certain students residing in Somerset County may enroll full time in certain community colleges and pay no tuition or fees for a certain time if certain conditions are met; requiring the Maryland Higher Education Commission to pay 100% of in-county tuition and fees for certain eligible students; requiring a student to repay funds spent on the student's behalf to the Commission and county if the student is guilty of a felony; prohibiting a student from being eligible to pay no tuition or fees under this Act if the student is convicted of a felony; and generally relating to the eligibility of students residing in Somerset County to attend community college and pay no tuition or fees.

BY repealing and reenacting, without amendments,
Article – Education
Section 16–310(b)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 16–310(e)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1609 – Delegates Carozza and Otto

EMERGENCY BILL

AN ACT concerning

**State Boat Act – Vessel Operation – Prohibition When Individual on the Bow,
Gunwale, or Transom**

FOR the purpose of prohibiting an individual from operating a vessel on the waters of the State while another individual is riding on or suspended from certain parts of the vessel in a certain manner; establishing a penalty for a violation of this Act; authorizing the Department of Natural Resources to adopt certain regulations; making this Act an emergency measure; and generally relating to operating a vessel on the waters of the State.

BY adding to
Article – Natural Resources
Section 8–738.3
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1610 – Delegate West

AN ACT concerning

**Public Health – Generic Drugs and Medical Supplies Purchasing Cooperative
Workgroup**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to convene a workgroup to study the advisability of the State forming a generic drugs and medical supplies purchasing cooperative; requiring that the workgroup include certain individuals; requiring the Secretary, or the Secretary's designee, to chair the workgroup; requiring the workgroup to study and make recommendations regarding certain matters; 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 generic drugs and medical supplies purchasing cooperative workgroup.

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

House Bill 1611 – Delegate Haynes

AN ACT concerning

Creation of a State Debt – Baltimore City – Hopework CDC Youth and Family Service Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of the Hopework, Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1612 – Delegate Haynes

AN ACT concerning

Creation of a State Debt – Baltimore City – Payne Memorial Outreach Community Youth Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of Payne Memorial Outreach, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1613 – Delegate Morales

AN ACT concerning

**Individuals With Disabilities – Establishing Community–Based Long–Term
Services and Supports
(Maryland Disability Integration Act)**

FOR the purpose of requiring the Department of Disabilities to adopt a certain comprehensive plan; requiring the Department to complete the comprehensive plan on or before a certain date; requiring the Department to send a copy of certain policies to certain individuals under certain circumstances; providing that public entities may not discriminate against individuals who require long–term services and supports by certain policies; requiring the Department to implement a certain waiting list; requiring that the Department provide individuals on the waiting list with certain information; requiring the Department to send information on the waiting list to any interested member of the public under certain circumstances; requiring the Department to adopt certain regulations; defining certain terms; providing for the effective dates of this Act; and generally relating to community–based long–term services and supports.

BY adding to

Article – Human Services

Section 7–801 through 7–804 to be under the new subtitle “Subtitle 8.
Community–Based Long–Term Services and Supports”

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Human Services

Section 10–1001(a) and (c)

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 7–801

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

(As enacted by Section 1 of this Act)

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

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 18

Senate Bill 262 – Senators Bates, Edwards, Klausmeier, Norman, Ready, ~~and Young~~ Young, Astle, Benson, Feldman, Hershey, Jennings, Mathias, Middleton, Oaks, Reilly, and Rosapepe

EMERGENCY BILL

AN ACT concerning

**Public Health – Mobile Food Service Facilities – Licensing and Inspection by
County Health Departments**

FOR the purpose of requiring a county health department to issue a mobile reciprocity license to a certain mobile food service facility; authorizing a county health department to charge a certain fee for a mobile reciprocity license; providing that a mobile reciprocity license is valid for a certain period of time; prohibiting a county, under certain circumstances, from requiring that a mobile food service facility be inspected before a county health department issues a mobile reciprocity license; authorizing a county health department that issued a mobile reciprocity license to inspect the mobile food service facility while the mobile food service facility is operating in the county; requiring a mobile food service facility that is issued a mobile reciprocity license to comply with all applicable State and local laws and regulations; authorizing a county health department to take certain enforcement action against a certain mobile food service facility; requiring a county health department, under certain circumstances, to notify the county of origin of certain action taken; providing for the application of this Act; defining certain terms; making this Act an emergency measure; and generally relating to the licensing and inspection of mobile food service facilities by county health departments.

BY adding to

Article – Health – General

Section 21–304(f)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 347 – Charles County Senators

EMERGENCY BILL

AN ACT concerning

**Charles County – State’s Attorney’s Office and Child Support Enforcement
Administration – Transfer of Personnel**

FOR the purpose of transferring the functions, powers, and duties of the Child Support Unit of the Office of the State’s Attorney for Charles County to the Child Support Enforcement Administration of the Department of Human Resources; requiring that certain employees be transferred in accordance with certain provisions of law that provide for inclusion in the State Personnel Management System, seniority, compensation, annual leave accrual, transfer of certain pension contributions, and other personnel matters for employees transferring to the Child Support Enforcement Administration; requiring Charles County to pay certain personnel certain compensation as of a certain date; requiring the creation of certain Position Identification Numbers for certain transferred employees; providing for the determination of salary grade and seniority for transferred employees; requiring that certain transferred employees be given credit with the State for years of county employment for purposes of determining eligibility for participation as a retiree in the State Employee and Retiree Health and Welfare Benefits Program; requiring that certain transferred employees be subject to certain benefit selections in the Employees’ Pension System; providing that certain transferred employees are not responsible for depositing the difference between certain member contributions and interest in the Charles County Pension Plan and the Employees’ Pension System for certain creditable service earned in the Charles County Pension Plan; requiring a certain valuation to be performed by a certain actuary; making this Act an emergency measure; and generally relating to the transfer of certain personnel to the Child Support Enforcement Administration of the Department of Human Resources.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 10–117
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 395 – Senator Waugh

AN ACT concerning

St. Mary’s County – Metropolitan Commission – Personnel

FOR the purpose of altering the type of position of certain personnel in the St. Mary’s County Metropolitan Commission; establishing certain personnel positions in the Commission as contractual positions; establishing that the Director of the Commission is the immediate supervisor of certain personnel; and generally relating to personnel in the St. Mary’s County Metropolitan Commission.

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 113-1C.
Article 19 – Public Local Laws of Maryland
(2007 Edition and October 2014 Supplement, as amended)

Read the first time and referred to the Committee on Environment and Transportation.

QUORUM CALL

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

(See Roll Call No. 135)

CALENDAR OF THIRD READING HOUSE BILLS NO. 10

House Bill 41 – Delegate Holmes

AN ACT concerning

Real Property – Common Ownership Communities – Statewide Registration

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

Affirmative – 99 Negative – 39 (See Roll Call No. 136)

The Bill was then sent to the Senate.

House Bill 60 – Delegate McConkey

AN ACT concerning

Commission on the Disposition of the Crownsville Hospital Center Property

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

Affirmative – 137 Negative – 0 (See Roll Call No. 137)

The Bill was then sent to the Senate.

House Bill 82 – Delegate Carr (Chair, Joint Committee on Federal Relations)

AN ACT concerning

Woodrow Wilson Bridge and Tunnel Compact – Repeal

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

Affirmative – 136 Negative – 0 (See Roll Call No. 138)

The Bill was then sent to the Senate.

**House Bill 121 – Chair, Environment and Transportation Committee (By Request
– Departmental – Environment)**

AN ACT concerning

Environment – Hazardous Material Security – Repeal

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

Affirmative – 136 Negative – 0 (See Roll Call No. 139)

The Bill was then sent to the Senate.

**House Bill 122 – Chair, Environment and Transportation Committee (By Request
– Departmental – State Police)**

AN ACT concerning

**Motor Vehicles – Electronic Inspection Certificates for Used Vehicles – Sunset
Extension**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 140)

The Bill was then sent to the Senate.

**House Bill 125 – Chair, Environment and Transportation Committee (By Request
– Departmental – Environment)**

AN ACT concerning

Environment – Emergency Action Plans for Dams

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

Affirmative – 138 Negative – 0 (See Roll Call No. 141)

The Bill was then sent to the Senate.

**House Bill 130 – Chair, Environment and Transportation Committee (By Request
– Departmental – Agriculture)**

AN ACT concerning

Maryland Wine and Grape Promotion Fund

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

Affirmative – 137 Negative – 0 (See Roll Call No. 142)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 11

**House Bill 143 – Chair, Ways and Means Committee (By Request – Departmental
– State Board of Elections)**

AN ACT concerning

Elections – Miscellaneous Duties and Procedures

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

Affirmative – 137 Negative – 0 (See Roll Call No. 143)

The Bill was then sent to the Senate.

House Bill 162 – Delegate Dumais

AN ACT concerning

Public Safety – Firearm Application

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

Affirmative – 138 Negative – 0 (See Roll Call No. 144)

The Bill was then sent to the Senate.

House Bill 166 – Delegate Dumais

AN ACT concerning

**Criminal Procedure – Charges Against Correctional Officer – Review by State’s
Attorney**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 145)

The Bill was then sent to the Senate.

House Bill 176 – Delegates Morgan, Clark, and Rey

AN ACT concerning

**Motor Vehicle Registration – Exception for Golf Carts – Golden Beach Patuxent
Knolls**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 146)

The Bill was then sent to the Senate.

**House Bill 181 – Delegates Anderson, Barron, Atterbeary, B. Barnes, D. Barnes,
Branch, Bromwell, Brooks, Clippinger, Conaway, Dumais, Fennell, Folden,
Fraser-Hidalgo, Glass, Glenn, Jackson, Kramer, Lam, Lierman, McCray,
McIntosh, Moon, Morales, Oaks, Parrott, Proctor, Queen, Rosenberg,
Sample-Hughes, Sydnor, Turner, Vallario, Waldstreicher, A. Washington,
M. Washington, B. Wilson, and C. Wilson**

AN ACT concerning

**Maryland Police Training and Standards Commission – Guidelines for Use of
Electronic Control Devices**

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

Affirmative – 116 Negative – 22 (See Roll Call No. 147)

The Bill was then sent to the Senate.

House Bill 218 – Carroll County Delegation

AN ACT concerning

Carroll County – Huckster, Hawker, or Peddler License – Repeal

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

Affirmative – 137 Negative – 0 (See Roll Call No. 148)

The Bill was then sent to the Senate.

House Bill 219 – Carroll County Delegation

AN ACT concerning

Carroll County – Local Government Tort Claims Act

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

Affirmative – 137 Negative – 0 (See Roll Call No. 149)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 12

House Bill 226 – Delegate Anderson

AN ACT concerning

Baltimore Police Department – Reporting on Community Policing

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

Affirmative – 138 Negative – 0 (See Roll Call No. 150)

The Bill was then sent to the Senate.

House Bill 249 – Carroll County Delegation

AN ACT concerning

**Carroll County – Mechanical Musical Devices – Licensing Requirements –
Repeal**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 151)

The Bill was then sent to the Senate.

**House Bill 256 – Delegates Carozza, Atterbeary, Aumann, Dumais, Krebs,
McComas, Proctor, Rey, Valentino-Smith, and B. Wilson**

AN ACT concerning

Adult Protective Services – Investigation – Time Period Increase

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

Affirmative – 138 Negative – 0 (See Roll Call No. 152)

The Bill was then sent to the Senate.

House Bill 334 – Delegates Kramer, Aumann, Barkley, B. Barnes, Carozza, Chang, Folden, Frick, Frush, Gilchrist, Hill, Impallaria, Jalisi, Kipke, Lam, McConkey, A. Miller, Patterson, Pena–Melnik, Robinson, Valderrama, Waldstreicher, and K. Young

AN ACT concerning

Local Government – Regulation of Animals – Kennel Licenses

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

Affirmative – 123 Negative – 15 (See Roll Call No. 153)

The Bill was then sent to the Senate.

House Bill 374 – Delegates Sanchez, Korman, Moon, Queen, Tarlau, and Vallario

AN ACT concerning

Criminal Procedure – Expungement – Denial of Petition Without Hearing

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

Affirmative – 138 Negative – 0 (See Roll Call No. 154)

The Bill was then sent to the Senate.

House Bill 418 – Delegates Kelly, Angel, Ebersole, Frick, Gaines, Gutierrez, Hettleman, Jackson, Lafferty, Lam, Lierman, McCray, A. Miller, Morales, Platt, Reznik, Turner, Valderrama, Valentino–Smith, Waldstreicher, A. Washington, M. Washington, and K. Young

AN ACT concerning

Child Care Subsidy Program – Reimbursement Rate Adjustments

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

Affirmative – 137 Negative – 1 (See Roll Call No. 155)

The Bill was then sent to the Senate.

House Bill 505 – Delegate McMillan

AN ACT concerning

**Maryland Tourism Development Board – Destination Marketing Organization
Officials – Voting Rights**

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

Affirmative – 137 Negative – 1 (See Roll Call No. 156)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 13

**House Bill 100 – Delegates Hixson, Beidle, Bromwell, Carey, Chang, Lisanti,
Luedtke, Sample-Hughes, ~~and Sophocleus~~ Sophocleus, Afzali, Ali,
D. Barnes, Buckel, Ebersole, Fennell, Hornberger, C. Howard, Kaiser,
Krimm, Long, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire,
Tarlau, Turner, Walker, A. Washington, M. Washington, and Wilkins**

AN ACT concerning

**Income Tax Subtraction Modification – Retirement Income of Law
Enforcement, Fire, Rescue, and Emergency Services Personnel**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 157)

The Bill was then sent to the Senate.

**House Bill 138 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Occupational and Professional Licensing Boards, Commissions, and Regulatory
Entities – Notifications of Applicants, Licensees, Registrants, and Permit
Holders**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 158)

The Bill was then sent to the Senate.

House Bill 167 – Delegates McCray, Anderton, Barron, Cassilly, Hayes, Knotts, Moon, Stein, and Wivell

AN ACT concerning

Counties and Municipalities – At-Will Supervisory Employees – Residency Requirements

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

Affirmative – 118 Negative – 18 (See Roll Call No. 159)

The Bill was then sent to the Senate.

House Bill 182 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Financial Regulation and State Collection Agency Licensing Board – Licensees – Revisions

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

Affirmative – 138 Negative – 0 (See Roll Call No. 160)

The Bill was then sent to the Senate.

House Bill 213 – Delegates Queen, Morales, Anderson, Angel, Clippinger, Conaway, Dumais, Fraser-Hidalgo, Glenn, Kelly, Korman, Lierman, Luedtke, A. Miller, Moon, Platt, R. Lewis, Reznik, Robinson, Tarlau, and M. Washington

AN ACT concerning

Public Safety – Maryland Police Training and Standards Commission – Sexual Assault Investigation Training

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

Affirmative – 138 Negative – 0 (See Roll Call No. 161)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 14

House Bill 216 – Delegates Lam, Afzali, Barve, Chang, Ebersole, Glass, Grammer, Hill, Hixson, Jameson, Kaiser, Krebs, Krimm, Luedtke, McDonough, A. Miller, Morhaim, Patterson, Stein, Waldstreicher, B. Wilson, and K. Young

AN ACT concerning

Emergency Veterinary Care – Immunity From Liability

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

Affirmative – 137 Negative – 1 (See Roll Call No. 162)

The Bill was then sent to the Senate.

House Bill 236 – Delegates Barron, Jameson, West, and C. Wilson

AN ACT concerning

Legal Advice to Corporations – Clarification

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

Affirmative – 138 Negative – 0 (See Roll Call No. 163)

The Bill was then sent to the Senate.

House Bill 237 – Delegates Carr, Korman, Robinson, and Tarlau

AN ACT concerning

Vehicle Laws – Intersections – Prohibited Acts

Delegate Glass moved to make the Bill a Special Order for February 24, 2017.

The motion was adopted.

House Bill 395 – Delegates Kelly, Frick, Gaines, Gutierrez, Hettleman, Jackson, Lafferty, Lam, Lierman, McCray, A. Miller, Morales, Platt, Reznik, Turner,

Valentino-Smith, Waldstreicher, A. Washington, M. Washington, and K. Young

AN ACT concerning

Child Care Subsidy Program – Alternative Methodology – Report

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

Affirmative – 136 Negative – 2 (See Roll Call No. 164)

The Bill was then sent to the Senate.

House Bill 446 – Charles County Delegation (By Request)

AN ACT concerning

Charles County – Collective Bargaining for Public Safety Officials

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

Affirmative – 118 Negative – 20 (See Roll Call No. 165)

The Bill was then sent to the Senate.

SPECIAL ORDER CALENDAR NO. 19

House Bill 514 – Delegates Jameson, Aumann, Barkley, B. Barnes, Branch, Brooks, Cassilly, Clippinger, Davis, Frick, Glenn, Hettleman, Kramer, Lam, Lierman, Lisanti, Moon, Morales, Platt, and Waldstreicher

AN ACT concerning

**Energy Efficiency Programs – Calculation of Program Savings and
Consideration of Cost-Effectiveness**

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

FLOOR AMENDMENT

HB0514/513429/1

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 514, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 8, after “plans;” insert “limiting the amount by which certain rates may be increased in order to assist with the costs of implementing energy efficiency and conservation programs or services under this Act;”.

AMENDMENT NO. 2

On page 1 of the Economic Matters Committee Amendments (HB0514/943995/1), in line 12 of Amendment No. 2, after “SECTION.” insert:

“(V) IF AN ELECTRIC COMPANY INCREASES ITS RESIDENTIAL CUSTOMER AND NONRESIDENTIAL CUSTOMER RATES TO ASSIST WITH THE COSTS OF IMPLEMENTING ENERGY EFFICIENCY AND CONSERVATION PROGRAMS OR SERVICES UNDER THIS PARAGRAPH, THE RATES MAY NOT BE INCREASED BY MORE THAN 2% PER YEAR.”

The preceding 2 amendments were read only.

Delegate Jameson moved to make the Bill and Amendments a Special Order for February 24, 2017.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 166)

ADJOURNMENT

At 11:51 A.M. on motion of Delegate Frick the House adjourned until 11:00 A.M. on Friday, February 24, 2017.

**Annapolis, Maryland
Friday, February 24, 2017
11:00 A.M. Session**

The House met at 11:12 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Kathy Afzali of Frederick and Carroll Counties.

QUORUM CALL

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

(See Roll Call No. 167)

EXCUSED:

Del. Angel – personal – family matter

Del. Carr – personal

Del. Gaines – NCSL Meeting

Del. McDonough – illness

Del. McIntosh – left early – dental appointment

The Journal of February 23, 2017 was read and approved.

APPOINTMENT

FEBRUARY 24, 2017

RESOLVED, that the Speaker makes the following Committee Appointment:

Hon. Angela Gibson to the Judiciary Committee

BY ORDER, SYLVIA SIEGERT, CHIEF CLERK

Read and adopted.

INTRODUCTORY HOUSE BILLS NO. 36

**House Bill 1614 – Delegates Morales, Tarlau, Angel, Cullison, Fennell, Gutierrez,
R. Lewis, A. Miller, Moon, Pena-Melnyk, Platt, Queen, Robinson, Sanchez,
Sydnor, M. Washington, Wilkins, and K. Young**

AN ACT concerning

Maryland Fair Scheduling, Wages, and Benefits Act

FOR the purpose of requiring a certain employer to provide certain employees with certain estimates and work schedules within certain time periods and notify employees of certain changes to certain schedules; requiring an employer to conspicuously post at a certain location at each work site or transmit by certain electronic means certain information; authorizing an employer to make certain changes to a scheduled shift within a certain period of time; requiring an employer, except under certain circumstances, to pay certain predictability pay under certain circumstances; providing that predictability pay is in addition to certain other pay; providing that a shift trade includes when the employer transmits the shift trade offer under certain circumstances; authorizing an employee to request a change in certain terms and conditions of employment; requiring an employer to engage in a certain interactive process with the employee with respect to the requested changes; authorizing an employer to grant or deny the request except under certain circumstances; requiring an employer, under certain circumstances, to state the reason for a certain denial; requiring an employer to offer additional hours of work to current employees before hiring new employees or subcontractors; providing for the application of certain provisions of this Act; requiring that certain information be posted for certain periods of time; authorizing an employer to post a certain notice concurrently to certain job candidates; requiring an employer, except under certain circumstances, to assign additional hours of work to certain current employees and distribute additional hours of work among certain employees; authorizing an employer to limit the distribution of hours in a certain manner; authorizing an employer to hire new employees and subcontractors under certain circumstances; requiring an employer to make certain efforts to offer employees certain training opportunities; requiring an employer to document compliance with a certain provision of this Act under certain circumstances; requiring that certain documentation be maintained by an employer for a certain period of time; establishing certain rebuttable presumptions; providing that certain employees must be paid the same hourly wage, have the same eligibility to accrue certain benefits, and be provided certain opportunities and conditions of employment; requiring each employer to record certain wages in a certain statement of earnings and specify in the statement certain predictability pay; authorizing the Commissioner of Labor and Industry, under certain circumstances, to require an employer to include certain information in a certain statement and use additional means to notify the employer's employees of certain information; requiring an employer to give employees notice of certain rights in a certain manner; requiring employers to keep certain records for a certain minimum period of time and make the records available for inspection by certain individuals; providing that each day an employer violates a certain provision of this Act is a separate violation; prohibiting certain persons from taking certain actions; providing that certain protections apply to certain employees; providing for the enforcement of this Act; requiring the Commissioner to keep a certain identity confidential, except under certain circumstances, and to notify a certain person before a certain disclosure is made; requiring the Commissioner to post certain information on a certain Web site on or before a certain date each year; authorizing the Commissioner to conduct a

certain investigation under certain circumstances; requiring the Commissioner to enforce this Act; authorizing the Commissioner to adopt certain regulations; providing for the construction of this Act; providing for a delayed effective date; defining certain terms; and generally relating to fair scheduling, wages, and benefits.

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 2–106(b) and 3–102(a)
Annotated Code of Maryland
(2016 Replacement Volume)

BY adding to

Article – Labor and Employment
Section 3–103(k); and 3–1301 through 3–1314 to be under the new subtitle “Subtitle
13. Fair Scheduling, Wages, and Benefits”
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 1615 – Delegates Morales, Tarlau, Angel, Cullison, Fennell, Gutierrez, R. Lewis, A. Miller, Moon, Pena–Melnik, Platt, Queen, Robinson, Sanchez, Sydnor, M. Washington, Wilkins, and K. Young

AN ACT concerning

Maryland Fair Scheduling Act

FOR the purpose of requiring a certain employer, except under certain circumstances, to pay certain employees at a certain rate for certain shifts; providing that a shift trade includes when the employer transmits the shift trade offer under certain circumstances; providing for the application of certain provisions of this Act; providing that an employee has the right to decline certain work hours that occur during a certain number of hours following the end of a shift; requiring an employer to pay a certain employee who agrees to work certain hours at a certain rate; requiring each employer to record certain wages in a certain statement of earnings and specify in the statement certain predictability pay; authorizing the Commissioner of Labor and Industry, under certain circumstances, to require an employer to include certain information in a certain statement and use additional means to notify the employer’s employees of certain information; requiring an employer to give employees notice of certain rights in a certain manner; requiring employers to keep certain records for a certain minimum period of time and make the records available for inspection by certain individuals; providing that each day an employer violates a certain provision of this Act is a separate violation; prohibiting certain persons from taking certain actions; providing that certain protections apply to certain employees; providing for the enforcement of this Act; requiring the Commissioner to keep a certain identity confidential, except under

certain circumstances, and to notify a certain person before a certain disclosure is made; requiring the Commissioner to post certain information on a certain Web site on or before a certain date each year; authorizing the Commissioner to conduct a certain investigation under certain circumstances; providing for the construction of this Act; requiring the Commissioner to enforce this Act; authorizing the Commissioner to adopt certain regulations; providing for a delayed effective date; defining certain terms; and generally relating to fair scheduling.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 2–106(b) and 3–102(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY adding to

Article – Labor and Employment

Section 3–103(k); and 3–1301 through 3–1311 to be under the new subtitle “Subtitle 13. Fair Scheduling”

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 1616 – Delegates Gutierrez, Carr, and Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – Halpine Hamlet Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$175,000, the proceeds to be used as a grant to the MHP Halpine, LP for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1617 – Delegates Jackson, Barron, Chang, Proctor, Vallario, and A. Washington

AN ACT concerning

State Personnel – Collective Bargaining – State Institutions of Higher Education

FOR the purpose of clarifying that a member of the State Labor Relations Board or State Higher Education Labor Relations Board may petition the circuit court to order certain entities to comply with an order from the Board; establishing that the failure to meet an established negotiation deadline is an unfair labor practice under certain circumstances; requiring a system institution in the University System of Maryland to designate a representative of the University System of Maryland Board of Regents to participate as a party in collective bargaining; providing for an extension of the effective period of a memorandum of understanding under certain circumstances; providing for the expiration of a memorandum of understanding under certain circumstances; and generally relating to collective bargaining and State institutions of higher education.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 3–101
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–2A–09, 3–306, 3–501, and 3–601
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1618 – Delegates Flanagan and P. Young

AN ACT concerning

Sales and Use Tax – Tax-Free Weekend – Ellicott City and Ellicott’s Mills Historic Districts

FOR the purpose of designating a certain weekend to be a tax-free weekend during which a certain sales and use tax exemption shall apply in certain areas; and generally relating to the designation of a certain sales tax-free weekend in the State.

BY adding to
Article – Tax – General
Section 11–233
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 1619 – Delegate Clippinger

AN ACT concerning

**Maryland Stadium Authority – Maryland Sports and Affiliated Foundations –
Establishment**

FOR the purpose of establishing an office known as Maryland Sports in the Maryland Stadium Authority; requiring Maryland Sports to implement a program to bring certain sporting events to the State for certain purposes; requiring Maryland Sports to act as the State's sports commission for the purpose of the National Association of Sports Commissions; authorizing Maryland Sports to request certain assistance and information from any State or local governmental entity, to accept a certain gift, bequest, or grant, to spend certain funds, to act as a host committee for certain sporting events, and to perform certain other tasks; encouraging Maryland Sports to promote private fund-raising by maintaining certain relationships with a certain affiliated foundation; authorizing the Authority to establish one or more affiliated foundations to work with Maryland Sports; establishing the purposes of an affiliated foundation; requiring the Authority to develop policies for the operation of each affiliated foundation the Authority establishes; requiring the Attorney General to review certain policies for form and legal sufficiency and, if appropriate, to approve the policies; allowing an affiliated foundation to solicit and receive certain contributions; providing that an affiliated foundation may not be considered an agency or instrumentality of the State or a unit of the Executive Branch for any purpose; providing that a financial obligation or liability of an affiliated foundation may not be considered a debt or an obligation of the State, the Authority, or Maryland Sports; providing that the Public Ethics Law does not prohibit an Authority official or employee from working in certain capacities for an affiliated foundation; requiring an affiliated foundation to undergo a certain audit each year; authorizing the Authority to grant certain funds under certain circumstances; and generally relating to the establishment of Maryland Sports and affiliated foundations.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–604
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY adding to
Article – Economic Development
Section 10–611 and 10–612
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

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

House Bill 1620 – Delegate McKay

AN ACT concerning

Creation of a State Debt – Washington County – Hancock Community Pool

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Hancock for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 19

Senate Bill 8 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Insurance – Risk Management and Own Risk and Solvency Assessment Act

FOR the purpose of requiring certain ~~insurers~~ carriers to maintain a risk management framework for certain purposes; requiring certain ~~insurers~~ carriers or certain insurance groups to conduct an own risk and solvency assessment regularly or at any time when there are significant changes to the ~~insurer's~~ carrier's or insurance group's risk profile; requiring certain ~~insurers~~ carriers to ~~provide~~ submit to the Maryland Insurance Commissioner with an own risk and solvency assessment report or reports on request or if the Commissioner is the lead state commissioner of a certain insurance group; requiring a carrier to determine a certain date of a certain filing and notify the Commissioner of the anticipated date; requiring a certain executive to sign a certain report and attest to certain facts; requiring certain reports to be accompanied by a certain translation; establishing the manner in which certain ~~insurers~~ carriers may comply with the reporting requirement; providing for certain ~~insurers~~ carriers to be exempt from the own risk and solvency assessment reporting requirement under certain circumstances; providing that certain ~~insurers~~ carriers that are not exempt from the own risk and solvency assessment reporting requirement may apply for a waiver under certain circumstances; describing certain factors that the Commissioner may consider when determining whether to grant a waiver; authorizing the Commissioner to require the own risk and solvency assessment reporting for ~~an insurer~~ a carrier that has ~~a~~ a risk-based capital that is at a certain level, meets certain standards ~~for of an insurer~~ for of an insurer ~~a carrier~~ a carrier deemed in a financially hazardous condition, or exhibits qualities of a troubled ~~insurer~~ carrier;

requiring ~~an insurer~~ a carrier that was exempt from the own risk and solvency assessment reporting requirement but no longer qualifies for an exemption to comply with the requirements of certain provisions of this Act within a certain period of time; requiring the own risk and solvency assessment report to be prepared consistent with a certain manual; requiring certain documentation and supporting information for the own risk and solvency assessment report to be maintained by the ~~insurer carrier in accordance with certain financial examination requirements and~~ made available on examination or request of the Commissioner; requiring the Commissioner to review the report and request additional information using certain procedures; requiring the report to include a certain summary; authorizing the Commissioner to retain certain consultants for certain purposes; providing that certain ~~documents and~~ information ~~are~~ is confidential and privileged and may not be subject to certain provisions of law, subpoena, or discovery or admission in evidence in a certain action; prohibiting the Commissioner, except under certain circumstances, from making certain information public without the prior written consent of a certain carrier; providing that certain confidential information may be shared with certain entities and persons under certain circumstances; authorizing the Commissioner to receive certain information under certain circumstances; requiring the Commissioner to enter into a written agreement with certain persons governing the sharing and use of certain information; requiring that certain elements be included in ~~a written the agreement governing the sharing of certain information with certain entities~~; providing that the sharing of certain information and documents by the Commissioner may not constitute a delegation of regulatory authority or rulemaking; providing that the Commissioner is solely responsible for the administration, execution, and enforcement of certain provisions of this Act; providing that a waiver of a certain privilege or claim of confidentiality in certain information may not occur as a result of the disclosure or sharing of the information under certain circumstances; ~~authorizing~~ establishing certain penalties for the ~~violation of this Act~~ failure to timely file a certain report; authorizing the Commissioner to reduce a certain penalty under certain circumstances; providing that a certain provision of this Act does not limit the authority of the Commissioner to take certain actions; authorizing the Commissioner to adopt regulations ~~to carry~~ consistent with ~~out~~ certain provisions of this Act; providing for the purposes and application of certain provisions of this Act; defining certain terms; providing for a delayed effective date; and generally relating to ~~insurer~~ carrier risk management and solvency.

BY adding to

Article – Insurance

Section 32–101 through 32–110 to be under the new title “Title 32. Risk Management and Own Risk and Solvency Assessment Act”

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 57 – Senators DeGrange and Kasemeyer

AN ACT concerning

Income Tax Credit – Class F Vehicles – Extension

FOR the purpose of altering the taxable years for which an individual or a corporation may claim a State income tax credit for the expense of registering certain qualified vehicles in the State; repealing certain obsolete language; and generally relating to a State income tax credit for the expense of registering certain qualified vehicles in the State.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–734
Annotated Code of Maryland
(2010 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Chapter 425 of the Acts of the General Assembly of 2013
Section 22

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 137 – Senators Lee, Feldman, and Smith

AN ACT concerning

State Government – Maryland Uniform Electronic Legal Materials Act

FOR the purpose of requiring an official publisher that publishes legal material in an electronic record to designate the electronic record as official, under certain circumstances, and authenticate the electronic record in a certain manner; providing that certain legal material in an electronic record is presumed to be an accurate copy of the legal material; providing that certain legal material of another state in an electronic record is presumed to be an accurate copy of the legal material under certain circumstances; providing that a party contesting the authenticity of certain legal material in an electronic record has a certain burden of proof; requiring an official publisher of certain legal material in an electronic record to provide for the preservation and security of the record, take certain actions regarding an electronic record preserved under a certain provision of this Act, and ensure that the legal material is reasonably available for use by the public on a permanent basis; requiring an official publisher to consider certain factors in implementing this Act; requiring that certain factors be considered in applying and construing this Act; providing that this Act modifies, limits, and supersedes a certain federal law except as provided in a certain provision of this Act; establishing a certain short title; providing for the application of this Act; defining certain terms; and generally relating to the Maryland Uniform Electronic Legal Materials Act.

BY adding to

Article – State Government

Section 10–1601 through 10–1611 to be under the new subtitle “Subtitle 16.

Maryland Uniform Electronic Legal Materials Act”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 159 – ~~Senator Waugh~~ Senators Waugh, Peters, and Middleton

AN ACT concerning

Sales and Use Tax – Aircraft Parts and Equipment – Exemption

FOR the purpose of providing an exemption from the sales and use tax for certain materials, parts, or equipment used to repair, maintain, or upgrade aircraft or certain aircraft systems; requiring the Comptroller to report to the General Assembly on or before a certain date each year; providing for the termination of this Act; and generally relating to a sales and use tax exemption for certain aircraft equipment.

BY adding to

Article – Tax – General

Section 11–233

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 180 – ~~Senators Peters, Currie, Feldman, Guzzone, King, and Manno~~

AN ACT concerning

Independent Living Tax Credit Act

FOR the purpose of allowing an individual ~~or a corporation~~ a credit against the State income tax for certain renovation ~~or construction~~ costs incurred during the taxable year; requiring the ~~Department of Housing and Community Development~~ Department of Disabilities to administer the tax credit; providing that the credit may not exceed a certain amount; providing that the credit may not be carried forward to another taxable year; requiring an individual ~~or a corporation~~ to file a certain application before a certain date and to file an amended return; providing for the maximum amount of tax credits that may be issued by the Department each year; requiring the Department to certify certain credits in a certain manner by a certain date; requiring the Department to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to an income tax

credit for certain expenditures that provide accessibility and visitability features to or within a home.

BY adding to

Article – Tax – General

Section 10–741

Annotated Code of Maryland

~~(2010 Replacement Volume and 2016 Supplement)~~

(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 200 – Senators King, Currie, DeGrange, Feldman, Ferguson, Guzzone, Madaleno, Manno, McFadden, Middleton, Peters, and Young

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts

FOR the purpose of altering the total amount of research and development tax credits that the Department of Commerce may approve in a calendar year; 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, without amendments,

Article – Tax – General

Section 10–721(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–721(c)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 206 – ~~Senator Feldman~~ Senators Feldman, Astle, Benson, Hershey, Jennings, Oaks, Klausmeier, Mathias, Middleton, Reilly, and Rosapepe

AN ACT concerning

Financial Institutions – Qualifications of Directors of Commercial Banks – Residency

FOR the purpose of altering the percentage of the directors of a commercial bank who are required to be residents of the State; and generally relating to the qualifications of directors of commercial banks.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 3–403
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 217 – Senators Kelley, Astle, Benson, Cassilly, Conway, Currie, DeGrange, Eckardt, Ferguson, Guzzone, Kagan, Kasemeyer, King, Klausmeier, Lee, Madaleno, Manno, McFadden, Middleton, Nathan–Pulliam, Pinsky, Ready, Reilly, Robinson, Rosapepe, Simonaire, ~~and Smith~~ Smith, Zirkin, Hough, Muse, Norman, Brochin, and Ramirez

AN ACT concerning

Criminal Law – Sexual Offenses – Physical Resistance

FOR the purpose of establishing that evidence of physical resistance by a certain victim is not required to prove that a certain sexual crime was committed; establishing that a certain provision of this Act may not be construed to affect the admissibility of evidence of actual physical resistance by a certain victim; ~~altering certain definitions;~~ and generally relating to sexual offenses.

~~BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–301
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)~~

BY adding to
Article – Criminal Law
Section 3–319.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 220 – Senators Lee, Feldman, Kelley, King, Manno, and Young

AN ACT concerning

Police Training Commission – Training Requirements – Human Trafficking

FOR the purpose of requiring the Police Training Commission to require that certain entrance–level and in–service police training conducted by the State and each county and municipal police training school include certain training relating to the criminal laws concerning human trafficking and the appropriate treatment of victims of human trafficking; ~~authorizing certain training to be conducted in person or online;~~ and generally relating to police training requirements.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–207(a)(6)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

~~BY adding to
Article – Public Safety
Section 3–207(h)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)~~

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

Senate Bill 221 – Senators Lee, Feldman, Kelley, King, Manno, and Young

AN ACT concerning

Adult Entertainment Establishments – National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

FOR the purpose of requiring the owner of a certain adult entertainment establishment to post a certain information sign in each restroom of the adult entertainment establishment in a certain manner; requiring a certain agency that determines a certain violation has occurred to notify the owner of the adult entertainment establishment or the owner’s agent of the violation; providing that the owner is subject to a certain civil penalty if the owner does not post certain signs within a certain period of time after receiving a certain notice; defining certain terms; and generally relating to posting signs with information about the National Human Trafficking Resource Center Hotline in adult entertainment establishments.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 15–207(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 19–103
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 226 – Senators Manno, Edwards, Feldman, Hough, Kasemeyer, King, Lee, Madaleno, Peters, Serafini, ~~and Young~~ Young, DeGrange, and McFadden

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

FOR the purpose of altering the definition of “qualified Maryland biotechnology company” to extend a certain period of time from a certain date that an active business may claim the biotechnology tax credit; altering the definition of “company” to include an entity that becomes duly organized and existing under certain laws and for a certain purpose within a certain time period; providing for the recapture of the credit under certain circumstances; providing for the application of this Act; and generally relating to credits against certain State taxes based on certain investments in biotechnology companies.

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 10–725(a)(1)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section ~~10–725(a)(7)~~ 10–725(a)(3) and (7) and (f)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 228 – Senators Salling, Astle, Bates, Cassilly, Conway, Eckardt, Guzzone, Hershey, Jennings, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Mathias, Middleton, Muse, Norman, Peters, Ready, Rosapepe, Serafini, Simonaire, Young, ~~and Zucker~~ Zucker, Smith, and McFadden

AN ACT concerning

Video Lottery Terminals – Disposition of Unclaimed Winnings

FOR the purpose of specifying that a jackpot won at a video lottery terminal that is not claimed by the winner within a certain number of days after the jackpot is won shall become the property of the State and be distributed in a certain manner; and generally relating to video lottery gaming in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–26
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 229 – Senators Cassilly, Norman, and Ready

AN ACT concerning

**Criminal Law – Homicide by Motor Vehicle or Vessel While Impaired by
Controlled Dangerous Substance – Penalties**

FOR the purpose of altering penalties for the crime of homicide by motor vehicle or vessel while impaired by a controlled dangerous substance; and generally relating to homicide.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–506
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 255 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement ~~Agency~~ and Pension System – Authority to Arrange Custody of
Investments and Procurement Exemption**

FOR the purpose of exempting from certain procurement law expenditures made by the ~~State Retirement Agency~~ Board of Trustees for the State Retirement and Pension System for the safe custody of investments of the State Retirement and Pension System; transferring the authority to arrange for the safe custody of investments from the State Treasurer to the ~~Chief Investment Officer of the Investment Division in the Agency~~ Board of Trustees; providing for the application of this Act; and

generally relating to the custody of investments of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–203(d)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

~~BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 21–122(a)(1)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section ~~21–122(d)~~ 21–123 and 21–124
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 257 – Senators Kasemeyer ~~and Guzzone~~, Guzzone, and Manno

AN ACT concerning

**Program Open Space – Authorized Transfer to the Maryland Heritage Areas
Authority Financing Fund – Increase**

FOR the purpose of increasing the maximum amount that may be transferred, in the State budget or through a certain budget amendment process, to the Maryland Heritage Areas Authority Financing Fund from certain funds that are distributed to Program Open Space; requiring that, if more than a certain amount of funding is transferred to the Maryland Heritage Areas Authority Fund in accordance with this Act, a certain amount of the funding be provided from the State's share of funds; and generally relating to an authorization to transfer certain funds distributed to Program Open Space to the Maryland Heritage Areas Authority Financing Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 293 – Senators King, Benson, Eckardt, Feldman, Ferguson, Kagan, Lee, Madaleno, Robinson, Smith, Young, and Zucker

AN ACT concerning

Child Care Subsidy Program – Alternative Methodology – Report

FOR the purpose of requiring the State Department of Education to report to certain committees of the General Assembly on or before a certain date on methodologies to set child care subsidy reimbursement rates in the Child Care Subsidy Program; requiring the report to contain certain information; and generally relating to the Child Care Subsidy Program.

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

Senate Bill 294 – Senators King, Benson, Feldman, Ferguson, Kagan, Lee, Madaleno, Robinson, Smith, Young, and Zucker

AN ACT concerning

Child Care Subsidy Program – Reimbursement Rate Adjustments

FOR the purpose of requiring the State Department of Education to conduct a certain analysis regarding the Child Care Subsidy Program beginning in a certain year and at a certain interval thereafter; requiring the Department to consult with certain entities before conducting a certain analysis; requiring the Department to report to certain committees of the General Assembly on or before certain dates; defining certain terms; and generally relating to the Child Care Subsidy Program.

BY adding to

Article – Education

Section 9.5–111

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

Senate Bill 297 – Senator Waugh

AN ACT concerning

St. Mary's County – Tax Exemptions – Repeal of Local Provisions

FOR the purpose of repealing provisions of local law that relate to exemptions for certain persons engaged in the business of manufacturing in St. Mary's County from certain

taxes under certain circumstances; and generally relating to the repeal of provisions of local law that relate to tax exemptions in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County

Section 131-1 and 131-2 and the chapter "Chapter 131. Tax Exemptions"

Article 19 – Public Local Laws of Maryland

(2007 Edition and October 2014 Supplement, as amended)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 298 – Senator Waugh

AN ACT concerning

St. Mary's County – Sheriff, County Treasurer, and State's Attorney – Salaries

FOR the purpose of altering the salary of the Sheriff of St. Mary's County, the County Treasurer of St. Mary's County, and the State's Attorney for St. Mary's County; providing for the application of this Act; and generally relating to the salaries of public officials of St. Mary's County.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2-309(t)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 15-419(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 15-419(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Local Government

Section 16-203

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 344 – Senators Feldman and Zucker

AN ACT concerning

Maryland Achieving a Better Life Experience (ABLE) Program – Account Clarifications

FOR the purpose of clarifying that a certain amount may be contributed in each calendar year to an account for a disabled individual under the Maryland Achieving a Better Life Experience (ABLE) Program; providing that contributions to an ABLE account may not exceed a certain maximum amount; requiring the Maryland 529 Board to adopt certain procedures to ensure that certain contributions to ABLE accounts do not exceed a certain maximum limit; and generally relating to the Maryland ABLE Program.

BY repealing and reenacting, without amendments,

Article – Education

Section 18–19C–01(a) through (d) and (g)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 18–19C–03(c) and 18–19C–09

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 349 – ~~Senator Zirkin~~ Senators Zirkin, Kelley, Brochin, Cassilly, Hough, Lee, Muse, Norman, Ramirez, Ready, and Smith

AN ACT concerning

Criminal Procedure – Sexual Assault Victims’ Rights – Disposal of Rape Kit Evidence and Notification

FOR the purpose of requiring a certain health care provider to provide a certain victim with written information describing the laws and policies governing the testing, preservation, and disposal of a certain sexual assault evidence collection kit; requiring a hospital or child advocacy center to transfer a sexual assault evidence collection kit to a law enforcement agency within a certain amount of time; requiring a government agency to transfer a sexual assault evidence collection kit to a law enforcement agency, except under certain circumstances; prohibiting a law enforcement agency, government agency, or health care provider from destroying or

disposing of a sexual assault evidence collection kit or certain other evidence relating to a sexual assault within a certain amount of time after the occurrence of the sexual assault, except under certain circumstances; requiring a certain law enforcement agency, ~~government agency, or health care provider~~, on written request by a certain victim, to notify the victim within a certain amount of time before the date of intended destruction or disposal of certain evidence or retain the evidence longer than a certain time period; requiring the Attorney General to adopt certain regulations; defining certain terms; and generally relating to sexual assault victims' rights.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–926
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

Senate Bill 397 – Senators Edwards ~~and Madaleno~~, Madaleno, and Eckardt

AN ACT concerning

**Local Income Tax Overpayments – Local Reserve Account Repayment –
Forgiveness**

FOR the purpose of repealing a requirement that a county or municipal corporation that receives a certain overpayment of local income tax revenue reimburse a certain account for its share of the overpayment; repealing a certain requirement that the Comptroller withhold, under certain circumstances, the amount certain counties or municipal corporations owe to a certain account from certain distributions; prohibiting the Comptroller from requiring a county or municipal corporation that receives an overpayment to reimburse a certain account; repealing a certain requirement that the Comptroller perform a certain analysis before requiring a county or municipal corporation to make a certain reimbursement; stating the intent of the General Assembly; and generally relating to the requirement that certain counties or municipal corporations repay certain overpayments of local income tax revenue.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–611
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing
Chapter 24 of the Acts of the General Assembly of 2016
Section 2

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 399 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees' Pension System – Purchase of Credit for Eligibility Service –
Legislative Employees**

FOR the purpose of altering the amount that a member of the Employees' Pension System must pay to the Board of Trustees of the State Retirement and Pension System to purchase credit for eligibility service for a certain period of legislative employment; and generally relating to the purchase of credit for eligibility service for a member of the Employees' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–307(d)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 416 – Senators Middleton, Madaleno, ~~and Peters~~ Peters, Kasemeyer,
Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, King, Manno,
McFadden, and Serafini**

AN ACT concerning

Income Tax Credit – Qualified Farms – Food Donation Pilot Program

FOR the purpose of allowing certain qualified farms a credit, up to a certain amount, against the State income tax equal to a certain percentage of the value of certain food donations; providing for the carry forward of the credit; providing for the calculation of the amount of the credit; requiring the Secretary of Agriculture to establish certain values on a weekly basis; requiring the Secretary, in consultation with the Comptroller, to establish a certain certification procedure for certain tax credit administrators; requiring a tax credit certificate administrator that receives a certain donation to issue a certain tax credit certificate; requiring that a tax credit certificate contain certain information; requiring the Secretary, in consultation with the Comptroller, to prepare certain tax credit certificate forms; requiring the Secretary to notify certain administrators to stop issuing certain certificates if a certain limit is reached; providing that the total amount of tax credit certificates issued may not exceed a certain amount for certain fiscal years; requiring the Secretary, in consultation with the Comptroller, to submit a certain report by a certain date in certain years; requiring the Secretary, in consultation with the

Comptroller, to adopt certain regulations; defining certain terms; and generally relating to a tax credit for certain food donations.

BY adding to
Article – Tax – General
Section 10–741
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 433 – Senators Klausmeier, Benson, Eckardt, Kelley, Madaleno, Middleton, Muse, Rosapepe, Salling, ~~and Young~~ Young, Astle, Feldman, Hershey, Jennings, Mathias, Oaks, and Reilly

AN ACT concerning

**Substance Use Treatment – Inpatient and Intensive Outpatient Programs –
Consent by Minor**

FOR the purpose of authorizing a parent or a guardian of the person of a minor to apply, on behalf of the minor, for admission of the minor to a certified intensive outpatient alcohol and drug abuse program; requiring certain programs to note certain information on a certain application in order for an individual to be retained for certain treatment; providing that certain programs have the right to discharge an individual admitted for certain treatment under certain circumstances; providing that the capacity of a minor to consent to treatment for drug abuse or alcoholism does not include the capacity to refuse certain treatment for drug abuse or alcoholism in a certain intensive outpatient treatment program; making a stylistic change; and generally relating to consent of minors for alcohol and drug abuse treatment.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–502.1 and 20–102
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 448 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Small Procurements – Medical
Evaluations for Disability Retirement Benefits**

FOR the purpose of increasing the maximum threshold amount for a small procurement by the State Retirement Agency for certain expenses related to certain independent medical evaluations and certain related testimony for purposes of administering certain provisions of law relating to disability retirement benefits; and generally relating to disability retirement benefits under the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–109
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 465 – Senators Kagan, Astle, Bates, Benson, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Reilly, Robinson, Rosapepe, Salling, Serafini, Simonaire, Smith, Waugh, Young, Zirkin, ~~and Zucker~~ Zucker, Oaks, Kasemeyer, and Brochin

AN ACT concerning

Maryland Nonprofit Development Center Program and Fund – Bridge Loans

FOR the purpose of renaming the Maryland Not–For–Profit Development Center Program and the Maryland Not–For–Profit Development Center Program Fund to be the Maryland Nonprofit Development Center Program and the Maryland Nonprofit Development Center Program Fund; expanding the scope of the Program to include bridge loans for certain expenses for certain nonprofit entities; establishing the Nonprofit, Interest–Free, Micro Bridge Loan (NIMBL) Account within the Fund; providing that the Account consists of certain money from the Small, Minority, and Women–Owned Businesses Account; prohibiting money in the Account from exceeding a certain amount; requiring certain money in the Account to be transferred to the Small, Minority, and Women–Owned Businesses Account under certain circumstances; expanding the Fund to include certain ~~proceeds of video lottery terminals; requiring certain money in the Fund to be transferred to the Education Trust Fund under certain circumstances~~ money in the Account; authorizing the Department of Commerce to provide a certain bridge loan under certain circumstances; requiring the Department to establish a certain application process and receive a certain written confirmation before providing a bridge loan; requiring ~~a bridge loan to be repaid within a certain period of time~~ the Department to establish a certain schedule and terms of repayment for a bridge loan; requiring the Comptroller to pay a certain amount from the ~~proceeds of certain video lottery terminals to the Fund~~ percentage, up to a certain amount, from the Small, Minority,

and Women–Owned Businesses Account to the Nonprofit, Interest–Free, Micro Bridge Loan (NIMBL) Account; requiring the Department to report to the Governor and the General Assembly on or before a certain date on certain matters; altering certain definitions; making certain conforming changes; and generally relating to the Maryland Nonprofit Development Center Program.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–1201 through 5–1205 to be under the amended subtitle “Subtitle 12.
Maryland Nonprofit Development Center Program”
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–27(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–27(b) and (c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 499 – Senators Norman and Lee

AN ACT concerning

Family Law – Divorce on Grounds of Mutual Consent – Court Appearance

FOR the purpose of repealing the requirement that both parties appear before the court at an absolute divorce hearing, in order for the court to decree an absolute divorce on the grounds of mutual consent; and generally relating to divorce on the grounds of mutual consent.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 7–103(a)(8)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 7–103(f)

Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 518 – Senators Young and Hough

AN ACT concerning

Frederick County – Gaming Events – Sunday Hours of Operation

FOR the purpose of specifying that, in Frederick County, a gaming permit authorizes a gaming event to be conducted on a Sunday during the hours of sale for the alcoholic beverages sold at the establishment where the gaming event is conducted; and generally relating to gaming in Frederick County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–1301 and 13–1302
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–1304
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 569 – Charles County Senators

AN ACT concerning

Charles County – Property Tax Credit – ~~Commerce Zones~~ Priority Funding Areas

FOR the purpose of authorizing a certain property tax credit for certain business entities that obtain certain new or expanded premises in a certain ~~commerce zone~~ area in Charles County; providing for the amount and duration of the property tax credit; authorizing the governing body of Charles County to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Charles County for real property located in certain ~~commerce zones~~ areas.

BY adding to
Article – Tax – Property

Section 9–310(k)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 782 – Senator Salling

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2014 – Baltimore County –
Chesapeake High Stadium**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2014 to remove the matching fund requirement for certain grants; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2014.

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA02(AC) and Item ZA03(AA)

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

YEAS AND NAYS NO. 1

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 74 (Emerg)	Del. Grammer	Maryland Consolidated Capital Bond Loan of 2014 – Baltimore County – Chesapeake High Stadium

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

WAYS AND MEANS COMMITTEE REPORT NO. 4

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

House Bill 55 – Delegates Jameson, Folden, and Barve

AN ACT concerning

Motor Fuel Tax – Aviation Gasoline – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 92 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

**Video Lottery Terminals – Small, Minority, and Women-Owned Businesses
Account – Transfer of Authority**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 93 – Chair, Ways and Means Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

Gaming – Video Lottery Operation License – Renewal Term

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 95 – Chair, Ways and Means Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Sales and Use Tax – Hygienic Aids – Exemption

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 461 – Delegates Luedtke, Atterbeary, Barkley, D. Barnes, Beidle, Carey, Cullison, Ebersole, Gaines, Gutierrez, Hettleman, Hixson, Knotts, Korman, Lam, Morales, Patterson, Queen, Reznik, Robinson, Waldstreicher, and M. Washington

AN ACT concerning

**Education – Accountability Program – Assessments
(Less Testing, More Learning Act of 2017)**

HB0461/545869/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 461
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and M. Washington” and substitute “M. Washington, and Tarlau”; strike beginning with the first “certain” in line 4 down through “tool” in line 8 and substitute “the State Board of Education to develop, in collaboration with certain entities and individuals, a middle school level social studies assessment that meets certain requirements and for implementation in a certain school year; requiring the State Board, in collaboration with certain entities and individuals, to redesign the high school level social studies assessment to meet certain requirements and for implementation in a certain school year”.

AMENDMENT NO. 2

On page 3, in line 7, strike “AND”; in lines 7 and 8, in each instance, strike the bracket; in lines 17, 18, 24, and 28, in each instance, strike the brackets; in line 18, strike “**THE**”; in line 24, strike “AND”; and in line 28, strike “AND”.

On page 4, in line 22, strike “Department” and substitute “**STATE BOARD**”.

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 4 on page 4, inclusive.

On page 4, in lines 15 and 24, in each instance, strike the bracket; and after line 24, insert:

“(4) AT THE MIDDLE SCHOOL LEVEL, THE STATE BOARD SHALL DEVELOP, IN COLLABORATION WITH COUNTY BOARDS, COUNTY CURRICULUM SPECIALISTS IN SOCIAL STUDIES, MIDDLE SCHOOL SOCIAL STUDIES TEACHERS, AND ACADEMICS WITH EXPERTISE IN SOCIAL STUDIES EDUCATION, A SOCIAL STUDIES ASSESSMENT THAT:

(I) CONSISTS, TO THE GREATEST EXTENT POSSIBLE, OF CRITERION-REFERENCED, PERFORMANCE-BASED TASKS THAT REQUIRE STUDENTS TO UTILIZE CRITICAL AND HISTORICAL THINKING SKILLS AND ANALYZE PRIMARY SOURCES;

(II) SHALL BE ADMINISTERED, TO THE GREATEST EXTENT POSSIBLE, WITHIN EXISTING CLASS PERIODS; AND

(III) SHALL BE IMPLEMENTED IN THE 2018–2019 SCHOOL YEAR.

(5) AT THE HIGH SCHOOL LEVEL, WHEN THE DEPARTMENT’S CONTRACT FOR THE CURRENT HIGH SCHOOL SOCIAL STUDIES ASSESSMENT EXPIRES, THE STATE BOARD SHALL, IN COLLABORATION WITH COUNTY BOARDS, COUNTY CURRICULUM SPECIALISTS IN SOCIAL STUDIES, HIGH SCHOOL SOCIAL STUDIES TEACHERS, AND ACADEMICS WITH EXPERTISE IN SOCIAL STUDIES EDUCATION, REDESIGN THE HIGH SCHOOL LEVEL SOCIAL STUDIES ASSESSMENT:

(I) TO CONSIST, TO THE GREATEST EXTENT POSSIBLE, OF CRITERION-REFERENCED, PERFORMANCE-BASED TASKS THAT REQUIRE STUDENTS TO UTILIZE CRITICAL AND HISTORICAL THINKING SKILLS AND ANALYZE PRIMARY SOURCES;

(II) TO BE ADMINISTERED, TO THE GREATEST EXTENT POSSIBLE, WITHIN EXISTING CLASS PERIODS; AND

(III) TO BE IMPLEMENTED IN THE 2018–2019 SCHOOL YEAR.”.

AMENDMENT NO. 4

On page 5, strike beginning with “A” in line 27 down through “TEST” in line 28 and substitute “;

1. A TEACHER–DEVELOPED QUIZ OR TEST; OR

2. A SAMPLING TEST THAT IS NOT ADMINISTERED TO ALL STUDENTS”.

On page 7, in line 4, strike “AND”; and in line 6, after “LEARNERS” insert “;AND

7. A PARENT OF A CURRENT STUDENT IN THE LOCAL SCHOOL SYSTEM”.

On page 8, after line 21, insert:

“(VI) BEGINNING JULY 1, 2019, AND ON OR BEFORE EACH JULY 1 THEREAFTER, THE DISTRICT COMMITTEE SHALL PUBLISH ON ITS WEB SITE A COPY OF THE DISTRICT COMMITTEE’S REPORT TO THE COUNTY BOARD.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 472 – Delegates Jameson and Patterson

AN ACT concerning

Income Tax Credit – Qualified Farms – Food Donation Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 516 – Delegates Atterbeary and Ebersole

AN ACT concerning

**Workgroup to Study the Implementation of Universal Access to
Prekindergarten for 4-Year-Olds**

HB0516/255964/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 516

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in the sponsor line, strike “and Ebersole” and substitute “, Ebersole, and Rosenberg”; and in line 11, after “Act;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 1, in line 19, after “include” insert “in the Workgroup:

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

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

(iii);

in line 20, strike “in the Workgroup”; in line 21, strike “(i)” and substitute “1.”; and in lines 23 and 24, strike “1.” and “2.”, respectively, and substitute “A.” and “B.”, respectively.

On page 2, in lines 1, 5, 6, 7, and 9, strike “(ii)”, “(iii)”, “(iv)”, “(v)”, and “(vi)”, respectively, and substitute “2.”, “3.”, “4.”, “5.”, and “6.”, respectively; in lines 3 and 4, strike “1.” and “2.”, respectively, and substitute “A.” and “B.”, respectively; in line 8, after the

semicolon strike “and”; and in line 9, strike “the Maryland Family Network” and substitute “an early childhood advocacy organization; and

7. one representative from an organization that advocates for children with special needs”.

AMENDMENT NO. 3

On page 2, in line 20, after “plan” insert “based on Augenblick, Palaich and Associates’ January 2016 “A Comprehensive Analysis of Prekindergarten in Maryland” report submitted in accordance with Chapter 2 of the Acts of the General Assembly of 2014”.

AMENDMENT NO. 4

On page 3, strike beginning with “shall” in line 9 down through “2017” in line 10 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”; and in line 10, strike “and, at the end of May 31, 2018,” and substitute “from the date it is enacted and, at the end of the 1-year period,”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 654 – Delegates Kaiser, Shoemaker, Atterbeary, Barkley, Cullison, Ebersole, Jackson, Korman, Krebs, Krimm, Lierman, Luedtke, McComas, Patterson, Pena–Melnyk, Rose, Tarlau, Turner, M. Washington, West, and Wilkins

AN ACT concerning

Education – Statewide Kindergarten Assessment – Completion

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 20

House Bill 514 – Delegates Jameson, Aumann, Barkley, B. Barnes, Branch, Brooks, Cassilly, Clippinger, Davis, Frick, Glenn, Hettleman, Kramer, Lam, Lierman, Lisanti, Moon, Morales, Platt, and Waldstreicher

AN ACT concerning

**Energy Efficiency Programs – Calculation of Program Savings and
Consideration of Cost-Effectiveness**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. SZELIGA PENDING.

FLOOR AMENDMENT

HB0514/513429/1

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 514, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 8, after “plans;” insert “limiting the amount by which certain rates may be increased in order to assist with the costs of implementing energy efficiency and conservation programs or services under this Act;”.

AMENDMENT NO. 2

On page 1 of the Economic Matters Committee Amendments (HB0514/943995/1), in line 12 of Amendment No. 2, after “SECTION.” insert:

“(V) IF AN ELECTRIC COMPANY INCREASES ITS RESIDENTIAL CUSTOMER AND NONRESIDENTIAL CUSTOMER RATES TO ASSIST WITH THE COSTS OF IMPLEMENTING ENERGY EFFICIENCY AND CONSERVATION PROGRAMS OR SERVICES UNDER THIS PARAGRAPH, THE RATES MAY NOT BE INCREASED BY MORE THAN 2% PER YEAR.”

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

HB0514/313924/1

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 514, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 8, after “plans;” insert “limiting the amount by which certain charges may be increased in order to assist with the costs of implementing energy efficiency and conservation programs or services under this Act;”.

AMENDMENT NO. 2

On page 1 of the Economic Matters Committee Amendments (HB0514/943995/1), in line 12 of Amendment No. 2, after “SECTION.” insert:

“(V) IF AN ELECTRIC COMPANY INCREASES ITS ENERGY EFFICIENCY AND CONSERVATION CHARGES TO ASSIST WITH THE COSTS OF IMPLEMENTING ENERGY EFFICIENCY AND CONSERVATION PROGRAMS OR SERVICES UNDER THIS PARAGRAPH, THE ASSOCIATED INCREASE MAY NOT BE MORE THAN 2% PER YEAR.”.

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

Affirmative – 50 Negative – 87 (See Roll Call No. 168)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 21**House Bill 237 – Delegates Carr, Korman, Robinson, and Tarlau**

AN ACT concerning

Vehicle Laws – Intersections – Prohibited Acts

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 121 Negative – 15 (See Roll Call No. 169)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 170)

CALENDAR OF THIRD READING HOUSE BILLS NO. 15

House Bill 283 – Delegates Krebs, Anderson, Jacobs, Metzgar, ~~and Miele~~ Miele, Angel, Hayes, Hill, McDonough, Morales, Pena-Melnyk, Saab, West, and K. Young

AN ACT concerning

Procurement – Prohibitions on Participation

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

Affirmative – 137 Negative – 0 (See Roll Call No. 171)

The Bill was then sent to the Senate.

House Bill 298 – Delegates Kelly, Angel, and Platt

AN ACT concerning

Health Insurance – Licensed Clinical Professional Art Therapists – Reimbursement

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

Affirmative – 136 Negative – 0 (See Roll Call No. 172)

The Bill was then sent to the Senate.

House Bill 383 – Delegates Moon, Morales, Barron, Hill, Kelly, Korman, Platt, Queen, Sanchez, and Sydnor

AN ACT concerning

**Public Information Act – Denials of Inspection – Explanation Regarding
Redaction**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 173)

The Bill was then sent to the Senate.

House Bill 457 – Charles County Delegation

EMERGENCY BILL

AN ACT concerning

**Charles County – State’s Attorney’s Office and Child Support Enforcement
Administration – Transfer of Personnel**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 174)

The Bill was then sent to the Senate.

**House Bill 459 – Delegates Queen, Barron, Cassilly, Dumais, Luedtke, McCray,
Moon, Sanchez, Sydnor, B. Wilson, and K. Young**

AN ACT concerning

**Higher Education – Adult Correctional Institutions – Job Training and
Education**

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

Affirmative – 99 Negative – 37 (See Roll Call No. 175)

The Bill was then sent to the Senate.

House Bill 506 – Delegates Carr, Fennell, Glenn, Hornberger, and Jameson

AN ACT concerning

Labor and Employment – Noncompete and Conflict of Interest Clauses

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

Affirmative – 86 Negative – 49 (See Roll Call No. 176)

The Bill was then sent to the Senate.

House Bill 581 – Delegates Hill and Lam

EMERGENCY BILL

AN ACT concerning

**Maryland Medical Practice Act – Individuals Exempt From Licensure – Repeal
of Criminal History Records Check Requirement**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 177)

The Bill was then sent to the Senate.

**House Bill 587 – Delegates Reznik, Barkley, Frick, Healey, Hixson, C. Howard,
Jackson, Kipke, Lafferty, Patterson, Queen, and Valentino-Smith**

AN ACT concerning

**State Finance and Procurement – Veteran-Owned Small Business Enterprises –
Definitions**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 178)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 16

**House Bill 145 – Chair, Health and Government Operations Committee (By
Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Board of Examiners of Nursing Home Administrators – Nonlicensed Persons –
Provisional Licensure**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 179)

The Bill was then sent to the Senate.

House Bill 154 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Insurance – Pharmacy Benefits Managers – Registration Expiration Date

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

Affirmative – 136 Negative – 0 (See Roll Call No. 180)

The Bill was then sent to the Senate.

House Bill 155 – Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easement Termination

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

Affirmative – 135 Negative – 0 (See Roll Call No. 181)

The Bill was then sent to the Senate.

House Bill 184 – Delegates Morales, Angel, Barron, Cullison, Hill, Miele, Sample-Hughes, Tarlau, ~~and K. Young~~, K. Young, Pena-Melnyk, and Platt

AN ACT concerning

Public Health – Treatment of Attention-Deficit/Hyperactivity Disorder – Identification and Posting Notice of Guidelines Information

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

Affirmative – 135 Negative – 0 (See Roll Call No. 182)

The Bill was then sent to the Senate.

House Bill 190 – Delegates Queen ~~and Sample-Hughes~~, Sample-Hughes, K. Young, and Angel

AN ACT concerning

Mammography Centers – Dense Breast Tissue – Notification of Breast Cancer Screening Options

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

Affirmative – 135 Negative – 0 (See Roll Call No. 183)

The Bill was then sent to the Senate.

House Bill 221 – Delegate Cullison

AN ACT concerning

Maryland Council on Advancement of School-Based Health Centers

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

Affirmative – 136 Negative – 0 (See Roll Call No. 184)

The Bill was then sent to the Senate.

House Bill 253 – Delegates Angel, Morgan, Pena-Melnyk, Pendergrass, and Saab

AN ACT concerning

**State Board of Nursing – Registered Nurses and Licensed Practical Nurses
– Renewal of Licenses – Continuing Education Units**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 185)

The Bill was then sent to the Senate.

House Bill 275 – Delegates Queen, Angel, Frush, Korman, Luedtke, Patterson, ~~and C. Wilson~~ C. Wilson, Pendergrass, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

AN ACT concerning

Department of Health and Mental Hygiene – Recommended Courses in Military Culture

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

Affirmative – 136 Negative – 0 (See Roll Call No. 186)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 187)

ADJOURNMENT

At 12:15 P.M. on motion of Delegate Frick the House adjourned until 8:00 P.M. on Monday, February 27, 2017.

Annapolis, Maryland
Monday, February 27, 2017
8:00 P.M. Session

The House met at 8:06 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Michael E. Malone of Anne Arundel County.

QUORUM CALL

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

(See Roll Call No. 190)

EXCUSED:

Del. Bromwell – illness

Del. Parrott – business

The Journal of February 24, 2017 was read and approved.

INTRODUCTORY HOUSE BILLS NO. 37

House Bill 1621 – Delegates McMillan, Beidle, Carey, Chang, Frush, S. Howard, Malone, McConkey, Saab, Simonaire, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Arundel Lodge

FOR the purpose of authorizing the creation of a State Debt not to exceed \$60,000, the proceeds to be used as a grant to the Board of Directors of the Arundel Lodge, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1622 – Prince George’s County Delegation

AN ACT concerning

**Prince George's County Board of Education – Academic Revitalization and
Management Effectiveness Initiative – Repeal**

PG 401-17

FOR the purpose of revising the composition of the Prince George's County Board of Education from an elected and appointed board to an elected board; altering the number of members on the county board; altering the method by which a vacancy on the county board is filled; requiring the county board to hold a certain annual meeting; altering the number of affirmative votes necessary for the passage of a motion by the county board under certain circumstances; repealing certain provisions relating to the position, powers, and responsibilities of the Chief Executive Officer of the Prince George's County public school system; providing that in Prince George's County the county superintendent is the executive officer, secretary, and treasurer of the county board; subjecting the county superintendent of Prince George's County to the statutory requirements of a county superintendent; requiring the county board to employ certain individuals in certain circumstances; requiring the county superintendent to nominate certain positions for appointment by the county board; repealing the requirement that the County Executive of Prince George's County and the Prince George's County Council appoint certain members to the county board on or before a certain date; repealing the requirement that a certain search committee be appointed; repealing the requirement that the Chief Executive Officer and the county board hire a certain consultant and make certain recommendations on or before a certain date; repealing the requirement that the County Executive, Chief Executive Officer, and the county board submit certain reports on or before certain dates; repealing the requirement that the General Assembly deliberate and determine whether certain provisions of law should be terminated during a certain session; providing that the terms of certain appointed members of the county board terminate on a certain date; repealing a certain definition; making conforming changes; and generally relating to the Prince George's County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 3-105, 3-114, 3-1002 through 3-1004, 4-101, 4-102, 4-120, 4-201, 4-202, 4-204, 4-206, and 6-201(a) and (b)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing

Article – Education

Section 4-201.1; and 4-401 through 4-403 and the subtitle "Subtitle 4. Prince George's County"

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing

Chapter 147 of the Acts of the General Assembly of 2013
Section 2 through 4

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

**House Bill 1623 – Delegates Sample–Hughes, Anderton, Carozza, Holmes, Mautz,
McCray, and Otto**

AN ACT concerning

Home Sprinkler and Fire Safety Assistance Fund

FOR the purpose of establishing the Home Sprinkler and Fire Safety Assistance Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in, and expenditures from, the Fund; defining a certain term; and generally relating to the Home Sprinkler and Fire Safety Assistance Fund.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–103
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

BY adding to
Article – Housing and Community Development
Section 4–1501 to be under the new subtitle “Subtitle 15. Home Sprinkler and Fire
Safety Assistance Fund”
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

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

House Bill 1624 – Delegates Sample–Hughes, Anderton, and Otto

AN ACT concerning

**University of Maryland Eastern Shore – State Matching Funds
for Land–Grant Institutions**

FOR the purpose of requiring the Governor, beginning in a certain fiscal year, to include in the annual State operating budget a general fund appropriation at least equal to a certain amount to the University System of Maryland; requiring the Board of Regents of the University System of Maryland to allocate certain funding to the

University of Maryland Eastern Shore in a certain manner and for a certain purpose; providing that certain funding shall be in addition to certain base funding appropriated to the University of Maryland Eastern Shore and requiring certain funding to be specified as a certain line item in the University's budget; requiring the Board of Regents to provide certain information to the Governor on or before a certain date each year; defining a certain term; and generally relating to State matching funds for the University of Maryland Eastern Shore.

BY adding to

Article – Education

Section 13–704

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1625 – Delegates Ali, Mosby, M. Washington, and Wilkins

AN ACT concerning

Environment – Reduction of Lead Risk in Housing – Blood Lead Level

FOR the purpose of altering a certain elevated blood lead level at which a certain owner of affected property is required to satisfy certain risk reduction standards; altering a certain elevated blood lead level at which a local health department is required to notify certain persons; and generally relating to reducing lead risk in housing.

BY repealing and reenacting, with amendments,

Article – Environment

Section 6–819(c)(1) and 6–846(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1626 – Delegates Ali, Mosby, Turner, M. Washington, and Wilkins

AN ACT concerning

Election Law – Early Voting – Registered Voter Updating the Voter's Address on an Existing Registration

FOR the purpose of altering a certain provision of the election law concerning a registered voter updating the voter's address during early voting to conform to other provisions of the election law applicable to a registered voter updating the voter's address and voting; repealing the requirement that a registered voter updating the voter's address on an existing registration during early voting must provide proof of

residency; and generally relating to a registered voter updating the voter's address on an existing registration during early voting.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–305
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

ECONOMIC MATTERS COMMITTEE REPORT NO. 5

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

House Bill 1 – Delegates Clippinger and Davis

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

HB0001/323090/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Davis” and substitute “, Davis, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Branch, Brooks, Carr, Chang, Conaway, Cullison, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jones, Kaiser, Kelly, Knotts, Korman, Krimm, Lafferty, Lam, J. Lewis, R. Lewis, Lierman, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Mosby, Patterson, Pena–Melnyk, Pendergrass, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample–Hughes, Sanchez, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, and P. Young”.

AMENDMENT NO. 2

On page 11, in line 1, after “(I)” insert “1.”; in line 3, strike “(II)” and substitute “2.”; and in line 4, after “EMPLOYER” insert “; OR”

(II) 1. THE EMPLOYER IS A PRIVATE EMPLOYER LICENSED UNDER TITLE 7 OF THE HEALTH – GENERAL ARTICLE TO PROVIDE SERVICES TO DEVELOPMENTALLY DISABLED INDIVIDUALS;

2. THE NEED TO USE EARNED SICK AND SAFE LEAVE IS FORESEEABLE;

3. AFTER EXERCISING REASONABLE EFFORTS, THE EMPLOYER IS UNABLE TO PROVIDE A SUITABLE REPLACEMENT EMPLOYEE; AND

4. THE EMPLOYEE’S ABSENCE WILL CAUSE A DISRUPTION OF SERVICE TO AT LEAST ONE INDIVIDUAL WITH A DEVELOPMENTAL DISABILITY”.

AMENDMENT NO. 3

On page 7, in line 28, strike “OR”; and in line 31, after “SHORTER” insert “; OR”

(5) ACCRUE EARNED SICK AND SAFE LEAVE DURING A:

(I) 2-WEEK PAY PERIOD IN WHICH THE EMPLOYEE WORKED FEWER THAN 16 HOURS TOTAL;

(II) 1-WEEK PAY PERIOD IF THE EMPLOYEE WORKED FEWER THAN A COMBINED TOTAL OF 16 HOURS IN THE CURRENT AND THE IMMEDIATELY PRECEDING PAY PERIOD; OR

(III) PAY PERIOD IN WHICH:

1. THE EMPLOYEE IS PAID TWICE A MONTH REGARDLESS OF THE NUMBER OF WEEKS IN A PAY PERIOD; AND

2. THE EMPLOYEE WORKED FEWER THAN 17.3 HOURS IN THE PAY PERIOD”.

AMENDMENT NO. 4

On page 6, in line 1, after “ADOPTING” insert “AND ENFORCING”; and strike beginning with “LIMITS” in line 1 down through “SUBTITLE” in line 3 and substitute “PROHIBITS THE IMPROPER USE OF EARNED SICK AND SAFE LEAVE, INCLUDING PROHIBITING A PATTERN OF ABUSE OF EARNED SICK AND SAFE LEAVE”.

AMENDMENT NO. 5

On page 11, in line 28, strike “NOT”; and in line 29, strike “OF MORE THAN” and substitute “NOT EXCEEDING”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Kipke moved to make the Bill a Special Order for March 1, 2017.

The motion was adopted.

HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 2**CONSENT NO. 2**

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

House Bill 1523 – Delegates Lierman, Clippinger, and R. Lewis

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Regional Education and Training Center

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

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

House Bill 1524 – Delegate Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – Tucker Road Ice Rink

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

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

House Bill 1527 – Delegate Bromwell

AN ACT concerning

Creation of a State Debt – Baltimore County – Double Rock Park

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

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

House Bill 1530 – Delegate Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – Torah School of Greater Washington

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

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

House Bill 1538 – Delegates Gaines, Healey, Knotts, and A. Washington

AN ACT concerning

Creation of a State Debt – Prince George’s County – Hyattsville Veteran’s Memorial

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

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

House Bill 1540 – Delegates B. Barnes, Frush, Gaines, Healey, Pena-Melnyk, and A. Washington

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Riverdale Park Station
Pedestrian Improvements**

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

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

House Bill 1542 – Delegate Beitzel

AN ACT concerning

**Creation of a State Debt – Garrett County – Believe in Tomorrow Children’s
House at Deep Creek Lake**

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

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

House Bill 1544 – Delegate Haynes

AN ACT concerning

Creation of a State Debt – Baltimore City – My Brother’s Keeper

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

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

House Bill 1545 – Delegates Valderrama, Knotts, and Walker

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Hard Bargain Farm
Environmental Center**

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

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

House Bill 1546 – Delegates Hixson, Moon, and Wilkins

AN ACT concerning

Creation of a State Debt – Montgomery County – Gandhi Brigade Media Center

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

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

House Bill 1581 – Delegates Hayes, Conaway, and Mosby

AN ACT concerning

Creation of a State Debt – Baltimore City – Center Stage

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

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

House Bill 1588 – Delegates Fennell and Tarlau

AN ACT concerning

**Creation of a State Debt – Prince George’s County – St. Ann’s Center for
Children, Youth and Families**

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

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

House Bill 1589 – Delegate Busch

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Historic Annapolis Museum

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

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

House Bill 1591 – Delegates Hayes, Conaway, and Mosby

AN ACT concerning

Creation of a State Debt – Baltimore City – Sellers Mansion

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

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

House Bill 1593 – Delegates Gaines and Healey

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Transit Oriented
Development Public Art Projects**

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

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

House Bill 1594 – Delegates Gaines, Healey, and A. Washington

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Maryland Multicultural
Youth Centers**

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

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

House Bill 1596 – Delegates Branch, Glenn, and McCray

AN ACT concerning

Creation of a State Debt – Baltimore City – Roberta’s House

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

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

House Bill 1597 – Delegates Jacobs, Arentz, and Ghrist

AN ACT concerning

Creation of a State Debt – Kent County – Echo Hill Outdoor School

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

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

House Bill 1598 – Delegates Gutierrez, Carr, and Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – A Wider Circle Community Service Center

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

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

House Bill 1606 – Delegates Cassilly and Reilly

AN ACT concerning

Creation of a State Debt – Harford County – Hosanna School Museum

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

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

House Bill 1607 – Delegates Cassilly and Reilly

AN ACT concerning

Creation of a State Debt – Harford County – Miracle League of Harford County

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

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

House Bill 1611 – Delegate Haynes

AN ACT concerning

Creation of a State Debt – Baltimore City – Hopework CDC Youth and Family Service Center

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

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

House Bill 1612 – Delegate Haynes

AN ACT concerning

**Creation of a State Debt – Baltimore City – Payne Memorial Outreach
Community Youth Center**

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

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

House Bill 1620 – Delegate McKay

AN ACT concerning

Creation of a State Debt – Washington County – Hancock Community Pool

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

HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 3

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

House Bill 1525 – Delegates J. Lewis, Sanchez, and Vallario

AN ACT concerning

**Criminal Procedure – Victim Notification – Dissemination and National
Standards**

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

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

House Bill 1535 – Delegate Hixson

AN ACT concerning

Income Tax Credit – HVAC Air Stratification Technology

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

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

House Bill 1549 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Health – Drug Overdose Prevention Programs – Revisions

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

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

House Bill 1553 – Delegate Cullison**EMERGENCY BILL**

AN ACT concerning

Nonprofit Health Entity – Acquisition – Waiver of Waiting Period

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

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

House Bill 1557 – Delegate Kipke

AN ACT concerning

Health Insurance – Coverage for Male Sterilization – High-Deductible Health Plans

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

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

House Bill 1564 – Delegates J. Lewis, Barron, and C. Howard

AN ACT concerning

Task Force on Practices and Procedures on Solitary Confinement

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

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

House Bill 1565 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Board of Education – Academic Revitalization and
Management Effectiveness Initiative – Repeal**

PG 402–17

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

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

House Bill 1568 – Prince George’s County Delegation

AN ACT concerning

**Workgroup on Transportation for Middle and High School Students in Prince
George’s County**

PG 415–17

The Bill was re-referred to the Committee on Environment and Transportation.

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

House Bill 1569 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Juvenile Offender in Need of Supervision Program –
Study**

PG 304-17

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

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

House Bill 1570 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Municipal Authority to Regulate Fences**PG 418-17**

The Bill was re-referred to the Committee on Environment and Transportation.

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

House Bill 1571 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County School System Academic Revitalization and
Management Effectiveness Task Force****PG 416-17**

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

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

House Bill 1574 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Pretrial Release, Work Release, and Diversion
Programs Task Force****PG 305-17**

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

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

House Bill 1576 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Student Loan Refinancing Authority

PG 419–17

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

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

House Bill 1577 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – School Facilities Surcharge Exemption – Veteran Housing

PG 410–17

The Bill was re-referred to the Committee on Environment and Transportation.

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

House Bill 1578 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Property Tax Exemption for Economic Development Projects – Sunset Repeal

PG 407–17

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

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

House Bill 1579 – Delegates Sydnor and P. Young

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2016 – Baltimore County –
Morning Star Family Life Center**

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

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

House Bill 1595 – Delegates Jones and McIntosh

EMERGENCY BILL

AN ACT concerning

Baltimore City Community College – Restructuring

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

HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 4

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

House Bill 1573 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Tax Sales – Limited Auction and Foreclosure for
Abandoned Property**

PG 411-17

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

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 191)

ADJOURNMENT

At 8:23 P.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Tuesday, February 28, 2017.

Annapolis, Maryland
Tuesday, February 28, 2017
10:00 A.M. Session

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

Prayer by Delegate Anne Healey of Prince George's County.

QUORUM CALL

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

(See Roll Call No. 192)

EXCUSED:

Del. Ghrist – medical

Del. Pena–Melnik – personal

The Journal of February 27, 2017 was read and approved.

APPROPRIATIONS COMMITTEE REPORT NO. 4

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

House Bill 28 – Delegate Krimm

AN ACT concerning

**Unappropriated General Fund Surplus – Appropriation to Pension Fund and
Postretirement Health Benefits Trust Fund**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 103 – Chair, Appropriations Committee (By Request – Departmental –
Human Resources)**

AN ACT concerning

**Department of Human Resources and Child Support Enforcement
Administration – Renaming**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 199 – Chair, Appropriations Committee (By Request – Departmental – Aging)

AN ACT concerning

Capital Grants for Senior Citizen Activities Centers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 324 – Delegates Korman, Platt, Anderson, Atterbeary, Barkley, B. Barnes, Barve, Carr, Chang, Ciliberti, Cullison, Ebersole, Fennell, Frick, Gilchrist, Glenn, Gutierrez, Haynes, Healey, Hettleman, Jackson, Jones, Krimm, Lam, Lewis, Lierman, Luedtke, McCray, Morales, Patterson, Pena–Melnyk, Reznik, Sanchez, Tarlau, Valderrama, Valentino–Smith, M. Washington, and P. Young

AN ACT concerning

State Personnel – Leap Day Pay Act

HB0324/414663/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 324

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Day Pay Act” and substitute “Year – Personal Leave”; strike beginning with “requiring” in line 3 down through “day;” in line 5 and substitute “providing a certain number of days, not to exceed a certain number of hours, of personal leave to State employees during each calendar year that is a leap year;”; strike beginning

with “the” in line 5 down through “of” in line 6 and substitute “personal leave during leap years for”; and in line 9, strike “8–105” and substitute “9–401”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 17 on page 2 and substitute:

“9–401.

(a) (1) Except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this subsection, or otherwise provided by law, each employee in the State Personnel Management System, except a temporary employee, is entitled to 6 days, not to exceed 48 hours, of personal leave with pay at the beginning of the first full pay period of the calendar year.

(2) For the calendar year in which an employee begins employment, the employee is entitled only to the following personal leave with pay:

(i) 6 days, not to exceed 48 hours, if employment begins on or after January 1 and on or before the last day in February;

(ii) 5 days, not to exceed 40 hours, if employment begins on or after March 1 and on or before April 30;

(iii) 4 days, not to exceed 32 hours, if employment begins on or after May 1 and on or before June 30; or

(iv) 3 days, not to exceed 24 hours, if employment begins on or after July 1.

(3) FOR EACH CALENDAR YEAR THAT IS A LEAP YEAR, EACH EMPLOYEE IN THE STATE PERSONNEL MANAGEMENT SYSTEM, EXCEPT A TEMPORARY EMPLOYEE, IS ENTITLED TO 7 DAYS, NOT TO EXCEED 56 HOURS, OF PERSONAL LEAVE WITH PAY AT THE BEGINNING OF THE FIRST FULL PAY PERIOD OF THE CALENDAR YEAR.

(b) Personal leave may be used for any purpose.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 817 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees' Pension System – Purchase of Credit for Eligibility Service –
Legislative Employees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 823 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Small Procurements – Medical
Evaluations for Disability Retirement Benefits**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 6

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

**House Bill 135 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Electronic Transmission of Information and
Documents – Authority**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 137 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

Unemployment Insurance – Recovery of Benefits – Collection by Assessment

HB0137/103394/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 137

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “contributions;” insert “requiring the Secretary, if the Secretary seeks to recover certain unemployment benefits by assessment, to allow a claimant to elect within a certain period of time to have the amount collected by suit instead of by assessment; requiring the Secretary to adopt certain regulations;”.

AMENDMENT NO. 2

On page 4, in line 20, after “(d)” insert “(1)”; in lines 21, 22, 24, and 26, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(I)”, “(II)”, “(III)”, and “(IV)”, respectively; and in line 28, strike “(i)” and substitute “1.”.

On page 5, in line 1, strike “(ii)” and substitute “2.”; and after line 1, insert:

“(2) (I) IF THE SECRETARY SEEKS TO RECOVER AN AMOUNT UNDER SUBSECTION (A) OF THIS SECTION BY ASSESSMENT, THE SECRETARY SHALL ALLOW A CLAIMANT TO ELECT, WITHIN 30 DAYS OF THE DATE OF THE NOTICE OF ASSESSMENT, TO HAVE THE AMOUNT COLLECTED BY SUIT INSTEAD OF BY ASSESSMENT.

(II) THE SECRETARY SHALL ADOPT REGULATIONS TO PROVIDE GENERAL GUIDANCE ABOUT:

1. THE PROCESSES UNDER WHICH THE SECRETARY MAY RECOVER BENEFITS; AND

2. THE APPLICATION OF § 8-629 OF THIS TITLE TO THE RECOVERY OF BENEFITS BY ASSESSMENT UNDER THIS SECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 139 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Employer Determinations – Process and Appeal
Rights**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 141 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Eligibility for Benefits – Business Operation
Closings**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 605 – Washington County Delegation

EMERGENCY BILL

AN ACT concerning

**PenMar Development Corporation – Dissolution – Authority of Washington
County Over Fort Ritchie**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 800 – Delegates Adams, Carey, and Jameson

AN ACT concerning

Insurance Premiums – Payment by Credit Card – Reimbursement for Expenses

HB0800/533194/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 800

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “methods” insert “and a certain charge for certain expenses incurred by the insurance producer”; in line 8, after “expenses” insert “incurred by the surplus lines brokers”; in line 9, after “the” insert “premium,”; in the same line, after “fee” insert “, and any other fees and taxes relating to the policy”; in line 10, after “the” insert “premium,”; in the same line, after “fee” insert “, and any other fees and taxes relating to the policy”; in line 11, after the first “of” insert “policy”; and in the same line, strike “and policy fees” and substitute “, fees, and taxes”.

AMENDMENT NO. 2

On page 3, in line 16, after “PURPOSE” insert “UNDER THIS PARAGRAPH”; in line 19, after “INSURED” insert “;”

1.”;

and in line 20, after “PRODUCER” insert “;AND”

2. ANY CHARGE FOR ACTUAL EXPENSES INCURRED BY THE INSURANCE PRODUCER FOR PAYMENT OF A PREMIUM BY USE OF A CREDIT CARD".

AMENDMENT NO. 3

On page 4, in line 26, strike "A" and substitute "**(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**"; in line 29, after "THE" insert "**PREMIUM,**"; in the same line, strike "FEE" and substitute "**FEE, AND ANY OTHER FEES AND TAXES RELATING TO THE POLICY**"; and after line 29, insert:

"(II) ANY POINT OF SERVICE CREDIT CARD EXPENSES MAY NOT BE CONSIDERED PREMIUM FOR ANY PURPOSE UNDER THIS PARAGRAPH."

On page 5, in line 9, after the second "THE" insert "**PREMIUM,**"; and in the same line, strike "FEE" and substitute "**FEE, AND ANY OTHER FEES AND TAXES RELATING TO THE POLICY**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 999 – Delegate Davis

AN ACT concerning

Public Utilities – Telephone Lifeline Service – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 3

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 66 – Delegate Lam

AN ACT concerning

Environment – Lead and Mercury Wheel Weights – Prohibited

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 120 – Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Seafood and Aquaculture Product Marketing

HB0120/290418/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 120

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “division;” insert “renaming the Seafood Marketing Fund to be the Seafood and Aquaculture Products Marketing Fund; establishing the Seafood and Aquaculture Products Marketing Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Agriculture to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used;”; in line 9, strike “Seafood Marketing”; and in line 10, after “State;” insert “defining a certain term;”.

AMENDMENT NO. 2

On page 3, after line 23, insert:

“(A) IN THIS SECTION, “FUND” MEANS THE SEAFOOD AND AQUACULTURE PRODUCTS MARKETING FUND.”;

in lines 24 and 25, strike “(a)” and “(b)”, respectively, and substitute “**(B)**” and “**(F)**”, respectively; in line 24, after “Seafood” insert “**AND AQUACULTURE PRODUCTS**”; after line 24, insert:

“(C) THE PURPOSE OF THE FUND IS TO FACILITATE THE MARKETING OF SEAFOOD AND AQUACULTURE PRODUCTS.

(D) THE SECRETARY SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.”;

and after line 28, insert:

“(G) THE FUND CONSISTS OF:

(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 4–701 OF THE NATURAL RESOURCES ARTICLE;

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

(3) PROCEEDS FROM ACTIVITIES CONDUCTED BY THE SEAFOOD AND AQUACULTURE PRODUCTS MARKETING PROGRAM; AND

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

(H) THE FUND MAY BE USED ONLY FOR EXPENSES RELATED TO SEAFOOD AND AQUACULTURE MARKETING.”.

AMENDMENT NO. 3

On page 4, in line 1, strike “(c)” and substitute “**(I)**”; in the same line, strike “Seafood Marketing”; in line 15, after “Seafood” insert “**AND AQUACULTURE PRODUCTS**”; strike beginning with “ADMINISTERED” in line 17 down through “SEAFOOD” in line 18 and

substitute “**ESTABLISHED UNDER § 10–1002 OF THE AGRICULTURE ARTICLE**”; in line 19, after “(i)” insert “**TO FUND ONLY THE MARKETING OF WILD–CAUGHT SEAFOOD,**”; and in line 22, after “(ii)” insert “**TO FUND ONLY THE MARKETING OF WILD–CAUGHT SEAFOOD AND AQUACULTURE PRODUCTS,**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 124 – Chair, Environment and Transportation Committee (By Request
– Departmental – Environment)**

AN ACT concerning

Environment – Solid Waste and Recycling Facilities

HB0124/820913/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 124

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after “9–1713” insert “**to be under the amended part “Part II. Recyclable Materials and Recycling Facilities”**”.

AMENDMENT NO. 2

On page 3, after line 11, insert:

“**Part II. Recyclable Materials AND RECYCLING FACILITIES.**”;

in line 18, strike “OR”; and in line 20, after “TITLE” insert “**; OR**

(IV) A FACILITY THAT SERVES AS A DROP–OFF AND COLLECTION POINT FOR RESIDENTIAL RECYCLABLE MATERIALS”.

AMENDMENT NO. 3

On page 4, in line 5, strike “QUANTITY OF”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 171 – Delegates Robinson, Cassilly, Barkley, Carr, Fraser-Hidalgo, Gilchrist, Kelly, Kramer, Lam, Luedtke, Moon, Morhaim, Pena-Melnyk, Platt, Reznik, and Waldstreicher

AN ACT concerning

**Department of the Environment – Yard Waste and Food Residuals Diversion
and Infrastructure – Study**

HB0171/510316/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 171

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Waste” insert a comma; in the same line, strike “and”; in the same line, after “Residuals” insert “, and Other Organic Materials”; in line 6, after “waste” insert “, food residuals, and other organic materials”; in lines 9, 14, 16, 18, and 19, in each instance, after “waste” insert a comma; in line 10, strike the first “and”; lines 14 and 19, in each instance, strike “and”; in lines 10, 14, and 20, in each instance, after “residuals” insert “, and other organic materials”; in lines 16 and 18, in each instance, strike “or”; in the same lines, in each instance, after “residuals” insert “, or other organic materials”; in line 17, after “states” insert “, including the laws and regulations of Massachusetts, Connecticut, Vermont, California, and Rhode Island,”; and in line 22, after “type” insert “, quantity of food waste generated by entity,”.

AMENDMENT NO. 2

On page 2, in line 4, after “encourage” insert a colon; in line 5, before “a” insert:

“(i)”;

in the same line, after “infrastructure,” insert “and

(ii) the prevention of organic waste generation;

(5) identify the infrastructure needs and challenges related to yard waste, food residuals, and other organic materials composting and diversion that are unique to the different geographic regions of the State.”;

in lines 6 and 16, strike “(5)” and “(7)”, respectively, and substitute “(6)” and “(9)”, respectively; in lines 7 and 16, in each instance, after “waste” insert a comma; in the same lines, in each instance, strike “and”; in lines 7 and 17, in each instance, after “residuals” insert “, and other organic materials”; in line 8, strike “identification of”; in line 9, before “properties” insert “the development of, in consultation with local governments, model guidelines and best practices for the local identification of”; in line 11, before “any” insert “the identification of”; in the same line, after “tax” insert “, grant,”; in the same line, after “encourage” insert “and support”; in line 12, after “infrastructure” insert “and economic”; after line 12, insert:

“(7) identify any applicable sanitary and public health concerns related to yard waste, food residuals, and other organic materials composting and diversion.”;

strike in their entirety lines 13 through 15, inclusive, and substitute:

“(8) identify the current process for permitting anaerobic digestion facilities and recommend improvements that should be made to the anaerobic digestion permitting process.”;

and in line 19, strike “(8)” and substitute:

“(10) subject to the approval of the affected local governments.”.

AMENDMENT NO. 3

On page 3, in line 11, strike “and” and substitute:

“(19) the Chesapeake Sustainable Business Council;

(20) the University of Maryland, College Park;

(21) the Chesapeake Bay Foundation;

(22) the Food Waste Alliance;

(23) other environmental organizations; and”;

and in line 12, strike “(19)” and substitute “(24)”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0171/913024/1

BY: Delegate Rey

AMENDMENT TO HOUSE BILL 171, AS AMENDED

(First Reading File Bill)

On page 2 of the bill, in line 25, after “(2)” insert “the Department of Natural Resources;

(3)”;

and in lines 26, 27, 28, 29, and 30, strike “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, and “(8)”, respectively.

On page 3 of the bill, in lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, strike “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, “(14)”, “(15)”, “(16)”, “(17)”, and “(18)”, respectively, and substitute “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, “(14)”, “(15)”, “(16)”, “(17)”, “(18)”, and “(19)”, respectively.

On page 2 of the Environment and Transportation Committee Amendments (HB0171/510316/1), in lines 2, 3, 4, and 5 of Amendment No. 3, strike “(19)”, “(20)”, “(21)”, and “(22)”, respectively, and substitute “(20)”, “(21)”, “(22)”, and “(23)”, respectively.

On page 3 of the Environment and Transportation Committee Amendments, in lines 1 and 2 of Amendment No. 3, strike “(23)” and “(24)”, respectively, and substitute “(24)” and “(25)”, respectively.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 173 – Delegates Arentz, Ghrist, and Jacobs

AN ACT concerning

Baltimore Metropolitan Council – Queen Anne’s County – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 626 – Delegates Gilchrist, Miele, Barkley, Bromwell, Buckel, Carr, Chang, Folden, Fraser-Hidalgo, Frush, Healey, Hettleman, Hornberger, Kaiser, Kipke, Kramer, Lam, Long, Luedtke, McComas, McMillan, Metzgar, Morhaim, Patterson, Robinson, Rose, Saab, Vogt, Waldstreicher, K. Young, and P. Young

AN ACT concerning

Agriculture – Animal Shelters – Protocol Implementation and Enforcement

HB0626/730116/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 626

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Shelters –” insert “Standards of Care and”; strike beginning with “a” in line 3 down through the second “and” in line 4; in line 5, after “Agriculture” insert “, on or before a certain date, to adopt certain minimum standards of”

care for dogs and cats in animal shelters; requiring an animal shelter to follow certain minimum standards of care; requiring the Department”; after line 6, insert:

“BY renumbering

Article – Agriculture

Section 2–1705

to be Section 2–1707

Annotated Code of Maryland

(2016 Replacement Volume)”;

in line 14, strike “2–1703 and”; and in line 19, after “Section” insert “2–1705 and”.

AMENDMENT NO. 2

On page 1, in line 23, after “That” insert “Section(s) 2–1705 of Article – Agriculture of the Annotated Code of Maryland be renumbered to be Section(s) 2–1707.”

SECTION 2. AND BE IT FURTHER ENACTED, That”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 9 on page 2 through line 12 on page 3, inclusive.

On page 3, after line 28, insert:

“2–1705.

(A) ON OR BEFORE JANUARY 1, 2018, THE DEPARTMENT SHALL ADOPT MINIMUM STANDARDS OF CARE FOR DOGS AND CATS IN ANIMAL SHELTERS THAT ARE CONSISTENT WITH:

(1) THE MOST RECENT ASSOCIATION OF SHELTER VETERINARIANS’ GUIDELINES FOR STANDARDS OF CARE IN ANIMAL SHELTERS; AND

(2) THE MOST RECENT GUIDELINES FOR STANDARDS OF CARE IN ANIMAL SHELTERS PREPARED BY THE PROFESSIONAL ANIMAL WORKERS OF MARYLAND.

(B) AN ANIMAL SHELTER SHALL FOLLOW THE MINIMUM STANDARDS OF CARE ADOPTED BY THE DEPARTMENT.

On page 4, 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.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 651 – Delegate Holmes

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Reserve
Studies – Annual Budgets**

HB0651/680110/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 651

(First Reading File Bill)

On page 3 in line 13 and on page 6 in line 1, in each instance, strike “AN INDEPENDENT” and substitute “**A**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 851 – Delegates Folden, Anderton, Angel, Arentz, Atterbeary, Beidle, Bromwell, Buckel, Carey, Carozza, Cassilly, Davis, Flanagan, Ghrist, Glass, Holmes, Hornberger, S. Howard, Jacobs, Kipke, Krimm, McComas, McConkey, McDonough, Metzgar, Miele, W. Miller, Otto, Pena-Melnyk,

Rose, Saab, Shoemaker, Simonaire, Szeliga, Tarlau, Vogt, B. Wilson, and C. Wilson

AN ACT concerning

Landlord and Tenant – Military Personnel – Limitation on Liability for Rent

HB0851/220617/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 851

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances,” insert “clarifying the liability of a person on active duty or the spouse of a person on active duty for rent under a lease under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 16, before “30” insert “ANY RENT OR LAWFUL CHARGES THEN DUE AND PAYABLE PLUS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 954 – Delegate Holmes

AN ACT concerning

Foreclosed Property Registry – Updated Information – Notice to Local Governments

HB0954/700515/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 954

(First Reading File Bill)

On page 3, in line 30, strike “A COPY OF”; and in line 31, strike “THE” and substitute “A COPY OF THE”.

On page 4, in line 1, strike “ANY” and substitute “NOTICE OF ANY”; and in the same line, after “RECEIVED” insert “BY THE DEPARTMENT”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 4

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 119 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)

AN ACT concerning

Washington Metropolitan Area Transit Authority – Washington Metrorail Safety Commission – Establishment and Compact

HB0119/290517/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 119

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 10, after “jurisdictions;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 1, in line 23, strike “A PARTNERSHIP BETWEEN” and substitute “AN INTERSTATE COMPACT AGENCY OF”.

On page 2, in line 2, strike “AND” and substitute a comma; in the same line, strike “ITS SYSTEM” and substitute “WHOM”; in line 11, strike “AN AMENDMENT TO”; in lines 11 and 18, in each instance, after “U.S.C.” insert “§”; in line 15, strike “WANT” and substitute “INTEND”; and in line 19, strike “ACT” and substitute “COMPACT”.

AMENDMENT NO. 3

On pages 2 through 17, strike in their entirety the lines beginning with line 28 on page 2 through line 25 on page 17, inclusive, and substitute:

“1. AS USED IN THIS MSC COMPACT, THE FOLLOWING WORDS AND TERMS SHALL HAVE THE MEANINGS SET FORTH BELOW, UNLESS THE CONTEXT CLEARLY REQUIRES A DIFFERENT MEANING. CAPITALIZED TERMS USED HEREIN, BUT NOT OTHERWISE DEFINED IN THIS ACT, SHALL HAVE THE DEFINITION SET FORTH IN REGULATIONS ISSUED UNDER 49 U.S.C. § 5329, AS THEY MAY BE REVISED FROM TIME TO TIME.

(A) “ALTERNATE MEMBER” MEANS AN ALTERNATE MEMBER OF THE BOARD.

(B) “BOARD” MEANS THE BOARD OF DIRECTORS OF THE COMMISSION.

(C) “COMMISSION” MEANS THE WASHINGTON METRORAIL SAFETY COMMISSION.

(D) “MEMBER” MEANS A MEMBER OF THE BOARD.

(E) “MSC COMPACT” MEANS THIS WASHINGTON METRORAIL SAFETY COMMISSION INTERSTATE COMPACT CREATED BY THIS ACT.

(F) “PUBLIC TRANSPORTATION AGENCY SAFETY PLAN” MEANS THE COMPREHENSIVE AGENCY SAFETY PLAN FOR A RAIL TRANSIT AGENCY REQUIRED BY 49 U.S.C. § 5329 AND THE REGULATIONS ISSUED THEREUNDER, AS MAY BE AMENDED OR REVISED FROM TIME TO TIME.

(G) “PUBLIC TRANSPORTATION SAFETY CERTIFICATION TRAINING PROGRAM” MEANS THE FEDERAL CERTIFICATION TRAINING PROGRAM, AS

ESTABLISHED AND AMENDED FROM TIME TO TIME BY APPLICABLE FEDERAL LAWS AND REGULATIONS, FOR FEDERAL AND STATE EMPLOYEES, OR OTHER DESIGNATED PERSONNEL, WHO CONDUCT SAFETY AUDITS AND EXAMINATIONS OF PUBLIC TRANSPORTATION SYSTEMS, AND EMPLOYEES OF PUBLIC TRANSPORTATION AGENCIES DIRECTLY RESPONSIBLE FOR SAFETY OVERSIGHT.

(H) "SAFETY SENSITIVE POSITION" MEANS ANY POSITION HELD BY A WMATA EMPLOYEE OR CONTRACTOR DESIGNATED IN THE PUBLIC TRANSPORTATION AGENCY SAFETY PLAN FOR THE WMATA RAIL SYSTEM AND APPROVED BY THE COMMISSION AS DIRECTLY OR INDIRECTLY AFFECTING THE SAFETY OF THE PASSENGERS OR EMPLOYEES OF THE WMATA RAIL SYSTEM.

(I) "SIGNATORY" MEANS THE STATE OF MARYLAND, THE COMMONWEALTH OF VIRGINIA, AND THE DISTRICT OF COLUMBIA.

(J) "STATE", "STATE", OR "JURISDICTION" MEANS THE DISTRICT OF COLUMBIA, THE STATE OF MARYLAND, OR THE COMMONWEALTH OF VIRGINIA.

(K) "WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY" OR "WMATA" IS THE ENTITY CREATED BY THE WMATA COMPACT, WHICH ENTITY IS RESPONSIBLE FOR PROVIDING CERTAIN RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEM SERVICES.

(L) "WMATA COMPACT" MEANS THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY COMPACT, APPROVED NOVEMBER 6, 1966.

(M) "WMATA RAIL SYSTEM" OR "METRORAIL" MEANS THE RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEM AND ALL OTHER REAL AND PERSONAL PROPERTY OWNED, LEASED, OPERATED, OR OTHERWISE USED BY WMATA RAIL SERVICES AND SHALL INCLUDE WMATA RAIL PROJECTS UNDER DESIGN OR CONSTRUCTION BY OWNERS OTHER THAN WMATA.

ARTICLE II.

PURPOSE AND FUNCTIONS

2. THE SIGNATORIES TO THE WMATA COMPACT HEREBY ADOPT THIS MSC COMPACT PURSUANT TO 49 U.S.C. § 5329. THE COMMISSION CREATED HEREUNDER SHALL HAVE SAFETY REGULATORY AND ENFORCEMENT AUTHORITY OVER THE WMATA RAIL SYSTEM AND SHALL ACT AS THE STATE SAFETY OVERSIGHT AUTHORITY FOR WMATA UNDER 49 U.S.C. § 5329, AS MAY BE AMENDED FROM TIME TO TIME. WMATA SHALL BE SUBJECT TO THE COMMISSION'S RULES, REGULATIONS, ACTIONS, AND ORDERS.

3. THE PURPOSE OF THIS MSC COMPACT IS TO CREATE A STATE SAFETY OVERSIGHT AUTHORITY FOR THE WMATA RAIL SYSTEM, PURSUANT TO THE MANDATE OF FEDERAL LAW, AS A COMMON AGENCY OF EACH SIGNATORY, EMPOWERED IN THE MANNER HEREINAFTER SET FORTH TO REVIEW, APPROVE, OVERSEE, AND ENFORCE THE SAFETY OF THE WMATA RAIL SYSTEM, INCLUDING, WITHOUT LIMITATION, TO:

(A) HAVE EXCLUSIVE SAFETY OVERSIGHT AUTHORITY AND RESPONSIBILITY OVER THE WMATA RAIL SYSTEM PURSUANT TO FEDERAL LAW, INCLUDING, WITHOUT LIMITATION, THE POWER TO RESTRICT, SUSPEND, OR PROHIBIT RAIL SERVICE ON ALL OR PART OF THE WMATA RAIL SYSTEM AS SET FORTH IN THIS MSC COMPACT;

(B) DEVELOP AND ADOPT A WRITTEN STATE SAFETY OVERSIGHT PROGRAM STANDARD;

(C) REVIEW AND APPROVE THE WMATA PUBLIC TRANSPORTATION AGENCY SAFETY PLAN;

(D) INVESTIGATE HAZARDS, INCIDENTS, AND ACCIDENTS ON THE WMATA RAIL SYSTEM;

(E) REQUIRE, REVIEW, APPROVE, OVERSEE, AND ENFORCE CORRECTIVE ACTION PLANS DEVELOPED BY WMATA; AND

(F) MEET OTHER REQUIREMENTS OF FEDERAL AND STATE LAW RELATING TO SAFETY OVERSIGHT OF THE WMATA RAIL SYSTEM.

ARTICLE III.

ESTABLISHMENT AND ORGANIZATION

A. WASHINGTON METRORAIL SAFETY COMMISSION.

4. THE COMMISSION IS HEREBY CREATED AS AN INSTRUMENTALITY OF EACH SIGNATORY, WHICH SHALL BE A PUBLIC BODY CORPORATE AND POLITIC, AND WHICH SHALL HAVE THE POWERS AND DUTIES SET FORTH IN THIS MSC COMPACT.

5. THE COMMISSION SHALL BE FINANCIALLY AND LEGALLY INDEPENDENT FROM WMATA.

B. BOARD MEMBERSHIP.

6. THE COMMISSION SHALL BE GOVERNED BY A BOARD OF 6 MEMBERS WITH 2 MEMBERS APPOINTED OR REAPPOINTED (INCLUDING TO FILL AN UNEXPIRED TERM) BY EACH SIGNATORY PURSUANT TO THE SIGNATORY'S APPLICABLE LAWS.

7. EACH SIGNATORY SHALL ALSO APPOINT OR REAPPOINT (INCLUDING TO FILL AN UNEXPIRED TERM) ONE ALTERNATE MEMBER PURSUANT TO THE SIGNATORY'S APPLICABLE LAWS.

8. AN ALTERNATE MEMBER SHALL PARTICIPATE AND TAKE ACTION AS A MEMBER ONLY IN THE ABSENCE OF ONE OR BOTH MEMBERS APPOINTED FROM THE SAME JURISDICTION AS THE ALTERNATE MEMBER'S APPOINTING JURISDICTION AND, IN SUCH INSTANCES, MAY CAST A SINGLE VOTE.

9. MEMBERS AND ALTERNATE MEMBERS SHALL HAVE BACKGROUNDS IN TRANSIT SAFETY, TRANSPORTATION, RELEVANT ENGINEERING DISCIPLINES, OR PUBLIC FINANCE.

10. NO MEMBER OR ALTERNATE MEMBER SHALL SIMULTANEOUSLY HOLD AN ELECTED PUBLIC OFFICE, SERVE ON THE WMATA BOARD OF DIRECTORS, BE EMPLOYED BY WMATA, OR BE A CONTRACTOR TO WMATA.

11. EACH MEMBER AND ALTERNATE MEMBER SHALL SERVE A 4-YEAR TERM AND MAY BE REAPPOINTED FOR ADDITIONAL TERMS; EXCEPT THAT, EACH SIGNATORY SHALL MAKE ITS INITIAL APPOINTMENTS AS FOLLOWS:

(A) ONE MEMBER SHALL BE APPOINTED FOR A 4-YEAR TERM;

(B) ONE MEMBER SHALL BE APPOINTED FOR A 2-YEAR TERM; AND

(C) THE ALTERNATE MEMBER SHALL BE APPOINTED FOR A 3-YEAR TERM.

12. ANY PERSON APPOINTED TO FILL A VACANCY SHALL SERVE FOR THE UNEXPIRED TERM.

13. MEMBERS AND ALTERNATE MEMBERS SHALL BE ENTITLED TO REIMBURSEMENT FOR REASONABLE AND NECESSARY EXPENSES AND SHALL BE COMPENSATED FOR EACH DAY SPENT MEETING ON THE BUSINESS OF THE COMMISSION AT A RATE OF \$200 PER DAY OR AT SUCH OTHER RATE AS MAY BE ADJUSTED IN APPROPRIATIONS APPROVED BY ALL OF THE SIGNATORIES.

14. A MEMBER OR AN ALTERNATE MEMBER MAY BE REMOVED OR SUSPENDED FROM OFFICE ONLY FOR CAUSE IN ACCORDANCE WITH THE LAWS OF SUCH MEMBER'S OR ALTERNATE MEMBER'S APPOINTING JURISDICTION.

C. QUORUM AND ACTIONS OF THE BOARD.

15. FOUR MEMBERS SHALL CONSTITUTE A QUORUM. THE AFFIRMATIVE VOTE OF 4 MEMBERS IS REQUIRED FOR ACTION OF THE BOARD, OTHER THAN AS PROVIDED IN SECTION 32. QUORUM AND VOTING REQUIREMENTS UNDER THIS PARAGRAPH MAY BE MET WITH ONE OR MORE ALTERNATE MEMBERS PURSUANT TO SECTION 8.

16. THE COMMISSION'S ACTION SHALL BECOME EFFECTIVE UPON ENACTMENT UNLESS OTHERWISE PROVIDED FOR BY THE COMMISSION.

D. OATH OF OFFICE.

17. BEFORE ENTERING OFFICE, EACH MEMBER AND ALTERNATE MEMBER SHALL TAKE AND SUBSCRIBE TO THE FOLLOWING OATH (OR AFFIRMATION) OF OFFICE OR ANY SUCH OTHER OATH OR AFFIRMATION AS THE CONSTITUTION OR LAWS OF THE SIGNATORY HE OR SHE REPRESENTS SHALL PROVIDE:

“I, _____, HEREBY SOLEMNLY SWEAR (OR AFFIRM) THAT I WILL SUPPORT AND DEFEND THE CONSTITUTION AND THE LAWS OF THE UNITED STATES AS A MEMBER (OR ALTERNATE MEMBER) OF THE BOARD OF THE WASHINGTON METRORAIL SAFETY COMMISSION AND WILL FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE UPON WHICH I AM ABOUT TO ENTER.”

E. ORGANIZATION AND PROCEDURE.

18. THE BOARD SHALL PROVIDE FOR ITS OWN ORGANIZATION AND PROCEDURE. MEETINGS OF THE BOARD SHALL BE HELD AS FREQUENTLY AS THE BOARD DETERMINES, BUT IN NO EVENT LESS THAN QUARTERLY. THE BOARD SHALL KEEP MINUTES OF ITS MEETINGS AND ESTABLISH RULES AND REGULATIONS GOVERNING ITS TRANSACTIONS AND INTERNAL AFFAIRS, INCLUDING, WITHOUT LIMITATION, POLICIES REGARDING RECORDS RETENTION THAT ARE NOT IN CONFLICT WITH APPLICABLE FEDERAL RECORD RETENTION LAWS.

19. THE COMMISSION SHALL KEEP COMMERCIALY REASONABLE RECORDS OF ITS FINANCIAL TRANSACTIONS IN ACCORDANCE WITH ACCOUNTING PRINCIPLES GENERALLY ACCEPTED IN THE UNITED STATES OF AMERICA.

20. THE COMMISSION SHALL ESTABLISH AN OFFICE FOR THE CONDUCT OF ITS AFFAIRS AT A LOCATION TO BE DETERMINED BY THE COMMISSION.

21. THE COMMISSION SHALL ADOPT THE FEDERAL FREEDOM OF INFORMATION ACT, CODIFIED AT 5 U.S.C. § 552(A)–(D) AND (G), AND GOVERNMENT IN THE SUNSHINE ACT, CODIFIED AT 5 U.S.C. § 552B, AS BOTH MAY BE AMENDED FROM TIME TO TIME, AS ITS FREEDOM-OF-INFORMATION POLICY AND OPEN-MEETING POLICY, RESPECTIVELY, AND SHALL NOT BE SUBJECT TO THE COMPARABLE LAWS OR POLICIES OF ANY SIGNATORY.

22. REPORTS OF INVESTIGATIONS OR INQUIRIES ADOPTED BY THE BOARD SHALL BE MADE PUBLICLY AVAILABLE.

23. THE COMMISSION SHALL ADOPT A POLICY ON CONFLICT OF INTEREST THAT SHALL BE CONSISTENT WITH THE REGULATIONS ISSUED UNDER 49 U.S.C. § 5329, AS THEY MAY BE REVISED FROM TIME TO TIME, WHICH, AMONG OTHER THINGS, PLACES APPROPRIATE SEPARATION BETWEEN MEMBERS, OFFICERS, EMPLOYEES, CONTRACTORS, AND AGENTS OF THE COMMISSION AND WMATA.

24. THE COMMISSION SHALL ADOPT AND UTILIZE ITS OWN ADMINISTRATIVE PROCEDURE AND PROCUREMENT POLICIES IN CONFORMANCE WITH APPLICABLE FEDERAL REGULATIONS AND SHALL NOT BE SUBJECT TO THE ADMINISTRATIVE PROCEDURE OR PROCUREMENT LAWS OF ANY SIGNATORY.

F. OFFICERS AND EMPLOYEES.

25. THE BOARD SHALL ELECT A CHAIRMAN, VICE CHAIRMAN, SECRETARY, AND TREASURER FROM AMONG ITS MEMBERS, EACH FOR A 2-YEAR TERM AND SHALL PRESCRIBE THEIR POWERS AND DUTIES.

26. THE BOARD SHALL APPOINT AND FIX THE COMPENSATION AND BENEFITS OF A CHIEF EXECUTIVE OFFICER WHO SHALL BE THE CHIEF ADMINISTRATIVE OFFICER OF THE COMMISSION AND WHO SHALL HAVE EXPERTISE IN TRANSPORTATION SAFETY AND ONE OR MORE INDUSTRY-RECOGNIZED TRANSPORTATION SAFETY CERTIFICATIONS.

27. CONSISTENT WITH 49 U.S.C. § 5329, AS MAY BE AMENDED FROM TIME TO TIME, THE COMMISSION MAY EMPLOY, UNDER THE DIRECTION OF THE CHIEF EXECUTIVE OFFICER, SUCH OTHER TECHNICAL, LEGAL, CLERICAL, AND OTHER EMPLOYEES ON A REGULAR, PART-TIME, OR AS-NEEDED BASIS AS IT DETERMINES NECESSARY OR DESIRABLE FOR THE DISCHARGE OF ITS DUTIES.

28. THE COMMISSION SHALL NOT BE BOUND BY ANY STATUTE OR REGULATION OF ANY SIGNATORY IN THE EMPLOYMENT OR DISCHARGE OF ANY OFFICER OR EMPLOYEE OF THE COMMISSION, BUT SHALL DEVELOP ITS OWN

POLICIES IN COMPLIANCE WITH FEDERAL LAW. THE MSC SHALL, HOWEVER, CONSIDER THE LAWS OF THE SIGNATORIES IN DEVISING ITS EMPLOYMENT AND DISCHARGE POLICIES, AND WHEN IT DEEMS IT PRACTICAL, DEVISE POLICIES CONSISTENT WITH THE LAWS OF THE SIGNATORIES.

29. THE BOARD MAY FIX AND PROVIDE POLICIES FOR THE QUALIFICATION, APPOINTMENT, REMOVAL, TERM, TENURE, COMPENSATION BENEFITS, WORKERS' COMPENSATION, PENSION, AND RETIREMENT RIGHTS OF ITS EMPLOYEES SUBJECT TO FEDERAL LAW. THE BOARD MAY ALSO ESTABLISH A PERSONNEL SYSTEM BASED ON MERIT AND FITNESS AND, SUBJECT TO ELIGIBILITY, PARTICIPATE IN THE PENSION, RETIREMENT, AND WORKERS' COMPENSATION PLANS OF ANY SIGNATORY OR AGENCY OR POLITICAL SUBDIVISION THEREOF.

ARTICLE IV.

POWERS

A. SAFETY OVERSIGHT POWERS.

30. IN CARRYING OUT ITS PURPOSES, THE COMMISSION, THROUGH ITS BOARD OR DESIGNATED EMPLOYEES OR AGENTS, SHALL, CONSISTENT WITH FEDERAL LAW:

(A) ADOPT, REVISE, AND DISTRIBUTE A WRITTEN STATE SAFETY OVERSIGHT PROGRAM;

(B) REVIEW, APPROVE, OVERSEE, AND ENFORCE THE ADOPTION AND IMPLEMENTATION OF WMATA'S PUBLIC TRANSPORTATION AGENCY SAFETY PLAN;

(C) REQUIRE, REVIEW, APPROVE, OVERSEE, AND ENFORCE THE ADOPTION AND IMPLEMENTATION OF ANY CORRECTIVE ACTION PLANS THAT THE COMMISSION DEEMS APPROPRIATE;

(D) IMPLEMENT AND ENFORCE RELEVANT FEDERAL AND STATE LAWS AND REGULATIONS RELATING TO SAFETY OF THE WMATA RAIL SYSTEM; AND

(E) AUDIT EVERY 3 YEARS THE COMPLIANCE OF WMATA WITH WMATA’S PUBLIC TRANSPORTATION AGENCY SAFETY PLAN OR CONDUCT SUCH AN AUDIT ON AN ONGOING BASIS OVER A 3-YEAR TIME FRAME.

31. IN PERFORMING ITS DUTIES, THE COMMISSION, THROUGH ITS BOARD OR DESIGNATED EMPLOYEES OR AGENTS, MAY:

(A) CONDUCT, OR CAUSE TO BE CONDUCTED, INSPECTIONS, INVESTIGATIONS, EXAMINATIONS, AND TESTING OF WMATA PERSONNEL AND CONTRACTORS, PROPERTY, EQUIPMENT, FACILITIES, ROLLING STOCK, AND OPERATIONS OF THE WMATA RAIL SYSTEM, INCLUDING, WITHOUT LIMITATION, ELECTRONIC INFORMATION AND DATABASES THROUGH REASONABLE MEANS, WHICH MAY INCLUDE ISSUANCE OF SUBPOENAS;

(B) ENTER UPON THE WMATA RAIL SYSTEM AND, UPON REASONABLE NOTICE AND A FINDING BY THE CHIEF EXECUTIVE OFFICER THAT A NEED EXISTS, UPON ANY LANDS, WATERS, AND PREMISES ADJACENT TO THE WMATA RAIL SYSTEM, INCLUDING, WITHOUT LIMITATION, PROPERTY OWNED OR OCCUPIED BY THE FEDERAL GOVERNMENT, FOR THE PURPOSE OF MAKING INSPECTIONS, INVESTIGATIONS, EXAMINATIONS, AND TESTING AS THE COMMISSION MAY DEEM NECESSARY TO CARRY OUT THE PURPOSES OF THIS MSC COMPACT, AND SUCH ENTRY SHALL NOT BE DEEMED A TRESPASS. THE COMMISSION SHALL MAKE REASONABLE REIMBURSEMENT FOR ANY ACTUAL DAMAGE RESULTING TO ANY SUCH ADJACENT LANDS, WATERS, AND PREMISES AS A RESULT OF SUCH ACTIVITIES;

(C) COMPEL WMATA’S COMPLIANCE WITH ANY CORRECTIVE ACTION PLAN OR ORDER OF THE COMMISSION BY SUCH MEANS AS THE COMMISSION DEEMS APPROPRIATE, INCLUDING, WITHOUT LIMITATION, BY:

(1) TAKING LEGAL ACTION IN A COURT OF COMPETENT JURISDICTION;

(2) ISSUING CITATIONS OR FINES WITH FUNDS GOING INTO AN ESCROW ACCOUNT FOR SPENDING BY WMATA ON COMMISSION-DIRECTED SAFETY MEASURES;

(3) DIRECTING WMATA TO PRIORITIZE SPENDING ON SAFETY-CRITICAL ITEMS;

(4) REMOVING A SPECIFIC VEHICLE, INFRASTRUCTURE ELEMENT, OR HAZARD FROM THE WMATA RAIL SYSTEM; AND

(5) COMPELLING WMATA TO RESTRICT, SUSPEND, OR PROHIBIT RAIL SERVICE ON ALL OR PART OF THE WMATA RAIL SYSTEM WITH AN APPROPRIATE NOTICE PERIOD DICTATED BY THE CIRCUMSTANCES;

(D) DIRECT WMATA TO SUSPEND OR DISQUALIFY FROM PERFORMING IN ANY SAFETY SENSITIVE POSITION AN INDIVIDUAL WHO IS ALLEGED TO OR HAS VIOLATED SAFETY RULES, REGULATIONS, POLICIES, OR LAWS;

(E) COMPEL WMATA'S OFFICE OF THE INSPECTOR GENERAL, CREATED UNDER WMATA BOARD RESOLUTION 2006-18, OR ANY SUCCESSOR WMATA OFFICE OR ORGANIZATION HAVING SIMILAR DUTIES, TO CONDUCT SAFETY-RELATED AUDITS OR INVESTIGATIONS AND TO PROVIDE ITS FINDINGS TO THE COMMISSION; AND

(F) TAKE SUCH OTHER ACTIONS AS THE COMMISSION MAY DEEM APPROPRIATE CONSISTENT WITH ITS PURPOSE AND POWERS.

32. ACTION BY THE BOARD UNDER SECTION 31(C)(5) SHALL REQUIRE THE UNANIMOUS VOTE OF ALL MEMBERS PRESENT AND VOTING. THE COMMISSION SHALL COORDINATE ITS ENFORCEMENT ACTIVITIES WITH APPROPRIATE FEDERAL AND STATE GOVERNMENTAL AUTHORITIES.

B. GENERAL POWERS.

33. IN ADDITION TO THE POWERS AND DUTIES SET FORTH ABOVE, THE COMMISSION MAY:

(A) SUE AND BE SUED;

(B) ADOPT, AMEND, AND REPEAL RULES AND REGULATIONS RESPECTING THE EXERCISE OF THE POWERS CONFERRED BY THIS MSC COMPACT;

(C) CREATE AND ABOLISH OFFICES, EMPLOYMENTS, AND POSITIONS (OTHER THAN THOSE SPECIFICALLY PROVIDED FOR IN THIS MSC COMPACT) NECESSARY OR DESIRABLE FOR THE PURPOSES OF THE COMMISSION;

(D) DETERMINE A STAFFING LEVEL FOR THE COMMISSION THAT IS COMMENSURATE WITH THE SIZE AND COMPLEXITY OF THE WMATA RAIL SYSTEM, AND REQUIRE THAT EMPLOYEES AND OTHER DESIGNATED PERSONNEL OF THE COMMISSION, WHO ARE RESPONSIBLE FOR SAFETY OVERSIGHT, BE QUALIFIED TO PERFORM SUCH FUNCTIONS THROUGH APPROPRIATE TRAINING, INCLUDING, WITHOUT LIMITATION, SUCCESSFUL COMPLETION OF THE PUBLIC TRANSPORTATION SAFETY CERTIFICATION TRAINING PROGRAM;

(E) CONTRACT FOR OR EMPLOY CONSULTING ATTORNEYS, INSPECTORS, ENGINEERS, AND SUCH OTHER EXPERTS NECESSARY OR DESIRABLE AND, WITHIN THE LIMITATIONS PRESCRIBED IN THIS MSC COMPACT, PRESCRIBE THEIR POWERS AND DUTIES AND FIX THEIR COMPENSATION;

(F) ENTER INTO AND PERFORM CONTRACTS, LEASES, AND AGREEMENTS NECESSARY OR DESIRABLE IN THE PERFORMANCE OF ITS DUTIES AND IN THE EXECUTION OF THE POWERS GRANTED UNDER THIS MSC COMPACT;

(G) APPLY FOR, RECEIVE, AND ACCEPT SUCH PAYMENTS, APPROPRIATIONS, GRANTS, GIFTS, LOANS, ADVANCES, AND OTHER FUNDS, PROPERTIES, AND SERVICES AS MAY BE TRANSFERRED OR MADE AVAILABLE TO IT BY THE UNITED STATES GOVERNMENT OR ANY OTHER PUBLIC OR PRIVATE ENTITY OR INDIVIDUAL, SUBJECT TO THE LIMITATIONS SPECIFIED IN SECTION 42;

(H) ADOPT AN OFFICIAL SEAL AND ALTER THE SAME AT ITS PLEASURE;

(I) ADOPT AND AMEND BY-LAWS, POLICIES, AND PROCEDURES GOVERNING THE REGULATION OF ITS AFFAIRS;

(J) APPOINT ONE OR MORE ADVISORY COMMITTEES; AND

(K) DO SUCH OTHER ACTS NECESSARY OR DESIRABLE FOR THE PERFORMANCE OF ITS DUTIES AND THE EXECUTION OF ITS POWERS UNDER THIS MSC COMPACT.

34. CONSISTENT WITH THIS MSC COMPACT, THE COMMISSION SHALL PROMULGATE RULES AND REGULATIONS TO CARRY OUT THE PURPOSES OF THIS MSC COMPACT.

ARTICLE V.

GENERAL PROVISIONS

A. ANNUAL SAFETY REPORT.

35. THE COMMISSION SHALL MAKE AND PUBLISH ANNUALLY A STATUS REPORT ON THE SAFETY OF THE WMATA RAIL SYSTEM, WHICH SHALL INCLUDE, AMONG OTHER REQUIREMENTS ESTABLISHED BY THE COMMISSION AND FEDERAL LAW, STATUS UPDATES OF OUTSTANDING CORRECTIVE ACTION PLANS, COMMISSION DIRECTIVES, AND ONGOING INVESTIGATIONS. A COPY OF EACH SUCH REPORT SHALL BE PROVIDED TO:

(A) THE ADMINISTRATOR OF THE FEDERAL TRANSIT ADMINISTRATION;

(B) THE GOVERNOR OF VIRGINIA, THE GOVERNOR OF MARYLAND, AND THE MAYOR OF THE DISTRICT OF COLUMBIA;

(C) THE CHAIR OF THE COUNCIL OF THE DISTRICT OF COLUMBIA;

(D) THE PRESIDENT OF THE MARYLAND SENATE AND THE SPEAKER OF THE MARYLAND HOUSE OF DELEGATES;

(E) THE PRESIDENT OF THE VIRGINIA SENATE AND THE SPEAKER OF THE VIRGINIA HOUSE OF DELEGATES; AND

(F) THE GENERAL MANAGER AND EACH MEMBER OF THE BOARD OF DIRECTORS OF WMATA.

36. THE COMMISSION MAY PREPARE, PUBLISH, AND DISTRIBUTE SUCH OTHER SAFETY REPORTS THAT IT DEEMS NECESSARY OR DESIRABLE.

B. ANNUAL REPORT OF OPERATIONS.

37. THE COMMISSION SHALL MAKE AND PUBLISH AN ANNUAL REPORT ON ITS PROGRAMS, OPERATIONS, AND FINANCES, WHICH SHALL BE DISTRIBUTED IN THE SAME MANNER PROVIDED BY SECTION 35.

38. THE COMMISSION MAY ALSO PREPARE, PUBLISH, AND DISTRIBUTE SUCH OTHER PUBLIC REPORTS AND INFORMATIONAL MATERIALS AS IT DEEMS NECESSARY OR DESIRABLE.

C. ANNUAL INDEPENDENT AUDIT.

39. AN INDEPENDENT ANNUAL AUDIT SHALL BE MADE OF THE FINANCIAL ACCOUNTS OF THE COMMISSION. THE AUDIT SHALL BE MADE BY QUALIFIED CERTIFIED PUBLIC ACCOUNTANTS SELECTED BY THE BOARD, WHO SHALL HAVE NO PERSONAL INTEREST, DIRECT OR INDIRECT, IN THE FINANCIAL AFFAIRS OF THE COMMISSION OR ANY OF ITS OFFICERS OR EMPLOYEES. THE REPORT OF AUDIT SHALL BE PREPARED IN ACCORDANCE WITH GENERALLY ACCEPTED AUDITING PRINCIPLES AND SHALL BE DISTRIBUTED IN THE SAME MANNER PROVIDED BY SECTION 35. MEMBERS, EMPLOYEES, AGENTS, AND CONTRACTORS OF THE COMMISSION SHALL PROVIDE ACCESS TO INFORMATION NECESSARY OR DESIRABLE FOR THE CONDUCT OF THE ANNUAL AUDIT.

D. FINANCING.

40. THE COMMISSION'S OPERATIONS SHALL BE FUNDED, INDEPENDENTLY OF WMATA, BY THE SIGNATORY JURISDICTIONS AND, WHEN AVAILABLE, BY FEDERAL FUNDS. THE COMMISSION SHALL HAVE NO AUTHORITY TO LEVY TAXES.

41. THE SIGNATORIES SHALL UNANIMOUSLY AGREE ON ADEQUATE FUNDING LEVELS FOR THE COMMISSION AND MAKE EQUAL CONTRIBUTIONS OF SUCH FUNDING, SUBJECT TO ANNUAL APPROPRIATION, TO COVER THE PORTION OF COMMISSION OPERATIONS NOT FUNDED BY FEDERAL FUNDS.

42. THE COMMISSION MAY BORROW UP TO 5% OF ITS LAST ANNUAL APPROPRIATIONS BUDGET IN ANTICIPATION OF RECEIPTS, OR AS OTHERWISE SET FORTH IN THE APPROPRIATIONS BUDGET APPROVED BY ALL OF THE SIGNATORIES, FROM ANY LAWFUL LENDING INSTITUTION FOR ANY PURPOSE OF THIS MSC COMPACT, INCLUDING, WITHOUT LIMITATION, FOR ADMINISTRATIVE EXPENSES. SUCH LOANS SHALL BE FOR A TERM NOT TO EXCEED 2 YEARS, OR AT SUCH LONGER TERM APPROVED BY EACH SIGNATORY PURSUANT TO ITS LAWS AS EVIDENCED BY THE WRITTEN AUTHORIZATION BY THE MAYOR OF THE DISTRICT OF COLUMBIA AND THE GOVERNORS OF MARYLAND AND VIRGINIA, AND AT SUCH RATES OF INTEREST AS SHALL BE ACCEPTABLE TO THE COMMISSION.

43. WITH RESPECT TO THE DISTRICT OF COLUMBIA, THE COMMITMENT OR OBLIGATION TO RENDER FINANCIAL ASSISTANCE TO THE COMMISSION SHALL BE CREATED, BY APPROPRIATION OR IN SUCH OTHER MANNER, OR BY SUCH OTHER LEGISLATION, AS THE DISTRICT OF COLUMBIA SHALL DETERMINE; PROVIDED, THAT ANY SUCH COMMITMENT OR OBLIGATION SHALL BE APPROVED BY CONGRESS PURSUANT TO THE DISTRICT OF COLUMBIA HOME RULE ACT, APPROVED DECEMBER 24, 1973 (87 STAT. 774; D.C. OFFICIAL CODE § 1-201.01 ET SEQ.).

44. PURSUANT TO THE REQUIREMENTS OF 31 U.S.C. §§ 1341, 1342, 1349 TO 1351, AND 1511 TO 1519, AND D.C. OFFICIAL CODE §§ 47-105 AND 47-355.01 TO 355.08 (COLLECTIVELY, THE “ANTI-DEFICIENCY ACTS”), THE DISTRICT CANNOT OBLIGATE ITSELF TO ANY FINANCIAL COMMITMENT IN ANY PRESENT OR FUTURE YEAR UNLESS THE NECESSARY FUNDS TO PAY THAT COMMITMENT HAVE BEEN APPROPRIATED AND ARE LAWFULLY AVAILABLE FOR THE PURPOSE COMMITTED. THUS, PURSUANT TO THE ANTI-DEFICIENCY ACTS, NOTHING IN THE MSC COMPACT CREATES AN OBLIGATION OF THE DISTRICT IN ANTICIPATION OF AN APPROPRIATION FOR SUCH PURPOSE, AND THE DISTRICT’S LEGAL LIABILITY FOR THE PAYMENT OF ANY AMOUNT UNDER THIS MSC COMPACT DOES NOT AND MAY NOT ARISE OR OBTAIN IN ADVANCE OF THE LAWFUL AVAILABILITY OF APPROPRIATED FUNDS FOR THE APPLICABLE FISCAL YEAR.

E. TAX EXEMPTION.

45. THE EXERCISE OF THE POWERS GRANTED BY THIS MSC COMPACT SHALL IN ALL RESPECTS BE FOR THE BENEFIT OF THE PEOPLE OF THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF VIRGINIA, AND THE STATE OF MARYLAND AND FOR THE INCREASE OF THEIR SAFETY, COMMERCE, AND PROSPERITY, AND AS THE ACTIVITIES ASSOCIATED WITH THIS MSC COMPACT SHALL CONSTITUTE THE PERFORMANCE OF ESSENTIAL GOVERNMENTAL FUNCTIONS, THE COMMISSION SHALL NOT BE REQUIRED TO PAY ANY TAXES OR ASSESSMENTS UPON THE SERVICES OR ANY PROPERTY ACQUIRED OR USED BY THE COMMISSION UNDER THE PROVISIONS OF THIS MSC COMPACT OR UPON THE INCOME THEREFROM, AND SHALL AT ALL TIMES BE FREE FROM TAXATION WITHIN THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF VIRGINIA, AND THE STATE OF MARYLAND.

F. RECONSIDERATION OF COMMISSION ORDERS.

46. WMATA SHALL HAVE THE RIGHT TO PETITION THE COMMISSION FOR RECONSIDERATION OF AN ORDER BASED ON RULES AND PROCEDURES DEVELOPED BY THE COMMISSION.

47. CONSISTENT WITH SECTION 16, THE FILING OF A PETITION FOR RECONSIDERATION SHALL NOT ACT AS A STAY UPON THE EXECUTION OF A COMMISSION ORDER, OR ANY PART OF IT, UNLESS THE COMMISSION ORDERS OTHERWISE. WMATA MAY APPEAL ANY ADVERSE ACTION ON A PETITION FOR RECONSIDERATION AS SET FORTH IN SECTION 48.

G. JUDICIAL MATTERS.

48. THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA, ALEXANDRIA DIVISION, THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND, SOUTHERN DIVISION, AND THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA SHALL HAVE EXCLUSIVE AND ORIGINAL JURISDICTION OF ALL ACTIONS BROUGHT BY OR AGAINST THE COMMISSION AND TO ENFORCE SUBPOENAS UNDER THIS MSC COMPACT.

49. THE COMMENCEMENT OF A JUDICIAL PROCEEDING SHALL NOT OPERATE AS A STAY OF A COMMISSION ORDER UNLESS SPECIFICALLY ORDERED BY THE COURT.

H. LIABILITY AND INDEMNIFICATION.

50. THE COMMISSION AND ITS MEMBERS, ALTERNATE MEMBERS, OFFICERS, AGENTS, EMPLOYEES, OR REPRESENTATIVES SHALL NOT BE LIABLE FOR SUIT OR ACTION OR FOR ANY JUDGMENT OR DECREE FOR DAMAGES, LOSS, OR INJURY RESULTING FROM ACTION TAKEN WITHIN THE SCOPE OF THEIR EMPLOYMENT OR DUTIES UNDER THIS MSC COMPACT, NOR REQUIRED IN ANY CASE ARISING OR ANY APPEAL TAKEN UNDER THIS MSC COMPACT TO GIVE A SUPERSEDEAS BOND OR SECURITY FOR DAMAGES. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROTECT SUCH PERSON FROM SUIT OR LIABILITY FOR DAMAGE, LOSS, INJURY, OR LIABILITY CAUSED BY THE INTENTIONAL OR WILLFUL AND WANTON MISCONDUCT OF SUCH PERSON.

51. THE COMMISSION SHALL BE LIABLE FOR ITS CONTRACTS AND FOR ITS TORTS AND THOSE OF ITS MEMBERS, ALTERNATE MEMBERS, OFFICERS, AGENTS, EMPLOYEES, AND REPRESENTATIVES COMMITTED IN THE CONDUCT OF ANY PROPRIETARY FUNCTION, IN ACCORDANCE WITH THE LAW OF THE APPLICABLE SIGNATORY (INCLUDING, WITHOUT LIMITATION, RULES ON CONFLICT OF LAWS) BUT SHALL NOT BE LIABLE FOR ANY TORTS OCCURRING IN THE PERFORMANCE OF A GOVERNMENTAL FUNCTION. THE EXCLUSIVE REMEDY FOR SUCH BREACH OF CONTRACT OR TORT FOR WHICH THE COMMISSION SHALL BE LIABLE, AS HEREIN PROVIDED, SHALL BE BY SUIT AGAINST THE COMMISSION. NOTHING CONTAINED IN THIS MSC COMPACT SHALL BE CONSTRUED AS A WAIVER BY THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF VIRGINIA, OR THE STATE OF MARYLAND OF ANY IMMUNITY FROM SUIT.

I. COMMITMENT OF PARTIES.

52. EACH OF THE SIGNATORIES PLEDGES TO EACH OTHER FAITHFUL COOPERATION IN PROVIDING SAFETY OVERSIGHT FOR THE WMATA RAIL SYSTEM, AND, TO AFFECT SUCH PURPOSES, AGREES TO CONSIDER IN GOOD FAITH AND

REQUEST ANY NECESSARY LEGISLATION TO ACHIEVE THE OBJECTIVES OF THIS MSC COMPACT.

J. AMENDMENTS AND SUPPLEMENTS.

53. AMENDMENTS AND SUPPLEMENTS TO THIS MSC COMPACT SHALL BE ADOPTED BY LEGISLATIVE ACTION OF EACH OF THE SIGNATORIES AND THE CONSENT OF CONGRESS. WHEN ONE SIGNATORY ADOPTS AN AMENDMENT OR SUPPLEMENT TO AN EXISTING SECTION OF THIS MSC COMPACT, THAT AMENDMENT OR SUPPLEMENT SHALL NOT BE IMMEDIATELY EFFECTIVE, AND THE PREVIOUSLY ENACTED PROVISION OR PROVISIONS SHALL REMAIN IN EFFECT IN EACH JURISDICTION UNTIL THE AMENDMENT OR SUPPLEMENT IS APPROVED BY THE OTHER SIGNATORIES AND IS CONSENTED TO BY CONGRESS.

K. WITHDRAWAL AND TERMINATION.

54. ANY SIGNATORY MAY WITHDRAW FROM THIS MSC COMPACT, WHICH ACTION SHALL CONSTITUTE A TERMINATION OF THIS MSC COMPACT.

55. WITHDRAWAL FROM THIS MSC COMPACT SHALL BE BY A SIGNATORY'S REPEAL OF THIS MSC COMPACT FROM ITS LAWS, BUT SUCH REPEAL SHALL NOT TAKE EFFECT UNTIL 2 YEARS AFTER THE EFFECTIVE DATE OF THE REPEALED STATUTE AND WRITTEN NOTICE OF THE WITHDRAWAL BEING GIVEN BY THE WITHDRAWING SIGNATORY TO THE GOVERNORS OR MAYOR, AS APPROPRIATE, OF THE OTHER SIGNATORIES.

56. PRIOR TO TERMINATION OF THIS MSC COMPACT, THE COMMISSION SHALL PROVIDE TO EACH SIGNATORY:

(A) A MECHANISM FOR CONCLUDING THE OPERATIONS OF THE COMMISSION;

(B) A PROPOSAL TO MAINTAIN STATE SAFETY OVERSIGHT OF THE WMATA RAIL SYSTEM IN COMPLIANCE WITH APPLICABLE FEDERAL LAW;

(C) A PLAN TO HOLD SURPLUS FUNDS IN A TRUST FOR A SUCCESSOR REGULATORY ENTITY FOR 4 YEARS AFTER THE TERMINATION OF THIS MSC COMPACT; AND

(D) A PLAN TO RETURN ANY SURPLUS FUNDS THAT REMAIN 4 YEARS AFTER THE CREATION OF THE TRUST.

L. CONSTRUCTION AND SEVERABILITY.

57. THIS MSC COMPACT SHALL BE LIBERALLY CONSTRUED TO EFFECTUATE THE PURPOSES FOR WHICH IT IS CREATED.

58. IF ANY PART OR PROVISION OF THIS MSC COMPACT OR THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCES BE ADJUDGED INVALID BY ANY COURT OF COMPETENT JURISDICTION, SUCH JUDGMENT SHALL BE CONFINED IN ITS OPERATION TO THE PART, PROVISION, OR APPLICATION DIRECTLY INVOLVED IN THE CONTROVERSY IN WHICH SUCH JUDGMENT SHALL HAVE BEEN RENDERED AND SHALL NOT AFFECT OR IMPAIR THE VALIDITY OF THE REMAINDER OF THIS MSC COMPACT OR THE APPLICATION THEREOF TO OTHER PERSONS OR CIRCUMSTANCES, AND THE SIGNATORIES HEREBY DECLARE THAT THEY WOULD HAVE ENTERED INTO THIS MSC COMPACT OR THE REMAINDER THEREOF HAD THE INVALIDITY OF SUCH PROVISION OR APPLICATION THEREOF BEEN APPARENT.

M. ADOPTION; EFFECTIVE DATE.

59. THIS MSC COMPACT SHALL BE ADOPTED BY THE SIGNATORIES IN THE MANNER PROVIDED BY LAW THEREFOR AND SHALL BE SIGNED AND SEALED IN 4 DUPLICATE ORIGINAL COPIES. ONE SUCH COPY SHALL BE FILED WITH THE SECRETARY OF STATE OF THE STATE OF MARYLAND, THE SECRETARY OF THE COMMONWEALTH OF VIRGINIA, AND THE SECRETARY OF THE DISTRICT OF COLUMBIA IN ACCORDANCE WITH THE LAWS OF EACH JURISDICTION. ONE COPY SHALL BE FILED AND RETAINED IN THE ARCHIVES OF THE COMMISSION UPON ITS ORGANIZATION. THIS MSC COMPACT SHALL BECOME EFFECTIVE UPON THE ENACTMENT OF CONCURRING LEGISLATION BY THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF VIRGINIA, AND THE STATE OF MARYLAND, AND CONSENT THERETO BY CONGRESS AND WHEN ALL OTHER ACTS OR ACTIONS HAVE BEEN

TAKEN, INCLUDING, WITHOUT LIMITATION, THE SIGNING AND EXECUTION OF THIS MSC COMPACT BY THE GOVERNORS OF MARYLAND AND VIRGINIA AND THE MAYOR OF THE DISTRICT OF COLUMBIA.

N. CONFLICT OF LAWS.

60. ANY CONFLICT BETWEEN ANY AUTHORITY GRANTED HEREIN, OR THE EXERCISE OF SUCH AUTHORITY, AND THE PROVISIONS OF THE WMATA COMPACT SHALL BE RESOLVED IN FAVOR OF THE EXERCISE OF SUCH AUTHORITY BY THE COMMISSION.”.

AMENDMENT NO. 4

On page 18, in line 4, strike “shall take effect June 1, 2017” and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye 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 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIARY COMMITTEE REPORT NO. 2

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

House Bill 52 – Delegate Conaway

AN ACT concerning

Baltimore City School Police Force – Vehicles and Firearms – Report

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 293 – Delegates Dumais, Atterbeary, Hettleman, Morales, Sanchez, and Valentino–Smith

AN ACT concerning

Family Law – Divorce – Domestic Violence Order

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 565 – Carroll County Delegation

AN ACT concerning

Carroll County – Detention Center – Polygraph Testing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 653 – Delegate B. Wilson

AN ACT concerning

Crimes – Solicitation to Commit Murder or Arson – Statute of Limitations

HB0653/942615/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 653

(First Reading File Bill)

On page 1, in line 3, strike “providing that” and substitute “increasing”; strike beginning with “is” in line 5 down through “solicitation” in line 6; and strike beginning with the second “**THE**” in line 21 down through “**SOLICITATION**” in line 23 and substitute “**3 YEARS**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 755 – Delegates Moon, Vallario, Anderson, Proctor, Sanchez, and Sydnor

AN ACT concerning

Criminal Procedure – Coram Nobis – Time for Filing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 831 – Delegates Dumais, Atterbeary, Cluster, Conaway, Kittleman, Lisanti, Malone, McComas, Moon, Morhaim, Parrott, Proctor, Queen, Rey, Sanchez, Sydnor, Vallario, Vogt, and B. Wilson

AN ACT concerning

Task Force on Organized Retail Crime Rings

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 193)

CALENDAR OF THIRD READING HOUSE BILLS NO. 17

House Bill 55 – Delegates Jameson, Folden, and Barve

AN ACT concerning

Motor Fuel Tax – Aviation Gasoline – Definition

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

Affirmative – 137 Negative – 0 (See Roll Call No. 194)

The Bill was then sent to the Senate.

House Bill 92 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

**Video Lottery Terminals – Small, Minority, and Women-Owned Businesses
Account – Transfer of Authority**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 195)

The Bill was then sent to the Senate.

House Bill 93 – Chair, Ways and Means Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

Gaming – Video Lottery Operation License – Renewal Term

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

Affirmative – 138 Negative – 0 (See Roll Call No. 196)

The Bill was then sent to the Senate.

House Bill 95 – Chair, Ways and Means Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Sales and Use Tax – Hygienic Aids – Exemption

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

Affirmative – 139 Negative – 0 (See Roll Call No. 197)

The Bill was then sent to the Senate.

House Bill 461 – Delegates Luedtke, Atterbeary, Barkley, D. Barnes, Beidle, Carey, Cullison, Ebersole, Gaines, Gutierrez, Hettleman, Hixson, Knotts, Korman, Lam, Morales, Patterson, Queen, Reznik, Robinson, Waldstreicher, ~~and M. Washington~~ M. Washington, and Tarlau

AN ACT concerning

**Education – Accountability Program – Assessments
(Less Testing, More Learning Act of 2017)**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 198)

The Bill was then sent to the Senate.

House Bill 472 – Delegates Jameson and Patterson

AN ACT concerning

Income Tax Credit – Qualified Farms – Food Donation Pilot Program

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

Affirmative – 118 Negative – 19 (See Roll Call No. 199)

The Bill was then sent to the Senate.

House Bill 514 – Delegates Jameson, Aumann, Barkley, B. Barnes, Branch, Brooks, Cassilly, Clippinger, Davis, Frick, Glenn, Hettleman, Kramer, Lam, Lierman, Lisanti, Moon, Morales, Platt, and Waldstreicher

AN ACT concerning

**Energy Efficiency Programs – Calculation of Program Savings and
Consideration of Cost-Effectiveness**

Delegate Gilchrist moved the previous question.

The motion was adopted.

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

Affirmative – 92 Negative – 46 (See Roll Call No. 200)

The Bill was then sent to the Senate.

House Bill 516 – Delegates Atterbeary ~~and Ebersole~~, Ebersole, and Rosenberg

EMERGENCY BILL

AN ACT concerning

**Workgroup to Study the Implementation of Universal Access to
Prekindergarten for 4-Year-Olds**

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

Affirmative – 102 Negative – 36 (See Roll Call No. 201)

The Bill was then sent to the Senate.

**House Bill 654 – Delegates Kaiser, Shoemaker, Atterbeary, Barkley, Cullison,
Ebersole, Jackson, Korman, Krebs, Krimm, Lierman, Luedtke, McComas,
Patterson, Pena–Melnik, Rose, Tarlau, Turner, M. Washington, West, and
Wilkins**

AN ACT concerning

Education – Statewide Kindergarten Assessment – Completion

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

Affirmative – 137 Negative – 0 (See Roll Call No. 202)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 203)

ADJOURNMENT

At 11:24 A.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Wednesday, March 1, 2017.

**Annapolis, Maryland
Wednesday, March 1, 2017
10:00 A.M. Session**

The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Mary Beth Carozza of Wicomico and Worcester Counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 204)

EXCUSED:

Del.Clark – medical

The Journal of February 28, 2017 was read and approved.

INTRODUCTORY HOUSE BILLS NO. 38

House Bill 1627 – Delegates A. Miller, Dumais, and Fraser-Hidalgo

AN ACT concerning

**Creation of a State Debt – Montgomery County – Madison Fields Therapeutic
Equestrian Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Madison House Autism Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1628 – Delegates P. Young and Sydnor

AN ACT concerning

Creation of a State Debt – Baltimore County – Maryland Council for Special Equestrians

FOR the purpose of authorizing the creation of a State Debt in the amount of \$120,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Council for Special Equestrians, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1629 – Delegates Beitzel and Carey

AN ACT concerning

Natural Resources – Hunting Licenses – Fox Hunting and Chasing

FOR the purpose of altering the definition of “hunt” as it applies to the laws governing hunting and wildlife in the State to include the act of chasing or in any manner pursuing fox, whether armed or unarmed; repealing a provision of law excluding the sport of fox chasing from the definition of “hunt”; repealing the exemption for an unarmed person participating in an organized fox hunt from the requirement under certain circumstances to obtain a hunting license; and generally relating to fox hunting and chasing.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–101(k) and 10–301(c)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–301(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1630 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Tau Pi Mentoring Program

Ho. Co. 25–17

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of The Howard County Uplift Foundation Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1631 – The Speaker and Delegate Jones

AN ACT concerning

Public Ethics Law – Conflicts of Interest and Financial Disclosure Statements

FOR the purpose of altering the definition of “legislative action” in the Public Ethics Law to include certain testimony or advocacy; prohibiting an official or employee from using the prestige of office to influence the award of a State or local government contract to a specific person; altering the definition of “close economic association” to include associations between a legislator and an entity with which employment is negotiated or prearranged; increasing a certain threshold amount of capital stock in a corporation above which a close economic association is presumed and the legislator must report to the Joint Committee on Legislative Ethics; requiring a legislator to report to the Committee the names of certain clients of the legislator or of a business entity in which the legislator has an ownership interest under certain circumstances; requiring the State Ethics Commission to post promptly on the Internet certain financial disclosure statements and preliminary disclosures filed on or after a certain date; limiting a certain requirement to disclose certain debts owed to entities doing business with or regulated by an individual’s governmental unit; making clarifying changes; and generally relating to conflicts of interest, financial disclosure statements, and public ethics.

BY repealing and reenacting, without amendments,

Article – General Provisions

Section 5–101(a), 5–513(a), 5–601(a), 5–602(c), and 5–607(a)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 5–101(v), 5–506, 5–512, 5–514(b)(1), 5–606, and 5–607(g)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

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

House Bill 1632 – Delegates Kipke and Kelly

EMERGENCY BILL

AN ACT concerning

Public Health – Certificates of Birth – Births Outside an Institution

FOR the purpose of requiring the attending clinician or a designee of the attending clinician to prepare a certificate of birth, secure certain signatures, and file the certificate within a certain time period after a birth occurs outside an institution with an attending clinician; requiring the attending clinician, within a certain time period after the birth, to provide certain information that is required on a certificate of birth; requiring the attending clinician or a designee of the attending clinician to take certain actions on the birth of a child to an unmarried woman outside an institution with an attending clinician; providing that the attending clinician or a designee of the attending clinician may not be held liable in any cause of action arising out of the establishment of paternity; defining certain terms; making a conforming change; making a stylistic change; making this Act an emergency measure; and generally relating to certificates of birth for births outside an institution.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–201 and 4–208(a) and (b)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 20

Senate Bill 7 – Senator Pinsky

AN ACT concerning

**Governor’s P–20 Leadership Council – College and Career Readiness and
College Completion Reporting – Revisions**

FOR the purpose of altering a certain reporting requirement of the Governor’s P–20 Leadership Council relating to college and career readiness and college completion strategies; and generally relating to the reporting of college and career readiness and college completion strategies.

BY repealing and reenacting, without amendments,
Article – Education
Section 11–207, 11–209, and 24–801(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 24–801(m)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

Senate Bill 17 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Eligibility for Benefits – Business Operation Closings

FOR the purpose of authorizing the Secretary of Labor, Licensing and Regulation to exempt employees of an employer that closes its business operations or part of its business operations for certain periods of time for certain purposes from the requirement to actively seek work during that period to be eligible to receive unemployment insurance benefits; providing that a certain exemption may be granted only with respect to a specific business operation closing; and generally relating to eligibility for unemployment insurance benefits during business operation closings.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–904
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 21 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Recovery of Benefits – Collection by Assessment

FOR the purpose of authorizing the Secretary of Labor, Licensing, and Regulation to recover unemployment insurance benefits by assessment in the same manner as provided in a certain provision of law for the assessment of past due contributions; requiring the Secretary, if the Secretary seeks to recover certain unemployment benefits by assessment, to allow a claimant to elect within a certain period of time to have the amount collected by suit instead of by assessment; requiring the Secretary to adopt certain regulations; and generally relating to the recovery of unemployment insurance benefits by assessment.

BY repealing and reenacting, without amendments,

Article – Labor and Employment
Section 8–629 and 8–809(a)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 8–809(d)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 70 – Senator Waugh

AN ACT concerning

Unemployment Insurance – Exemption From Covered Employment – Youth ~~Sports Organization Volunteers~~ Workers

FOR the purpose of providing that, under certain circumstances, work that is performed by ~~volunteers~~ certain workers for youth sports organizations is not covered employment under the unemployment insurance law; defining certain terms; and generally relating to exemptions from covered employment under unemployment insurance law.

BY adding to

Article – Labor and Employment
Section 8–206(i)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 153 – Senators King, DeGrange, Feldman, Guzzone, Kagan, Lee, Madaleno, Manno, Peters, Smith, Young, and Zucker

AN ACT concerning

Public Schools – Length of School Year Adjustment – State of Emergency

FOR the purpose of authorizing a county board of education to adjust the length of the school year for up to a certain number of school days without applying for a certain waiver if normal school attendance is prevented because of conditions that require the Governor to declare a state of emergency; prohibiting education funding from certain sources from being reduced under certain circumstances; and generally relating to a length of school year adjustment by a county board of education for a state of emergency.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–103
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 233 – Senator Madaleno

AN ACT concerning

Maryland Council on Advancement of School–Based Health Centers

FOR the purpose of transferring the Maryland Council on Advancement of School–Based Health Centers from the State Department of Education to the Department of Health and Mental Hygiene; requiring the Maryland Community Health Resources Commission to provide staff support for the Council; authorizing the Commission to seek certain assistance to provide additional staffing resources to the Commission and the Council; requiring the Council to report certain findings and recommendations to the Commission on or before a certain date each year; defining a certain term; making conforming changes; and generally relating to the Maryland Council on Advancement of School–Based Health Centers.

BY transferring
Article – Education
Section 7–4A–01 through 7–4A–05, respectively, and the subtitle “Subtitle 4A.
Maryland Council on Advancement of School–Based Health Centers”,
respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

to be

Article – Health – General

Section 19–22A–01 through 19–22A–05, respectively, and the subtitle “Subtitle 22A. Maryland Council on Advancement of School–Based Health Centers”, respectively

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–22A–01, 19–22A–02, 19–22A–03(a), and 19–22A–05

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 319 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Ferguson, Hershey, Hough, Norman, Ready, Salling, Serafini, ~~and Simonaire~~ Simonaire, and McFadden

AN ACT concerning

Pathways in Technology Early College High (P–TECH) School Act of 2017

FOR the purpose of establishing the Pathways in Technology Early College High (P–TECH) School Program; requiring the State Department of Education, in consultation with the Maryland Higher Education Commission, to administer and develop the Program; requiring a P–TECH school to meet certain requirements; requiring a certain memorandum of understanding to include certain provisions; prohibiting a certain student from being considered a dually enrolled student under certain circumstances; establishing a certain P–TECH Planning Grant Program; stating the purpose of the Program; prohibiting no more than a certain number of planning grants in a certain local school system; requiring certain funds and the distribution of certain grants to be as provided in the State budget; prohibiting a P–TECH student from being required to pay certain costs; requiring P–TECH students to be included in a certain full–time equivalent enrollment calculation in a certain manner; requiring certain credit hours to be included in a certain funding calculation for certain community colleges; specifying the State and local shares of certain supplemental grants; requiring the Department to adopt certain regulations; requiring the Department, in consultation with the Commission, to make a certain report to the Governor and the General Assembly on or before a certain date each year; repealing certain provisions of law; altering certain defined terms; defining certain terms; and generally relating to the Pathways in Technology Early College High School Program.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(a)(6), 7–1801, ~~and~~ 16–305(b)(12), and 16–502(e)

Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 7–1802 through 7–1806
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Appropriations.

Senate Bill 369 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Oaks, Reilly, and Rosapepe

AN ACT concerning

Maryland Patient Referral Law – Compensation Arrangements Under Federally Approved Programs and Models

FOR the purpose of exempting, under certain circumstances, a health care practitioner who has a certain compensation arrangement with a health care entity from a certain provision of law that prohibits a health care practitioner from referring a patient or directing certain persons to refer a patient to a certain health care entity; providing that the exemption is null and void if the Maryland Insurance Commissioner issues a certain order; providing that a certain provision of this Act may not be construed to permit certain actions, impose certain obligations, require the disclosure of certain information, authorize a certain payment, permit an arrangement that violates certain provisions of law, modify certain definitions or exceptions, or require a compensation agreement to comply with a certain provision of this Act; establishing a certain filing fee; requiring a certain participation agreement and other documents to be filed for approval with the Commissioner within a certain period of time before a certain exemption is implemented; providing for a certain exception; requiring the Commissioner to make a certain determination within a certain period of time; requiring the Commissioner to issue a certain order to a filer under certain circumstances; requiring the Commissioner to hold a hearing before issuing an order and to give written notice of the hearing to the filer within a certain period of time; requiring the notice to specify certain matters; requiring a filer to submit a revised filing under certain circumstances; requiring the Commissioner to make a new determination under certain circumstances; making a certain filing subject to a certain fee; ~~altering a certain definition~~; defining a certain ~~terms~~ term; and generally relating to patient referrals, compensation arrangements under federally approved programs and models, and the business of insurance.

~~BY repealing and reenacting, without amendments,~~
~~Article – Health Occupations~~
~~Section 1–301(a) and (g) through (i)~~

~~Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section ~~1–301(e), (k), and (l)~~ and 1–302
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

~~BY adding to
Article – Health Occupations
Section 1–301(k)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)~~

BY adding to
Article – Insurance
Section 2–112(a)(12) and 15–143
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 427 – Senators Klausmeier, Astle, Benson, Feldman, Hershey, King,
Lee, Middleton, Peters, ~~and Smith~~ Smith, Jennings, Mathias, Oaks, Reilly,
and Rosapepe**

AN ACT concerning

**Food Service Facilities – Automated External Defibrillator Program
(The Joe Sheya Act)**

FOR the purpose of requiring the owner and operator of a certain food service facility to develop and, beginning on a certain date, implement an 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; and generally relating to an automated external defibrillator program for food service facilities.

BY adding to
Article – Health – General
Section 21–330.3
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 435 – Senators King, Waugh, Currie, Ferguson, Madaleno, ~~and Serafini~~
Serafini, and Middleton**

AN ACT concerning

Higher Education – St. Mary’s College of Maryland – Governing Authority

FOR the purpose of providing that the authority of the Board of Trustees of St. Mary’s College of Maryland may not be superseded by any State agency or office in certain management affairs except by a provision of law that specifically references the College; and generally relating to the governing authority of St. Mary’s College of Maryland.

BY repealing and reenacting, without amendments,
Article – Education
Section 14–402(a) and 14–404(b)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 14–404(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

**Senate Bill 485 – ~~Senator Serafini~~ Senators Serafini, Bates, Nathan–Pulliam,
Robinson, Salling, Young, and Zucker**

AN ACT concerning

**Education – Remote Classroom Technology Grant Program – Establishment
(Peyton’s Bill)**

FOR the purpose of establishing the Remote Classroom Technology Grant Program; providing for the purpose of the Program; requiring the State Department of Education to implement and administer the Program; authorizing the Governor to include ~~a certain~~ an appropriation to the Program in the State budget; authorizing the Department to adopt certain regulations; and generally relating to the Remote Classroom Technology Grant Program.

BY adding to
Article – Education
Section 7–124
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 4

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

House Bill 233 – Delegates Barron, West, Fennell, and Hettleman

AN ACT concerning

**Disclosure of Medical Records – Guardian Ad Litem – Victims of Crime or
Delinquent Acts**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 443 – Delegates West, Bromwell, Cullison, Kelly, Metzgar, and Miele

AN ACT concerning

Assisted Living Programs – Licensure Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 445 – Delegates West, Cullison, Krebs, Metzgar, and Morhaim

AN ACT concerning

**Public Health – Repeal of AIDS Education Program for Persons Convicted of
Drug- or Sex-Related Crimes**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 448 – Delegates Bromwell, Pendergrass, and Reznik

AN ACT concerning

Maryland Achieving a Better Life Experience (ABLE) Program – Account Clarifications

HB0448/996786/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 448

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Reznik” and substitute “Reznik, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, Metzgar, Miele, Morales, Morgan, Pena–Melnyk, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 524 – Delegate Jacobs

AN ACT concerning

Public Health – Required Temperatures for Sale of Crab Meat – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 664 – Delegates Reilly, Anderton, Arentz, Carozza, Cassilly, Folden, Ghrist, Grammer, Healey, Jacobs, Knotts, McDonough, Metzgar, Otto, Rey, Szeliga, Vogt, C. Wilson, and K. Young

AN ACT concerning

State Government – Display of the POW/MIA Flag on State Building Grounds

HB0664/486384/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 664

(First Reading File Bill)

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, Pendergrass, Bromwell, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, Miele, Morales, Morgan, Pena–Melnik, Platt, Rosenberg, Saab, Sample–Hughes, and West”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 22

House Bill 1 – Delegates Clippinger and Davis

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

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

FLOOR AMENDMENT

HB0001/873520/1

BY: Delegate Cluster

AMENDMENT TO HOUSE BILL 1

(First Reading File Bill)

On page 7, in line 4, strike “15” and substitute “50”; and in line 7, strike “14” and substitute “49”.

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

Affirmative – 53 Negative – 85 (See Roll Call No. 205)

FLOOR AMENDMENT

HB0001/343529/1

BY: Delegate Afzali

AMENDMENTS TO HOUSE BILL 1, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 19, after “employers;” insert “allowing a subtraction modification under the State income tax for up to a certain amount of nonpassive income attributable to certain pass-through entities that meet certain requirements; providing that the subtraction modification applies only to the nonpassive income of a member of an eligible pass-through entity if certain conditions are met; providing that certain individuals and married couples with federal adjusted gross income in excess of certain amounts are not eligible for the subtraction modification;”; and after line 32, insert:

“BY adding to

Article – Tax – General

Section 10–105.1

Annotated Code of Maryland

(2016 Replacement Volume)”.

AMENDMENT NO. 2

On page 7, in line 9, after “(3)” insert “AN EMPLOYER THAT EMPLOYS FEWER THAN 50 EMPLOYEES IS ELIGIBLE FOR THE SUBTRACTION MODIFICATION UNDER § 10–105.1 OF THE TAX – GENERAL ARTICLE IF THE EMPLOYER:

(I) PROVIDES ALL EMPLOYEES WITH PAID LEAVE IN AN AMOUNT AT LEAST EQUIVALENT TO THE TOTAL ANNUAL ACCRUAL AMOUNT PROVIDED FOR IN THIS SECTION; AND

(II) ALLOWS ALL EMPLOYEES TO USE THE PAID LEAVE FOR THE PURPOSES SPECIFIED UNDER § 3-1305 OF THIS SUBTITLE.

(4)".

On page 16, after line 7, insert:

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

Article – Tax – General

10-105.1.

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

(2) "MEMBER" MEANS:

(I) A SHAREHOLDER OF AN S CORPORATION;

(II) A GENERAL OR LIMITED PARTNER OF A PARTNERSHIP, LIMITED PARTNERSHIP, OR LIMITED LIABILITY PARTNERSHIP;

(III) A MEMBER OF A LIMITED LIABILITY COMPANY;

(IV) A BENEFICIARY OF A BUSINESS TRUST OR STATUTORY TRUST; OR

(V) A SOLE PROPRIETOR.

(3) (I) "NONPASSIVE INCOME" MEANS INCOME OTHER THAN INCOME FROM PASSIVE ACTIVITY AS DETERMINED UNDER § 469 OF THE INTERNAL REVENUE CODE.

(II) "NONPASSIVE INCOME" DOES NOT INCLUDE WAGES, INTEREST, DIVIDENDS, OR CAPITAL GAINS.

(4) “PASS-THROUGH ENTITY” MEANS:

(I) AN S CORPORATION;

(II) A PARTNERSHIP;

(III) A LIMITED LIABILITY COMPANY THAT IS NOT TAXED AS A CORPORATION UNDER THIS TITLE;

(IV) A BUSINESS TRUST OR STATUTORY TRUST THAT IS NOT TAXED AS A CORPORATION UNDER THIS TITLE; OR

(V) A SOLE PROPRIETORSHIP.

(B) (1) AN INDIVIDUAL WHO IS A MEMBER OF A PASS-THROUGH ENTITY THAT MEETS THE REQUIREMENTS OF THIS SECTION AND TITLE 3, SUBTITLE 13 OF THE LABOR AND EMPLOYMENT ARTICLE MAY SUBTRACT FROM FEDERAL ADJUSTED GROSS INCOME TO DETERMINE MARYLAND ADJUSTED GROSS INCOME THE FIRST \$20,000 OF NONPASSIVE INCOME THAT IS ATTRIBUTABLE TO A PASS-THROUGH ENTITY.

(2) THE SUBTRACTION UNDER THIS SECTION APPLIES TO NONPASSIVE INCOME ATTRIBUTABLE TO A PASS-THROUGH ENTITY IF:

(I) THE TAXPAYER MATERIALLY PARTICIPATES IN THE DAY-TO-DAY OPERATIONS OF THE TRADE OR BUSINESS;

(II) THE PASS-THROUGH ENTITY EMPLOYS AT LEAST ONE PERSON WHO IS NOT A MEMBER OF THE PASS-THROUGH ENTITY; AND

(III) AT LEAST 1,200 AGGREGATE HOURS OF WORK IN THE STATE ARE PERFORMED BY THE CLOSE OF THE TAXABLE YEAR FOR WHICH THE SUBTRACTION IS TAKEN BY EMPLOYEES WHO MEET THE REQUIREMENTS OF THIS PARAGRAPH AND WHO ARE EMPLOYED BY THE PASS-THROUGH ENTITY.

(3) IN DETERMINING WHETHER THE REQUIREMENT UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION IS MET, ONLY HOURS WORKED IN A WEEK IN WHICH THE EMPLOYEE WORKS AT LEAST 30 HOURS MAY BE CONSIDERED.

(C) (1) AN INDIVIDUAL IS NOT ELIGIBLE FOR THE SUBTRACTION UNDER THIS SECTION IF THE INDIVIDUAL HAS FEDERAL ADJUSTED GROSS INCOME FOR THE TAXABLE YEAR THAT EXCEEDS \$200,000.

(2) A MARRIED COUPLE FILING A JOINT RETURN IS NOT ELIGIBLE FOR THE SUBTRACTION UNDER THIS SECTION IF THE MARRIED COUPLE HAS FEDERAL ADJUSTED GROSS INCOME FOR THE TAXABLE YEAR THAT EXCEEDS \$250,000.”;

in lines 8 and 13, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively; in line 8, after “That” insert “Section 1 of”; and in line 14, after “2018” insert “, and Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2017”.

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

Affirmative – 50 Negative – 88 (See Roll Call No. 206)

FLOOR AMENDMENT

HB0001/303922/1

BY: Delegate Afzali

AMENDMENTS TO HOUSE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 19, after “employers;” insert “allowing a subtraction modification under the State income tax for up to a certain amount of nonpassive income attributable to certain pass-through entities that meet certain requirements; providing that the subtraction modification applies only to the nonpassive income of a member of an eligible pass-through entity if certain conditions are met; providing that certain individuals and married couples with federal adjusted gross income in excess of certain amounts are not eligible for the subtraction modification;”; and after line 32, insert:

“BY adding to

Article – Tax – GeneralSection 10–105.1Annotated Code of Maryland(2016 Replacement Volume)”.AMENDMENT NO. 2

On page 7, in line 9, after “(3)” insert “AN EMPLOYER THAT EMPLOYS FEWER THAN 15 EMPLOYEES IS ELIGIBLE FOR THE SUBTRACTION MODIFICATION UNDER § 10–105.1 OF THE TAX – GENERAL ARTICLE IF THE EMPLOYER:

(I) PROVIDES ALL EMPLOYEES WITH PAID LEAVE IN AN AMOUNT AT LEAST EQUIVALENT TO THE TOTAL ANNUAL ACCRUAL AMOUNT PROVIDED FOR IN THIS SECTION; AND

(II) ALLOWS ALL EMPLOYEES TO USE THE PAID LEAVE FOR THE PURPOSES SPECIFIED UNDER § 3–1305 OF THIS SUBTITLE.

(4)”.

On page 16, after line 7, insert:

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

Article – Tax – General10–105.1.

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

(2) “MEMBER” MEANS:

(I) A SHAREHOLDER OF AN S CORPORATION;

(II) A GENERAL OR LIMITED PARTNER OF A PARTNERSHIP, LIMITED PARTNERSHIP, OR LIMITED LIABILITY PARTNERSHIP;

(III) A MEMBER OF A LIMITED LIABILITY COMPANY;

(IV) A BENEFICIARY OF A BUSINESS TRUST OR STATUTORY TRUST; OR

(V) A SOLE PROPRIETOR.

(3) (I) “NONPASSIVE INCOME” MEANS INCOME OTHER THAN INCOME FROM PASSIVE ACTIVITY AS DETERMINED UNDER § 469 OF THE INTERNAL REVENUE CODE.

(II) “NONPASSIVE INCOME” DOES NOT INCLUDE WAGES, INTEREST, DIVIDENDS, OR CAPITAL GAINS.

(4) “PASS-THROUGH ENTITY” MEANS:

(I) AN S CORPORATION;

(II) A PARTNERSHIP;

(III) A LIMITED LIABILITY COMPANY THAT IS NOT TAXED AS A CORPORATION UNDER THIS TITLE;

(IV) A BUSINESS TRUST OR STATUTORY TRUST THAT IS NOT TAXED AS A CORPORATION UNDER THIS TITLE; OR

(V) A SOLE PROPRIETORSHIP.

(B) (1) AN INDIVIDUAL WHO IS A MEMBER OF A PASS-THROUGH ENTITY THAT MEETS THE REQUIREMENTS OF THIS SECTION AND TITLE 3, SUBTITLE 13 OF THE LABOR AND EMPLOYMENT ARTICLE MAY SUBTRACT FROM FEDERAL ADJUSTED GROSS INCOME TO DETERMINE MARYLAND ADJUSTED GROSS INCOME THE FIRST \$20,000 OF NONPASSIVE INCOME THAT IS ATTRIBUTABLE TO A PASS-THROUGH ENTITY.

(2) THE SUBTRACTION UNDER THIS SECTION APPLIES TO NONPASSIVE INCOME ATTRIBUTABLE TO A PASS-THROUGH ENTITY IF:

(I) THE TAXPAYER MATERIALLY PARTICIPATES IN THE DAY-TO-DAY OPERATIONS OF THE TRADE OR BUSINESS;

(II) THE PASS-THROUGH ENTITY EMPLOYS AT LEAST ONE PERSON WHO IS NOT A MEMBER OF THE PASS-THROUGH ENTITY; AND

(III) AT LEAST 1,200 AGGREGATE HOURS OF WORK IN THE STATE ARE PERFORMED BY THE CLOSE OF THE TAXABLE YEAR FOR WHICH THE SUBTRACTION IS TAKEN BY EMPLOYEES WHO MEET THE REQUIREMENTS OF THIS PARAGRAPH AND WHO ARE EMPLOYED BY THE PASS-THROUGH ENTITY.

(3) IN DETERMINING WHETHER THE REQUIREMENT UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION IS MET, ONLY HOURS WORKED IN A WEEK IN WHICH THE EMPLOYEE WORKS AT LEAST 30 HOURS MAY BE CONSIDERED.

(C) (1) AN INDIVIDUAL IS NOT ELIGIBLE FOR THE SUBTRACTION UNDER THIS SECTION IF THE INDIVIDUAL HAS FEDERAL ADJUSTED GROSS INCOME FOR THE TAXABLE YEAR THAT EXCEEDS \$200,000.

(2) A MARRIED COUPLE FILING A JOINT RETURN IS NOT ELIGIBLE FOR THE SUBTRACTION UNDER THIS SECTION IF THE MARRIED COUPLE HAS FEDERAL ADJUSTED GROSS INCOME FOR THE TAXABLE YEAR THAT EXCEEDS \$250,000.”;

in lines 8 and 13, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively; in line 8, after “That” insert “Section 1 of”; and in line 14, after “2018” insert “, and Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2017”.

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

Affirmative – 52 Negative – 87 (See Roll Call No. 207)

FLOOR AMENDMENT

HB0001/973927/1

BY: Delegate McKay

AMENDMENTS TO HOUSE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “employer;” insert “authorizing an employer to deduct a certain portion of the amount that would be paid for certain earned sick and safe leave from the wages paid to an employee; requiring an employer, except under certain circumstances, to refund to a certain employee the amount deducted for certain earned sick and safe leave;”.

AMENDMENT NO. 2

On page 8, after line 15, insert:

“(G) (1) AN EMPLOYER MAY DEDUCT FROM THE WAGES PAID TO AN EMPLOYEE HALF THE AMOUNT THAT WOULD BE PAID FOR THE EARNED SICK AND SAFE LEAVE ACCRUED DURING THE PAY PERIOD.

(2) IF AN EMPLOYER AWARDS THE FULL AMOUNT OF EARNED SICK AND SAFE LEAVE AT THE BEGINNING OF THE YEAR UNDER SUBSECTION (D) OF THIS SECTION, THE EMPLOYER MAY DEDUCT FROM THE WAGES PAID TO THE EMPLOYEE:

(I) FOR THE FIRST PAY PERIOD IN THE YEAR HALF THE AMOUNT THAT WOULD BE PAID FOR THE FULL AMOUNT OF EARNED SICK AND SAFE LEAVE AWARDED; OR

(II) FOR EACH PAY PERIOD IN THE YEAR HALF THE AMOUNT THAT WOULD BE PAID FOR EARNED SICK AND SAFE LEAVE THAT WOULD HAVE BEEN ACCRUED BY THE EMPLOYEE DURING THE PAY PERIOD IF THE EMPLOYER HAD NOT AWARDED THE FULL AMOUNT OF EARNED SICK AND SAFE LEAVE AT THE BEGINNING OF THE YEAR.

(3) IF AN EMPLOYER MAKES A DEDUCTION UNDER PARAGRAPH (1) OR (2) OF THIS SUBSECTION, THE EMPLOYEE MAY USE EARNED SICK AND SAFE LEAVE FROM THE PORTION OF EARNED SICK AND SAFE LEAVE THAT WOULD BE PAID BY THE

EMPLOYER UNTIL THE EARNED SICK AND SAFE LEAVE THAT WOULD BE PAID BY THE EMPLOYER IS EXHAUSTED.

(4) IF AN EMPLOYEE HAS UNUSED EARNED SICK AND SAFE LEAVE AT THE END OF THE YEAR FOR WHICH A DEDUCTION WAS MADE UNDER PARAGRAPH (1) OR (2) OF THIS SUBSECTION, THE EMPLOYER SHALL REFUND TO THE EMPLOYEE THE AMOUNT DEDUCTED FOR THE UNUSED EARNED SICK AND SAFE LEAVE UNLESS THE BALANCE OF THE EARNED SICK AND SAFE LEAVE IS CARRIED OVER TO THE FOLLOWING YEAR UNDER SUBSECTION (H)(1) OF THIS SECTION.”;

and in lines 16 and 31, strike “(G)” and “(H)”, respectively, and substitute “(H)” and “(I)”, respectively.

On page 9, in lines 4, 16, and 19, strike “(I)”, “(J)”, and “(K)”, respectively, and substitute “(J)”, “(K)”, and “(L)”, respectively.

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

Affirmative – 51 Negative – 88 (See Roll Call No. 208)

FLOOR AMENDMENT

HB0001/143223/1

BY: Delegate Carozza

AMENDMENT TO HOUSE BILL 1

(First Reading File Bill)

On page 6, in line 17, strike “OR”; and in line 21, after “TERMS” insert “; **OR**

(3) IS EMPLOYED BY THE EMPLOYER FOR LESS THAN 120 DAYS DURING A YEAR”.

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

Affirmative – 53 Negative – 84 (See Roll Call No. 209)

FLOOR AMENDMENT

HB0001/373125/1

BY: Delegate Jacobs

AMENDMENT TO HOUSE BILL 1

(First Reading File Bill)

On page 6, in line 18, strike “(I)”; strike beginning with “; AND” in line 18 down through “TERMS” in line 21; and in line 22, strike “(A)(2)(I)” and substitute “(A)(2)”.

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

Affirmative – 50 Negative – 86 (See Roll Call No. 210)

FLOOR AMENDMENT

HB0001/543829/1

BY: Delegate Malone

AMENDMENTS TO HOUSE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “specifying” in line 4 down through “period;” in line 7; in line 7, after “employee” insert “, under certain circumstances,”; in line 8, after “court” insert “to recover certain damages”; in line 9, strike “within a certain time period”; strike beginning with “damages” in line 9 down through “relief” in line 10 and substitute “fees and costs”; in line 10, after “circumstances;” insert “prohibiting an employee who is a supervisor from being held personally liable for a violation of certain provisions of this Act; prohibiting an employer from hindering, delaying, or otherwise interfering with the Commissioner or an authorized representative of the Commissioner in the enforcement of certain provisions of this Act;”; and in line 13, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 13, in line 9, strike “**FAILS TO KEEP ACCURATE RECORDS OR**”; and after line 12, insert:

“(A) (1) IF AN EMPLOYEE BELIEVES THAT AN EMPLOYER HAS VIOLATED THIS SUBTITLE, THE EMPLOYEE MAY FILE A WRITTEN COMPLAINT WITH THE COMMISSIONER.

(2) IF THE COMMISSIONER RECEIVES A COMPLAINT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSIONER:

(I) 1. SHALL ATTEMPT TO RESOLVE THE ISSUE INFORMALLY BY MEDIATION; AND

2. SHALL DETERMINE WHETHER THE EMPLOYER HAS VIOLATED THIS SUBTITLE; AND

(II) UNLESS AN AFFECTED EMPLOYEE BRINGS AN ACTION UNDER SUBSECTION (B)(1) OF THIS SECTION, MAY BRING A CIVIL ACTION IN THE APPROPRIATE COURT FOR INJUNCTIVE RELIEF AND DAMAGES.

(B) (1) IF THE COMMISSIONER FINDS THAT AN EMPLOYER HAS VIOLATED THIS SUBTITLE, AN AFFECTED EMPLOYEE MAY BRING A CIVIL ACTION IN THE APPROPRIATE COURT OF LAW AGAINST THE EMPLOYER TO RECOVER:

(I) DAMAGES EQUAL TO THE AMOUNT OF ANY UNPAID EARNED SICK AND SAFE LEAVE DUE TO THE EMPLOYEE; AND

(II) ANY ACTUAL ECONOMIC DAMAGES.

(2) IF A COURT DETERMINES THAT AN EMPLOYEE IS ENTITLED TO JUDGMENT IN AN ACTION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL AWARD REASONABLE ATTORNEY’S FEES AND OTHER COSTS.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN EMPLOYEE WHO IS A SUPERVISOR MAY NOT BE HELD PERSONALLY LIABLE FOR A VIOLATION OF THIS SUBTITLE.

(D) AN EMPLOYER MAY NOT HINDER, DELAY, OR OTHERWISE INTERFERE WITH THE COMMISSIONER OR AN AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER IN THE ENFORCEMENT OF THIS SUBTITLE.”.

On pages 13 through 15, strike in their entirety the lines beginning with line 13 on page 13 through line 2 on page 15, inclusive.

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

Affirmative – 48 Negative – 89 (See Roll Call No. 211)

FLOOR AMENDMENT

HB0001/103227/1

BY: Delegate Flanagan

AMENDMENTS TO HOUSE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 19, after “employers;” insert “allowing certain members of certain pass-through entities a credit, up to a certain amount, against the State income tax for certain hours of earned sick and safe leave provided to certain employees; providing for the calculation of the credit; making the credit refundable;”; and after line 32, insert:

“BY adding to

Article – Tax – General

Section 10-741

Annotated Code of Maryland

(2016 Replacement Volume)”.

AMENDMENT NO. 2

On page 7, in line 9, after “(3)” insert “AN EMPLOYER WHO PROVIDES THE EMPLOYER’S EMPLOYEES WITH PAID LEAVE AS PROVIDED IN THIS SECTION IS ENTITLED TO THE INCOME TAX CREDIT UNDER §10-741 OF THE TAX – GENERAL ARTICLE.

(4)”.

On page 16, after line 7, insert:

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

Article – Tax – General10-741.

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

(2) “EARNED SICK AND SAFE LEAVE” HAS THE MEANING STATED IN § 3-1301 OF THE LABOR AND EMPLOYMENT ARTICLE.

(3) “MEMBER” MEANS:

(I) A SHAREHOLDER OF AN S CORPORATION;

(II) A GENERAL OR LIMITED PARTNER OF A PARTNERSHIP, LIMITED PARTNERSHIP, OR LIMITED LIABILITY PARTNERSHIP;

(III) A MEMBER OF A LIMITED LIABILITY COMPANY;

(IV) A BENEFICIARY OF A BUSINESS TRUST OR STATUTORY TRUST; OR

(V) A SOLE PROPRIETOR.

(4) “PASS-THROUGH ENTITY” MEANS:

(I) AN S CORPORATION;

(II) A PARTNERSHIP;

(III) A LIMITED LIABILITY COMPANY THAT IS NOT TAXED AS A CORPORATION UNDER THIS TITLE;

(IV) A BUSINESS TRUST OR STATUTORY TRUST THAT IS NOT TAXED AS A CORPORATION UNDER THIS TITLE; OR

(V) A SOLE PROPRIETORSHIP.

(5) “QUALIFIED EMPLOYEE” MEANS AN EMPLOYEE WHO PROVIDES ANY OF THE FOLLOWING SERVICES FOR AN INDIVIDUAL WHOSE ATTENDING PHYSICIAN OR REGISTERED NURSE HAS CERTIFIED THOSE SERVICES AS NECESSARY:

(I) DRESSING;

(II) PREPARING FOOD AND ASSISTING WITH EATING;

(III) BATHING AND PERSONAL HYGIENE;

(IV) ASSISTING WITH ROUTINE BODILY FUNCTIONS, INCLUDING BOWEL AND URINARY CARE;

(V) MOVING INTO, OUT OF, OR TURNING IN BED;

(VI) LAUNDERING AND OTHER CLOTHING CARE; AND

(VII) CLEANING HOUSE AND PERFORMING OTHER SERVICES OF DAILY CARE, INCLUDING SHOPPING AND TRANSPORTATION, THAT THE INDIVIDUAL REQUESTS.

(6) “QUALIFIED TAXPAYER” MEANS AN INDIVIDUAL WHO:

(I) IS A MEMBER OF A PASS-THROUGH ENTITY THAT EMPLOYS AT LEAST 15 INDIVIDUALS, BUT NOT MORE THAN 49 INDIVIDUALS, WHO ARE NOT MEMBERS OF THE PASS-THROUGH ENTITY; AND

(II) WHO MATERIALLY PARTICIPATES IN THE DAY-TO-DAY OPERATIONS OF THE TRADE OR BUSINESS OF THAT PASS-THROUGH ENTITY.

(B) SUBJECT TO THE LIMITATIONS OF THIS SECTION, A QUALIFIED TAXPAYER WHO IS A MEMBER OF A PASS-THROUGH ENTITY THAT MEETS THE REQUIREMENTS OF TITLE 3, SUBTITLE 13 OF THE LABOR AND EMPLOYMENT

ARTICLE MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN AN AMOUNT EQUAL TO \$15 FOR EACH HOUR OF EARNED SICK AND SAFE LEAVE PROVIDED BY THE PASS-THROUGH ENTITY TO A QUALIFIED EMPLOYEE.

(C) (1) FOR ANY TAXABLE YEAR, THE MEMBERS OF A PASS-THROUGH ENTITY MAY NOT CLAIM CREDITS THAT, IN THE AGGREGATE, EXCEED \$20,000.

(2) IF THE CREDIT ALLOWED UNDER THIS SECTION IS CLAIMED BY MORE THAN ONE MEMBER OF A PASS-THROUGH ENTITY, THE AMOUNT OF THE CREDIT SHALL BE DIVIDED PROPORTIONALLY AMONG THE MEMBERS OF THE PASS-THROUGH ENTITY.

(D) IF THE CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE TOTAL INCOME TAX OTHERWISE PAYABLE BY THE QUALIFIED TAXPAYER FOR THAT TAXABLE YEAR, THE QUALIFIED TAXPAYER MAY CLAIM A REFUND IN THE AMOUNT OF THE EXCESS.”;

in lines 8 and 13, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively; in line 8, after “That” insert “Section 1 of”; and in line 14, after “2018” insert “, and Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2017”.

Delegate Ebersole moved the previous question.

The motion was adopted.

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

Affirmative – 48 Negative – 89 (See Roll Call No. 212)

FLOOR AMENDMENT

HB0001/953926/1

BY: Delegate McMillan

AMENDMENTS TO HOUSE BILL 1, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike line 2 in its entirety and substitute “Commonsense Paid Leave Act”; and in line 3, after “of” insert “requiring certain employers to provide employees”

with certain paid time off; providing for the method of determining whether an employer is required to provide paid time off; providing for the manner in which paid time off is accrued by the employee and treated by the employer; authorizing an employee to file a complaint with the Commissioner of Labor and Industry under certain circumstances; requiring the Commissioner to take certain action under certain circumstances; providing that certain actions are subject to certain notice and hearing requirements; requiring the Commissioner to consider certain factors in determining the amount of a certain civil penalty; authorizing the Commissioner and the Attorney General to bring certain actions; providing that the Attorney General is entitled to certain fees and costs under certain circumstances; authorizing the Commissioner to conduct an investigation, under certain circumstances, to determine whether certain provisions of this Act have been violated; allowing a subtraction modification under the State income tax for up to a certain amount of nonpassive income attributable to certain pass-through entities that meet certain requirements; providing that the subtraction modification applies only to the nonpassive income of a member of an eligible pass-through entity if certain conditions are met; providing that certain individuals and married couples with federal adjusted gross income in excess of certain amounts are not eligible for the subtraction modification; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to paid leave.”.

On pages 1 and 2 of the bill, strike beginning with “requiring” in line 3 on page 1 down through “leave.” in line 21 on page 2; in line 29, strike “3–1311” and substitute “3–1306”; in line 30, strike “Healthy Working Families Act” and substitute “Common Sense Paid Leave Act”; and after line 32, insert:

“BY adding to

Article – Tax – General

Section 10–105.1

Annotated Code of Maryland

(2016 Replacement Volume)”.

AMENDMENT NO. 2

In the Economic Matters Committee Amendments (HB0001/323090/1), strike in their entirety Amendment Nos. 2 through 5.

On page 3 of the bill, in line 8, strike “(1)”; strike in their entirety lines 11 through 14, inclusive; in line 15, strike “**HEALTHY WORKING FAMILIES ACT**” and substitute “**COMMONSENSE PAID LEAVE ACT**”; and after line 15, insert:

“3–1301.

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

(B) “EMPLOYEE” DOES NOT INCLUDE AN INDIVIDUAL WHO:

(1) DOES NOT HAVE A REGULAR WORK SCHEDULE WITH THE EMPLOYER;

(2) CONTACTS THE EMPLOYER FOR WORK ASSIGNMENTS AND IS SCHEDULED TO WORK THE ASSIGNMENT WITHIN 48 HOURS AFTER CONTACTING THE EMPLOYER;

(3) DOES NOT HAVE AN OBLIGATION TO WORK FOR THE EMPLOYER IF THE INDIVIDUAL DOES NOT CONTACT THE EMPLOYER FOR WORK ASSIGNMENTS; AND

(4) IS NOT EMPLOYED BY A TEMPORARY PLACEMENT AGENCY.

(C) “EMPLOYER” INCLUDES:

(1) A UNIT OF STATE OR LOCAL GOVERNMENT; AND

(2) A PERSON THAT ACTS DIRECTLY OR INDIRECTLY IN THE INTEREST OF ANOTHER EMPLOYER WITH AN EMPLOYEE.

(D) “PAID TIME OFF” MEANS PAID LEAVE AWAY FROM WORK THAT:

(1) MAY BE USED BY AN EMPLOYEE FOR ANY REASON; AND

(2) IS PROVIDED BY AN EMPLOYER UNDER § 3-1304 OF THIS SUBTITLE.

3-1302.

(A) THIS SUBTITLE MAY NOT BE CONSTRUED TO:

(1) REQUIRE AN EMPLOYER TO COMPENSATE AN EMPLOYEE FOR UNUSED PAID TIME OFF WHEN THE EMPLOYEE LEAVES THE EMPLOYER'S EMPLOYMENT;

(2) PREEMPT, LIMIT, OR OTHERWISE AFFECT ANY WORKERS' COMPENSATION BENEFITS THAT ARE AVAILABLE UNDER TITLE 9 OF THIS ARTICLE;
OR

(3) REQUIRE AN EMPLOYER WITH AN EXISTING PAID LEAVE POLICY TO PROVIDE ADDITIONAL PAID LEAVE IF THE EMPLOYER PROVIDES PAID LEAVE IN AN AMOUNT AT LEAST EQUIVALENT TO THE TOTAL ANNUAL ACCRUAL AMOUNT PROVIDED FOR IN § 3-1304 OF THIS SUBTITLE AND ALLOWS AN EMPLOYEE TO USE THE PAID LEAVE FOR ANY REASON.

(B) THIS SUBTITLE PREEMPTS THE AUTHORITY OF A LOCAL JURISDICTION TO:

(1) ENACT A LAW ON OR AFTER OCTOBER 1, 2017, THAT REGULATES LEAVE PROVIDED BY AN EMPLOYER; AND

(2) ENFORCE A LAW ENACTED THAT REGULATES LEAVE PROVIDED BY AN EMPLOYER.

3-1303.

(A) THIS SUBTITLE DOES NOT APPLY TO AN EMPLOYEE WHO:

(1) REGULARLY WORKS LESS THAN 30 HOURS A WEEK FOR AN EMPLOYER;

(2) IS EMPLOYED BY THE EMPLOYER FOR LESS THAN 120 DAYS DURING A 12-MONTH PERIOD;

(3) IS EMPLOYED IN THE CONSTRUCTION INDUSTRY;

(4) IS COVERED BY A BONA FIDE COLLECTIVE BARGAINING AGREEMENT; OR

(5) IS EMPLOYED IN THE AGRICULTURAL SECTOR ON AN AGRICULTURAL OPERATION AS DEFINED IN § 5-403(A) OF THE COURTS ARTICLE.

(B) FOR THE PURPOSE OF SUBSECTION (A)(3) OF THIS SECTION, AN EMPLOYEE WHO IS EMPLOYED IN THE CONSTRUCTION INDUSTRY DOES NOT INCLUDE AN EMPLOYEE EMPLOYED AS:

(1) A JANITOR;

(2) A BUILDING CLEANER;

(3) A BUILDING SECURITY OFFICER;

(4) A CONCIERGE;

(5) A DOORPERSON;

(6) A HANDYPERSON; OR

(7) A BUILDING SUPERINTENDENT.

3-1304.

(A) (1) AN EMPLOYER THAT EMPLOYS 50 OR MORE EMPLOYEES AT EACH LOCATION OF THE EMPLOYER SHALL PROVIDE AN EMPLOYEE WITH PAID TIME OFF THAT IS PAID AT THE SAME WAGE RATE AS THE EMPLOYEE NORMALLY EARNS.

(2) AN EMPLOYER THAT EMPLOYS FEWER THAN 50 EMPLOYEES AT EACH LOCATION OF THE EMPLOYER IS ELIGIBLE FOR THE SUBTRACTION MODIFICATION UNDER § 10-105.1 OF THE TAX – GENERAL ARTICLE IF THE EMPLOYER:

(I) PROVIDES ALL EMPLOYEES WITH PAID LEAVE IN AN AMOUNT AT LEAST EQUIVALENT TO THE TOTAL ANNUAL ACCRUAL AMOUNT PROVIDED FOR IN THIS SECTION; AND

(II) ALLOWS ALL EMPLOYEES TO USE THE PAID LEAVE FOR ANY REASON.

(3) (I) FOR THE PURPOSE OF DETERMINING WHETHER AN EMPLOYER IS REQUIRED TO PROVIDE PAID TIME OFF UNDER THIS SUBSECTION, THE NUMBER OF EMPLOYEES AT EACH LOCATION OF AN EMPLOYER SHALL BE DETERMINED BY CALCULATING THE AVERAGE MONTHLY NUMBER OF EMPLOYEES EMPLOYED BY THE EMPLOYER AT THAT LOCATION DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR.

(II) EACH EMPLOYEE OF AN EMPLOYER SHALL BE INCLUDED IN THE CALCULATION MADE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH PROVIDED THAT THE EMPLOYEE WAS EMPLOYED BY THE EMPLOYER FOR AT LEAST 120 DAYS TOTAL AND AT LEAST 30 HOURS PER WEEK DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR.

(B) THE PAID TIME OFF PROVIDED UNDER SUBSECTION (A) OF THIS SECTION SHALL ACCRUE AT A RATE OF AT LEAST 1 HOUR FOR EVERY 30 HOURS AN EMPLOYEE WORKS.

(C) AN EMPLOYER MAY NOT BE REQUIRED TO ALLOW AN EMPLOYEE TO EARN MORE THAN 40 HOURS OF PAID TIME OFF IN A YEAR.

(D) PAID TIME OFF SHALL BEGIN TO ACCRUE ON:

(1) OCTOBER 1, 2017; OR

(2) IF THE EMPLOYEE IS HIRED AFTER OCTOBER 1, 2017, THE DATE ON WHICH THE EMPLOYEE BEGINS EMPLOYMENT WITH THE EMPLOYER.

(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF AN EMPLOYEE HAS UNUSED PAID TIME OFF AT THE END OF A YEAR, THE EMPLOYEE MAY CARRY THE BALANCE OF THE PAID TIME OFF OVER TO THE FOLLOWING YEAR.

(2) AN EMPLOYER MAY NOT BE REQUIRED TO ALLOW AN EMPLOYEE TO CARRY OVER MORE THAN A TOTAL OF 40 HOURS OF PAID TIME OFF UNDER PARAGRAPH (1) OF THIS SUBSECTION.

3-1305.

(A) (1) IF AN EMPLOYEE BELIEVES THAT AN EMPLOYER HAS VIOLATED THIS SUBTITLE, THE EMPLOYEE MAY FILE A COMPLAINT WITH THE COMMISSIONER.

(2) IF THE COMMISSIONER RECEIVES A COMPLAINT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSIONER SHALL:

(I) TRY TO RESOLVE THE ISSUE INFORMALLY; OR

(II) DETERMINE WHETHER THE EMPLOYER HAS VIOLATED THIS SUBTITLE.

(3) IF THE COMMISSIONER DETERMINES THAT THE EMPLOYER HAS VIOLATED THIS SUBTITLE, THE COMMISSIONER SHALL:

(I) ISSUE AN ORDER COMPELLING COMPLIANCE WITH THIS SUBTITLE; AND

(II) IN THE COMMISSIONER'S DISCRETION, ASSESS A CIVIL PENALTY OF:

1. UP TO \$300 FOR EACH EMPLOYEE FOR WHOM THE EMPLOYER IS NOT IN COMPLIANCE WITH THIS SUBTITLE; OR

2. UP TO \$600 FOR EACH EMPLOYEE FOR WHOM THE EMPLOYER IS NOT IN COMPLIANCE WITH THIS SUBTITLE IF THE VIOLATION

OCCURRED WITHIN 3 YEARS AFTER AN EMPLOYEE FILED A PREVIOUS COMPLAINT THAT LED TO A DETERMINATION THAT A VIOLATION HAD OCCURRED.

(4) THE ACTIONS TAKEN UNDER PARAGRAPHS (2)(II) AND (3) OF THIS SUBSECTION ARE SUBJECT TO THE NOTICE AND HEARING REQUIREMENTS OF TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(5) IN DETERMINING THE AMOUNT OF ANY CIVIL PENALTY TO BE IMPOSED UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION, THE COMMISSIONER SHALL CONSIDER:

(I) THE SERIOUSNESS OF THE VIOLATION;

(II) THE SIZE OF THE EMPLOYER'S BUSINESS;

(III) THE EMPLOYER'S GOOD FAITH IN COMPLYING WITH THIS SUBTITLE; AND

(IV) THE EMPLOYER'S HISTORY OF VIOLATIONS OF THIS SUBTITLE.

(6) IF THE EMPLOYER FAILS TO COMPLY WITH AN ORDER ISSUED FOR A FIRST VIOLATION UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE COMMISSIONER MAY BRING AN ACTION TO ENFORCE THE ORDER AND ANY CIVIL PENALTY IN THE CIRCUIT COURT IN THE COUNTY WHERE THE EMPLOYER IS LOCATED.

(7) IF THE EMPLOYER FAILS TO COMPLY WITH AN ORDER ISSUED UNDER PARAGRAPH (3) OF THIS SUBSECTION, FOR A SUBSEQUENT VIOLATION AGAINST THE SAME EMPLOYEE THAT OCCURRED WITHIN 3 YEARS AFTER THE EMPLOYEE FILED A PREVIOUS COMPLAINT THAT LED TO A DETERMINATION THAT A VIOLATION HAD OCCURRED, THE ATTORNEY GENERAL MAY BRING AN ACTION FOR INJUNCTIVE RELIEF AND TO ENFORCE ANY ORDERS ISSUED UNDER PARAGRAPH (3) OF THIS SUBSECTION IN THE CIRCUIT COURT IN THE COUNTY WHERE THE EMPLOYER IS LOCATED.

(8) IF THE ATTORNEY GENERAL PREVAILS IN AN ACTION BROUGHT UNDER PARAGRAPH (7) OF THIS SUBSECTION, THE ATTORNEY GENERAL MAY BE ENTITLED TO ACTUAL DAMAGES AND REASONABLE ATTORNEY’S FEES AND COURT COSTS.”.

On pages 3 through 16, strike in their entirety the lines beginning with line 16 on page 3 through line 4 on page 16, inclusive; in line 5, strike “**3–1311.**” and substitute “**3–1306.**”; in lines 6 and 7, strike “**MARYLAND HEALTHY WORKING FAMILIES**” and substitute “**COMMONSENSE PAID LEAVE**”; after line 7, insert:

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

Article – Tax – General

10–105.1.

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

(2) “MEMBER” MEANS:

(I) A SHAREHOLDER OF AN S CORPORATION;

(II) A GENERAL OR LIMITED PARTNER OF A PARTNERSHIP, LIMITED PARTNERSHIP, OR LIMITED LIABILITY PARTNERSHIP;

(III) A MEMBER OF A LIMITED LIABILITY COMPANY;

(IV) A BENEFICIARY OF A BUSINESS TRUST OR STATUTORY TRUST; OR

(V) A SOLE PROPRIETOR.

(3) (I) “NONPASSIVE INCOME” MEANS INCOME OTHER THAN INCOME FROM PASSIVE ACTIVITY AS DETERMINED UNDER § 469 OF THE INTERNAL REVENUE CODE.

(II) “NONPASSIVE INCOME” DOES NOT INCLUDE WAGES, INTEREST, DIVIDENDS, OR CAPITAL GAINS.

(4) “PASS-THROUGH ENTITY” MEANS:

(I) AN S CORPORATION;

(II) A PARTNERSHIP;

(III) A LIMITED LIABILITY COMPANY THAT IS NOT TAXED AS A CORPORATION UNDER THIS TITLE;

(IV) A BUSINESS TRUST OR STATUTORY TRUST THAT IS NOT TAXED AS A CORPORATION UNDER THIS TITLE; OR

(V) A SOLE PROPRIETORSHIP.

(B) (1) AN INDIVIDUAL WHO IS A MEMBER OF A PASS-THROUGH ENTITY THAT MEETS THE REQUIREMENTS OF THIS SECTION AND TITLE 3, SUBTITLE 13 OF THE LABOR AND EMPLOYMENT ARTICLE MAY SUBTRACT FROM FEDERAL ADJUSTED GROSS INCOME TO DETERMINE MARYLAND ADJUSTED GROSS INCOME THE FIRST \$20,000 OF NONPASSIVE INCOME THAT IS ATTRIBUTABLE TO A PASS-THROUGH ENTITY.

(2) THE SUBTRACTION UNDER THIS SECTION APPLIES TO NONPASSIVE INCOME ATTRIBUTABLE TO A PASS-THROUGH ENTITY IF:

(I) THE TAXPAYER MATERIALLY PARTICIPATES IN THE DAY-TO-DAY OPERATIONS OF THE TRADE OR BUSINESS;

(II) THE PASS-THROUGH ENTITY EMPLOYS AT LEAST ONE PERSON WHO IS NOT A MEMBER OF THE PASS-THROUGH ENTITY; AND

(III) AT LEAST 1,200 AGGREGATE HOURS OF WORK IN THE STATE ARE PERFORMED BY THE CLOSE OF THE TAXABLE YEAR FOR WHICH THE

SUBTRACTION IS TAKEN BY EMPLOYEES WHO MEET THE REQUIREMENTS OF THIS PARAGRAPH AND WHO ARE EMPLOYED BY THE PASS-THROUGH ENTITY.

(3) IN DETERMINING WHETHER THE REQUIREMENT UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION IS MET, ONLY HOURS WORKED IN A WEEK IN WHICH THE EMPLOYEE WORKS AT LEAST 30 HOURS MAY BE CONSIDERED.

(C) (1) AN INDIVIDUAL IS NOT ELIGIBLE FOR THE SUBTRACTION UNDER THIS SECTION IF THE INDIVIDUAL HAS FEDERAL ADJUSTED GROSS INCOME FOR THE TAXABLE YEAR THAT EXCEEDS \$200,000.

(2) A MARRIED COUPLE FILING A JOINT RETURN IS NOT ELIGIBLE FOR THE SUBTRACTION UNDER THIS SECTION IF THE MARRIED COUPLE HAS FEDERAL ADJUSTED GROSS INCOME FOR THE TAXABLE YEAR THAT EXCEEDS \$250,000.”;

strike in their entirety lines 8 through 12, inclusive; and strike line 14 in its entirety and substitute “October 1, 2017, and Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2017.”.

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 213)

ADJOURNMENT

At 11:57 A.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Thursday, March 2, 2017.

Annapolis, Maryland
Thursday, March 2, 2017
10:00 A.M. Session

The House met at 10:13 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Robert B. Long of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 113 Members present.

(See Roll Call No. 214)

EXCUSED:

Del. Clark – illness

Del. Glass – illness

Del. C. Howard – funeral

Del. McKay – funeral

Del. Morhaim – illness

Del. Mosby – late – traffic

The Journal of March 1, 2017 was read and approved.

INTRODUCTORY HOUSE BILLS NO. 39

House Bill 1633 – Delegates J. Lewis, Barron, and C. Howard

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Capitol Heights Municipal
Multiservice Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Capitol Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1634 – Delegates Ali, Conaway, Gibson, Hayes, Mosby, M. Washington, and Wilkins

AN ACT concerning

Baltimore City Board of School Commissioners – Public School System – Reports

FOR the purpose of requiring the Baltimore City Board of School Commissioners to report certain information relating to the Baltimore City Public School System to the Mayor of Baltimore City, the Baltimore City Council, and the Baltimore City Delegation to the General Assembly on or before a certain date each year; and generally relating to reports by the Baltimore City Board of School Commissioners.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–316
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1635 – Delegates Ali, Conaway, Gibson, R. Lewis, M. Washington, and Wilkins

AN ACT concerning

Baltimore Police Department – Reporting on Community Policing

FOR the purpose of altering the information required to be in a certain annual report provided by the Police Commissioner of Baltimore City to the Mayor and City Council of Baltimore and the members of the Baltimore City Delegation to the General Assembly; and generally relating to the Baltimore Police Department.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–512
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1636 – Prince George’s County Delegation

AN ACT concerning

**Prince George's County – School Facilities and Public Safety Surcharges –
Maryland Transit Administration Station**

PG 430–17

FOR the purpose of establishing reductions from the school facilities surcharge and the public safety surcharge in Prince George's County for certain residential construction that abuts an existing or planned mass transit rail station site operated by the Maryland Transit Administration and from the school facilities surcharge for certain multifamily housing constructed within a certain distance of a Purple Line station under certain circumstances; establishing an exemption from the school facilities surcharge for certain dwelling units that are located within a certain distance of a Purple Line station under certain circumstances; extending the termination date of certain provisions of law that reduce the school facilities surcharge for certain multifamily housing and exempt certain dwelling units from the school facilities surcharge; and generally relating to the applicability and amount of the school facilities surcharge and the public safety surcharge in Prince George's County.

BY repealing and reenacting, without amendments,
The Public Local Laws of Prince George's County
Section 10–192.01(a)(1) and 10–192.11(a)
Article 17 – Public Local Laws of Maryland
(2011 Edition, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10–192.01(b)(1)
Article 17 – Public Local Laws of Maryland
(2011 Edition, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10–192.01(b–1)
Article 17 – Public Local Laws of Maryland
(2011 Edition, as amended)
(As enacted by Chapter 685 of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10–192.11(b)
Article 17 – Public Local Laws of Maryland
(2011 Edition, as amended)
(As enacted by Chapter 684 of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,
Chapter 685 of the Acts of the General Assembly of 2013

Section 2

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

House Bill 1637 – Delegate Haynes

AN ACT concerning

Creation of a State Debt – Baltimore City – Bon Secours Youth Development Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$800,000, the proceeds to be used as a grant to the Board of Directors of the Bon Secours of Maryland Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1638 – Delegate Haynes

AN ACT concerning

Employee Ownership Trusts

FOR the purpose of authorizing the creation of employee ownership trusts; requiring and authorizing the exclusive purpose of an employee ownership trust to include certain activities; requiring the trustee of an employee ownership trust, under certain circumstances, to carry out the express terms and purposes of the trust; providing, under certain circumstances, for the distribution of the principal or income of an employee ownership trust; authorizing an employee ownership trust to limit trustee liability in a certain manner if certain conditions are met; requiring a trustee that is not independent of an employer to designate a third party to take certain actions; authorizing an employee ownership trust to take certain actions; authorizing certain tax benefits for individuals, financial institutions, corporations, and fiduciaries related to qualified transfers to form an employee stock ownership plan, an employee ownership trust, or a direct share ownership plan; requiring the State Department of Assessments and Taxation, in consultation with the Comptroller, to adopt regulations that provide for the preapproval of certain tax benefits; authorizing a corporation, a limited liability company, a trust, or an employee association to apply to the Department of Commerce for a certain employee ownership loan or loan guarantee to finance certain eligible transactions; authorizing the Department, under certain circumstances, to enter into certain agreements to provide loans or loan guarantees to finance eligible transactions; requiring the Department to adopt regulations to provide for the application and review and approval of loans and loan

guarantees; requiring the Department, on or before a certain date, to establish with an institution of higher education a Center for the Promotion of Employee Ownership Business Opportunities; requiring the Center to participate in certain activities; requiring the Board of Public Works to adopt regulations that require certain State-aided or -controlled entities to establish a certain percentage price preference for the purchase of goods or services from an employee stock ownership plan, an employee ownership trust, or a direct share ownership plan; requiring the percentage preference to include a certain analysis and quantitative factor; providing a subtraction modification under the Maryland income tax for any income from a certain qualified transfer; providing a subtraction modification under the Maryland income tax for any income of a fiduciary attributable to an employee stock ownership plan, an employee ownership trust, or a direct share ownership plan; providing a corporation, subject to certain limitations, a subtraction under the Maryland income tax for contributions to or dividends payable to an employee ownership trust or direct share ownership plan; defining certain terms; providing for the application of certain provisions of this Act; and generally relating to the creation and promotion of employee ownership trusts.

BY adding to

Article – Estates and Trusts

Section 14.5–1101 through 14.5–1105 to be under the new subtitle “Subtitle 11. Employee Ownership Trusts”

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Finance and Procurement

Section 14–417

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a) and 10–307(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY adding to

Article – Tax – General

Section 10–207(ee) and (ff) and 10–307(h)

Annotated Code of Maryland

(2016 Replacement Volume)

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

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 21

Senate Bill 96 – ~~Senator Reilly~~ Senators Reilly, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, and Rosapepe

AN ACT concerning

Health Insurance – Coverage for Fertility Awareness–Based Methods

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide certain coverage for certain instruction on certain fertility awareness–based methods; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from applying a copayment, coinsurance requirement, or deductible to coverage for certain instruction on certain fertility awareness–based methods, except with respect to a certain health benefit plan; defining a certain term ~~terms~~; providing for the application of this Act; and generally relating to coverage for services relating to fertility awareness–based methods under health insurance.

BY adding to

Article – Insurance

Section 15–826.3

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 340 – ~~Senators Nathan–Pulliam, Benson, Currie, Feldman, Ferguson, Guzzone, Kelley, Lee, McFadden, Ramirez, Robinson, Rosapepe, Smith, Young, and Zucker~~ Zucker, Astle, Hershey, Jennings, Klausmeier, Mathias, Middleton, and Reilly

AN ACT concerning

**University of Maryland School of Public Health, Center for Health Equity –
Workgroup on Health in All Policies**

FOR the purpose of requiring the University of Maryland School of Public Health, Center for Health Equity, in consultation with the Department of Health and Mental Hygiene, to convene a workgroup to study and make recommendations to units of State and local government on laws and policies to implement that will positively impact the health of residents of the State; requiring the workgroup, using a certain framework, to examine certain matters, make certain recommendations, and foster collaboration among units of State and local government; requiring the workgroup to include certain members; requiring, to the extent practicable, the workgroup to

reflect a certain diversity; prohibiting a member of the workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring a unit of State government to provide information requested by the workgroup in a certain manner; requiring a unit of State government represented on the workgroup to provide certain staff support; requiring, on or before a certain date, the University of Maryland School of Public Health, Center for Health Equity, to report certain findings and recommendations to certain committees of the General Assembly; defining a certain term; providing for the termination of this Act; and generally relating to a workgroup convened by the University of Maryland School of Public Health, Center for Health Equity, to study and make recommendations relating to the health of residents of the State.

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 359 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker

AN ACT concerning

**Education – Maryland Meals for Achievement In-Classroom Breakfast Program
– Administration
(Maryland Meals for Achievement for Teens Act of 2017)**

FOR the purpose of authorizing participating secondary schools to serve breakfast in any part of the school, including from “Grab and Go” carts; clarifying when breakfast in the classroom should be served; and generally relating to the Maryland Meals for Achievement In-Classroom Breakfast Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–704
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 5

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 149 – Chair, Environment and Transportation Committee (By Request
– Departmental – Transportation)**

AN ACT concerning

**Transportation – Light Rail and Metro Subway – State Safety Oversight
Authority**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 242 – Delegates Turner, Atterbeary, Barkley, Brooks, Ebersole, Hill, Hixson, Jalisi, Lam, Pendergrass, B. Wilson, and C. Wilson

AN ACT concerning

Vehicle Laws – Use of Handheld Telephone While Driving – Penalty

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 285 – Delegates Korman, Barron, Angel, Barkley, B. Barnes, D. Barnes, Barve, Carr, Cullison, Davis, Dumais, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Gutierrez, Healey, Hixson, Holmes, C. Howard, Jackson, Kaiser, Kelly, Knotts, Kramer, Krimm, Luedtke, A. Miller, Moon, Morales, Pena-Melnyk, Platt, Proctor, Queen, Reznik, Robinson, Sanchez, Tarlau, Valderrama, Valentino-Smith, Vallario, Waldstreicher, Walker, and A. Washington

AN ACT concerning

Washington Metrorail Safety Commission Membership Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 333 – Delegate C. Howard

AN ACT concerning

Motor Vehicles – Aggressive Driving**HB0333/180818/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 333

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “number” in line 3 down through the first “driving” in line 5 and substitute “motor vehicle offense of aggressive driving to include the commission of a certain number of an alternate set of certain motor vehicle offenses under certain circumstances; establishing that certain persons charged with a violation for aggressive driving must appear in court and may not prepay the fine”.

AMENDMENT NO. 2

On page 2, in line 4, before “A” insert “**(A)**”; strike the beginning with “the” in line 4 down through “offenses” in line 5 and substitute a comma; in line 6, strike “in violation of” and substitute “**, THE PERSON VIOLATES:**”

(1) THREE OR MORE OF THE FOLLOWING PROVISIONS;

in lines 7, 8, 9, 10, 11, 12, and 13, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, “**(V)**”, “**(VI)**”, and “**(VII)**”, respectively; and in line 14, after “limit)” insert “**; OR**”

(2) TWO OR MORE OF THE FOLLOWING PROVISIONS:

(I) § 21-202 OF THIS TITLE (TRAFFIC LIGHTS WITH STEADY INDICATION);

(II) § 21-304(C) OF THIS TITLE (DRIVING OFF ROADWAY TO PASS ON RIGHT);

(III) § 21-310 OF THIS TITLE (FOLLOWING TOO CLOSELY);

(IV) § 21-403 OF THIS TITLE (FAILURE TO YIELD RIGHT-OF-WAY); OR

(V) § 21-801.1 OF THIS TITLE FOR EXCEEDING A MAXIMUM SPEED LIMIT OR POSTED MAXIMUM SPEED LIMIT BY 20 MILES AN HOUR OR MORE”;

and after line 14, insert:

“(B) A PERSON WHO IS CHARGED WITH A VIOLATION OF SUBSECTION (A)(2) OF THIS SECTION:

(1) MUST APPEAR IN COURT; AND

(2) MAY NOT PREPAY THE FINE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 384 – Delegates Adams, Anderton, Arentz, Carozza, Jacobs, and Otto

AN ACT concerning

Bay Restoration Fund – Eligible Costs – Expansion

HB0384/180512/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 384

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Otto” and substitute “Otto, and Mautz”; and in line 6, after “Environment;” insert “making conforming changes”.

AMENDMENT NO. 2

On page 2, in line 17, strike “an” and substitute “THE ELIGIBLE COSTS TO”; in the same line, strike “of”; and in line 20, strike “for” and substitute “THE ELIGIBLE COSTS OF”.

AMENDMENT NO. 3

On page 3, in line 19, strike “October” and substitute “July”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR COMMITTEE AMENDMENT

HB0384/120016/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 384, AS AMENDED

In the Environment and Transportation Committee Amendments (HB0384/180512/1), in line 1 of Amendment No. 1, strike “and Mautz” and substitute “Mautz, Cassilly, Flanagan, Folden, Jalisi, Lafferty, and McMillan”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 603 – Delegates Parrott, McKay, and B. Wilson

AN ACT concerning

Vehicle Laws – Proof of Insurance for Motor Vehicles Registered in Another State**HB0603/150718/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 603

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Proof” in line 2 down through “State” in line 3 and substitute “Out-of-State Vehicles – Required Security”; strike beginning with “prohibiting” in line 4 down through “state” in line 8 and substitute “altering the defined term “required security” as it applies to motor vehicles in the State to include certain security for out-of-State motor vehicles; making certain conforming changes”; in line 9, strike “motor vehicle insurance for vehicles registered in another state” and substitute “required security for out-of-State motor vehicles”; in line 12, strike “17-107(a) and 17-110” and substitute “17-101 and 17-107”; in line 15, strike “adding to” and substitute “repealing and reenacting, without amendments,”; and in line 17, strike “17-107(d)” and substitute “17-110 and 27-101(h)”.

AMENDMENT NO. 2

On page 1, after line 22, insert:

“17-101.

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

(b) “Fleet policy” means an insurance policy issued for a fleet of vehicles that provides coverage that is not based on a schedule of individual vehicles at the time the policy is issued.

(c) “Lapse” and “termination” mean a lapse or termination of required security, as defined in regulations adopted by the Administration.

(d) “Required security” means security in the form and providing for the minimum benefits required:

(1) FOR A VEHICLE REGISTERED IN THE STATE, under this subtitle or any other provisions of the Maryland Vehicle Law; OR

(2) FOR A VEHICLE REGISTERED IN ANOTHER JURISDICTION, UNDER THE LAWS OF THAT JURISDICTION.”

AMENDMENT NO. 3

On page 2, strike in their entirety lines 4 through 9, inclusive, and substitute:

“(b) (1) In any prosecution under subsection (a) of this section **FOR A VEHICLE THAT IS REGISTERED IN THE STATE**, the introduction of the official records of the Motor Vehicle Administration showing the absence of a record that the vehicle is covered by the security required under § 17–104 of this subtitle shall be prima facie evidence that a person knows or has reason to know that a motor vehicle is not covered by the required security.

(2) The introduction of evidence of the records of the Administration may not limit the introduction of other evidence bearing upon whether the vehicle was covered by the required security.

(c) An owner or lessee of any motor vehicle registered under Title 13 of this article may not raise the defense of sovereign or governmental immunity as described under § 5–524 of the Courts and Judicial Proceedings Article.”;

in line 11, strike “(A)”; strike in their entirety lines 14 through 16, inclusive; and after line 16, insert:

“27–101.

(h) Any person who is convicted of a violation of any of the provisions of § 16–113(k) of this article (“Ignition Interlock System Program participant driving vehicle without ignition interlock”), § 16–303(a), (b), (c), (d), (e), (f), or (g) of this article (“Driving while license is canceled, suspended, refused, or revoked”), § 17–107 of this article (“Prohibitions”), or § 17–110 of this article (“Providing false evidence of required security”) is subject to:

(1) For a first offense, a fine of not more than \$1,000, or imprisonment for not more than 1 year, or both; and

(2) For any subsequent offense, a fine of not more than \$1,000, or imprisonment for not more than 2 years, or both.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 756 – Delegate Stein

AN ACT concerning

Vehicle Laws – Annual Vehicle Shows

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 215)

CALENDAR OF THIRD READING HOUSE BILLS NO. 18**House Bill 28 – Delegate Krimm**

AN ACT concerning

**Unappropriated General Fund Surplus – Appropriation to Pension Fund and
Postretirement Health Benefits Trust Fund**

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

Affirmative – 130 Negative – 5 (See Roll Call No. 216)

The Bill was then sent to the Senate.

House Bill 52 – Delegate Conaway

AN ACT concerning

Baltimore City School Police Force – Vehicles and Firearms – Report

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

Affirmative – 134 Negative – 0 (See Roll Call No. 217)

The Bill was then sent to the Senate.

House Bill 66 – Delegate Lam

AN ACT concerning

Environment – Lead and Mercury Wheel Weights – Prohibited

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

Affirmative – 88 Negative – 47 (See Roll Call No. 218)

The Bill was then sent to the Senate.

House Bill 103 – Chair, Appropriations Committee (By Request – Departmental – Human Resources)

AN ACT concerning

**Department of Human Resources and Child Support Enforcement
Administration – Renaming**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 219)

The Bill was then sent to the Senate.

House Bill 119 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)

EMERGENCY BILL

AN ACT concerning

**Washington Metropolitan Area Transit Authority – Washington Metrorail Safety
Commission – Establishment and Compact**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 220)

The Bill was then sent to the Senate.

House Bill 120 – Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Seafood and Aquaculture Product Marketing

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

Affirmative – 135 Negative – 0 (See Roll Call No. 221)

The Bill was then sent to the Senate.

**House Bill 124 – Chair, Environment and Transportation Committee (By Request
– Departmental – Environment)**

AN ACT concerning

Environment – Solid Waste and Recycling Facilities

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

Affirmative – 134 Negative – 0 (See Roll Call No. 222)

The Bill was then sent to the Senate.

**House Bill 135 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Electronic Transmission of Information and
Documents – Authority**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 223)

The Bill was then sent to the Senate.

**House Bill 137 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

Unemployment Insurance – Recovery of Benefits – Collection by Assessment

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

Affirmative – 135 Negative – 0 (See Roll Call No. 224)

The Bill was then sent to the Senate.

**House Bill 139 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Employer Determinations – Process and Appeal
Rights**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 225)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 19

**House Bill 141 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Eligibility for Benefits – Business Operation
Closings**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 226)

The Bill was then sent to the Senate.

**House Bill 171 – Delegates Robinson, Cassilly, Barkley, Carr, Fraser-Hidalgo,
Gilchrist, Kelly, Kramer, Lam, Luedtke, Moon, Morhaim, Pena-Melnyk,
Platt, Reznik, and Waldstreicher**

AN ACT concerning

**Department of the Environment – Yard Waste, ~~and~~ Food Residuals, and Other
Organic Materials Diversion and Infrastructure – Study**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 227)

The Bill was then sent to the Senate.

House Bill 173 – Delegates Arentz, Ghrist, and Jacobs

AN ACT concerning

Baltimore Metropolitan Council – Queen Anne’s County – Membership

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

Affirmative – 134 Negative – 0 (See Roll Call No. 228)

The Bill was then sent to the Senate.

House Bill 199 – Chair, Appropriations Committee (By Request – Departmental – Aging)

AN ACT concerning

Capital Grants for Senior Citizen Activities Centers

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

Affirmative – 131 Negative – 1 (See Roll Call No. 229)

The Bill was then sent to the Senate.

House Bill 293 – Delegates Dumais, Atterbeary, Hettleman, Morales, Sanchez, and Valentino-Smith

AN ACT concerning

Family Law – Divorce – Domestic Violence Order

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

Affirmative – 136 Negative – 0 (See Roll Call No. 230)

The Bill was then sent to the Senate.

House Bill 324 – Delegates Korman, Platt, Anderson, Atterbeary, Barkley, B. Barnes, Barve, Carr, Chang, Ciliberti, Cullison, Ebersole, Fennell, Frick, Gilchrist, Glenn, Gutierrez, Haynes, Healey, Hettleman, Jackson, Jones, Krimm, Lam, R. Lewis, Lierman, Luedtke, McCray, Morales, Patterson, Pena-Melnyk, Reznik, Sanchez, Tarlau, Valderrama, Valentino-Smith, M. Washington, and P. Young

AN ACT concerning

State Personnel – Leap ~~Day Pay Act~~ Year – Personal Leave

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

Affirmative – 96 Negative – 40 (See Roll Call No. 231)

The Bill was then sent to the Senate.

House Bill 565 – Carroll County Delegation

AN ACT concerning

Carroll County – Detention Center – Polygraph Testing

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

Affirmative – 135 Negative – 0 (See Roll Call No. 232)

The Bill was then sent to the Senate.

House Bill 605 – Washington County Delegation

EMERGENCY BILL

AN ACT concerning

**PenMar Development Corporation – Dissolution – Authority of Washington
County Over Fort Ritchie**

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

Affirmative – 135 Negative – 1 (See Roll Call No. 233)

The Bill was then sent to the Senate.

**House Bill 626 – Delegates Gilchrist, Miele, Barkley, Bromwell, Buckel, Carr,
Chang, Folden, Fraser-Hidalgo, Frush, Healey, Hettleman, Hornberger,
Kaiser, Kipke, Kramer, Lam, Long, Luedtke, McComas, McMillan, Metzgar,
Morhaim, Patterson, Robinson, Rose, Saab, Vogt, Waldstreicher, K. Young,
and P. Young**

AN ACT concerning

**Agriculture – Animal Shelters – Standards of Care and Protocol Implementation
and Enforcement**

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

Affirmative – 130 Negative – 5 (See Roll Call No. 234)

The Bill was then sent to the Senate.

House Bill 651 – Delegate Holmes

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Reserve
Studies – Annual Budgets**

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

Affirmative – 135 Negative – 1 (See Roll Call No. 235)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 20

House Bill 653 – Delegate B. Wilson

AN ACT concerning

Crimes – Solicitation to Commit Murder or Arson – Statute of Limitations

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

Affirmative – 136 Negative – 0 (See Roll Call No. 236)

The Bill was then sent to the Senate.

**House Bill 755 – Delegates Moon, Vallario, Anderson, Proctor, Sanchez, and
Sydnor**

AN ACT concerning

Criminal Procedure – Coram Nobis – Time for Filing

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

Affirmative – 76 Negative – 57 (See Roll Call No. 237)

The Bill was then sent to the Senate.

House Bill 800 – Delegates Adams, Carey, and Jameson

AN ACT concerning

Insurance Premiums – Payment by Credit Card – Reimbursement for Expenses

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

Affirmative – 131 Negative – 1 (See Roll Call No. 238)

The Bill was then sent to the Senate.

House Bill 817 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ Pension System – Purchase of Credit for Eligibility Service –
Legislative Employees**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 239)

The Bill was then sent to the Senate.

House Bill 823 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Small Procurements – Medical
Evaluations for Disability Retirement Benefits**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 240)

The Bill was then sent to the Senate.

**House Bill 831 – Delegates Dumais, Atterbeary, Cluster, Conaway, Kittleman,
Lisanti, Malone, McComas, Moon, Morhaim, Parrott, Proctor, Queen, Rey,
Sanchez, Sydnor, Vallario, Vogt, and B. Wilson**

AN ACT concerning

Task Force on Organized Retail Crime Rings

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

Affirmative – 135 Negative – 0 (See Roll Call No. 241)

The Bill was then sent to the Senate.

House Bill 851 – Delegates Folden, Anderton, Angel, Arentz, Atterbeary, Beidle, Bromwell, Buckel, Carey, Carozza, Cassilly, Davis, Flanagan, Ghrist, Glass, Holmes, Hornberger, S. Howard, Jacobs, Kipke, Krimm, McComas, McConkey, McDonough, Metzgar, Miele, W. Miller, Otto, Pena–Melnik, Rose, Saab, Shoemaker, Simonaire, Szeliga, Tarlau, Vogt, B. Wilson, and C. Wilson

AN ACT concerning

Landlord and Tenant – Military Personnel – Limitation on Liability for Rent

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

Affirmative – 135 Negative – 0 (See Roll Call No. 242)

The Bill was then sent to the Senate.

House Bill 954 – Delegate Holmes

AN ACT concerning

Foreclosed Property Registry – Updated Information – Notice to Local Governments

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

Affirmative – 134 Negative – 0 (See Roll Call No. 243)

The Bill was then sent to the Senate.

House Bill 999 – Delegate Davis

AN ACT concerning

Public Utilities – Telephone Lifeline Service – Revisions

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

Affirmative – 135 Negative – 0 (See Roll Call No. 244)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 245)

ADJOURNMENT

At 11:10 A.M. on motion of Delegate Frick the House adjourned until 11:00 A.M. on Friday, March 3, 2017.

**Annapolis, Maryland
Friday, March 3, 2017
11:00 A.M. Session**

The House met at 11:03 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Terri L. Hill of Baltimore and Howard Counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 246)

EXCUSED:

Del. Kittleman – personal

Del. Simonaire – illness

The Journal of March 2, 2017 was read and approved.

INTRODUCTORY HOUSE BILLS NO. 40

House Bill 1639 – Delegates S. Howard, Beidle, Carey, Chang, Frush, Malone, McConkey, McMillan, Saab, Simonaire, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Mandrin Inpatient Care Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of Hospice of the Chesapeake, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1640 – Delegates Glenn, Branch, and McCray

AN ACT concerning

Creation of a State Debt – Baltimore City – Historic Diamond Press Building

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Board of Directors of the Historic East Baltimore Community Action Coalition, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1641 – Delegate Lam

AN ACT concerning

Corporations and Associations – Nonprofit Corporations – Legislative Advocacy

FOR the purpose of requiring a corporation qualified under a certain provision of the Internal Revenue Code that publicly advocates for or against legislation pending before the General Assembly or a county governing body to record the corporation's position in the minutes for the meeting at which the decision is made to advocate for or against the legislation; and generally relating to legislative advocacy by nonprofit corporations.

BY adding to

Article – Corporations and Associations

Section 1–407

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1642 – Delegate Flanagan

AN ACT concerning

Unemployment Insurance – Charge of Benefits – Waiver Due to Natural Disaster

FOR the purpose of authorizing the Secretary of Labor, Licensing, and Regulation to waive the charge of benefits against the earned rating record of an employing unit if the benefits are paid to a claimant during a certain period of unemployment because the employing unit shut down due to a natural disaster and the Governor declared a state of emergency due to the natural disaster; providing that the waiver may be in effect only for a certain period; and generally relating to the charge of unemployment insurance benefits against the earned rating records of employing units.

BY adding to

Article – Labor and Employment
Section 8–611(k)
Annotated Code of Maryland
(2016 Replacement Volume)

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

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 22

**Senate Bill 6 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Occupational and Professional Licensing Boards, Commissions, and Regulatory
Entities – Notifications of Applicants, Licensees, Registrants, and Permit
Holders**

FOR the purpose of altering the methods by which certain occupational and professional licensing boards, commissions, and other regulatory entities are authorized to send certain notices to certain applicants and certain renewal notices to certain licensees, registrants, or permit holders subject to a certain condition; altering certain requirements for, and the contents of, certain notices; and generally relating to notifications of licensees, registrants, permit holders, and certificate holders regulated by occupational and professional licensing boards, commissions, and other regulatory entities.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 2–305(f) and (g)(1), 2–309(a), 2–311(b), 2–313(c)(2), 2–405(a), 2–407(b), 3–309(b), 3–408(b), 4–304.1(c), 4–310(c), 4–405(c), 4–506(b), 5–307(e), 5–311(c), 5–405(c), 5–506(b), 6–306(g), 6–310(b), 6–311(d)(2), ~~6.5–312(b)(1)~~, ~~6.5–312(b)~~, 7–306(a), 7–308(b), 8–307(b), 9–309(b), 9–408(b), 11–408(b), 12–308(b), 13–308(c), ~~14–314(b)(1)~~, 14–314(b), 14–407(b), ~~15–314(b)(1)~~, ~~15–314(b)~~, 15–406(b), 16–308(b), 16–3A–07(b), ~~16–5A–04(b)(2)~~, 16–5A–04(b)(2) and (3), 17–314(d), 18–307(c), 19–308(c), 20–309(b), 21–306(a), and 21–308(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY adding to

Article – Business Occupations and Professions
Section 16–15A–04(b)(3)

Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 5–307(b), 8–308(c), 9A–304(c), 12–207(b), and 12.5–209(d)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–833(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 59 – Senator Waugh

AN ACT concerning

Crabs – Harvest Times – ~~Trotlines and Crab Pots~~ Holidays

FOR the purpose of requiring the Department of Natural Resources to adopt regulations that provide ~~the option to~~ a tidal fish licensee authorized to catch crabs using ~~trotlines and crab pots~~ all legal gear to work ~~certain hours during certain time periods~~ 1 additional early hour on certain days; ~~requiring a licensee who chooses a certain hours of work option to notify the Department of that choice by a certain date; prohibiting a licensee who chooses a certain hours of work option from changing that option until the following license year; requiring a licensee who chooses a certain hours of work option to affix a certain display on the licensee's vessel signifying the choice of that option;~~ and generally relating to harvest times for catching crabs using trotlines and crab pots.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–803
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 99 – Senator Middleton

AN ACT concerning

Department of the Environment – Yard Waste, ~~and~~ Food Residuals, and Other Organic Materials Diversion and Infrastructure – Study

FOR the purpose of requiring the Department of the Environment, in consultation with certain persons, to study, review, explore, identify, and make recommendations regarding certain matters that relate to the diversion of yard waste, food residuals, and other organic materials from refuse disposal facilities, including certain infrastructure; requiring the Department to report its interim and final findings and recommendations to the Governor and the General Assembly on or before certain dates; and generally relating to yard waste, ~~and~~ food residuals, and other organic materials diversion and infrastructure.

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 314 – The President (By Request – Administration) and Senators Bates, Cassilly, Edwards, Hershey, Hough, Jennings, Klausmeier, Mathias, Middleton, Norman, Reilly, Salling, Serafini, and Simonaire

AN ACT concerning

Clean Water Commerce Act of 2017

FOR the purpose of authorizing funds in the Bay Restoration Fund to be used for the costs associated with the purchase of certain nutrient ~~credits~~ load reductions, not to exceed a certain amount per year in certain years; requiring certain regulations to be adopted in a certain manner and in accordance with certain requirements; requiring the Department of the Environment to consult with the Secretary of ~~Agriculture and Transportation~~, the Secretary of Natural Resources, the Secretary of Commerce, the Secretary of Agriculture, and certain stakeholders when developing certain regulations; requiring the load reductions purchased under this Act to be consistent with certain accounting procedures; requiring the Department to report to the Bay Restoration Fund Advisory Committee annually on the implementation of this Act; requiring the Department, on or before a certain date, to report to certain committees of the General Assembly on the implementation of this Act; authorizing the Department to enter into any contracts under this Act until a certain date; providing that contracts entered into by the Department under this Act may be funded for a certain period of time; providing for the termination of this Act; and generally relating to the use of funds in the Bay Restoration Fund.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1605.2(a)(1) and (i)(1)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(i)(2) and (l)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

**Senate Bill 392 – ~~Senator Hershey~~ Senators Hershey, Astle, Benson, Feldman,
Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe**

AN ACT concerning

**Credit Regulation – ~~Revolving and~~ Closed End Credit Loans – Elimination of
Duplicative Disclosures**

FOR the purpose of providing that a certain disclosure provided by a lender to a borrower in compliance with a certain federal law shall satisfy certain disclosure requirements under certain provisions of law governing certain ~~revolving credit and~~ closed end credit loans secured by a first mortgage or first deed of trust on residential real property; requiring the Commissioner of Financial Regulation to monitor certain federal requirements and notify the Governor and the General Assembly if the Commissioner makes a certain determination; and generally relating to mortgage lending disclosure requirements for ~~revolving credit and~~ closed end credit loans.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–125, ~~12–922~~, and 12–1022
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 394 – Senator Waugh

AN ACT concerning

St. Mary’s County – Auditing Requirements – Repeal

FOR the purpose of repealing certain provisions of law that relate to the appointment, salary, removal, and powers of a county auditor for St. Mary’s County; repealing certain provisions of law concerning a certain annual audit and an accounting system in the county; and generally relating to auditing in St. Mary’s County.

BY repealing
The Public Local Laws of St. Mary’s County
Section 8–1, 8–2, and 8–4 and the chapter “Chapter 8. Auditor”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2015 Supplement, as amended)

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

Senate Bill 396 – Senator Edwards

AN ACT concerning

Natural Resources – Protection and Restoration of State–Owned Lakes

FOR the purpose of establishing the State Lakes Protection and Restoration Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Natural Resources to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; requiring interest earnings of the Fund to be credited to the Fund; requiring the Department of Natural Resources to develop a certain budget; requiring the Department to develop, in coordination with local governments, organizations, and citizens, a certain annual work plan; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; defining a certain term; and generally relating to the protection and restoration of State–owned lakes.

BY adding to

Article – Natural Resources
Section 8–205 and 8–206
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)94. and 95.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)96.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 439 – Senators Conway, Bates, Benson, Eckardt, Kagan, Madaleno, Manno, McFadden, Peters, Pinsky, Robinson, Salling, Simonaire, Waugh, Young, ~~and Zucker~~ Zucker, and Nathan–Pulliam

AN ACT concerning

State Procurement – Information Technology – Nonvisual Access

FOR the purpose of requiring the Secretary of Information Technology to appoint an access technology officer in accordance with certain requirements; establishing the duties of the access technology officer; requiring the access technology officer to develop a provision for inclusion in all State procurement contracts that requires a certain determination to be made within a certain amount of time; requiring an access technology officer to notify a certain vendor under certain circumstances; providing that a certain vendor may be subject to ~~a certain civil penalty~~ liquidated damages under certain circumstances; requiring a certain vendor that is found in violation of a certain requirement to indemnify the State from liability under certain circumstances; requiring the access technology officer, along with other parties, to develop a nonvisual access clause in accordance with certain requirements; altering a certain exemption from the nonvisual access clause requirement; requiring the Department, on or before a certain date, to adopt new nonvisual access procurement standards that are consistent with certain federal standards; altering a certain definition; and generally relating to information technology and nonvisual access.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–301, 3A–303, and 3A–311
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3A–303.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 440 – Senators Conway and Salling

AN ACT concerning

Environment – Water Management – Sediment Control at Large Redevelopment Sites

FOR the purpose of prohibiting a county or municipality from issuing a grading or building permit until the developer submits a grading and sediment control plan approved by the Department of the Environment if the property that is the subject of the permit is, or is included in, a certain large redevelopment site; requiring the Department to determine certain criteria for certain large redevelopment sites; providing that the Department is the approval authority for certain large redevelopment sites; defining the term “large redevelopment site”; and generally relating to sediment control at large redevelopment sites.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–101.1, 4–103(a), and 4–105
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 503 – Senator Nathan–Pulliam

AN ACT concerning

**Health Occupations Boards – Racial and Ethnic Health Disparities –
~~Information Campaigns – Reporting~~**

FOR the purpose of requiring each health occupations board established under the Health Occupations Article to report an update on the status of certain information campaigns designed to educate certain individuals regarding racial and ethnic health disparities to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to racial and ethnic health disparities.

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 519 – Senators Young and Hough

AN ACT concerning

Frederick County – Hunting – Nongame Birds and Mammals

FOR the purpose of repealing a prohibition in Frederick County against hunting or attempting to hunt nongame birds and mammals without first obtaining a hunting license; making certain stylistic changes; and generally relating to hunting nongame birds and mammals in Frederick County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–301(b)

Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

WAYS AND MEANS COMMITTEE REPORT NO. 5

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

House Bill 3 – Delegate Lisanti

AN ACT concerning

Income Tax – Subtraction Modification – Olympic and Paralympic Games Medals and Prizes

HB0003/585860/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 3 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Lisanti” and substitute “Delegates Lisanti and Carey”; in line 2, after “Olympic” insert a comma; in the same line, strike “and Paralympic” and substitute “Paralympic, Special Olympic, and Deaflympic”; in line 7, strike “the Olympic Games or the Paralympic Games” and substitute “certain international sporting events”; and strike beginning with the second “the” in line 9 down through the second “Games” in line 10 and substitute “certain international sporting events”; and strike in their entirety lines 15 and 20 and substitute “(2016 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 and 7; after line 7, insert:

“(1) THE VALUE OF ANY MEDAL GIVEN BY:

(I) THE INTERNATIONAL OLYMPIC COMMITTEE;

(II) THE INTERNATIONAL PARALYMPIC COMMITTEE;

(III) THE SPECIAL OLYMPICS INTERNATIONAL COMMITTEE; OR

(IV) THE INTERNATIONAL COMMITTEE OF SPORTS FOR THE DEAF; AND;

in line 10, strike “OR” and substitute a comma; and in the same line, after the second “GAMES” insert “, THE SPECIAL OLYMPIC GAMES, OR THE DEAFLYMPIC GAMES”.

The preceding 2 amendments were read only.

Delegate Kipke moved to make the Bill and Amendments a Special Order for March 7, 2017.

The motion was adopted.

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

House Bill 73 – Delegate Luedtke

AN ACT concerning

Election Law – Election Judges – Minimum Age and Minimum Compensation

HB0073/715663/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 73

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Minimum Compensation”; strike beginning with “prohibiting” in line 4 down through “wage;” in line 5; in line 6, after “change;” insert “making a technical correction; requiring the State Board of Elections to survey the local boards of elections concerning minor election judges authorized by this Act and submit a certain report to certain committees of the General Assembly on or before a certain date;”; in line 9, strike “and 10–205”; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 12 on page 2 through line 7 on page 4, inclusive.

On page 4, in line 11, after “on” insert “AN EARLY VOTING DAY OR ON”.

On page 4 and 5, strike in their entirety the lines beginning with line 13 on page 4 through line 22 on page 5, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The State Board of Elections shall survey the local boards of elections after the 2018 elections concerning their experience with 16–year–old election judges authorized by this Act.

(b) The State Board shall compile and summarize the responses to the survey in a report that includes findings and recommendations concerning the value of 16–year–old election judges.

(c) On or before February 1, 2019, the State Board shall submit the report required under this section to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article.”.

On page 5, in line 23, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 85 – Delegates Beidle, Carey, Chang, Frush, S. Howard, Kipke, Malone, McConkey, McMillan, Pena–Melnik, Saab, Simonaire, and Sophocleus

AN ACT concerning

Anne Arundel County – Charitable Gaming

HB0085/935564/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 85

(First Reading File Bill)

On page 1, in the sponsor line, strike beginning with “Delegates” down through “Sophocleus” and substitute “Anne Arundel County Delegation”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 88 – Delegate Lafferty

AN ACT concerning

Education – Selection of Members to the Baltimore County School Board**HB0088/385463/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 88

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Lafferty” and substitute “Baltimore County Delegation”.

AMENDMENT NO. 2

On page 3, in line 12, after “Act” insert “, OR THE TERMS OF THEIR SUCCESSORS,”.

On page 4, in line 7, after “Act” insert “, OR THE TERMS OF THEIR SUCCESSORS,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 363 – Delegates A. Miller, Chang, Ebersole, Jalisi, Kramer, Krebs, Lam, Mautz, West, and K. Young

AN ACT concerning

Recordation and Transfer Taxes – Exemptions – Property Conveyed From Sole Proprietorship to Limited Liability Company

HB0363/805060/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 363

(First Reading File Bill)

On page 1, in line 15, after “12–117(a)(6)(i)” insert “and (c)(1)”.

On page 3, after line 20, insert:

“(c) (1) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE transfer of a controlling interest in a real property entity is not subject to recordation tax if the transfer of the real property owned by the real property entity between the same transferor and transferee of the controlling interest and under the same circumstances would have been exempt under § 12–108 of this title.

(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY TO TRANSACTIONS UNDER § 12–108(Y)(2)(I)3 OF THIS SUBTITLE.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 572 – Howard County Delegation**EMERGENCY BILL**

AN ACT concerning

Howard County – Property Tax Credit for Commercial Real Property – Flood Damage

Ho. Co. 9-17

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 680 – Delegate Kaiser (By Request – Maryland Longitudinal Data System) and Delegates Atterbeary, Barkley, Buckel, Chang, Ebersole, Jackson, Lafferty, Luedtke, McComas, McCray, Patterson, Rose, Shoemaker, Tarlau, M. Washington, and West

AN ACT concerning

Maryland Longitudinal Data System – Student and Workforce Data Linkage – Extension of Time Limit

Favorable report adopted.

Delegate Fisher moved to make the Bill a Special Order for March 7, 2017.

The motion was adopted.

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

House Bill 683 – Delegate Sample–Hughes**EMERGENCY BILL**

AN ACT concerning

Income Tax – Credit for Nurse Practitioner or Licensed Physician in Preceptorship Program – Alterations

HB0683/585166/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 683

(First Reading File Bill)

On page 2, in line 24, strike “**120**” and substitute “**100**”; and in the same line, strike “**OR THE REQUISITE NUMBER OF HOURS FOR A COMPLETED UNIT**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 247)

CALENDAR OF THIRD READING HOUSE BILLS NO. 21

House Bill 1 – Delegates ~~Clippinger and Davis~~, Davis, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Branch, Brooks, Carr, Chang, Conaway, Cullison, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jones, Kaiser, Kelly, Knotts, Korman, Krimm, Lafferty, Lam, J. Lewis, R. Lewis, Lierman, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Mosby, Patterson, Pena-Melnyk, Pendergrass, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample-Hughes, Sanchez, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, and P. Young

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

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

Affirmative – 88 Negative – 51 (See Roll Call No. 248)

The Bill was then sent to the Senate.

House Bill 233 – Delegates Barron, West, Fennell, and Hettleman

AN ACT concerning

**Disclosure of Medical Records – Guardian Ad Litem – Victims of Crime or
Delinquent Acts**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 249)

The Bill was then sent to the Senate.

House Bill 443 – Delegates West, Bromwell, Cullison, Kelly, Metzgar, and Miele

AN ACT concerning

Assisted Living Programs – Licensure Fees

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

Affirmative – 139 Negative – 0 (See Roll Call No. 250)

The Bill was then sent to the Senate.

House Bill 445 – Delegates West, Cullison, Krebs, Metzgar, and Morhaim

AN ACT concerning

**Public Health – Repeal of AIDS Education Program for Persons Convicted of
Drug- or Sex-Related Crimes**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 251)

The Bill was then sent to the Senate.

**House Bill 448 – Delegates Bromwell, Pendergrass, ~~and Reznik~~ Reznik, Barron,
Cullison, Hayes, Hill, Kelly, Kipke, Krebs, Metzgar, Miele, Morales, Morgan,
Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and
K. Young**

AN ACT concerning

Maryland Achieving a Better Life Experience (ABLE) Program – Account Clarifications

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

Affirmative – 138 Negative – 0 (See Roll Call No. 252)

The Bill was then sent to the Senate.

House Bill 524 – Delegate Jacobs

AN ACT concerning

Public Health – Required Temperatures for Sale of Crab Meat – Repeal

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

Affirmative – 137 Negative – 0 (See Roll Call No. 253)

The Bill was then sent to the Senate.

House Bill 664 – Delegates Reilly, Anderton, Arentz, Carozza, Cassilly, Folden, Ghrist, Grammer, Healey, Jacobs, Knotts, McDonough, Metzgar, Otto, Rey, Szeliga, Vogt, C. Wilson, ~~and K. Young~~ K. Young, Pendergrass, Bromwell, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, and West

AN ACT concerning

State Government – Display of the POW/MIA Flag on State Building Grounds

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

Affirmative – 137 Negative – 0 (See Roll Call No. 254)

The Bill was then sent to the Senate.

INTRODUCTION OF HOUSE SIMPLE RESOLUTION

House Simple Resolution 1 – By: The Speaker

A House Simple Resolution concerning

**In Re: Delegate Dan K. Morhaim
Resolution of Reprimand**

FOR the purpose of adopting the findings and conclusions contained in the Report by the Joint Committee on Legislative Ethics issued on February 28, 2017; and ordering the reprimand of Delegate Dan K. Morhaim by the House of Delegates of Maryland pursuant to Article III, Section 19 of the Maryland Constitution.

WHEREAS, The Joint Committee on Legislative Ethics, pursuant to a complaint issued by the Joint Committee on October 19, 2016, conducted a thorough review of the allegation of violations of the Maryland Public Ethics Law by Delegate Dan K. Morhaim relating to the use of his public office for personal gain or gain of another; and

WHEREAS, The Joint Committee on Legislative Ethics submitted detailed findings, adopted by a unanimous vote of its members, in a Report dated February 28, 2017; and

WHEREAS, The Joint Committee on Legislative Ethics found that the improper actions of Delegate Morhaim have brought disrepute and dishonor to the members of the House of Delegates and the General Assembly; and

WHEREAS, The Joint Committee on Legislative Ethics recommended in its Report, with all of its members concurring, that “[t]he Speaker of the House of Delegates submit to the House of Delegates, and the full House of Delegates adopt, a resolution of reprimand expressing the House of Delegates’ disapproval of Delegate Morhaim’s actions, based on his activities as set forth in this Report of the Joint Committee on Legislative Ethics”; now, therefore, be it

RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the House of Delegates of Maryland adopt the findings and conclusions contained in the Report issued on February 28, 2017, by the Joint Committee on Legislative Ethics; and be it further

RESOLVED, That Delegate Dan K. Morhaim be reprimanded by the House of Delegates of Maryland, pursuant to Article III, Section 19 of the Maryland Constitution.

Read and adopted by roll call vote as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 255)

**REPORT OF THE JOINT COMMITTEE ON LEGISLATIVE ETHICS
IN RE: DELEGATE DAN K. MORHAIM**

(SEE EXHIBIT K OF APPENDIX II)

Delegate Frick moved the Report of the Joint Committee on Legislative Ethics be journalized.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 256)

ADJOURNMENT

At 12:20 P.M. on motion of Delegate Frick the House adjourned until 8:00 P.M. on Monday, March 6, 2017.

**Annapolis, Maryland
Monday, March 6, 2017
8:00 P.M. Session**

The House met at 8:07 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Anne R. Kaiser of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 257)

EXCUSED:

Del. B. Barnes – business

Del. Ciliberti – family emergency

Del. Conaway – personal

Del. Kipke – business

Del. McConkey – illness

Del. McDonough – illness

Del. Sophocleus – doctor's appointment

The Journal of March 3, 2017 was read and approved.

INTRODUCTORY HOUSE BILLS NO. 41

House Bill 1643 – Delegate Lam

AN ACT concerning

**Health Insurance – Health Benefit Plans – Special Enrollment Period for
Pregnancy**

FOR the purpose of requiring certain health benefit plans and certain carriers to provide a special enrollment period during which certain individuals who become pregnant may enroll in a health benefit plan; establishing the duration of the special enrollment period; establishing certain effective dates of coverage for certain individuals enrolled in certain health benefit plans during the special enrollment period; defining a certain term; providing for the application of this Act; making conforming changes; and generally relating to health benefit plans offered to individuals and small employers.

BY renumbering

Article – Insurance

Section 15–1201(j) through (aa), respectively

to be Section 15–1201(k) through (bb), respectively

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – Insurance

Section 15–1201(j)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–1208.1(c), (e), and (f) and 15–1316

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1644 – Delegates Jones, Branch, and Walker

AN ACT concerning

Creation of a State Debt – Baltimore City – Most Worshipful Prince Hall Grand Lodge

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Trustees of The Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons of Maryland and Its Jurisdiction, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1645 – Delegate Angel

AN ACT concerning

Task Force to Study Mental Health Concerns for Deaf and Hard of Hearing Individuals

FOR the purpose of establishing the Task Force to Study Mental Health Concerns for Deaf and Hard of Hearing Individuals; 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 how mental health and other concerns impact interactions between the deaf and hard of hearing and law enforcement officers; requiring the Task Force to make recommendations regarding how to improve certain interactions and the feasibility of designating, on certain Motor Vehicle Administration documents, certain information about certain individuals; 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 Mental Health Concerns for Deaf and Hard of Hearing Individuals.

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

House Bill 1646 – Delegates Malone, Beitzel, and Kipke

AN ACT concerning

Creation of a State Debt – Lutheran Mission Society Compassion Centers

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Lutheran Mission Society of Maryland for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1647 – Delegate Valderrama

AN ACT concerning

Nursing Homes – Lifting of Immobile Patients – Requirements

FOR the purpose of requiring certain related institutions to require at least a certain number of patient care personnel to perform lifts of immobile patients; and generally relating to lifting of immobile patients in nursing homes.

BY adding to

Article – Health – General

Section 19–378

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1648 – Delegate Angel

EMERGENCY BILL

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Diversity

FOR the purpose of requiring that, to the extent practicable, the members of the Natalie M. LaPrade Medical Cannabis Commission reflect the racial, ethnic, cultural, and gender diversity of the State; making this Act an emergency measure; and generally relating to the Natalie M. LaPrade Medical Cannabis Commission.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3303
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1649 – Delegates Angel, D. Barnes, and Davis

AN ACT concerning

Creation of a State Debt – Prince George’s County – District Heights Veterans Park

FOR the purpose of authorizing the creation of a State Debt in the amount of \$170,000, the proceeds to be used as a grant to the Mayor and City Commissioners of the City of District Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1650 – Delegate Lisanti

EMERGENCY BILL

AN ACT concerning

Harford County – Hotel Rental Tax

FOR the purpose of authorizing Harford County to impose a hotel rental tax not exceeding a certain rate; requiring a hotel located in Harford County to collect the tax and file a certain return and pay taxes collected on or before a certain date each month; providing for the distribution of certain hotel rental tax revenue in Harford County and municipalities in Harford County; providing that certain provisions relating to the imposition and collection of a hotel rental tax apply in Harford County; making this Act an emergency measure; and generally relating to hotel rental taxes in Harford County.

BY repealing and reenacting, without amendments,

Article – Local Government

Section 20–401, 20–403(a), 20–406, 20–407, 20–409 through 20–415, 20–423, and 20–425 through 20–428

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Local Government

Section 20–402, 20–405, and 20–408

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

BY adding to

Article – Local Government

Section 20–419.5

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

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

House Bill 1651 – Delegate Barve

AN ACT concerning

**Maryland Transit Administration – Transit Ridership of Executive Branch
Employees – Fare Required**

FOR the purpose of prohibiting the Maryland Transit Administration from allowing an employee of the Executive Branch of State government to use a transit service without paying the established fare; authorizing the Administration to allow, under certain circumstances, an employee of the Executive Branch of State government to use a transit service without payment of a certain fare; requiring the Administration, each fiscal year, to estimate the total amount of fares recovered from employees of the Executive Branch of State government; requiring the Administration to

reimburse local governments and boards of education certain amounts; providing that the Administration may not provide reimbursements that in the aggregate exceed a certain estimate; providing that if a certain estimate exceeds a certain amount the Administration must use the excess for certain purposes; providing for a delayed effective date; and generally relating to a requirement that certain employees of the Executive Branch of State government pay certain established fares for certain transit services.

BY adding to

Article – Transportation

Section 7–709

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 23

Senate Bill 108 – Senator Simonaire

AN ACT concerning

Property Tax Credit – Erosion Control Measures – Nonstructural and Structural Shoreline Stabilization

FOR the purpose of requiring that, except under certain circumstances, certain erosion control measures that qualify for a certain property tax credit authorized against the county or municipal corporation property tax meet certain shoreline stabilization standards; ~~repealing certain provisions of law rendered obsolete by this Act that relate to defining erosion control measures that qualify for the tax credit;~~ defining a certain term; providing for the application of this Act; and generally relating to a property tax credit for certain erosion control measures.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–217

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 247 – ~~Senator Ramirez~~ Senators Ramirez and Muse

AN ACT concerning

Real Property – Notices of Foreclosure Sale and Postponement or Cancellation of Foreclosure Sale

FOR the purpose of requiring the person authorized to make a foreclosure sale to give written notice of the proposed sale to a certain condominium or homeowners association at a certain time and in a certain manner; requiring the trustee, within a certain time after the postponement or cancellation of a foreclosure sale, to send a notice that the sale was postponed or canceled to the record owner of the property and a certain condominium or homeowners association in a certain manner; providing for the application of this Act; and generally relating to notice of a foreclosure sale.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.2
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 254 – Senators Peters, Middleton, and Miller

AN ACT concerning

Income Tax – Subtraction Modification – Perpetual Conservation Easements

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain proceeds from the sale of a perpetual conservation easement on real property in the State; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain proceeds from the sale of a perpetual conservation easement on real property in the State.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2016 Replacement Volume)

BY adding to
Article – Tax – General
Section 10–207(ee)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 278 – Senators Middleton, Benson, Guzzone, Mathias, Peters, Reilly, and Smith

AN ACT concerning

Maryland Farms and Families Act

FOR the purpose of establishing the Maryland Farms and Families Program in the Department of Agriculture; establishing the purpose of the Program; establishing a Maryland Farms and Families Fund in accordance with certain requirements; requiring the Fund to be used for a certain purpose and in a certain manner; requiring the Governor to include a certain appropriation to the Fund each fiscal year subject to certain limitations; establishing certain qualifications for certain nonprofit organizations to receive a certain grant under the Program; requiring certain grant recipients to report certain information to the Department; authorizing the Department to adopt certain regulations; defining certain terms; and generally relating to grants to nonprofit organizations to match federal nutrition benefits.

BY adding to

Article – Agriculture

Section 10–2001 through 10–2005 to be under the new subtitle “Subtitle 20.
Maryland Farms and Families Program”

Annotated Code of Maryland
(2016 Replacement Volume)

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

Senate Bill 291 – Senators Rosapepe, Benson, Conway, Feldman, Ferguson, Guzzone, King, Manno, Pinsky, Ramirez, Smith, and Young

AN ACT concerning

Maryland Environmental Service – Collective Bargaining

FOR the purpose of requiring the Maryland Environmental Service, consistent with certain provisions of law, to recognize and deal with certain employee organizations, collectively bargain, and enter into certain types of agreements applicable to certain State employees; providing for an exception to an exemption from certain provisions of State personnel law; and generally relating to certain requirements for the Maryland Environmental Service in connection with collective bargaining for its employees.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 3–103.1 and 3–103.2

Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 308 – The President (By Request – Administration) and Senators Bates, Brochin, Cassilly, Eckardt, Edwards, Ferguson, Hershey, Hough, Jennings, Lee, Mathias, Norman, Ready, Salling, Serafini, Simonaire, ~~and Waugh~~ Waugh, and Muse

EMERGENCY BILL

AN ACT concerning

**Child Abuse – Sex Trafficking
(Protecting Victims of Sex Trafficking Act of 2017)**

FOR the purpose of altering the definition of “sexual abuse” in provisions of law relating to child abuse to include the sex trafficking of a child; defining the terms “sexual molestation or exploitation” and “sex trafficking” in provisions of law relating to child abuse; making this Act an emergency measure; and generally relating to child abuse and sex trafficking.

BY adding to

Article – Family Law

Section 5–701(x)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–701(x) and (y)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 367 – Senators Zucker, Peters, Edwards, Ferguson, Guzzone, King, Madaleno, Manno, and Serafini

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain taxable years for income from the discharge of certain indebtedness related to certain costs incurred with respect to a principal residence; providing that the amount of the subtraction may not exceed a certain amount for certain taxpayers; providing for the application of this Act; providing for the termination of certain

provisions of this Act; correcting an obsolete reference; and generally relating to an income tax subtraction modification for income from the discharge of certain indebtedness.

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–205(k)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2016 Replacement Volume)

BY adding to

Article – Tax – General
Section 10–207(ee)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 372 – Carroll County Senators

AN ACT concerning

Carroll County – Detention Center – Polygraph Testing

FOR the purpose of establishing that a certain prohibition on requiring an employee or a prospective employee to take a polygraph examination or similar test as a condition of prospective or continued employment does not apply to an individual employed as a correctional officer or in a certain other capacity at the Carroll County Detention Center; and generally relating to polygraph testing of employees of the Carroll County Detention Center.

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 3–702
Annotated Code of Maryland
(2016 Replacement Volume)

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

Senate Bill 376 – Senator Norman

AN ACT concerning

~~**Mortgages and Deeds of Trust – Certification Requirement for Recordation –**~~
~~**Repeal**~~

Real Property – Certification Requirement for Recordation

FOR the purpose of repealing the requirement that a mortgage or deed of trust bear a certain attorney certification or a certification that the instrument was prepared by a certain party in order to be recorded; requiring that a deed or lease bear a certain attorney certification or a certification that the instrument was prepared by a certain party in order to be recorded; providing that the clerk of the circuit court may record a mortgage or deed of trust prepared by one of the parties named in the instrument without a certain certification; making a certain stylistic change; defining certain terms; and generally relating to the recording of mortgages and deeds of trust.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 3–104(f)(1)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 389 – Senator Hershey

AN ACT concerning

Kent County – Property Tax Credit – Commerce Zones

FOR the purpose of authorizing a certain property tax credit for certain business entities that obtain certain new, improved, or expanded premises in a certain commerce zone in Kent County; providing for the amount and duration of the property tax credit; authorizing the governing body of Kent County to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Kent County for real property located in certain commerce zones.

BY adding to

Article – Tax – Property

Section 9–316

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 403 – Senators Astle, Benson, Feldman, Klausmeier, Manno, Mathias, and Rosapepe

AN ACT concerning

Private Passenger Motor Vehicle Liability Insurance – ~~Supplemental~~ Enhanced Underinsured Motorist Coverage

FOR the purpose of authorizing a certain insured to obtain certain ~~supplemental~~ enhanced underinsured motorist coverage, instead of certain uninsured motorist coverage, under a private passenger motor vehicle liability insurance policy under certain circumstances; requiring certain insurers to offer certain ~~supplemental~~ enhanced underinsured motorist coverage under certain circumstances; providing for the characteristics of the ~~supplemental~~ enhanced underinsured motorist coverage, including the amounts of the coverage, what an insurer may exclude from the coverage, and the limits of liability under the coverage; ~~authorizing a certain insured to waive the right to obtain supplemental underinsured motorist coverage in a certain manner; providing that a certain waiver is not effective unless, prior to the waiver, the insurer gives the first named insured a certain notice; providing for the form of a certain waiver; providing for the effective period of a certain waiver; prohibiting an insurer from refusing to underwrite a person because the person refuses to make a certain waiver, subject to certain penalties; requiring an injured person and a certain insurer to take certain actions regarding a certain settlement offer under certain circumstances; establishing a certain exception to a certain limitation on duplicate or supplemental recovery of certain benefits~~ altering a certain prohibition on the recovery of benefits under certain coverages; prohibiting, with a certain exception, a person from recovering benefits under certain coverages from more than one motor vehicle liability insurance policy or insurer on a supplemental basis; defining a certain term; ~~providing for the application of this Act; providing for a delayed effective date~~; and generally relating to private passenger motor vehicle liability insurance and ~~supplemental~~ enhanced underinsured motorist coverage.

BY renumbering

Article – Insurance

Section 19–509.1

to be Section 19–509.2

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–509, 19–510, 19–511, and 19–513

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – Insurance

Section 19–509.1, ~~19–510.1~~, and 19–511.1

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–509.2

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 17–103(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 436 – Senator Eckardt

EMERGENCY BILL

AN ACT concerning

**Income Tax – Credit for Nurse Practitioner or Licensed Physician in
Preceptorship Program – Alterations**

FOR the purpose of altering a credit against the State income tax for certain individuals who, under certain circumstances, serve as preceptors in certain preceptorship programs and work in certain areas of the State with health care workforce shortages; altering the application of a certain fee assessed by the Board of Nursing for the renewal of a certain nurse practitioner; altering the number of hours a certain nurse practitioner or licensed physician must work in a certain preceptorship program in order to qualify for the tax credit; providing for the application of this Act; making this Act an emergency measure; and generally relating to a credit against the State income tax for certain preceptors in certain areas with health care workforce shortages.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8–206(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–739(b)(1)

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 438 – Senator Conway

AN ACT concerning

State Lottery Tickets – Internet Sales – Prohibition

FOR the purpose of prohibiting the State Lottery and Gaming Control Agency from allowing a person to purchase a State lottery ticket through an electronic device that connects to the Internet; and generally relating to the sale of State lottery tickets.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–101(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Government

Section 9–111(e)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 449 – Senator Kasemeyer

AN ACT concerning

Estates and Trusts – Vehicle Transfers – Excise Tax and Fee Exemption

FOR the purpose of providing that the motor vehicle excise tax and certificate of title fee may not be imposed for the issuance of a certificate of title for certain vehicles transferred, under certain circumstances, to a trust or from a trust to certain beneficiaries; altering a certain definition; defining a certain term; and generally relating to an exemption from the motor vehicle excise tax and certificate of title fee.

BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 14.5–103(a), (d), (t), and (v)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts
Section 14.5–1001
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 13–802(c) and 13–810(a)(26)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–810(a)(24) and (25)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 456 – Carroll County Senators

AN ACT concerning

Carroll County – State’s Attorney – Salary

FOR the purpose of altering the salary of the State’s Attorney for Carroll County; providing for the application of this Act; and generally relating to the Office of the State’s Attorney for Carroll County.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–407(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–407(b)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 457 – Carroll County Senators

AN ACT concerning

Carroll County – Sheriff's Salary

FOR the purpose of altering the salary of the Sheriff of Carroll County; providing for the application of this Act; and generally relating to the Sheriff of Carroll County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(h)(1)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 473 – Calvert County Senators

AN ACT concerning

Calvert County – Bonding Authority

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$17,620,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

Senate Bill 496 – Chair, Budget and Taxation Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

Gaming – Reconciliation of Proceeds – Licensee Payments

FOR the purpose of altering a certain definition to allow a video lottery operation licensee, under certain circumstances, to reduce the amount of proceeds received from video lottery terminals and table games on a following day; requiring that the State Lottery and Gaming Control Commission adopt regulations to allow a licensee, under certain circumstances, to reduce the amount of proceeds the licensee receives on a given day; and generally relating to the proceeds from certain video lottery terminals and table games.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–01(a) and 9–1A–26(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–01(u)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Government
Section 9–1A–26(d)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**Senate Bill 497 – Chair, Budget and Taxation Committee (By Request –
Departmental – Lottery and Gaming Control Agency)**

AN ACT concerning

**Gaming – Video Lottery ~~Operation License – Renewal Term~~ Facilities –
Operation License Renewal Term and Local Development Council Membership**

FOR the purpose of altering the period of time by which a video lottery operation licensee must notify the State Lottery and Gaming Control Commission of its intent to reapply for a video lottery operation license; altering the membership of certain video lottery facility local development councils; and generally relating to video lottery operation licenses and the membership of certain local development councils.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–13(c) and 9–1A–31(c)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–13(d)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 500 – Senator Norman

AN ACT concerning

Small Claim Action Appeals From District Court – Nonattorney Representation

FOR the purpose of exempting certain representatives of certain entities from the requirement of admission to the Bar of Maryland and other requirements of the Court of Appeals for representing the entity in the appeals of certain civil actions originating in the District Court under certain circumstances; and generally relating to nonattorney representation in small claim action appeals.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 10–206(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 10–206(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 4–405
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

Senate Bill 510 – Senator Norman

AN ACT concerning

Criminal Procedure – Expungement – ~~Nolle Prosequi~~ Time for Filing

FOR the purpose of repealing the prohibition on the filing of a petition for expungement based on an acquittal, a dismissal, or a nolle prosequi within a certain time period after the disposition unless the petitioner files with the petition a certain waiver and release; requiring certain records that are ordered for expungement to be expunged by removing the records to a certain secured area; and generally relating to expungement of criminal records.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–105(c)(1) and (e)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

Senate Bill 516 – Senators Zucker ~~and Simonaire~~, Simonaire, and Bates

AN ACT concerning

**State Government – Maryland Manual – Revisions
(Maryland Manual Modernization Act)**

FOR the purpose of altering certain provisions of law to require the State Archives to compile, edit, and publish an online Maryland Manual; altering the content of the Maryland Manual; requiring, as provided in the State budget, the State Archives to update the Maryland Manual as necessary to maintain the accuracy of the information and to annually preserve a version that contains certain changes; requiring the State Archivist, to the extent practicable, to provide certain outreach to certain persons; repealing certain provisions of law relating to the provision and distribution of the Maryland Manual by the State Archivist; and generally relating to the Maryland Manual.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1026
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing
Article – State Government
Section 9–1027
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 531 – ~~Senator Benson~~ Senators Benson, Astle, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe

AN ACT concerning

Housing ~~Counselor~~ Navigator and Aftercare Program

FOR the purpose of establishing the Housing ~~Counselor~~ Navigator and Aftercare Program in the Department of Human Resources to assist families and individuals who are experiencing, or who are in imminent danger of, a housing crisis in obtaining and maintaining permanent housing; allowing a family to apply for services if the family is the recipient of temporary cash assistance or is in the process of applying for temporary cash assistance; specifying certain activities that a housing ~~counselor~~ navigator shall perform in assisting a family or individual client with securing and maintaining permanent, affordable housing; specifying certain purposes for which Program funds may be used; specifying certain client-related expenses; requiring a local administrative agency to be designated by the Department or a local government for certain purposes; ~~specifying that the Program be funded by a certain fund;~~ requiring the Governor to include a certain appropriation for the Program in the annual budget each fiscal year beginning in a certain fiscal year, subject to certain limitations; ~~altering the purpose of the Forclosed Property Registry Fund;~~ defining a certain term; and generally relating to the Housing ~~Counselor~~ Navigator and Aftercare Program.

BY adding to

Article – Human Services

Section 6–801 through 6–807 to be under the new subtitle “Subtitle 8. Housing ~~Counselor~~ Navigator and Aftercare Program”

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

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

~~Article – Real Property~~

~~Section 14–126.1(i)~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2016 Supplement)~~

Read the first time and referred to the Committee on Environment and Transportation and the Committee on Appropriations.

Senate Bill 558 – Senators Norman, Bates, Cassilly, Eckardt, Edwards, and Ready

EMERGENCY BILL

AN ACT concerning

Motor Vehicles – Seasonal Exceptional Milk Hauling Permit

FOR the purpose of authorizing the State Highway Administration to issue a seasonal exceptional milk hauling permit that authorizes certain axle configurations and certain increased weight limits during a certain time period annually under certain circumstances; making this Act an emergency measure; and generally relating to the seasonal exceptional milk hauling permit.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24-113.2
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 639 – Senator Edwards

AN ACT concerning

Allegany County – Sheriff's Deputies – Salary and Duties

FOR the purpose of altering the salary of a Sheriff's deputy in Allegany County; clarifying that at least one of the Sheriff's deputies is required to be assigned to certain duties; and generally relating to Sheriff's deputies in Allegany County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2-309(b)(2)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 656 – ~~Senator Jennings~~ Senators Jennings, Brochin, Cassilly, Hough, Kelley, Lee, Muse, Norman, Ramirez, Ready, Smith, and Zirkin

AN ACT concerning

**Corporations and Associations – Fee for Processing Articles of Dissolution and
Certificates of Cancellation – Repeal**

FOR the purpose of repealing a certain fee charged by the State Department of Assessments and Taxation for processing articles of dissolution and certificates of cancellation filed by certain business entities with the Department; and generally relating to fees charged to business entities by the State Department of Assessments and Taxation.

BY repealing and reenacting, without amendments,

Article – Corporations and Associations
Section 1–203(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–203(b)(1) and (4)(i)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 668 – Senators Norman, Astle, Cassilly, Edwards, Hough, Jennings,
Lee, Salling, and Smith**

AN ACT concerning

Vehicle Laws – Operation of Motorcycles – Handlebar Height

FOR the purpose of increasing the maximum height that the handlebars of a motorcycle may be above a certain part of the motorcycle seat in order for a person to lawfully operate the motorcycle; and generally relating to the operation of motorcycles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1305(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 790 – Senator Smith

AN ACT concerning

Criminal Law – Animal Cruelty – Applicability

FOR the purpose of clarifying that a person who has charge or custody of an animal and who unnecessarily fails to provide the animal with proper air, proper space, proper shelter, or proper protection from the weather is guilty of violating a certain prohibition against abuse or neglect of an animal; clarifying that a person who intentionally mutilates, intentionally tortures, intentionally cruelly beats, or intentionally cruelly kills an animal is guilty of violating a certain prohibition against aggravated cruelty to animals; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 10–604 and 10–606
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 917 – Senators Mathias, Eckardt, and Hershey

AN ACT concerning

**Motor Vehicles – Gross Weight and Axle Load and Exceptional Hauling Permit –
Poultry**

FOR the purpose of exempting a certain combination of vehicles with a trailer or semitrailer from certain gross weight limits under certain circumstances; establishing the gross weight limit for a certain combination of vehicles with a trailer or semitrailer that is carrying poultry under certain circumstances; authorizing a certain combination of vehicles with a trailer or semitrailer to have a certain axle load limit tolerance and gross weight limit tolerance under certain circumstances; applying certain provisions of law regarding exceptional hauling permits to a certain combination of vehicles with a trailer or semitrailer; requiring a certain combination of vehicles with a trailer or semitrailer to submit to and pass a certain inspection with a certain frequency; requiring a certain person operating a certain combination of vehicles with a trailer or semitrailer to have a copy of a certain inspection report while operating the combination of vehicles; requiring the State Highway Administration to enter into a certain agreement with a certain poultry processing company for the collection of certain information; requiring that the information specified in the agreement be provided to the Administration with a certain frequency; providing for the termination of this Act; making stylistic changes; and generally relating to gross weight and axle load and exceptional hauling permits for certain poultry carriers.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–109 and 24–113.2
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 937 – ~~Senator Smith~~ Senators Smith and Zirkin

AN ACT concerning

**Alcoholic Beverages – Civil Offenses – Public Consumption and Possession of
Open Container**

FOR the purpose of making it a civil rather than a criminal offense to consume an alcoholic beverage in public under certain circumstances or to possess an alcoholic beverage in an open container under certain circumstances; requiring certain offenders to be issued a citation under certain circumstances; providing a certain maximum fine; making certain conforming changes; and generally relating to the possession and consumption of alcoholic beverages in public.

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 6–321 and 6–322
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–119
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Judiciary.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 5	Del. Barkley	Private Passenger Motor Vehicle Liability Ins – Enhanced Underinsured Motorist Coverage

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 5

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Bill 493 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Bill 494 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE
REPORT NO. 17-01**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

GOVERNOR LAWRENCE J. HOGAN, JR.
2016 RECESS APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit B of Appendix II)

The favorable report of the Committee was adopted by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 258)

The preceding appointments were confirmed by the House.

Delegate Healey, Chair, for the Committee on Rules and Executive Nomination reported favorably:

GOVERNOR LAWRENCE J. HOGAN, JR.
2016 GUBERNATORIAL APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit I of Appendix II)

The favorable report of the Committee was adopted by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 259)

The preceding appointments were confirmed by the House.

QUORUM CALL

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

(See Roll Call No. 260)

ADJOURNMENT

At 8:33 P.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Tuesday, March 7, 2017.

**Annapolis, Maryland
Tuesday, March 7, 2017
10:00 A.M. Session**

The House met at 10:03 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Kathy Szeliga of Baltimore and Harford Counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 261)

EXCUSED:

Del. Branch – left early – personal

Del. Ciliberti – family emergency

Del. Kipke – business

The Journal of March 6, 2017 was read and approved.

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 24

Senate Bill 386 – Senators Nathan–Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Manno, McFadden, Pinsky, Ramirez, Robinson, Rosapepe, Young, and Zucker

AN ACT concerning

Pollinator Habitat Plans – Plan Contents – ~~Requirement~~ Requirements and Prohibition

FOR the purpose of requiring a certain pollinator habitat plan to include certain best management practices for the designation of certain habitat areas; requiring that a certain pollinator habitat plan established by the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration be as protective of pollinators as the Department of Agriculture’s managed pollinator protection plan; prohibiting the use of certain pesticides, seeds, or plants in ~~the pollinator habitat plan~~ a certain pollinator habitat area, subject to certain exceptions; defining a certain term; making conforming changes; and generally relating to pollinator habitat plans.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–1801
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 535 – Senators Salling, Astle, Bates, Benson, Brochin, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Reilly, Robinson, Rosapepe, Serafini, Simonaire, Smith, Waugh, Young, Zirkin, and Zucker

AN ACT concerning

Highway Dedication – Senator Norman R. Stone, Jr. Highway

FOR the purpose of requiring the State Highway Administration to dedicate a certain portion of highway in Baltimore County as the Senator Norman R. Stone, Jr. Highway; and generally relating to highway dedications.

BY adding to
Article – Transportation
Section 8–659
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Joint Resolution 2 – Senators Madaleno, Conway, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Manno, McFadden, Pinsky, Rosapepe, Smith, and Zucker

A Senate Joint Resolution concerning

Constitutional Convention – ~~Amendment~~ Amendments – Repeal

FOR the purpose of repealing and withdrawing certain applications to Congress to call a Constitutional Convention; ~~and~~ urging the legislatures of certain other states to take certain actions; and generally relating to the repeal and withdrawal of certain applications to Congress for a convention to propose amendments to the Constitution of the United States.

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

APPROPRIATIONS COMMITTEE REPORT NO. 5

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

House Bill 224 – Delegate Lierman

AN ACT concerning

Higher Education – AmeriCorps Program Participants – In-State Tuition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 232 – Delegates McKay, Anderton, Beitzel, Buckel, Chang, Gutierrez, Haynes, Jackson, Krebs, McConkey, McCray, Parrott, Sophocleus, B. Wilson, Wivell, and P. Young

AN ACT concerning

Correctional Services – Commissioner’s Duties – Staffing Report

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 267 – Delegates B. Wilson, Anderson, Ebersole, Flanagan, Lierman, Mautz, Platt, and M. Washington

AN ACT concerning

Program Open Space – Authorized Transfer to the Maryland Heritage Areas Authority Financing Fund – Increase

HB0267/644963/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 267

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Space;” insert “requiring that, if more than a certain amount of funding is transferred to the Maryland Heritage Areas Authority Fund in accordance with this Act, a certain amount of the funding be provided from the State’s share of funds;”.

AMENDMENT NO. 2

On page 1, in line 19, strike “Of” and substitute “(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, OF”; and after line 24, insert:

“(II) IF THE AMOUNT TRANSFERRED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH EXCEEDS \$3,000,000, THE AMOUNT EXCEEDING \$3,000,000 SHALL BE PROVIDED FROM THE STATE’S SHARE OF FUNDS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 271 – Delegates Lierman, Anderson, Barron, Beidle, Branch, Clippinger, Ebersole, Glenn, Hayes, Hettelman, Korman, Lafferty, Lewis, McCray, Oaks, Robinson, and M. Washington

AN ACT concerning

Maryland Transit Administration – Farebox Recovery, Goals, and Performance Indicators

HB0271/714968/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 271

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and M. Washington” and substitute “M. Washington, and Ali”; strike beginning with “Farebox” in line 2 down through “Indicators” in line 3 and substitute “Farebox Recovery Rate – Repeal”; strike beginning with “establishing” in line 6 down through “Administration;” in line 7; strike beginning with “altering” in line 8 down through “change;” in line 10 and substitute “making conforming and stylistic changes;”; and in line 11, after “Administration” insert “and the repeal of the farebox recovery rate”.

AMENDMENT NO. 2

On page 2, in line 7, strike “(1)”; strike beginning with “**THE**” in line 13 down through “**LESS.**” in line 30; and in line 31, strike “(2)”.

On page 3, in lines 1 and 8, strike “(i)” and “(ii)”, respectively, and substitute “**(1)**” and “**(2)**”, respectively; in lines 2, 4, and 6, strike “1.”, “2.”, and “3.”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively.

On page 4, in line 24, strike “**QUALITY AND**”; and in line 27, strike the brackets.

On pages 4 and 5, strike beginning with the semicolon in line 28 on page 4 down through “**LESS**” in line 11 on page 5.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0271/183829/1

BY: Delegate Flanagan

AMENDMENTS TO HOUSE BILL 271

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “change;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 6, in line 9, after “2017.” insert “It shall remain effective for a period of 3 years and, at the end of June 30, 2020, 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 only.

Delegate Flanagan moved that the Bill and Amendments be laid over one day under the Rules.

The motion was adopted.

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

House Bill 507 – Delegate Luedtke

AN ACT concerning

Community Colleges and Local Governments – Use of Public Funds to Influence Collective Bargaining Rights – Prohibition

HB0507/594360/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 507

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Use” in line 2 down through “Rights” in line 3 and substitute “Unfair Labor Practices”; strike beginning with “knowingly” in line 5 down through “Act” in line 8 and substitute “engaging in any unfair labor practice”; and strike beginning with “the” in line 9 down through “bargaining” in line 10 and substitute “a prohibition against engaging in unfair labor practices”.

AMENDMENT NO. 2

On page 2, strike beginning with “MAY” in line 2 down through “(C)” in line 13 and substitute “MAY NOT ENGAGE IN ANY UNFAIR LABOR PRACTICE, INCLUDING:

(1) INTERFERING WITH, RESTRAINING, OR COERCING COMMUNITY COLLEGE EMPLOYEES, INCLUDING FACULTY, REGARDING THE DECISION TO SUPPORT OR OPPOSE AN EMPLOYEE ORGANIZATION;

(2) DOMINATING, INTERFERING WITH, CONTRIBUTING FINANCIAL OR OTHER SUPPORT TO, OR ASSISTING IN THE FORMATION, EXISTENCE, OR ADMINISTRATION OF ANY LABOR ORGANIZATION;

(3) GRANTING ADMINISTRATIVE LEAVE TO EMPLOYEES TO ATTEND EMPLOYER SPONSORED OR SUPPORTED MEETINGS OR EVENTS RELATING TO AN ELECTION OF AN EMPLOYEE ORGANIZATION, UNLESS THE EMPLOYER GRANTS EMPLOYEES AT LEAST THE SAME AMOUNT OF ADMINISTRATIVE LEAVE TO ATTEND LABOR ORGANIZATION SPONSORED OR SUPPORTED MEETINGS OR EMPLOYEE MEETINGS;

(4) DISCRIMINATING IN HIRING, TENURE, OR ANY TERM OR CONDITION OF EMPLOYMENT TO ENCOURAGE OR DISCOURAGE MEMBERSHIP IN AN EMPLOYEE ORGANIZATION;

(5) DISCHARGING OR DISCRIMINATING AGAINST AN EMPLOYEE BECAUSE OF THE SIGNING OR FILING OF AN AFFIDAVIT, A PETITION, OR A COMPLAINT, OR GIVING INFORMATION OR TESTIMONY IN CONNECTION WITH COLLECTIVE BARGAINING MATTERS;

(6) FAILING TO PROVIDE ALL EMPLOYEE ORGANIZATIONS INVOLVED IN AN ELECTION THE SAME RIGHTS OF ACCESS AS REQUIRED BY THE STATE HIGHER EDUCATION LABOR RELATIONS BOARD THROUGH REGULATION;

(7) ENGAGING IN SURVEILLANCE OF UNION ACTIVITIES;

(8) REFUSING TO BARGAIN IN GOOD FAITH; OR

(9) ENGAGING IN A LOCKOUT.

(B)".

AMENDMENT NO. 3

On pages 2 and 3, strike beginning with “MAY” in line 27 on page 2 down through “(C)” in line 6 on page 3 and substitute “MAY NOT ENGAGE IN ANY UNFAIR LABOR PRACTICE, INCLUDING:

(1) INTERFERING WITH, RESTRAINING, OR COERCING A PUBLIC OFFICIAL OR COUNTY OR MUNICIPALITY EMPLOYEES REGARDING THE DECISION TO SUPPORT OR OPPOSE AN EMPLOYEE ORGANIZATION;

(2) DOMINATING, INTERFERING WITH, CONTRIBUTING FINANCIAL OR OTHER SUPPORT TO, OR ASSISTING IN THE FORMATION, EXISTENCE, OR ADMINISTRATION OF ANY LABOR ORGANIZATION;

(3) GRANTING ADMINISTRATIVE LEAVE TO EMPLOYEES TO ATTEND EMPLOYER SPONSORED OR SUPPORTED MEETINGS OR EVENTS RELATING TO AN ELECTION OF AN EMPLOYEE ORGANIZATION, UNLESS THE EMPLOYER GRANTS EMPLOYEES AT LEAST THE SAME AMOUNT OF ADMINISTRATIVE LEAVE TO ATTEND LABOR ORGANIZATION SPONSORED OR SUPPORTED MEETINGS OR EMPLOYEE MEETINGS;

(4) DISCRIMINATING IN HIRING, TENURE, OR ANY TERM OR CONDITION OF EMPLOYMENT TO ENCOURAGE OR DISCOURAGE MEMBERSHIP IN AN EMPLOYEE ORGANIZATION;

(5) DISCHARGING OR DISCRIMINATING AGAINST AN EMPLOYEE BECAUSE OF THE SIGNING OR FILING OF AN AFFIDAVIT, A PETITION, OR A COMPLAINT, OR GIVING INFORMATION OR TESTIMONY IN CONNECTION WITH COLLECTIVE BARGAINING MATTERS;

(6) FAILING TO PROVIDE ALL EMPLOYEE ORGANIZATIONS INVOLVED IN AN ELECTION THE SAME RIGHTS OF ACCESS AS REQUIRED BY THE STATE LABOR RELATIONS BOARD THROUGH REGULATION;

(7) ENGAGING IN SURVEILLANCE OF UNION ACTIVITIES;

(8) REFUSING TO BARGAIN IN GOOD FAITH; OR

(9) ENGAGING IN A LOCKOUT.

(B)".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 7

CONSENT NO. 3

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 178	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Sunday Hours of Sale
HB 179	FAV	Frederick County Delegation	Frederick County – Beer and Wine Licenses – Barbershops
HB 309	FAV	Montgomery County Delegation	Montgomery County – Beer, Wine, and Liquor Festival License MC 7–17
HB 311	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Class H–BW Licenses MC 9–17
HB 560	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages Licenses – Hours of Sale MC 8–17
HB 646	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Restaurants – Average Daily Receipts

BILL NO.	REPORT	SPONSOR	CONTENT
HB 712	FAV	Charles County Delegation	Charles County – Alcoholic Beverages – Selling to Underage Individual – Penalties
HB 729	FAV	Del. Arentz	Queen Anne’s County – Alcoholic Beverages Inspectors – Qualifications, Powers, and Duties
HB 797	FAV	Howard County Delegation	Howard County – Alcoholic Beverages – Thresholds for Tasting Ho. Co. 19–17
HB 832	FAV	Del. McIntosh	Baltimore City – Alcoholic Beverages – Old Goucher Revitalization District
HB 837	FAV	Del. McIntosh	Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License
HB 1008	FAV	Harford County Delegation	Harford County – Alcoholic Beverages – Publication of Notices
HB 1096	FAV	Allegany County Delegation	Allegany County – Alcoholic Beverages – Sunday Sales and Privileges
HB 1136	FAV	Del. Ali	Baltimore City – Alcoholic Beverages – Class B–D–7 Licenses – Hours of Sale
HB 1201	FAV	Cecil County Delegation	Cecil County – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License
HB 1348	FAV	Del. Clippinger	Baltimore City – 46th District Alcoholic Beverages Act of 2017

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 8

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

House Bill 42 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Class 1 Distillery Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 47 – Delegate Arentz

AN ACT concerning

**Queen Anne’s County – Alcoholic Beverages – Class D Beer, Wine, and Liquor
and Class 9 Limited Distillery Licenses**

HB0047/113891/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 47

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “consumption” insert “under certain conditions; prohibiting the holder of a Class D beer, wine, and liquor license and a Class 9 limited distillery license from selling beer for off–premises consumption”.

AMENDMENT NO. 2

On page 2, in line 2, after “(b)” insert “**(1)**”; in the same line, strike “The” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**”; in lines 3 and 4, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in line 3, strike the brackets; and strike beginning with the semicolon in line 4 down through “CONSUMPTION” in line 6; and after line 6, insert:

“(2) A HOLDER OF A CLASS D BEER, WINE, AND LIQUOR LICENSE AND A CLASS 9 LIMITED DISTILLERY LICENSE:

(I) MAY SELL:

1. BEER, WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION; AND

2. LIQUOR THAT IS DISTILLED AT THE LOCATION DESCRIBED IN THE LICENSE FOR OFF-PREMISES CONSUMPTION; BUT

(II) MAY NOT SELL BEER FOR OFF-PREMISES CONSUMPTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 252 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Liquor and Wine

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 292 – Delegates Krebs, W. Miller, Rose, and Shoemaker

AN ACT concerning

Alcoholic Beverages – Nonrefillable Containers – Draft Beer

HB0292/123399/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 292

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “license” and substitute “permit”; and in the same line, after “fees;” insert “prohibiting permit fees to be charged under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 18, strike “(1)”; and in lines 21, 22, 23, 24, and 26, strike “(I)”, “(II)”, “(III)”, “(IV)”, and “(V)”, respectively, and substitute “(1)”, “(2)”, “(3)”, “(4)”, and “(5)”, respectively; and in line 27, strike “16.21” and substitute “§ 16.21”.

On page 3, in line 28, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”.

On page 4, in lines 1 and 3, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 4, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 5, in line 5, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 6 and 8, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 9, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 6, in line 14, after “(F)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 15 and 17, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 18, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 7, in line 18, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 19 and 21, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 22, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 8, in line 24, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 25 and 27, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 28, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 9, in line 24, after “(C)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and after line 24, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 10, in line 26, after “(D)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and in line 27, strike “(1)” and substitute “(I)”.

On page 11, in line 1, strike “(2)” and substitute “(II)”; and after line 2, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 12, in line 2, after “(F)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and after line 2, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 13, in line 2, after “(D)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 3 and 5, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 6, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 14, in line 17, after “(F)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 18 and 20, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 21, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 15, in line 16, after “(B)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and after line 16, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 17, in line 5, after “(B)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and after line 5, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 19, in line 28, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and after line 28, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 20, in line 28, after “(D)” insert “(1)”; and in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”.

On page 21, in lines 1 and 3, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 4, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 22, in line 5, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 6 and 8, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 9, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 23, in line 10, after “(D)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 11 and 13, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 14, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 24, in line 18, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and after line 18, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 25, in line 11, after “(B)” insert “(1)”; in lines 13 and 14, in each instance, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 14,

before “PAY” insert “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,”; and after line 14, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 306 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Alcoholic Beverages – Tasting at Dispensaries

MC 19–17

HB0306/803494/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 306

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “liquor” insert “in the inventory of the dispensary”; and strike beginning with “authorizing” in line 6 down through “dispensary;” in line 7.

AMENDMENT NO. 2

On page 3, in line 3, after “(i)” insert “EXCEPT AS PROVIDED FOR IN SUBSECTION (E) OF THIS SUBSECTION,”.

On page 3, in line 9, after “MAY” insert “SELL ANY PRODUCT IN THE DISPENSARY’S INVENTORY FOR THE PURPOSE OF”; in line 10, strike “HOLD” and substitute “HOLDING”; in line 12, strike “SERVE” and substitute “SERVING”; strike

beginning with “THAT” in line 12 down through “DISPENSARY” in line 13; and in line 14, strike “ALLOW” and substitute “ALLOWING”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 315 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Class A Agency Store Beer, Wine, and Liquor Licenses

MC 18–17

HB0315/523590/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 315

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike beginning with “Class” in line 2 down through “Licenses” in line 3 and substitute “Contracts to Sell Liquor for Off-Premises Consumption”; strike beginning with “authorizing” in line 5 down through “fee,” in line 21 and substitute “authorizing the Montgomery County Department of Liquor Control to contract with certain retail outlets to sell liquor for off-premises consumption under certain circumstances; requiring the Department to adopt regulations to establish criteria for contracting with retail outlets; repealing certain provisions relating to the sale of certain items by a retail outlet;”; and strike in their entirety lines 23 through 28, inclusive.

On page 2, strike in their entirety lines 6 through 10, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 25–310

Annotated Code of Maryland
(2016 Volume and 2016 Supplement)”;

and strike beginning with “That” in line 12 down through “ENACTED,” in line 14.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 19 on page 2 through line 30 on page 3, inclusive, and substitute:

“25–310.

(a) With the approval of the County Executive, the Director may establish a dispensary at one or more locations that the Director determines.

(b) (1) The Department may sell its inventory through:

(i) dispensaries selling at wholesale and retail; and

(ii) subject to subsection (c) of this section, retail outlets operated by individuals with whom the Department contracts.

(2) Notwithstanding any other law, the Director may sell at wholesale or retail alcoholic beverages in whole cases or in individual bottles through dispensaries to a license holder in the county.

(3) The Department may not sell alcoholic beverages at different prices to different license holders or classes of license holders.

(c) (1) The Director may not contract with a person to operate:

(i) a dispensary; or

(ii) except as provided in paragraph (2) of this subsection, a retail outlet for the sale of beer, wine, and liquor.

(2) The Director may enter into a contract with a person to operate a retail outlet for the sale of [beer, wine, and] liquor **FOR OFF–PREMISES CONSUMPTION** if **THE**

PERSON HOLDS ANY LICENSE FOR OFF-PREMISES CONSUMPTION OR FOR ON- AND OFF-PREMISES CONSUMPTION]:

(i) the Board of License Commissioners determines that the person is fit to operate the retail outlet; and

(ii) the Director had a contract with a person to operate the retail outlet on January 1, 1997].

(3) THE DEPARTMENT SHALL ESTABLISH CRITERIA FOR CONTRACTING WITH RETAIL OUTLETS.

(d) A dispensary [or a retail outlet operated under contract with the Director]:

(1) may sell only:

(i) for off-premises consumption, nonchilled beer, wine, and liquor;

(ii) ice;

(iii) bottled water; and

(iv) items commonly associated with the serving or consumption of alcoholic beverages, including bottle openers, corkscrews, drink mixes, and lime juice; and

(2) may not sell snack foods or soft drinks.

(e) The Department may sell or deliver alcoholic beverages to a retail license holder from 6 a.m. to midnight on every day except Sunday.

(f) A manager of a dispensary, an individual who contracts to operate a retail outlet as authorized under subsection (c) of this section, or an employee of a dispensary or retail outlet who commits a prohibited act related to the sale or providing of alcoholic beverages to individuals under the age of 21 years under this article or the Criminal Law Article is subject to:

(1) any penalty authorized by law, including a civil citation issued under § 10-119 of the Criminal Law Article; and

(2) a fine and suspension or revocation of employment by the Board in the same manner as a license holder or employee of a license holder would be subject to a fine and suspension or revocation of the license for the violation.

(g) Title 4, Subtitle 2 of this article does not apply to this section.”.

On page 4, in line 1, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 397 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Licenses

MC 17-17

HB0397/963197/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 397

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “to” in line 4 down through “State” in line 5; in line 5, strike “and bottle”; and strike beginning with “produced” in line 5 down through “law” in line 7 and substitute “in two locations using the same license under certain conditions; authorizing the license holder to obtain a Class 2 rectifying license for use at the locations; requiring the license holder to request and obtain permission of the Comptroller to brew in certain locations; requiring the Comptroller to make a certain determination and consider certain factors before authorizing brewing in two locations under a single license; prohibiting the license holder from serving or selling certain beverages for on- or off-premises consumption at the second brewing location”.

AMENDMENT NO. 2

On page 2, in line 28, strike the colon.

On page 3, in line 1, strike “(1)”; strike beginning with the semicolon in line 2 down through “ARTICLE” in line 6; and after line 6, insert:

“(D) (1) SUBJECT TO PARAGRAPHS (2), (3), AND (4) OF THIS SUBSECTION, THE HOLDER OF A CLASS 7 MICRO-BREWERY LICENSE MAY:

(I) BREW IN TWO LOCATIONS USING THE SAME CLASS 7 MICRO-BREWERY LICENSE; AND

(II) OBTAIN A CLASS 2 RECTIFYING LICENSE FOR THE PREMISES AT THE TWO LOCATIONS AUTHORIZED UNDER ITEM (I) OF THIS PARAGRAPH.

(2) THE HOLDER OF A CLASS 7 MICRO-BREWERY LICENSE MAY BREW IN TWO LOCATIONS USING THE SAME CLASS 7 MICRO-BREWERY LICENSE IF THE LICENSE HOLDER:

(I) REQUESTS PERMISSION BY SUBMITTING A WRITTEN APPLICATION TO THE COMPTROLLER; AND

(II) OBTAINS WRITTEN APPROVAL FROM THE COMPTROLLER.

(3) BEFORE AUTHORIZING A HOLDER OF A CLASS 7 MICRO-BREWERY LICENSE TO BREW IN TWO LOCATIONS USING THE SAME CLASS 7 MICRO-BREWERY LICENSE, THE COMPTROLLER SHALL:

(I) MAKE A DETERMINATION THAT A SECOND LOCATION TO BREW ADDITIONAL CAPACITY IS NECESSARY DUE TO INSUFFICIENT SPACE AT THE EXISTING CLASS 7 LICENSE LOCATION; AND

(II) CONSIDER ANY OTHER FACTOR RELEVANT TO APPROVAL OF THE APPLICATION.

(4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A HOLDER OF A CLASS 7 MICRO-BREWERY LICENSE MAY NOT SERVE OR SELL MALT BEVERAGES FOR ON- OR OFF-PREMISES CONSUMPTION AT THE SECOND BREWING LOCATION AUTHORIZED UNDER THIS SUBSECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 436 – Delegates Ebersole, Aumann, Grammer, Hettleman, Hill, Jones, Lafferty, Lam, West, and P. Young

AN ACT concerning

Baltimore County – Alcoholic Beverages – Issuance of Licenses Near Places of Worship

HB0436/313199/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 436
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “issue or”; in the same line, after “transfer” insert “, convert, and issue”; in line 7, after “qualifications;” insert “making a certain exception to a prohibition against issuing a license for an establishment that is within 300 feet of a place of worship or school;”; and after line 18, insert:

“BY adding to

Article – Alcoholic Beverages

Section 13–1710

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with "SUBJECT" in line 18 on page 2 down through "LICENSE" in line 11 on page 3 and substitute "THE TRANSFER, CONVERSION, AND ISSUANCE OF A LICENSE UNDER § 13-1710 OF THIS TITLE."

13-1710.

(A) (1) IN ADDITION TO THE LICENSES AUTHORIZED FOR ISSUANCE IN THE COUNTY, THE BOARD MAY AUTHORIZE THE TRANSFER TO AN ESTABLISHMENT SPECIFIED IN SUBSECTION (C) OF THIS SECTION OF A CLASS B BEER, WINE, AND LIQUOR LICENSE OR A CLASS D BEER, WINE, AND LIQUOR LICENSE THAT:

(I) WAS ISSUED ON OR BEFORE DECEMBER 31, 2016;

(II) WAS IN EXISTENCE IN THE SAME ELECTION DISTRICT OF THE COUNTY AS THE PROPOSED LICENSED PREMISES ON DECEMBER 31, 2016; AND

(III) IS VALID ON THE DATE OF TRANSFER.

(2) TO BE TRANSFERRED UNDER THIS SECTION, A LICENSE MAY NOT BE A LICENSE THAT IS PROHIBITED FROM BEING TRANSFERRED BY STATUTE OR REGULATION.

(3) ON THE DATE OF TRANSFER, A LICENSE SHALL BE CONVERTED INTO A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) SERVICE BAR COMMERCIAL REVITALIZATION DISTRICT LICENSE (B-SB-CRD LICENSE).

(B) THE QUALIFICATIONS FOR A LICENSE HOLDER, THE FEE, AND THE HOURS AND DAYS OF SALE FOR A SERVICE BAR LICENSE ARE THE SAME AS THOSE FOR A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) HOTEL AND RESTAURANT LICENSE.

(C) (1) A B-SB-CRD LICENSE MAY BE ISSUED ONLY FOR A PREMISES THAT IS:

(I) IN A FREE-STANDING BUILDING WITH ITS OWN PARKING LOT;

(II) ZONED BL-CCC AND IN COMPLIANCE WITH ANY APPLICABLE ZONING ORDINANCE; AND

(III) AT LEAST 100 FEET FROM A PLACE OF WORSHIP.

(2) A B-SB-CRD LICENSE SHALL BE USED IN CONJUNCTION WITH THE OPERATION OF A RESTAURANT, AS DEFINED IN THIS ARTICLE AND IN THE REGULATIONS OF THE BOARD.

(3) THE HOURS DURING WHICH THE PRIVILEGES CONFERRED BY THE LICENSE MAY BE EXERCISED MAY NOT EXCEED THE HOURS DURING WHICH FOOD IS OFFERED FOR SALE.

(4) THE B-SB-CRD LICENSE SHALL BE USED TO ALLOW THE SALE AND SERVICE OF ALCOHOLIC BEVERAGES TO PATRONS ONLY AS PART OF A MEAL AT A DINING TABLE.

(5) THE LICENSED PREMISES MAY NOT HAVE A SEPARATE BAR AREA FOR SERVICE OF ALCOHOLIC BEVERAGES.

(6) THE B-SB-CRD LICENSE HOLDER MAY NOT SELL BEER, WINE, AND LIQUOR FOR OFF-PREMISES CONSUMPTION.

(D) A B-SB-CRD BAR LICENSE ISSUED UNDER THIS SECTION MAY NOT BE CONVERTED INTO ANY OTHER CLASS OF LICENSE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 464 – Delegates Branch, Barkley, Brooks, Frick, Lisanti, and Waldstreicher

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Beer, Wine, and Liquor Exhibition Permit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 526 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Art Establishment License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 710 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – Alcohol Awareness Certification

HB0710/173695/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 710

(First Reading File Bill)

On page 3, in line 4, strike “July” and substitute “October”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 780 – Delegate Lisanti

AN ACT concerning

**Alcoholic Beverages – Brewing Company Off-Site Permits – Harford County
Farm Fair**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 929 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Licenses and Sunday Sales

HB0929/583890/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 929

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “authorizing a Class 9 limited distillery license to be issued to a holder of a certain Class B license in Garrett County;”; in line 25, after “Section” insert “21-401.”; and after line 29, insert:

“BY adding to

Article – Alcoholic Beverages

Section 21-403.1

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“21-401.

(a) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of Division I of this article apply in the county without exception or variation:

(1) § 2-201 (“Issuance by Comptroller”);

(2) [§ 2-203 (“Class 9 limited distillery license”);

(3)] § 2-205 (“Class 3 winery license”);

[(4)](3) § 2-207 (“Class 5 brewery license”);

[(5)](4) § 2-209 (“Class 7 micro-brewery license”);

[(6)](5) § 2-211 (“Residency requirement”);

[(7)](6) § 2-212 (“Additional licenses”);

[(8)](7) § 2-213 (“Additional fees”);

[(9)](8) § 2-214 (“Sale or delivery restricted”);

[(10)](9) § 2-215 (“Beer sale on credit to retail dealer prohibited”);

[(11)](10) § 2-216 (“Interaction between manufacturing entities and
retailers”);

[(12)](11) § 2-217 (“Distribution of alcoholic beverages – Prohibited
practices”); and

[(13)](12) § 2-218 (“Restrictive agreements between producers and retailers
– Prohibited”).

(b) The following sections of Title 2, Subtitle 2 (“Manufacturer’s Licenses”) of
Division I of this article apply in the county:

(1) § 2-202 (“Class 1 distillery license”), subject to § 21-403 of this subtitle;

(2) § 2-203 (“CLASS 9 LIMITED DISTILLERY LICENSE”), SUBJECT TO
§ 21-403.1 OF THIS SUBTITLE;

[(2)](3) § 2-204 (“Class 2 rectifying license”), subject to § 21-404 of this
subtitle;

[(3)](4) § 2-206 (“Class 4 limited winery license”), subject to § 21-405 of this
subtitle;

[(4)](5) § 2–208 (“Class 6 pub–brewery license”), subject to § 21–406 of this subtitle; and

[(5)](6) § 2–210 (“Class 8 farm brewery license”), subject to § 21–407 of this subtitle.

21–403.1.

A CLASS 9 LIMITED DISTILLERY LICENSE MAY BE ISSUED TO A HOLDER OF A CLASS B LICENSE THAT HAS:

(1) ON–SALE PRIVILEGES FOR BEER, WINE, AND LIQUOR; AND

(2) OFF–SALE PRIVILEGES FOR BEER.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1327 – Delegates Lisanti, Barkley, Frick, and C. Wilson

AN ACT concerning

Task Force on Local Alcoholic Beverages Regulation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1430 – Delegate B. Wilson

AN ACT concerning

Washington County – Alcoholic Beverages – Class CT (Cinema/Theater License)

HB1430/703998/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1430

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “a” and substitute “an annual”.

AMENDMENT NO. 2

On page 3, in line 14, after “**THE**” insert “ANNUAL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1450 – Delegate Wivell

AN ACT concerning

Washington County – Alcoholic Beverages – Hotel and Motel Licenses

HB1450/503297/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1450

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “licenses;” insert “requiring the license holder to notify the Board before constructing or altering an area on the premises where beer, wine, and liquor are sold;”.

AMENDMENT NO. 2

On page 2, after line 26, insert:

“(E) THE LICENSE HOLDER SHALL NOTIFY THE BOARD BEFORE CONSTRUCTING OR ALTERING AN AREA ON THE PREMISES WHERE BEER, WINE, AND LIQUOR ARE SOLD.”.

On page 3, in lines 1, 2, 5, and 7, strike “(E)”, “(G)”, “(F)”, and “(G)”, respectively, and substitute “(F)”, “(H)”, “(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.

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

House Bill 1480 – Delegate Parrott

AN ACT concerning

Washington County – Alcoholic Beverages – Penalties

HB1480/893993/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1480

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “for” in line 3 down through “fine;” in line 8 and substitute “in Washington County a violation of the prohibition against selling or providing alcoholic beverages to an individual under the age of 21 years is a misdemeanor; authorizing the Board of License Commissioners to impose certain penalties on an employee of a license holder or a license holder who violates the prohibition; authorizing the Board to suspend or revoke a license under certain conditions;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 2 through 4, inclusive; in lines 5, 10, and 21, in each instance, strike the brackets; in the same lines, strike “(B)”, “(C)”, and “(E)”, respectively; and strike in their entirety lines 16 through 20, inclusive, and substitute:

“(C) (1) A VIOLATION OF § 6-304 OF THIS ARTICLE IS A MISDEMEANOR.

(2) IF AN EMPLOYEE OF A LICENSE HOLDER VIOLATES § 6-304 OF THIS ARTICLE, THE BOARD MAY IMPOSE ON THE EMPLOYEE A FINE NOT EXCEEDING:

(I) FOR A FIRST OFFENSE, \$200; AND

(II) FOR EACH SUBSEQUENT OFFENSE, \$500.

(3) IF A LICENSE HOLDER VIOLATES § 6-304 OF THIS ARTICLE, THE BOARD MAY IMPOSE A FINE NOT EXCEEDING \$2,500, SUSPEND OR REVOKE THE LICENSE, OR IMPOSE BOTH A FINE AND SUSPEND OR REVOKE THE LICENSE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 6

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 9 – Delegates McCray, Hayes, and Anderson

AN ACT concerning

Baltimore City – Police Districts – Redistricting

HB0009/900115/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 9

(First Reading File Bill)

On page 4, in line 19, strike “Article 4,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 177 – Delegates McKay, Beitzel, and Buckel

AN ACT concerning

Killing or Wounding Black Bears – Penalties – Exemption for Protection of Bee Colonies

HB0177/210719/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 177

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “of” insert “Managed Honey”; in line 5, after the first “a” insert “honey”; and in the same line, after the second “a” insert “certain”.

AMENDMENT NO. 2

On page 1, in line 18, after “INCLUDING” insert “HONEY”; and in the same line, after “COLONY” insert “MANAGED BY THE INDIVIDUAL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Pena–Melnik moved to make the Bill a Special Order for March 8, 2017.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 305 – Delegates Jacobs, Arentz, and Ghrist

EMERGENCY BILL

AN ACT concerning

Kent County – Turkey Hunting on Private Property – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 312 – Delegates Jacobs, Arentz, and Ghrist

AN ACT concerning

Kent County – Deer Hunting – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 327 – Delegate Miele

AN ACT concerning

Real Property – Residential Leases – Notice of Routine Maintenance

HB0327/460617/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 327

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “post” in line 3 down through the second “a” in line 4 and substitute “provide”.

AMENDMENT NO. 2

On page 1, strike beginning with “AT” in line 21 down through “UNIT” in line 24 and substitute:

“THE LANDLORD OF A LEASED RESIDENTIAL DWELLING UNIT SHALL INFORM A TENANT AT LEAST 24 HOURS IN ADVANCE OF ANY ROUTINE MAINTENANCE SCHEDULED BY THE LANDLORD TO THE DWELLING UNIT:

(I) BY WRITTEN NOTICE DELIVERED IN A MANNER REASONABLY CALCULATED TO ALERT THE TENANT; OR

(II) IF AUTHORIZED BY THE TENANT, BY E-MAIL OR OTHER SIMILAR ELECTRONIC NOTICE”.

On page 2, in line 7, strike “THE REQUEST OF A TENANT” and substitute “A TIME PREVIOUSLY AGREED TO BY THE TENANT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 417 – The Speaker (By Request – Administration) and Delegates Adams, Afzali, Anderton, Aumann, Beitzel, Carozza, Cassilly, Ciliberti, Clark, Flanagan, Folden, Hornberger, S. Howard, Jacobs, Kipke, Kittleman, Krebs, Malone, McComas, McKay, McMillan, Metzgar, Miele, Reilly, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, West, and B. Wilson

AN ACT concerning

Clean Water Commerce Act of 2017

HB0417/460017/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 417 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “credits” and substitute “load reductions”; in line 5, after “year” insert “in certain years; requiring certain regulations to be adopted in a certain manner and in accordance with certain requirements”; in line 6, strike “Agriculture and”

and substitute “Transportation.”; in the same line, after “Resources” insert “, the Secretary of Commerce, the Secretary of Agriculture, the Secretary of Planning, and certain stakeholders”; and in line 7, after “regulations;” insert “requiring the load reductions purchased under this Act to be consistent with certain accounting procedures; requiring the Department to report to the Bay Restoration Fund Advisory Committee annually on the implementation of this Act; requiring the Department, on or before a certain date, to report to certain committees of the General Assembly on the implementation of this Act; authorizing the Department to enter into any contracts under this Act until a certain date; providing that contracts entered into by the Department under this Act may be funded for a certain period of time; providing for the termination of this Act.”.

AMENDMENT NO. 2

On page 3, in line 24, strike “FOR” and substitute “AFTER FUNDING ANY ELIGIBLE COSTS IDENTIFIED UNDER ITEM (IV)1 AND 2 OF THIS PARAGRAPH, FOR”; in line 25, strike “AND” and substitute a comma; in the same line, after “PHOSPHORUS” insert “, OR SEDIMENT LOAD REDUCTIONS”; in the same line, strike “NUTRIENT CREDITS”; in line 27, after “EXCEED” insert “\$4,000,000 IN FISCAL YEAR 2018, \$6,000,000 IN FISCAL YEAR 2019, AND”; in the same line, after “YEAR” insert “IN FISCAL YEARS 2020 AND 2021”; and after line 27, insert:

“(3) THE NITROGEN, PHOSPHORUS, AND SEDIMENT LOAD REDUCTIONS PURCHASED UNDER SUBPARAGRAPH (2)(XIII) OF THIS SUBSECTION:

- (I) CANNOT BE FROM THE AGRICULTURAL SECTOR; AND
- (II) MUST BE CREATED ON OR AFTER JULY 1, 2017.”.

AMENDMENT NO. 3

On page 3, in line 32, strike “BE” and substitute “:

- (I) BE ADOPTED BEFORE THE PURCHASE OF ANY LOAD REDUCTIONS;
- (II) SPECIFY A LOAD REDUCTION PURCHASED SHOULD PROVIDE THE LOWEST COST PER POUND IN REDUCTION AND BE PURCHASED IN ACCORDANCE WITH A COMPETITIVE PROCESS; AND

(III) BE”;

in line 33, strike “**AGRICULTURE AND**” and substitute “**TRANSPORTATION,**”; and in the same line, after “**RESOURCES**” insert “**, THE SECRETARY OF COMMERCE, THE SECRETARY OF AGRICULTURE, THE SECRETARY OF PLANNING, AND PUBLIC AND PRIVATE SECTOR STAKEHOLDERS**”.

AMENDMENT NO. 4

On page 3, after line 33, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the nutrient load reductions purchased under § 9–1605.2(i)(2)(xiii) of the Environment Article, as enacted by Section 1 of this Act must be consistent with the Chesapeake Bay Program Partnership Accounting Procedures.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Beginning July 1, 2018, the Department of the Environment shall report each year to the Bay Restoration Fund Advisory Committee on the implementation of this Act.

(b) On or before October 1, 2020, the Department of the Environment shall report, in accordance with § 2–1246 of the State Government Article, to the House Environment and Transportation Committee and the Senate Education, Health, and Environmental Affairs Committee on the implementation of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The Department of the Environment may enter into any contracts for the purchase of nutrient load reductions under this Act until June 30, 2021.

(b) Any contract entered into by the Department of the Environment under this Act may be funded for the expected life of the best management practice resulting from a nutrient load reduction.”.

On page 4, in line 1, strike “2.” and substitute “5.”; and in line 2, after “2017.” insert “It shall remain effective for a period of 4 years and, at the end of June 30, 2021, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 439 – Delegate Otto

AN ACT concerning

Somerset County – State’s Attorney – Annual Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 557 – Delegates Stein, Jalisi, Lafferty, Lewis, and McCray

AN ACT concerning

Environment – Water Management – Sediment Control at Large Redevelopment Sites

HB0557/720113/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 557

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Lewis” and substitute “R. Lewis”.

AMENDMENT NO. 2

On page 2, in line 2, strike “**100**” and substitute “**500**”; in line 4, after “**PURPOSES**” insert “**AND MANUFACTURING**”; and in line 10, after “**PARTY**” insert “**, THE OWNER OR OPERATOR OF THE SITE, OR A PROSPECTIVE PURCHASER OF THE SITE**”.

AMENDMENT NO. 3

On page 3, in line 18, after “**DEPARTMENT**” insert “**AND SHALL BE AS PROTECTIVE OF THE ENVIRONMENT AS THE CRITERIA REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 573 – Carroll County Delegation

AN ACT concerning

Carroll County – State’s Attorney – Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 574 – Carroll County Delegation

AN ACT concerning

Carroll County – Sheriff’s Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 788 – Eastern Shore Delegation**EMERGENCY BILL**

AN ACT concerning

Natural Resources – Hunting – Deer Management Permits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 994 – Delegates Waldstreicher, Barve, and Holmes

AN ACT concerning

Statute of Limitations – Residential Leases Signed Under Seal

HB0994/760816/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 994

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Holmes” and substitute “Holmes, Jalisi, Carr, and Beidle”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1045 – Delegate Cassilly

AN ACT concerning

On-Site Sewage Disposal Systems – Membrane Bioreactor (MBR) Technology – Regulations

HB1045/480911/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1045

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “and for a certain purpose, to adopt regulations that” and substitute “, to propose certain regulations that encourage the use of certain treatment technologies in on-site sewage disposal systems for nonresidential uses; requiring certain regulations adopted by the Department to”; and in line 7, after “systems” insert “for nonresidential uses”.

AMENDMENT NO. 2

On page 1, in line 10, strike “October 1, 2018” and substitute “January 1, 2019”; in the same line, strike “adopt” and substitute “propose”; in line 11, strike “in on-site sewage disposal systems”; in the same line, after “of” insert “permeable micro- or ultra-filtration”; in line 12, after “(MBR)” insert “or other treatment”; in the same line, strike “technology” and substitute “technologies in on-site sewage disposal systems for nonresidential uses”; in line 13, strike “is” and substitute “meet the Department’s guidelines for use of class IV reclaimed water; and

(2) are”;

in line 14, strike the semicolon and substitute a period; in the same line, strike “and”; strike in their entirety lines 15 through 17, inclusive; in line 20, after “system” insert “for a nonresidential use”; and in line 23, after “a” insert “nonresidential”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Buckel moved to make the Bill a Special Order for March 8, 2017.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 1046 – Delegate Holmes

AN ACT concerning

Residential Property – Foreclosure Process – Filing Requirements – Mediation Procedures

Favorable report adopted.

Delegate Grammer moved to make the Bill a Special Order for March 8, 2017.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1048 – Delegate Holmes

AN ACT concerning

Residential Property – Notice of Foreclosure

HB1048/910311/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 1048
(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Holmes” and substitute “Delegates Holmes and Angel”.

On page 3, in line 11, after “**PROPERTY**” insert “**, IF KNOWN**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1063 – Delegates Stein, Healey, Lafferty, Morhaim, Platt, and Robinson

AN ACT concerning

Agriculture – Maryland Healthy Soils Program

HB1063/960411/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 1063

(First Reading File Bill)

On page 2, in line 12, strike the first “**THE**” and substitute “**BIOLOGICAL ACTIVITY AND**”; in the same line, strike “**SEQUESTRIAN CAPABILITY OF**” and substitute “**SEQUESTRATION IN**”; in line 13, after “**STATE**” insert “**BY PROMOTING PRACTICES BASED ON EMERGING SOIL SCIENCE, INCLUDING PLANTING MIXED COVER CROPS, ADOPTING NO-TILL OR LOW-TILL FARMING PRACTICES, AND ROTATION GRAZING**”; and in line 14, strike “**MORE**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Rey moved to make the Bill a Special Order for March 8, 2017.

The motion was adopted.

ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 7

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 534 – Delegates Parrott, Flanagan, Kittleman, McComas, A. Miller, and W. Miller

AN ACT concerning

Railroad Grade Crossings – Exempt Highway–Rail Grade Crossing Plaque

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

House Bill 1035 – Delegates Jacobs, Anderton, Arentz, B. Barnes, Beitzel, Busch, Cassilly, Clippinger, Folden, McIntosh, Otto, Parrott, Reilly, B. Wilson, and Wivell

EMERGENCY BILL

AN ACT concerning

Motor Vehicles – Seasonal Exceptional Milk Hauling Permit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

House Bill 1325 – Delegates Fraser–Hidalgo, Robinson, Barve, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Beidle, Branch, Bromwell, Brooks, Carr, Chang, Conaway, Cullison, Dumais, Ebersole, Fennell, Frush, Gutierrez, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Jackson, Jameson, Jones, Kaiser, Kelly, Knotts, Kramer, Krimm, Lafferty, Lam, Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena–Melnik, Pendergrass, Platt, Queen, Reznik, Rosenberg, Sanchez, Sophocleus, Stein, Turner, Valderrama, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, and Mosby

AN ACT concerning

Oil and Natural Gas – Hydraulic Fracturing – Prohibition

HB1325/200614/1

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 1325

(First Reading File Bill)

On page 1, in the sponsor line, strike “Lewis” and substitute “R. Lewis”; and in the same line, strike “and Mosby” and substitute “Mosby, and Gilchrist”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate McKay moved to make the Bill a Special Order for March 8, 2017.

The motion was adopted.

JUDICIARY COMMITTEE REPORT NO. 3

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

House Bill 255 – Delegates Hettleman, Sydnor, Anderson, Angel, Atterbeary, Aumann, Barkley, Barron, Bromwell, Brooks, Chang, Clippinger, Conaway, Davis, Dumais, Ebersole, Fennell, Frick, Gutierrez, Hayes, Jackson, Jones, Kaiser, Kelly, Kipke, Korman, Krimm, Lafferty, Lam, Lewis, Lierman, Luedtke, McCray, McIntosh, Miele, A. Miller, Moon, Morales, Morhaim, Pena–Melnyk, Platt, Queen, Rosenberg, Sanchez, Sophocleus, Stein, Tarlau, Valentino–Smith, M. Washington, West, B. Wilson, C. Wilson, K. Young, and P. Young

AN ACT concerning

Criminal Procedure – Sexual Assault Victims’ Rights – Disposal of Rape Kit Evidence and Notification

HB0255/882716/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 255

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “kit,” insert “requiring a hospital or child advocacy center to transfer a sexual assault evidence collection kit to a law enforcement agency within a certain amount of time; requiring a government agency to transfer a sexual assault evidence collection kit to a law enforcement agency, except under certain circumstances;”; in line 7, strike “, government agency, or health care provider”; in line 10, after “assault” insert “except under certain circumstances”; in line 11, strike “government agency, or health care provider,”; and in line 14, after “regulations,” insert “defining certain terms;”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

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

(2) “CHILD ADVOCACY CENTER” HAS THE MEANING STATED IN § 13-2201 OF THE HEALTH – GENERAL ARTICLE.

(3) “HOSPITAL” HAS THE MEANING STATED IN § 19-301 OF THE HEALTH – GENERAL ARTICLE.”;

in line 3, strike “(a)” and substitute “(B)”; in line 10, strike “(b)” and substitute “(C)”; strike in their entirety lines 16 through 19, inclusive, and substitute:

“(D) (1) A SEXUAL ASSAULT EVIDENCE COLLECTION KIT SHALL BE TRANSFERRED TO A LAW ENFORCEMENT AGENCY:

(I) BY A HOSPITAL OR A CHILD ADVOCACY CENTER WITHIN 30 DAYS AFTER THE EXAM IS PERFORMED; OR

(II) BY A GOVERNMENT AGENCY IN POSSESSION OF A KIT, UNLESS THE AGENCY IS OTHERWISE REQUIRED TO RETAIN THE KIT BY LAW OR COURT RULE.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, WITHIN 20 YEARS AFTER THE EVIDENCE IS COLLECTED, A LAW ENFORCEMENT AGENCY MAY NOT DESTROY OR DISPOSE OF:

(I) A SEXUAL ASSAULT EVIDENCE COLLECTION KIT; OR

(II) OTHER CRIME SCENE EVIDENCE RELATING TO A SEXUAL ASSAULT THAT HAS BEEN IDENTIFIED BY THE STATE’S ATTORNEY AS RELEVANT TO PROSECUTION.

(3) A LAW ENFORCEMENT AGENCY IS NOT REQUIRED TO COMPLY WITH THE REQUIREMENTS IN PARAGRAPH (2) OF THIS SUBSECTION IF:

(I) THE CASE FOR WHICH THE EVIDENCE WAS COLLECTED RESULTED IN A CONVICTION AND THE SENTENCE HAS BEEN COMPLETED; OR

(II) ALL SUSPECTS IDENTIFIED BY TESTING A SEXUAL ASSAULT EVIDENCE COLLECTION KIT ARE DECEASED.;

in line 20, strike “(2)” and substitute “(4)”; strike beginning with the second comma in line 21 down through “PROVIDER” in line 22; in line 27, after “EVIDENCE” insert “**FOR 12 MONTHS**”; in line 28, strike “(1)” and substitute “(2)”; in the same line, after “SUBSECTION” insert “**OR FOR A TIME PERIOD AGREED TO BY THE VICTIM AND THE LAW ENFORCEMENT AGENCY**”; and in line 29, strike “(D)” and substitute “(E)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 408 – Delegate Dumais

AN ACT concerning

Criminal Procedure – Charging Procedures and Documents – Citation

HB0408/272719/2

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 408

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Dumais” and substitute “Delegates Dumais and Morhaim”; in line 3, strike “categories of offenses for” and substitute “circumstances under”; in line 4, strike “repealing a provision of law authorizing a police officer” and substitute “modifying the categories of offenses for which a police officer is authorized”; and in line 5, strike “for certain offenses”.

AMENDMENT NO. 2

On page 2, in lines 10, 13, 15, 17, 18, 20, 22, 24, 26, and 28, in each instance, strike the brackets; in line 13, strike “(I)”; in line 15, strike “(II)”; strike beginning with “NOT” in line 15 down through “RISK” in line 16; in line 16, after “violation” insert “**NOT INVOLVING**”.

SERIOUS INJURY OR AN IMMEDIATE HEALTH RISK"; in line 17, strike "18 MONTHS"; and in lines 18, 20, 22, 24, 26, and 28, strike "1.", "2.", "3.", "4.", "5.", and "6.", respectively.

AMENDMENT NO. 3

On page 3, in line 1, strike the brackets; in the same line, strike "(III)"; in lines 3 and 12, in each instance, strike the bracket; in line 10, strike "or"; in line 12, after "Article" insert ";**OR**

4. POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE OTHER THAN MARIJUANA UNDER § 5-601 OF THE CRIMINAL LAW ARTICLE";

and in line 13, strike the brackets.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 428 – Delegates Dumais, Anderson, Angel, Arentz, Atterbeary, Aumann, Barkley, B. Barnes, Barron, Barve, Beidle, Branch, Bromwell, Busch, Carozza, Carr, Clippinger, Conaway, Cullison, Davis, Ebersole, Fennell, Folden, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glass, Glenn, Grammer, Gutierrez, Healey, Hettleman, Hill, Hixson, Hornberger, C. Howard, Jackson, Jameson, Jones, Kaiser, Kelly, Kipke, Kittleman, Korman, Krebs, Krimm, Lafferty, Lam, Lewis, Lierman, Lisanti, Luedtke, Malone, McComas, McCray, McIntosh, Metzgar, Miele, A. Miller, Moon, Morales, Morhaim, Oaks, Parrott, Patterson, Pena-Melnyk, Pendergrass, Platt, Proctor, Queen, Rey, Reznik, Robinson, Rose, Rosenberg, Sanchez, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Valentino-Smith, Waldstreicher, A. Washington, M. Washington, West, B. Wilson, C. Wilson, Wivell, K. Young, and P. Young

AN ACT concerning

**Family Law – Child Conceived Without Consent – Termination of Parental Rights
(Rape Survivor Family Protection Act)**

HB0428/902110/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 428

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “an” in line 7 down through “program” in line 9 and substitute “certain unrepresented parties to certain legal services organizations for assignment of counsel; requiring the court to appoint counsel for a party under certain circumstances”; and in line 11, strike “its designee” and substitute “to appointed counsel”.

AMENDMENT NO. 2

On page 3, strike beginning with the colon in line 16 down through “(1)” in line 17; and strike beginning with the semicolon in line 19 down through “CONCEPTION” in line 26.

AMENDMENT NO. 3

On page 6, in line 8, after “(1)” insert “(I)”; strike beginning with “PARTY” in line 8 down through “PROGRAM.” in line 10 and substitute “PETITIONER TO THE SEXUAL ASSAULT LEGAL INSTITUTE FOR ASSIGNMENT OF COUNSEL.”

(II) THE COURT SHALL REFER AN UNREPRESENTED RESPONDENT TO ANOTHER QUALIFIED GRANTEE OF THE MARYLAND LEGAL SERVICES CORPORATION FOR ASSIGNMENT OF COUNSEL.

(III) IF COUNSEL FROM A DESIGNATED LEGAL SERVICES ORGANIZATION IS NOT AVAILABLE, THE COURT SHALL APPOINT COUNSEL FOR THE PARTY.”;

and in lines 12 and 13, strike “OR ITS DESIGNEE” and substitute “OR TO APPOINTED COUNSEL”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 429 – Delegates Dumais, Angel, Atterbeary, Barkley, B. Barnes, Barron, Beidle, Bromwell, Clippinger, Conaway, Cullison, Ebersole, Fennell, Fraser-Hidalgo, Frick, Gaines, Gilchrist, Glenn, Gutierrez, Healey, Hettleman, Hill, Hixson, C. Howard, Jackson, Jameson, Jones, Kaiser, Kelly, Kittleman, Korman, Krebs, Lafferty, Lewis, Lierman, Luedtke, Malone, McComas, McIntosh, Metzgar, A. Miller, Moon, Morales, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Queen, Rey, Reznik, Robinson, Rose, Sanchez, Tarlau, Turner, Valderrama, Valentino-Smith, Waldstreicher, A. Washington, M. Washington, West, B. Wilson, C. Wilson, K. Young, and P. Young

AN ACT concerning

Criminal Law – Sexual Offenses – Physical Resistance

HB0429/272117/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 429

(First Reading File Bill)

On page 1, in line 6, strike “altering certain definitions;”; and strike in their entirety lines 8 through 12, inclusive.

On pages 2 and 3, strike in their entirety the lines beginning with line 2 on page 2 through line 21 on page 3, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 476 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court Commissioners – Residency in Contiguous County

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 521 – Delegates B. Wilson, Cluster, Dumais, and Rey

AN ACT concerning

Criminal Procedure – Sex Offender Registrant – Notice of International Travel

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 632 – The Speaker (By Request – Administration) and Delegates Adams, Anderton, Arentz, Beidle, Beitzel, Carozza, Cassilly, Ciliberti, Clark, Cluster, Flanagan, Folden, Ghrist, Grammer, Hornberger, S. Howard, Jacobs, Kipke, Krebs, Long, Malone, McComas, McConkey, McKay, McMillan, Metzgar, Miele, Morgan, Otto, Rose, Shoemaker, Simonaire, Szeliga, Vogt, West, and Wivell

EMERGENCY BILL

AN ACT concerning

**Child Abuse – Sex Trafficking
(Protecting Victims of Sex Trafficking Act of 2017)**

HB0632/182612/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 632
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the second “child” insert “by any individual”.

AMENDMENT NO. 2

On page 2, in line 10, after “CHILD” insert “BY ANY INDIVIDUAL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 647 – Delegates Reznik, Barve, Chang, Dumais, Fraser–Hidalgo, Frick, Jalisi, Luedtke, McComas, Patterson, Platt, Queen, M. Washington, C. Wilson, and K. Young

AN ACT concerning

Criminal Law – Sexual Offenses – Classification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 723 – Delegates Queen, Anderson, Branch, Conaway, Glenn, Luedtke, Moon, Oaks, Proctor, Sanchez, Sydnor, and West

AN ACT concerning

Inmates – Life Imprisonment – Parole Reform

Favorable report adopted.

Delegate Shoemaker moved to make the Bill a Special Order for March 8, 2017.

The motion was adopted.

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

House Bill 738 – Delegate B. Wilson

AN ACT concerning

Criminal Law – Sex Offenses – Out-of-State Convictions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 739 – Delegates Moon, Anderson, Korman, Proctor, Queen, Sanchez, and Sydnor

AN ACT concerning

Public Safety – SWAT Teams – Reporting and Limitations

HB0739/592516/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 739

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Reporting and Limitations” and substitute “Standards”; in line 4, after “teams” insert “and of law enforcement officers not on a SWAT team who conduct no-knock warrant service”; strike beginning with “requiring” in line 5 down through “Assembly;” in line 21; in line 22, strike “certain terms” and substitute “a certain term”; and strike in their entirety lines 23 through 27, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Public Safety

Section 3–201(a) and 3–207(a)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – Public Safety

Section 3–201(g) and 3–207(a)(24)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–207(a)(22) and (23)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 2 on page 2 through line 24 on page 4, inclusive, and substitute:

"3-201.

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

(G) "SWAT TEAM" MEANS AN AGENCY-DESIGNATED UNIT OF LAW ENFORCEMENT OFFICERS WHO ARE SELECTED, TRAINED, AND EQUIPPED TO WORK AS A COORDINATED TEAM TO RESOLVE CRITICAL INCIDENTS THAT ARE SO HAZARDOUS, COMPLEX, OR UNUSUAL THAT THEY MAY EXCEED THE CAPABILITIES OF FIRST RESPONDERS OR INVESTIGATIVE UNITS.

3-207.

(a) The Commission has the following powers and duties:

(1) to establish standards for the approval and continuation of approval of schools that conduct police entrance-level and in-service training courses required by the Commission, including State, regional, county, and municipal training schools;

(22) to require:

(i) a statement condemning motorcycle profiling to be included in existing written policies regarding other profiling; and

(ii) for entrance-level police training and for in-service level training conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include, consistent with established law enforcement standards and federal and State constitutional provisions, training related to motorcycle profiling in conjunction with existing training regarding other profiling; [and]

(23) to perform any other act, including adopting regulations, that is necessary or appropriate to carry out the powers and duties of the Commission under this subtitle; AND

(24) TO CONSULT AND COOPERATE WITH COMMANDERS OF SWAT TEAMS TO DEVELOP STANDARDS FOR TRAINING AND DEPLOYMENT OF SWAT TEAMS AND OF LAW ENFORCEMENT OFFICERS WHO ARE NOT MEMBERS OF A SWAT TEAM WHO CONDUCT NO-KNOCK WARRANT SERVICE IN THE STATE BASED ON BEST PRACTICES IN THE STATE AND NATIONWIDE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 749 – Delegates Malone, Atterbeary, Dumais, McComas, and Moon

AN ACT concerning

Family Law – Divorce – Ownership of a Pet

HB0749/522610/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 749

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Family Law – Divorce – Ownership of a Pet” and substitute “Annulment and Divorce – Property Disposition – Pets”; strike beginning with “grant” in line 4 down through “possession” in line 9 and substitute “resolve any dispute between the parties with respect to the ownership of a pet and grant a decree that states what the ownership interest of each party is; authorizing the court to transfer ownership of an interest in a pet; authorizing the court to award to either party access rights to a pet under certain circumstances; exempting a provision concerning a pet from a certain limitation on the duration of a certain provision in a certain order or decree; altering a certain definition”; strike beginning with “determining” in line 10 down through “proceeding” in line 11 and substitute “property disposition in annulment and divorce and pets”; in line 14, strike “8–202” and substitute “8–201(a) and 8–205(a)”; after line 16, insert:

“BY repealing and reenacting, with amendments,

Article – Family LawSection 8–201(d), 8–202, and 8–210(a)Annotated Code of Maryland(2012 Replacement Volume and 2016 Supplement)”;

and in line 19, strike “8–202.1” and substitute “8–201(f)”.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“8–201.

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

(d) (1) “Family use personal property” means tangible personal property:

(i) acquired during the marriage;

(ii) owned by 1 or both of the parties; and

(iii) used primarily for family purposes.

(2) “Family use personal property” includes:

(i) motor vehicles;

(ii) furniture;

(iii) furnishings; [and]

(iv) household appliances; AND

(V) PETS.

(3) “Family use personal property” does not include property:

(i) acquired by inheritance or gift from a third party; or

(ii) excluded by valid agreement.

(F) (1) “PET” MEANS A DOMESTICATED ANIMAL.

(2) “PET” DOES NOT INCLUDE LIVESTOCK.”.

On page 2, after line 13, insert:

“(C) WHEN THE COURT DETERMINES THE OWNERSHIP OF A PET UNDER THIS SECTION OR TRANSFERS OWNERSHIP OF A PET UNDER § 8–205 OF THIS SUBTITLE, THE COURT MAY AWARD TO EITHER PARTY ACCESS RIGHTS TO THE PET.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 14 on page 2 through line 7 on page 3, inclusive.

On page 3, after line 7, insert:

“8–205.

(a) (1) Subject to the provisions of subsection (b) of this section, after the court determines which property is marital property, and the value of the marital property, the court may transfer ownership of an interest in property described in paragraph (2) of this subsection, grant a monetary award, or both, as an adjustment of the equities and rights of the parties concerning marital property, whether or not alimony is awarded.

(2) The court may transfer ownership of an interest in:

(i) a pension, retirement, profit sharing, or deferred compensation plan, from one party to either or both parties;

(ii) subject to the consent of any lienholders, family use personal property, from one or both parties to either or both parties; and

(iii) subject to the terms of any lien, real property jointly owned by the parties and used as the principal residence of the parties when they lived together, by:

1. ordering the transfer of ownership of the real property or any interest of one of the parties in the real property to the other party if the party to whom the real property is transferred obtains the release of the other party from any lien against the real property;

2. authorizing one party to purchase the interest of the other party in the real property, in accordance with the terms and conditions ordered by the court; or

3. both.

8–210.

(a) (1) In any order or decree, or any modification of an order or decree, a provision that concerns the family home or, **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION**, family use personal property shall terminate no later than 3 years after the date on which the court grants an annulment or a limited or absolute divorce.

(2) The 3–year limitation set out in paragraph (1) of this subsection applies to a limited divorce notwithstanding the subsequent granting of an absolute divorce.

(3) THE 3–YEAR LIMITATION SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A PROVISION THAT CONCERNS PETS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 844 – Delegates Moon, Anderson, and Conaway

AN ACT concerning

Driver’s License Suspensions – Penalties and Assessment of Points

HB0844/842115/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 844

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Driver’s” and substitute “Driver Improvement Program and Failure to Pay Child Support – Driver’s”; strike beginning with “repealing” in line 3 down through “circumstances;” in line 14 and substitute “altering the assessment of points and the penalties associated with the suspension of a driver’s license or privilege to drive for failure to attend a certain driver improvement program or make certain child support payments;”; strike beginning with “providing” in line 15 down through the second “Act;” in line 16; in line 17, after “suspensions” insert “for failure to attend a certain driver improvement program or make certain child support payments”; after line 17, insert:

“BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–203(b), 16–206(a)(2), and 16–402(a)(14)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)”;

strike beginning with the first comma in line 20 down through “(3)(i)” in line 21; and in line 24, strike “with” and substitute “without”.

On page 2, strike in their entirety lines 1 through 6, inclusive.

AMENDMENT NO. 2

On page 2, after line 9, insert:

“16–203.

(b) On notification by the Child Support Enforcement Administration in accordance with § 10–119 of the Family Law Article that an obligor is 60 days or more out of compliance with the most recent order of the court in making child support payments, the Administration:

(1) Shall suspend an obligor’s license or privilege to drive in the State; and

(2) May issue a work–restricted license or work–restricted privilege to drive.

16–206.

(a) (2) The Administration may suspend a license to drive of an individual who fails to attend:

(i) A driver improvement program or an alcohol education program required under § 16–212 of this subtitle; or

(ii) A private alternative program or an alternative program that is provided by a political subdivision of this State under § 16–212 of this subtitle.”;

in lines 17, 20, 23, 26, 29, and 32, in each instance, strike the bracket; in lines 23, 29, and 32, strike “(D)”, “(E)”, and “(F)”, respectively; and in line 33, strike the colon.

On page 3, in line 1, strike “(1)”; in the same line, strike “THE”; in the same line, after “under §” insert “**16–203, § 16–206(A)(2) FOR FAILURE TO ATTEND A DRIVER IMPROVEMENT PROGRAM, §**”; in lines 1, 2, 12, 22, 25, and 26, in each instance, strike the bracket; strike beginning with “IN” in line 2 down through “STATE” in line 11; and in lines 22 and 26, strike “(G)” and “(F)”, respectively.

On page 4, in line 1, strike the brackets; in the same line, strike “**§ 16–303(F)**”; and after line 1, insert:

“27–101.

(gg) A person who is convicted of a violation of § 16–303(h) (“Licenses suspended under certain provisions of Code”) or § 16–303(i) (“Licenses suspended under certain provisions of the traffic laws or regulations of another state”) of this article:

(1) is subject to a fine of not more than \$500;

(2) must appear in court; and

(3) may not prepay the fine.”.

On pages 4 through 7, strike in their entirety the lines beginning with line 2 on page 4 through line 16 on page 7, inclusive.

On page 7, in line 17, strike “8.” and substitute “2.”; and in lines 17 and 18, strike “, subject to the provisions of Sections 5, 6, and 7 of this Act,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 903 – Delegates Dumais, Anderson, Lierman, Moon, and Sanchez

AN ACT concerning

**Award of Attorney's Fees and Expenses – Violation of Maryland Constitutional
Right**

Favorable report adopted.

Delegate Krebs moved to make the Bill a Special Order for March 8, 2017.

The motion was adopted.

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

**House Bill 906 – Delegates Malone, Aumann, Folden, Gutierrez, S. Howard,
Jacobs, Krebs, McComas, W. Miller, Parrott, Saab, and B. Wilson**

AN ACT concerning

Criminal Law – Crime of Violence – Home Invasion

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 908 – Delegates Pena-Melnyk, Angel, Morales, and Tarlau

AN ACT concerning

**Police Training and Standards Commission – Police Officer Certification –
Eligibility**

HB0908/522118/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 908

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Police Training and Standards Commission –”; in the same line, after “Certification” insert “Work Group”; in line 3, after “Eligibility” insert “of Individuals with Permanent Residency Status”; strike beginning with “altering” in line 4 down through “States” in line 7 and substitute “establishing a Police Officer Certification Work Group; providing for the composition, chair, and staffing of the Work Group; prohibiting a member of the Work Group from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Work Group to study and make recommendations regarding certain matters; requiring the Work Group 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 strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 2

On page 1, in line 14, strike “the Laws of Maryland read as follows”.

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 14 on page 2, inclusive, and substitute:

“(a) There is a Police Officer Certification Work Group.

(b) The Work Group consists of the following members, appointed by the Governor:

(1) two representatives from the Maryland Police Training and Standards Commission, including the Chair of the Commission;

(2) one representative from the Maryland Chiefs of Police Association;

(3) one representative from the Maryland Sheriffs’ Association;

(4) one representative from the Maryland State Bar Association with a background in immigration law; and

(5) one representative from the Maryland Fraternal Order of Police.

(c) The Chair of the Maryland Police Training and Standards Commission is the chair of the Work Group.

(d) The Maryland State Police shall provide staff for the Work Group.

(e) A member of the Work Group:

(1) may not receive compensation as a member of the Work Group; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Work Group shall:

(1) study the feasibility of altering the eligibility requirements for certification of individuals by the Police Training and Standards Commission as police officers to include individuals with permanent residency status; and

(2) make recommendations regarding what would be required to alter the eligibility requirements.

(g) On or before November 1, 2017, the Work Group shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017. It shall remain effective for a period of 1 year 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.

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

House Bill 1017 – Chair, Judiciary Committee (By Request – Departmental – Transportation)

AN ACT concerning

Motor Vehicle Administration – Driving Records – Expungement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1207 – Delegates Pena–Melnyk, Cullison, Krimm, Lierman, Morales, Tarlau, Valentino–Smith, K. Young, and P. Young

AN ACT concerning

Family Law – Treatment Foster Care Homes – Siblings

HB1207/322312/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1207
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “a”; and in line 6, strike “term” and substitute “terms”.

AMENDMENT NO. 2

On page 1, in line 16, after “(a)” insert “**(1)**”; in the same line, strike the comma and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2) “SIBLING” MEANS A BROTHER OR SISTER OF THE WHOLE OR HALF BLOOD OR BY ADOPTION.

(3);

and in the same line, strike “TREATMENT” and substitute “**TREATMENT**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1219 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Sex Trafficking

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1256 – Delegates Jalisi, Haynes, and Proctor

AN ACT concerning

Juveniles – Strip Search – Limitations

HB1256/472112/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1256

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Department of Juvenile Services – Implementation of Task Force Recommendations – Report”; strike beginning with “that” in line 3 down through “searches” in line 11 and substitute “the Department of Juvenile Services to report on the status of the implementation of certain recommendations of the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System; specifying certain recommendations on which the Department must report; requiring the Department 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 the Restraint, Searches, and Needs of”

Children in the Juvenile Justice System and the Department of Juvenile Services"; and strike in their entirety lines 12 through 26, inclusive.

AMENDMENT NO. 2

On page 2, in line 2, strike "the Laws of Maryland read as follows"; after line 2, insert:

"(a) The Department of Juvenile Services shall provide a progress report on the status of the implementation of the recommendations of the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System that was established by Chapter 655 of the Acts of the General Assembly of 2016.

(b) The Department shall report on:

(1) changes to Department policies and procedures regarding the use of:

(i) visual body searches; and

(ii) mechanical restraints during transportation; and

(2) the collection of data related to the use of visual body searches, including:

(i) the number of searches conducted;

(ii) the circumstances leading to the searches;

(iii) whether contraband was recovered as a result of the searches; and

(iv) the types of contraband recovered.

(c) On or before December 1, 2017, the Department of Juvenile Services shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the implementation of the recommendations of the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System specified in subsection (b) of this section."

On pages 2 through 5, strike in their entirety the lines beginning with line 3 on page 2 through line 11 on page 5, inclusive.

On page 5, in line 13, strike “October” and substitute “June”; and in the same line, after the period insert “It shall remain effective for a period of 1 year and 1 month 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.

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

House Bill 1342 – Delegates A. Washington, Ali, Anderson, Angel, Moon, Morales, Proctor, Sanchez, Sydnor, and Valderrama

AN ACT concerning

Public Safety – Deaths Involving a Correctional Officer – Reports

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 6

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

House Bill 462 – Delegates P. Young, Vogt, and M. Washington

AN ACT concerning

Higher Education – Tuition Waivers for Foster Care Recipients and Unaccompanied Homeless Youth – Alterations

HB0462/345062/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 462

(First Reading File Bill)

On page 1, in the sponsor line, strike “and M. Washington” and substitute “M. Washington, Simonaire, Ali, Wilkins, Rose, Patterson, Hornberger, Ebersole, Afzali, Hixson, Kaiser, Turner, C. Howard, A. Washington, Tarlau, and Mosby”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 529 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)

AN ACT concerning

Election Law – Political Parties, Candidacy, and Campaign Finance

HB0529/415160/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 529

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 5 down through “statements;” in line 7 and substitute “altering the number of petition signatures a candidate who seeks nomination by petition must file to appear on the general election ballot; repealing the requirement that a governmental entity notify the State Board of Elections if a person doing public business with the governmental entity fails to file a statement under a certain provision of law; requiring a governmental entity that has awarded a person a contract that causes the person to be doing public business to provide the State Board with certain information; authorizing the governmental entity to comply with a certain provision of this Act by sending a certain quarterly report to the State Board; requiring that the quarterly report include the required information for certain persons and be submitted by a certain date; repealing an exemption from certain requirements for a contract for which notice of award has been posted on eMaryland Marketplace;”.

AMENDMENT NO. 2

On page 2, in line 10, after “coordination” insert “, COOPERATION, CONSULTATION, UNDERSTANDING, AGREEMENT, OR CONCERT”.

AMENDMENT NO. 3

On page 4, in line 26, strike “not less than” and substitute “THE LESSER OF 10,000 REGISTERED VOTERS OR”.

AMENDMENT NO. 4

On page 6, in line 12, after “(a)” insert “(1)”; and strike in their entirety lines 15 through 20, inclusive, and substitute:

“(I) REQUIRE THE PERSON TO CERTIFY THAT THE PERSON HAS FILED THE STATEMENT REQUIRED UNDER § 14–104(B)(1) OF THIS TITLE; AND

(II) PROVIDE THE STATE BOARD WITH THE PERSON’S NAME, ADDRESS, AND ANY OTHER CONTACT INFORMATION REQUIRED BY THE STATE BOARD.

(2) (I) A GOVERNMENTAL ENTITY MAY COMPLY WITH PARAGRAPH (1)(II) OF THIS SUBSECTION BY SENDING TO THE STATE BOARD A QUARTERLY REPORT ON A FORM PROVIDED BY THE STATE BOARD.

(II) A QUARTERLY REPORT SENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

1. INCLUDE THE REQUIRED INFORMATION FOR ANY PERSON THAT WAS AWARDED A CONTRACT THAT CAUSED THE PERSON TO BE DOING PUBLIC BUSINESS WITH THE GOVERNMENTAL ENTITY DURING THE PRECEDING CALENDAR QUARTER; AND

2. BE SUBMITTED TO THE STATE BOARD NO LATER THAN 10 BUSINESS DAYS AFTER THE CLOSE OF EACH CALENDAR QUARTER.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 616 – Delegates Atterbeary, Angel, Barkley, Barve, Clippinger, Cullison, Davis, Dumais, Ebersole, Hayes, Healey, Hettleman, Hill, C. Howard, Kelly, Korman, Kramer, Lewis, Lierman, Lisanti, Luedtke, McCray, Moon, Morales, Patterson, Pena–Melnik, Queen, Robinson, Sanchez, Turner, Valderrama, Valentino–Smith, Waldstreicher, A. Washington, and M. Washington

AN ACT concerning

Education – Pregnant and Parenting Students – Attendance Policy

HB0616/465466/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 616

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and M. Washington” and substitute “M. Washington, Tarlau, Ali, and Wilkins”; in line 5, after “that” insert “, at a minimum,”; in line 7, strike “requiring” and substitute “authorizing”; and in line 10, after the semicolon, insert “requiring each county board to publish its attendance policy for pregnant and parenting students on the county board’s Web site;”.

AMENDMENT NO. 2

On page 2, in line 4, after “**THAT**” insert “**, AT A MINIMUM,**”; strike in their entirety lines 15 and 16; in lines 17, 19, and 23, strike “**(III)**”, “**(IV)**”, and “**(V)**”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively; and strike beginning with “**AT**” in line 26 down through “**SHALL**” in line 27 and substitute “**IN ADDITION TO HOME AND HOSPITAL SERVICES, THE SCHOOL MAY**”.

On page 3, after line 10, insert:

“(3) EACH COUNTY BOARD SHALL PUBLISH ITS WRITTEN ATTENDANCE POLICY FOR PREGNANT AND PARENTING STUDENTS ON THE COUNTY BOARD’S WEB SITE.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Aumann moved to make the Bill a Special Order for March 8, 2017.

The motion was adopted.

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

House Bill 619 – Delegates Hornberger, Arentz, and W. Miller

AN ACT concerning

Election Law – Campaign Signs at Polling Places

HB0619/225062/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 619

(First Reading File Bill)

On page 2, in lines 19, 21, and 31, in each instance, strike “4” and substitute “5”.

On page 3, in line 1, strike “4” and substitute “5”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 708 – Delegate Walker

AN ACT concerning

**State Department of Education – Lacrosse Opportunities Program – Youth
Lacrosse Nonprofit Organizations**

HB0708/245761/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 708

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Walker” and substitute “Delegates Walker, Mosby, Ali, A. Washington, C. Howard, Ebersole, Patterson, Rose, Tarlau, Afzali, Hixson, and Turner”.

The preceding amendment was read and adopted.Favorable report, as amended, adopted.Read the second time and ordered prepared for Third Reading.

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

House Bill 796 – Delegates Malone, Adams, Angel, Arentz, Atterbeary, Beidle, Buckel, Carey, Carr, Chang, Ciliberti, Clark, Dumais, Fisher, Folden, Frush, Hornberger, Jacobs, Kipke, Long, Luedtke, Mautz, McComas, McConkey, McKay, McMillan, Morgan, Pena–Melnik, Reilly, Saab, Shoemaker, Simonaire, Sophocleus, Szeliga, Tarlau, Valentino–Smith, and C. Wilson

AN ACT concerning

Sales and Use Tax – Exemptions – Girl Scouts and Boy ScoutsFavorable report adopted.Read the second time and ordered prepared for Third Reading.

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

House Bill 978 – Delegate Luedtke

AN ACT concerning

Education – Accountability – Consolidated State Plan and Support and Improvement Plans**(Protect Our Schools Act of 2017)****HB0978/665462/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 978

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Luedtke” and substitute “Delegate Luedtke, Tarlau, Mosby, M. Washington, A. Washington, C. Howard, Turner, Kaiser, Ebersole, Patterson, D. Barnes, and Ali”; strike beginning with “that” in line 8 down through “circumstances” in line 9 and substitute “the State Board of Education to consider stakeholder input in determining the weights of certain indicators”; and in line 10, after the semicolon insert “requiring the State Department of Education, on or before a certain date, to establish a certain program for data collection and reporting on student growth.”.

AMENDMENT NO. 2

On page 4, in line 20, after “**INCLUDE**” insert “**, BUT ARE NOT LIMITED TO**”; strike line 21; in lines 22, 23, 24, and 25, strike “**A.**”, “**B.**”, “**C.**”, and “**D.**”, respectively, and substitute “**1.**”, “**2.**”, “**3.**”, and “**4.**”, respectively.

On pages 4 and 5, strike beginning with “**TO**” in line 25 on page 4 down through “**SURVEYS.**” in line 5 on page 5 and substitute “**FOR:**”

**A. ADVANCED PLACEMENT COURSES AND
INTERNATIONAL BACCALAUREATE PROGRAMS;**

B. CAREER AND TECHNOLOGY EDUCATION PROGRAMS;

C. DUAL ENROLLMENT; AND

D. INDUSTRY CERTIFICATION;

5. CHRONIC ABSENTEEISM;

6. DATA ON DISCIPLINE AND RESTORATIVE PRACTICES;

AND

7. ACCESS TO TEACHERS WHO HOLD AN ADVANCED PROFESSIONAL CERTIFICATE OR HAVE OBTAINED NATIONAL BOARD CERTIFICATION.”.

On page 5, strike beginning with “**BOTH**” in line 8 down through “**OBJECTIVES**” in line 10 and substitute “**IN DETERMINING THE WEIGHTS OF THE ACADEMIC INDICATORS AND SCHOOL QUALITY INDICATORS, THE STATE BOARD SHALL CONSIDER STAKEHOLDER INPUT**”; in line 12, strike “**51%**” and substitute “**55%**”; and after line 12, insert:

“3. ON OR BEFORE JULY 1, 2018, THE DEPARTMENT SHALL ESTABLISH A STATEWIDE WEB-BASED PROGRAM FOR DATA COLLECTION, REPORTING, AND DATA SHARING AMONG THE COUNTY BOARDS ON ACADEMIC INDICATORS THAT ALLOW FOR MEANINGFUL DIFFERENTIATION IN SCHOOL PERFORMANCE.”.

AMENDMENT NO. 3

On page 6, in line 23, after the comma insert “**PARENTS, COMMUNITY MEMBERS,**”.

On page 7, in line 1, strike “**AND THE**” and substitute a comma; and in the same line, after “**BOARD**” insert “**, AND THE DEPARTMENT**”.

On page 8, after line 9, insert:

“(II) CREATING A LOCAL SCHOOL SYSTEM IN ADDITION TO THE 24 SCHOOL SYSTEMS ESTABLISHED IN THIS ARTICLE;

(III) CONVERTING OR CREATING A NEW PUBLIC SCHOOL WITHOUT LOCAL BOARD APPROVAL;”;

and in lines 10, 11, and 14, strike “**(II)**”, “**(III)**”, and “**(IV)**”, respectively, and substitute “**(IV)**”, “**(V)**”, and “**(VI)**”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Cluster moved to make the Bill a Special Order for March 8, 2017.

The motion was adopted.

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

House Bill 1066 – Delegate Ebersole

AN ACT concerning

Education – Fire Drill Requirements – State Fire Prevention Code

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 24

House Bill 680 – Delegate Kaiser (By Request – Maryland Longitudinal Data System) and Delegates Atterbeary, Barkley, Buckel, Chang, Ebersole, Jackson, Lafferty, Luedtke, McComas, McCray, Patterson, Rose, Shoemaker, Tarlau, M. Washington, and West

AN ACT concerning

**Maryland Longitudinal Data System – Student and Workforce Data Linkage –
Extension of Time Limit**

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

FLOOR AMENDMENT

HB0680/223929/1

BY: Delegate Fisher

AMENDMENTS TO HOUSE BILL 680

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Limit” insert “and Notice of Limitation”; and in line 6, after “date;” insert “authorizing a certain individual to send a certain notice to the Maryland Longitudinal Data System Center opting to limit the linkage of certain data in the Maryland Longitudinal Data System to a certain number of years from a certain date;”

requiring the Center to develop and implement a method of segregating and disposing of a certain individual's data under certain circumstances;".

AMENDMENT NO. 2

On page 2, in line 8, after "(c)" insert "**(1)**"; in the same line, strike "The" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**"; and after line 10, insert:

"(2) (I) AN INDIVIDUAL WHOSE STUDENT DATA AND WORKFORCE DATA IS INCLUDED IN THE MARYLAND LONGITUDINAL DATA SYSTEM MAY SEND A WRITTEN NOTICE TO THE CENTER OPTING TO LIMIT THE LINKAGE OF THE INDIVIDUAL'S STUDENT DATA AND WORKFORCE DATA IN THE MARYLAND LONGITUDINAL DATA SYSTEM TO NO LONGER THAN 5 YEARS FROM THE DATE OF THE INDIVIDUAL'S LATEST ATTENDANCE IN ANY EDUCATIONAL INSTITUTION IN THE STATE.

(II) THE CENTER SHALL DEVELOP AND IMPLEMENT A METHOD OF SEGREGATING AND DISPOSING OF THE STUDENT DATA AND WORKFORCE DATA IN THE MARYLAND LONGITUDINAL DATA SYSTEM OF AN INDIVIDUAL WHO HAS SENT A WRITTEN NOTICE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH."

Delegate Ebersole moved the previous question.

The motion was adopted.

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

Affirmative – 48 Negative – 86 (See Roll Call No. 262)

FLOOR AMENDMENT

HB0680/523523/1

BY: Delegate Rey

AMENDMENTS TO HOUSE BILL 680

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Limit” insert “and Notice”; and in line 6, after “date;” insert “requiring the Maryland Longitudinal Data System Governing Board to send by first-class mail a certain notice to certain individuals”.

AMENDMENT NO. 2

On page 2, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Longitudinal Data System Governing Board shall send by first-class mail to each individual whose student data or workforce data is included in the Maryland Longitudinal Data System on or before the effective date of this Act, a notice of the increase in the length of time that the individual’s student data and workforce data used by the Maryland Longitudinal Data System is limited to being linked from the date of the individual’s latest attendance in any education institution in the State.”;

and in line 16, strike “2.” and substitute “3.”.

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

Affirmative – 46 Negative – 88 (See Roll Call No. 263)

The preceding 2 amendments were read only.

Delegate Szeliga moved to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 264)

CALENDAR OF THIRD READING HOUSE BILLS NO. 22

**House Bill 149 – Chair, Environment and Transportation Committee (By Request
– Departmental – Transportation)**

AN ACT concerning

**Transportation – Light Rail and Metro Subway – State Safety Oversight
Authority**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 265)

The Bill was then sent to the Senate.

**House Bill 242 – Delegates Turner, Atterbeary, Barkley, Brooks, Ebersole, Hill,
Hixson, Jalisi, Lam, Pendergrass, B. Wilson, and C. Wilson**

AN ACT concerning

Vehicle Laws – Use of Handheld Telephone While Driving – Penalty

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

Affirmative – 102 Negative – 36 (See Roll Call No. 266)

The Bill was then sent to the Senate.

**House Bill 285 – Delegates Korman, Barron, Angel, Barkley, B. Barnes, D. Barnes,
Barve, Carr, Cullison, Davis, Dumais, Fennell, Fraser-Hidalgo, Frick,
Frush, Gaines, Gilchrist, Gutierrez, Healey, Hixson, Holmes, C. Howard,
Jackson, Kaiser, Kelly, Knotts, Kramer, Krimm, Luedtke, A. Miller, Moon,
Morales, Pena-Melnyk, Platt, Proctor, Queen, Reznik, Robinson, Sanchez,
Tarlau, Valderrama, Valentino-Smith, Vallario, Waldstreicher, Walker, and
A. Washington**

AN ACT concerning

Washington Metrorail Safety Commission Membership Act

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

Affirmative – 138 Negative – 0 (See Roll Call No. 267)

The Bill was then sent to the Senate.

House Bill 333 – Delegate C. Howard

AN ACT concerning

Motor Vehicles – Aggressive Driving

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

Affirmative – 131 Negative – 7 (See Roll Call No. 268)

The Bill was then sent to the Senate.

**House Bill 384 – Delegates Adams, Anderton, Arentz, Carozza, Jacobs, ~~and Otto~~
~~Otto, and Mautz~~ Mautz, Cassilly, Flanagan, Folden, Jalisi, Lafferty, and
McMillan**

AN ACT concerning

Bay Restoration Fund – Eligible Costs – Expansion

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

Affirmative – 138 Negative – 0 (See Roll Call No. 269)

The Bill was then sent to the Senate.

House Bill 603 – Delegates Parrott, McKay, and B. Wilson

AN ACT concerning

**Vehicle Laws – ~~Proof of Insurance for Motor Vehicles Registered in Another~~
~~State~~ Out-of-State Vehicles – Required Security**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 270)

The Bill was then sent to the Senate.

House Bill 756 – Delegate Stein

AN ACT concerning

Vehicle Laws – Annual Vehicle Shows

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

Affirmative – 136 Negative – 2 (See Roll Call No. 271)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 23**House Bill 73 – Delegate Luedtke**

AN ACT concerning

Election Law – Election Judges – Minimum Age ~~and Minimum Compensation~~

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

Affirmative – 103 Negative – 35 (See Roll Call No. 272)

The Bill was then sent to the Senate.

**House Bill 85 – ~~Delegates Beidle, Carey, Chang, Frush, S. Howard, Kipke, Malone, McConkey, McMillan, Pena-Melnyk, Saab, Simonaire, and Sophocleus~~
Anne Arundel County Delegation**

AN ACT concerning

Anne Arundel County – Charitable Gaming

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

Affirmative – 138 Negative – 0 (See Roll Call No. 273)

The Bill was then sent to the Senate.

House Bill 88 – ~~Delegate Lafferty~~ Baltimore County Delegation

AN ACT concerning

Education – Selection of Members to the Baltimore County School Board

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

Affirmative – 118 Negative – 20 (See Roll Call No. 274)

The Bill was then sent to the Senate.

House Bill 363 – Delegates A. Miller, Chang, Ebersole, Jalisi, Kramer, Krebs, Lam, Mautz, West, and K. Young

AN ACT concerning

Recordation and Transfer Taxes – Exemptions – Property Conveyed From Sole Proprietorship to Limited Liability Company

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

Affirmative – 137 Negative – 0 (See Roll Call No. 275)

The Bill was then sent to the Senate.

House Bill 572 – Howard County Delegation

EMERGENCY BILL

AN ACT concerning

Howard County – Property Tax Credit for Commercial Real Property – Flood Damage

Ho. Co. 9-17

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

Affirmative – 138 Negative – 0 (See Roll Call No. 276)

The Bill was then sent to the Senate.

House Bill 683 – Delegate Sample–Hughes

EMERGENCY BILL

AN ACT concerning

Income Tax – Credit for Nurse Practitioner or Licensed Physician in Preceptorship Program – Alterations

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

Affirmative – 137 Negative – 0 (See Roll Call No. 277)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 25

Senate Bill 72 – Senators Klausmeier, Eckardt, ~~and Middleton~~ Middleton, Benson, Feldman, Hershey, Mathias, Reilly, and Rosapepe

AN ACT concerning

Workers' Compensation – Tiered Rating Plans and Merit Rating Plans

FOR the purpose of authorizing a workers' compensation insurer to develop a certain tiered rating plan; requiring a workers' compensation insurer to submit a certain tiered rating plan to the Insurance Commissioner at least a certain number of days in advance of the tiered rating plan's use; requiring the Commissioner to disapprove a certain tiered rating plan under certain circumstances; authorizing a workers' compensation insurer to use a certain merit rating plan under certain circumstances; and generally relating to workers' compensation insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 11–329

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 394 of the Acts of the General Assembly of 2016)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 194 – ~~Senator Klausmeier~~ Senators Klausmeier, Middleton, Astle, Benson, Feldman, Hershey, Mathias, Oaks, Reilly, and Rosapepe

AN ACT concerning

Workers' Compensation – Medical Benefits – Payment of Medical Services and Treatment

FOR the purpose of requiring a provider to submit to an employer or an employer's insurer, within a certain period of time, a certain bill ~~and documentation~~ for certain medical services or treatment provided to a covered employee under a certain provision of law; prohibiting the employer or the employer's insurer from being required to pay a certain bill except under certain circumstances; and generally relating to the payment for medical services and treatment provided under the workers' compensation law.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–660

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 580 – Senators Mathias, Astle, Currie, Feldman, Ferguson, Guzzone, King, Lee, Manno, McFadden, Nathan–Pulliam, Ramirez, Robinson, ~~and Rosapepe~~ Rosapepe, Benson, and Oaks

AN ACT concerning

State Personnel – Leap ~~Day Pay Act~~ Year – Personal Leave

FOR the purpose of ~~requiring the Secretary of Budget and Management to amend the Standard Pay Plan during a leap year to increase certain pay rates for certain classes of State employees to account for a certain day;~~ providing a certain number of days, not to exceed a certain number of hours, of personal leave to State employees during each calendar year that is a leap year; and generally relating to the Standard Pay Plan pay rates for classes of personal leave during leap years for State employees.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section ~~8–105~~ 9–401
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 595 – Senators Nathan–Pulliam, Benson, Kelley, Madaleno, Ramirez, Robinson, Young, and Zucker

AN ACT concerning

Residential Boarding Education Programs for At–Risk Youth – Eligibility

FOR the purpose of establishing a certain residential boarding education program for students enrolled in certain grades; providing that certain students shall be eligible to participate in the program if an operator files a certain plan; requiring operators of the program to meet certain qualifications, adopt certain standards, submit a certain charter and bylaws, and conduct certain outreach programs; providing that the program may be part of a certain other program; requiring an operator to submit a certain plan to the State Department of Education that includes certain information; requiring the Department to review and approve a plan if it is consistent with certain educational purposes; and generally relating to residential boarding education programs for at–risk youth in grade 7 or higher.

BY repealing and reenacting, without amendments,
Article – Education
Section 8–701, 8–702, and 8–704
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 8–703
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 8–704.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

SPECIAL ORDERS

House Bill 680 – Delegate Kaiser (By Request – Maryland Longitudinal Data System) and Delegates Atterbeary, Barkley, Buckel, Chang, Ebersole, Jackson, Lafferty, Luedtke, McComas, McCray, Patterson, Rose, Shoemaker, Tarlau, M. Washington, and West

AN ACT concerning

**Maryland Longitudinal Data System – Student and Workforce Data Linkage –
Extension of Time Limit**

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

Delegate Szeliga moved to make the Bill a Special Order for March 8, 2017.

The motion was adopted.

INTRODUCTION OF BILLS

Delegate Pena–Melnyk moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 278)

In compliance with the rules, the Bill was introduced.

House Bill 1652 – Delegates Pena–Melnyk and West

EMERGENCY BILL

AN ACT concerning

**Health Occupations – Certified Supervised Counselors–Alcohol and Drug –
Qualifications**

FOR the purpose of authorizing an applicant, in order to qualify as a certified supervised counselor–alcohol and drug, to complete supervised work experience as specified in regulation in lieu of satisfying a certain internship requirement; making this Act an emergency measure; and generally relating to qualifications of certified supervised counselors–alcohol and drug.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–404
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

Delegate Ghrist moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 279)

In compliance with the rules, the Bill was introduced.

House Bill 1653 – Delegate Ghrist

AN ACT concerning

**Creation of a State Debt – Cecil County – Elkton Sportsplex Campus and
Performing–Visual Arts Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Mayor and Commissioners of the Town of Elkton for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Delegate Chang moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 2 (See Roll Call No. 280)

In compliance with the rules, the Bill was introduced.

House Bill 1654 – Delegates Chang, Gutierrez, Haynes, Jackson, and McKay

AN ACT concerning

**Vehicle Laws – Work Zone Speed Control System – Increased Penalty for
Multiple Offenses**

FOR the purpose of increasing the maximum civil penalty for a violation of a posted speed restriction in a work zone captured by a speed control system under certain circumstances; and generally relating to civil penalties for a violation of posted speed restrictions captured by speed control systems.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–810(b)(1) through (3) and (c)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–810(c)(2)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Delegate Jalisi moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 132 Negative – 3 (See Roll Call No. 281)

In compliance with the rules, the Bill was introduced.

House Bill 1655 – Delegate Jalisi

AN ACT concerning

Medical Cannabis – Certifying Providers – Written Certifications

FOR the purpose of altering the definition of “written certification”, for purposes of certain provisions of law governing medical cannabis, to require that a written certification issued by a certifying provider to a certain qualifying patient include a certain recommendation on the amount of medical cannabis that would be necessary to meet the medical needs of the qualifying patient; and generally relating to certifying providers, written certifications, and medical cannabis.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 13–3301(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3301(n)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 474 of the Acts of the General Assembly of 2016)

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

Delegate Hayes moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 282)

In compliance with the rules, the Bill was introduced.

House Bill 1656 – Delegates Hayes and Mosby

AN ACT concerning

Creation of a State Debt – Baltimore City – Hampden Family Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of The Hampden Family Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Delegate Rosenberg moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 283)

In compliance with the rules, the Bill was introduced.

House Bill 1657 – Delegates Rosenberg, Ali, Anderson, Conaway, Gibson, Hayes, Mosby, and M. Washington

AN ACT concerning

State Designations – The Preakness Stakes as the State Cultural Event

FOR the purpose of designating the Preakness Stakes as the State cultural event; and generally relating to a State cultural event.

BY renumbering

Article – General Provisions

Section 7–313

to be Section 7–313.1

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY adding to

Article – General Provisions

Section 7–313

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 284)

ADJOURNMENT

At 12:11 P.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Wednesday, March 8, 2017.

**Annapolis, Maryland
Wednesday, March 8, 2017
10:00 A.M. Session**

The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Nick Mosby of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 285)

EXCUSED:

Del. Brooks – late – doctor’s appointment
Del. Ciliberti – family emergency
Del. Kipke – left early – business
Del. McMillan – left early – business

The Journal of March 7, 2017 was read and approved.

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 26

Senate Bill 184 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Klausmeier, Mathias, Oaks, and Rosapepe

AN ACT concerning

**Energy Efficiency Programs – Calculation of Program Savings and
Consideration of Cost-Effectiveness**

FOR the purpose of requiring the Public Service Commission to require each electric company to procure or provide certain energy efficiency and conservation programs and services to its electricity customers on a certain savings trajectory ~~beginning with a~~ for the duration of certain program ~~cycle~~ cycles; establishing a baseline for the savings trajectory; requiring the Commission to update certain gross retail sales for certain plans; requiring the Commission to use the total resource cost test and the societal cost test when considering the cost-effectiveness of an energy efficiency and conservation program or service; requiring that certain nonenergy benefits be quantifiable and directly related to a certain program or service; requiring each

electric company, after consulting with the Maryland Energy Administration, to submit a certain plan to the Commission on a certain date and with a certain frequency; ~~defining certain terms~~ requiring the Commission to determine the advisability of certain matters relating to energy efficiency and conservation programs beginning in a certain program cycle; and generally relating to energy efficiency programs.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–211
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

QUORUM CALL

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

(See Roll Call No. 286)

CALENDAR OF THIRD READING SENATE BILLS NO. 2

Senate Bill 493 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

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

Affirmative – 138 Negative – 0 (See Roll Call No. 287)

The Bill was then returned to the Senate.

Senate Bill 494 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

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

Affirmative – 139 Negative – 0 (See Roll Call No. 288)

The Bill was then returned to the Senate.

ECONOMIC MATTERS COMMITTEE REPORT NO. 9

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

House Bill 185 – Delegates Rosenberg and Waldstreicher

AN ACT concerning

Department of Health and Mental Hygiene – Distribution of Tobacco Products to Minors – Prohibition and Enforcement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 601 – Delegates Kramer, Aumann, Barkley, Branch, Carey, Chang, Cullison, Fennell, Fraser-Hidalgo, Frush, Jameson, Krimm, Morales, Stein, Turner, and Valderrama

AN ACT concerning

Senior Call-Check Service and Notification Program – Establishment

HB0601/253295/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 601

(First Reading File Bill)

On page 1, strike beginning with “immunity” in line 16 down through “in” in line 17 and substitute “the application of the State Tort Claims Act and the Local Government Tort Claims Act to certain persons for certain services under the Program; providing that certain”

persons may not be liable for certain acts or omissions directly arising from services provided under”.

On pages 7 and 8, strike in their entirety the lines beginning with line 20 on page 7 through line 4 on page 8 and substitute:

“(C) (1) THE STATE TORT CLAIMS ACT AND THE LOCAL GOVERNMENT TORT CLAIMS ACT, AS APPROPRIATE, APPLY TO A STATE OR LOCAL UNIT AND TO AN EMPLOYEE OR AGENT OF A STATE OR LOCAL UNIT THAT PARTICIPATES IN THE PROGRAM FOR SERVICES THE UNIT OR PERSON PROVIDES UNDER THE PROGRAM IN ACCORDANCE WITH REGULATIONS OF THE DEPARTMENT OF AGING.

(2) A PERSON OF RECORD AND A VOLUNTEER MAY NOT BE LIABLE FOR REASONABLE ACTS OR OMISSIONS DIRECTLY ARISING FROM SERVICES THE PERSON PROVIDES UNDER THE PROGRAM IN ACCORDANCE WITH REGULATIONS OF THE DEPARTMENT OF AGING.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 718 – Delegate Carey

AN ACT concerning

**Financial Institutions – Qualifications of Directors of Commercial
Banks – Residency**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 744 – Delegates Kramer and West

AN ACT concerning

Corporations – Maryland General Corporation Law – Miscellaneous Provisions

HB0744/263098/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 744

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “corporation” insert “with capital stock”.

AMENDMENT NO. 2

On page 5, in line 27, after “CORPORATION” insert “WITH CAPITAL STOCK”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 759 – Delegates Kramer and West

AN ACT concerning

Corporations – Formation of a Holding Company by Merger

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1134 – Delegates Frick, Barve, Branch, Ebersole, Jones, Kaiser, Korman, Krimm, Lierman, Luedtke, McCray, Morhaim, Pena–Melnik, Stein, Tarlau, Turner, Valentino–Smith, Wilkins, and K. Young

AN ACT concerning

Maryland Financial Consumer Protection Commission

HB1134/993792/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1134

(First Reading File Bill)

On page 2, in line 30, strike “Secretary of Labor, Licensing, and Regulation, or the Secretary’s” and substitute “Commissioner of Financial Regulation, or the Commissioner’s”.

On page 3, in line 3, strike “Department of Legislative Services” and substitute “Office of the Attorney General”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1277 – Delegate Davis

AN ACT concerning

Insurance – Producer Licensing – Examinations**HB1277/833094/1**

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1277

(First Reading File Bill)

On page 2 in line 16, and on page 3 in line 2, in each instance, strike “**1 DAY**” and substitute “**4 DAYS**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 6

CONSENT NO. 4

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

House Bill 1616 – Delegates Gutierrez, Carr, and Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – Halpine Hamlet Community Center

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

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

House Bill 1621 – Delegates McMillan, Beidle, Carey, Chang, Frush, S. Howard, Malone, McConkey, Saab, Simonaire, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Arundel Lodge

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

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

House Bill 1627 – Delegates A. Miller, Dumais, and Fraser-Hidalgo

AN ACT concerning

Creation of a State Debt – Montgomery County – Madison Fields Therapeutic Equestrian Center

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

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

House Bill 1628 – Delegates P. Young and Sydnor

AN ACT concerning

Creation of a State Debt – Baltimore County – Maryland Council for Special Equestrians

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

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

House Bill 1630 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Tau Pi Mentoring Program

Ho. Co. 25–17

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

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

House Bill 1633 – Delegates J. Lewis, Barron, and C. Howard

AN ACT concerning

Creation of a State Debt – Prince George’s County – Capitol Heights Municipal Multiservice Center

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

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

House Bill 1637 – Delegate Haynes

AN ACT concerning

Creation of a State Debt – Baltimore City – Bon Secours Youth Development Center

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

HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 7

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

House Bill 1526 – Delegates Angel and Vallario

AN ACT concerning

Criminal Procedure – Postsentencing – Victim Notification

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

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

House Bill 1551 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County Local Management Board – Strategic Plan and Report**PG 426–17**

The Bill was re-referred to the Committee on Environment and Transportation.

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

House Bill 1560 – Delegates Kelly and Morales

AN ACT concerning

Education – Family Life and Human Sexuality Curriculum – Consent

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

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

House Bill 1566 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Licenses

PG 307–17

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

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

House Bill 1583 – Delegates Ali and Kaiser

AN ACT concerning

Income Tax – Earned Income Tax Credit – Notice of Availability

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

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

House Bill 1600 – Delegate Jones

AN ACT concerning

State Board of Cosmetologists – License Renewal – Continuing Education

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

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

House Bill 1603 – Delegates Atterbeary and Ebersole

AN ACT concerning

Education – County Boards of Education – Removal of County Superintendents

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

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

House Bill 1610 – Delegate West

AN ACT concerning

Public Health – Generic Drugs and Medical Supplies Purchasing Cooperative Workgroup

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

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

House Bill 1626 – Delegates Ali, Mosby, Turner, M. Washington, and Wilkins

AN ACT concerning

Election Law – Early Voting – Registered Voter Updating the Voter’s Address on an Existing Registration

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

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

House Bill 1631 – The Speaker and Delegate Jones

AN ACT concerning

Public Ethics Law – Conflicts of Interest and Financial Disclosure Statements

The Bill was re-referred to the Committee on Environment and Transportation.

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

House Bill 1632 – Delegates Kipke and Kelly

EMERGENCY BILL

AN ACT concerning

Public Health – Certificates of Birth – Births Outside an Institution

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

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

House Bill 1636 – Prince George’s County Delegation

AN ACT concerning

**Prince George's County – School Facilities and Public Safety Surcharges –
Maryland Transit Administration Station**

PG 430–17

The Bill was re-referred to the Committee on Environment and Transportation.

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

**House Bill 1639 – Delegates S. Howard, Beidle, Carey, Chang, Frush, Malone,
McConkey, McMillan, Saab, Simonaire, and Sophocleus**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Mandrin Inpatient Care
Center**

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

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

House Bill 1640 – Delegates Glenn, Branch, and McCray

AN ACT concerning

Creation of a State Debt – Baltimore City – Historic Diamond Press Building

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

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 5

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

House Bill 81 – Delegates Morhaim, Cullison, Miele, and Pena-Melnyk

AN ACT concerning

Estates and Trusts – Conditions of Disability and Incapacity – Confinement

HB0081/666081/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 81

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Pena–Melnik” and substitute “Pena–Melnik, Pendergrass, Angel, Barron, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Morales, Morgan, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 127 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Department of Health and Mental Hygiene – Board of Review – Repeal

HB0127/826681/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 127

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “Act;” insert “providing that a certain petitioner may not be charged a fee for certain costs under certain circumstances; prohibiting a court or an officer of the court from charging a fee to a certain individual under certain circumstances;”.

On page 2, after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – State Government

Section 10–215

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Government

Section 10–222(i)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 13, after line 5, insert:

“Article – State Government

10–215.

(A) [All] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, ALL or part of proceedings in a contested case shall be transcribed if any party:

(1) requests the transcription; and

(2) pays any required costs.

(B) IF A PETITION FOR JUDICIAL REVIEW IS FILED IN CIRCUIT COURT BY A MARYLAND MEDICAL ASSISTANCE PROGRAM RECIPIENT, APPLICANT, OR AUTHORIZED REPRESENTATIVE, THE PETITIONER MAY NOT BE CHARGED A FEE FOR THE COSTS OF:

(1) THE TRANSCRIPTION; OR

(2) THE PREPARATION OR DELIVERY OF THE OFFICE RECORD TO THE CIRCUIT COURT OR TO A PARTY.

10–222.

(I) THE COURT OR AN OFFICER OF THE COURT MAY NOT CHARGE A FEE TO AN INDIVIDUAL PETITIONING FOR JUDICIAL REVIEW TO A CIRCUIT COURT FROM AN OFFICE DECISION IN A MEDICAID FAIR HEARING CONTESTED CASE PROCEEDING.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 188 – Delegates Morhaim, Kipke, Lam, Oaks, and K. Young

AN ACT concerning

Public Health – Advance Directives – Witness Requirements, Advance Directives Services, and Fund

HB0188/516286/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 188

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, Krebs, Morgan, Pena–Melnyk, and Saab”; strike beginning with “altering” in line 4 down through “which” in line 6 and substitute “clarifying that certain guidelines, in accordance with which”; in line 7, strike “established” and substitute “authenticated”; in the same line, after “subscription” insert “apply as periodically updated”; in the same line, after the semicolon insert “requiring the Department of Health and Mental Hygiene to issue a request for proposals from electronic advance directives services for a certain purpose;”; in line 8, strike “of Health and Mental Hygiene”; in line 9, after “services,” insert “requiring an electronic advance directives service to use certain guidelines to authenticate a declarant’s identity for an electronic advance directive that is not witnessed; requiring the Maryland Health Care Commission and the Department to approve only electronic advance directives services that use certain guidelines to authenticate a declarant’s identity for an electronic advance directive that is not witnessed; requiring an individual to submit an electronic advance directive that is not witnessed to an electronic advance directives service recognized by the Commission;”; and in line 20, after “State,” insert “requiring, on or before a certain date each year, the Department to report to the Governor and certain committees of the General Assembly on the Advance Directive Program;”.

On page 2, in line 8, strike “and 5–622(a)(1)” and substitute “5–622(a), and 5–623(c)”; and in line 19, after “5–626” insert “and 5–627”.

AMENDMENT NO. 2

On page 3, in line 14, strike “ESTABLISHED” and substitute “AUTHENTICATED”; strike beginning with “REGULATIONS” in line 15 down through “SUBTITLE” in line 16 and substitute “THE GUIDELINES DESCRIBED IN § 5–602(C)(3) OF THIS SUBTITLE”; in line 30, strike “(I)”; in line 31, strike the bracket; and in the same line, strike “established” and substitute “AUTHENTICATED”.

On page 4, strike beginning with the bracket in line 1 down through “PARAGRAPH” in line 2 and substitute “, AS PERIODICALLY UPDATED”; strike in their entirety lines 3 through 5, inclusive; in line 17, after “shall” insert “ISSUE A REQUEST FOR PROPOSALS FROM AND”; and after line 19, insert:

“(2) [The] AN electronic advance directives service shall:

(i) Be approved by the Maryland Health Care Commission and the Department; [and]

(ii) Meet the technology, security, and privacy standards set by the Maryland Health Care Commission; AND

(iii) USE THE GUIDELINES DESCRIBED IN § 5–602(C)(3) OF THIS SUBTITLE TO AUTHENTICATE A DECLARANT’S IDENTITY FOR AN ELECTRONIC ADVANCE DIRECTIVE THAT IS NOT WITNESSED.

(3) THE MARYLAND HEALTH CARE COMMISSION AND THE DEPARTMENT MAY APPROVE ONLY ADVANCE DIRECTIVES SERVICES THAT USE THE GUIDELINES DESCRIBED IN § 5–602(C)(3) OF THIS SUBTITLE TO AUTHENTICATE A DECLARANT’S IDENTITY FOR AN ELECTRONIC ADVANCE DIRECTIVE THAT IS NOT WITNESSED.

5–623.

(c) (1) [An] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN individual is not required to submit an advance directive to an electronic advance directives service recognized by the Maryland Health Care Commission.

(2) AN INDIVIDUAL SHALL SUBMIT AN ELECTRONIC ADVANCE DIRECTIVE THAT IS NOT WITNESSED TO AN ELECTRONIC ADVANCE DIRECTIVES SERVICE THAT IS RECOGNIZED BY THE MARYLAND HEALTH CARE COMMISSION.”.

AMENDMENT NO. 3

On page 5, after line 23, insert:

“5-627.

ON OR BEFORE JANUARY 15 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE HOUSE APPROPRIATIONS COMMITTEE, THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, AND THE SENATE FINANCE COMMITTEE ON THE PROGRAM, INCLUDING, FOR THE PRIOR CALENDAR YEAR, THE COSTS TO ESTABLISH AND MAINTAIN THE PROGRAM AND THE FEES CHARGED TO REGISTRANTS UNDER THE PROGRAM.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 403 – Delegate Pendergrass

AN ACT concerning

Maryland Patient Referral Law – Compensation Arrangements Under Federally Approved Programs and Models

HB0403/976189/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 403

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, strike “altering a certain definition;”; in the same line, after “defining” insert “a”; in the same line, strike “terms” and substitute “term”; and strike in their entirety lines 27 through 30, inclusive.

On page 2, strike line 1 in its entirety; in line 4, strike “1–301(c), (k), and (l) and”; and strike in their entirety lines 7 through 11, inclusive.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 20 on page 2 through line 6 on page 5, inclusive.

On page 9, in line 21, strike “**DESCRIBED IN**” and substitute “**EXEMPT UNDER**”.

On page 11, in line 19, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 518 – Delegates Morhaim, Kelly, and West

AN ACT concerning

Public Health – Prenatal Infectious Disease Testing**HB0518/506889/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 518

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Infectious Disease” and substitute “HIV”; strike beginning with “establishing” in line 3 down through “Department,” in line 11; in line 11, after “Department” insert “, in consultation with stakeholders,”; in line 13, strike “infectious disease” and substitute “prenatal HIV”; in the same line, strike “Advisory Group” and substitute “Department”; in line 14, strike “recommendations” and substitute “requirements”; in lines 20 and 21, strike “defining a certain term;”; in line 21, after “definition;” insert “making a stylistic change; making certain provisions of this Act subject to a certain contingency;”; strike beginning with “infectious” in line 21 down through “disease” in line 22 and substitute “HIV”; in line 22, strike “and the Prenatal Infectious Disease Testing Advisory Group”; and after line 27, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 18–338.2

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 2, strike lines 4 and 5 in their entirety; in lines 6, 11, 13, and 15, in each instance, strike the brackets; in the same lines, strike “(3)”, “(4)”, “(5)”, and “(6)”, respectively; and in line 15, strike “service” and substitute “SERVICES”.

On pages 2 through 4, strike in their entirety the lines beginning with line 22 on page 2 through line 7 on page 4, inclusive.

On page 4, in line 8, strike “(8)” and substitute “(B)”; in the same line, strike “(I)”; in the same line, after “DEPARTMENT” insert “, IN CONSULTATION WITH STAKEHOLDERS,”; in line 9, strike “INFECTIOUS DISEASE” and substitute “PRENATAL HIV”; in lines 9 and 10, strike “DURING PRENATAL CARE”; strike in their entirety lines 11 through 13, inclusive; in line 14, strike the second set of brackets; in the same line, strike “A”; in lines 15 and 25, in each instance, strike the bracket; in line 16, after “(i)” insert “1.”; in lines 18 and 20, strike “(ii)” and “(iii)”, respectively, and substitute “2.” and “3.”, respectively; in line 21, after “services” insert “; AND

(II) FOLLOW THE REQUIREMENTS FOR PRENATAL HIV TESTING THAT ARE ADOPTED BY THE DEPARTMENT;

in line 22, strike “(1)” and substitute “**(1)(I)**”; strike beginning with “FOLLOW” in line 25 down through “SECTION” in line 27; in line 28, strike “(2)” and substitute “**(3)**”; in the same line, strike “ADVISORY GROUP” and substitute “**DEPARTMENT**”; in lines 28 and 29, strike “RECOMMENDATIONS MADE” and substitute “**REQUIREMENTS ESTABLISHED**”; and in line 29, strike “(B)(7)(I)” and substitute “**(B)**”.

On page 5, in lines 6 and 23, in each instance, strike the bracket; in lines 6 and 12, strike “(c)” and “(d)”, respectively, and substitute “**(D)**” and “**(E)**”, respectively; in lines 24 and 31, strike “(D)” and “(E)”, respectively, and substitute “**(F)**” and “**(G)**”, respectively; in line 31, strike the third bracket; and in line 32, strike “(d)” and substitute “**(E)**”.

On page 6, in line 3, strike the bracket; in line 6, strike “INFECTIOUS DISEASE” and substitute “**PRENATAL HIV**”; in the same line, strike “in accordance with this section” and substitute “**BY THE DEPARTMENT**”; after line 6, insert:

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

Article – Health – General

18–338.2.

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

(2) **“Health care facility” means a facility or office where health or medical care is provided to patients by a health care provider, including:**

(i) **A hospital as defined in § 19–301 of this article;**

(ii) **A facility operated by the Department or a health officer; and**

(iii) **The office of a health care provider.**

(3) **“Health care provider” means a physician, nurse, licensed direct–entry midwife, or designee of a health care facility.**

(4) “HIV” means the human immunodeficiency virus that causes acquired immune deficiency syndrome (AIDS).

(5) “Prenatal care” means obstetric and gynecologic services performed as part of a prenatal care program, including:

(i) Screening;

(ii) Physical examination;

(iii) Laboratory and diagnostic testing procedures and interpretation;

and

(iv) Counseling.

(b) The Department, in consultation with stakeholders, shall adopt regulations establishing requirements for prenatal HIV testing.

(c) (1) [Except as provided in paragraph (2) of this subsection, a] A health care provider who provides prenatal medical care shall[:

(i) 1. Obtain consent from a pregnant patient for HIV testing in accordance with § 18–336 of this subtitle;

2. Test the patient during the first and third trimesters, unless the patient declines the tests; and

3. Provide a referral for treatment and supportive services, including case management services; and

(ii) Follow] FOLLOW the requirements for prenatal HIV testing that are adopted by the Department.

[(2) Paragraph (1)(i) of this subsection:

(i) Applies to routine prenatal medical care visits; and

(ii) Does not apply to the incidental or episodic provision of prenatal medical care given to a pregnant patient by a health care provider.]

[(3)] (2) The Department shall provide the requirements established under subsection (b) of this section to:

- (i) Hospitals that offer obstetric services;
- (ii) The American College of Obstetricians and Gynecologists;
- (iii) The American College of Nurse Midwives; and
- (iv) The Association of Independent Midwives of Maryland.

[(d)] A health care provider who provides labor and delivery services to pregnant women shall offer:

(1) A rapid HIV test to pregnant women with unknown or undocumented HIV status during labor and delivery; and

(2) Antiretroviral prophylaxis prior to receiving the results of the confirmatory test if a rapid HIV test during labor and delivery is positive.

(e) (1) As part of a health care provider's patient acceptance procedures or protocol, a health care provider shall provide a pregnant woman with counseling concerning being tested for the presence of HIV as part of the woman's prenatal care program.

(2) The counseling shall include:

(i) Information required for pretest counseling under § 18-336 of this subtitle; and

(ii) Education on:

1. The effect of a positive HIV test result on the pregnant woman and the fetus concerning the risk of transmission of HIV to the fetus; and

2. Recognized methods of reducing that risk, including the use of pharmaceuticals during pregnancy known to reduce the risk of transmission of HIV to the fetus.]

[(f)] (D) (1) Except as otherwise provided in paragraph (2) of this subsection, the record of an HIV test performed under this section is confidential and not discoverable or admissible in evidence in any criminal, civil, or administrative action.

(2) Provided that the identity or any other information that could readily be associated with the identity of the pregnant woman is not disclosed, the results of an HIV test performed under this section may be introduced into evidence in any criminal, civil, or administrative action, including the adjudication of a workers' compensation claim.

[(g)] (E) [(1) A health care provider, including a health care facility, acting in good faith to provide the counseling required under subsection (e) of this section may not be held liable in any cause of action related to a woman's decision to consent or not to consent to have an HIV test.

(2) A health care provider may not be subject to disciplinary action by the professional licensing board that licenses the health care provider for following the requirements for prenatal HIV testing established by the Department.”;

strike in their entirety lines 7 through 11, inclusive; after line 11, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Section 2 of this Act is contingent on the Department of Health and Mental Hygiene, in consultation with stakeholders, adopting regulations that are consistent with § 18–338.2 of the Health – General Article, as amended by Chapter 441 of the Acts of the General Assembly of 2016, before October 1, 2018.

(b) (1) The Department of Health and Mental Hygiene shall notify the Department of Legislative Services no later than 5 days before the regulations described in subsection (a) of this section will take effect.

(2) If notice of the taking effect of the regulations is received on or before October 1, 2018, Section 2 of this Act shall take effect on the date the regulations take effect. If notice of the taking effect of the regulations is not received by the Department of

Legislative Services on or before October 1, 2018, Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.”;

in line 12, strike “3.” and substitute “4.”; and in the same line, after “That” insert “, subject to Section 3 of this Act.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 628 – Delegates Barron and West

AN ACT concerning

Secretaries of Principal Departments – Supervision and Review of Decisions and Actions by Units Within Departments

HB0628/256284/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 628

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Hygiene” insert “and the Office of Administrative Hearings”; in line 7, strike “of Administrative Hearings”; in line 8, after the first “certain” insert “decisions or”; strike beginning with “requiring” in line 12 down through “review” in line 15 and substitute “requiring the Office to establish a certain process; prohibiting certain boards and commissions from implementing certain decisions or actions until after the Office has conducted a certain review”; in line 16, after “certain” insert “decisions or”; in line 18, after “circumstances;” insert “providing that certain boards and commissions are responsible for certain costs; providing for the construction of a certain provision of this Act;”; in line 27, after “Hygiene” insert “and the Office”; and in the same line, after “manner;” insert “requiring the Department and the Office to submit certain regulations to the Joint Committee on Administrative, Executive, and Legislative Review on or before a certain date;”.

AMENDMENT NO. 2

On page 2, in line 29, after “ARTICLE” insert “AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION”; and in the same line, after “SECRETARY” insert “AND THE OFFICE OF ADMINISTRATIVE HEARINGS”.

On page 3, in lines 6 and 11, in each instance, strike “AN” and substitute “A DECISION OR”; strike beginning with “BY” in line 7 down through “DESIGNEE” in line 8; in line 8, after “THE” insert “DECISION OR”; in line 10, strike “AND”; in line 13, after “MARKET” insert “; AND”

(III) IN CONJUNCTION WITH THE OFFICE OF THE ATTORNEY GENERAL, SHALL ESTABLISH A PROCESS:

1. BY WHICH THE OFFICE OF ADMINISTRATIVE HEARINGS REVIEWS DECISIONS OR ACTIONS OF A BOARD OR COMMISSION;

2. THAT IS INDEPENDENT OF THE PROCESS BY WHICH THE OFFICE OF ADMINISTRATIVE HEARINGS HEARS ADJUDICATED, CONTESTED CASES; AND

3. THAT INCLUDES:

A”;

strike beginning with “(3)” in line 14 down through “(I)” in line 16; in line 16, after the first “OF” insert “DECISIONS OR”; in line 17, strike “THE SECRETARY”; in the same line, strike “REFER” and substitute “BE REFERRED”; after line 18, insert:

“B. QUALIFICATIONS AND SPECIALIZED TRAINING REQUIREMENTS FOR ADMINISTRATIVE LAW JUDGES CONDUCTING REVIEWS AS REQUIRED UNDER THIS SUBSECTION;

C. CHECKS FOR IDENTIFICATION AND MANAGEMENT OF POTENTIAL CONFLICTS WHEN THE OFFICE OF ADMINISTRATIVE HEARINGS CONDUCTS A CONTESTED CASE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE; AND

D. APPROPRIATE STANDARDS AND GUIDELINES FOR CONDUCTING REVIEWS AS REQUIRED UNDER THIS SUBSECTION.”;

strike beginning with “(II)” in line 19 down through “A” in line 21 and substitute:

“(3) A”;

in line 22, strike “CONSTITUTE” and substitute “**IMPLEMENT A DECISION OR**”; in line 25, strike “(3)(II)” and substitute “**(2)(III)**”; and in lines 27 and 29, in each instance, strike “PROPOSED” and substitute “**DECISION OR**”.

AMENDMENT NO. 3

On page 4, in lines 2 and 3, in each instance, strike “PROPOSED” and substitute “**DECISION OR**”; in line 4, strike “FINAL” and substitute “**DECISION OR**”; in the same line, strike “OF” and substitute “**IMPLEMENTED BY**”; in line 7, after the first “THE” insert “**DECISION OR**”; and after line 9, insert:

“(7) EACH BOARD OR COMMISSION SHALL BE RESPONSIBLE FOR THE COSTS ASSOCIATED WITH THE REVIEW BY THE OFFICE OF ADMINISTRATIVE HEARINGS OF DECISIONS OR ACTIONS OF THE RESPECTIVE BOARD OR COMMISSION.

(D) SUBSECTION (C) OF THIS SECTION DOES NOT APPLY TO:

(1) A DECISION OR DETERMINATION OF A BOARD OR COMMISSION CONCERNING MINISTERIAL ACTS;

(2) THE INTERNAL OPERATIONS OF A BOARD OR COMMISSION;

(3) INVESTIGATIONS;

(4) CHARGES; AND

(5) AS IT RELATES TO AN INDIVIDUAL REGULATED BY A BOARD OR COMMISSION:

(I) CONSENT ORDERS; AND

(II) LETTERS OF SURRENDER.

AMENDMENT NO. 4

On page 6, in line 16, after “Hygiene” insert “and the Office of Administrative Hearings”; in line 21, after “Department” insert “and the Office”; in line 26, after “Hygiene;” insert “and”; strike beginning with the semicolon in line 27 down through “Hearings” in line 29; and after line 29, insert:

“(c) On or before June 1, 2018, the Department and the Office shall submit proposed regulations to the Joint Committee on Administrative, Executive, and Legislative Review.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 675 – Delegate Sample–Hughes

EMERGENCY BILL

AN ACT concerning

Health Insurance – Coverage for Digital Tomosynthesis

HB0675/316987/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 675

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Sample–Hughes” and substitute “Delegates Sample–Hughes, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Pendergrass, Platt, Rosenberg, Saab, Szeliga, and K. Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 701 – Delegate Krimm

AN ACT concerning

Procurement – Lease of Property – Required Notice and Requests for Proposals

HB0701/306281/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 701

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Krimm” and substitute “Delegates Krimm and K. Young”; in line 2, after “Property” insert “for Local Departments of Social Services”; in the same line, strike “Required Notice and”; strike beginning with “requiring” in line 3 down through “information,” in line 9; in line 11, strike the first “of” and substitute “for”; in the same line strike “certain”; in the same line, after “property” insert “to be used by a local department of social services to include certain geographic boundaries”; in line 12, after “State” insert “for local departments of social services”; and in line 15, strike “4–319 and”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 21 on page 1 through line 12 on page 3, inclusive.

On page 3, strike beginning with “STATE” in line 20 down through “SERVICES” in line 23 and substitute “LOCAL DEPARTMENT OF SOCIAL SERVICES, THE GEOGRAPHIC BOUNDARIES OF THE AREA WHERE THE FACILITY WILL BE LOCATED, AS DETERMINED BY THE SECRETARY OF HUMAN RESOURCES, OR THE SECRETARY’S DESIGNEE, AFTER CONSULTING WITH THE DIRECTOR OF THE LOCAL DEPARTMENT OF SOCIAL SERVICES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 730 – Delegate Hill (By Request) and Delegates Bromwell, Ebersole, Lam, Sydnor, and P. Young

AN ACT concerning

Health Insurance – Coverage for Diabetes Test Strips – Prohibition on Deductible, Copayment, and Coinsurance

HB0730/256389/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 730

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “prohibiting” insert “, except under certain circumstances,”; and in line 7, after “Act;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 28, after “(3)” insert “(I)”; in the same line, strike “AN” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN”; and after line 30, insert:

“(II) IF AN INSURED OR ENROLLEE IS COVERED UNDER A HIGH-DEDUCTIBLE HEALTH PLAN, AS DEFINED IN 26 U.S.C. § 223, AN ENTITY SUBJECT TO THIS SECTION MAY SUBJECT DIABETES TEST STRIPS TO THE DEDUCTIBLE REQUIREMENT OF THE HIGH-DEDUCTIBLE HEALTH PLAN.”.

AMENDMENT NO. 3

On page 2, in line 35, and on page 3, in line 2, in each instance, strike “October 1, 2017” and substitute “January 1, 2018”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 735 – Delegates Malone, Folden, S. Howard, Jacobs, Kittleman, McComas, W. Miller, Morgan, Rose, and Saab

AN ACT concerning

Estates and Trusts – Share of Intestate Estate Inherited by Surviving Spouse

HB0735/456981/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 735

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Saab” and substitute “Saab, Angel, Hill, Krebs, Metzgar, McDonough, and Morales”; and in lines 18 and 20, in each instance, strike “\$100,000” and substitute “\$40,000”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 747 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Health – Cigarette Restitution Fund Programs – Modifications

HB0747/136087/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 747

(First Reading File Bill)

On page 2, in line 5, after “13–1003(c)(1)” insert “and 13–1115(a) and (d)”; and in line 11, strike “(a) through” and substitute “(b), (c), and”.

On page 9, in line 29, after the closing bracket, insert “COALITION”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 753 – Delegates West, Bromwell, Kelly, and Miele

AN ACT concerning

Maryland Trust Act – Representatives of Beneficiaries**HB0753/206687/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 753

(First Reading File Bill)

On page 3, in line 18, after “PERSON” insert “DESIGNATED UNDER SUBSECTION (A) OF THIS SECTION”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 754 – Delegates West and Lierman

AN ACT concerning

Maryland Trust Act – Notice and Reporting Requirements – Exemptions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 769 – Delegate West

AN ACT concerning

Maryland Caregivers Support Coordinating Council – Renaming and Altering Membership and Duties

HB0769/246083/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 769

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate West” and substitute “Delegates West, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1265 – Chair, Health and Government Operations Committee

AN ACT concerning

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

HB1265/586585/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1265

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “doctors;” insert “authorizing a disciplinary panel, rather than the State Board of Physicians and subject to the Administrative Procedure Act and certain hearing provisions, to deny a license to an applicant or under certain circumstances to refuse to renew or reinstate an applicant’s license for certain reasons;”; in line 15, strike “codifying the requirement that” and substitute “requiring”; in line 16, after “Physicians” insert “to”; in the same line, after “training” insert “on a certain basis rather than”; strike beginning with “authorizing” in line 17 down through “grounds;” in line 19 and substitute “altering the circumstances under which certain individuals may practice medicine without a license; authorizing a disciplinary panel, instead of the State Board of Physicians, to issue a cease and desist order or obtain injunctive relief against an individual for practicing medicine without a license or taking a certain action for which a disciplinary panel, instead of the State Board of Physicians, determines there is certain evidence and that poses a serious risk;”; in line 22, after “license;” insert “altering the circumstances under which the State Board of Physicians may renew or reinstate a license to practice medicine;”; in line 24, after “review;” insert “clarifying the application of the requirement that the State Board of Physicians or a disciplinary panel give certain individuals an opportunity for a certain hearing before taking certain action;”; in line 27, after “intervals;” insert “authorizing a disciplinary panel, instead of the State Board of Physicians, on a certain vote of a disciplinary panel, instead of the State Board of Physicians, to deny a license to an applicant; authorizing a disciplinary panel, instead of the State Board of Physicians, to levy certain fines; requiring certain licensees to notify the State Board of Physicians in writing of a change in name or address within a certain time period; establishing a certain penalty; altering a certain penalty provision; requiring the State Board of Physicians to pay certain penalties into the Board of Physicians Fund;”; and in line 29, after “changes” insert a semicolon.

On pages 1 and 2, strike beginning with “requiring” in line 29 on page 1 down through “panels;” in line 2 on page 2.

On page 2, in line 8, after “14-101(a-1),” insert “14-205(b), 14-206(e).”; in line 9, after “(l),” insert “14-405(a).”; in line 10, after the second comma insert “14-5A-17(a), 14-5A-23(b).”; in the same line, after “14-5B-12(g),” insert “14-5B-14(a).”; in the same line, after “14-5C-14(g),” insert “14-5C-17(a).”; in line 11, after “14-5D-12(h),” insert “14-5D-14(a), 14-5D-18(b).”; in the same line, after “14-5E-13(g),” insert “14-5E-16(a), 14-5E-23(b).”; in the same line, after “14-5F-15(d),” insert “14-5F-18(a), 14-5F-25, 14-5F-29.”; in line 12, strike “14-602(c).”; in the same line, strike “14-606(a)(5),” and substitute “14-606(a)(4) and (5)”; in the same line, after “15-307(g),” insert “15-311, 15-313.”; in line 17, strike “and 14-302.2” and substitute “14-5C-14.1, and 14-5F-15.1”; in line 22, strike “and 14-606(a)(4)”; and strike in their entirety lines 30 through 39, inclusive.

On page 3, in line 15, in each instance, after “Acts” insert “of the General Assembly”.

AMENDMENT NO. 2

On page 5, after line 11, insert:

“14-205.

(b) (1) In addition to the powers set forth elsewhere in this title, the Board may:

(i) Adopt regulations to regulate the performance of acupuncture, but only to the extent authorized by § 14-504 of this title;

(ii) After consulting with the State Board of Pharmacy, adopt rules and regulations regarding the dispensing of prescription drugs by a licensed physician;

[(iii) Subject to the Administrative Procedure Act, deny a license to an applicant or, if an applicant has failed to renew the applicant’s license, refuse to renew or reinstate an applicant’s license for:

1. Any of the reasons that are grounds for action under § 14-404 of this title; or

2. Failure to submit to a criminal history records check in accordance with § 14-308.1 of this title;

(iv)] (III) On receipt of a written and signed complaint, including a referral from the Commissioner of Labor and Industry, conduct an unannounced inspection of the office of a physician or acupuncturist, other than an office of a physician or acupuncturist in a hospital, related institution, freestanding medical facility, or a

freestanding birthing center, to determine compliance at that office with the Centers for Disease Control and Prevention's guidelines on universal precautions; and

[(v)] (IV) Contract with others for the purchase of administrative and examination services to carry out the provisions of this title.

(2) The Board or a disciplinary panel may investigate an alleged violation of this title.

(3) SUBJECT TO THE ADMINISTRATIVE PROCEDURE ACT AND THE HEARING PROVISIONS OF § 14-405 OF THIS TITLE, A DISCIPLINARY PANEL MAY DENY A LICENSE TO AN APPLICANT OR, IF AN APPLICANT HAS FAILED TO RENEW THE APPLICANT'S LICENSE, REFUSE TO RENEW OR REINSTATE AN APPLICANT'S LICENSE FOR:

(I) ANY OF THE REASONS THAT ARE GROUNDS FOR ACTION UNDER § 14-404 OF THIS TITLE; OR

(II) FAILURE TO SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 14-308.1 OF THIS TITLE.”;

and in lines 19 and 20 and 31, in each instance, strike “**THE HEALTH OCCUPATIONS ARTICLE**” and substitute “**THIS ARTICLE**”.

On page 6, in line 16, strike “**(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**” and substitute “**THE**”; in line 17, strike “**AT LEAST ONCE EVERY 3 YEARS**” and substitute “**ON AN AS-NEEDED BASIS**”; and strike in their entirety lines 20 through 23, inclusive, and substitute:

“14-206.

(e) [The Board] A DISCIPLINARY PANEL may issue a cease and desist order or obtain injunctive relief against an individual for:

(1) Practicing medicine without a license; or

(2) Taking any action:

(i) For which [the Board] A DISCIPLINARY PANEL determines there is a preponderance of evidence of grounds for discipline under § 14–404 of this title; and

(ii) That poses a serious risk to the health, safety, and welfare of a patient.”.

AMENDMENT NO. 3

On page 6, strike beginning with “if” in line 26 down through “subtitle” in line 27; and in lines 28 and 30, in each instance, strike the bracket.

On page 7, in lines 1, 6, 8, and 14, in each instance, strike the brackets; and in the same lines, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively.

AMENDMENT NO. 4

On pages 7 and 8, strike in their entirety the lines beginning with line 27 on page 7 through line 5 on page 8, inclusive.

On page 17, strike in their entirety lines 20 through 24, inclusive.

On page 19, strike in their entirety lines 9 through 15, inclusive.

AMENDMENT NO. 5

On page 8, in line 26, strike “not”; in the same line, after “license” insert “**ONLY**”; in the same line, after “the” insert “**LICENSEE OR APPLICANT ATTESTS THAT THE LICENSEE OR APPLICANT HAS SUBMITTED TO A**”; in line 27, strike “record” and substitute “**RECORDS CHECK**”; in the same line, strike “information required”; and in the same line, strike “has not been received”.

AMENDMENT NO. 6

On page 8 in line 12, on page 12 in line 15, on page 13 in line 12, on page 14 in line 9, on page 15 in line 6, on page 16 in lines 2 and 29, and on page 18 in line 17, in each instance, strike “after failing to renew the license for a period of 1 year or more”.

On page 9, after line 35, insert:

“14–405.

(a) Except as otherwise provided in the Administrative Procedure Act, before the Board or a disciplinary panel takes any action under § 14-404(a) of this subtitle or § 14-205(B)(3), § 14-5A-17(a), § 14-5B-14(A), § 14-5C-17(A), § 14-5D-14(A), § 14-5E-16(A), OR § 14-5F-18 of this title, it shall give the individual against whom the action is contemplated an opportunity for a hearing before a hearing officer.”.

AMENDMENT NO. 7

On page 10, strike in their entirety lines 29 through 32, inclusive.

On page 11, in lines 1 and 5, strike “(IV)” and “(V)”, respectively, and substitute “(III)” and “(IV)”, respectively; in lines 1 and 2, strike “or an individual in a postgraduate training program”; in lines 6 and 7, strike “OR INDIVIDUALS IN A POSTGRADUATE TRAINING PROGRAM”; and in line 8, strike “(IV)” and substitute “(III)”.

AMENDMENT NO. 8

On page 12, after line 30, insert:

“14-5A-17.

(a) Subject to the hearing provisions of § 14-405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of a quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, [or a disciplinary panel, on the affirmative vote of a majority of a quorum of the disciplinary panel, may] reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensee, or for another;
- (2) Fraudulently or deceptively uses a license;
- (3) Is guilty of unprofessional or immoral conduct in the practice of respiratory care;
- (4) Is professionally, physically, or mentally incompetent;
- (5) Abandons a patient;

- (6) Is habitually intoxicated;
- (7) Is addicted to or habitually abuses any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article;
- (8) Provides professional services while:
 - (i) Under the influence of alcohol; or
 - (ii) Using any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article or any other drug that is in excess of therapeutic amounts or without valid medical indication;
- (9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;
- (10) Willfully makes or files a false report or record in the practice of respiratory care;
- (11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;
- (12) Breaches patient confidentiality;
- (13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;
- (14) Knowingly makes a misrepresentation while practicing respiratory care;
- (15) Knowingly practices respiratory care with an unauthorized individual or aids an unauthorized individual in the practice of respiratory care;
- (16) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;

(17) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the Veterans' Administration for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

(18) Fails to meet appropriate standards for the delivery of respiratory care performed in any inpatient or outpatient facility, office, hospital or related institution, domiciliary care facility, patient's home, or any other location in this State;

(19) Knowingly submits false statements to collect fees for which services are not provided;

(20) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and

(ii) Has:

1. Surrendered the license issued by the state or country; or

2. Allowed the license issued by the state or country to expire or lapse;

(21) Knowingly fails to report suspected child abuse in violation of § 5-704 of the Family Law Article;

(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;

(23) Practices or attempts to practice beyond the authorized scope of practice;

(24) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(25) Practices or attempts to practice a respiratory care procedure or uses or attempts to use respiratory care equipment if the applicant or licensee has not received education and training in the performance of the procedure or the use of the equipment;

(26) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel;

(27) Fails to practice under the supervision of a physician or violates a supervisory order of a supervising physician; or

(28) Fails to submit to a criminal history records check under § 14–308.1 of this title.

14–5A–23.

(b) Any person who violates a provision of this subtitle is subject to a civil fine of not more than \$5,000 to be levied by [the Board] A DISCIPLINARY PANEL.”.

AMENDMENT NO. 9

On page 13, after line 27, insert:

“14–5B–14.

(a) Subject to the hearing provisions of § 14–405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of the quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, or a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensed individual, or for another;

(2) Fraudulently or deceptively uses a license;

(3) Is guilty of unprofessional or immoral conduct in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance;

(4) Is professionally, physically, or mentally incompetent;

(5) Abandons a patient;

- (6) Is habitually intoxicated;
- (7) Is addicted to or habitually abuses any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article;
- (8) Provides professional services while:
 - (i) Under the influence of alcohol; or
 - (ii) Using any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article or any other drug that is in excess of therapeutic amounts or without valid medical indication;
- (9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;
- (10) Willfully makes or files a false report or record in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance;
- (11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;
- (12) Breaches patient confidentiality;
- (13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;
- (14) Knowingly makes a misrepresentation while practicing radiation therapy, radiography, nuclear medicine technology, or radiology assistance;
- (15) Knowingly practices radiation therapy, radiography, nuclear medicine technology, or radiology assistance with an unauthorized individual or aids an unauthorized individual in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance;

(16) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;

(17) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the Veterans' Administration for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

(18) Fails to meet appropriate standards for the delivery of quality radiation therapy, radiography, nuclear medicine technology, or radiology assistance care performed in any outpatient surgical facility, office, hospital or related institution, or any other location in this State;

(19) Knowingly submits false statements to collect fees for which services are not provided;

(20) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and

(ii) Has:

1. Surrendered the license issued by the state or country; or
2. Allowed the license issued by the state or country to expire or lapse;

(21) Knowingly fails to report suspected child abuse in violation of § 5-704 of the Family Law Article;

(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;

(23) Practices or attempts to practice beyond the authorized scope of practice;

(24) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(25) Practices or attempts to practice a radiation therapy, radiography, nuclear medicine technology, or radiology assistance procedure or uses radiation therapy, radiography, nuclear medicine technology, or radiology assistance equipment if the applicant or licensee has not received education, internship, training, or experience in the performance of the procedure or the use of the equipment;

(26) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel;

(27) Fails to practice under the supervision of a physician or violates a supervisory order of a supervising physician; or

(28) Fails to submit to a criminal history records check under § 14–308.1 of this title.”.

AMENDMENT NO. 10

On page 14, after line 24, insert:

“14–5C–14.1.

(A) A LICENSEE SHALL NOTIFY THE BOARD IN WRITING OF A CHANGE IN NAME OR ADDRESS WITHIN 60 DAYS AFTER THE CHANGE.

(B) A LICENSEE WHO FAILS TO COMPLY WITH SUBSECTION (A) OF THIS SECTION IS SUBJECT TO AN ADMINISTRATIVE PENALTY OF \$100.

14–5C–17.

(a) Subject to the hearing provisions of § 14–405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of a quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, or a disciplinary panel, on the affirmative vote of a majority of a quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensee, or for another;
- (2) Fraudulently or deceptively uses a license;
- (3) Is guilty of unprofessional or immoral conduct in the practice of polysomnography;
- (4) Is professionally, physically, or mentally incompetent;
- (5) Abandons a patient;
- (6) Is habitually intoxicated;
- (7) Is addicted to or habitually abuses any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article;
- (8) Provides professional services while:
 - (i) Under the influence of alcohol; or
 - (ii) Using any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article or any other drug that is in excess of therapeutic amounts or without valid medical indication;
- (9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;
- (10) Willfully makes or files a false report or record in the practice of polysomnography;
- (11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;
- (12) Breaches patient confidentiality;
- (13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to

accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;

(14) Knowingly makes a misrepresentation while practicing polysomnography;

(15) Knowingly practices polysomnography with an unauthorized individual or aids an unauthorized individual in the practice of polysomnography;

(16) Knowingly delegates a polysomnographic duty to an unlicensed individual;

(17) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;

(18) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the U.S. Department of Veterans Affairs for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

(19) Fails to meet appropriate standards for the delivery of polysomnographic services performed in a hospital sleep laboratory or a stand-alone sleep center;

(20) Knowingly submits false statements to collect fees for which services are not provided;

(21) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and

(ii) Has:

1. Surrendered the license, if any, issued by the state or country; or

2. Allowed the license, if any, issued by the state or country to expire or lapse;

(22) Knowingly fails to report suspected child abuse in violation of § 5–704 of the Family Law Article;

(23) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;

(24) Practices or attempts to practice beyond the authorized scope of practice;

(25) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

(26) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(27) Practices or attempts to practice a polysomnography procedure or uses or attempts to use polysomnography equipment if the applicant or licensee has not received education and training in the performance of the procedure or the use of the equipment;

(28) Fails to cooperate with a lawful investigation conducted by the Board;
or

(29) Fails to submit to a criminal history records check under § 14–308.1 of this title.”.

On page 15, after line 21, insert:

“14–5D–14.

(a) Subject to the hearing provisions of § 14–405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of a quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, [or a disciplinary panel, on the affirmative vote of a majority of a quorum of the disciplinary panel, may] reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee;

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensee, or for another;
- (2) Fraudulently or deceptively uses a license;
- (3) Is guilty of unprofessional or immoral conduct in the practice of athletic training;
- (4) Is professionally, physically, or mentally incompetent;
- (5) Abandons a patient;
- (6) Habitually is intoxicated;
- (7) Is addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article;
- (8) Provides professional services while:
 - (i) Under the influence of alcohol; or
 - (ii) Using any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article, or any other drug that is in excess of therapeutic amounts or without valid medical indication;
- (9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;
- (10) Willfully makes or files a false report or record in the practice of athletic training;
- (11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of the report, or induces another to fail to file or record the report;
- (12) Breaches patient confidentiality;
- (13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any individual for bringing or referring a patient or accepts or agrees to

accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;

(14) Knowingly makes a misrepresentation while practicing athletic training;

(15) Knowingly practices athletic training with an unauthorized individual or aids an unauthorized individual in the practice of athletic trainer services;

(16) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;

(17) Is disciplined by a licensing, certifying, or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the Veterans Administration for an act that would be grounds for disciplinary action under this section;

(18) Fails to meet appropriate standards for the delivery of athletic training services;

(19) Knowingly submits false statements to collect fees for which services have not been provided;

(20) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and

(ii) Has:

1. Surrendered the license issued by the state or country; or

2. Allowed the license issued by the state or country to expire or lapse;

(21) Knowingly fails to report suspected child abuse in violation of § 5–704 of the Family Law Article;

(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;

(23) Practices or attempts to practice beyond the authorized scope of practice;

(24) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(25) Practices or attempts to practice an athletic training procedure or uses or attempts to use athletic training equipment if the applicant or licensee has not received education and training in the performance of the procedure or the use of the equipment;

(26) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel;

(27) Fails to practice under the supervision of a physician or violates the approved evaluation and treatment protocol;

(28) Violates an order of the Board or a disciplinary panel, including any condition of probation; or

(29) Fails to submit to a criminal history records check under § 14–308.1 of this title.

14–5D–18.

(b) Any person who violates any provision of this subtitle is subject to a civil fine of not more than \$5,000 to be levied by [the Board] **A DISCIPLINARY PANEL**.”

On page 16, after line 17, insert:

“14–5E–16.

(a) Subject to the hearing provisions of § 14–405 of this title, [the Board] **A DISCIPLINARY PANEL**, on the affirmative vote of a majority of the quorum of the [Board] **DISCIPLINARY PANEL**, may deny a license to any applicant, or a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;
- (2) Fraudulently or deceptively uses a license;
- (3) Is guilty of unprofessional or immoral conduct in the practice of perfusion;
- (4) Is professionally, physically, or mentally incompetent;
- (5) Abandons a patient;
- (6) Is habitually intoxicated;
- (7) Is addicted to or habitually abuses any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article;
- (8) Provides professional services while:
 - (i) Under the influence of alcohol; or
 - (ii) Using any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article or any other drug that is in excess of therapeutic amounts or without valid medical indication;
- (9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;
- (10) Willfully makes or files a false report or record in the practice of perfusion;
- (11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;
- (12) Breaches patient confidentiality;
- (13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to

accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;

(14) Knowingly makes a misrepresentation while practicing perfusion;

(15) Knowingly practices perfusion with an unauthorized individual or aids an unauthorized individual in the practice of perfusion;

(16) Knowingly delegates a perfusion duty to an unlicensed individual;

(17) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;

(18) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the U.S. Department of Veterans Affairs for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

(19) Fails to meet appropriate standards for the delivery of perfusion services;

(20) Knowingly submits false statements to collect fees for which services are not provided;

(21) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and

(ii) Has:

1. Surrendered the license, if any, issued by the state or country; or

2. Allowed the license, if any, issued by the state or country to expire or lapse;

(22) Knowingly fails to report suspected child abuse in violation of § 5-704 of the Family Law Article;

(23) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;

(24) Practices or attempts to practice beyond the authorized scope of practice;

(25) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

(26) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(27) Practices or attempts to practice a perfusion procedure or uses or attempts to use perfusion equipment if the applicant or licensee has not received education and training in the performance of the procedure or the use of the equipment;

(28) Fails to cooperate with a lawful investigation of the Board or a disciplinary panel; or

(29) Fails to submit to a criminal history records check under § 14–308.1 of this title.

14–5E–23.

(b) A person who violates any provision of this subtitle is subject to a civil fine of not more than \$5,000 to be levied by [the Board] **A DISCIPLINARY PANEL.**”.

AMENDMENT NO. 11

On page 17, after line 15, insert:

“14–5F–15.1.

(A) **A LICENSEE SHALL NOTIFY THE BOARD IN WRITING OF A CHANGE IN NAME OR ADDRESS WITHIN 60 DAYS AFTER THE CHANGE.**

(B) A LICENSEE WHO FAILS TO COMPLY WITH SUBSECTION (A) OF THIS SECTION IS SUBJECT TO AN ADMINISTRATIVE PENALTY OF \$100.

14-5F-18.

(a) Subject to the hearing provisions of § 14-405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of a quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, [or a disciplinary panel, on the affirmative vote of a majority of a quorum of the disciplinary panel, may] reprimand any licensee, place any licensee on probation, or suspend or revoke a license of any licensee if the applicant or licensee:

(1) Is habitually intoxicated, or is addicted to or habitually abuses any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article, or any drug without a valid prescription or indication, or provides professional services while under the influence of alcohol or using any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article;

(2) Has been found to be mentally incompetent by a physician if the mental incompetence impairs the ability of the applicant or licensee to undertake the practice of naturopathic medicine in a manner consistent with the safety of the public;

(3) Has entered into a consent agreement with or has been assessed an administrative penalty by a licensing authority in another state;

(4) Fraudulently or deceptively obtains, attempts to obtain, or uses a license for the applicant, the licensee, or another;

(5) Has a license revoked or suspended, or was otherwise acted against, including the denial of licensure, by the licensing authority of another state;

(6) Uses false, deceptive, or misleading advertising;

(7) Advertises, practices, or attempts to practice under a name other than the applicant's or licensee's own name;

(8) Aids, assists, employs, or advises any unlicensed individual to practice naturopathic medicine in violation of this subtitle;

(9) Willfully makes or files a false report or record in the practice of naturopathic medicine;

(10) Willfully or negligently fails to file a report or record as required by law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;

(11) Pays or receives any commission, bonus, kickback, or rebate, or engages in any split-fee arrangement in any form with a licensed physician, organization, agency, or other person, either directly or indirectly, for patients referred to health care providers;

(12) Exercises influence within a patient-doctor relationship for purposes of engaging a patient in sexual activity;

(13) Engages in sexual misconduct with a patient;

(14) Fails to keep written medical records justifying the course of treatment of a patient;

(15) Engages in an act or omission that does not meet generally accepted standards of practice of naturopathic medicine or of safe care of patients, whether or not actual injury to a patient is established;

(16) Delegates professional responsibilities to an individual when the licensee delegating the responsibilities knows or has reason to know that the individual is not qualified by training, experience, or licensure to perform the responsibilities;

(17) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;

(18) Breaches patient confidentiality;

(19) Is guilty of unprofessional or immoral conduct in the practice of naturopathic medicine;

(20) Offers, undertakes, or agrees to cure or treat a disease by a secret method, treatment, or medicine;

(21) Knowingly fails to report suspected child abuse in violation of § 5–704 of the Family Law Article;

(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate purposes;

(23) Denies or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(24) Fails to cooperate with a lawful investigation of the Board;

(25) Abandons a patient;

(26) Violates any provision of this title or any regulation adopted by the Board; or

(27) Fails to submit to a criminal history records check under § 14–308.1 of this title.

14–5F–25.

[The Board] A DISCIPLINARY PANEL may issue a cease and desist order for:

(1) Practicing naturopathic medicine without a license or with an unauthorized person; or

(2) Supervising or aiding an unauthorized person in the practice of naturopathic medicine.

14–5F–29.

(a) Except as otherwise provided in this subtitle, an individual may not practice, attempt to practice, or offer to practice naturopathic medicine in this State without a license.

(b) An individual who violates [this section] ANY PROVISION OF THIS SUBTITLE is guilty of a felony and on conviction is subject to[

(1) A] A fine not exceeding \$10,000 or imprisonment not exceeding 5 years or both[; and

(2) A civil fine of no more than \$50,000 to be levied by the Board].

(C) ANY INDIVIDUAL WHO VIOLATES A PROVISION OF THIS SUBTITLE IS SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$50,000 TO BE LEVIED BY A DISCIPLINARY PANEL.

(D) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS SECTION INTO THE BOARD OF PHYSICIANS FUND.”.

On page 19, after line 4, insert:

“15–311.

Subject to the hearing provisions of § 15–313 of this subtitle, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of a quorum, may deny a license to any applicant for:

(1) Any of the reasons that are grounds for disciplinary action under § 15–314 of this subtitle; and

(2) Failure to submit to a criminal history records check in accordance with § 14–308.1 of this article.

15–313.

(a) (1) Except as otherwise provided under § 10–226 of the State Government Article, before the Board takes any action [to deny a license or] to reject or modify a delegation agreement or advanced duty OR A DISCIPLINARY PANEL TAKES ANY ACTION TO DENY A LICENSE, the Board OR THE DISCIPLINARY PANEL shall give the applicant or licensee the opportunity for a hearing before the Board OR THE DISCIPLINARY PANEL.

(2) The Board OR DISCIPLINARY PANEL shall give notice and hold the hearing under Title 10, Subtitle 2 of the State Government Article.

(3) The Board OR DISCIPLINARY PANEL may administer oaths in connection with any proceeding under this section.

(4) At least 14 days before the hearing, the hearing notice shall be sent to the last known address of the applicant or licensee.

(b) Any applicant aggrieved under this subtitle by a final decision of the Board [denying a license or] rejecting or modifying a delegation agreement or advanced duty OR A DISCIPLINARY PANEL DENYING A LICENSE may petition for judicial review as allowed by the Administrative Procedure Act.”.

AMENDMENT NO. 12

On page 17, in lines 30 and 31, strike “the Board” and substitute “A DISCIPLINARY PANEL”.

AMENDMENT NO. 13

On page 20, in line 27, strike the first comma; in the same line, strike “committee” and substitute “Committee”; in line 29, strike “including” and substitute “which may include”.

On page 21, strike beginning with “(2)” in line 22 down through the semicolon in line 24; in line 25, strike “(3)” and substitute “(2)”; and in line 31, strike “2018” and substitute “2019”.

On page 22, strike in their entirety lines 19 through 27, inclusive; and in line 28, strike “6.” and substitute “5.”.

On page 23, in line 7, strike “7.” and substitute “6.”.

The preceding 13 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 23

House Bill 3 – Delegate Lisanti

AN ACT concerning

**Income Tax – Subtraction Modification – Olympic and Paralympic Games
Medals and Prizes**

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

HB0003/585860/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 3
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Lisanti” and substitute “Delegates Lisanti and Carey”; in line 2, after “Olympic” insert a comma; in the same line, strike “and Paralympic” and substitute “Paralympic, Special Olympic, and Deaflympic”; in line 7, strike “the Olympic Games or the Paralympic Games” and substitute “certain international sporting events”; and strike beginning with the second “the” in line 9 down through the second “Games” in line 10 and substitute “certain international sporting events”; and strike in their entirety lines 15 and 20 and substitute “(2016 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 and 7; after line 7, insert:

“(1) THE VALUE OF ANY MEDAL GIVEN BY:

(I) THE INTERNATIONAL OLYMPIC COMMITTEE;

(II) THE INTERNATIONAL PARALYMPIC COMMITTEE;

(III) THE SPECIAL OLYMPICS INTERNATIONAL COMMITTEE; OR

(IV) THE INTERNATIONAL COMMITTEE OF SPORTS FOR THE DEAF; AND”;
DEAF; AND”;

in line 10, strike “OR” and substitute a comma; and in the same line, after the second “GAMES” insert “, THE SPECIAL OLYMPIC GAMES, OR THE DEAFLYMPIC GAMES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 29

House Bill 903 – Delegates Dumais, Anderson, Lierman, Moon, and Sanchez

AN ACT concerning

**Award of Attorney's Fees and Expenses – Violation of Maryland Constitutional
Right**

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

FLOOR AMENDMENT

HB0903/463823/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 903

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after the semicolon insert “authorizing the governing body of a county or a municipality to enact a local law authorizing a court to award to a prevailing plaintiff in a claim for relief against the county or municipality certain reasonable attorney's fees and expenses under this Act; providing that a certain claim includes a claim against a county board of education for the purposes of this Act;”.

AMENDMENT NO. 2

On page 2, strike beginning with the comma in line 6 down through the comma in line 7; in lines 7 and 8, strike “**OR ANY POLITICAL SUBDIVISION OF THE STATE**”; and after line 15, insert:

“(C) (1) THE GOVERNING BODY OF A COUNTY OR A MUNICIPALITY MAY ENACT A LOCAL LAW AUTHORIZING A COURT TO AWARD TO A PREVAILING PLAINTIFF THE REASONABLE ATTORNEY’S FEES AND EXPENSES UNDER THIS SECTION FOR A

CLAIM FOR RELIEF AGAINST THE COUNTY OR THE MUNICIPALITY, OR AN EMPLOYEE OR AGENT OF THE COUNTY OR MUNICIPALITY.

(2) FOR THE PURPOSES OF THIS SUBSECTION, A CLAIM FOR RELIEF AGAINST A COUNTY OR AN EMPLOYEE OR AGENT OF THE COUNTY INCLUDES A CLAIM AGAINST A COUNTY BOARD OF EDUCATION ESTABLISHED UNDER TITLE 3 OF THE EDUCATION ARTICLE.”.

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

Affirmative – 51 Negative – 86 (See Roll Call No. 289)

FLOOR AMENDMENT

HB0903/933729/1

BY: Delegate Fisher

AMENDMENTS TO HOUSE BILL 903

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “circumstances;” insert “requiring each entity of the State or a political subdivision of the State to report certain information regarding certain awards paid to the General Assembly on or before a certain date;”; and in line 15, strike “and 3–2102” and substitute “through 3–2103”.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“3–2103.

ON OR BEFORE JANUARY 1, 2018, AND EACH JANUARY 1 THEREAFTER, EACH ENTITY OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE SHALL REPORT, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, WITH RESPECT TO EACH AWARD FOR ATTORNEY’S FEES AND EXPENSES MADE UNDER THIS SUBTITLE:

**(1) THE NAME OF THE ATTORNEY WHO REPRESENTED THE PLAINTIFF
AND THE FIRM WITH WHICH THE ATTORNEY IS AFFILIATED;**

**(2) THE AMOUNT OF THE ATTORNEY'S FEES AND EXPENSES
AWARDED; AND**

(3) TO WHICH PARTY THE AWARD WAS MADE."

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

Affirmative – 49 Negative – 88 (See Roll Call No. 290)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 33

House Bill 1063 – Delegates Stein, Healey, Lafferty, Morhaim, Platt, and Robinson

AN ACT concerning

Agriculture – Maryland Healthy Soils Program

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

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 32

House Bill 1046 – Delegate Holmes

AN ACT concerning

**Residential Property – Foreclosure Process – Filing Requirements – Mediation
Procedures**

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

FLOOR AMENDMENT

HB1046/783328/1

BY: Delegate Grammer

AMENDMENTS TO HOUSE BILL 1046

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “circumstances,” in line 5; and in line 15, strike “7–105.1(b),” and substitute “7–105.1”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 19 on page 2, inclusive.

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

Affirmative – 45 Negative – 90 (See Roll Call No. 291)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 26

House Bill 616 – Delegates Atterbeary, Angel, Barkley, Barve, Clippinger, Cullison, Davis, Dumais, Ebersole, Hayes, Healey, Hettleman, Hill, C. Howard, Kelly, Korman, Kramer, Lewis, Lierman, Lisanti, Luedtke, McCray, Moon, Morales, Patterson, Pena–Melnik, Queen, Robinson, Sanchez, Turner, Valderrama, Valentino–Smith, Waldstreicher, A. Washington, and M. Washington

AN ACT concerning

Education – Pregnant and Parenting Students – Attendance Policy

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

FLOOR AMENDMENT

HB0616/843526/1

BY: Delegate Aumann

AMENDMENT TO HOUSE BILL 616, AS AMENDED

(First Reading File Bill)

On page 2 of the bill, after line 14, insert:

“(II) REQUIRE THAT A PRINCIPAL OR A PUPIL PERSONNEL WORKER REQUIRE A PHYSICIAN’S CERTIFICATE FROM THE PARENT OR GUARDIAN OF A STUDENT REPORTED ABSENT FOR A PREGNANCY OR A PREGNANCY-RELATED CONDITION.”.

In the Committee on Ways and Means Amendments (HB0616/465466/1), in line 3 of Amendment No. 2, strike “**(II)**”, “**(III)**”, and “**(IV)**”, respectively, and substitute “**(III)**”, “**(IV)**”, and “**(V)**”, respectively.

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

Affirmative – 52 Negative – 85 (See Roll Call No. 292)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 31

House Bill 1045 – Delegate Cassilly

AN ACT concerning

On-Site Sewage Disposal Systems – Membrane Bioreactor (MBR) Technology – Regulations

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

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 30

House Bill 978 – Delegate Luedtke

AN ACT concerning

Education – Accountability – Consolidated State Plan and Support and Improvement Plans (Protect Our Schools Act of 2017)

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

FLOOR AMENDMENT

HB0978/703925/1

BY: Delegate Cluster

AMENDMENTS TO HOUSE BILL 978, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with “at” in line 5 down through “of” in line 6; strike beginning with “authorizing” in line 6 down through “factors” in line 7 and substitute “requiring the State Board of Education to establish certain school quality indicators”; strike beginning with “prohibiting” in line 9 down through “score;” in line 10; and strike beginning with “requiring” in line 20 down through “limitations;” in line 24.

On page 1 of the Committee on Ways and Means Amendments (HB0978/665462/1), in line 4 of Amendment No. 1, strike “of Education”.

AMENDMENT NO. 2

On page 4 of the bill, in line 20, strike “**SCHOOL**” and substitute “**THE STATE BOARD SHALL ESTABLISH SCHOOL**”; in the same line, strike “**MAY INCLUDE;**”; in line 22, strike “**CLASS SIZE;**”; in line 23, strike “**CASE LOAD;**”; in line 24, strike “**SCHOOL CLIMATE SURVEYS;**”; and in line 25, strike “**OPPORTUNITIES**”.

On page 1 of the Committee on Ways and Means Amendments, in line 1 of Amendment No. 2, strike “**, BUT ARE NOT LIMITED TO**”; in line 3, strike “**1.**”, “**2.**”, “**3.**”, and “**4.**”, respectively; and strike beginning with “**FOR:**” in line 5 down through “**AND**” in line 10, inclusive.

On page 2 of the Committee on Ways and Means Amendments, in Amendment No. 2, strike beginning with “**D.**” in line 1 down through “**CERTIFICATION**” in line 7; in line 11, strike “**55%**”; and in line 13, strike “**3.**” and substitute “**2.**”.

On page 5 of the bill, strike in their entirety lines 11 and 12, inclusive.

On page 7 of the bill, in line 1, strike “**SCHOOL**”.

On page 2 of the Committee on Ways and Means Amendments, in line 4 of Amendment No. 3, strike “.”.

On page 3 of the Committee on Ways and Means Amendments, in Amendment No. 3, strike beginning with “**(II)**” in line 2 down through “**APPROVAL;**” in line 5; and in line 7, strike “**(IV)**”, “**(V)**”, and “**(VI)**”, respectively.

On pages 7 and 8 of the bill, strike in their entirety the lines beginning with line 22 on page 7 through line 14 on page 8, inclusive.

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

Affirmative – 48 Negative – 89 (See Roll Call No. 293)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 27

House Bill 680 – Delegate Kaiser (By Request – Maryland Longitudinal Data System) and Delegates Atterbeary, Barkley, Buckel, Chang, Ebersole, Jackson, Lafferty, Luedtke, McComas, McCray, Patterson, Rose, Shoemaker, Tarlau, M. Washington, and West

AN ACT concerning

**Maryland Longitudinal Data System – Student and Workforce Data Linkage –
Extension of Time Limit**

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

FLOOR AMENDMENT

HB0680/123423/1

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 680

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert “prohibiting the Maryland Longitudinal Data System Center from selling certain protected information; prohibiting”

the Center from charging certain fees;”; and in line 10, after “24–702” insert “24–703(g) and (h)”.

AMENDMENT NO. 2

On page 2, after line 15, insert:

“24–703.

(g) (1) Direct access to data in the Maryland Longitudinal Data System shall be restricted to authorized staff of the Center.

(2) The Center may only use de-identified data in the analysis, research, and reporting conducted by the Center.

(3) The Center may only use aggregate data in the release of data in reports and in response to data requests.

(4) Data that may be identifiable based on the size or uniqueness of the population under consideration may not be reported in any form by the Center.

(5) The Center may not release **OR SELL** information that may not be disclosed under the federal Family Educational Rights and Privacy Act and other relevant privacy laws and policies.

(h) The Center may receive funding from the following sources:

(1) State appropriations;

(2) Grants or other assistance from local education agencies and institutions of higher education;

(3) Federal grants; AND

(4) [User fees; and

(5)] Any other grants or contributions from public or private entities received by the Center.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 34

House Bill 1325 – Delegates Fraser–Hidalgo, Robinson, Barve, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Beidle, Branch, Bromwell, Brooks, Carr, Chang, Conaway, Cullison, Dumais, Ebersole, Fennell, Frush, Gutierrez, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Jackson, Jameson, Jones, Kaiser, Kelly, Knotts, Kramer, Krimm, Lafferty, Lam, Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena–Melnik, Pendergrass, Platt, Queen, Reznik, Rosenberg, Sanchez, Sophocleus, Stein, Turner, Valderrama, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, and Mosby

AN ACT concerning

Oil and Natural Gas – Hydraulic Fracturing – Prohibition

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

FLOOR AMENDMENT

HB1325/433428/1

BY: Delegate Buckel

AMENDMENTS TO HOUSE BILL 1325

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “State” insert “in certain formations”.

AMENDMENT NO. 2

On page 2, in line 24, after “**STATE**” insert “**IN THE FOLLOWING FORMATIONS:**”

(1) THE CULPEPER FORMATION;

(2) THE DELMARVA FORMATION;

(3) THE GETTYSBURG FORMATION; AND

(4) THE TAYLORSVILLE FORMATION”.

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

Affirmative – 41 Negative – 90 (See Roll Call No. 294)

FLOOR AMENDMENT

HB1325/583222/1

BY: Delegate Hornberger

AMENDMENTS TO HOUSE BILL 1325

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “date,” insert “providing for the termination of this Act.”.

AMENDMENT NO. 2

On page 2, in line 26, after the period insert “It shall remain effective for a period of 2 years and 8 months and, at the end of May 31, 2020, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 44 Negative – 86 (See Roll Call No. 295)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 25

House Bill 177 – Delegates McKay, Beitzel, and Buckel

AN ACT concerning

Killing or Wounding Black Bears – Penalties – Exemption for Protection of Bee Colonies

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0177/693325/1

BY: Delegate Pena–Melnik

AMENDMENTS TO HOUSE BILL 177

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “penalties” insert “, subject to a certain exception; establishing that the exemption from certain penalties does not apply if an individual kills or wounds an adult black bear in defense of certain honey bees if the bear is accompanied by a bear cub”.

AMENDMENT NO. 2

On page 1, in line 16, strike “Any” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ANY**”; and after line 19, insert:

“(2) THE EXEMPTION UNDER PARAGRAPH (1) OF THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO KILLS OR WOUNDS AN ADULT BLACK BEAR IN DEFENSE OF THE LIVES OF HONEY BEES IN A BEE COLONY MANAGED BY THE INDIVIDUAL IF THE ADULT BLACK BEAR IS ACCOMPANIED BY A BEAR CUB.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 49 Negative – 81 (See Roll Call No. 296)

FLOOR AMENDMENT

HB0177/483626/1

BY: Delegate Morhaim

AMENDMENTS TO HOUSE BILL 177

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “penalties” insert “, subject to a certain exception; establishing that the exemption does not apply if the individual has not taken certain actions”.

AMENDMENT NO. 2

On page 1, in line 16, strike “Any” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ANY**”; and after line 19, insert:

“(2) THE EXEMPTION FOR AN INDIVIDUAL THAT KILLS OR WOUNDS A BLACK BEAR IN DEFENSE OF A HONEY BEE UNDER PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO AN INDIVIDUAL WHO HAS NOT:

(I) CONTACTED THE DEPARTMENT TO RECEIVE AN ELECTRIC FENCE; AND

(II) INSTALLED AND PROPERLY MAINTAINED THE ELECTRIC FENCE.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER CALENDAR NO. 1

House Bill 271 – Delegates Lierman, Anderson, Barron, Beidle, Branch, Clippinger, Ebersole, Glenn, Hayes, Hettleman, Korman, Lafferty, Lewis, McCray, Oaks, Robinson, and M. Washington

AN ACT concerning

Maryland Transit Administration – Farebox Recovery, Goals, and Performance Indicators

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. FLANAGAN PENDING.

FLOOR AMENDMENT

HB0271/183829/1

BY: Delegate Flanagan

AMENDMENTS TO HOUSE BILL 271

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “change;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 6, in line 9, after “2017.” insert “It shall remain effective for a period of 3 years and, at the end of June 30, 2020, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 48 Negative – 87 (See Roll Call No. 297)

FLOOR AMENDMENT

HB0271/893421/1

BY: Delegate Krebs

AMENDMENT TO HOUSE BILL 271, AS AMENDED
(First Reading File Bill)

In the Appropriations Committee Amendments (HB0271/714968/1), in line 3 of Amendment No. 1, strike “– Repeal”; and in line 7, strike “repeal of the”.

On page 1 of the bill, in line 4, strike “repealing the requirement that a” and substitute “lowering the”; and in line 5, after “services” insert “that”.

On page 2 of the bill, in line 7, strike the bracket and substitute “(1)”; in line 13, strike the bracket and substitute “(2)”; and in line 8, strike “35” and substitute “30”.

In the Appropriations Committee Amendments, in lines 3 and 4 of Amendment No. 2, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and in line 5, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively.

On page 4 of the bill, in line 10, strike the brackets; and in the same line, strike “**A SPECIFIC**”.

The preceding amendment was read only.

Delegate Krebs moved that the Bill and Amendment be laid over one day under the Rules.

The motion was adopted.

SPECIAL ORDER CALENDAR NO. 28

House Bill 723 – Delegates Queen, Anderson, Branch, Conaway, Glenn, Luedtke, Moon, Oaks, Proctor, Sanchez, Sydnor, and West

AN ACT concerning

Inmates – Life Imprisonment – Parole Reform

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

HB0723/683424/1

BY: Delegate Shoemaker

AMENDMENTS TO HOUSE BILL 723

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “repealing” and substitute “altering”; in line 5, after “provisions” insert “, to allow for parole without the approval of the Governor in certain circumstances”; and strike beginning with “repealing” in line 5 down through “effective;” in line 10.

AMENDMENT NO. 2

On page 2, in lines 8 and 17, in each instance, strike the bracket; in line 8, strike “paragraph (4)” and substitute “PARAGRAPHS (4), (5), AND (6)”; and after line 17, insert:

“(5) (I) AN ELIGIBLE PERSON WHO IS SERVING A TERM OF LIFE IMPRISONMENT FOR A CONVICTION UNDER § 2–201(A)(4) OF THE CRIMINAL LAW ARTICLE MAY BE PAROLED WITHOUT THE APPROVAL OF THE GOVERNOR, IF THE PERSON WAS NOT A PRINCIPAL IN THE FIRST DEGREE TO THE CRIME.

(II) THE BOARD OF REVIEW SHALL DETERMINE WHETHER THE ELIGIBLE PERSON WAS NOT A PRINCIPAL IN THE FIRST DEGREE TO THE CRIME BY A PREPONDERANCE OF THE EVIDENCE.

(6) AN ELIGIBLE PERSON WHO IS SERVING A TERM OF LIFE IMPRISONMENT FOR A CONVICTION FOR AN ACT COMMITTED WHILE THE PERSON WAS A MINOR MAY BE PAROLED WITHOUT THE APPROVAL OF THE GOVERNOR.”.

AMENDMENT NO. 3

On page 3, in lines 1 and 10, in each instance, strike the bracket; in line 1, strike “paragraph (5)” and substitute “**PARAGRAPHS (5), (6), AND (7)**”; and after line 10, insert:

“(6) (I) AN ELIGIBLE PERSON WHO IS SERVING A TERM OF LIFE IMPRISONMENT FOR A CONVICTION UNDER § 2–201(A)(4) OF THE CRIMINAL LAW ARTICLE MAY BE PAROLED WITHOUT THE APPROVAL OF THE GOVERNOR, IF THE PERSON WAS NOT A PRINCIPAL IN THE FIRST DEGREE TO THE CRIME.

(II) THE BOARD OF REVIEW SHALL DETERMINE WHETHER THE ELIGIBLE PERSON WAS NOT A PRINCIPAL IN THE FIRST DEGREE TO THE CRIME BY A PREPONDERANCE OF THE EVIDENCE.

(7) AN ELIGIBLE PERSON WHO IS SERVING A TERM OF LIFE IMPRISONMENT FOR A CONVICTION FOR AN ACT COMMITTED WHILE THE PERSON WAS A MINOR MAY BE PAROLED WITHOUT THE APPROVAL OF THE GOVERNOR.”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 48 Negative – 86 (See Roll Call No. 298)

Read the second time and ordered prepared for Third Reading.

HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 8

CONSENT NO. 5

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1644 – Delegates Jones, Branch, and Walker

AN ACT concerning

Creation of a State Debt – Baltimore City – Most Worshipful Prince Hall Grand Lodge

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1646 – Delegates Malone, Beitzel, and Kipke

AN ACT concerning

Creation of a State Debt – Lutheran Mission Society Compassion Centers

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1653 – Delegate Ghrist

AN ACT concerning

Creation of a State Debt – Cecil County – Elkton Sportsplex Campus and Performing-Visual Arts Center

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1656 – Delegates Hayes and Mosby

AN ACT concerning

Creation of a State Debt – Baltimore City – Hampden Family Center

The Bill was re-referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

INTRODUCTORY SENATE BILLS NO. 27

Senate Bill 198 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Sunday Hours of Sale

FOR the purpose of altering the starting time on Sunday for the sale of alcoholic beverages for certain license holders in Frederick County for certain purposes; and generally relating to the sale of alcoholic beverages in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 20–2002, 20–2004, and 20–2005
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 209 – Senators Young and Hough

AN ACT concerning

Frederick County – Beer and Wine Licenses – Barbershops

FOR the purpose of establishing in Frederick County a barbershop beer and wine license; requiring a recipient of the license to be a holder of a barbershop permit; authorizing a holder of the license to provide beer and wine by the glass for consumption by a certain customer when a certain service is provided or a certain fund–raising event is held; prohibiting the license from being transferred to another location; specifying the hours that the license privilege may be exercised; specifying an annual license fee; providing that an establishment for which the license is issued is subject to certain alcohol awareness training requirements; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 20–1001.2
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 374 – Senator Astle

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Board of License Commissioners
– Attorneys**

FOR the purpose of increasing by a certain amount the salary of an attorney employed by the Board of License Commissioners for Anne Arundel County; authorizing the Board to hire an attorney on a contractual basis to perform certain work under certain conditions; prohibiting the Board from spending more than a certain amount each year to hire a certain attorney; and generally relating to the Board of License Commissioners for Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 11–101(a) and (b) and 11–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 11–204(b)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 453 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Restaurants – Average Daily Receipts

FOR the purpose of requiring a restaurant in Frederick County to have average daily receipts from the sale of food that are at least a certain percentage of the total average daily receipts of the restaurant until a certain time each day; providing that a certain requirement expires at a certain time; establishing that there is no requirement for average daily receipts for a restaurant from the sale of food and

alcoholic beverages after a certain time each day; and generally relating to alcoholic beverages in Frederick County.

BY adding to

Article – Alcoholic Beverages

Section 20–104

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 488 – Prince George’s County Senators

EMERGENCY BILL

AN ACT concerning

Prince George’s County – Alcoholic Beverages Regulation Reform Act of 2017

FOR the purpose of requiring the County Executive for Prince George’s County, instead of the Governor, to appoint members to the Board of License Commissioners for Prince George’s County; requiring the appointments to be made after a certain hearing; providing that a certain appointment is subject to certain confirmation during a certain session of the General Assembly; providing that a seat is deemed to be vacant under certain circumstances; requiring at least one member of the Board to have a certain type of experience; repealing provisions of law requiring the Governor to request lists of candidates from certain central committees before making an appointment; requiring the County Executive to consider the need for certain types of diversity when evaluating an applicant for membership on the Board; prohibiting a member of the Board from soliciting or transmitting a contribution for a certain purpose from a person regulated by the Board; requiring the County Executive to appoint an eligible individual to fill a vacancy under certain circumstances; authorizing the County Executive to remove a member under certain circumstances; requiring the County Executive to give certain notice and file a statement of charges and findings on the charges if a member is removed; requiring a certain resignation letter to be addressed to the County Executive under certain circumstances; altering the authority of the Board to set the compensation of employees of the Board; requiring that the Board appoint an executive director, rather than an administrator; requiring that the executive director receive a salary as determined by the County Executive and as set forth in the county budget; repealing a certain provision of law prohibiting the County Executive and County Council to adopt a certain policy; requiring the Board attorney to receive a salary as provided in the county budget, rather than a certain amount; repealing a certain provision of law specifying that the Board attorney serves at the will of the Board; providing that the County Council is required to pay for certain expenses as contained in the county’s budget; altering the number of full-time and part-time inspectors of the Board; altering the number of deputy chief inspectors to be designated by the Board;

altering the salary of a part-time inspector; providing the members, employees, and inspectors of the Board are subject to certain public ethics laws to the same extent as certain local officials; authorizing a person to file a complaint with the county's Office of Ethics and Accountability under certain circumstances; requiring the Office to take certain action if a complaint is filed; providing that the terms of office of the members of the Board or successor members who are in office as of the effective date of this Act shall terminate as of the effective date of this Act; making conforming changes; making this Act an emergency measure; and generally relating to the appointment, removal, and resignation of members of the Board of License Commissioners for Prince George's County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 26–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 26–202, 26–205, and 26–206
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 26–209
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 492 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Class CT (Cinema/Theater License)

FOR the purpose of altering the requirements for a Class CT (cinema/theater) license in Washington County so that the license may be issued only for a cinema or theater that is ~~not in an enclosed shopping mall but rather~~ in a stand-alone building with certain characteristics; altering certain requirements for the sale of beer, wine, and liquor by the license holder; altering the days that a license holder may exercise the privileges of the license; establishing a Sunday permit and an annual Sunday permit fee; ~~altering~~ repealing the termination provisions of certain Acts regarding cinema/theater licenses; and generally relating to alcoholic beverages licenses in Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 31–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–1001.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 586 of the Acts of the General Assembly of 2016
Section 2

BY repealing and reenacting, with amendments,
Chapter 587 of the Acts of the General Assembly of 2016
Section 2

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 600 – ~~Senator Feldman~~ Senators Feldman, Astle, Benson, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe

AN ACT concerning

Public Health – Maternal Mental Health

FOR the purpose of requiring the Department of Health and Mental Hygiene, in consultation with stakeholders, to identify certain information about perinatal mood and anxiety disorders; requiring the Department to make available certain information on the Department's Web site and to provide certain information to certain health care facilities and certain health care providers; requiring the Department, in collaboration with certain professional associations and public health entities, to identify and develop certain training programs; requiring the Department to ~~identify methods~~ develop a plan to expand the Maryland Behavioral Health Integration in Pediatric Primary Care Program (BHIPP) program for a certain purpose; requiring the Department, in collaboration with certain affected stakeholders, to develop the plan; requiring the Department, in developing the plan, to identify and address certain issues; requiring the Department to submit the plan to certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to maternal mental health.

BY adding to
Article – Health – General

Section 20–1801 ~~through 20–1803~~ and 20–1802 to be under the new subtitle
“Subtitle 18. Maternal Mental Health”
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 620 – Washington County Senators

AN ACT concerning

**Washington County – Alcoholic Beverages – ~~Sales at Winery Special Events~~
Wineries – Special Event Permits**

FOR the purpose of ~~authorizing a holder of a Class 3 winery license or a Class 4 limited winery license in Washington County to sell beer, light wine produced at the winery or at another winery, and liquor for on-premises consumption at a special event that is approved by the Board of License Commissioners~~ establishing a special event permit in Washington County; authorizing a holder of a Class 3 winery license or a Class 4 limited winery license in the county to sell beer, wine produced by the holder, and liquor for on-premises consumption at certain events; requiring the permit holder to notify the Board of License Commissioners on or before a certain time before using the permit; establishing a certain limit on the number of times the permit may be used; providing for a certain permit fee; providing for the termination of this Act; and generally relating to sales of alcoholic beverages in Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 31–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–401 ~~and 31–701~~
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 31–402.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 681 – ~~Senator Ramirez~~ Senators Ramirez, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe

AN ACT concerning

Consumer Protection – Recovering of Bedding – Limitation

FOR the purpose of prohibiting a person from recovering certain bedding that is intended to be sold or offered for sale to a consumer in the State unless the person clearly marks the bedding as used; establishing a certain penalty; defining certain terms; and generally relating to a limitation on the recovering of bedding.

BY adding to

Article – Commercial Law

Section 14–1316

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 696 – ~~Senators Feldman, Astle, Benson, Hershey, and Reilly~~ Reilly, Jennings, Klausmeier, Mathias, Middleton, Oaks, and Rosapepe

AN ACT concerning

Task Force on Long–Term Care Education and Planning

FOR the purpose of establishing the Task Force on Long–Term Care Education and Planning; 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 on Long–Term Care Education and Planning.

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 816 – Cecil County Senators

AN ACT concerning

Cecil County – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License

FOR the purpose of establishing a beer, wine, and liquor tasting license in Cecil County; authorizing the Board of License Commissioners for Cecil County to issue the beer,

wine, and liquor tasting license to a certain license holder; authorizing the license holder to allow on-premises consumption of beer, wine, and liquor for tasting; specifying the term of the license; requiring a license holder to provide certain notice before exercising certain privileges; specifying the amount of beer, wine, and liquor that an individual may sample at each offering; specifying certain license fees; and generally relating to alcoholic beverages in Cecil County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 17–102 and 17–1301
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 17–1306
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 820 – Senator Hershey

AN ACT concerning

**Queen Anne’s County – Alcoholic Beverages – Class D Beer, Wine, and Liquor
and Class 9 Limited Distillery Licenses**

FOR the purpose of authorizing in Queen Anne’s County a holder of a Class D beer, wine, and liquor license and a Class 9 limited distillery license to sell liquor for off-premises consumption under certain conditions; prohibiting the holder of a Class D beer, wine, and liquor license and a Class 9 limited distillery license from selling beer for off-premises consumption; and generally relating to alcoholic beverages sales in Queen Anne’s County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 27–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 27–906
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 837 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Penalties

FOR the purpose of ~~authorizing the Washington County Board of License Commissioners to impose on a license holder or an employee of a license holder a certain fine for a first offense for selling or providing alcoholic beverages to an individual under the age of 21 years; specifying certain criminal procedures for a subsequent offense for a license holder or an employee of a license holder who sells or provides alcoholic beverages to an individual under the age of 21 years; providing that for each subsequent offense, a license holder or an employee of the license holder who violates a certain provision of law is guilty of a misdemeanor and is subject to a certain fine; providing that in Washington County a violation of the prohibition against selling or providing alcoholic beverages to an individual under the age of 21 years is a misdemeanor; authorizing the Board of License Commissioners to impose certain penalties on an employee of a license holder or a license holder who violates the prohibition; authorizing the Board to suspend or revoke a license under certain conditions; and generally relating to alcoholic beverages in Washington County.~~

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 31–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 31–2702

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 1039 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Hotel and Motel Licenses

FOR the purpose of altering the privileges of Class B beer, wine, and liquor hotel and restaurant licenses issued in Washington County so that the privileges may be exercised for on- and off-premises consumption for certain licenses and for on-premises consumption only for all other licenses; making certain conforming

changes; and generally relating to alcoholic beverages licenses in Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 31–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–903
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

INTRODUCTION OF BILLS

Delegate P. Young moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 299)

In compliance with the rules, the Bill was introduced.

House Bill 1658 – Delegates P. Young and Sydnor

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland Center for Veterans Education and Training

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Board of Directors of The Maryland Center for Veterans Education and Training, Incorporated for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 300)

ADJOURNMENT

At 12:42 P.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Thursday, March 9, 2017.

Annapolis, Maryland
Thursday, March 9, 2017
10:00 A.M. Session

The House met at 10:13 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Susan K. McComas of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 301)

EXCUSED:

Del. Anderton – late – illness

Del. Fennell – doctor's appointment

The Journal of March 8, 2017 was read and approved.

HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 9

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1658 – Delegates P. Young and Sydnor

AN ACT concerning

**Creation of a State Debt – Baltimore City – Maryland Center for Veterans
Education and Training**

The Bill was re-referred to the Committee on Appropriations.

LAID OVER CALENDAR NO. 2

**House Bill 271 – Delegates Lierman, Anderson, Barron, Beidle, Branch,
Clippinger, Ebersole, Glenn, Hayes, Hettleman, Korman, Lafferty, Lewis,
McCray, Oaks, Robinson, and M. Washington**

AN ACT concerning

Maryland Transit Administration – Farebox Recovery, Goals, and Performance Indicators

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. KREBS PENDING.

FLOOR AMENDMENT

HB0271/893421/1

BY: Delegate Krebs

AMENDMENT TO HOUSE BILL 271, AS AMENDED
(First Reading File Bill)

In the Appropriations Committee Amendments (HB0271/714968/1), in line 3 of Amendment No. 1, strike “– Repeal”; and in line 7, strike “repeal of the”.

On page 1 of the bill, in line 4, strike “repealing the requirement that a” and substitute “lowering the”; and in line 5, after “services” insert “that”.

On page 2 of the bill, in line 7, strike the bracket and substitute “**(1)**”; in line 13, strike the bracket and substitute “**(2)**”; and in line 8, strike “35” and substitute “**30**”.

In the Appropriations Committee Amendments, in lines 3 and 4 of Amendment No. 2, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; and in line 5, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**1.**”, “**2.**”, and “**3.**”, respectively.

On page 4 of the bill, in line 10, strike the brackets; and in the same line, strike “**A SPECIFIC**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 49 Negative – 87 (See Roll Call No. 302)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 303)

CALENDAR OF THIRD READING HOUSE BILLS NO. 32

House Bill 306 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Alcoholic Beverages – Tasting at Dispensaries

MC 19–17

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 1 (See Roll Call No. 304)

The Bill was then sent to the Senate.

House Bill 557 – Delegates Stein, Jalisi, Lafferty, ~~Lewis~~ R. Lewis, and McCray

AN ACT concerning

Environment – Water Management – Sediment Control at Large Redevelopment Sites

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 305)

The Bill was then sent to the Senate.

House Bill 837 – Delegates McIntosh, Anderson, and M. Washington

AN ACT concerning

Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 306)

The Bill was then sent to the Senate.

House Bill 844 – Delegates Moon, Anderson, and Conaway

AN ACT concerning

**Driver's Driver Improvement Program and Failure to Pay Child Support –
Driver's License Suspensions – Penalties and Assessment of Points**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 1 (See Roll Call No. 307)

The Bill was then sent to the Senate.

House Bill 1348 – Delegates Clippinger, Lierman, and R. Lewis

AN ACT concerning

Baltimore City – 46th District Alcoholic Beverages Act of 2017

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 308)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 29

House Bill 255 – Delegates Hettleman, Sydnor, Anderson, Angel, Atterbeary, Aumann, Barkley, Barron, Bromwell, Brooks, Chang, Clippinger, Conaway, Davis, Dumais, Ebersole, Fennell, Frick, Gutierrez, Hayes, Jackson, Jones, Kaiser, Kelly, Kipke, Korman, Krimm, Lafferty, Lam, R. Lewis, Lierman, Luedtke, McCray, McIntosh, Miele, A. Miller, Moon, Morales, Morhaim, Pena–Melnik, Platt, Queen, Rosenberg, Sanchez, Sophocleus, Stein, Tarlau, Valentino–Smith, M. Washington, West, B. Wilson, C. Wilson, K. Young, and P. Young

AN ACT concerning

**Criminal Procedure – Sexual Assault Victims' Rights – Disposal of Rape Kit
Evidence and Notification**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 309)

The Bill was then sent to the Senate.

House Bill 429 – Delegates Dumais, Angel, Atterbeary, Barkley, B. Barnes, Barron, Beidle, Bromwell, Clippinger, Conaway, Cullison, Ebersole, Fennell, Fraser-Hidalgo, Frick, Gaines, Gilchrist, Glenn, Gutierrez, Healey, Hettleman, Hill, Hixson, C. Howard, Jackson, Jameson, Jones, Kaiser, Kelly, Kittleman, Korman, Krebs, Lafferty, R. Lewis, Lierman, Luedtke, Malone, McComas, McIntosh, Metzgar, A. Miller, Moon, Morales, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Queen, Rey, Reznik, Robinson, Rose, Sanchez, Tarlau, Turner, Valderrama, Valentino-Smith, Waldstreicher, A. Washington, M. Washington, West, B. Wilson, C. Wilson, K. Young, and P. Young

AN ACT concerning

Criminal Law – Sexual Offenses – Physical Resistance

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 310)

The Bill was then sent to the Senate.

House Bill 436 – Delegates Ebersole, Aumann, Grammer, Hettleman, Hill, Jones, Lafferty, Lam, West, and P. Young

AN ACT concerning

Baltimore County – Alcoholic Beverages – Issuance of Licenses Near Places of Worship

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 2 (See Roll Call No. 311)

The Bill was then sent to the Senate.

House Bill 632 – The Speaker (By Request – Administration) and Delegates Adams, Anderton, Arentz, Beidle, Beitzel, Carozza, Cassilly, Ciliberti, Clark, Cluster, Flanagan, Folden, Ghrist, Grammer, Hornberger, S. Howard, Jacobs, Kipke, Krebs, Long, Malone, McComas, McConkey, McKay, McMillan, Metzgar, Miele, Morgan, Otto, Rose, Shoemaker, Simonaire, Szeliga, Vogt, West, and Wivell

EMERGENCY BILL

AN ACT concerning

**Child Abuse – Sex Trafficking
(Protecting Victims of Sex Trafficking Act of 2017)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 312)

The Bill was then sent to the Senate.

**House Bill 739 – Delegates Moon, Anderson, Korman, Proctor, Queen, Sanchez,
and Sydnor**

AN ACT concerning

Public Safety – SWAT Teams – ~~Reporting and Limitations~~ Standards

Read the third time and passed by yeas and nays as follows:

Affirmative – 113 Negative – 26 (See Roll Call No. 313)

The Bill was then sent to the Senate.

House Bill 788 – Eastern Shore Delegation

EMERGENCY BILL

AN ACT concerning

Natural Resources – Hunting – Deer Management Permits

Read the third time and passed by yeas and nays as follows:

Affirmative – 121 Negative – 15 (See Roll Call No. 314)

The Bill was then sent to the Senate.

House Bill 797 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Thresholds for Tasting

Ho. Co. 19–17

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 315)

The Bill was then sent to the Senate.

House Bill 832 – Delegates McIntosh and Anderson

AN ACT concerning

Baltimore City – Alcoholic Beverages – Old Goucher Revitalization District

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 316)

The Bill was then sent to the Senate.

House Bill 1017 – Chair, Judiciary Committee (By Request – Departmental – Transportation)

AN ACT concerning

Motor Vehicle Administration – Driving Records – Expungement

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 5 (See Roll Call No. 317)

The Bill was then sent to the Senate.

House Bill 1066 – Delegate Ebersole

AN ACT concerning

Education – Fire Drill Requirements – State Fire Prevention Code

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 318)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 33

House Bill 647 – Delegates Reznik, Barve, Chang, Dumais, Fraser-Hidalgo, Frick, Jalisi, Luedtke, McComas, Patterson, Platt, Queen, M. Washington, C. Wilson, and K. Young

AN ACT concerning

Criminal Law – Sexual Offenses – Classification

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 319)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 24

House Bill 9 – Delegates McCray, Hayes, and Anderson

AN ACT concerning

Baltimore City – Police Districts – Redistricting

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 320)

The Bill was then sent to the Senate.

House Bill 42 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Class 1 Distillery Licenses

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 321)

The Bill was then sent to the Senate.

House Bill 47 – Delegate Arentz

AN ACT concerning

**Queen Anne’s County – Alcoholic Beverages – Class D Beer, Wine, and Liquor
and Class 9 Limited Distillery Licenses**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 322)

The Bill was then sent to the Senate.

House Bill 224 – Delegate Lierman

AN ACT concerning

Higher Education – AmeriCorps Program Participants – In-State Tuition

Delegate McConkey moved to reconsider the vote by which **House Bill 224** was ordered printed for Third Reading.

The motion was rejected by a roll call vote as follows:

Affirmative – 48 Negative – 88 (See Roll Call No. 323)

Read the third time and passed by yeas and nays as follows:

Affirmative – 86 Negative – 50 (See Roll Call No. 324)

The Bill was then sent to the Senate.

House Bill 232 – Delegates McKay, Anderton, Beitzel, Buckel, Chang, Gutierrez, Haynes, Jackson, Krebs, McConkey, McCray, Parrott, Sophocleus, B. Wilson, Wivell, and P. Young

AN ACT concerning

Correctional Services – Commissioner’s Duties – Staffing Report

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 325)

The Bill was then sent to the Senate.

House Bill 252 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Liquor and Wine

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 1 (See Roll Call No. 326)

The Bill was then sent to the Senate.

House Bill 292 – Delegates Krebs, W. Miller, Rose, and Shoemaker

AN ACT concerning

Alcoholic Beverages – Nonrefillable Containers – Draft Beer

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 327)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 27

House Bill 428 – Delegates Dumais, Anderson, Angel, Arentz, Atterbeary, Aumann, Barkley, B. Barnes, Barron, Barve, Beidle, Branch, Bromwell, Busch, Carozza, Carr, Clippinger, Conaway, Cullison, Davis, Ebersole, Fennell, Folden, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glass, Glenn, Grammer, Gutierrez, Healey, Hettleman, Hill, Hixson, Hornberger, C. Howard, Jackson, Jameson, Jones, Kaiser, Kelly, Kipke, Kittleman, Korman, Krebs, Krimm, Lafferty, Lam, R. Lewis, Lierman, Lisanti, Luedtke, Malone, McComas, McCray, McIntosh, Metzgar, Miele, A. Miller, Moon, Morales, Morhaim, Oaks, Parrott, Patterson, Pena-Melnyk, Pendergrass, Platt, Proctor, Queen, Rey, Reznik, Robinson, Rose, Rosenberg, Sanchez, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Valentino-Smith, Waldstreicher, A. Washington, M. Washington, West, B. Wilson, C. Wilson, Wivell, K. Young, and P. Young

AN ACT concerning

**Family Law – Child Conceived Without Consent – Termination of Parental Rights
(Rape Survivor Family Protection Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 328)

The Bill was then sent to the Senate.

House Bill 780 – Delegate Lisanti

AN ACT concerning

**Alcoholic Beverages – Brewing Company Off-Site Permits – Harford County
Farm Fair**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 329)

The Bill was then sent to the Senate.

**House Bill 906 – Delegates Malone, Aumann, Folden, Gutierrez, S. Howard,
Jacobs, Krebs, McComas, W. Miller, Parrott, Saab, and B. Wilson**

AN ACT concerning

Criminal Law – Crime of Violence – Home Invasion

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 330)

The Bill was then sent to the Senate.

House Bill 908 – Delegates Pena-Melnyk, Angel, Morales, and Tarlau

AN ACT concerning

~~**Police Training and Standards Commission**~~ **Police Officer Certification Work
Group – Eligibility of Individuals with Permanent Residency Status**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 2 (See Roll Call No. 331)

The Bill was then sent to the Senate.

House Bill 929 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Licenses and Sunday Sales

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 1 (See Roll Call No. 332)

The Bill was then sent to the Senate.

House Bill 1035 – Delegates Jacobs, Anderton, Arentz, B. Barnes, Beitzel, Busch, Cassilly, Clippinger, Folden, McIntosh, Otto, Parrott, Reilly, B. Wilson, and Wivell

EMERGENCY BILL

AN ACT concerning

Motor Vehicles – Seasonal Exceptional Milk Hauling Permit

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 333)

The Bill was then sent to the Senate.

House Bill 1048 – ~~Delegate Holmes~~ Delegates Holmes and Angel

AN ACT concerning

Residential Property – Notice of Foreclosure

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 334)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 28

House Bill 311 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Class H–BW Licenses

MC 9–17

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 335)

The Bill was then sent to the Senate.

House Bill 327 – Delegate Miele

AN ACT concerning

Real Property – Residential Leases – Notice of Routine Maintenance

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 336)

The Bill was then sent to the Senate.

House Bill 476 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court Commissioners – Residency in Contiguous County

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 337)

The Bill was then sent to the Senate.

House Bill 507 – Delegate Luedtke

AN ACT concerning

Community Colleges and Local Governments – ~~Use of Public Funds to Influence Collective Bargaining Rights~~ Unfair Labor Practices – Prohibition

Read the third time and passed by yeas and nays as follows:

Affirmative – 89 Negative – 48 (See Roll Call No. 338)

The Bill was then sent to the Senate.

House Bill 529 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)

AN ACT concerning

Election Law – Political Parties, Candidacy, and Campaign Finance

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 339)

The Bill was then sent to the Senate.

House Bill 560 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages Licenses – Hours of Sale

MC 8-17

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 340)

The Bill was then sent to the Senate.

House Bill 708 – ~~Delegate Walker~~ Delegates Walker, Mosby, Ali, A. Washington, C. Howard, Ebersole, Patterson, Rose, Tarlau, Afzali, Hixson, and Turner

AN ACT concerning

**State Department of Education – Lacrosse Opportunities Program – Youth
Lacrosse Nonprofit Organizations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 341)

The Bill was then sent to the Senate.

House Bill 712 – Charles County Delegation

AN ACT concerning

**Charles County – Alcoholic Beverages – Selling to Underage Individual –
Penalties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 342)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 30

House Bill 178 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Sunday Hours of Sale

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 343)

The Bill was then sent to the Senate.

House Bill 309 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Beer, Wine, and Liquor Festival License

MC 7-17

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 344)

The Bill was then sent to the Senate.

House Bill 397 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Licenses

MC 17-17

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 345)

The Bill was then sent to the Senate.

House Bill 408 – ~~Delegate Dumais~~ Delegates Dumais and Morhaim

AN ACT concerning

Criminal Procedure – Charging Procedures and Documents – Citation

Read the third time and passed by yeas and nays as follows:

Affirmative – 122 Negative – 16 (See Roll Call No. 346)

The Bill was then sent to the Senate.

House Bill 462 – Delegates P. Young, Vogt, ~~and M. Washington~~ M. Washington, Simonaire, Ali, Wilkins, Rose, Patterson, Hornberger, Ebersole, Afzali, Hixson, Kaiser, Turner, C. Howard, A. Washington, Tarlau, and Mosby

AN ACT concerning

**Higher Education – Tuition Waivers for Foster Care Recipients and
Unaccompanied Homeless Youth – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 347)

The Bill was then sent to the Senate.

House Bill 646 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Restaurants – Average Daily Receipts

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 348)

The Bill was then sent to the Senate.

House Bill 729 – Delegates Arentz, Ghrist, and Jacobs

AN ACT concerning

**Queen Anne’s County – Alcoholic Beverages Inspectors – Qualifications, Powers,
and Duties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 349)

The Bill was then sent to the Senate.

House Bill 1008 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Publication of Notices

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 350)

The Bill was then sent to the Senate.

House Bill 1219 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Sex Trafficking

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 351)

The Bill was then sent to the Senate.

House Bill 1327 – Delegates Lisanti, Barkley, Frick, and C. Wilson

AN ACT concerning

Task Force on Local Alcoholic Beverages Regulation

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 352)

The Bill was then sent to the Senate.

House Bill 1342 – Delegates A. Washington, Ali, Anderson, Angel, Moon, Morales, Proctor, Sanchez, Sydnor, and Valderrama

AN ACT concerning

Public Safety – Deaths Involving a Correctional Officer – Reports

Read the third time and passed by yeas and nays as follows:

Affirmative – 115 Negative – 24 (See Roll Call No. 353)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 354)

ADJOURNMENT

At 11:45 A.M. on motion of Delegate Frick the House adjourned until 11:00 A.M. on Friday, March 10, 2017.

Annapolis, Maryland
Friday, March 10, 2017
11:00 A.M. Session

The House met at 11:11 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cheryl D. Glenn of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 106 Members present.

(See Roll Call No. 355)

EXCUSED:

Del. Arentz – business

Del. Folden – late – personal

Del. Mautz – left early – business

Del. Sample–Hughes – business

Del. Walker – business

The Journal of March 9, 2017 was read and approved.

MESSAGE FROM THE SENATE

CONSENT CALENDAR OF INTRODUCTORY SENATE BILLS NO. 28

Senate Bill 210 – ~~Senator Zucker~~ Senators Zucker, Bates, Hough, Mathias, Norman, Peters, Ready, and Young

AN ACT concerning

Alcoholic Beverages – Class 8 Farm Brewery License Holders – Food Service

FOR the purpose of repealing the restriction on a holder of a Class 8 farm brewery license to sell or serve only certain types of food; allowing the holder to sell and serve food if the holder is licensed to operate a food establishment; and generally relating to holders of Class 8 farm brewery licenses.

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 2–210
Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 281 – Senators Ready, Bates, and Cassilly

AN ACT concerning

Alcoholic Beverages – Definition of Beer – Hard Cider

FOR the purpose of altering the alcoholic content of hard cider that is part of the definition of beer used in the Alcoholic Beverages Article; and generally relating to the definition of beer under the Alcoholic Beverages Article.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 1–101(a)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 1–101(c)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 353 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

Optional Retirement Program – Annuity Contracts – Employee Rights

FOR the purpose of repealing a certain requirement that annuity contracts purchased under the optional retirement program shall be issued to and become the property of certain employees; clarifying that, in accordance with the Internal Revenue Code, the rights of certain employees who purchase annuity contracts under the program are fully vested and not subject to forfeit; authorizing the Board of Trustees for the State Retirement and Pension System to transfer existing balances of participating employees in the optional retirement program to a new annuity contract under certain circumstances; authorizing a participating employee in the optional retirement program to select certain annuity contracts for the transfer of existing balances; establishing that, under certain circumstances, a certain election is deemed to have been made by a participating employee in the optional retirement program; and generally relating to the rights of employees to annuity contracts purchased under the optional retirement program.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 30–101(a), (b), (d), (f), and (h)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 30–206 and 30–208
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 366 – Senator Madaleno

AN ACT concerning

**Public Health – Rabies Vaccination Information – Submission to Local Agencies
and Use for Licensing**

FOR the purpose of requiring, under certain circumstances, a licensed veterinarian who vaccinates a dog, cat, or ferret against rabies to send to a certain local agency certain rabies vaccination information; requiring the licensed veterinarian to send the information within a certain number of days after a vaccination certificate is completed; establishing a certain penalty; requiring a local agency to forward the information to another local agency under certain circumstances; repealing the prohibition on using information in a rabies vaccination record that a licensed veterinarian keeps to license a dog, cat, or ferret; defining a certain term; and generally relating to rabies vaccination information.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–319
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 384 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Old Goucher Revitalization District

FOR the purpose of exempting an applicant for a Class B–D–7 license in a certain Old Goucher Revitalization District in the 43rd alcoholic beverages district in Baltimore City from certain zoning requirements; creating an exception under which the Board of License Commissioners for Baltimore City may issue certain new Class B–D–7 licenses under certain circumstances; specifying that, notwithstanding certain other provisions of law, the Board may issue certain licenses to certain establishments that are located in certain areas and meet a certain minimum capital investment requirement; specifying that a Class B–D–7 license may be transferred within, but may not be transferred out of, the Old Goucher Revitalization District; specifying that a certain distance restriction for the issuance of new alcoholic beverages licenses within a certain distance of a school or place of worship does not apply to a property in a certain Old Goucher Revitalization District; defining a certain term; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 12–102, 12–905, and 12–1605(a)(1)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–1407, 12–1603, and 12–1605(a)(2)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 398 – Senator Feldman

AN ACT concerning

Corporations – Formation of a Holding Company by Merger

FOR the purpose of establishing a process for the formation of a certain holding company through the merger of a Maryland parent corporation with or into a certain wholly owned subsidiary of the Maryland parent corporation; providing that a vote of the stockholders of the parent corporation is not necessary to authorize the merger under certain circumstances, unless the charter of the parent corporation expressly provides otherwise; requiring that the merger be approved by a majority of the entire board of directors of the parent corporation; establishing the conditions under which the merger may be effectuated; establishing the effects of the merger; authorizing a merger of a parent real estate investment trust into a certain subsidiary real estate investment trust to be approved in a certain manner, under certain circumstances; defining a certain term; and generally relating to the establishment of a process for forming a holding company through a merger.

BY adding to

Article – Corporations and Associations
Section 3–106.2
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations
Section 8–501.1(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 401 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Membership Elections

FOR the purpose of limiting optional membership in the Employees' Pension System to certain individuals who have not previously been a member of a certain pension and retirement program or who have not had certain previous employment; requiring certain elections for membership in the Employees' Pension System to be made at the commencement of employment; requiring the Secretary of State Police to be a member of the State Police Retirement System as a condition of employment; requiring an individual who is employed by a participating governmental unit as a local detention center officer on or after a certain date to elect membership in the Correctional Officers' Retirement System before a certain event; requiring an election to join the Correctional Officers' Retirement System to be made in a certain manner; providing that an election to join the Correctional Officers' Retirement System is a one-time, irrevocable election; requiring certain individuals who are employed by a participating governmental unit on or after a certain date to elect membership in the Law Enforcement Officers' Pension System before a certain event; requiring a certain election to join the Law Enforcement Officers' Pension System to be made in a certain manner; providing that an election to join the Law Enforcement Officers' Pension System is a one-time, irrevocable election; altering the eligibility for participation in the Optional Retirement Program; requiring an election to participate in the Optional Retirement Program to be made at the commencement of employment; prohibiting certain individuals from participating in the Optional Retirement Program; providing that an election to join the Optional Retirement Program is a one-time, irrevocable election; requiring an employee who is participating in the Optional Retirement Program to participate in the State Retirement and Pension System under certain circumstances; establishing requirements for employees of an eligible governmental unit to participate in the Employees' Pension System; authorizing an eligible governmental unit to operate a certain local plan after the effective date of participation in the Employees' Pension

System under certain circumstances; establishing requirements for employees of an eligible governmental unit to participate in the Law Enforcement Officers' Pension System; authorizing an eligible governmental unit to operate a certain local plan after the effective date of participation in the Law Enforcement Officers' Pension System under certain circumstances; establishing requirements for employees of an eligible governmental unit to participate in the Correctional Officers' Retirement System; authorizing an eligible governmental unit to operate a certain local plan after the effective date of participation in the Correctional Officers' Retirement System under certain circumstances; authorizing an eligible governmental unit that does not satisfy certain requirements to participate in certain State systems to submit a certain request to the Board of Trustees for the State Retirement and Pension System; requiring the Board of Trustees to consider certain requests and make certain recommendations to the Joint Committee on Pensions; establishing certain limitations on the withdrawal of a participating governmental unit from the State Retirement and Pension System; making technical changes; making conforming changes; altering certain definitions; and generally relating to the election of membership in the State Retirement and Pension System.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 20–101(a) and (pp), 31–101(a), 31–2A–01(a), 31–2B–01(a), and 31–301(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 23–204, 24–202, 24–203, 25–202, 26–202, 30–301, 30–302, 30–303, 30–305, 30–307, 31–101(h), 31–102, 31–113, 31–2A–01(f), 31–2A–05, 31–2B–01(e), 31–2B–05, 31–301(d), and 31–302

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – State Personnel and Pensions

Section 31–109, 31–2A–03, and 31–2B–03

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 31–109, 31–2A–03, and 31–2B–03

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 424 – Senators Rosapepe, Benson, Cassilly, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kelley, Klausmeier, Lee, Madaleno, Manno, McFadden, Peters, Ramirez, Robinson, Serafini, Smith, Young, and Zucker

AN ACT concerning

The Textbook Cost Savings Act of 2017

FOR the purpose of requiring the Governor to include a certain amount of general funds in the State budget for a certain fiscal year for the purpose of providing a certain grant to the William E. Kirwan Center for Academic Innovation at the University System of Maryland for a certain initiative; authorizing certain funds to be used for certain purposes; stating a certain policy of the State; requiring the Center and the State Department of Education to explore jointly the possibility of providing access to certain types of learning materials and resources to certain students; requiring the Center and the Department to submit certain reports on or before certain dates; providing for the termination of this Act; and generally relating to the funding of an initiative that supports and promotes the adoption, adaptation, and creation of openly licensed educational resources in higher education.

BY adding to

Article – Education

Section 12–114.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 479 – Senator Robinson

AN ACT concerning

Baltimore City – Alcoholic Beverages – Marketplace License

FOR the purpose of establishing a marketplace license in a certain alcoholic beverages district in Baltimore City; authorizing the Baltimore City Board of License Commissioners to issue the license; specifying the scope, hours for sale, and fees for the license; authorizing a license holder to obtain a refillable container permit under certain conditions; specifying certain capacity standards to be met by the marketplace; authorizing a holder of a Class B beer, wine, and liquor license to surrender the license to the Board under certain circumstances; requiring the Board to issue a substitute marketplace license under certain circumstances; defining a certain term; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 12–102

Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 12–1001.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 491 – Senator Ready

AN ACT concerning

Alcoholic Beverages – Nonrefillable Containers – Draft Beer

FOR the purpose of establishing in certain jurisdictions a nonrefillable container permit; authorizing a permit holder to sell draft beer for off–premises consumption by packaging the beer in a nonrefillable container that meets certain specifications; specifying certain requirements for permit holders, hours of sale, and ~~license~~ permit fees; prohibiting permit fees to be charged under certain circumstances; and generally relating to nonrefillable containers for alcoholic beverages.

BY adding to
Article – Alcoholic Beverages
Section 4–1106, 10–1103, 11–1103.1, 12–1102.1, 13–1103, 14–1103, 15–1103, 16–1103, 17–1103, 18–1103, 19–1103, 20–1106, 21–1104.1, 22–1104, 23–1104, 25–1104.1, 26–1102.1, 27–1103, 28–1103, 31–1102.1, 32–1103, and 33–1104
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 10–102, 11–102, 12–102, 13–102, 14–102, 15–102, 16–102, 17–102, 18–102, 19–102, 20–102, 21–102, 22–102, 23–102, 25–102, 26–102, 27–102, 28–102, 31–102, 32–102, and 33–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 10–1101, 11–1101, 12–1101, 13–1101, 14–1101, 15–1101, 16–1101, 17–1101, 18–1101, 19–1101, 20–1101, 21–1101, 22–1101, 23–1101, 25–1101, 26–1101, 27–1101, 28–1101, 31–1101, 32–1101, and 33–1101
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 515 – Senators ~~Jennings, Astle, Guzzone, and Peters~~ Peters, Astle, Guzzone, Benson, Feldman, Klausmeier, Mathias, Middleton, Oaks, and Rosapepe

AN ACT concerning

Collective Bargaining – Firefighters – Martin State Airport

FOR the purpose of making certain provisions of law that relate to collective bargaining for State employees apply to certain firefighters for the Martin State Airport who are employed by the Military Department; altering certain provisions of law that relate to collective bargaining for certain firefighters for the Martin State Airport; and generally relating to collective bargaining rights for firefighters for the Martin State Airport.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section ~~3–102(a)~~ 3–101(b), 3–102, and 3–205(a) and (c)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 548 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

State Board of Morticians and Funeral Directors – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Morticians and Funeral Directors 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; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to conduct a certain workload analysis and a certain fiscal analysis and submit a certain report to the Department of Legislative Services on or before a certain date; requiring the Board to report on or before certain dates to certain committees of the General Assembly on certain Board action and efforts and the comparability of a certain provision of law to certain laws and regulations in other states; and generally relating to the State Board of Morticians and Funeral Directors.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 7–702
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–405(b)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 559 – Senator Kasemeyer

AN ACT concerning

**Baltimore County – Alcoholic Beverages – Issuance of Licenses Near Places of
Worship**

FOR the purpose of authorizing the Baltimore County Board of License Commissioners to ~~issue or transfer, convert, and issue~~ a certain license for an establishment that is at least a certain number of feet away from a place of worship under certain circumstances and subject to certain restrictions and qualifications; making a certain exception to a prohibition against issuing a license for an establishment that is within 300 feet of a place of worship or school; and generally relating to alcoholic beverages in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 13–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 13–1601
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 13–1710
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 581 – Senators Ferguson and King

EMERGENCY BILL

AN ACT concerning

**Workgroup to Study the Implementation of Universal Access to
Prekindergarten for 4–Year–Olds**

FOR the purpose of establishing the Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4–Year–Olds; 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 study and make recommendations regarding certain matters; requiring the Workgroup to report its findings and recommendations to a certain Commission on or before a certain date; providing for the termination of this Act; making this Act an emergency measure; and generally relating to the Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4–Year–Olds.

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 584 – ~~Senator Rosapepe~~ Senators Rosapepe, Astle, Benson, Feldman, Klausmeier, Mathias, Middleton, and Oaks

AN ACT concerning

**Medical Records – Disclosure of Directory Information and Medical Records –
~~Mental Health Services~~**

FOR the purpose of altering the circumstances under which a health care provider may disclose a medical record developed primarily in connection with mental health services ~~to certain family members of a patient or other individuals without the authorization of a person in interest~~; authorizing a health care provider to disclose directory information about a patient to a certain individual except under certain circumstances; requiring a health care provider to inform a patient of health care information that the health care provider may include in a certain directory and the persons to whom the information may be disclosed; requiring a health care provider to provide a patient, at a certain time, with an opportunity to restrict or prohibit the disclosure of directory information; authorizing a health care provider to disclose a patient's directory information under certain circumstances if providing an opportunity for a patient to restrict or prohibit the disclosure is not practicable for certain reasons; altering the circumstances under which a health care provider may disclose a medical record and the types of records that may be disclosed to certain family members of a patient or other individuals without the authorization of a

person in interest; altering the definition of “directory information” as it relates to confidentiality of medical records to include health care information developed primarily in connection with mental health services; stating the intent of the General Assembly; and generally relating to confidentiality of directory information and medical records ~~relating to mental health services~~.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–301(a) and 4–302(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–301(b) and 4–305(b)(7)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 592 – Senator Edwards

AN ACT concerning

Allegany County – Property Tax Credits – Community Organizations and Lions Center

FOR the purpose of ~~requiring~~ authorizing the governing body of Allegany County and of a municipal corporation in Allegany County to grant a property tax credit against the county and municipal corporation property tax imposed on certain property owned by certain ~~community~~ organizations; providing for the application of this Act; and generally relating to property tax credits for certain ~~community~~ organizations in Allegany County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~9–302(a)~~ 9–302(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 601 – Senators Bates, Cassilly, Eckardt, Edwards, Klausmeier, Norman, Ready, Rosapepe, Salling, Serafini, ~~and Simonaire~~ Simonaire, Manno, and Currie

AN ACT concerning

Property Tax Credit – Elderly Individuals and Veterans – Eligibility

FOR the purpose of altering the definition of “eligible individual” by requiring that an elderly individual must live in the same county, rather than the same dwelling, for a certain number of years to be eligible for a certain statewide optional property tax credit against the county or municipal corporation property tax; providing for the application of this Act; and generally relating to the eligibility of certain elderly individuals for a certain property tax credit.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–258
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 632 – Senators Kagan, Feldman, King, Lee, Madaleno, Manno, Smith, and Zucker

AN ACT concerning

Election Law – Persons Doing Public Business – Reporting by Governmental Entities

FOR the purpose of repealing the requirement that a governmental entity notify the State Board of Elections if a person doing public business with the governmental entity fails to file a statement under a certain provision of law; requiring a governmental entity that has awarded a person a contract that causes the person to be doing public business to provide the State Board with certain information; authorizing the governmental entity to comply with a certain provision of this Act by sending a certain quarterly report to the State Board; requiring that the quarterly report include the required information for certain persons; and generally relating to reporting by governmental entities of persons doing public business.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 14–107
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 654 – Senators Hough, Cassilly, Muse, Smith, and Zirkin

AN ACT concerning

Task Force to Study Crime Classification and Penalties

FOR the purpose of establishing the Task Force to Study Crime Classification and Penalties; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing reimbursement of certain expenses; requiring the Task Force to study certain issues related to the classification of and penalties for criminal and civil violations in the State; requiring the Task Force to report its findings 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 Crime Classification and Penalties.

Read the first time and referred to the Committee on Judiciary.

Senate Bill 701 – Senators Zucker, Bates, Benson, Cassilly, Conway, DeGrange, Eckardt, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Madaleno, Manno, McFadden, Middleton, Muse, Nathan–Pulliam, Peters, Pinsky, Robinson, Salling, Simonaire, Smith, Waugh, and Young

AN ACT concerning

**Higher Education – Tuition Waivers for Foster Care Recipients and
Unaccompanied Homeless Youth – Alterations**

FOR the purpose of altering the definition of “foster care recipient” for certain tuition waivers to include an individual who resided in an out-of-home placement at the time the individual graduated from high school or successfully completed a GED; clarifying that the definition of “tuition” includes fees for credit-bearing and noncredit courses; and generally relating to tuition waivers for foster care recipients and unaccompanied homeless youth.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.1(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 15–106.1(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 707 – Senators Norman and Cassilly

AN ACT concerning

**Vehicle Law – Waste and Recycling Collection Vehicles – Use of Yellow and
Amber Lights**

(The Senator Bob Hooper Sanitation Safety Act)

FOR the purpose of authorizing certain waste or recycling collection vehicles to be equipped with or display certain lights or signal devices; and generally relating to lighting equipment on waste or recycling collection vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 22–218(c)(11)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–218(c)(6)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 730 – Senators Jennings and Middleton

AN ACT concerning

Higher Education – Maryland Loan Assistance Repayment Program – Farmers

FOR the purpose of establishing the Maryland Loan Assistance Repayment Program for Farmers; requiring the Office of Student Financial Assistance in the Maryland Higher Education Commission to assist in the repayment of a certain loan owed by certain farmers; requiring the Office, in consultation with the Department of Agriculture, to adopt certain regulations; specifying that funds for the Program shall be as provided in the State budget; requiring a certain annual report to include certain information about the Program; altering the requirements of a certain annual report; defining certain terms; and generally relating to the Maryland Loan Assistance Repayment Program for Farmers.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–1505
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 18–28A–01 through 18–28A–05 to be under the new subtitle “Subtitle 28A.

Maryland Loan Assistance Repayment Program for Farmers”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 753 – Senator Guzzone

AN ACT concerning

Tax Sales – Foreclosure of Right of Redemption – Naming of Defendants

FOR the purpose of establishing requirements for naming of defendants in an action to foreclose the right of redemption on property sold at a tax sale; establishing requirements for filing a certain affidavit in an action to foreclose the right of redemption on property sold at a tax sale; and generally relating to tax sales of property.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 14–836(a) and (b)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Tax – Property

Section 14–836(b)(8)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 819 – Senator Hershey

AN ACT concerning

Queen Anne’s County – Alcoholic Beverages Inspectors – Qualifications, Powers, and Duties

FOR the purpose of specifying a certain qualification of an alcoholic beverages inspector in Queen Anne’s County; specifying certain powers and duties of an alcoholic beverages inspector in Queen Anne’s County, subject to a certain exception; requiring the Queen Anne’s County Office of the Sheriff to enforce certain violations; providing that a certain inspector has no power of arrest; requiring a certain inspector to take

a certain oath; and generally relating to alcoholic beverages inspectors in Queen Anne's County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 27–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 27–205
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 827 – Senators Hough and Young

AN ACT concerning

Frederick County – State's Attorney – Annual Salary

FOR the purpose of altering the annual salary of the State's Attorney for Frederick County; requiring the salary of the State's Attorney for Frederick County to increase annually by a certain amount; providing for the application of this Act; and generally relating to the State's Attorney for Frederick County.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–411(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–411(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 872 – Senators Zucker, Peters, Conway, Feldman, Ferguson, Guzzone, Smith, ~~and Young~~ Young, Bates, Kagan, Pinsky, Robinson, and Salling

AN ACT concerning

James W. Hubbard Inclusive Higher Education Grant Program

FOR the purpose of establishing the James W. Hubbard Inclusive Higher Education Grant Program; providing for the purpose of the Program; requiring the Program to be administered ~~jointly~~ by the Maryland Higher Education Commission, in consultation with the Department of Disabilities, the State Department of Education, and the Developmental Disabilities Administration; providing for the duties of the Commission, ~~the Department, and the Administration~~ under the Program; ~~requiring the Governor to include a certain appropriation in the annual budget bill in certain fiscal years~~ providing that funding for the Program shall be as provided in the State budget; establishing qualifications for an institution of higher education to be awarded a grant under the Program; requiring certain institutions of higher education to submit a certain report to the Commission, ~~the Department, and the Administration~~ beginning on a certain date and at certain intervals thereafter, that includes certain information ~~on certain dates~~; requiring the Commission, after consultation with the Department, State Department of Education, and the Administration to submit a certain report to the General Assembly on or before a certain date and each year thereafter; defining certain terms; and generally relating to the James W. Hubbard Inclusive Higher Education Grant Program.

BY adding to

Article – Education

Section 11–1201 through 11–1205 to be under the new subtitle “Subtitle 12. James W. Hubbard Inclusive Higher Education Grant Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 882 – Senator Simonaire

AN ACT concerning

Election Law – Campaign Signs at Polling Places

FOR the purpose of altering the time period during which campaign signs shall be allowed on the premises of polling places for an election; and generally relating to campaign signs at polling places during an election.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 10–101(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 897 – Senator Astle

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Class H Beer and Light Wine
Licenses**

FOR the purpose of increasing the number of ~~Class H beer, wine, and liquor or~~ Class H beer and light wine licenses that the Board of License Commissioners for Anne Arundel County may issue to a certain license holder under certain circumstances; making certain stylistic changes; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 11–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 11–1609

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 998 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License

FOR the purpose of authorizing the Baltimore City Board of License Commissioners to issue a Class BWLT beer, wine, and liquor (on premises) tasting license in a certain portion of the 43rd legislative district of Baltimore City; making certain stylistic changes; and generally relating to Class BWLT beer, wine, and liquor tasting licenses in Baltimore City.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 12–1308

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 1010 – ~~Senator Jennings~~ Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Publication of Notices

FOR the purpose of requiring the Board of License Commissioners for Harford County to publish notice of a hearing for an alcoholic beverages license application in a certain manner; altering the manner in which the Board is required to publish certain licensing decisions; and generally relating to alcoholic beverages in Harford County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 22–102 and 22–1501
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 22–1505
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

YEAS AND NAYS NO. 3**HOUSE BILLS PASSED IN THE SENATE**

NUMBER	SPONSOR	CONTENT
HB 516 (Emerg)	Del. Atterbeary	Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4–Year–Olds

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 356)

CALENDAR OF THIRD READING HOUSE BILLS NO. 34

**House Bill 81 – Delegates Morhaim, Cullison, Miele, ~~and Pena-Melnyk~~
Pena-Melnyk, Pendergrass, Angel, Barron, Hayes, Hill, Kelly, Kipke, Krebs,
McDonough, Metzgar, Morales, Morgan, Platt, Rosenberg, Saab,
Sample-Hughes, Szeliga, West, and K. Young**

AN ACT concerning

Estates and Trusts – Conditions of Disability and Incapacity – Confinement

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 357)

The Bill was then sent to the Senate.

**House Bill 127 – Chair, Health and Government Operations Committee (By
Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

Department of Health and Mental Hygiene – Board of Review – Repeal

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 358)

The Bill was then sent to the Senate.

House Bill 185 – Delegates Rosenberg and Waldstreicher

AN ACT concerning

**Department of Health and Mental Hygiene – Distribution of Tobacco Products
to Minors – Prohibition and Enforcement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 120 Negative – 18 (See Roll Call No. 359)

The Bill was then sent to the Senate.

House Bill 403 – Delegate Pendergrass

AN ACT concerning

**Maryland Patient Referral Law – Compensation Arrangements Under Federally
Approved Programs and Models**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 360)

The Bill was then sent to the Senate.

**House Bill 601 – Delegates Kramer, Aumann, Barkley, Branch, Carey, Chang,
Cullison, Fennell, Fraser-Hidalgo, Frush, Jameson, Krimm, Morales, Stein,
Turner, and Valderrama**

AN ACT concerning

Senior Call-Check Service and Notification Program – Establishment

Read the third time and passed by yeas and nays as follows:

Affirmative – 102 Negative – 34 (See Roll Call No. 361)

The Bill was then sent to the Senate.

House Bill 628 – Delegates Barron and West

AN ACT concerning

**Secretaries of Principal Departments – Supervision and Review of Decisions
and Actions by Units Within Departments**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 362)

The Bill was then sent to the Senate.

**House Bill 1134 – Delegates Frick, Barve, Branch, Ebersole, Jones, Kaiser,
Korman, Krimm, Lierman, Luedtke, McCray, Morhaim, Pena-Melnyk,
Stein, Tarlau, Turner, Valentino-Smith, Wilkins, and K. Young**

AN ACT concerning

Maryland Financial Consumer Protection Commission

Read the third time and passed by yeas and nays as follows:

Affirmative – 89 Negative – 49 (See Roll Call No. 363)

The Bill was then sent to the Senate.

APPROPRIATIONS COMMITTEE REPORT NO. 6

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 134 – Chair, Appropriations Committee and Chair, Environment and Transportation Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Homelessness and Supportive Services – Transfer to Department of Housing and Community Development

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 561 – Delegates Jones, B. Barnes, Ciliberti, Hettleman, and Korman

AN ACT concerning

Higher Education – St. Mary’s College of Maryland – Governing Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 586 – Delegates Hettleman, Anderson, Frick, Gutierrez, Hixson, Lewis, Lierman, McIntosh, A. Miller, Queen, M. Washington, and West

AN ACT concerning

Maryland Farms and Families Act

HB0586/724563/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 586

(First Reading File Bill)

On page 1, in line 8, after “year” insert “subject to certain limitations”.

On page 3, in line 18, strike “**THE**” and substitute “**SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, THE**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Jameson moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 752 – Delegate Kelly

AN ACT concerning

**Department of Human Resources – Public Assistance Eligibility – Financial
Records**

HB0752/134361/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 752

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “records” insert “; requiring the Department to adopt certain regulations”.

AMENDMENT NO. 2

On page 1, in line 22, after the first “**APPLICANT**” insert “**FOR LONG-TERM CARE MEDICAID BENEFITS**”; and in line 24, after “**RECORDS**” insert “**RELATED TO FINANCIAL AND REAL PROPERTY ASSETS**”.

AMENDMENT NO. 3

On page 2, in line 7, after “shall” insert “:

1.”;

and in line 8, after “section” insert “;AND

2. STATE THE REQUIREMENTS THAT AN APPLICANT MUST SATISFY IN ORDER FOR THE DEPARTMENT TO REQUEST FINANCIAL RECORDS UNDER SUBSECTION (B) 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.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 852 – Delegates Barkley, Atterbeary, B. Barnes, Frush, McCray, Sanchez, Sydnor, and P. Young

AN ACT concerning

Courts – Action for Violation of Collective Bargaining Agreement or Breach of Duty of Fair Representation – Limitations Period

HB0852/514568/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 852

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and P. Young” and substitute “P. Young, and Jackson”; in line 6, after “breach” insert “by an exclusive representative”; and in line 7, strike the second “of” and substitute “owed to”.

AMENDMENT NO. 2

On page 2, in line 1, after “BREACH” insert “BY AN EXCLUSIVE REPRESENTATIVE”; and in the same line, strike the third “OF” and substitute “OWED TO”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 950 – Delegates Pena–Melnyk, Angel, Barron, Kelly, and Tarlau

AN ACT concerning

**University System of Maryland – Constituent Institutions – Alcohol and Drug
Addiction Recovery Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 967 – Delegate Frick

AN ACT concerning

The Textbook Cost Savings Act of 2017

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 991 – Delegates Lierman and Brooks

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program –
Participation by Satellite Organizations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 1067 – Delegates A. Miller, Dumais, Gutierrez, Morales, Queen, and K. Young

AN ACT concerning

Shelter Services for Homeless Women – Feminine Hygiene Products

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

House Bill 1466 – Delegates P. Young, Barron, Brooks, Grammer, Jackson, Krimm, Reznik, Sydnor, and Vogt

AN ACT concerning

State Personnel – Disabled Veterans – Noncompetitive Appointment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 10

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 245 – Chair, Economic Matters Committee (By Request – Departmental – Commerce)

AN ACT concerning

Department of Commerce – Maryland Advisory Commission on Manufacturing Competitiveness – Renaming and Restructuring

HB0245/563699/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 245

(First Reading File Bill)

On page 2, in line 24, strike the brackets; and in the same line, strike “ONE REPRESENTATIVE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 398 – Delegates K. Young, Barron, Barve, Carr, Chang, Cullison, Ebersole, Gutierrez, Hayes, Healey, Hixson, Kelly, Korman, Krimm, Luedtke, A. Miller, Moon, Morales, Pena–Melnik, Platt, Queen, Robinson, Stein, Tarlau, Turner, and M. Washington

AN ACT concerning

**Labor and Employment – Equal Pay – Job Announcement and Salary History
Information Disclosures**

HB0398/463698/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 398

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “K. Young,” insert “Fennell”; in line 2, strike “Equal Pay – Job Announcement and”; and strike beginning with “requiring” in line 4 down through “employee;” in line 8.

On page 3, in line 31, strike “§ 3–304.2(D)” and substitute “§ 3–304.2(B)”.

On page 4, strike beginning with “AN” in line 3 down through “(D)” in line 19.

AMENDMENT NO. 2

On page 1, strike beginning with “, except” in line 10 down through “circumstances,” in line 11; and strike beginning with “authorizing” in line 12 down through “circumstances;”

in line 13 and substitute “prohibiting an employer from violating a certain provision of law; specifying that an employer is not subject to a certain criminal penalty for a violation of certain provisions of this Act; requiring the Commissioner of Labor and Industry to issue a certain order under certain circumstances; authorizing the Commissioner to assess a certain penalty not exceeding a certain amount under certain circumstances; requiring the Commissioner to consider certain factors when determining the amount of a certain penalty; specifying that, if the Commissioner assesses a certain penalty, the penalty shall be subject to certain hearing and notice provisions of law;”.

On page 4, in line 19, strike “(1)”; and in lines 20, 23, and 25, strike “(I)”, “(II)”, and “1.”, respectively, and substitute “(1)”, “(2)”, and “(I)”, respectively.

On page 5, in lines 1, 6, 7, 9, and 10, strike “2.”, “A.”, “B.”, “C.”, and “D.”, respectively, and substitute “(II)”, “1.”, “2.”, “3.”, and “4.”, respectively; strike beginning with “EXCEPT” in line 1 down through “SUBSECTION,” in line 2; and strike in their entirety lines 11 through 22, inclusive.

AMENDMENT NO. 3

On page 1, in line 18, after “3–304.1” insert “and 3–308”.

On page 5, after line 22, insert:

“3–308.

(a) An employer may not:

(1) willfully violate any provision of this subtitle;

(2) hinder, delay, or otherwise interfere with the Commissioner or an authorized representative of the Commissioner in the enforcement of this subtitle;

(3) refuse entry to the Commissioner or an authorized representative of the Commissioner into a place of employment that the Commissioner is authorized under this subtitle to inspect; [or]

(4) discharge or otherwise discriminate against an employee because the employee:

(i) makes a complaint to the employer, the Commissioner, or another person;

(ii) brings an action under this subtitle or a proceeding that relates to the subject of this subtitle or causes the action or proceeding to be brought; or

(iii) has testified or will testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle; OR

(5) VIOLATE § 3-304.2 OF THIS SUBTITLE.

(b) An employee may not:

(1) make a groundless or malicious complaint to the Commissioner or an authorized representative of the Commissioner;

(2) in bad faith, bring an action under this subtitle;

(3) in bad faith, bring a proceeding that relates to the subject of this subtitle; or

(4) in bad faith, testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle.

(c) The Commissioner may bring an action for injunctive relief and damages against a person who violates subsection (a)(1) or (4) or subsection (b)(1), (3), or (4) of this section.

(d) (1) [An] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN employer who violates any provision of subsection (a)(2) or (3) of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$300.

(2) AN EMPLOYER IS NOT SUBJECT TO THE PENALTY UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR A VIOLATION OF § 3-304.2 OF THIS SUBTITLE.

(E) (1) IF THE COMMISSIONER DETERMINES THAT AN EMPLOYER HAS VIOLATED § 3-304.2 OF THIS SUBTITLE, THE COMMISSIONER:

(I) SHALL ISSUE AN ORDER COMPELLING COMPLIANCE; AND

(II) MAY, IN THE COMMISSIONER’S DISCRETION, ASSESS A CIVIL PENALTY OF:

1. UP TO \$300 FOR EACH APPLICANT FOR EMPLOYMENT OR EMPLOYEE FOR WHOM THE EMPLOYER IS NOT IN COMPLIANCE; OR

2. UP TO \$600 FOR EACH APPLICANT FOR EMPLOYMENT OR EMPLOYEE FOR WHOM THE EMPLOYER IS NOT IN COMPLIANCE IF THE VIOLATION OCCURRED WITHIN 3 YEARS AFTER AN APPLICANT FOR EMPLOYMENT OR AN EMPLOYEE FILED A PREVIOUS COMPLAINT THAT LED TO A DETERMINATION THAT A VIOLATION HAD OCCURRED.

(2) IN DETERMINING THE AMOUNT OF THE PENALTY, IF ASSESSED, THE COMMISSIONER SHALL CONSIDER:

(I) THE GRAVITY OF THE VIOLATION;

(II) THE SIZE OF THE EMPLOYER’S BUSINESS;

(III) THE EMPLOYER’S GOOD FAITH; AND

(IV) THE EMPLOYER’S HISTORY OF VIOLATIONS UNDER THIS SUBTITLE.

(3) IF THE COMMISSIONER ASSESSES A PENALTY UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE PENALTY SHALL BE SUBJECT TO THE NOTICE AND HEARING REQUIREMENTS OF TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.”.

AMENDMENT NO. 4

On page 1, in line 14, after “Act;” insert “providing for the construction of certain provisions of this Act; providing for a delayed effective date;”.

On page 5, after line 10, insert:

“(C) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT AN APPLICANT FOR EMPLOYMENT FROM VOLUNTARILY SHARING SALARY HISTORY INFORMATION WITH AN EMPLOYER.”.

AMENDMENT NO. 5

On page 5, in line 24, strike “October 1, 2017” and substitute “January 1, 2018”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0398/593229/1

BY: Delegate C. Wilson

AMENDMENT TO HOUSE BILL 398, AS AMENDED

(First Reading File Bill)

On page 1 of the bill, in line 9, strike the comma and substitute “and”; in line 10, strike “, and providing”; and in line 11, strike “salary history information to a prospective employer”.

On page 5 of the Economic Matters Committee Amendments (HB0398/463698/1), in line 5 of Amendment No. 4, after “EMPLOYMENT” insert “OR AN EMPLOYEE”.

The preceding amendment was read and adopted.

Delegate Szeliga moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 591 – Delegate Conaway

AN ACT concerning

Task Force to Study the Local Economic Impact of a Bank Near Coppin State University

HB0591/983099/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 591
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, 4 and 5, and 13, in each instance, strike “a Bank Near Coppin State University” and substitute “Bank Deserts in Maryland”; in line 9, strike “effect” and substitute “impact”; and strike beginning with “a” in line 9 down through “campus” in line 10 and substitute “opening new credit unions or banks in bank deserts in the State”.

AMENDMENT NO. 2

On page 1, in lines 16 and 17, strike “a Bank Near Coppin State University” and substitute “Bank Deserts in Maryland”; and in lines 19 and 21, in each instance, strike “one member” and substitute “two members”.

On page 2, strike beginning with “one” in line 1 down through “University,” in line 2 and substitute “the Secretary of Commerce, or the Secretary’s designee;

(5) one representative of the Maryland Bankers Association;

(6) two professors who are knowledgeable about economics and the impact of financial institutions on communities;”;

in line 3, strike “(5)” and substitute “(7)”; in the same line, strike “the banking industry” and substitute “a financial services institution”; in line 5, strike “(6)” and substitute “(8)”; in line 6, after “campus” insert “or a bank desert in the State”; in line 16, after “(1)” insert “identify bank deserts in the State where citizens have limited access to financial services or are living in areas without a credit union or bank branch;

(2)”;

strike beginning with “placing” in line 16 down through the second “the” in line 17 and substitute “a new credit union or bank branch would have on the area within a 1-mile radius of a bank desert identified by the Task Force and the area within a 1-mile radius of the Coppin State University”; in lines 19 and 22, in each instance, after “a” insert “credit

union or"; in line 24, strike "(2)" and substitute "(3)"; in the same line, after "regarding" insert ":

(i);

in lines 24 and 25, strike "placing a bank on or near the Coppin State University campus" and substitute "opening a credit union or bank branch in a bank desert; and

(ii) ways to incentivize and attract financial institutions to locate and open a credit union or bank branch in a bank desert 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.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 916 – Delegates Sydnor, Barkley, Brooks, Hettleman, Jameson, Stein, Valderrama, and P. Young

AN ACT concerning

**Motor Vehicle Insurance – Discrimination in Underwriting and Rating –
Prohibitions**

HB0916/843390/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 916

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "refusing" in line 5 down through "changes" in line 11 and substitute "increasing the premium for an insured who becomes a surviving spouse based solely on the insured's change in marital status".

AMENDMENT NO. 2

On page 2, in lines 14 and 15, strike “**RATE A RISK,**”; in lines 15 and 16, strike “**: A.**”; strike beginning with “**B.**” in line 17 down through the semicolon in line 21; in lines 24, 27, and 29, in each instance, strike the bracket; in line 27, strike “**(II)**”; strike in its entirety line 28 and substitute “**INCLUDES:**”; and in line 29, strike “**1.**”.

On page 3, in lines 1, 3, and 5, in each instance, strike the bracket; in lines 1 and 3, strike “**2.**” and “**3.**”, respectively; and in the same lines, in each instance, strike “**INSURED OR**”.

On page 4, in line 7, strike the bracket; and after line 7, insert:

“(6) WITH RESPECT TO PRIVATE PASSENGER MOTOR VEHICLE INSURANCE, AN INSURER MAY NOT INCREASE THE PREMIUM FOR AN INSURED WHO BECOMES A SURVIVING SPOUSE BASED SOLELY ON THE INSURED’S CHANGE IN MARITAL STATUS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1315 – Delegates Valderrama, Barkley, and W. Miller

AN ACT concerning

Workers’ Compensation – Tiered Rating Plans and Merit Rating Plans

HB1315/913797/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1315

(First Reading File Bill)

On page 2, in line 19, after “**ATTRIBUTES**” insert “**THAT:**

A. ARE NOT ARBITRARY, CAPRICIOUS, OR UNFAIRLY DISCRIMINATORY; AND

B. ARE REASONABLY RELATED TO THE INSURER'S BUSINESS AND ECONOMIC PURPOSES".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1484 – Delegates Glenn and W. Miller

AN ACT concerning

Workers' Compensation – Medical Benefits – Payment of Medical Services and Treatment

HB1484/513793/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1484

(First Reading File Bill)

On page 1, in line 5, strike “and documentation”.

On page 2, strike in their entirety lines 12 through 16, inclusive, and substitute:

“(D) (1) A PROVIDER WHO PROVIDES MEDICAL SERVICE OR TREATMENT TO A COVERED EMPLOYEE UNDER SUBSECTION (A) OF THIS SECTION SHALL SUBMIT TO THE EMPLOYER OR THE EMPLOYER’S INSURER A BILL FOR PROVIDING MEDICAL SERVICE OR TREATMENT WITHIN 12 MONTHS FROM THE LATER OF THE DATE:

(I) MEDICAL SERVICE OR TREATMENT WAS PROVIDED TO A COVERED EMPLOYEE;

(II) THE CLAIM FOR COMPENSATION WAS ACCEPTED BY THE EMPLOYER OR THE EMPLOYER’S INSURER; OR

(III) THE CLAIM FOR COMPENSATION WAS DETERMINED BY THE COMMISSION TO BE COMPENSABLE.”;

in line 18, strike “**THE 45–DAY**” and substitute “**THE TIME**”; in line 21, after “**FROM**” insert “**THE LATER OF**”; in the same line, after “**DATE**” insert “**:**”

1.”;

in the same line, strike the third “**THE**” and substitute “**MEDICAL**”; in the same line, strike “**IS**” and substitute “**WAS**”; and in line 22, after “**PROVIDED**” insert “**TO THE COVERED EMPLOYEE;**

2. THE CLAIM FOR COMPENSATION WAS ACCEPTED BY THE EMPLOYER OR THE EMPLOYER’S INSURER; OR

3. THE CLAIM FOR COMPENSATION WAS DETERMINED BY THE COMMISSION TO BE COMPENSABLE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ECONOMIC MATTERS COMMITTEE REPORT NO. 11

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 210 – Delegate Simonaire

AN ACT concerning

Anne Arundel County – Board of License Commissioners

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 289 – Delegates Hayes and Conaway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Marketplace License

HB0289/663596/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 289

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Conaway” and substitute “, Conaway, and Mosby”; in line 4, after “district” insert “in”; and in line 6, after “license;” insert “authorizing a license holder to obtain a refillable container permit under certain conditions; specifying certain capacity standards to be met by the marketplace;”.

AMENDMENT NO. 2

On page 2, in line 11, after “(D)” insert “(1)”; after line 13, insert:

“(2) A LICENSE HOLDER MAY OBTAIN A REFILLABLE CONTAINER PERMIT UNDER § 12-1102 OF THIS TITLE TO SELL DRAFT BEER FOR OFF-PREMISES CONSUMPTION.”;

in line 17, strike “AND”; after line 17, insert:

“(3) A MINIMUM CAPACITY OF 200 INDIVIDUALS AND A MAXIMUM CAPACITY OF 500 INDIVIDUALS, AS DETERMINED BY THE CITY FIRE DEPARTMENT; AND”;

in line 18, strike “(3)” and substitute “(4)”; in line 23, after “IS” insert “\$6,000”; and strike beginning with the colon in line 23 down through “INDIVIDUALS” in line 27.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 307 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Limited Distilleries – Class B and
Class D Licenses**

MC 6–17

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 538 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Beauty Salon License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 792 – Delegates Barkley, Arentz, Branch, Brooks, S. Howard, Lisanti,
and W. Miller**

AN ACT concerning

**Office of Legislative Audits – Performance Audits of Boards of License
Commissioners – Required**

HB0792/843494/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 792

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “of” in line 2 down through “Required” in line 3 and substitute “– Local Alcoholic Beverages Licensing Boards”; strike beginning with “least” in line 4 down through “years” in line 5 and substitute “any time on request of certain officers”; strike beginning with “Board” in line 5 down through “Commissioners” in line 6 and substitute “local alcoholic beverages licensing board”; in line 6, strike “each” and substitute “a”; in the same line, strike “and” and substitute “or”; and strike beginning with the comma in line 6 down through “City” in line 8.

AMENDMENT NO. 2

On page 1, in lines 19, 20, 21, 22, and 23, in each instance, strike the bracket; in line 19, strike “**6**”; in line 21, strike “**FOR EACH COUNTY AND THE CITY OF ANNAPOLIS**”; in lines 22 and 23, in each instance, strike “**EACH BOARD**”; and after line 23, insert:

“(2) AT ANY TIME ON REQUEST OF THE PRESIDENT AND THE SPEAKER, THE OFFICE SHALL CONDUCT A PERFORMANCE AUDIT OF THE LOCAL LICENSING BOARD, AS DEFINED IN § 1-101 OF THE ALCOHOLIC BEVERAGES ARTICLE, FOR A COUNTY OR FOR THE CITY OF ANNAPOLIS TO EVALUATE THE EFFECTIVENESS AND EFFICIENCY OF THE MANAGEMENT PRACTICES OF THE BOARD AND OF THE ECONOMY WITH WHICH THE BOARD USES RESOURCES.”

On page 2, in line 1, strike “(2)” and substitute “**(3)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1423 – Delegate Fisher

AN ACT concerning

**Calvert County – Board of License Commissioners – Notice and Hearing on
Proposed Legislation**

HB1423/513397/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1423
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Fisher” and substitute “Calvert County Delegation”.

AMENDMENT NO. 2

On page 1, in line 8, after “session” insert “subject to a certain exception”.

AMENDMENT NO. 3

On page 2, in line 2, strike “AT” and substitute “(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AT”;

and after line 8, insert:

“(B) SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO A LEGISLATIVE PROPOSAL TO THE COUNTY DELEGATION FOR INTRODUCTION AS AN EMERGENCY BILL IN A SESSION OF THE GENERAL ASSEMBLY.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1425 – Delegate McKay

AN ACT concerning

Washington County – Alcoholic Beverages – Wineries – Special Event Permits

HB1425/193990/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1425

(First Reading File Bill)

On page 3, in line 28, strike “1 year and 6 months” and substitute “2 years”.

On page 4, in line 1, strike “January 1, 2019,” and substitute “June 30, 2019,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

WAYS AND MEANS COMMITTEE REPORT NO. 7

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 231 – Delegates Impallaria and Jackson

AN ACT concerning

**Property Tax Credit – Disabled or Fallen Law Enforcement Officers and Rescue
Workers – Alteration**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 300 – Delegates Fennell, D. Barnes, Luedtke, and Tarlau

AN ACT concerning

Video Lottery Terminals – Disposition of Unclaimed Winnings

HB0300/385263/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 300

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Tarlau” and substitute “Tarlau, and C. Howard”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 715 – Chair, Ways and Means Committee (By Request – Departmental – Education)

AN ACT concerning

Institutions of Higher Education – Teacher Preparation Programs – Accreditation and Approval

HB0715/875768/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 715

(First Reading File Bill)

On page 3, strike beginning with “A” in line 7 down through “SUBTITLE” in line 8 and substitute “APPROVAL TO OPERATE BY THE COMMISSION OR UNDER OPERATION OF LAW”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 920 – Delegates Fraser–Hidalgo and Pena–Melnik

AN ACT concerning

Primary and Secondary Education – School Personnel – Training Requirement

HB0920/865264/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 920

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “training” insert “on or before a certain date each year”; and strike beginning with “the” in line 6 down through “students” in line 7 and substitute “youth suicide risk and identify certain resources to help students in crisis”.

AMENDMENT NO. 2

On page 2, in line 4, after “PERSONNEL” insert “WHO HAVE DIRECT CONTACT WITH STUDENTS ON A REGULAR BASIS”; in the same line, after “TRAINING” insert “ON OR BEFORE DECEMBER 1”; in line 5, after the first “TO” insert “:

(1) UNDERSTAND AND RESPOND TO YOUTH SUICIDE RISK; AND

(2) IDENTIFY PROFESSIONAL RESOURCES TO HELP STUDENTS IN CRISIS”;

and strike beginning with “UNDERSTAND” in line 5 down through “CRISIS” in line 12.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 971 – Delegates Ebersole, Jones, Hettleman, Korman, Lam, Tarlau,
M. Washington, and P. Young**

AN ACT concerning

James W. Hubbard Inclusive Higher Education Grant Program

HB0971/715465/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 971

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “M. Washington, and P. Young” and substitute “M. Washington, Walker, A. Washington, Turner, Howard, Patterson, P. Young, Holmes, Vallario, and Valentino-Smith”; in line 5, strike “jointly”; in the same line, after “Commission,” insert “in consultation with”; in line 6, after “Disabilities,” insert “the State Department of Education”; in line 7, strike “, the Department, and the Administration”; strike beginning with “requiring” in line 8 down through “years” in line 9 and substitute “providing that funding for the Program shall be as provided in the State budget”; in line 12, strike “the Department, and the Administration” and substitute “beginning on a certain date and at certain intervals thereafter”; in lines 12 and 13, strike “on certain dates”; in line 13, after “Commission,” insert “after consultation with”; in the same line, after “Department,” insert “the State Department of Education”; and in line 14, after “date” insert “and each year thereafter”.

AMENDMENT NO. 2

On page 3, in line 16, strike “**PILOT**”; in line 20, strike “**JOINTLY**”; in line 21, after “**COMMISSION**,” insert “**IN CONSULTATION WITH**”; in the same line, after “**DEPARTMENT**,” insert “**THE STATE DEPARTMENT OF EDUCATION**”; and in lines 22 and 23, strike “, **THE DEPARTMENT, AND THE ADMINISTRATION**”.

On page 4, strike beginning with “**FOR**” in line 5 down through “**PROGRAM**” in line 7 and substitute “**FUNDING FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE BUDGET**”; and in line 10, strike “**PILOT**”.

On page 5, in lines 5, 12, 16, 24, and 27, in each instance, strike “**PILOT**”; strike beginning with the first comma in line 21 down through “**ADMINISTRATION**” in line 22; in

line 33, after “**COMMISSION,**” insert “**AFTER CONSULTATION WITH**”; and in the same line, after “**DEPARTMENT,**” insert “**THE STATE DEPARTMENT OF EDUCATION,**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1061 – Delegates A. Washington, Ebersole, Sanchez, Tarlau,
M. Washington, and Wilkins**

AN ACT concerning

**Task Force to Study Emergency and Evacuation Plans for Students, Staff, and
Visitors With Disabilities in Public School Facilities**

HB1061/385369/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1061

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Education – Emergency and Evacuation Plans – Individuals With Disabilities”; and strike in their entirety lines 4 through 16, inclusive, and substitute:

“FOR the purpose of requiring the State Department of Education, on or before a certain date, in consultation with certain individuals, to update certain guidelines to accommodate, safeguard, and evacuate certain individuals with disabilities on public school grounds; requiring each local school system, on or before a certain date, to update the school system’s emergency plan based on a certain update of the Department’s guidelines and regulations; requiring a student’s IEP to include certain accommodations under certain circumstances; requiring a student’s 504 team to discuss and address a student’s needs under certain circumstances; and generally relating to emergency plans for public schools.

BY adding to

Article – Education

Section 7–435

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On pages 1 through 5, strike in their entirety the lines beginning with line 17 on page 1 through line 4 on page 5, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

7–435.

(A) ON OR BEFORE DECEMBER 1, 2017, THE DEPARTMENT SHALL, IN
CONSULTATION WITH DISABILITY ADVOCACY GROUPS, UPDATE THE EMERGENCY
PLANNING GUIDELINES FOR LOCAL SCHOOL SYSTEMS AND SCHOOLS TO
ACCOMMODATE, SAFEGUARD, AND EVACUATE STUDENTS, STAFF, AND VISITORS
WITH DISABILITIES ON PUBLIC SCHOOL GROUNDS IN ACCORDANCE WITH THE
FEDERAL AMERICANS WITH DISABILITIES ACT.

(B) ON OR BEFORE JULY 1, 2018, EACH LOCAL SCHOOL SYSTEM SHALL
UPDATE THE LOCAL SCHOOL SYSTEM’S EMERGENCY PLAN TO COMPLY WITH THE
UPDATE OF THE DEPARTMENT’S GUIDELINES AND REGULATIONS UNDER
SUBSECTION (A) OF THIS SECTION.

(C) IF A STUDENT WITH AN IEP REQUIRES SPECIFIC ACCOMMODATIONS
FOR EVACUATION IN AN EMERGENCY, THE STUDENT’S IEP SHALL INCLUDE
ACCOMMODATIONS FOR THE STUDENT DURING AN EMERGENCY.

(D) IF A STUDENT WITH A 504 PLAN REQUIRES SPECIFIC ACCOMMODATIONS
FOR EVACUATION IN AN EMERGENCY, THE STUDENT’S 504 TEAM SHALL DISCUSS
AND ADDRESS THE STUDENT’S NEEDS AS NECESSARY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1422 – Delegates C. Wilson, Aumann, Barkley, Brooks, Buckel, Chang, Fennell, Folden, Hill, Hixson, Hornberger, S. Howard, Jones, McComas, McDonough, McMillan, Morgan, Patterson, Pena–Melnik, Proctor, Queen, Reilly, Rose, Saab, Sanchez, Turner, and Valentino–Smith

AN ACT concerning

Income Tax Checkoff – Maryland Veterans Trust Fund

HB1422/315668/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1422

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Valentino–Smith” and substitute “Valentino–Smith, Afzali, Ali, D. Barnes, Ebersole, C. Howard, Kaiser, J. Lewis, Long, Luedtke, Mosby, Shoemaker, Simonaire, Tarlau, Walker, A. Washington, M. Washington, and Wilkins”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1475 – Delegates A. Washington, Luedtke, Patterson, Turner, and M. Washington

AN ACT concerning

Residential Boarding Education Programs for At-Risk Youth – Eligibility

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 364)

CALENDAR OF THIRD READING HOUSE BILLS NO. 35

House Bill 3 – ~~Delegate Lisanti~~ Delegates Lisanti and Carey

AN ACT concerning

Income Tax – Subtraction Modification – Olympic, and Paralympic Paralympic, Special Olympic, and Deaflympic Games Medals and Prizes

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 365)

The Bill was then sent to the Senate.

House Bill 675 – ~~Delegate Sample-Hughes~~ Delegates Sample-Hughes, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Pendergrass, Platt, Rosenberg, Saab, Szeliga, and K. Young

EMERGENCY BILL

AN ACT concerning

Health Insurance – Coverage for Digital Tomosynthesis

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 366)

The Bill was then sent to the Senate.

House Bill 718 – Delegate Carey

AN ACT concerning

**Financial Institutions – Qualifications of Directors of Commercial
Banks – Residency**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 367)

The Bill was then sent to the Senate.

House Bill 744 – Delegates Kramer and West

AN ACT concerning

Corporations – Maryland General Corporation Law – Miscellaneous Provisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 368)

The Bill was then sent to the Senate.

House Bill 754 – Delegates West and Lierman

AN ACT concerning

Maryland Trust Act – Notice and Reporting Requirements – Exemptions

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 369)

The Bill was then sent to the Senate.

House Bill 759 – Delegates Kramer and West

AN ACT concerning

Corporations – Formation of a Holding Company by Merger

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 370)

The Bill was then sent to the Senate.

House Bill 978 – ~~Delegate Luedtke~~ Delegates Luedtke, Tarlau, Mosby, M. Washington, A. Washington, C. Howard, Turner, Kaiser, Ebersole, Patterson, D. Barnes, and Ali

AN ACT concerning

**Education – Accountability – Consolidated State Plan and Support and
Improvement Plans
(Protect Our Schools Act of 2017)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 91 Negative – 46 (See Roll Call No. 371)

The Bill was then sent to the Senate.

House Bill 1265 – Chair, Health and Government Operations Committee

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 – 138 Negative – 0 (See Roll Call No. 372)

The Bill was then sent to the Senate.

House Bill 1277 – Delegate Davis

AN ACT concerning

Insurance – Producer Licensing – Examinations

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 373)

The Bill was then sent to the Senate.

House Bill 730 – Delegate Hill (By Request) and Delegates Bromwell, Ebersole, Lam, Sydnor, and P. Young

AN ACT concerning

Health Insurance – Coverage for Diabetes Test Strips – Prohibition on Deductible, Copayment, and Coinsurance

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 374)

The Bill was then sent to the Senate.

House Bill 753 – Delegates West, Bromwell, Kelly, and Miele

AN ACT concerning

Maryland Trust Act – Representatives of Beneficiaries

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 375)

The Bill was then sent to the Senate.

House Bill 769 – ~~Delegate West~~ Delegates West, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

Maryland Caregivers Support Coordinating Council – Renaming and Altering Membership and Duties

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 376)

The Bill was then sent to the Senate.

House Bill 903 – Delegates Dumais, Anderson, Lierman, Moon, and Sanchez

AN ACT concerning

Award of Attorney's Fees and Expenses – Violation of Maryland Constitutional Right

Read the third time and passed by yeas and nays as follows:

Affirmative – 89 Negative – 47 (See Roll Call No. 377)

The Bill was then sent to the Senate.

House Bill 1045 – Delegate Cassilly

AN ACT concerning

On-Site Sewage Disposal Systems – Membrane Bioreactor (MBR) Technology – Regulations

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 378)

The Bill was then sent to the Senate.

House Bill 1046 – Delegate Holmes

AN ACT concerning

Residential Property – Foreclosure Process – Filing Requirements – Mediation Procedures

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 379)

The Bill was then sent to the Senate.

House Bill 1063 – Delegates Stein, Healey, Lafferty, Morhaim, Platt, and Robinson

AN ACT concerning

Agriculture – Maryland Healthy Soils Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 380)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 26**House Bill 312 – Delegates Jacobs, Arentz, and Ghrist**

AN ACT concerning

Kent County – Deer Hunting – Sundays

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 5 (See Roll Call No. 381)

The Bill was then sent to the Senate.

House Bill 315 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – ~~Class A Agency Store Beer, Wine, and Liquor Licenses~~ Contracts to Sell Liquor for Off-Premises Consumption

MC 18–17

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 382)

The Bill was then sent to the Senate.

House Bill 417 – The Speaker (By Request – Administration) and Delegates Adams, Afzali, Anderton, Aumann, Beitzel, Carozza, Cassilly, Ciliberti, Clark, Flanagan, Folden, Hornberger, S. Howard, Jacobs, Kipke, Kittleman, Krebs, Malone, McComas, McKay, McMillan, Metzgar, Miele, Reilly, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, West, and B. Wilson

AN ACT concerning

Clean Water Commerce Act of 2017

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 383)

The Bill was then sent to the Senate.

House Bill 439 – Delegate Otto

AN ACT concerning

Somerset County – State’s Attorney – Annual Salary

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 384)

The Bill was then sent to the Senate.

House Bill 464 – Delegates Branch, Barkley, Brooks, Frick, Lisanti, and Waldstreicher

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Beer, Wine, and Liquor Exhibition Permit

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 385)

The Bill was then sent to the Senate.

House Bill 521 – Delegates B. Wilson, Cluster, Dumais, and Rey

AN ACT concerning

Criminal Procedure – Sex Offender Registrant – Notice of International Travel

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 386)

The Bill was then sent to the Senate.

House Bill 526 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Art Establishment License

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 387)

The Bill was then sent to the Senate.

House Bill 534 – Delegates Parrott, Flanagan, Kittleman, McComas, A. Miller, and W. Miller

AN ACT concerning

Railroad Grade Crossings – Exempt Highway–Rail Grade Crossing Plaque

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 388)

The Bill was then sent to the Senate.

House Bill 573 – Carroll County Delegation

AN ACT concerning

Carroll County – State’s Attorney – Salary

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 389)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 36

House Bill 188 – Delegates Morhaim, Kipke, Lam, Oaks, ~~and K. Young~~ K. Young, Krebs, Morgan, Pena-Melnyk, and Saab

AN ACT concerning

Public Health – Advance Directives – Witness Requirements, Advance Directives Services, and Fund

Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 4 (See Roll Call No. 390)

The Bill was then sent to the Senate.

House Bill 518 – Delegates Morhaim, Kelly, and West

AN ACT concerning

Public Health – Prenatal ~~Infectious Disease~~ HIV Testing

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 391)

The Bill was then sent to the Senate.

House Bill 616 – Delegates Atterbeary, Angel, Barkley, Barve, Clippinger, Cullison, Davis, Dumais, Ebersole, Hayes, Healey, Hettleman, Hill, C. Howard, Kelly, Korman, Kramer, R. Lewis, Lierman, Lisanti, Luedtke, McCray, Moon, Morales, Patterson, Pena-Melnyk, Queen, Robinson, Sanchez, Turner, Valderrama, Valentino-Smith, Waldstreicher, A. Washington, ~~and M. Washington~~ M. Washington, Tarlau, Ali, and Wilkins

AN ACT concerning

Education – Pregnant and Parenting Students – Attendance Policy

Read the third time and passed by yeas and nays as follows:

Affirmative – 125 Negative – 13 (See Roll Call No. 392)

The Bill was then sent to the Senate.

House Bill 680 – Delegate Kaiser (By Request – Maryland Longitudinal Data System) and Delegates Atterbeary, Barkley, Buckel, Chang, Ebersole, Jackson, Lafferty, Luedtke, McComas, McCray, Patterson, Rose, Shoemaker, Tarlau, M. Washington, and West

AN ACT concerning

**Maryland Longitudinal Data System – Student and Workforce Data Linkage –
Extension of Time Limit**

Read the third time and passed by yeas and nays as follows:

Affirmative – 100 Negative – 37 (See Roll Call No. 393)

The Bill was then sent to the Senate.

House Bill 701 – ~~Delegate Krimm~~ Delegates Krimm and K. Young

AN ACT concerning

**Procurement – Lease of Property for Local Departments of Social Services –
~~Required Notice and~~ Requests for Proposals**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 394)

The Bill was then sent to the Senate.

**House Bill 723 – Delegates Queen, Anderson, Branch, Conaway, Glenn, Luedtke,
Moon, Oaks, Proctor, Sanchez, Sydnor, and West**

AN ACT concerning

Inmates – Life Imprisonment – Parole Reform

Delegate Vogt moved the previous question.

The motion was adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 79 Negative – 55 (See Roll Call No. 395)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 25

House Bill 305 – Delegates Jacobs, Arentz, and Ghrist

EMERGENCY BILL

AN ACT concerning

Kent County – Turkey Hunting on Private Property – Sundays

Read the third time and passed by yeas and nays as follows:

Affirmative – 128 Negative – 5 (See Roll Call No. 396)

The Bill was then sent to the Senate.

House Bill 574 – Carroll County Delegation

AN ACT concerning

Carroll County – Sheriff's Salary

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 397)

The Bill was then sent to the Senate.

House Bill 619 – Delegates Hornberger, Arentz, and W. Miller

AN ACT concerning

Election Law – Campaign Signs at Polling Places

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 398)

The Bill was then sent to the Senate.

House Bill 710 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – Alcohol Awareness Certification

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 399)

The Bill was then sent to the Senate.

House Bill 738 – Delegate B. Wilson

AN ACT concerning

Criminal Law – Sex Offenses – Out-of-State Convictions

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 400)

The Bill was then sent to the Senate.

House Bill 749 – Delegates Malone, Atterbeary, Dumais, McComas, and Moon

AN ACT concerning

~~**Family Law – Divorce – Ownership of a Pet**~~
Annulment and Divorce – Property Disposition – Pets

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 401)

The Bill was then sent to the Senate.

House Bill 796 – Delegates Malone, Adams, Angel, Arentz, Atterbeary, Beidle, Buckel, Carey, Carr, Chang, Ciliberti, Clark, Dumais, Fisher, Folden, Frush, Hornberger, Jacobs, Kipke, Long, Luedtke, Mautz, McComas, McConkey, McKay, McMillan, Morgan, Pena-Melnyk, Reilly, Saab, Shoemaker, Simonaire, Sophocleus, Szeliga, Tarlau, Valentino-Smith, and C. Wilson

AN ACT concerning

Sales and Use Tax – Exemptions – Girl Scouts and Boy Scouts

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 402)

The Bill was then sent to the Senate.

CALENDAR OF THIRD READING HOUSE BILLS NO. 38

House Bill 177 – Delegates McKay, Beitzel, and Buckel

AN ACT concerning

**Killing or Wounding Black Bears – Penalties – Exemption for Protection of
Managed Honey Bee Colonies**

Read the third time and passed by yeas and nays as follows:

Affirmative – 99 Negative – 37 (See Roll Call No. 403)

The Bill was then sent to the Senate.

House Bill 735 – Delegates Malone, Folden, S. Howard, Jacobs, Kittleman, McComas, W. Miller, Morgan, Rose, ~~and Saab~~ Saab, Angel, Hill, Krebs, Metzgar, McDonough, and Morales

AN ACT concerning

Estates and Trusts – Share of Intestate Estate Inherited by Surviving Spouse

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 404)

The Bill was then sent to the Senate.

House Bill 747 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Health – Cigarette Restitution Fund Programs – Modifications

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 405)

The Bill was then sent to the Senate.

House Bill 1325 – Delegates Fraser-Hidalgo, Robinson, Barve, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Beidle, Branch, Bromwell, Brooks, Carr, Chang, Conaway, Cullison, Dumais, Ebersole, Fennell, Frush, Gutierrez, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Jackson, Jameson, Jones, Kaiser, Kelly, Knotts, Kramer, Krimm, Lafferty, Lam, ~~Lewis~~ R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Platt, Queen, Reznik, Rosenberg, Sanchez, Sophocleus, Stein, Turner, Valderrama, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, ~~and Mosby~~ Mosby, and Gilchrist

AN ACT concerning

Oil and Natural Gas – Hydraulic Fracturing – Prohibition

Delegate Gilchrist moved the previous question.

The motion was adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 40 (See Roll Call No. 406)

The Bill was then sent to the Senate.

**HOUSE RULES AND EXECUTIVE NOMINATIONS
COMMITTEE REPORT NO. 10**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1649 – Delegates Angel, D. Barnes, and Davis

AN ACT concerning

**Creation of a State Debt – Prince George’s County – District Heights Veterans
Park**

The Bill was re-referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

CONSENT CALENDAR OF INTRODUCTORY SENATE BILLS NO. 29

**Senate Bill 4 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Office of Minority Affairs)**

AN ACT concerning

**Minority Business Enterprises – Program Participation – Requirements and
Reauthorization**

FOR the purpose of requiring minority business enterprises serving as subcontractors on certain procurement contracts to submit certain documentation to the procurement officer of the unit and to the contractor; ~~clarifying what constitutes good cause for the purposes of removal of a minority business enterprise after commencement of work on a contract;~~ altering the termination date for certain provisions of law concerning the Minority Business Enterprise Program; altering the date by which the final report on a certain study is required to be submitted to the Legislative Policy Committee; altering certain findings of the General Assembly; making a conforming change; and generally relating to minority business enterprise program participation.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~14-302~~ 14-301.1, 14-303, and 14-309
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 154 of the Acts of the General Assembly of 2012, as amended by Chapters
200 and 201 of the Acts of the General Assembly of 2013
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 18 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – State Ethics Commission)**

AN ACT concerning

Public Ethics – Bicounty Commissions – Financial Disclosure

FOR the purpose of altering certain duties of executive directors of bicounty commissions relating to certain ethics forms; requiring certain financial disclosure statements to be filed electronically with the State Ethics Commission; requiring paper copies of certain financial disclosure statements to be filed with certain officials in certain counties; requiring the Commission to delete certain financial disclosure statements filed by certain applicants for bicounty commissions; and generally relating to the electronic filing of financial disclosure statements with the State Ethics Commission.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–824, 5–825, and 5–826
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 144 – Senator Zirkin

AN ACT concerning

Civil Actions – Prelitigation Discovery of Insurance Coverage

FOR the purpose of making certain provisions of law authorizing the prelitigation discovery of certain insurance coverage information relating to claims involving vehicle accidents applicable to claims involving any tort involving death or bodily injury; providing that an insurer is only required to provide a claimant with documentation of the applicable limits of coverage in a certain automobile insurance policy, homeowner's insurance policy, or renter's insurance policy; requiring a claimant to provide an insurer with a letter from a certain attorney certifying that the claimant has a bona fide tort claim under certain circumstances; making conforming changes; providing for the application of this Act; and generally relating to the disclosure of certain coverage information in certain insurance agreements.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–1101 through 10–1104
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10–1105
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Economic Matters.

Senate Bill 166 – Senator Conway (By Request – Baltimore City Administration) and Senators Ferguson, McFadden, Nathan-Pulliam, ~~and Robinson~~ Robinson, and Oaks

AN ACT concerning

Baltimore City – Civilian Review Board

FOR the purpose of ~~altering certain procedures for filing a complaint with the Baltimore City Civilian Review Board; repealing~~ modifying certain time limits on filing a complaint with the Baltimore City Civilian Review Board; authorizing the Board to review an incomplete complaint; authorizing a complainant to request that a complaint be confidential; providing that a certain report, under certain circumstances, remains subject to a certain review and certain recommendations by the Board; repealing a certain period of time within which the Board is required to submit a certain statement to the head of a certain law enforcement unit; repealing certain references to the Secretary of the Board; making a certain stylistic and technical changes; altering certain definitions change; and generally relating to the Baltimore City Civilian Review Board.

~~BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–41
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006, as amended by Chapter 130 of the Acts of the General Assembly of 2015)~~

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–42(a)

Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–43(b), ~~16–44(e) through (e)~~, and ~~16–48(a)~~ and 16–44(b) and (c)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

~~BY repealing~~
~~The Public Local Laws of Baltimore City~~
~~Section 16–44(b)~~
~~Article 4 – Public Local Laws of Maryland~~
~~(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)~~

~~BY repealing and reenacting, without amendments,~~
~~The Public Local Laws of Baltimore City~~
~~Section 16–45~~
~~Article 4 – Public Local Laws of Maryland~~
~~(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)~~

~~BY repealing and reenacting, with amendments,~~
~~The Public Local Laws of Baltimore City~~
~~Section 16–46~~
~~Article 4 – Public Local Laws of Maryland~~
~~(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)~~
~~(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)~~

Read the first time and referred to the Committee on Judiciary.

Senate Bill 195 – Senator Klausmeier

AN ACT concerning

~~Physicians – Licensure – Liability Coverage~~ State Board of Physicians – Medical Professional Liability Insurance Coverage – Publication (Janet’s Law)

FOR the purpose of ~~requiring licensed physicians to maintain certain minimum amounts of professional liability insurance or attest to certain coverage as a condition of licensure and comply with certain regulations; requiring a licensed physician to notify the State Board of Physicians of the cancellation of the insurance or coverage within a certain time period; requiring a physician to provide the Board with certain verification or documentation on a certain application and at any other time on request of the Board; authorizing the Board to adopt certain regulations; authorizing~~

~~the Board to take certain actions if verification or other documentation of insurance or coverage is not provided as required by certain provisions of this Act; authorizing the Board to conduct certain audits for certain purposes; providing for the construction of certain provisions of this Act; making conforming changes; and generally relating to physicians and liability coverage~~ requiring the public individual profile of certain licensees of the State Board of Physicians to include information reported by the licensee to the Board regarding whether the licensee maintains medical professional liability insurance; and generally relating to the publication of medical professional liability insurance coverage information.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section ~~14-205(b)(1), 14-309, 14-316(e), 14-317, and 14-404(a)(41) and (42)~~
14-411.1(b)(6)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

~~BY adding to~~

~~Article – Health Occupations~~

~~Section 14-312.1 and 14-404(a)(43) and (44)~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2016 Supplement)~~

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 280 – Senators Guzzone and Middleton

AN ACT concerning

Environment – Nonwoven Disposable Products – Advertising and Labeling

FOR the purpose of prohibiting the manufacturer of a nonwoven disposable product from, beginning on a certain date, advertising or labeling the nonwoven disposable product in a certain manner unless the nonwoven disposable product is flushable; requiring the manufacturer of a nonwoven disposable product to label a nonwoven disposable product in a certain manner beginning on a certain date; defining certain terms; and generally relating to nonwoven disposable products.

BY adding to

Article – Environment

Section 9-258

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 360 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker

AN ACT concerning

**State Department of Education – Breakfast and Lunch Programs – Funding
(The Maryland Cares for Kids Act)**

FOR the purpose of repealing the requirement that the State Board of Education adopt and publish standards for the administration of a subsidized feeding program; requiring the State to be responsible for the student share of the costs of certain meals; prohibiting a county board of education from charging certain students for any portion of the cost of a meal; altering the calculation for the reimbursement for certain meals to certain county boards of education; making conforming changes; and generally relating to school breakfast and lunch programs and the State Department of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–601 through 7–605 and 7–701 through 7–703
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 361 – Senators Madaleno, Benson, DeGrange, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, Young, and ~~Zucker~~ Zucker, Currie, McFadden, Eckardt, Edwards, and Serafini

AN ACT concerning

Hunger-Free Schools Act of 2017

FOR the purpose of altering a certain definition for certain fiscal years to determine the number of students used to calculate a certain grant for schools that participate in a certain federal program; ~~requiring the superintendent of each local school system to report certain information to the General Assembly on or before a certain date;~~ and generally relating to the compensatory education grant for primary and secondary education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–207(a)(3)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 423 – Senators Pinsky, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Registration and Voting at Polling Place

FOR the purpose of authorizing the General Assembly to provide by suitable enactment a process to allow a qualified individual to register and vote at a polling place on election day or on a day designated for voting before election day; making a stylistic change; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article I – Elective Franchise

Section 1 and 2

BY proposing an addition to the Maryland Constitution

Article I – Elective Franchise

Section 2A

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 441 – Senators Simonaire, Bates, Kagan, Salling, Waugh, Young, ~~and Zucker~~ Zucker, Conway, Nathan–Pulliam, Pinsky, ~~and Robinson~~ Robinson, Astle, Benson, Brochin, Cassilly, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Norman, Oaks, Peters, Ramirez, Ready, Reilly, Rosapepe, Serafini, Smith, and Zirkin

AN ACT concerning

Veterans Affairs – Maryland Veterans Service Animal Program – Establishment

FOR the purpose of establishing the Maryland Veterans Service Animal Program in the Department of Veterans Affairs; specifying the purposes of the Program; requiring the Department to select certain nonprofit entities to implement a certain training protocol, select certain Program participants, and provide certain training and

services to certain veterans; establishing certain criteria that a nonprofit entity must meet to be eligible for selection under the Program; authorizing, under certain circumstances, a nonprofit training entity to disqualify a Program participant from participating in the Program; authorizing a Program participant to discontinue involvement in the Program for any reason; establishing the Maryland Veterans Service Animal Program Fund; specifying the sources of revenue and uses for the Fund; authorizing the Department to accept donations for the Fund; requiring the Department to publish the names of certain donors to the Fund on an annual basis; requiring the Department to adopt certain regulations; defining certain terms; requiring the Department, on or before a certain date, to report certain information to the General Assembly; and generally relating to the Maryland Veterans Service Animal Program.

BY adding to

Article – State Government

Section 9–957 to be under the new part “Part VIII. Maryland Veterans Service Animal Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 481 – Senator Feldman

AN ACT concerning

Corporations – Maryland General Corporation Law – Miscellaneous Provisions

FOR the purpose of providing that certain individuals, under certain circumstances, are deemed to have consented to the appointment of the resident agent of a Maryland corporation or a Maryland real estate investment trust or, if there is no resident agent, the State Department of Assessments and Taxation, as an agent on which service of process may be made in certain actions or proceedings; providing that a certain consent to service of process is effective under certain circumstances and has certain legal force and validity; providing that a certain appointment as an agent for service of process is irrevocable; requiring the Department to collect a certain additional fee for processing a certified list of certain charter documents or certificates of certain business entities on an expedited basis; altering certain requirements for the execution and signing of certain documents; altering certain requirements for the resident agent of a Maryland corporation, a limited partnership, and a Maryland statutory trust; prohibiting the charter or bylaws of a corporation with capital stock from imposing liability on a certain stockholder for the attorney’s fees or expenses of the corporation or any other party in connection with a certain claim; authorizing the charter or bylaws of a corporation, consistent with certain requirements, to require that certain claims be brought only in certain courts; prohibiting certain provisions of the charter or bylaws of a corporation from prohibiting certain claims from being brought in certain courts; altering the officers

of a corporation required to countersign a stock certificate; authorizing the board of directors of a corporation to adopt a certain procedure by resolution unless the charter or bylaws provide otherwise; requiring a certain number of the last acting officers of a corporation, the charter of which has been forfeited for certain reasons, instead of the president or vice president, the secretary, and the treasurer, to sign and acknowledge articles of revival and file them with the Department; requiring that the directors manage the assets, rather than become the trustees of the assets, of a corporation for purposes of liquidating the assets when the corporation's charter has been forfeited; requiring the directors to take certain actions unless and until articles of revival are filed; repealing a provision of law authorizing the directors to sue or be sued in their own names as trustees; repealing a provision of law establishing that the director-trustees govern by majority vote; providing that forfeiture of the charter of a corporation does not subject a director of the corporation to a certain standard of conduct; authorizing a nonstock corporation to convert only into a certain foreign corporation; making certain provisions of this Act applicable to real estate investment trusts; providing for the application of certain provisions of this Act; making certain conforming changes; defining a certain term; and generally relating to the Maryland General Corporation Law and real estate investment trusts.

BY renumbering

Article – Corporations and Associations
Section 1–101(p) through (cc), respectively
to be Section 1–101(q) through (dd), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Corporations and Associations
Section 1–101(p) and 2–113
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations
Section 1–203(b)(8), 1–301, 2–108(a), 2–212(a), 2–514(a), 3–507(b)(1), 3–515, 5–207,
8–601.1, 10–104(a), and 12–203(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Courts and Judicial Proceedings
Section 6–102.1
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 573 – Senator Feldman

AN ACT concerning

Local Government – Regulation of Animals – Kennel Licenses

FOR the purpose of altering the conditions under which a person is required to obtain a kennel license from a local licensing agency; and generally relating to kennel licenses.

BY repealing and reenacting, without amendments,

Article – Local Government

Section 13–108(a)

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Local Government

Section 13–108(b)

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 591 – Senator Edwards

AN ACT concerning

Garrett County – Payment to Rescue Squads – ~~Repeal~~

FOR the purpose of ~~repealing from~~ altering the Public Local Laws of Garrett County ~~certain provisions of law relating to certain payments to rescue squads by~~ to require the Board of County Commissioners of Garrett County to appropriate certain funds for the benefit of certain rescue squads; authorizing the County Commissioners to pay the value of a certain appropriation to a rescue squad by in-kind payment of personnel, equipment, or services; and generally relating to the payment of rescue squads in Garrett County.

BY repealing and reenacting, with amendments,

The Public Local Laws of Garrett County

Section 35.05

Article 12 – Public Local Laws of Maryland

(2005 Edition and September 2015 Supplement, as amended)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 604 – Senators Bates, Eckardt, Ready, ~~and Salling~~ Salling, and Robinson

AN ACT concerning

Visual Impairments – Requirements for ~~Teacher~~ School Personnel Training, Student Screening, and Maryland Medical Assistance Program Coverage

FOR the purpose of ~~requiring, on or before a certain date, the Professional Standards and Teacher Education Board to require a certificate holder applying for renewal of a certificate as a teacher to complete a course on understanding and recognizing the symptoms of visual impairments; requiring the Board to approve a course that meets certain criteria; requiring the Board to adopt certain regulations; requiring a vision screening provided to certain students in public schools to include the administration of a computerized screening for visual impairments that includes, at a minimum, certain tests; requiring the Department of Health and Mental Hygiene to fund and provide to certain county health departments the equipment for a certain required computerized screening for visual impairments; requiring a computerized screening for visual impairments to be given each year to each student who has an individualized education program; requiring the results of a certain computerized screening for visual impairments to be made part of a certain record, given to the parents of certain students, and reported to certain entities; requiring a parent or guardian to report, on a certain form, to certain entities on the recommended services received by a student who may have possible symptoms of a visual impairment; requiring the county board of education or the county health department to report to the Department of Health and Mental Hygiene the results of computerized screenings for visual impairments; exempting a student whose parent or guardian objects to a certain vision screening on certain grounds from taking the screening; requiring each county board of education, on or before a certain date, to require certain school personnel to complete training on understanding and recognizing the symptoms of visual impairments; requiring each county board to approve a course that meets certain criteria; requiring certain school personnel to complete certain training within a certain period of time; requiring the Maryland Medical Assistance Program to provide, beginning on a certain date and subject to a certain limitation and as permitted by federal law, vision rehabilitation and habilitation for certain individuals; and generally relating to ~~teacher~~ school personnel training, student screening, and medical coverage for visual impairments.~~

~~BY adding to~~

~~Article — Education~~

~~Section 6 — 704.2~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Education
Section 7–404
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

~~BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(1)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)(2)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)~~

Read the first time and referred to the Committee on Ways and Means and the Committee on Health and Government Operations.

Senate Bill 636 – Senators Klausmeier and King

AN ACT concerning

Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution

FOR the purpose of altering the membership of the Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution to include a representative of the Maryland Heritage Women’s History Center; and generally relating to the Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–3001
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 735 – Senator Waugh

AN ACT concerning

St. Mary’s County – Metropolitan Commission – Authority to Borrow Money

FOR the purpose of requiring the Board of County Commissioners of St. Mary's County, when the St. Mary's County Metropolitan Commission plans to borrow any money, to review and approve any loan application before the Commission submits the loan application to a lender; authorizing the Board to direct certain repayment of loans under certain circumstances; and generally relating to the authority to borrow money of the St. Mary's County Metropolitan Commission.

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 113-2
Article 19 – Public Local Laws of Maryland
(2007 Edition and October 2014 Supplement, as amended)

Read the first time and referred to the Committee on Environment and Transportation.

Senate Bill 758 – Senator Guzzone

AN ACT concerning

Income Tax Credit – Energy Storage Systems

FOR the purpose of allowing a credit against the State income tax for certain costs of certain energy storage systems; providing that the credit may not exceed a certain amount; providing that the credit may not be carried forward to another taxable year; requiring a taxpayer claiming the credit to attach certain proof to the taxpayer's return; defining a certain term; providing for the application of this Act; and generally relating to an income tax credit for certain energy storage systems.

BY adding to
Article – Tax – General
Section 10-719
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 813 – Senators Madaleno, Benson, Kelley, Mathias, Ramirez, and Robinson

AN ACT concerning

**Department of Housing and Community Development – Rental Assistance
Programs – Duration of Assistance**

FOR the purpose of specifying that payments to certain low-income households by the Secretary of Housing and Community Development through the Rental Allowance

Program be made for not less than a certain number of consecutive years, subject to a certain condition; altering certain criteria concerning time frames for assistance for certain rental assistance programs; declaring the intent of the General Assembly; requiring the Department of Housing and Community Development, on or before a certain date and annually thereafter, to report to certain committees of the General Assembly on the implementation of this Act; providing for the termination of a certain reporting requirement; and generally relating to rental assistance programs in the Department of Housing and Community Development.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–1403 and 4–1405
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Environment and Transportation.

INTRODUCTION OF BILLS

Delegate Simonaire moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 407)

In compliance with the rules, the Bill was introduced.

House Bill 1659 – Delegate Simonaire

AN ACT concerning

Employment Discrimination – Sexual Harassment – Definition of Employer

FOR the purpose of altering the definition of “employer” for purposes of a complaint alleging sexual harassment; providing for the construction of this Act; and generally relating to discrimination in employment.

BY repealing and reenacting, without amendments,
Article – State Government
Section 20–601(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 20–601(d)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

Delegate Glenn moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 408)

In compliance with the rules, the Bill was introduced.

House Bill 1660 – Delegates Glenn, Branch, and McCray

AN ACT concerning

Creation of a State Debt – Baltimore City – National Great Blacks in Wax Museum

FOR the purpose of authorizing the creation of a State Debt not to exceed \$800,000, the proceeds to be used as a grant to the Board of Trustees of The National Great Blacks in Wax Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Delegate Glenn moved to suspend the rules to allow **House Bill 1660** to be assigned to the committee of jurisdiction.

The motion was adopted.

Read the first time and referred to the Committee on Appropriations.

The motion was adopted by roll call vote as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 409)

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 410)

RECESS

At 2:32 P.M. on motion of Delegate Frick the House recessed until 8:00 P.M. on Legislative Day, March 10, 2017, Calendar Day, Monday, March 13, 2017.