

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

**2017 Regular Session**

**Volume III**

Compiled and edited by:

Colleen Cassidy  
Journal Clerk  
Chief Clerk's Office

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Sylvia Siegert  
Chief Clerk

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## 2017 HOUSE JOURNAL

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: March 10, 2017**  
**Calendar Day: Monday, March 13, 2017**  
**8:00 P.M. Session**

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At 8:12 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Shelly Hettleman of Baltimore County.

**QUORUM CALL**

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

(See Roll Call No. 412)

**EXCUSED:**

Del. Davis – illness

Del. McKay – business

Del. Turner – illness

The Journal of March 10, 2017 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 413)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 31**

**House Bill 179 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Beer and Wine Licenses – Barbershops**

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

Affirmative – 135   Negative – 1   (See Roll Call No. 414)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 415)

The Bill was then sent to the Senate.

**House Bill 994 – Delegates Waldstreicher, Barve, ~~and Holmes~~ Holmes, Jalisi, Carr, and Beidle**

AN ACT concerning

**Statute of Limitations – Residential Leases Signed Under Seal**

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

Affirmative – 125 Negative – 11 (See Roll Call No. 416)

The Bill was then sent to the Senate.

**House Bill 1096 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Alcoholic Beverages – Sunday Sales and Privileges**

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

Affirmative – 134 Negative – 1 (See Roll Call No. 417)

The Bill was then sent to the Senate.

**House Bill 1136 – Delegates Ali, Oaks, and Rosenberg**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Class B–D–7 Licenses – Hours of Sale**

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

Affirmative – 134 Negative – 1 (See Roll Call No. 418)

The Bill was then sent to the Senate.

**House Bill 1201 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License**

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

Affirmative – 136 Negative – 1 (See Roll Call No. 419)

The Bill was then sent to the Senate.

**House Bill 1207 – Delegates Pena–Melnik, Cullison, Krimm, Lierman, Morales,  
Tarlau, Valentino–Smith, K. Young, and P. Young**

AN ACT concerning

**Family Law – Treatment Foster Care Homes – Siblings**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 420)

The Bill was then sent to the Senate.

**House Bill 1256 – Delegates Jalisi, Haynes, and Proctor**

AN ACT concerning

~~**Juveniles – Strip Search – Limitations**~~  
**Department of Juvenile Services – Implementation of Task Force  
Recommendations – Report**

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

Affirmative – 124 Negative – 14 (See Roll Call No. 421)

The Bill was then sent to the Senate.

**House Bill 1430 – Delegate B. Wilson**

AN ACT concerning

**Washington County – Alcoholic Beverages – Class CT (Cinema/Theater License)**

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

Affirmative – 136 Negative – 1 (See Roll Call No. 422)

The Bill was then sent to the Senate.

**House Bill 1450 – Delegate Wivell**

AN ACT concerning

**Washington County – Alcoholic Beverages – Hotel and Motel Licenses**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 423)

The Bill was then sent to the Senate.

**House Bill 1480 – Delegate Parrott**

AN ACT concerning

**Washington County – Alcoholic Beverages – Penalties**

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

Affirmative – 136 Negative – 1 (See Roll Call No. 424)

The Bill was then sent to the Senate.

**APPROPRIATIONS COMMITTEE REPORT NO. 7**

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

**House Bill 266 – Delegates Stein, Ebersole, Beidle, Brooks, Ciliberti, Gutierrez, Hettleman, Korman, Lierman, Luedtke, McCray, Morhaim, Pena-Melnyk, Platt, Tarlau, A. Washington, West, K. Young, and P. Young**

AN ACT concerning



**Public Senior Higher Education Institutions – Financial Aid – Reduction  
Restrictions**

**HB0266/804962/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 266

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “regulating” in line 4 down through “need;” in line 6; in line 8, after “circumstances” insert a semicolon; and strike beginning with “and” in line 8 down through “order;” in line 10 and substitute “authorizing financial aid awarded by a public senior higher education institution to be reduced up to a certain amount under certain circumstances;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 and 6; in line 7, strike “(4)” and substitute “(3)”; strike in their entirety lines 9 through 20, inclusive, and substitute:

“(4) “FINANCIAL NEED” MEANS COST OF ATTENDANCE MINUS  
EXPECTED FAMILY CONTRIBUTION.

(5) “GIFT AID” MEANS ALL FINANCIAL AID THAT IS NOT A LOAN OR  
WORK-STUDY PROGRAM, INCLUDING GRANTS, SCHOLARSHIPS, TUITION WAIVERS,  
AND THIRD PARTY PAYMENTS.

(6) “INSTITUTIONAL GIFT AID” MEANS GIFT AID THAT IS FUNDED BY  
A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION.”;

in line 21, after “(7)” insert “(I)”; and strike in their entirety lines 24 through 28, inclusive, and substitute:

“(II) “PRIVATE SCHOLARSHIPS” DOES NOT INCLUDE AWARDS  
FUNDED BY A PRIVATE ORGANIZATION THAT:

1. IS AFFILIATED WITH A HIGHER EDUCATION  
INSTITUTION; AND

**2. REQUESTS THE HIGHER EDUCATION INSTITUTION'S ASSISTANCE IN SELECTING RECIPIENTS."**

**AMENDMENT NO. 3**

On page 3, strike in their entirety lines 1 through 19, inclusive, and substitute:

**"(B) A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION MAY REDUCE INSTITUTIONAL GIFT AID OFFERS AS A RESULT OF PRIVATE SCHOLARSHIP AWARDS ONLY UNDER THE CIRCUMSTANCES DESCRIBED IN SUBSECTIONS (C) THROUGH (E) OF THIS SECTION.**

**(C) IF A STUDENT'S TOTAL GIFT AID FROM ALL SOURCES EXCEEDS THE STUDENT'S FINANCIAL NEED, A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION MAY REDUCE THE STUDENT'S INSTITUTIONAL GIFT AID UNTIL THE STUDENT'S TOTAL GIFT AID NO LONGER EXCEEDS THE STUDENT'S FINANCIAL NEED.**

**(D) IN ADDITION TO THE REDUCTION AUTHORIZED IN SUBSECTION (C) OF THIS SECTION, A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION MAY FURTHER REDUCE A STUDENT'S INSTITUTIONAL GIFT AID IF THE INSTITUTION RECEIVES APPROVAL FROM THE ORGANIZATION THAT AWARDED THE PRIVATE SCHOLARSHIP FUNDS THAT TRIGGERED THE REDUCTION AUTHORIZED IN SUBSECTION (C) OF THIS SECTION.**

**(E) A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION MAY REDUCE A STUDENT ATHLETE'S INSTITUTIONAL GIFT AID IN ORDER TO COMPLY WITH THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION'S INDIVIDUAL OR TEAM FINANCIAL AID RESTRICTIONS."**

On page 3, in line 21, after the second "of" insert "any"; and in line 22, after "aid" insert "or any federal aid".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB0266/123521/1**

BY: Delegate Stein

AMENDMENT TO HOUSE BILL 266, AS AMENDED

(First Reading File Bill)

On page 2 of the Appropriations Committee Amendments (HB0266/804962/1), in Amendment No. 3, strike beginning with “UNTIL” in line 8 down through “NEED” in line 10 and substitute “:

**(1) UNTIL THE STUDENT’S TOTAL GIFT AID NO LONGER EXCEEDS THE STUDENT’S FINANCIAL NEED, IF THE STUDENT COMPLETED THE FREE APPLICATION FOR FEDERAL STUDENT AID; OR**

**(2) UNTIL THE STUDENT’S TOTAL GIFT AID NO LONGER EXCEEDS THE STUDENT’S COST OF ATTENDANCE, IF THE STUDENT DID NOT COMPLETE A FREE APPLICATION FOR FEDERAL STUDENT AID”.**

The preceding amendment was read and adopted.

Delegate Rey 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 304 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Optional Retirement Program – Annuity Contracts – Employee Rights**

**HB0304/524766/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 304

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “are” insert “fully vested and”; in the same line, after “forfeit;” insert “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 in line 16, after “30–206” insert “and 30–208”.

#### AMENDMENT NO. 2

On page 2, strike in their entirety lines 13 through 16, inclusive, and substitute:

**“IN ACCORDANCE WITH § 403(B) OF THE INTERNAL REVENUE CODE, A PARTICIPATING EMPLOYEE’S RIGHTS TO BENEFITS UNDER AN ANNUITY CONTRACT PURCHASED UNDER THE PROGRAM SHALL BE FULLY VESTED AND NONFORFEITABLE.”**

#### AMENDMENT NO. 3

On page 2, after line 16, insert:

“30–208.

(a) Every 3 years the Board of Trustees shall review the performance, form, and contents of the annuity contracts offered under the program.

(b) After a review under subsection (a) of this section, the Board of Trustees may:

(1) eliminate a designated company from participation in the program; or

(2) withdraw approval for a type of annuity contract offered by a designated company under the program.

(c) **(1)** If a designated company is eliminated from the program or approval for a type of annuity contract is withdrawn, [:

**(1)]** the Board of Trustees:

(I) TO THE EXTENT PERMITTED UNDER AN ANNUITY CONTRACT, MAY DIRECT THE TRANSFER OF EXISTING BALANCES OF PARTICIPATING EMPLOYEES TO A NEW ANNUITY CONTRACT; AND

(II) shall give [the relevant] participating employees an opportunity to select an annuity contract WITH A DESIGNATED COMPANY for future contributions AND EXISTING BALANCES SUBJECT TO TRANSFER under the [program; and] PROGRAM, IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(2) [if] IF a participating employee does not make a [change] SELECTION UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION within a period specified by the Board of Trustees, the participating employee shall be deemed to have elected for future contributions AND EXISTING BALANCES SUBJECT TO TRANSFER an annuity contract and a designated company specified by the Board of Trustees.

(d) All eligible employees shall have access to the information compiled for the purpose of conducting the review required under this section and shall be notified of the availability of the information by the Board of Trustees.”.

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 328 – Delegate B. Barnes**

AN ACT concerning

**Optional Retirement Program – Annuity Contract Providers**

**HB0328/544061/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 328

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 5 down through “company;” in line 7; in line 11, strike “, 30–202, and 30–211” and substitute “and 30–202”; and after line 13, insert:

“BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 30–211

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 2, in lines 32 and 33, in each instance, strike the brackets.

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 815 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Membership Elections**

**HB0815/504161/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 815

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 7, after “circumstances;” insert “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;”.

AMENDMENT NO. 2

On page 7, in line 18, after “2006,” insert “BUT BEFORE JULY 1, 2017.”.

On page 17, after line 11, insert:

“(C) (1) IF AN ELIGIBLE GOVERNMENTAL UNIT DOES NOT SATISFY THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION, THE ELIGIBLE GOVERNMENTAL UNIT MAY SUBMIT A REQUEST TO THE BOARD OF TRUSTEES TO PARTICIPATE IN THE EMPLOYEES’ PENSION SYSTEM.

(2) THE BOARD OF TRUSTEES SHALL CONSIDER A REQUEST MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION AND DETERMINE WHETHER ANY LEGISLATION IS NECESSARY TO ALLOW THE ELIGIBLE GOVERNMENTAL UNIT TO PARTICIPATE IN THE EMPLOYEES’ PENSION SYSTEM.

(3) THE BOARD OF TRUSTEES SHALL MAKE RECOMMENDATIONS TO THE JOINT COMMITTEE ON PENSIONS REGARDING ANY LEGISLATION THAT IT DETERMINES IS NECESSARY TO ALLOW THE ELIGIBLE GOVERNMENTAL UNIT TO PARTICIPATE IN THE EMPLOYEES’ PENSION SYSTEM.”.

On page 20, after line 7, insert:

“(C) (1) IF AN ELIGIBLE GOVERNMENTAL UNIT DOES NOT SATISFY THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION, THE ELIGIBLE GOVERNMENTAL UNIT MAY SUBMIT A REQUEST TO THE BOARD OF TRUSTEES TO PARTICIPATE IN THE LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM.

(2) THE BOARD OF TRUSTEES SHALL CONSIDER A REQUEST MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION AND DETERMINE WHETHER ANY LEGISLATION IS NECESSARY TO ALLOW THE ELIGIBLE GOVERNMENTAL UNIT TO PARTICIPATE IN THE LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM.

(3) THE BOARD OF TRUSTEES SHALL MAKE RECOMMENDATIONS TO THE JOINT COMMITTEE ON PENSIONS REGARDING ANY LEGISLATION THAT IT DETERMINES IS NECESSARY TO ALLOW THE ELIGIBLE GOVERNMENTAL UNIT TO PARTICIPATE IN THE LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM.”.

On page 22, after line 14, insert:

**“(C) (1) IF AN ELIGIBLE GOVERNMENTAL UNIT DOES NOT SATISFY THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION, THE ELIGIBLE GOVERNMENTAL UNIT MAY SUBMIT A REQUEST TO THE BOARD OF TRUSTEES TO PARTICIPATE IN THE CORRECTIONAL OFFICERS’ RETIREMENT SYSTEM.**

**(2) THE BOARD OF TRUSTEES SHALL CONSIDER A REQUEST MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION AND DETERMINE WHETHER ANY LEGISLATION IS NECESSARY TO ALLOW THE ELIGIBLE GOVERNMENTAL UNIT TO PARTICIPATE IN THE CORRECTIONAL OFFICERS’ RETIREMENT SYSTEM.**

**(3) THE BOARD OF TRUSTEES SHALL MAKE RECOMMENDATIONS TO THE JOINT COMMITTEE ON PENSIONS REGARDING ANY LEGISLATION THAT IT DETERMINES IS NECESSARY TO ALLOW THE ELIGIBLE GOVERNMENTAL UNIT TO PARTICIPATE IN THE CORRECTIONAL OFFICERS’ RETIREMENT SYSTEM.”.**

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 860 – Delegates Lierman, Anderson, Angel, Carr, Conaway, Dumais, Gaines, Glenn, Haynes, Hettleman, Hill, Jackson, Jones, Lewis, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Patterson, Pena–Melnyk, Platt, Queen, Reznik, Rosenberg, Sydnor, Valentino–Smith, A. Washington, M. Washington, Wilkins, and K. Young**

AN ACT concerning

**Transitional Supports for Ex–Offenders – Repeal of Restrictions**

**HB0860/144460/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 860



(First Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 2, insert “(Maryland Equal Access to Food Act of 2017)”; in line 2, strike “Repeal” and substitute “Alteration”; and in line 9, after “sanctions;” insert “altering the conditions under which certain recipients are subject to certain testing and treatment or become ineligible for temporary cash assistance or food stamps;”.

AMENDMENT NO. 2

On page 2, after line 25, insert:

“(2) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, IF A RESIDENT RECEIVING TEMPORARY CASH ASSISTANCE OR FOOD STAMPS IS FOUND TO BE IN VIOLATION OF §§ 5–602 THROUGH 5–609 OR 21 U.S.C. § 841 FOR:

(I) A SECOND OR SUBSEQUENT TIME AFTER THE RESIDENT BEGAN RECEIVING TEMPORARY CASH ASSISTANCE OR FOOD STAMPS, THE RESIDENT IS SUBJECT TO TESTING FOR SUBSTANCE ABUSE, AS PROVIDED BY THE DEPARTMENT, AND TO TREATMENT AS REQUIRED UNDER § 5–314 OF THIS TITLE, FOR 2 YEARS BEGINNING ON THE LATER OF:

1. THE DATE THE INDIVIDUAL IS RELEASED FROM INCARCERATION;

2. THE DATE THE INDIVIDUAL COMPLETES ANY TERM OF PROBATION; OR

3. THE DATE THE INDIVIDUAL COMPLETES ANY TERM OF PAROLE OR MANDATORY SUPERVISION; AND

(II) A THIRD OR SUBSEQUENT TIME AFTER THE RESIDENT BEGAN RECEIVING TEMPORARY CASH ASSISTANCE OR FOOD STAMPS, THE RESIDENT IS INELIGIBLE FOR TEMPORARY CASH ASSISTANCE OR FOOD STAMPS FOR 1 YEAR AFTER THE DATE OF THE MOST RECENT CONVICTION.”;

and in lines 26 and 30, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga 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 1109 – Delegate B. Barnes**

AN ACT concerning

**Teachers' Retirement and Pension Systems – County Boards of Education  
Payments**

**HB1109/934664/1**

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1109

(First Reading File Bill)

On page 2, in line 7, after “in” insert “either”; and in the same line, after “2018” insert “or 2019”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1178 – Delegates Ghrist, Krebs, and McKay**

AN ACT concerning

**Employees' Pension System – Incorrect Enrollments**

**HB1178/574362/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1178

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Incorrect Enrollments” and substitute “Membership – Study”; and strike beginning with “that” in line 3 down through “enrollments” in line 13 and substitute “the State Retirement Agency and the Department of Legislative Services to conduct a certain study regarding membership in the Employees’ Pension System for certain individuals who are employed in positions for which the budgeted hours are less than a certain number of hours per fiscal year; requiring the study to include certain elements; requiring the State Retirement Agency and the Department of Legislative Services to report their findings and recommendations to the Joint Committee on Pensions on or before a certain date; providing for the termination of this Act; and generally relating to a study regarding the membership of certain individuals”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 15 on page 2, inclusive, and substitute:

“(a) The State Retirement Agency and the Department of Legislative Services shall:

(1) conduct a study regarding membership in the Employees’ Pension System for individuals who are employed in a position for which the budgeted hours per fiscal year are less than 500 hours, including:

(i) the individuals who are required to join the Employees’ Pension System under current law as a condition of employment;

(ii) the individuals who have optional membership in the Employees’ Pension System under current law; and

(iii) the impact of Chapter 182 of the Acts of 2015 on the enrollment of individuals in the Employees’ Pension System; and

(2) make recommendations regarding suggested statutory changes, if necessary, relating to membership in the Employees’ Pension System for individuals who

are employed in a position for which the budgeted hours per fiscal year are less than 500 hours.

(b) On or before December 1, 2017, the State Retirement Agency and the Department of Legislative Services shall report their findings and recommendations to the Joint Committee on Pensions.”.

#### AMENDMENT NO. 3

On page 2, in line 17, strike “and 6 months”; and in line 18, strike “December 31” and substitute “June 30”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **APPROPRIATIONS COMMITTEE REPORT NO. 8**

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

#### **House Bill 150 – The Speaker and the President (By Request – Administration)**

##### **Budget Bill**

##### **(Fiscal Year 2018)**

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE  
TO THE MARYLAND HOUSE OF DELEGATES – 2017 SESSION –  
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION  
PERTAINING TO HOUSE BILL 150 – THE BUDGET BILL

(See Exhibit L of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE  
COMMITTEE REPRINT TO HOUSE BILL 150 – THE BUDGET BILL

(See Exhibit M of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPORT ON  
HOUSE BILL 150 – THE BUDGET BILL AND  
HOUSE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit N of Appendix II)

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

The motion was adopted.

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

**House Bill 152 – The Speaker (By Request – Administration)**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2017**

HOUSE APPROPRIATIONS COMMITTEE REPORT ON  
HOUSE BILL 150 – THE BUDGET BILL AND  
HOUSE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit N of Appendix II)

**HB0152/954468/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 152

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 5 down through “funded;” in line 6 and substitute “repealing a requirement that the Comptroller pay certain amounts from a certain Special Fund for certain purposes; repealing a requirement that the State Racing Commission establish a certain bonus award program; repealing a requirement that the purse for a certain horse race be funded by a certain Special Fund;”; in line 7, after “stipends” insert “for a certain fiscal year”; strike beginning with “providing” in line 7 down through “Works;” in line 9; strike beginning with “and” in line 10 down through “providers” in line 12; in line 13, strike “funds; altering a certain condition on the use of certain funds;” and substitute “funds for a certain fiscal year; prohibiting certain excess funds from being used for certain purposes after a certain fiscal year; altering a certain condition on the use of certain funds for a certain fiscal year; repealing the use of certain funds for certain projects or initiatives after a certain fiscal year; altering the amount the Department of

Health and Mental Hygiene is authorized to charge the Maryland Health Care Commission for a certain fiscal year; altering the amount the Department of Health and Mental Hygiene is authorized to charge the State Health Services Cost Review Commission for a certain fiscal year;”; strike beginning with “requiring” in line 14 down through “Taxation;” in line 18 and substitute “requiring the Department of Budget and Management to review certain interagency agreements at certain intervals; requiring the Department of Budget and Management to make certain determinations in the review of certain interagency agreements; requiring the Department of Budget and Management to establish a certain cycle to review certain interagency agreements; requiring the Department of Budget and Management to report certain information and certain findings on or before a certain date each year to certain committees of the General Assembly and the Department of Legislative Services; altering certain provisions of law relating to budget books; requiring the Governor to provide a certain number of copies of the budget books to members of the General Assembly and the Department of Legislative Services; requiring certain information in the budget books to be provided in a certain format on the Department of Budget and Management’s Web site at a certain time; requiring the Department of Budget and Management to archive certain information in a certain format on a certain Web site; altering the regular commissions of a State lottery sales agent; authorizing the State Racing Commission to provide, from the amount provided for certain purses, up to a certain amount each year to a purse for a certain horse race; requiring the Comptroller to administer the Maryland Emergency Medical System Operations Fund;”; and strike beginning with the second “limiting” in line 20 down through “circumstances;” in line 21 and substitute “authorizing the Department of General Services to process a certain budget amendment in a certain amount for a certain fiscal year from certain fees that were recorded as a deferred revenue at the close of a certain fiscal year; prohibiting certain eligibility and benefits rules in place on a certain date for certain programs from being altered unless certain conditions are met; prohibiting the Comptroller from withholding a certain amount for a certain fiscal year to be deposited into a certain fund and instead requiring the amount to be credited to a certain fund to satisfy a certain portion of a certain required payment; requiring the Baltimore City Public School System to report certain information to the Governor and certain committees of the General Assembly on or before certain dates;”; and in line 24, after “Act;” insert “defining certain terms; altering a certain definition; providing for the termination of certain provisions of this Act; making stylistic changes;”.

On page 2, in line 3, strike “, 7–123(a)(1), 7–1702(a), and 18–303.1(a)(1) and (3)” and substitute “and 7–1702(a)”; in line 8, strike “, 7–123(c), 7–1704, and 18–303.1(g)” and substitute “and 7–1704”; in line 13, strike “, 7–123(c), 7–1704, 17–104(a)(5), and 18–303.1(g)” and substitute “and 7–1704”; in line 18, strike “and (c), 17–104(a)(1),

18–303.1(h), and 23–402(a)”; in line 23, after “15–1004(a),” insert “19–101, 19–201(b),”; in line 28, strike “7–307(d)(3),”; and in the same line, after “15–1004(f),” insert “19–111(c), 19–208(b),”.

On pages 2 and 3, strike in their entirety the lines beginning with line 36 on page 2 through line 2 on page 3, inclusive.

On page 3, in line 5, strike “and 4–509(j)” and substitute “4–509(j), and 6–510(j)”; and strike in their entirety lines 13 through 37, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–212(g)(3)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)”.

On page 4, in line 6, after “Section” insert “2–202; 7–115, 7–118, 7–121, and 7–122 to be under the amended part “Part III. Supporting Materials”; and”; after line 8, insert:

“BY adding to

Article – State Finance and Procurement

Section 3–207 and 7–116

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – State Finance and Procurement

Section 7–116, 7–117, 7–119, and 7–120

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”;

in line 11, strike “9–120(b) and 9–1A–28(c)” and substitute “9–117(a)(1), 9–120(b), and 9–1A–28(f)”; after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–202

Annotated Code of Maryland

(2016 Replacement Volume)”;

in line 16, strike “2–106(b) and”; after line 18, insert:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–955

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)”;

and strike in their entirety lines 25 through 27, inclusive.

On page 22, in line 34, strike “7.” and substitute “6.”.

On page 23, in lines 1, 24, and 29, strike “8.”, “10.”, and “11.”, respectively, and substitute “16.”, “20.”, and “21.”, respectively.

On page 24, in line 1, strike “12.” and substitute “23.”.

#### AMENDMENT NO. 2

On page 6, in line 24, strike “shall” and substitute “MAY”; in line 25, after the closing bracket insert “THE FUNDS ALLOCATED TO THE THOROUGHBRED INDUSTRY IN”; in line 26, strike “ESTABLISHED”; and in the same line, strike “9–1A–28” and substitute “9–1A–28(C)(1)”.

#### AMENDMENT NO. 3

On page 7, in line 3, after “(1)” insert “(I) FOR FISCAL YEAR 2018, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$2,100,000 TO THE PROGRAM.

(II)”;

in line 4, strike “MAY” and substitute “SHALL”; and in line 5, before “TO” insert “OF \$5,000,000”.

#### AMENDMENT NO. 4

On page 7, in lines 8, 14, and 21, in each instance, strike the brackets; in lines 8, 14, and 21, in each instance, strike “MAY”; in line 15, after the closing bracket insert “:



**(I) FOR FISCAL YEAR 2018,”;**

and in line 16, after “individual” insert “;AND

**(II) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, \$4,000 PER QUALIFIED INDIVIDUAL”.**

**AMENDMENT NO. 5**

On page 8, strike in their entirety lines 8 through 27, inclusive.

**AMENDMENT NO. 6**

On pages 8 and 9, strike in their entirety the lines beginning with line 28 on page 8 through line 3 on page 9, inclusive.

**AMENDMENT NO. 7**

On page 9, after line 9, insert:

**“(A) FOR FISCAL YEAR 2018, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$5,000,000 TO THE PROGRAM.**

**(B)”;**

in line 10, strike “YEAR 2019 AND EACH FISCAL YEAR THEREAFTER” and substitute “YEARS 2019 THROUGH 2021”; in line 11, strike “MAY” and substitute “SHALL”; and in the same line, after “APPROPRIATION” insert “OF \$7,500,000”.

**AMENDMENT NO. 8**

On pages 9 and 10, strike in their entirety the lines beginning with line 13 on page 9 through line 27 on page 10, inclusive.

**AMENDMENT NO. 9**

On pages 10 and 11, strike in their entirety the lines beginning with line 28 on page 10 through line 11 on page 11, inclusive.

**AMENDMENT NO. 10**

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

AMENDMENT NO. 11

On page 13, strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 12

On page 13, in line 22, strike “Excess” and substitute “**FOR FISCAL YEAR 2018 ONLY, EXCESS**”.

AMENDMENT NO. 13

On page 14, after line 7, insert:

“19–101.

In this subtitle, “Commission” means the Maryland Health Care Commission.

19–111.

(c) (1) The total fees assessed by the Commission may not exceed \$12,000,000.

(2) (i) The fees assessed by the Commission shall be used exclusively to cover the actual documented direct costs of fulfilling the statutory and regulatory duties of the Commission in accordance with the provisions of this subtitle.

(ii) The costs of the Commission include the administrative costs incurred by the Department on behalf of the Commission.

(iii) 1. [The] EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE amount to be paid by the Commission to the Department for administrative costs, not to exceed 18% of the salaries of the Commission, shall be based on indirect costs or services benefiting the Commission, less overhead costs paid directly by the Commission.

2. FOR FISCAL YEAR 2018, THE AMOUNT TO BE PAID BY THE COMMISSION TO THE DEPARTMENT FOR ADMINISTRATIVE COSTS SHALL BE BASED ON THE DEPARTMENT’S NEGOTIATED FEDERAL INDIRECT COST RATE.

(3) The Commission shall pay all funds collected from the fees assessed in accordance with this section into the Fund.

(4) The fees assessed may be expended only for purposes authorized by the provisions of this subtitle.

(5) The amount in paragraph (1) of this subsection limits only the total fees the Commission may assess in a fiscal year.

19-201.

(b) “Commission” means the State Health Services Cost Review Commission.

19-208.

(b) (1) The power of the Secretary to transfer by rule, regulation, or written directive, any staff, functions, or funds of units in the Department does not apply to any staff, function, or funds of the Commission.

(2) The Secretary may assess an administrative charge on the Commission to fund services provided to the Commission by the Department.

(3) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE amount to be paid by the Commission to the Department for administrative costs, not to exceed 18% of the salaries of the Commission, shall be based on indirect costs or services benefiting the Commission, less overhead costs paid directly by the Commission.

(II) FOR FISCAL YEAR 2018, THE AMOUNT TO BE PAID BY THE COMMISSION TO THE DEPARTMENT FOR ADMINISTRATIVE COSTS SHALL BE BASED ON THE DEPARTMENT’S NEGOTIATED FEDERAL INDIRECT COST RATE.”.

#### AMENDMENT NO. 14

On page 14, strike beginning with “AND” in line 32 down through “THEREAFTER” in line 33.

On page 15, in line 3, strike “EACH” and substitute “THAT”; and after line 4, insert:

“(IV) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE AUTHORIZED UNDER TITLE 10, SUBTITLE 2 AND TITLE 13, SUBTITLE 3 OF THIS

ARTICLE AND APPROVED BY THE COMMISSION IF NO LESS THAN \$8,000,000 OF THE SUBSIDY REQUIRED UNDER § 14-106(D)(2)(II)2 OF THE INSURANCE ARTICLE IS USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

AMENDMENT NO. 15

On page 15, strike in their entirety lines 5 through 18, inclusive.

AMENDMENT NO. 16

On page 15, in line 21, strike the brackets; and in the same line, strike “MAY”.

On page 16, in lines 13, 14, and 15, in each instance, strike the brackets; strike beginning with “FOR” in line 13 down through “THEREAFTER,” in line 14; in line 14, strike “MAY”; in lines 19 and 20, in each instance, strike the bracket; in line 20, after “bill” insert “OR THE CAPITAL BUDGET BILL”; and strike in their entirety lines 21 through 26, inclusive.

AMENDMENT NO. 17

On pages 16 and 17, strike in their entirety the lines beginning with line 27 on page 16 through line 3 on page 17, inclusive.

AMENDMENT NO. 18

On page 17, strike in their entirety lines 4 through 27, inclusive.

AMENDMENT NO. 19

On page 17, after line 27, insert:

“Article – Natural Resources

5–212.

(g) (3) (I) From revenues described in subsection (f) of this section that are attributable to Maryland Park Service operations, less any amount of those revenues allocated for administrative costs in accordance with paragraph (1)(iii) of this subsection, the Governor shall include in the State budget an appropriation for the Maryland Park Service equal to[

(i) At least 60% of the remaining revenues, for fiscal year 2016;

(ii) At least 80% of the remaining revenues, for fiscal year 2017; and

(iii)] 100% of the remaining revenues, for fiscal year 2018 [and each fiscal year thereafter].

**(II) FROM REVENUES DESCRIBED IN SUBSECTION (F) OF THIS SECTION THAT ARE ATTRIBUTABLE TO MARYLAND PARK SERVICE OPERATIONS, LESS ANY AMOUNT OF THOSE REVENUES ALLOCATED FOR ADMINISTRATIVE COSTS IN ACCORDANCE WITH PARAGRAPH (1)(III) OF THIS SUBSECTION, AND LESS ANY PRIOR YEAR CLOSING FUND BALANCE, FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE MARYLAND PARK SERVICE IN AN AMOUNT EQUAL TO 100% OF THE REVENUES FROM THE SECOND PRECEDING FISCAL YEAR.”.**

AMENDMENT NO. 20

On page 18, after line 10, insert:

“2–202.

(a) In this section, “block grant” means any federal grant–in–aid that:

(1) contains consolidated funding for 1 or more programs; [and]

**(2) INCLUDES ANY CHANGE IN THE FINANCING OF A PROGRAM THAT INCLUDES ANY KIND OF CAPPED ALLOCATIONS OR SPECIFIC SPENDING TARGETS; OR**

**[(2)] (3) is designated by Congress as a block grant.**

(b) It is the policy of the State that the General Assembly and the Governor should consult before the Executive Branch of the State government adopts State policy on block grants.

(c) (1) This section is in addition to and not in derogation of any other power or duty of the General Assembly.

(2) This section applies to the adoption of State policy to:

- (i) participate in a block grant;
- (ii) set a date on which the State will accept responsibility for a block grant; or
- (iii) transfer money between block grants.

(d) The Governor shall send, subject to § 2–1246 of the State Government Article, to the Legislative Policy Committee each proposal for the adoption of State policy on a block grant.

(e) Within 60 days after the Legislative Policy Committee receives the proposal or, if the Committee sets a shorter period, within that period, the Committee:

- (1) may hold a public hearing on the proposal;
- (2) may refer the proposal to another committee for review; and
- (3) for the General Assembly, may send the Governor comments on the proposal.

(f) The Governor may act on the proposal only after the expiration of the 60–day period or any shorter period set under subsection (e) of this section.

### **3–207.**

**(A) IN THIS SECTION, “INTERAGENCY AGREEMENT” MEANS AN AGREEMENT BETWEEN AN AGENCY OR UNIT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT AND A PUBLIC INSTITUTION OF HIGHER EDUCATION THAT:**

- (1) HAS BEEN IN PLACE FOR 3 YEARS OR MORE; AND**
- (2) HAS A TOTAL OF MORE THAN \$750,000 IN ACTUAL EXPENDITURES IN THE LAST 3 FISCAL YEARS.**

**(B) AT LEAST ONCE EVERY 3 YEARS, THE DEPARTMENT SHALL REVIEW EACH INTERAGENCY AGREEMENT TO DETERMINE:**

(1) WHETHER THE AGREEMENT IS NECESSARY AND SHOULD CONTINUE;

(2) WHETHER THE SERVICES CAN BE PROVIDED MORE COST EFFECTIVELY BY THE AGENCY OR UNIT OR THROUGH A COMPETITIVE PROCUREMENT; AND

(3) WHETHER THE AGREEMENT IS BEING UTILIZED DUE TO THE AGENCY'S OR UNIT'S INABILITY TO RECRUIT OR RETAIN POSITIONS AND, IF SO, WHETHER AN ANNUAL SALARY REVIEW SHOULD BE CONDUCTED TO ADDRESS RECRUITMENT OR RETENTION ISSUES.

(C) THE DEPARTMENT SHALL ESTABLISH A CYCLE TO REVIEW ONE-THIRD OF THE INTERAGENCY AGREEMENTS EACH YEAR.

(D) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, ON OR BEFORE DECEMBER 1 EACH YEAR, THE DEPARTMENT SHALL REPORT A SUMMARY OF THE FINDINGS OF THE REVIEW REQUIRED UNDER SUBSECTION (B) OF THIS SECTION TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE DEPARTMENT OF LEGISLATIVE SERVICES, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

(2) THE REPORT DUE ON OR BEFORE DECEMBER 1, 2017, SHALL INCLUDE A REVIEW OF INTERAGENCY AGREEMENTS THAT HAVE A TOTAL OF MORE THAN \$750,000 IN ACTUAL EXPENDITURES IN FISCAL YEARS 2015 THROUGH 2017.

(3) IN EACH REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL PROVIDE THE FOLLOWING INFORMATION:

(I) THE INTERAGENCY AGREEMENTS THAT WILL CONTINUE;

(II) SERVICES THAT WILL BE COMPETITIVELY PROCURED;

(III) SERVICES THAT WILL BE PROVIDED BY THE AGENCY OR UNIT AS A RESULT OF THE REVIEW;

(IV) SERVICES THAT HAVE BEEN OR WILL BE CANCELED AS A RESULT OF THE REVIEW; AND

(V) ACTIONS TAKEN TO ADDRESS RECRUITMENT OR RETENTION ISSUES IDENTIFIED AS A RESULT OF THE REVIEW.”.

AMENDMENT NO. 21

On page 18, before line 11, insert:

“Part III. Supporting [Documents] MATERIALS.

7–115.

(A) On submission of the budget bill to the presiding officers of the General Assembly, the Governor shall [send a copy of the budget books to each member of the General Assembly] PROVIDE THE SUPPORTING MATERIAL SPECIFIED IN THIS SECTION.

(B) THE GOVERNOR SHALL PROVIDE BUDGET BOOKS THAT INCLUDE THE INFORMATION REQUIRED IN THIS SECTION.

(C) THE BUDGET BOOKS FOR A FISCAL YEAR SHALL:

(1) (I) STATE EACH SOURCE OF STATE REVENUES FOR THE YEAR, FROM WHICH THE PROPOSED APPROPRIATIONS ARE TO BE PAID; AND

(II) STATE THE AMOUNT THAT THE GOVERNOR ESTIMATES WILL BE COLLECTED FROM EACH SOURCE;

(2) CONTAIN A SUMMARY OF THE ANNUITY BOND ACCOUNTS OF THE STATE AS OF THE END OF THE LAST FULL FISCAL YEAR; AND

(3) (I) INCLUDE A COPY OF THE STATEWIDE COST ALLOCATION PLAN FILED WITH THE FEDERAL GOVERNMENT FOR FEDERAL REIMBURSEMENT OF THE COSTS OF INDIRECT STATE SERVICES THAT BENEFIT FEDERALLY FUNDED PROGRAMS; AND



(II) LIST, BY UNIT OF THE STATE GOVERNMENT, THE AMOUNT OF REIMBURSEMENT RECEIVED UNDER THE PLAN DURING THE LAST FULL FISCAL YEAR.

(D) THE BUDGET BOOKS SHALL CONTAIN PERSONNEL DETAIL IN A SECTION THAT, BY UNIT OF THE STATE GOVERNMENT, SETS FORTH, FOR EACH PROGRAM OR PURPOSE OF THAT UNIT:

(1) THE TOTAL NUMBER OF OFFICERS AND EMPLOYEES AND THE NUMBER IN EACH JOB CLASSIFICATION:

(I) AUTHORIZED IN THE STATE BUDGET FOR THE LAST FULL FISCAL YEAR AND THE CURRENT FISCAL YEAR; AND

(II) REQUESTED FOR THE NEXT FISCAL YEAR;

(2) THE TOTAL AMOUNT FOR SALARIES OF OFFICERS AND EMPLOYEES AND THE AMOUNT FOR SALARIES OF EACH JOB CLASSIFICATION:

(I) SPENT DURING THE LAST FULL FISCAL YEAR;

(II) AUTHORIZED IN THE STATE BUDGET FOR THE CURRENT FISCAL YEAR; AND

(III) REQUESTED FOR THE NEXT FISCAL YEAR; AND

(3) AN ITEMIZED STATEMENT OF THE EXPENDITURES FOR CONTRACTUAL SERVICES, SUPPLIES AND MATERIALS, EQUIPMENT, LAND AND STRUCTURES, FIXED CHARGES, AND OTHER OPERATING EXPENSES:

(I) MADE IN THE LAST FULL FISCAL YEAR;

(II) AUTHORIZED IN THE STATE BUDGET FOR THE CURRENT FISCAL YEAR; AND

(III) REQUESTED FOR THE NEXT FISCAL YEAR.

(E) THE BUDGET BOOKS SHALL INCLUDE THE STATESTAT OR MANAGING FOR RESULTS AGENCY STRATEGIC PLAN REQUIRED UNDER THIS ARTICLE, BUT SHALL BE LIMITED TO A DESCRIPTION OF THE AGENCY’S MISSION, GOALS, OBJECTIVES, AND PERFORMANCE MEASURES.

(F) WHENEVER A PROPOSED BUDGET EXCEEDS THE RECOMMENDATIONS OF THE SPENDING AFFORDABILITY COMMITTEE, THE BUDGET BOOKS SHALL:

(1) INDICATE THE DEGREE TO WHICH THE PROPOSED BUDGET AND RECOMMENDATIONS DIFFER; AND

(2) SET FORTH THE GOVERNOR’S REASONS FOR EXCEEDING THE RECOMMENDATIONS.

[7-116.

Whenever a proposed budget exceeds the recommendations of the Spending Affordability Committee, the budget books shall:

(1) indicate the degree to which the proposed budget and recommendations differ; and

(2) set forth the Governor’s reasons for exceeding the recommendations.]

7-116.

(A) IN THIS SECTION, “MACHINE-READABLE FORMAT” MEANS A COMMA-SEPARATED VALUES FILE FORMAT.

(B) ON SUBMISSION OF THE BUDGET BILL TO THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY, THE GOVERNOR SHALL PROVIDE THE FOLLOWING NUMBER OF COPIES OF THE BUDGET BOOKS REQUIRED UNDER § 7-115 OF THIS SUBTITLE:

(1) ONE COPY TO EACH MEMBER OF THE GENERAL ASSEMBLY; AND

**(2) 80 COPIES TO THE DEPARTMENT OF LEGISLATIVE SERVICES.**

**(C) THE INFORMATION REQUIRED UNDER § 7-115 OF THIS SUBTITLE SHALL BE PROVIDED IN A MACHINE-READABLE FORMAT ON THE WEB SITE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT SIMULTANEOUSLY WITH THE PUBLICATION OF THE PROPOSED ANNUAL STATE BUDGET.**

**(D) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL ARCHIVE THE INFORMATION PROVIDED IN A MACHINE-READABLE FORMAT ON THE WEB SITE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT BEGINNING WITH THE FISCAL YEAR 2017 BUDGET.**

**[7-117.**

The budget books for a fiscal year shall state:

(1) each source of State revenues for the year, from which the proposed appropriations are to be paid; and

(2) the amount that the Governor estimates will be collected from each source.]

**[7-118.] 7-117.**

(a) Subject to § 2-1246 of the State Government Article, the Secretary shall provide to the General Assembly on a biennial basis by no later than February 1 of the fiscal year preceding the fiscal year the report covers, a report that contains a statement of the estimated amount by which exemptions from taxation reduce, for the year:

(1) State revenues; and

(2) revenues that the State collects for local governments.

(b) For each exemption, the statement shall:

(1) show the estimated amount by which the exemption reduces revenues;

(2) identify the person or the part of the population that benefits from the exemption; and

(3) say whether the exemption conflicts with any other State program.

(c) The statement shall include:

(1) each subtraction modification under § 10–207, § 10–208, or § 10–209 of the Tax – General Article; and

(2) each exemption under:

(i) Title 8, Subtitle 7 of the Natural Resources Article;

(ii) § 5–104, § 6–103, § 7–203, § 7–303, § 9–203, § 9–303, § 9–304, § 10–104, § 10–211, § 10–212, § 12–104, or Title 11, Subtitle 2 of the Tax – General Article;

(iii) Title 7 of the Tax – Property Article; and

(iv) § 13–810 or § 13–903 of the Transportation Article.

(d) The Comptroller, the Department of Assessments and Taxation, the Department of Labor, Licensing, and Regulation, the Department of Natural Resources, the Department of Transportation, and other units of the State government shall help the Secretary of Budget and Management to prepare a draft of the statement under this section.

[7–119.

The budget books for a fiscal year shall contain a summary of the annuity bond accounts of the State as of the end of the last full fiscal year.]

[7–120.

The budget books for a fiscal year shall:

(1) include a copy of the statewide cost allocation plan filed with the federal government for federal reimbursement of the costs of indirect State services that benefit federally funded programs; and

(2) list, by unit of the State government, the amount of reimbursement received under the plan during the last full fiscal year.]

[7-121.] 7-118.

(a) [The budget books shall contain a section that, by unit of the State government, sets forth, for each program or purpose of that unit:

(1) the total number of officers and employees and the number in each job classification:

(i) authorized in the State budget for the last full fiscal year and the current fiscal year; and

(ii) requested for the next fiscal year;

(2) the total amount for salaries of officers and employees and the amount for salaries of each job classification:

(i) spent during the last full fiscal year;

(ii) authorized in the State budget for the current fiscal year; and

(iii) requested for the next fiscal year;

(3) an itemized statement of the expenditures for contractual services, supplies and materials, equipment, land and structures, fixed charges, and other operating expenses:

(i) made in the last full fiscal year;

(ii) authorized in the State budget for the current fiscal year; and

(iii) requested for the next fiscal year; and

(4) the StateStat or managing for results agency strategic plan required under this article that shall be limited to a description of the agency's mission, goals, objectives, and performance measures.

(b)] In its annual submission of the proposed budget, the Department of Budget and Management shall provide, for informational purposes, a budget presentation that includes a description of the proposed expenditures under the Maryland Emergency Medical System Operations Fund for the:

- (1) Maryland Institute for Emergency Medical Services Systems;
- (2) R Adams Cowley Shock Trauma Center;
- (3) Maryland Fire and Rescue Institute;
- (4) Aviation Division of the Special Operations Bureau, Department of State Police; and
- (5) grants under the Senator William H. Amoss Fire, Rescue, and Ambulance Fund.

[(c)] (B) (1) (i) In this subsection the following words have the meanings indicated.

(ii) “Cancer Program” means the Cancer Prevention, Education, Screening, and Treatment Program established under Title 13, Subtitle 11 of the Health – General Article.

(iii) “Tobacco Program” means the Tobacco Use Prevention and Cessation Program established under Title 13, Subtitle 10 of the Health – General Article.

(2) The budget books shall contain a budget presentation that provides an overview of the proposed expenditures for:

- (i) the Tobacco Program, including the proposed expenditures for:
  - 1. each Component of the Tobacco Program;
  - 2. each program funded under each Component of the Tobacco Program; and
  - 3. each Local Public Health Tobacco Grant;

(ii) the Cancer Program, including the proposed expenditures for:

1. each Component of the Cancer Program;
  2. each program funded under each Component of the Cancer Program;
  3. each Local Public Health Cancer Grant;
  4. each statewide Academic Health Center Public Health Grant;
  5. each statewide Academic Health Center Cancer Research Grant;
  6. each statewide Academic Health Center Tobacco–Related Diseases Research Grant; and
  7. each statewide Academic Health Center Network Grant;
- and

(iii) any other program that is funded with the Cigarette Restitution Fund established under § 7–317 of this title.

**[7–122.] 7–119.**

(a) (1) For each fiscal year, General Fund capital appropriations shall be budgeted in the operating budget in separate eight–digit programs.

(2) When multiple projects or programs are budgeted within the same nontransportation eight–digit program, each distinct program and project shall be budgeted in a distinct subprogram.

(b) (1) To the extent possible, subprograms for projects spanning multiple years shall be retained to preserve funding history.

(2) The budget detail for prior and current fiscal years submitted with each proposed budget shall be organized in the same fashion to allow comparison between fiscal years.”.

AMENDMENT NO. 22

On page 19, after line 1, insert:

“9–117.

(a) (1) A licensed agent shall receive regular commissions of [5.5%] 5.0% of the licensed agent’s gross receipts from ticket sales.”.

AMENDMENT NO. 23

On pages 19 and 20, strike in their entirety the lines beginning with line 30 on page 19 through line 16 on page 20, inclusive, and substitute:

“(f) From the amount provided to thoroughbred purses, the State Racing Commission:

(1) shall pay an annual grant of \$100,000 to Fair Hill, as defined under § 11–811 of the Business Regulation Article; AND

(2) MAY ALLOCATE UP TO \$500,000 EACH FISCAL YEAR TO A PURSE FOR THE MARYLAND INTERNATIONAL THOROUGHBRED RACE UNDER § 11–522.1 OF THE BUSINESS REGULATION ARTICLE.

Article – Tax – General

2–202.

(a) After making the distribution required under § 2–201 of this subtitle, within 20 days after the end of each quarter, the Comptroller shall distribute:

(1) except as provided in [subsection] SUBSECTIONS (b) AND (C) of this section, from the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars under § 4–102(e) of this article:



(i) 1. for fiscal years 2016 through 2021, the revenue attributable to a tax rate of 20% to the Maryland E-Innovation Initiative Fund under § 6-604 of the Economic Development Article;

2. in fiscal year 2022 and in each fiscal year thereafter, the revenue attributable to a tax rate of 20% to the General Fund of the State; and

(ii) the revenue attributable to a tax rate of 5% as follows:

1. to the Special Fund for Preservation of Cultural Arts in Maryland, as provided in § 4-801 of the Economic Development Article, up to an aggregate amount of \$1,000,000 in each fiscal year; and

2. the remainder to the Maryland State Arts Council, as provided in § 4-512 of the Economic Development Article; and

(2) the remaining admissions and amusement tax revenue:

(i) to the Maryland Stadium Authority, county, or municipal corporation that is the source of the revenue; or

(ii) if the Maryland Stadium Authority and also a county or municipal corporation tax a reduced charge or free admission:

1. 80% of that revenue to the Authority; and

2. 20% to the county or municipal corporation.

(b) From the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars in Calvert County under § 4-102(e) of this article, the Comptroller shall distribute:

(1) for fiscal years 2014 through 2019, from:

(i) the revenue attributable to a tax rate of 1.5%:

1. \$50,000 to the Boys and Girls Club of the Town of North Beach; and

2. the remainder to the Town of North Beach;
      - (ii) the revenue attributable to a tax rate of 2.5% to the Town of Chesapeake Beach; and
        - (iii) the revenue attributable to a tax rate of 4% to the Calvert County Youth Recreational Opportunities Fund under Title 5, Subtitle 19 of the Natural Resources Article; and
    - (2) for fiscal year 2020 and each fiscal year thereafter, from:
      - (i) the revenue attributable to a tax rate of 1.5%:
        1. \$50,000 to the Boys and Girls Club of the Town of North Beach; and
        2. the remainder to the Town of North Beach;
      - (ii) the revenue attributable to a tax rate of 2.5% to the Town of Chesapeake Beach; and
      - (iii) the revenue attributable to a tax rate of 4% to the Calvert County Board of Education for school renovation and renewal projects that may not be used to supplant county funds for public school construction.

**(C) FROM THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 5% TO BE DISTRIBUTED TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND OR THE MARYLAND STATE ARTS COUNCIL UNDER SUBSECTION (A)(1)(II) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE, FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, \$250,000 TO THE ARTS COUNCIL OF ANNE ARUNDEL COUNTY.”.**

**AMENDMENT NO. 24**

On pages 20 and 21, strike in their entirety the lines beginning with line 18 on page 20 through line 4 on page 21, inclusive.

**AMENDMENT NO. 25**

On page 21, after line 11, insert:

“Article – Transportation13–955.

(a) In this section, “Fund” means the Maryland Emergency Medical System Operations Fund.

(b) (1) There is a Maryland Emergency Medical System Operations Fund.

**(2) THE COMPTROLLER SHALL ADMINISTER THE FUND, INCLUDING ACCOUNTING FOR ALL TRANSACTIONS AND PERFORMING YEAR-END RECONCILIATION.**

**[(2)] (3)** The Fund is a continuing, nonlapsing fund which is not subject to § 7–302 of the State Finance and Procurement Article.

**[(3)] (4)** Interest and earnings on the Fund shall be separately accounted for and credited to the Fund, and are not subject to § 6–226(a) of the State Finance and Procurement Article.

(c) The Fund consists of:

(1) Registration surcharges collected under § 13–954 of this subtitle;

(2) All funds, including charges for accident scene transports and interhospital transfers of patients, generated by an entity specified in subsection (e) of this section that is a unit of State government; and

(3) Revenues distributed to the Fund from the surcharges collected under § 7–301(f) of the Courts Article.

(d) Expenditures from the Fund shall be made pursuant to an appropriation approved by the General Assembly in the annual State budget or by the budget amendment procedure provided under § 7–209 of the State Finance and Procurement Article, provided that any budget amendment shall be submitted to and approved by the Legislative Policy Committee prior to the expenditure or obligation of funds.

(e) The money in the Fund shall be used solely for:

(1) Medically oriented functions of the Department of State Police, Special Operations Bureau, Aviation Division;

(2) The Maryland Institute for Emergency Medical Services Systems;

(3) The R Adams Cowley Shock Trauma Center at the University of Maryland Medical System;

(4) The Maryland Fire and Rescue Institute;

(5) The provision of grants under the Senator William H. Amoss Fire, Rescue, and Ambulance Fund in accordance with the provisions of Title 8, Subtitle 1 of the Public Safety Article; and

(6) The Volunteer Company Assistance Fund in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article.”.

#### AMENDMENT NO. 26

On page 21, in line 23, strike “\$364,825,000” and substitute “\$359,825,000”.

#### AMENDMENT NO. 27

On pages 21 and 22, strike in their entirety the lines beginning with line 34 on page 21 through line 12 on page 22, inclusive.

#### AMENDMENT NO. 28

On page 22, in line 14, strike “2018” and substitute “2017”.

#### AMENDMENT NO. 29

On page 22, strike in their entirety lines 29 through 33, inclusive; and after line 38, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2017, the Governor may transfer to the State Agency Loan Program Fund \$3,000,000 of the funds in the Jane E. Lawton Conservation Fund established under § 9–20A–07 of the State Government Article.

SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2017, the Governor may transfer to the General Fund \$30,000,000 of the funds in the accounts of the University System of Maryland.

SECTION 9. AND BE IT FURTHER ENACTED, That the unexpended appropriation for utilization review audit contracts, within the Department of Health and Mental Hygiene Developmental Disabilities Administration, that was included in the fiscal year 2017 operating budget (Chapter 143 of the Acts of 2016) is reduced by \$1,040,000 in federal funds and \$1,460,000 in general funds, which shall revert to the General Fund.

SECTION 10. AND BE IT FURTHER ENACTED, That the special fund appropriation within the Department of Housing and Community Development related to administrative fees that was included in the fiscal year 2017 operating budget (Chapter 143 of the Acts of 2016) is reduced by \$187,500 and shall be transferred to the Department of Commerce to be distributed to the Small, Minority, and Women-Owned Businesses Account established under § 9-1A-35 of the State Government Article.

SECTION 11. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Assistance Payments Program (N00G00.08), within the Department of Human Resources, that was included in the fiscal year 2017 operating budget (Chapter 143 of the Acts of 2016) shall be used by the Department of Human Resources to reduce the deficit in the federal Temporary Assistance for Needy Families grant in fiscal year 2017.

SECTION 12. AND BE IT FURTHER ENACTED, That:

(a) The unexpended appropriation for the Department of General Services that was included in the fiscal year 2017 operating budget (Chapter 143 of the Acts of 2016) shall be reduced by \$968,000 in general funds.

(b) The Department of General Services is authorized to process a fiscal year 2017 special fund budget amendment for \$968,000 from eMaryland Marketplace fees that were recorded as a deferred revenue at the close of fiscal year 2016.

SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2018, the Governor may transfer to the Education Trust Fund \$2,561,757 of the fund balance in the Small, Minority, and Women-Owned Businesses Account established under § 9-1A-35 of the State Government Article.

SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2018, the Governor may transfer \$150,000 as a grant to the Maryland Humanities Council from the revenue distributed to the Special Fund for

Preservation of Cultural Arts in Maryland or the Maryland State Arts Council under § 2–202(a)(1)(ii) of the Tax – General Article.

SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2019, the Governor may transfer \$150,000 as a grant to the Maryland Humanities Council from the revenue distributed to the Special Fund for Preservation of Cultural Arts in Maryland or the Maryland State Arts Council under § 2–202(a)(1)(ii) of the Tax – General Article.”.

AMENDMENT NO. 30

On page 23, in line 1, strike “if” and substitute “:

(a) If;

in line 3, strike “may” and substitute “shall”; in lines 5 and 6, strike “(a)” and “(b)”, respectively, and substitute “(1)” and “(2)”, respectively; and after line 7, insert:

“(b) If the Office of the Attorney General does not transfer \$11,000,000 of the recovery from the Moody’s Corporation settlement to the General Fund on or before May 1, 2017, the Comptroller shall transfer from the Consumer Protection Recoveries to the General Fund:

(1) \$11,000,000; or

(2) the difference between the amount transferred on or before May 1, 2017, and \$11,000,000.”.

AMENDMENT NO. 31

On page 23, strike in their entirety lines 8 through 23, inclusive, and substitute:

“SECTION 17. AND BE IT FURTHER ENACTED, That:

(a) Except as provided in subsection (b) of this section, the eligibility and benefits rules in place on January 1, 2017, for the Medical Assistance Program and the Supplemental Nutrition Assistance Program may not be altered to:

(1) make it more difficult to qualify for benefits;

(2) expand beneficiary cost sharing to additional services; or

(3) impose new limitations on benefits, except for changes to provider networks and the preferred drug list.

(b) The eligibility and benefits rules in place on January 1, 2017, for the Medical Assistance Program and the Supplemental Nutrition Assistance Program may be altered if the changes are:

(1) required under federal law to qualify for the receipt of federal funds;

(2) included in legislation passed by the General Assembly;

(3) proposed in the annual State budget submitted to the General Assembly; or

(4) submitted in writing to the Legislative Policy Committee for a 60-day review and comment period.

SECTION 18. AND BE IT FURTHER ENACTED, That, notwithstanding § 10-645(h)(1) of the Economic Development Article and any other provision of law, for fiscal year 2018 only:

(1) \$4,600,000 from the General State School Fund may not be withheld from the Baltimore City Board of School Commissioners by the State Comptroller and deposited in the Baltimore City Public School Construction Financing Fund established under § 10-656 of the Economic Development Article; and

(2) the Maryland Stadium Authority shall credit \$4,600,000 of the fund balance of the Baltimore City Public School Construction Facilities Fund established under § 10-657 of the Economic Development Article that represents money held in reserve for Baltimore City in accordance with Section 10-645(i) of the Economic Development Article to the Baltimore City Public School Construction Financing Fund to satisfy a portion of the payment required by § 10-645(h)(1) of the Economic Development Article.

SECTION 19. AND BE IT FURTHER ENACTED, That, on or before November 1, 2017, November 1, 2018, and November 1, 2019, Baltimore City Public Schools shall submit a report to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Budget and Taxation Committee and the House Appropriations Committee on

the status of the school system’s structural budget deficit and the actions that have been taken to reduce the gap between ongoing revenues and expenditures, including:

(1) the size and components of the structural deficit in the current year and projected for the next year;

(2) the actions that have been taken to reduce the structural deficit accompanied by the ongoing impact of the action on revenues or expenditures;

(3) the joint procurement of goods or services, or shared services, with the City of Baltimore or other jurisdictions that have promoted efficiency and reduced costs;

(4) the alignment of employee personnel contributions and benefits with the City of Baltimore;

(5) savings from the strategic implementation of the Career Pathways and Achievement Units Compensation System;

(6) consolidation or right-sizing of underutilized school facilities, in addition to the requirements of Chapter 647 of the Acts of 2013;

(7) administrative and operational efficiencies at the central office and school levels; and

(8) initiatives and efforts to retain students and attract new students to the school system.”.

#### AMENDMENT NO. 32

On page 24, before line 1, insert:

“SECTION 22. AND BE IT FURTHER ENACTED, That Section 17 of this Act shall take effect June 1, 2017. It shall remain effective for a period of 2 years and, at the end of May 31, 2019, with no further action required by the General Assembly, Section 17 of this Act shall be abrogated and of no further force and effect.”;

and in line 1, after “That” insert “, except as provided in Section 22 of this Act.”.

The preceding 32 amendments were read only.



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

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 – 135 Negative – 0 (See Roll Call No. 425)

In compliance with the rules, the Bill was introduced.

#### **House Bill 1661 – Delegates Pena–Melnyk, Hayes, and Morales**

AN ACT concerning

#### **Schools and Child Care Centers – State Grant Program – Security Upgrades for Facilities at Risk of Hate Crimes or Attacks**

FOR the purpose of authorizing the Maryland Center for School Safety to make grants for certain security–related projects to schools and child care centers determined to be at risk of hate crimes or attacks because of their ideology, beliefs, or mission; authorizing certain schools or child care centers to apply to the Center for a certain State grant; establishing the terms and conditions for the use of certain State grant funds by certain recipients; providing that the funding for certain State grants shall be as provided by the Governor in the State budget; authorizing the State Board of Education, after consultation with the Center, to adopt certain regulations; defining a certain term; and generally relating to a State Grant Program for Schools and Child Care Centers at Risk of Hate Crimes or Attacks.

BY adding to

Article – Education

Section 7–1502.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

### QUORUM CALL

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

(See Roll Call No. 426)

### **ADJOURNMENT**

At 9:01 P.M. on motion of Delegate Frick the House adjourned until 11:30 A.M. on Legislative Day March 11, 2017, Calendar Day, Tuesday, March 14, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 11, 2017**  
**Calendar Day: Tuesday, March 14, 2017**  
**11:30 A.M. Session**

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The House met at 11:53 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Eric G. Luedtke of Montgomery County.

**QUORUM CALL**

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

(See Roll Call No. 427)

The Journal of March 13, 2017 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 428)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 41**

**House Bill 852 – Delegates Barkley, Atterbeary, B. Barnes, Frush, McCray,  
Sanchez, Sydnor, ~~and P. Young~~ P. Young, and Jackson**

AN ACT concerning

**Courts – Action for Violation of Collective Bargaining Agreement or Breach of  
Duty of Fair Representation – Limitations Period**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 429)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 430)

The Bill was then sent to the Senate.

**House Bill 920 – Delegates Fraser–Hidalgo and Pena–Melnik**

AN ACT concerning

**Primary and Secondary Education – School Personnel – Training Requirement**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 431)

The Bill was then sent to the Senate.

**House Bill 950 – Delegates Pena–Melnik, Angel, Barron, Kelly, and Tarlau**

AN ACT concerning

**University System of Maryland – Constituent Institutions – Alcohol and Drug  
Addiction Recovery Program**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 432)

The Bill was then sent to the Senate.

**House Bill 967 – Delegate Frick**

AN ACT concerning

**The Textbook Cost Savings Act of 2017**

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

Affirmative – 136    Negative – 3    (See Roll Call No. 433)

The Bill was then sent to the Senate.

**House Bill 971 – Delegates Ebersole, Jones, Hettleman, Korman, Lam, Tarlau,  
~~M. Washington, and P. Young~~ M. Washington, Walker, A. Washington,  
Turner, C. Howard, Patterson, P. Young, Holmes, Vallario, and  
Valentino-Smith**

AN ACT concerning

**James W. Hubbard Inclusive Higher Education Grant Program**

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

Affirmative – 111    Negative – 27    (See Roll Call No. 434)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 42**

**House Bill 991 – Delegates Lierman and Brooks**

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program –  
Participation by Satellite Organizations**

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

Affirmative – 138    Negative – 2    (See Roll Call No. 435)

The Bill was then sent to the Senate.

**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~~  
Education – Emergency and Evacuation Plans – Individuals With Disabilities**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 436)

The Bill was then sent to the Senate.

**House Bill 1067 – Delegates A. Miller, Dumais, Gutierrez, Morales, Queen, and K. Young**

AN ACT concerning

**Shelter Services for Homeless Women – Feminine Hygiene Products**

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

Affirmative – 132    Negative – 6    (See Roll Call No. 437)

The Bill was then sent to the Senate.

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

AN ACT concerning

**Workers' Compensation – Tiered Rating Plans and Merit Rating Plans**

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

Affirmative – 139    Negative – 1    (See Roll Call No. 438)

The Bill was then sent to the Senate.

**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-Melnyk, Proctor, Queen, Reilly, Rose, Saab, Sanchez, Turner, ~~and Valentino-Smith~~ 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**

AN ACT concerning

**Income Tax Checkoff – Maryland Veterans Trust Fund**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 439)

The Bill was then sent to the Senate.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 12**

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

**House Bill 246 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – State Occupational Mechanical Licensing Boards – Fund and Fees**

**HB0246/783693/1**

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 246

(First Reading File Bill)

On page 1, in line 26, after “effective;” insert “providing for a delayed effective date;”.

On page 12, in line 11, strike “2017” and substitute “2018”; and in line 17, strike “2017” and substitute “2018”.

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

AN ACT concerning

**Maryland Home Improvement Commission – Special Fund and Fees**

**HB0248/783594/1**

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 248

(First Reading File Bill)

On page 1, in line 21, after “effective;” insert “providing for a delayed effective date;”.

On page 6, in line 30, strike “2017” and substitute “2018”.

On page 7, in line 4, strike “2017” and substitute “2018”.

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

AN ACT concerning

**State Board of Barbers and State Board of Cosmetologists – Special Fund and  
Fees**

**HB0250/723896/1**

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 250

(First Reading File Bill)

On page 1, in line 21, after “effective;” insert “providing for a delayed effective date;”.

On page 8, in line 26, strike “2017” and substitute “2018”; and in line 30, strike “2017” and substitute “2018”.

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 760 – Delegates Arentz, Brooks, Cluster, Krebs, Long, Mautz, McComas, McDonough, and Rose**

AN ACT concerning

**State Real Estate Commission – Real Estate Brokerage Services – Duties and Obligations**

**HB0760/793590/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 760

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “circumstances;” insert “repealing a certain defined term;”; strike in their entirety lines 9 through 13, inclusive; and in line 16, strike “17–532(d)” and substitute “17–532”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 3, inclusive; in line 4, strike “(b)” and substitute “(A)”; after line 5, insert:

“[(c)](B)      (1)      A licensee shall:

                 (i)      act in accordance with the terms of the brokerage agreement;

                 (ii)     promote the interests of the client by:

                                 1.      seeking a sale or lease of real estate at a price or rent specified in the brokerage agreement or at a price or rent acceptable to the client;

                                 2.      seeking a sale or lease of real estate on terms specified in the brokerage agreement or on terms acceptable to the client; and

                                 3.      unless otherwise specified in the brokerage agreement, presenting in a timely manner all written offers or counteroffers to and from the client, even if the real estate is subject to an existing contract of sale or lease;

(iii) disclose to the client all material facts as required under § 17–322 of this title;

(iv) treat all parties to the transaction honestly and fairly and answer all questions truthfully;

(v) in a timely manner account for all trust money received;

(vi) exercise reasonable care and diligence; and

(vii) comply with all:

1. requirements of this title;

2. applicable federal, State, and local fair housing laws and regulations; and

3. other applicable laws and regulations.

(2) Unless the client consents in writing to the disclosure, a licensee may not disclose confidential information received from or about a client to any other party or licensee acting as the agent of that party or other representative of that party.

(3) Unless the client to whom the confidential information relates consents in writing to a disclosure of that confidential information, a licensee who receives confidential information from or about the licensee’s own past or present client or a past or present client of the licensee’s broker may not disclose that information to:

(i) any of the licensee’s other clients;

(ii) any of the clients of the licensee’s broker;

(iii) any other party;

(iv) any licensee acting as an agent for another party; or

(v) any representative of another party.

(4) Unless otherwise specified in the brokerage agreement, a licensee is not required to seek additional offers to purchase or lease real estate while the real estate is subject to an existing contract of sale or lease.

(5) An intra–company agent may disclose confidential information to the broker or dual agent for whom the intra–company agent works but the broker or dual agent may not disclose that confidential information to the other party or the intra–company agent for the other party, as provided in § 17–530.1(b).”;

in line 6, strike “(d)” and substitute “(C)”; and after line 15, insert:

“(e) (D) This title does not limit the applicability of § 10–702 of the Real Property Article.

“(f) (E) The requirements of this section are in addition to any other duties required of the agent by law that are not inconsistent with these duties.

“(g) (F) The duties specified in this section may not be waived or modified.

“(h) (G) A licensee who performs ministerial acts for a person may not be construed to:

(1) violate the licensee’s duties to the client, provided that the client has consented in the brokerage agreement to the licensee’s provision of ministerial acts; or

(2) form an agency relationship between the licensee and the person for whom the ministerial acts are performed.”.

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 781 – Delegate Kramer**

AN ACT concerning

### **Retail Pet Stores – Animal Seller, Dog Cage Signs, and Records – Requirement Revisions**

**HB0781/413192/1**

BY: Economic Matters Committee

### AMENDMENTS TO HOUSE BILL 781

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in line 7, after “on” insert “or near”; and in line 9, after “information;” insert “making certain conforming changes”.

AMENDMENT NO. 2

On page 2, after line 27, insert:

**“(2) POST CONSPICUOUSLY ON EACH DOG’S CAGE OR, IF THE POSTING WOULD BLOCK VIEWING THE DOG IN THE CAGE, NEAR THE DOG’S CAGE, IF OBTAINED FROM A BREEDER OR DEALER, THE FINAL INSPECTION REPORTS FOR THE BREEDER AND, IF APPLICABLE, THE DEALER, ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE FROM THE 2 YEARS IMMEDIATELY BEFORE THE DATE THE PET STORE RECEIVED THE DOG;”**;

and in line 28, strike “(2)” and substitute “**(3)**”.

On page 3, in line 23, strike “(3)” and substitute “**(4)**”; in line 27, strike “(a)(2)” and substitute “**(A)(3)**”; and in line 28, strike “(a)(2)” and substitute “**(A)(3)**”.

AMENDMENT NO. 3

On page 3, after line 12, insert:

**“(VI) IF OBTAINED FROM A BREEDER OR DEALER, THE FINAL INSPECTION REPORTS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE FROM THE 2 YEARS IMMEDIATELY BEFORE THE DATE THE PET STORE RECEIVED THE DOG;”**;

and in lines 13, 15, 17, and 19, strike “(VI)”, “(VII)”, “(VIII)”, and “(IX)”, respectively, and substitute “**(VII)**”, “**(VIII)**”, “**(IX)**”, and “**(X)**”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 810 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Apprenticeships – Apprenticeship and Training Council – Revisions**

**HB0810/713897/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 810

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “Division;” insert “providing for certain judicial review if the Division does not issue a certain certificate;”; strike beginning with “, rather” in line 10 down through “of” in line 11 and substitute “to deregister”; in line 11, after “course” insert “, rather than the Council suspending or revoking the approval of a program or course;”; in line 12, after “circumstances;” insert “authorizing certain persons to request a hearing before the United States Department of Labor under certain circumstances;”; strike beginning with “authorizing” in line 13 down through “injunction;” in line 14; and in line 16, after “circumstances;” insert “requiring the Division to accord reciprocal approval to certain apprentices, apprenticeship programs, and standards that are registered in other states under certain circumstances; prohibiting the Division from according reciprocal approval to a program sponsor that does not meet certain requirements and standards;”.

AMENDMENT NO. 2

On page 4, in line 5, strike “and approve their programs”; strike beginning with “JOINTLY” in line 19 down through “LEARNING” in line 20 and substitute “RECOMMEND THE ISSUANCE OF”; in line 21, strike “Council” and substitute “DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING”; in the same line, after “when” insert “THE DIVISION DETERMINES THAT”; and in line 26, after “other” insert “ADVISORY”.

On page 5, in line 1, after “(2)” insert “(I)”; after line 7, insert:

“(II) IF THE DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING DOES NOT ISSUE A CERTIFICATE OF APPROVAL TO AN APPLICANT OPERATING OR PROPOSING TO OPERATE A PROGRAM, ANY PERSON, FIRM, OR CORPORATION WHOSE APPLICATION IS REJECTED HAS A RIGHT TO JUDICIAL REVIEW UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.”;

in line 8, after “(3)” insert “(I)”; in line 9, strike “suspend or revoke its approval of” and substitute “DEREGISTER”; after line 11, insert:

“(II) ANY PERSON, ASSOCIATION, COMMITTEE, OR ORGANIZATION THAT OPERATES AN APPRENTICESHIP PROGRAM THAT IS DEREGISTERED BY THE DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING MAY REQUEST A HEARING BEFORE THE UNITED STATES DEPARTMENT OF LABOR.”;

strike beginning with “Any” in line 12 down through “(5)” in line 15; in line 21, strike “(6)” and substitute “(5)”; strike in their entirety lines 25 through 28, inclusive; in line 29, strike “(II)” and substitute “(6)”; strike beginning with “UNDER” in line 29 down through “PARAGRAPH” in line 30; and in line 33, after “(1)” insert:

“(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING SHALL ACCORD RECIPROCAL APPROVAL TO APPRENTICES, APPRENTICESHIP PROGRAMS, AND STANDARDS THAT ARE REGISTERED IN OTHER STATES BY THE UNITED STATES DEPARTMENT OF LABOR’S OFFICE OF APPRENTICESHIP OR A REGISTRATION AGENCY, IF RECIPROCITY IS REQUESTED BY THE APPRENTICESHIP PROGRAM SPONSOR.

(II) THE DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING MAY NOT ACCORD RECIPROCAL APPROVAL TO A PROGRAM SPONSOR THAT DOES NOT MEET THE WAGE AND HOUR REQUIREMENTS AND APPRENTICE RATIO STANDARDS OF THE RECIPROCAL STATE.

(2)”.

On page 6, 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:

**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**

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 1414 – Delegate Jameson**

AN ACT concerning

**Renewable Energy Portfolio Standard – Study**

**HB1414/633290/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1414

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Maryland” in line 3 down through “jointly” in line 4 and substitute “Power Plant Research Program”; and in lines 7 and 8, in each instance, strike “centers” and substitute “Program”.

AMENDMENT NO. 2

On page 2, strike beginning with “**MARYLAND**” in line 22 down through “**CENTER**” in line 23 and substitute “**POWER PLANT RESEARCH PROGRAM**”; and in line 23, strike “**JOINTLY**”.

On page 4, in line 28, strike “**CENTERS CONSIDER**” and substitute “**PROGRAM CONSIDERS**”.

On page 4 in line 32, and on page 5 in lines 3 and 9, in each instance, strike “CENTERS” and substitute “PROGRAM”.

AMENDMENT NO. 3

On page 4, in line 11, strike “WHETHER AND”; in line 12, after “SHOULD” insert “CONTINUE TO”; in the same line, after “OF” insert “RENEWABLE ENERGY AND”; strike beginning with “INCLUDED” in line 14 down through the second “OR” in line 15 and substitute “ENCOURAGED THROUGH A”; in line 16, strike “MECHANISM” and substitute “, A PRODUCTION, OR AN INSTALLATION INCENTIVE”; in line 17, strike “WHETHER RESOURCES SUCH AS” and substitute “THE ADVISABILITY OF PROVIDING INCENTIVES FOR”; in line 18, strike “THAT” and substitute “TO”; strike beginning with “SHOULD” in line 19 down through “STANDARD” in line 20; in line 20, after the semicolon insert “AND”; strike beginning with “WHAT” in line 21 down through “RATEPAYER” in line 24 and substitute “DISCUSSION OF THE COSTS AND”; strike beginning with the comma in line 25 down through “UTILITIES” in line 27 and substitute “FOR RENEWABLE GENERATION”; in line 27, strike “AND”; and in line 28, after “(10)” insert “THE ROLE OF IN-STATE CLEAN ENERGY IN ACHIEVING GREENHOUSE GAS EMISSION REDUCTIONS AND PROMOTING LOCAL JOBS AND ECONOMIC ACTIVITY IN THE STATE;”

(11) AN ASSESSMENT OF ANY CHANGE IN SOLAR RENEWABLE ENERGY CREDIT PRICES OVER THE IMMEDIATE 24 MONTHS PRECEDING THE SUBMISSION OF THE INTERIM REPORT REQUIRED UNDER SUBSECTION (E) OF THIS SECTION; AND

(12)”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 141 Members present.

(See Roll Call No. 440)



**CALENDAR OF THIRD READING HOUSE BILLS NO. 40**

**House Bill 307 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Limited Distilleries – Class B and Class D Licenses**

**MC 6-17**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 441)

The Bill was then sent to the Senate.

**House Bill 538 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Alcoholic Beverages – Beauty Salon License**

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

Affirmative – 135    Negative – 1    (See Roll Call No. 442)

The Bill was then sent to the Senate.

**House Bill 561 – Delegates Jones, B. Barnes, Ciliberti, Hettleman, and Korman**

AN ACT concerning

**Higher Education – St. Mary’s College of Maryland – Governing Authority**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 443)

The Bill was then sent to the Senate.

**House Bill 591 – Delegate Conaway**

AN ACT concerning

**Task Force to Study the Local Economic Impact of a Bank Near Coppin State University Bank Deserts in Maryland**

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

Affirmative – 95    Negative – 45    (See Roll Call No. 444)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 445)

The Bill was then sent to the Senate.

**House Bill 752 – Delegate Kelly**

AN ACT concerning

**Department of Human Resources – Public Assistance Eligibility – Financial Records**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 446)

The Bill was then sent to the Senate.

**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 – Local Alcoholic Beverages Licensing Boards**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 447)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 43**

**House Bill 1423 – ~~Delegate Fisher~~ Calvert County Delegation**

AN ACT concerning

**Calvert County – Board of License Commissioners – Notice and Hearing on  
Proposed Legislation**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 448)

The Bill was then sent to the Senate.

**House Bill 1425 – Delegate McKay**

AN ACT concerning

**Washington County – Alcoholic Beverages – Wineries – Special Event Permits**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 449)

The Bill was then sent to the Senate.

**House Bill 1466 – Delegates P. Young, Barron, Brooks, Grammer, Jackson,  
Krimm, Reznik, Sydnor, and Vogt**

AN ACT concerning

**State Personnel – Disabled Veterans – Noncompetitive Appointment**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 450)

The Bill was then sent to the Senate.

**House Bill 1475 – Delegates A. Washington, Luedtke, Patterson, Turner, and  
M. Washington**

AN ACT concerning

**Residential Boarding Education Programs for At-Risk Youth – Eligibility**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 451)

The Bill was then sent to the Senate.

**House Bill 1484 – Delegates Glenn and W. Miller**

AN ACT concerning

**Workers' Compensation – Medical Benefits – Payment of Medical Services and Treatment**

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

Affirmative – 104    Negative – 37    (See Roll Call No. 452)

The Bill was then sent to the Senate.

**WAYS AND MEANS COMMITTEE REPORT NO. 8**

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

**House Bill 194 – St. Mary's County Delegation**

AN ACT concerning

**St. Mary's County – Licensing and Operation of Amusement Devices – Repeal**

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 350 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Gaming – Bingo Games**

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 351 – Delegate Carr**

AN ACT concerning

**Property Tax – Homestead Property Tax Credit Percentage – Deadlines**

**HB0351/835065/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 351

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Percentage” insert “and Constant Yield Tax Rate”; in line 3, after “of” insert “authorizing the Department of Assessments and Taxation to amend a constant yield tax rate when a county or municipal corporation alters the homestead tax credit percentage;”; in line 6, after “Taxation;” insert “requiring a notice of assessment to include a certain statement;”; in line 7, after “credit” insert “and the constant yield tax rate”; and in line 10, after “Section” insert “2–205(c) and”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“2–205.

(c) (1) The Department shall notify each taxing authority of the constant yield tax rate that will provide the same property tax revenue that is provided by the real property tax rate that is in effect for the current taxable year.

(2) In calculating a constant yield tax rate for a taxable year, the Department shall use an estimate of the total assessment of all real property for the next taxable year exclusive of real property that appears for the 1st time on the assessment records.

(3) [On or before May 15 of each year, the] (I) THE Department may amend a constant yield tax rate [but] only[:] AS PROVIDED IN THIS PARAGRAPH.

(II) ON OR BEFORE APRIL 15 EACH YEAR, THE DEPARTMENT MAY AMEND A CONSTANT YIELD TAX RATE WHEN A COUNTY OR MUNICIPAL CORPORATION ALTERS THE HOMESTEAD TAX CREDIT PERCENTAGE UNDER § 9–105 OF THIS ARTICLE.

[(i)] (III) ON OR BEFORE MAY 15 EACH YEAR, THE DEPARTMENT MAY AMEND A CONSTANT YIELD TAX RATE:

1. when directed to make a change by an enactment of the General Assembly;

[(ii)] 2. to correct an error in the calculation of the constant yield tax rate; or

[(iii)] 3. to reflect a significant loss of taxable base, as determined by the Director.”.

#### AMENDMENT NO. 3

On page 3, after line 5, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That a notice of assessment issued under § 8–401 of the Tax – Property Article shall include a statement that:

(1) the taxable assessment is based on the homestead tax credit percentage currently in effect;

(2) if a county or municipal corporation changes the homestead tax credit percentage by the following March, the taxable assessment will change; and

(3) the final taxable assessment shall be stated in the next property tax bill.”;

and in line 6, 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 Kaiser, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 373 – Delegates D. Barnes, Afzali, Brooks, Buckel, Carr, Chang, Ciliberti, Fennell, Folden, Gilchrist, Gutierrez, Haynes, C. Howard, Knotts, Krimm, McConkey, McKay, Metzgar, Platt, Reznik, Shoemaker, Simonaire, Tarlau, Turner, Vogt, M. Washington, and C. Wilson**

AN ACT concerning

**Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 425 – Delegates Lierman, Anderson, Angel, Atterbeary, D. Barnes, Brooks, Conaway, Davis, Fennell, Glenn, Gutierrez, Hayes, Haynes, Hettleman, Hill, Jones, Kelly, Korman, Krimm, McCray, McIntosh, McKay, A. Miller, Moon, Morales, Oaks, Patterson, Queen, Rosenberg, Sanchez, Sydnor, Tarlau, Turner, A. Washington, and M. Washington**

AN ACT concerning

**Public Schools – Suspensions and Expulsions**

**HB0425/525766/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 425

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and M. Washington” and substitute “M. Washington, Sophocleus, Pena–Melnik, and Ebersole”.

On page 1, in line 3, after “prekindergarten” insert “, kindergarten, first grade, or second grade”; in line 4, after “schools” insert “except if required by federal law; prohibiting the suspension of certain students for a certain time period except under certain circumstances; requiring the principal or school administration to contact a student’s parent or guardian”; and strike beginning with “authorizing” in line 4 down through “manner,” in line 6.

#### AMENDMENT NO. 2

On page 1, after line 21, insert:

#### “Preamble

WHEREAS, Maryland public schools should provide practices that build fair processes into decision making, facilitate student learning, and allow for accountability and skill building, cooperation, and mutual understanding; and

WHEREAS, It is the intent of the General Assembly that school systems shall utilize restorative practices as an alternative to traditional school disciplinary practices to ensure that developmentally appropriate, age-appropriate, and proportional consequences are applied to a child’s misbehavior in a way that supports personal growth and positive learning opportunities for all students; now, therefore,”.

#### AMENDMENT NO. 3

On pages 5 and 6, strike in their entirety the lines beginning with line 29 on page 5 through line 7 on page 6, inclusive, and substitute:

**“(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A STUDENT ENROLLED IN A PUBLIC PREKINDERGARTEN PROGRAM, KINDERGARTEN, FIRST GRADE, OR SECOND GRADE MAY NOT BE SUSPENDED OR EXPELLED FROM SCHOOL.**

**(2) A STUDENT DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY ONLY BE:**

**(I) SUSPENDED OR EXPELLED FROM SCHOOL IF REQUIRED BY FEDERAL LAW; OR**



**(II) SUSPENDED FOR NO MORE THAN 9 SCHOOL DAYS IF THE SCHOOL ADMINISTRATION, IN CONSULTATION WITH A SCHOOL PSYCHOLOGIST OR OTHER MENTAL HEALTH PROFESSIONAL, DETERMINES THAT THERE IS AN IMMINENT THREAT OF SERIOUS HARM TO OTHER STUDENTS OR STAFF THAT CANNOT BE REDUCED OR ELIMINATED THROUGH INTERVENTIONS AND SUPPORTS.**

**(3) THE PRINCIPAL OR SCHOOL ADMINISTRATION SHALL PROMPTLY CONTACT THE PARENT OR GUARDIAN OF A STUDENT SUSPENDED OR EXPELLED UNDER PARAGRAPH (2) OF THIS SUBSECTION.”.**

On page 6, strike in their entirety lines 8 through 11, inclusive; in line 12, after “PROVIDE” insert “INTERVENTION AND”; and in line 20, strike “SUPPORT” and substitute “INTERVENTION AND SUPPORT”.

On page 6 in line 12, and on page 7 in lines 1 and 4, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Cassilly moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

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

#### **House Bill 431 – St. Mary’s County Delegation**

AN ACT concerning

#### **St. Mary’s County – Tax Exemptions – Repeal of Local Provisions**

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 456 – Delegates Kaiser, Barve, Buckel, Chang, Ebersole, Frick, Hornberger, Jalisi, Jones, Kelly, Korman, Lierman, McDonough, Patterson,**

Queen, Reznik, Sophocleus, Turner, A. Washington, M. Washington, and K. Young

AN ACT concerning

**Family Child Care Homes and Child Care Centers – Dispute Resolution Process  
– Regulations**

**HB0456/275262/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 456

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Family Child Care Homes and Child Care Centers” and substitute “Children With Disabilities and Child Care Providers”; strike line 3 in its entirety; strike beginning with “Board” in line 4 down through “State” in line 10 and substitute “Department of Education to develop a dispute resolution process to be used by families of children with disabilities and child care providers for resolving complaints of discrimination based on a child’s disability; requiring the Department, in developing the specific components of the dispute resolution process, to convene a workgroup that includes representatives of certain entities; requiring the dispute resolution process to include certain components; authorizing the dispute resolution process to include certain components; requiring the Department to submit a certain report to the General Assembly on or before a certain date; and generally relating to the State Department of Education and a process for resolving disputes regarding the care of children with disabilities”; and strike in their entirety lines 11 through 20, inclusive.

AMENDMENT NO. 2

On page 1, in line 22, strike “the Laws of Maryland read as follows”; and after line 22, insert:

“(a) The State Department of Education shall develop a dispute resolution process to be used by families of children with disabilities and child care providers for resolving complaints of discrimination based on a child’s disability.

(b) In developing the specific components of the dispute resolution process required under subsection (a) of this section, the Department shall convene a workgroup that includes:

- (1) at least one representative from:
- (i) the State Department of Education, including the Office of Child Care;
- (ii) Disability Rights Maryland;
- (iii) the Maryland Developmental Disabilities Council; and
- (iv) Maryland Family Network;
- (2) at least three child care providers, or child care associations, representing different child care settings, including at least one representative of family child care homes; and
- (3) any other stakeholders the workgroup considers necessary.
- (c) The dispute resolution process shall include:
- (1) a process for investigating complaints;
- (2) a written report on the findings of an investigation; and
- (3) if there is a finding of discrimination on the basis of disability, a resolution of the complaint that includes:
- (i) an agreement with the child care provider detailing the requirements for remedying the violations; and
- (ii) appropriate remedies that support children with disabilities, their families, and the child care provider.
- (d) The dispute resolution process may include:
- (1) an ombudsman;
- (2) mediation;

(3) other appropriate informal resolution processes; or

(4) partnerships with other relevant State agencies.

(e) On or before October 1, 2017, the State Department of Education shall submit to the General Assembly, in accordance with § 2–1246 of the State Government Article, a report that includes:

(1) the dispute resolution process developed by the workgroup in accordance with the provisions of this Act; and

(2) draft legislation or regulations to implement the dispute resolution process developed by the workgroup.”.

On pages 1 through 7, strike in their entirety the lines beginning with line 23 on page 1 through line 16 on page 7, inclusive.

On page 7, in line 17, strike “3.” and substitute “2.”; and in the same line, strike “July” 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 Kaiser, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 669 – Delegates Arentz, Brooks, Jackson, Kittleman, and McDonough**

AN ACT concerning

**Public Schools – Boards of Education – Anonymous Two-Way Text Messaging  
Tip Programs**

**HB0669/185067/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 669

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Text Messaging” and substitute “Electronic”; in line 4, strike “requiring each” and substitute “authorizing a”; in line 6, after “education” insert “that establishes an anonymous two-way electronic tip program”; in lines 5, 10, 11, and 14, in each instance, strike “text messaging” and substitute “electronic”; and in line 10, after the semicolon insert “authorizing the Governor to include funding in the State budget to provide grants to county boards to establish a certain program.”.

AMENDMENT NO. 2

On page 3, in line 13, strike “**EACH**” and substitute “**A**”; in the same line, strike “**SHALL**” and substitute “**MAY**”; in line 20, after “**BOARD**” insert “**THAT ESTABLISHES AN ANONYMOUS TWO-WAY ELECTRONIC TIP PROGRAM**”; and after line 31, insert:

**“(5) THE GOVERNOR MAY INCLUDE FUNDING IN THE STATE BUDGET TO PROVIDE GRANTS TO COUNTY BOARDS TO ESTABLISH AN ANONYMOUS TWO-WAY ELECTRONIC TIP PROGRAM.”.**

On page 3 in lines 14, 16, 21, and 25, on page 4 in line 7, and on page 5 in line 24, in each instance, strike “**TEXT MESSAGING**” and substitute “**ELECTRONIC**”.

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:

**House Bill 746 – Delegate M. Washington**

AN ACT concerning

**Public School Labor Relations Board – Administration and Enforcement –  
Revisions**

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 898 – Delegates Ebersole, Lafferty, Lam, Lierman, Luedtke, McCray, Moon, Morales, Platt, Reznik, Tarlau, Turner, A. Washington, and M. Washington**

AN ACT concerning

**Election Law – Campaign Finance – Coordinated Expenditures**

**HB0898/955665/1**

BY: Committee on Ways and Means

**AMENDMENT TO HOUSE BILL 898**

(First Reading File Bill)

On page 2, in lines 25 and 27, in each instance, strike “DISBURSEMENT” and substitute “**GIFT, TRANSFER, DISBURSEMENT, OR PROMISE OF MONEY OR A THING OF VALUE**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Kaiser moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

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

**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**

**HB1433/965669/1**

BY: Committee on Ways and Means

**AMENDMENTS TO HOUSE BILL 1433**

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and A. Washington” and substitute “A. Washington, Afzali, Ali, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Kaiser, Long, Luedtke, Mautz, Patterson, Reilly, Rose, Shoemaker, Simonaire, Turner, Walker, M. Washington, and Wilkins”; and in line 12, after “reimbursement,” insert “stating the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, after line 33, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Comptroller return from the Local Reserve Account any reimbursement payment made by a county or municipal corporation under Chapter 24 of the Acts of the General Assembly of 2016.”;

and in line 34, strike “3.” and substitute “4.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**HOUSE RULES AND EXECUTIVE NOMINATIONS  
COMMITTEE REPORT NO. 11**

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 1537 – Delegate Bromwell**

AN ACT concerning

**Video Lottery Facilities – Donation of Coins From Gaming Payouts – Expansion**

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 Ways and Means:

**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**

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 1619 – Delegate Clippinger**

AN ACT concerning

**Maryland Stadium Authority – Maryland Sports and Affiliated Foundations – Establishment**

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

**SPECIAL ORDER CALENDAR NO. 37**

**House Bill 266 – Delegates Stein, Ebersole, Beidle, Brooks, Ciliberti, Gutierrez, Hettleman, Korman, Lierman, Luedtke, McCray, Morhaim, Pena-Melnyk, Platt, Tarlau, A. Washington, West, K. Young, and P. Young**

AN ACT concerning

**Public Senior Higher Education Institutions – Financial Aid – Reduction Restrictions**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. STEIN ADOPTED.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 35**

**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-Melnyk, Platt, Queen, Robinson, Stein, Tarlau, Turner, and M. Washington**



AN ACT concerning

**Labor and Employment – Equal Pay – Job Announcement and Salary History  
Information Disclosures**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED  
ADOPTED. FLOOR AMENDMENT BY DEL. C. WILSON ADOPTED.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 36**

**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**

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. 38**

**House Bill 860 – Delegates Lierman, Anderson, Angel, Carr, Conaway, Dumais,  
Gaines, Glenn, Haynes, Hettleman, Hill, Jackson, Jones, Lewis, McCray,  
McIntosh, A. Miller, Moon, Morales, Morhaim, Patterson, Pena-Melnyk,  
Platt, Queen, Reznik, Rosenberg, Sydnor, Valentino-Smith, A. Washington,  
M. Washington, Wilkins, and K. Young**

AN ACT concerning

**Transitional Supports for Ex-Offenders – Repeal of Restrictions**

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

Read the second time and ordered prepared for Third Reading.

**APPROPRIATIONS COMMITTEE REPORT NO. 9**

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

**House Bill 260 – Delegates Queen, Morales, Anderson, Angel, Clippinger, Conaway, Dumais, Fraser-Hidalgo, Glenn, Hayes, Kaiser, Kelly, Korman, Lewis, Lierman, Luedtke, A. Miller, Moon, Platt, Reznik, Robinson, Tarlau, M. Washington, and K. Young**

AN ACT concerning

**Local Government – Sexual Assault Cases – Local Audits**

**HB0260/184168/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 260

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, and Hettleman”; in line 5, after “circumstances” insert “, subject to certain guidelines”; and in line 7, after “maintain” insert “certain”.

AMENDMENT NO. 2

On page 2, in line 11, strike “**WHEN**” and substitute “**SUBJECT TO GUIDELINES ESTABLISHED BY THE OFFICE OF THE ATTORNEY GENERAL UNDER SUBSECTION (D) OF THIS SECTION, WHEN**”; in line 30, after “**FOR**” insert “**:**”

**(1)**”;

and in line 31, after “**CASES**” insert “**;****AND**

**(2) THE MAXIMUM FREQUENCY OF THIRD-PARTY AUDITS OF SEXUAL ASSAULT CASES**”.

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 684 – Delegates Krebs, Anderson, Beitzel, Ciliberti, Conaway, Glenn, Hayes, Jacobs, Kittleman, Lierman, McCray, McIntosh, Oaks, Rose, Rosenberg, and Shoemaker**

AN ACT concerning

**Education – Grant for Declining Education Aid**

**HB0684/784664/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 684

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Grant” and substitute “State Grants”; in the same line, strike “Declining”; strike beginning with the first “a” in line 4 down through “purpose” in line 5 and substitute “certain State grants in certain fiscal years; specifying the calculation of certain amounts in certain fiscal years for certain State grants; requiring certain State grants to be distributed at the same time as certain other State funding; stating the intent of the General Assembly; requiring certain State grants in a certain fiscal year to include a certain amount under a certain circumstance; making certain grants to Baltimore City Public Schools subject to Baltimore City providing certain local contributions in certain fiscal years; requiring a certain calculation to include a certain amount in a certain fiscal year; prohibiting a certain amount from being included in a certain calculation in a certain fiscal year; defining certain terms”; and after line 11, insert:

“BY adding to

Article – Education

Section 5–218

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 19, inclusive, and substitute:

“(6) (I) 1. IN THIS PARAGRAPH THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

2. “3-YEAR MOVING AVERAGE FULL-TIME EQUIVALENT ENROLLMENT” MEANS THE AVERAGE OF THE FULL-TIME EQUIVALENT ENROLLMENT IN THE 3 PREVIOUS SCHOOL YEARS.

3. “TOTAL DIRECT EDUCATION AID” MEANS THE SUM OF THE AMOUNTS LISTED IN PARAGRAPH (1)(I) THROUGH (VI) OF THIS SUBSECTION.

(II) A COUNTY BOARD IS ELIGIBLE FOR A SUPPLEMENTAL STATE GRANT UNDER THIS PARAGRAPH IF A COUNTY’S 3-YEAR MOVING AVERAGE FULL-TIME EQUIVALENT ENROLLMENT IS GREATER THAN THE FULL-TIME EQUIVALENT ENROLLMENT IN THE PREVIOUS SCHOOL YEAR.

(III) FOR EACH OF FISCAL YEARS 2018 THROUGH 2020, THE STATE SHALL PROVIDE A SUPPLEMENTAL GRANT TO AN ELIGIBLE COUNTY BOARD THAT EQUALS:

1. THE QUOTIENT OF THE TOTAL DIRECT EDUCATION AID OF A COUNTY BOARD DIVIDED BY THE FULL-TIME EQUIVALENT ENROLLMENT OF THE COUNTY IN THE PREVIOUS SCHOOL YEAR; MULTIPLIED BY

2. THE DIFFERENCE BETWEEN THE 3-YEAR MOVING AVERAGE FULL-TIME EQUIVALENT ENROLLMENT IN THE COUNTY AND THE FULL-TIME EQUIVALENT ENROLLMENT IN THE COUNTY IN THE PREVIOUS SCHOOL YEAR.

(IV) THE STATE SHALL DISTRIBUTE THE SUPPLEMENTAL GRANT AT THE SAME TIME THE STATE DISTRIBUTES FUNDS TO COUNTY BOARDS UNDER THIS SUBTITLE.

5-218.

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

(2) "ELIGIBLE CHILD" MEANS A CHILD:

(I) WHOSE PARENT OR GUARDIAN SEEKS TO ENROLL THE CHILD IN A PUBLIC PREKINDERGARTEN PROGRAM; AND

(II) WHO IS 4 YEARS OLD ON SEPTEMBER 1 OF THE SCHOOL YEAR IN WHICH THE PARENT OR LEGAL GUARDIAN SEEKS TO ENROLL THE CHILD IN A PUBLIC PREKINDERGARTEN PROGRAM.

(3) "ELIGIBLE COUNTY BOARD" MEANS A COUNTY BOARD THAT MAKES A FULL-DAY PUBLIC PREKINDERGARTEN PROGRAM AVAILABLE FOR ALL ELIGIBLE CHILDREN.

(4) "STATE SHARE OF THE PER PUPIL FOUNDATION AMOUNT" MEANS THE QUOTIENT OF THE STATE SHARE OF THE FOUNDATION PROGRAM FOR A COUNTY DIVIDED BY THE FULL-TIME EQUIVALENT ENROLLMENT OF THE COUNTY.

(B) FOR EACH OF FISCAL YEARS 2018 THROUGH 2020, THE STATE SHALL PROVIDE A SUPPLEMENTAL PREKINDERGARTEN GRANT TO AN ELIGIBLE COUNTY BOARD THAT EQUALS THE STATE SHARE OF THE PER PUPIL FOUNDATION AMOUNT MULTIPLIED BY THE NUMBER OF FULL-TIME EQUIVALENT ELIGIBLE CHILDREN ENROLLED IN A PUBLIC FULL-DAY PREKINDERGARTEN PROGRAM ON SEPTEMBER 30 OF THE PREVIOUS SCHOOL YEAR.

(C) THE STATE SHALL DISTRIBUTE THE SUPPLEMENTAL PREKINDERGARTEN GRANT AT THE SAME TIME THE STATE DISTRIBUTES FUNDS TO COUNTY BOARDS UNDER THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Governor provide funds in a supplemental budget appropriation or a deficiency appropriation to a county board of education for fiscal year 2018 in accordance with this Act. If funds are not provided in fiscal year 2018, the total grants owed to a county board in fiscal year 2019 shall be equal to the fiscal year 2019 amount calculated under this Act plus the fiscal year 2018 amount calculated under this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) In this section, “local contribution” means the Baltimore City appropriation to Baltimore City Public Schools and services provided by Baltimore City for the benefit of Baltimore City Public Schools.

(b) State funds provided to Baltimore City Public Schools under this Act may not be distributed until Baltimore City provides:

(1) in fiscal year 2018, a \$22,000,000 local contribution to the Baltimore City Public Schools above the local appropriation provided in fiscal year 2017; and

(2) in each of fiscal years 2019 and 2020, a \$20,000,000 local contribution to the Baltimore City Public Schools above the local appropriation provided in fiscal year 2017.

(c) (1) For fiscal year 2019, the maintenance of effort amount calculated under § 5–202 of the Education Article shall be based on the total per pupil appropriation for fiscal year 2018 including \$10,000,000 of the local contribution required under this section.

(2) The remaining local contributions required under this section may not be included in the calculation of the required maintenance of effort amount.”;

and in line 20, strike “3.” and substitute “4.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB0684/683321/1**

BY: Delegate M. Washington

AMENDMENT TO HOUSE BILL 684

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Shoemaker” and substitute “Shoemaker, and M. Washington”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

## ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 8

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

### House Bill 4 – Delegate Simonaire

AN ACT concerning

#### **Hunting and Fishing Licenses – Active Military, Former Prisoners of War, Recipients of the Purple Heart Award, and Disabled Veterans**

**HB0004/710416/1**

BY: Environment and Transportation Committee

### AMENDMENTS TO HOUSE BILL 4

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Simonaire” and substitute “Delegates Simonaire and Metzgar”; in line 3, strike “Recipients of the Purple Heart Award,”; strike beginning with “requiring” in line 11 down through “Award” in line 13 and substitute “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”; in line 17, strike “and (f)”; in the same line, strike “4–745(a), (c),” and substitute “4–745(c)”; and in the same line, strike “10–301(g),”.

#### AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 15 on page 2 through line 16 on page 3, inclusive.

#### AMENDMENT NO. 3

On pages 4 and 5, strike in their entirety the lines beginning with line 20 on page 4 through line 14 on page 5, inclusive.

#### AMENDMENT NO. 4

On pages 6 through 8, strike in their entirety the lines beginning with line 31 on page 6 through line 17 on page 8, inclusive.

AMENDMENT NO. 5

On page 8, in line 29, after “That” insert “, on or before December 31, 2019, the Department of Natural Resources shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on:

(1) the number and identity of any other states that have enacted legislation authorizing the issuance of a lifetime complimentary angler’s license, a recreational salt water sport fishing license, or a hunting license to a Maryland resident who certifies that the resident is a former prisoner of war or a 100% service connected disabled American veteran;

(2) the total number of complimentary angler’s licenses, recreational salt water sport fishing licenses, and hunting licenses issued to Maryland residents under the legislation; and

(3) the total number of complimentary angler’s licenses, Chesapeake Bay and coastal sport fishing licenses, and hunting licenses issued by the Department to out-of-state persons under this Act and § 10–303(a)(2)(ii) of the Natural Resources Article.

SECTION 3. AND BE IT FURTHER ENACTED, That”;

and in line 30, 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 5 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 7 – Delegate Holmes**

AN ACT concerning

**Environment – Children With Elevated Blood Lead Levels – Environmental Investigation**



**HB0007/800013/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 7

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Children With Elevated Blood Lead Levels” and substitute “Lead Hazards”; in line 3, after “Investigation” insert “, Reporting, and Risk Reduction”; in line 6, strike “the source of lead exposure for children” and substitute “lead hazards for certain children and pregnant women”; in line 7, after “levels;” insert “requiring the Department to include in a certain annual report certain results from certain environmental investigations; altering the conditions under which an owner of an affected property is required to comply with certain risk reduction standards under certain provisions of law relating to reducing lead risk in housing; providing for the construction of certain provisions of this Act;”; in lines 7 and 8, strike “children with elevated blood lead levels” and substitute “lead hazards”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Environment

Section 6–819(c)(1)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 20, strike “**THE SOURCE OF LEAD EXPOSURE**” and substitute “**LEAD HAZARDS**”; and in the same line, after “**CHILDREN**” insert “**UNDER THE AGE OF 6 AND PREGNANT WOMEN**”.

AMENDMENT NO. 3

On page 2, in line 1, after “**(B)**” insert “**(1)**”; in the same line, strike “**THE**” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**”; after line 5, insert:

**“(2) THIS SUBSECTION MAY NOT BE CONSTRUED AS REQUIRING THE DEPARTMENT TO ALTER ANY STANDARD ESTABLISHED BY THE DEPARTMENT BY REGULATION BEFORE JANUARY 1, 2017, FOR LEAD-BASED PAINT OR A LEAD-CONTAINING SUBSTANCE.**

(C) THE DEPARTMENT SHALL INCLUDE IN ITS ANNUAL REPORT ON STATEWIDE CHILDHOOD BLOOD LEAD TESTING THE RESULTS OF THE ENVIRONMENTAL INVESTIGATIONS CONDUCTED IN ACCORDANCE WITH THIS SECTION.

6-819.

(c) (1) After February 23, 1996, an owner of an affected property shall satisfy the modified risk reduction standard:

(i) Within 30 days after receipt of written notice that [a]:

1. A person at risk who resides in the property has an elevated blood lead level documented by a test for EBL greater than or equal to 15 µg/dl before February 24, 2006; or

2. A. A PERSON AT RISK WHO RESIDES IN THE PROPERTY HAS AN ELEVATED BLOOD LEAD LEVEL DOCUMENTED BY A TEST FOR EBL greater than or equal to 10 µg/dl on or after February 24, 2006; AND

B. AN ENVIRONMENTAL INVESTIGATION CONDUCTED IN ACCORDANCE WITH § 6-305 OF THIS TITLE DETERMINED THAT ONE OF THE LEAD HAZARDS FOR THE PERSON AT RISK INCLUDED A LEAD-BASED PAINT HAZARD IN THE PROPERTY; or

(ii) Within 30 days after receipt of written notice from the tenant, or from any other source, of:

1. A defect; and

2. The existence of a person at risk in the affected property.”.

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 68 – Delegate Carey

AN ACT concerning

#### Hunting and Fishing – Complimentary Licenses – Purple Heart Recipients

**HB0068/380018/1**

BY: Environment and Transportation Committee

#### AMENDMENTS TO HOUSE BILL 68

(First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Carey” and substitute “Delegates Carey and Metzgar”; in line 2, strike “Complimentary” and substitute “Discounted”; strike beginning with “authorizing” in line 3 down through “recipient” in line 6 and substitute “requiring the Department of Natural Resources to establish certain programs to provide discounted angler’s licenses and trout stamps, Chesapeake Bay and coastal sport fishing licenses, and hunting licenses and associated State-issued stamps and permits to State residents who are recipients”; in line 6, after “award;” insert “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 in line 7, strike “complimentary” and substitute “discounted”.

##### AMENDMENT NO. 2

On page 2, strike beginning with “MAY” in line 7 down through “RECIPIENT” in line 8 and substitute “SHALL ESTABLISH A PROGRAM TO PROVIDE DISCOUNTED ANGLER’S LICENSES AND TROUT STAMPS TO STATE RESIDENTS WHO ARE RECIPIENTS”; and strike beginning with “MAY” in line 33 down through “RECIPIENT” in line 35 and substitute “SHALL ESTABLISH A PROGRAM TO PROVIDE DISCOUNTED CHESAPEAKE BAY AND COASTAL SPORT FISHING LICENSES TO STATE RESIDENTS WHO ARE RECIPIENTS”.

##### AMENDMENT NO. 3

On page 3, strike beginning with “MAY” in line 21 down through “RECIPIENT” in line 23 and substitute “SHALL ESTABLISH A PROGRAM TO PROVIDE DISCOUNTED HUNTING LICENSES AND ANY ASSOCIATED STATE-ISSUED STAMPS OR PERMITS TO

STATE RESIDENTS WHO ARE RECIPIENTS”; in line 29, after “That” insert “, on or before December 31, 2019, the Department of Natural Resources shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the number of discounted angler’s licenses and trout stamps, Chesapeake Bay and coastal sport fishing licenses, and hunting licenses and associated State–issued stamps and permits issued to recipients of the Purple Heart award under this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That”;

and in line 30, 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 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 133 – Chair, Environment and Transportation Committee (By Request  
– Departmental – Environment)**

AN ACT concerning

**Environment – Reduction of Lead Risk in Housing – Notification of Elevated  
Blood Lead Level**

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 163 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Mobile Home Parks – 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 211 – Delegates Robinson, Atterbeary, Barkley, Carr, Fraser–Hidalgo, Frush, Gutierrez, Korman, Kramer, A. Miller, Morhaim, Patterson, Platt, Sanchez, Tarlau, Turner, Waldstreicher, and K. Young**

AN ACT concerning

**Cownose Ray Fishing Contests – Prohibition**

**HB0211/140619/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 211

(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 K. Young” and substitute “K. Young, and Lisanti”; in line 2, strike “Fishing Contests – Prohibition” and substitute “Fishery Management Plan and Moratorium on Contests”; strike beginning with “prohibiting” in line 3 down through “contests” in line 6 and substitute “requiring the Department of Natural Resources to prepare a certain fishery management plan for the cownose ray species; requiring the Department to prepare a certain fishery management plan for the cownose ray species on or before a certain date, subject to available funding; prohibiting a person from sponsoring, conducting, or participating in a certain cownose ray fishing contest in State waters until a certain date; establishing certain penalties for certain violations; making this Act an emergency measure; and generally relating to the cownose ray fishery”; after line 6, insert:

“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)”;

and in line 9, strike “4–748” and substitute “4–215(b)(25)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 4 on page 2, inclusive, and substitute:

“4–215.

(b) The Department shall prepare fishery management plans for the following species:

(23) Hard shell clams; [and]

(24) Catfish; AND

**(25) COWNOSE RAY.**

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2018, subject to funding made available to the Department of Natural Resources to implement Section 1 of this Act, the Department shall prepare the cownose ray fishery management plan required by § 4–215(b)(25) of the Natural Resources Article, as enacted by Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) In this section, “cownose ray fishing contest” means any competition, tournament, or derby with the objective of catching or killing cownose rays for:

(1) prizes or other inducements; or

(2) entertainment purposes.

(b) Until July 1, 2019, a person may not sponsor, conduct, or participate in a cownose ray fishing contest in State waters.

(c) A person who violates subsection (b) of this section is guilty of a misdemeanor, and on conviction is subject to the penalties provided in § 4–1201(a) and (b) of the Natural Resources Article.”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 5 and 6, and substitute:

“SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a 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 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 381 – Delegates McCray, Beidle, Carr, Cassilly, Fraser–Hidalgo, Frick, Frush, Gilchrist, Glenn, Hayes, Healey, Hill, Holmes, Hornberger, Jackson, Jalisi, Knotts, Lafferty, Robinson, Rose, Stein, Tarlau, Turner, P. Young, and Lewis**

AN ACT concerning

**Railroad Company – Movement of Freight – Required Crew**

Favorable report adopted.

Delegate Kipke moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 595 – Delegates McMillan, Beidle, Cassilly, Folden, Holmes, Jalisi, and McComas**

AN ACT concerning

**Mortgages and Deeds of Trust – Certification Requirement for Recordation – Repeal**

**HB0595/960819/4**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 595

(First Reading File Bill)

AMENDMENT NO. 1

Strike beginning with “Certification” in line 2 down through “Repeal” in line 3 and substitute “Prerequisites to Recording”; in line 5, strike “attorney”; in the same line, strike “or a certification”; in line 6, strike “party” and substitute “person”; in the same line, after “recorded;” insert “providing that a deed other than a mortgage, deed of trust, or an assignment or release of a mortgage or deed of trust may not be recorded unless the instrument bears certain certification of preparation; providing that a mortgage, deed of trust, or an assignment or release of a mortgage or deed prepared by any attorney or one of the parties named in the instrument may be recorded without certain certification;”; in the same line, after “change;” insert “defining a certain term;”; and after line 7, insert:

“BY repealing and reenacting, without amendments,

Article – Real Property

Section 1–101(a), (c), (d), (e), (h), and (i)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

After line 15, insert:

“1–101.

(a) In this article the following words have the meanings indicated unless otherwise apparent from context.

(c) “Deed” includes any deed, grant, mortgage, deed of trust, lease, assignment, and release, pertaining to land or property or any interest therein or appurtenant thereto, including an interest in rents and profits from rents.

(d) “Deed of trust” means only a deed of trust which secures a debt or the performance of an obligation, and does not include a voluntary grant unrelated to security purposes.

(e) “Grant” includes conveyance, assignment, and transfer.

(h) “Lease” means any oral or written agreement, express or implied, creating a landlord and tenant relationship, including any “sublease” and any further sublease.



(i) “Mortgage” means any mortgage, including a deed in the nature of mortgage.”;

in line 17, after “(1)” insert “(I) IN THIS PARAGRAPH, “UNDER THE ATTORNEY’S SUPERVISION” INCLUDES REVIEW OF AN INSTRUMENT BY THE CERTIFYING ATTORNEY.

(II)”;

in the same line, strike beginning with “No” through “may” and substitute “A DEED OTHER THAN A MORTGAGE, DEED OF TRUST, OR AN ASSIGNMENT OR RELEASE OF A MORTGAGE OR DEED OF TRUST MAY NOT”; in the same line, after “bears” insert “:

1.”;

in line 18, strike the first “the” and substitute “THE”; in the same line, after the second bracket insert “ADMITTED TO THE BAR OF THIS STATE”; in the same line, strike the second “an” and substitute “THE”; in line 19, strike “an” and substitute “THE”; in the same line, strike “, or a” and substitute “; OR

2. A”;

in the same line, after “certification” insert “BY A PARTY NAMED IN THE INSTRUMENT”; in line 20, strike “one of the parties named in the instrument” and substitute “THAT PARTY”; and after line 20, insert:

“(III) A MORTGAGE, DEED OF TRUST, OR AN ASSIGNMENT OR RELEASE OF A MORTGAGE OR DEED OF TRUST PREPARED BY ANY ATTORNEY OR ONE OF THE PARTIES NAMED IN THE INSTRUMENT MAY BE RECORDED WITHOUT THE CERTIFICATION REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 617 – Delegates Healey, B. Barnes, Carr, Fraser-Hidalgo, Frush, Gilchrist, Lafferty, and Robinson**

AN ACT concerning

**Natural Resources – Forest Conservation Act – Forest Conservation Thresholds and Reforestation Requirements**

**HB0617/330914/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 617**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 3, after “and” insert “Afforestation and”; in line 5, after “and” insert “afforestation and”; and in line 7, after the second “and” insert “afforestation and”.

**AMENDMENT NO. 2**

On page 3, in lines 21 and 24, in each instance, after “AND” insert “AFFORESTATION AND”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 655 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Hunting – Nongame Birds and Mammals**

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 789 – Delegate Cullison**

AN ACT concerning

**Condominiums and Homeowners Associations – Amendment of Governing Documents**

**HB0789/520917/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 789

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “circumstances;” insert “providing for the application of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 3, in line 22, after “(b)” insert “**THIS SECTION DOES NOT APPLY TO A HOMEOWNERS ASSOCIATION THAT ISSUES BONDS OR OTHER LONG-TERM DEBT SECURED IN WHOLE OR IN PART BY ANNUAL CHARGES ASSESSED IN ACCORDANCE WITH A DECLARATION, OR TO A VILLAGE COMMUNITY ASSOCIATION AFFILIATED WITH THE HOMEOWNERS ASSOCIATION.**”

(c)”.

AMENDMENT NO. 3

On page 2, strike beginning with the colon in line 33 down through “**MORE**” in line 34 and substitute “**MORE**”; and in line 35, strike “**; OR**” and substitute a period.

On page 3, strike in their entirety lines 1 through 3, inclusive; strike beginning with the colon in line 16 down through “**MORE**” in line 17 and substitute “**MORE**”; in line 18, strike “**; OR**” and substitute a period; and strike in their entirety lines 19 through 21, inclusive.

AMENDMENT NO. 4

On page 3, in lines 6 and 25, in each instance, strike “**55%**” and substitute “**60%**”.

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 with amendments:

**House Bill 1156 – Delegate Stein**

AN ACT concerning

**Residential Property – Foreclosed Property Registry – Notice of Registration**

**HB1156/420514/3**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1156

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through “circumstances,” in line 10.

AMENDMENT NO. 2

On page 2, in line 22, strike “CONDOMINIUM, THE” and substitute “CONDOMINIUM:”

A.    THE”;

in line 23, strike “CONDOMINIUM AND THE” and substitute “CONDOMINIUM; AND”

B.    THE”;

strike beginning with “EXCEPT” in line 27 down through “AFTER” in line 28 and substitute “AFTER”.

On page 3, strike in their entirety lines 10 through 16, inclusive.

AMENDMENT NO. 3

On page 3, in line 7, after “CONDOMINIUM” insert “, OR BY E-MAIL TO THE ADDRESS AUTHORIZED BY THE HOMEOWNERS ASSOCIATION OR CONDOMINIUM COUNCIL OF UNIT OWNERS”.

AMENDMENT NO. 4

On page 3, strike beginning with the colon in line 4 down through “**SHALL**” in line 5 and substitute “**SHALL**”; strike beginning with the semicolon in line 7 down through the first “**THE**” in line 8 and substitute “.

**3. THE NOTICE REQUIRED UNDER THIS SUBPARAGRAPH SHALL INCLUDE:**

**A. THE**”;

and in line 9, after “REGISTRATION” insert “**; AND**

**B. THE NAME AND ADDRESS OF THE FORECLOSURE PURCHASER**”.

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 1200 – Delegate Mautz**

**EMERGENCY BILL**

**AN ACT concerning**

**Aquaculture – Leases – Submerged Aquatic Vegetation**

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 1203 – Delegates Mautz and Adams**

AN ACT concerning

**Talbot County – Deer Management Permit – Use of Rifles**

Favorable report adopted.

Delegate Ghrist moved to make the Bill a Special Order for Thursday.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**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**

**HB1492/570112/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1492

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “authorizing the Department of Housing and Community Development to meet certain funding obligations under the Business Development Program by using certain financial assistance under certain circumstances;”; strike beginning with “of” in line 4 down through “Development” in line 5; in line 7, after “loans” insert “under certain circumstances”; in line 11, strike “6–307” and substitute “6–305(e), 6–307.”; after line 18, insert “Preamble”; and in line 24, strike “be it”.

On page 3, in line 21, after the semicolon insert “AND”; in line 22, strike “**IN CARRYING OUT THIS ITEM,**”; in line 23, after “**ADMINISTER**” insert “THE”; and in the same line, after “**LOANS**” insert “AUTHORIZED UNDER ITEM (I) OF THIS PARAGRAPH”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“6–305.

(e) (1) The Department shall reserve at least the lesser of \$5,000,000 or the annual capital appropriation for the Fund to make financial assistance available to projects located in sustainable communities.

(2) THE DEPARTMENT MAY MEET THE FUNDING OBLIGATIONS FOR SUSTAINABLE COMMUNITIES AND FOOD DESERTS BY USING ANY FINANCIAL ASSISTANCE AVAILABLE TO THE DEPARTMENT THAT IS AUTHORIZED TO BE USED FOR THESE PROJECTS.”.

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. 9**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

##### **House Bill 108 – St. Mary’s County Delegation**

AN ACT concerning

##### **St. Mary’s County – Regulation of Animals – Dogs**

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 109 – St. Mary’s County Delegation**

AN ACT concerning

##### **St. Mary’s County – Farm Fences – 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 205 – Delegate Dumais**

AN ACT concerning

**Drivers’ Licenses – Learners’ Permits – Minimum Duration**

**HB0205/160213/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 205

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, strike “**19**” and substitute “**21**”; and strike beginning with “**18**” in line 30 down through “**19**” in line 31 and substitute “**AT LEAST 21**”.

AMENDMENT NO. 2

On page 3, in line 12, strike “**30**” and substitute “**60**”; and in the same line, strike “**5**” and substitute “**10**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 209 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Vocational Training Facility – 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 290 – Delegates Grammer, Anderton, Aumann, Beidle, Bromwell, Brooks, Buckel, Cassilly, Clark, Cluster, Ebersole, Folden, Fraser-Hidalgo, Gaines, Hettleman, Hill, Holmes, Impallaria, Jacobs, Jones, Knotts, Lafferty, Lam, Long, McComas, McDonough, Metzgar, Miele, Morgan, Morhaim, Otto, Robinson, Stein, Sydnor, Szeliga, West, Wivell, and P. Young**

AN ACT concerning

**Maryland Transportation Authority – Vehicles Not Using Bridge – Toll Prohibition**

**HB0290/670815/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 290

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Vehicles” in line 2 down through “Prohibition” in line 3 and substitute “Third Generation–Electronic Toll Collection System”; strike beginning with “prohibiting” in line 4 down through “bridges” in line 10 and substitute “requiring the Maryland Transportation Authority, on or before a certain date each year, to submit a certain report to the Governor and certain committees of the General Assembly on certain matters related to the Third Generation–Electronic Toll Collection System, including information related to efforts to review and analyze the location of certain toll plazas for certain purposes; providing for the termination of this Act; and generally relating to the Third Generation–Electronic Toll Collection System”; in line 13, strike “and 4–312(a)(2)”; and strike in their entirety lines 16 through 20, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 15 on page 2 through line 14 on page 3, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31 each year, the Maryland Transportation Authority shall issue a report to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Environment and Transportation Committee on the

procurement and implementation of the Third Generation–Electronic Toll Collection System that includes for each component of the System:

(1) a summary of key issues being addressed in the procurement and implementation of the System, including:

(i) efforts to review and analyze the location of a toll plaza adjacent to a bridge that is a transportation facilities project to ensure that the Authority is appropriately charging a toll for vehicles that traverse the transportation facilities project; and

(ii) a projected time frame for:

1. Board of Public Works approval of contracts for the System; and

2. implementation of the System;

(2) if a contract has been approved by the Board of Public Works:

(i) a summary of the key contract terms, including duration and cost;

(ii) the selected vendors and their qualifications;

(iii) a description of the factors that made a selected vendor the best–value selection;

(iv) major changes made with respect to the previous tolling system contract, including new payment options for tolls; and

(v) a description of the performance measures included in the contract and the actions that may be taken if the performance measures are not met; and

(3) if a component of the System has been implemented, the impact on:

(i) the tolling operations of and customer service provided by the Authority; and

(ii) the possibility of implementing all–electronic tolling or changes to toll rates.”.

AMENDMENT NO. 3

On page 3, in line 15, strike “2.” and substitute “3.”; and in line 16, after the period insert “It shall remain effective for a period 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 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 404 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Land Records – 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 492 – Delegates Carr, Anderton, Cullison, Dumais, Flanagan, Fraser–Hidalgo, Gutierrez, Healey, McCray, and Stein**

AN ACT concerning

**Vehicle Laws – Certificate of Title – Transfer–on–Death Beneficiary Designation**

**HB0492/420614/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 492

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 6, in each instance, strike “beneficiaries” and substitute “a beneficiary”; in line 6, strike “certain information on” and substitute “a certain notation indicating”; in lines 7 and 8, strike “apply for a certificate of title designating” and substitute “designate”; in lines 8, 9, 10, 14, 17, 18, and 24, in each instance, strike “or beneficiaries”; in lines 12 and 13, strike “on the motor vehicle’s certificate of title”; in line 14, strike “on a certificate of title”; in line 15, strike “or” and substitute “and the certificate of title for which the designation is made is not”; in line 16, after “beneficiary” insert “for the designation”; strike beginning with “providing” in line 18 down through “owner;” in line 19; and strike beginning with “no” in line 22 down through “beneficiaries” in line 23 and substitute “a designated beneficiary does not”.

AMENDMENT NO. 2

On page 3, in line 17, strike “**EACH**” and substitute “**THE**”.

On page 4, in line 10, strike “**THE NAME AND ADDRESS OF ANY**” and substitute “**A NOTATION INDICATING A**”; strike beginning with “**OR**” in line 10 down through “**BENEFICIARIES**” in line 11; in lines 15 and 16, and in lines 26 and 27, in each instance, strike “**ON THE MOTOR VEHICLE’S CERTIFICATE OF TITLE**”; in lines 16, 18, 22, 26, 28, and 30, in each instance, strike “**OR BENEFICIARIES**”; strike beginning with “**OR**” in line 20 down through “**BENEFICIARIES**” in line 21; in lines 22 and 23, strike “**ON A CERTIFICATE OF TITLE OF**” and substitute “**FOR**”; in lines 28 and 29, strike “**FOR AN UPDATED CERTIFICATE OF TITLE**”; and in lines 30 and 31, strike “**ON THE CERTIFICATE OF TITLE OF A MOTOR VEHICLE**”.

On page 5, in line 1, strike “**ON**” and substitute “**OF THE MOTOR VEHICLE FOR**”; strike beginning with “**OR**” in line 2 down through “**BENEFICIARIES**” in line 3; in line 4, strike “**(1)**”; in lines 5, 10, 14, and 16, in each instance, strike “**OR BENEFICIARIES**”; strike beginning with “**OR**” in line 6 down through “**OWNER**” in line 7 and substitute “**IF THE BENEFICIARY SURVIVES THE OWNER**”; strike in their entirety lines 8 and 9; in line 10, strike “**SURVIVE**” and substitute “**SURVIVES**”; strike beginning with “**OR**” in line 18 down through “**BENEFICIARIES**” in line 19; and in line 21, strike “**NO BENEFICIARY SURVIVES**” and substitute “**A DESIGNATED BENEFICIARY DOES NOT SURVIVE**”.

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 679 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Metropolitan Commission – Personnel**

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 682 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Sheriff, County Treasurer, and State’s Attorney – Salaries**

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 889 – Delegate Stein**

AN ACT concerning

**Vehicle Laws – HOV Lanes – Tow Trucks**

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 924 – Delegates Gilchrist, Barve, Carr, Frush, Lafferty, Robinson, and Stein**

AN ACT concerning

**Natural Resources – Oyster Management – Prohibited Actions**

**HB0924/960118/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 924

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stein” and substitute “Stein, Beidle, Fraser–Hidalgo, Healey, Holmes, and McCray”; and in line 4, after “plan;” insert “providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 2, in line 25, strike “**THE**” and substitute “**(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**”; and after line 30, insert:

**“(II) THIS PARAGRAPH MAY NOT BE CONSTRUED TO PREVENT THE DEPARTMENT FROM:**

**1. SELECTING THE FINAL TWO TRIBUTARIES FOR TRIBUTARY–SCALE OYSTER RESTORATION SANCTUARY PROJECTS IN ACCORDANCE WITH THE 2014 CHESAPEAKE BAY AGREEMENT; OR**

**2. ESTABLISHING, IN THE DISCRETION OF THE DEPARTMENT, ANY DIMENSIONS FOR A TRIBUTARY–SCALE OYSTER RESTORATION SANCTUARY PROJECT.”**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Rey moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 951 – Delegate Lisanti**

AN ACT concerning

**State Highway Administration – Alfred B. Hilton Memorial Highway –  
Dedication**

**HB0951/850514/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 951

(First Reading File Bill)

AMENDMENT NO. 1

In the sponsor line, strike “Delegate Lisanti” and substitute “Delegates Lisanti, McComas, and Glass”; in line 2, strike the second “Highway” and substitute “Bridge”; in lines 4 and 5, strike “portion of Maryland Route 462” and substitute “bridge”; in line 5, strike “between” and substitute “at the intersection of”; in the same line, strike “155” and substitute “22”; and in line 6, strike “Highway” and substitute “Bridge”.

AMENDMENT NO. 2

In lines 16 and 17, strike “**PORTION OF MARYLAND ROUTE 462**” and substitute “**BRIDGE**”; in line 17, strike “**BETWEEN**” and substitute “**AT THE INTERSECTION OF**”; in the same line, strike “**155**” and substitute “**22**”; and in line 18, strike “**HIGHWAY**” and substitute “**BRIDGE**”.

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 952 – Delegates Healey, Anderton, Frush, and Jalisi**

AN ACT concerning

**Vehicle Law – Waste and Recycling Collection Vehicles – Use of Yellow and Amber Lights**

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 997 – Delegates Fraser–Hidalgo and Kramer**

AN ACT concerning

**Vehicle Laws – Bicycles, Play Vehicles, and Unicycles – Operation on Sidewalks and in Crosswalks**

**HB0997/320212/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 997

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after the semicolon insert “altering a certain definition,”; in line 14, strike “(m),”; and in line 19, after “Section” insert “21–101(m) and”.

AMENDMENT NO. 2

On page 2, in line 12, strike “three” and substitute “MORE”; in line 13, strike “and”; and in line 14, after “article” insert “; AND

**(4) IS NOT A WHEELCHAIR”.**

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 1150 – Delegates McMillan and Folden**



AN ACT concerning

**Vehicle Laws – Off-Highway Recreational Vehicles**

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 1301 – Delegates Frush, Chang, Gutierrez, and Tarlau**

AN ACT concerning

**Vehicle Laws – School Crossing Guards – Authority to Direct Traffic**

**HB1301/720810/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 1301

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Tarlau” and substitute “Tarlau, and Healey”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 6**

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

**House Bill 169 – Delegates Korman and Buckel**

AN ACT concerning

**State Board of Elections – Open Meetings – Video Streaming and Recording  
(State Board of Elections Transparency Act)**

**HB0169/826383/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 169

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Buckel” and substitute “. Buckel, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Platt, Rosenberg, Saab, Szeliga, West, and K. Young”; in line 2, strike “Video Streaming and Recording” and substitute “Audio Recordings and Documents”; in line 4, after the first “to” insert “create an audio recording of each of its open meetings and, within a certain amount of time after an open meeting,”; and strike beginning with “Internet” in line 5 down through “time” in line 7 and substitute “State Board’s Web site the audio recording and certain documents and handouts; requiring the State Board to take any action necessary to ensure an audio recording of an open meeting is understandable by the public”.

AMENDMENT NO. 2

On page 1, strike beginning with “and” in line 20 down through “Works,” in line 25.

AMENDMENT NO. 3

On page 3, strike beginning with “MAKE” in line 8 down through “INTERNET” in line 9; in line 10, strike “LIVE VIDEO STREAMING” and substitute “CREATE AN AUDIO RECORDING”; in line 11, strike “AND”; after line 11, insert:

**“(2) WITHIN 1 BUSINESS DAY AFTER AN OPEN MEETING, MAKE AVAILABLE TO THE PUBLIC ON THE STATE BOARD’S WEB SITE:**

**(I) THE AUDIO RECORDING OF THE MEETING; AND**

**(II) EACH DOCUMENT AND HANDOUT USED OR SUBMITTED AT THE MEETING, INCLUDING ANY MATERIAL SUBMITTED BY THE PUBLIC; AND**

**(3) TAKE ANY ACTION NECESSARY TO ENSURE THAT AN AUDIO RECORDING OF AN OPEN MEETING IS UNDERSTANDABLE BY THE PUBLIC.”;**

and strike lines 12 and 13 in their entirety.

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:

**House Bill 319 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Office of Supplier Diversity and Inclusion and Minority Business Enterprise Program**

**MC/PG 106–17**

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 352 – Delegates Reznik, Dumais, C. Howard, and Krebs**

AN ACT concerning

**Health Care Practitioners – Use of Teletherapy**

**HB0352/876084/1**

BY: Health and Government Operations Committee

**AMENDMENTS TO HOUSE BILL 352**  
**(First Reading File Bill)**

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike “and Krebs” and substitute “Krebs, Jackson, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”; strike beginning with “establishing” in line 4 down through

“requirements;” in line 13; in line 14, after “terms;” insert “providing for a delayed effective date;”; and in line 18, strike “1-905” and substitute “1-903”.

#### AMENDMENT NO. 2

On page 2, in line 4, strike “CLINICAL”; in line 6, after “LICENSED” insert “IN THE STATE”; and in line 13, after “MEANS” insert “TELEMEDICINE, AS DEFINED IN § 15-139 OF THE INSURANCE ARTICLE, USED TO DELIVER CLINICAL BEHAVIORAL HEALTH SERVICES.”.

On pages 2 and 3, strike beginning with “THE” in line 13 on page 2 down through “SERVICE.” in line 3 on page 3.

On page 3, strike beginning with “THE” in line 6 down through “(2)” in line 8; strike beginning with “THE” in line 8 down through “AND” in line 9; and in line 10, after “SUBTITLE” insert “; AND”

#### (2) THE HEALTH CARE PRACTITIONER:

(I) ESTABLISHES A PATIENT-PRACTITIONER RELATIONSHIP WITH THE PATIENT FOR WHOM TELETHERAPY IS BEING USED;

(II) PROVIDES FOR THE PRIVACY OF COMMUNICATIONS MADE THROUGH TELETHERAPY; AND

(III) ADDRESSES, TO THE EXTENT PRACTICABLE, THE NEED TO MAINTAIN THE SAFETY AND WELL-BEING OF PATIENTS FOR WHOM TELETHERAPY IS BEING USED”.

On pages 3 through 5, strike in their entirety the lines beginning with line 11 on page 3 through line 2 on page 5, inclusive.

On page 5, in line 3, strike “1-905.” and substitute “1-903.”; in line 5, after the second “SUBTITLE” insert “THAT, TO THE EXTENT PRACTICABLE, ARE UNIFORM AND NONCLINICAL”; and in line 9, after “regulations” insert “that, to the extent practicable, are uniform and nonclinical”.

#### AMENDMENT NO. 3

On page 5, in line 12, after “That” insert “Section 1 of”; in line 13, strike “2017” and substitute “2018”; and after line 13, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect October 1, 2017.”.

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:

**House Bill 355 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Discrimination – Prohibited**

**MC/PG 102-17**

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 390 – The Speaker (By Request – Administration) and Delegates Cassilly, Kipke, McConkey, and West**

AN ACT concerning

**Improving the State Procurement Oversight Structure**

**HB0390/226988/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 390  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and West” and substitute “West, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young”; strike beginning with “renaming” in line 3 down through “Advisor;” in line 5; strike beginning with “requiring” in line 14 down through “date;” in line 16 and substitute “requiring the Department of Transportation, in consultation with a certain association, to study a certain issue and report to certain committees of the General Assembly on or before a certain date;”; strike lines 18 through 22, inclusive; and after line 27, insert:

“BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 13–221 and 15–218

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

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

On page 7, strike in their entirety lines 14 through 20, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 1, 2017, the Department of Transportation, in consultation with the Maryland–Delaware–District of Columbia Press Association, shall:

(1) study the use and cost for placing public announcements of solicitations of interest for transportation architectural and engineering services in the Daily Record and other print publications and whether to amend the Code of Maryland Regulations 21.12.02.10A; and

(2) report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the findings of the study conducted under item (1) of this section.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 493 – Delegates Kramer, Aumann, Barkley, Carey, Chang, Fennell, Fraser–Hidalgo, Frush, Krimm, Morales, Stein, and Valderrama**

AN ACT concerning

**Long–Term Care Insurance – Premium Rates**

**HB0493/486886/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 493

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Valderrama” and substitute “Valderrama, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morgan, Pena–Melnik, Pendergrass, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”; strike beginning with “establish” in line 3 down through “post” in line 4 and substitute “provide information”; in line 4, strike “site,” and substitute “site describing certain factors and a certain process relating to premium rates for policies or contracts of long–term care insurance”; strike beginning with “certain” in line 4 down through “circumstances” in line 8; strike beginning with “authorizing” in line 19 down through “insurance;” in line 27; and in line 28, after “intervals” insert “and with a certain exception”.

On page 2, strike beginning with “each” in line 2 down through “site” in line 3; strike beginning with “maintain” in line 7 down through “inspection” in line 9 and substitute “provide a certain statement to each applicant for long–term care insurance”; strike beginning with “authorizing” in line 9 down through “circumstances” in line 11 and substitute “requiring the Administration to make a certain assessment and a certain determination relating to nonforfeiture benefits and to report on its assessment and determination to certain legislative committees on or before a certain date”; and in line 17, strike “and 18–116.1”.

AMENDMENT NO. 2

On page 2, in line 28, strike “A HEALTH MAINTENANCE ORGANIZATION,”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 1 through 14, inclusive, and substitute:

“THE COMMISSIONER SHALL PROVIDE INFORMATION ON THE ADMINISTRATION’S WEB SITE DESCRIBING:

(1) THE FACTORS THAT CARRIERS USE TO DETERMINE PREMIUM RATES FOR POLICIES OR CONTRACTS OF LONG-TERM CARE INSURANCE; AND

(2) THE PROCESS AND FACTORS THAT THE ADMINISTRATION USES IN REVIEWING AND APPROVING PREMIUM RATES FOR POLICIES OR CONTRACTS OF LONG-TERM CARE INSURANCE.”.

AMENDMENT NO. 4

On page 3, in line 28, strike “STATISTICAL” and substitute “ACTUARIAL”.

On page 4, strike in their entirety lines 22 through 33, inclusive.

On page 5, strike in their entirety lines 1 through 15, inclusive; in lines 16, 19, and 22, strike “(F)”, “(G)”, and “(H)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 16, strike “AT” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AT”; and after line 18, insert:

“(2) A PUBLIC HEARING IS NOT REQUIRED IF THE COMMISSIONER HAS NOT RECEIVED A LONG-TERM CARE INSURANCE RATE FILING DURING THE PRECEDING 3-MONTH PERIOD.”.

AMENDMENT NO. 5

On pages 5 and 6, strike in their entirety the lines beginning with line 26 on page 5 through line 12 on page 6, inclusive, and substitute:

“(A) A CARRIER SHALL PROVIDE A ONE-TIME WRITTEN NOTICE TO ITS INSURED THAT AN INSURED MAY ACCESS INFORMATION ABOUT PROPOSED RATE INCREASES ON THE ADMINISTRATION’S WEB SITE.



**(B) (1) FOR A POLICY OR CONTRACT ISSUED OR DELIVERED ON OR AFTER JANUARY 1, 2018, THE ONE-TIME WRITTEN NOTICE SHALL BE PROVIDED AT THE TIME THE POLICY OR CONTRACT IS ISSUED OR DELIVERED.**

**(2) FOR A POLICY OR CONTRACT ISSUED OR DELIVERED BEFORE JANUARY 1, 2018, THE ONE-TIME WRITTEN NOTICE SHALL BE PROVIDED NO LATER THAN THE NEXT POLICY OR CONTRACT ANNIVERSARY DATE AFTER JANUARY 1, 2018.”.**

**AMENDMENT NO. 6**

On page 6, in line 14, strike “(1)”; in lines 16, 25, and 26, strike “(I)”, “(III)”, and “(II)”, respectively, and substitute “(1)”, “(3)”, and “(2)”, respectively; strike in their entirety lines 21 through 24, inclusive, and substitute:

**“(2) PROVIDE A DISCLOSURE STATEMENT, APPROVED BY THE COMMISSIONER, TO EACH APPLICANT FOR LONG-TERM CARE INSURANCE ABOUT THE QUALIFIED STATE LONG-TERM CARE INSURANCE PARTNERSHIP; AND”;**

in line 25, strike “STATEMENTS” and substitute “STATEMENT”; and strike in their entirety lines 28 through 31, inclusive.

**AMENDMENT NO. 7**

On page 7, strike in their entirety lines 1 through 9, inclusive, and substitute:

**“SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance Administration shall:**

**(1) assess the impact on long-term care insurance policyholders and carriers of the existing regulation requiring carriers to offer a nonforfeiture benefit;**

**(2) based on its assessment and any other relevant factors, determine whether expanding the nonforfeiture benefit requirement may be desirable; and**

**(3) on or before January 1, 2018, report, in accordance with § 2-1246 of the State Government Article, on its assessment and determination to the Senate Finance Committee and the House Health and Government Operations Committee.”;**

in lines 10 and 15, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively; and in line 12, strike “renewed” and substitute “in effect”.

The preceding 7 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 629 – Cecil County Delegation**

AN ACT concerning

#### **Cecil County – Orphans’ Court Judges – Travel Expense Allowance**

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 740 – Delegates Angel, Carr, Kipke, Morgan, Oaks, and Wilkins**

AN ACT concerning

#### **President Jimmy Carter Cancer Treatment Access Act**

**HB0740/856783/1**

BY: Health and Government Operations Committee

#### AMENDMENT TO HOUSE BILL 740

(First Reading File Bill)

On page 3, in line 20, strike “BEST PRACTICES” and substitute “THE U.S. FOOD AND DRUG ADMINISTRATION-APPROVED INDICATION OR THE NATIONAL COMPREHENSIVE CANCER NETWORK DRUGS & BIOLOGICS COMPENDIUM INDICATION”.

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 846 – Delegate Bromwell**

AN ACT concerning

**Pricing and Selection Committee for Blind Industries and Services of Maryland  
and the Employment Works Program – Staff**

**HB0846/906284/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 846

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “the Department of General Services” and substitute “Blind Industries and Services of Maryland”; and in line 6, after “Program;” insert “establishing certain requirements for certain staff.”

AMENDMENT NO. 2

On page 2, in line 10, strike “**THE DEPARTMENT OF GENERAL SERVICES**” and substitute “**(1) BLIND INDUSTRIES AND SERVICES OF MARYLAND**”; and after line 11, insert:

**“(2) THE STAFF PROVIDED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL:**

**(I) BE A BLIND OR A VISUALLY IMPAIRED ASSOCIATE OF BLIND INDUSTRIES AND SERVICES OF MARYLAND; AND**

**(II) COMPLETE WORK RELATED TO THE DUTIES OF THE COMMITTEE REGARDING BLIND INDUSTRIES AND SERVICES OF MARYLAND UNDER THE SUPERVISION AND DIRECTION OF THE COMMITTEE.”.**

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 857 – Delegates Angel, Cullison, Knotts, Miele, Morales, and Saab**

AN ACT concerning

**Maryland Mental Health Law – Small Private Group Home – Definition**

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 1021 – Delegate Reznik**

AN ACT concerning

**Reorganization of State Procurement**

**HB1021/356588/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1021

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line strike “Delegate Reznik” and substitute “Delegates Reznik, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnyk, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”; in line 4, strike “all”; in line 5, strike “repealing” and substitute “altering”; strike beginning with “requiring” in line 6 down through “transferring” in line 15 and substitute “altering”; strike beginning with “to” in line 15 down through “law,” in line 17 and substitute “and requiring a certain report to include a summary of certain procurement activity; renaming the Procurement Advisory Council, altering the membership of the Council, altering the duties of the Council, requiring the”

Council to advise the General Assembly on certain legislation, and providing that the Chief Procurement Officer is the Chair and principal staff of the Council; transferring the authority of certain primary procurement units to the Department of General Services; authorizing the Department of General Services to"; strike beginning with "advise" in line 19 down through "Marketplace," in line 20 and substitute "compile certain statistics, effect and enhance communication on certain procurement matters, assist units with certain questions, oversee certain training and implementation of certain risk analysis and insurance requirements, and"; strike beginning with the comma in line 22 down through "activity" in line 24; in lines 24 and 25, strike "the Chief Procurement Officer" and substitute "a unit"; in line 25, after "Administration" insert "and the Chief Procurement Officer"; in line 26, after "contract;" insert "providing that eMaryland Market Place is jointly managed by the Department of General Services and the Department of Information Technology;"; in line 28, strike "as approved" and substitute "subject to approval"; in the same line, after "Board;" insert "establishing a certain fund in the Department of General Services; providing that certain fees for the use of electronic means to conduct procurement be determined in consultation with the Chief Procurement Officer; requiring that certain fees be deposited in a certain fund;"; and strike beginning with "requiring" in line 28 down through "is" in line 31.

On page 2, strike beginning with "made" in line 1 down through "units;" in line 23; in line 23, after "repealing" insert "an"; in the same line, strike "provisions" and substitute "provision"; in line 26, strike "the General Counsel to the Board and"; in line 27, strike "Governor" and substitute "Board"; strike beginning with "requiring" in line 32 down through "duties;" in line 37 and substitute "requiring the Department of General Services, in consultation with the Department of Budget and Management, the Department of Information Technology, the Department of Public Safety and Correctional Services, the Department of Transportation, and the Maryland Port Commission to report a certain administrative work plan to the Governor, the Board, and the General Assembly; establishing certain conditions for transferring certain staff;"; in line 43, strike "4-801(g), 4-804,"; in the same line, after "12-101" insert "(b)(7)"; in the same line, after "12-102" insert "(a)(2)"; in the same line, after "12-105," insert "12-107,"; in line 44, strike "13-109, 13-110,"; in the same line, after "13-111" insert "(g)"; in the same line, strike "13-204, 13-217, 13-218, 13-225," and substitute "and"; in the same line, strike "13-226," and substitute "13-226 (c)"; and in line 45, strike "15-111, 15-216, and 15-217".

On page 3, in line 4, strike "12-107 and 12-108" and substitute "12-101(b)(6)".

#### AMENDMENT NO. 2

On page 3, strike in their entirety lines 10 through 19, inclusive.

On page 4, strike beginning with “THE” in line 8 down through “ARTICLE” in line 9 and substitute “AN OFFICIAL OF THE DEPARTMENT OF GENERAL SERVICES WHO:”

(1) EXCEPT FOR PROCUREMENT ACTIVITY BY A PRIMARY PROCUREMENT UNIT OTHER THAN THE DEPARTMENT OF GENERAL SERVICES, IS THE HEAD OF ALL PROCUREMENT ACTIVITY FOR THE EXECUTIVE BRANCH OF STATE GOVERNMENT; AND

(2) MAY ENGAGE IN OR CONTROL PROCUREMENT FOR THE DEPARTMENT OF GENERAL SERVICES IN ACCORDANCE WITH § 12-107(B)(2) OF THIS TITLE”.

On page 5, in lines 13 and 23, strike the brackets; in line 13, strike “(l)” and substitute “(M)”; strike in their entirety lines 15, 18, and 21; in lines 16, 17, 19, 20, 22, and 23, strike “(3)”, “(4)”, “(6)”, “(7)”, “(9)”, and “(10)”, respectively, and substitute “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively; and in line 24, strike “(m)” and substitute “(N)”.

On page 6, in lines 3, 22, 27, and 29, strike “(n)”, “(o)”, “(p)”, and “(q)”, respectively, and substitute “(O)”, “(P)”, “(Q)”, and “(R)”, respectively.

On page 7, in lines 1, 6, 9, 21, and 24, strike “(r)”, “(s)”, “(t)”, “(u)”, and “(v)”, respectively, and substitute “(S)”, “(T)”, “(U)”, “(V)”, and “(W)”, respectively.

On page 8, in lines 1 and 11, strike “(w)” and “(x)”, respectively, and substitute “(X)” and “(Y)”, respectively.

### AMENDMENT NO. 3

On pages 8 through 13, strike in their entirety the lines beginning with line 18 on page 8 through line 14 on page 13, inclusive, and substitute:

“12-101.

(b) [(6) The Board, with the assistance of the Department of Budget and Management, shall compile comprehensive statistics on the procurement system by agency, amount, and type of procurement.]

[(7)](6) The Board shall develop and submit to the General Assembly, in accordance with § 2-1246 of the State Government Article, an annual report on the procurement system that includes information on actions necessary to improve effective broad-based competition in procurement.

12-102.

(a) (2) The Procurement Advisor shall:

(i) ensure that the State's procurement system is utilizing the most advanced procurement methods and management techniques;

[(ii) effect and enhance communication between State units on procurement matters, with an emphasis on disseminating information on current developments and advances in the management of the State procurement system;]

[(iii)] (II) examine all procurements that are subject to review by the Board and make recommendations to the Board as to the appropriateness of each procurement, with an emphasis on whether the proposed procurement:

1. has been competitively conducted; and

2. conforms to provisions of procurement law, procurement regulations, and best management practices;

[(iv)] (III) prevent and detect fraud, waste, and abuse and foster competition in the expenditure of State funds in the procurement of supplies, services, or construction;

[(v)] (VI) conduct investigations into procurement policies, practices, and procedures, as appropriate;

[(vi)] (V) investigate complaints made by State employees concerning fraud, waste, and abuse in the procurement process and any alleged violation of the procurement law or regulations;

[(vii)] (VI) investigate complaints, other than formal bid protests filed under Title 15, Subtitle 2 of this article, made by contractors and other interested

parties concerning fraud, waste, and abuse in the procurement process and any alleged violation of the procurement law or regulations;

[(viii)] (VII) if apparent criminal violations are found in the course of an investigation, report findings to the Board of Public Works, Office of the Attorney General, United States Attorney, and State or local prosecutors, as appropriate;

[(ix)] (VIII) if other apparent violations of law or regulation are found in the course of an investigation, report findings to the Board of Public Works, the appropriate agency head, and any other appropriate body for administrative action;

[(x)] (IX) produce and submit to the Board of Public Works and the General Assembly, in accordance with § 2–1246 of the State Government Article, an annual report of the activities of the Procurement Advisor, including:

1. all findings and recommendations for improvements to the procurement system; [and]

2. the identification of barriers to effective broad-based competition in State procurement and recommendations for the elimination of these barriers; AND

3. A SUMMARY AND DESCRIPTION OF ALL PROCUREMENT ACTIVITY CONDUCTED BY UNITS DURING THE PRECEDING FISCAL YEAR;

[(xi)] (X) assist agencies and the public with questions regarding procurement policy;

[(xii)] (XI) establish policies for the effective training of State procurement officials to ensure that the State's procurement system is utilizing the most advanced procurement methods and management techniques;

[(xiii)] (XII) coordinate activities with other entities performing similar functions;

[(xiv)] (XIII) review internal audit reports and comment as appropriate; AND



[(xv) be the principal staff to the Procurement Advisory Council; and]

[(xvi)] (XIV) notify the Legislative Auditor when the Procurement Advisor undertakes an investigation under item (V) OR (vi) [or (vii)] of this paragraph.”.

AMENDMENT NO. 4

On page 13, in lines 16 and 17, in each instance, strike “Advisory” and substitute “**IMPROVEMENT**”; in line 18, strike “11” and substitute “**12**”; in line 22, strike “Secretary of General Services” and substitute “**CHIEF PROCUREMENT OFFICER**”; in line 25, strike “Secretary” and substitute “**PROCUREMENT ADVISOR**”; after line 26, insert:

**“(IX) THE DIRECTOR OF THE GOVERNOR’S OFFICE OF PERFORMANCE IMPROVEMENT;”**;

and in line 27, strike “(ix)” and substitute “**(X)**”.

On page 14, in line 1, strike “(x)” and substitute “**(XI)**”; in lines 5 and 8, in each instance, strike “Procurement Advisory”; in line 7, strike “(v)” and substitute “**(IX)**”; in line 9, strike “the Chief Procurement Officer of the agency” and substitute “**A SENIOR MANAGEMENT STAFF MEMBER WITH EXPERIENCE IN PROCUREMENT**”; in line 10, strike “Secretary of the Board” and substitute “**CHIEF PROCUREMENT OFFICER**”; in line 13, strike “that the Board authorizes” and substitute “**AUTHORIZED**”; in line 17, after “techniques” insert “**, INCLUDING POLICIES, PROCEDURES, AND FORMS FOR ALL PROCUREMENT ACTIVITY AND CONTRACT MANAGEMENT**”; in line 22, after “arise” insert “**, INCLUDING:**

**(I) PROCUREMENT OFFICER TRAINING;**

**(II) RISK ANALYSIS AND INSURANCE REQUIREMENTS;**

**(III) MANAGEMENT OF EMARYLAND MARKETPLACE AND OTHER INTERNET PROCUREMENT RESOURCES;**

**(IV) USE OF INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENTS; AND**

(V) ANY OTHER ISSUES OR PROBLEMS IDENTIFIED BY THE COUNCIL”;

in line 24, strike “and”; in line 29, after “use” insert “;AND”

(6) ADVISE THE GENERAL ASSEMBLY ON PROPOSED LEGISLATION IN ORDER TO ENHANCE THE EFFICIENCY AND TRANSPARENCY OF STATE PROCUREMENT”;

and in line 30, strike the bracket.

AMENDMENT NO. 5

On page 15, strike in their entirety lines 9 through 14, inclusive; in lines 15 and 28, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively; in line 15, after “may” insert “:

(I)”;

in lines 17, 19, 22, 24, and 26, strike “(i)”, “(ii)”, “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, and “5.”, respectively; and after line 27, insert:

“6. SERVICES BY A UNIT, SUBJECT TO ANY LIMITATION IN THIS DIVISION II;

7. LEASES OF MOTOR VEHICLES, AS PROVIDED IN TITLE 3, SUBTITLE 5 OF THIS ARTICLE;

8. CONSTRUCTION AND CONSTRUCTION-RELATED SERVICES FOR STATE CORRECTIONAL FACILITIES;

9. SUPPLIES, MATERIALS, AND EQUIPMENT IN SUPPORT OF CONSTRUCTION AND CONSTRUCTION-RELATED SERVICES FOR STATE CORRECTIONAL FACILITIES IN ACCORDANCE WITH THIS DIVISION II AND TITLE 2 AND TITLE 10, SUBTITLE 1 OF THE CORRECTIONAL SERVICES ARTICLE;

10. INFORMATION PROCESSING EQUIPMENT AND ASSOCIATED SERVICES, AS PROVIDED IN TITLE 3A, SUBTITLE 3 OF THIS ARTICLE; AND

11. TELECOMMUNICATION EQUIPMENT, SYSTEMS, OR SERVICES, AS PROVIDED IN TITLE 3A, SUBTITLE 4 OF THIS ARTICLE;

(II) WHILE RETAINING OVERSIGHT, DELEGATE CONTROL OF PROCUREMENT ACTIVITY TO UNITS WITH EXPERTISE IN SPECIFIED TYPES OF PROCUREMENT;

(III) DEVELOP PERFORMANCE METRICS FOR PROCUREMENT ACTIVITY AND IMPLEMENT STRATEGIC SOURCING WHEN APPROPRIATE;

(IV) COMPILE COMPREHENSIVE STATISTICS ON THE PROCUREMENT SYSTEM BY AGENCY, AMOUNT, AND TYPE OF PROCUREMENT;

(V) EFFECT AND ENHANCE COMMUNICATION ON PROCUREMENT MATTERS, WITH AN EMPHASIS ON DISSEMINATING INFORMATION ON CURRENT DEVELOPMENTS AND ADVANCES IN THE MANAGEMENT OF THE STATE PROCUREMENT SYSTEM;

(VI) ASSIST UNITS WITH QUESTIONS REGARDING PROCUREMENT POLICY;

(VII) OVERSEE THE IMPLEMENTATION OF PROCUREMENT OFFICER TRAINING;

(VIII) OVERSEE THE IMPLEMENTATION OF APPROPRIATE RISK ANALYSIS AND INSURANCE REQUIREMENTS FOR STATE PROCUREMENT; AND

(IX) COORDINATE WITH GOVERNMENTAL ENTITIES AND LOCAL ENTITIES TO MAXIMIZE USE OF INTERGOVERNMENTAL PURCHASING AGREEMENTS ESTABLISHED IN ACCORDANCE WITH § 13-110 OF THIS ARTICLE;”.

On page 16, in line 14, after “subsection,” insert “AND”; in line 15, strike “(5)” and substitute “(4)”; and strike beginning with the semicolon in line 30 down through “units:” in line 32 and substitute a period.

On page 17, strike in their entirety lines 1 through 22, inclusive.

#### AMENDMENT NO. 6

On page 18, after line 21, insert:

**“(XIII) THE PROCUREMENT ADVISOR OF THE BOARD;”**;

and in lines 22, 25, and 27, strike “(xiii)”, “(xiv)”, and “(xv)”, respectively, and substitute “(XIV)”, “(XV)”, and “(XVI)”, respectively.

On page 19, in line 3, strike “(xii)” and substitute “(XIII)”; in line 5, strike “the Chief Procurement Officer or”; strike beginning with “of” in line 5 down through “organization” in line 6 and substitute “WITH EXPERIENCE IN PROCUREMENT”; and in line 8, strike “(xiii)” and substitute “(XIV)”.

#### AMENDMENT NO. 7

On page 20, in line 22, strike “**THE CHIEF PROCUREMENT OFFICER**” and substitute “A UNIT”; and in line 23, after “Administration” insert “AND THE CHIEF PROCUREMENT OFFICER”.

On page 21, in line 25, after “system” insert “JOINTLY”; in line 26, strike the brackets; and in the same line, strike “**CHIEF PROCUREMENT OFFICER**” and substitute “AND THE DEPARTMENT OF INFORMATION TECHNOLOGY”.

On page 22, in line 2, strike “**AS APPROVED**” and substitute “SUBJECT TO APPROVAL”; and after line 8, insert:

**“(C) (1) THERE IS AN ELECTRONIC TRANSACTION FUND IN THE DEPARTMENT OF GENERAL SERVICES.**

**(2) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THIS ARTICLE.**

**(3) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

**(4) THE FUND CONSISTS OF ANY FEES IMPOSED AND COLLECTED UNDER PARAGRAPH (B)(1) OF THIS SUBSECTION AND § 13-226(C) OF THIS TITLE.**

**(5) THE FUND SHALL BE USED BY THE DEPARTMENT OF GENERAL SERVICES TO COVER THE ACTUAL DOCUMENTED DIRECT AND INDIRECT COSTS OF ADMINISTERING CONTRACTS THROUGH THE USE OF ELECTRONIC TRANSACTIONS.”.**

**AMENDMENT NO. 8**

On pages 22 through 26, strike in their entirety the lines beginning with line 9 on page 22 through line 2 on page 26, inclusive.

On pages 26 through 28, strike in their entirety the lines beginning with line 4 on page 26 through line 33 on page 28, inclusive.

On pages 29 through 33, strike in their entirety the lines beginning with line 6 on page 29 through line 33 on page 33.

On page 34, strike in their entirety lines 2 through 9, inclusive; in line 10, after “(1)” insert “**(I)**”; in line 12, after “fee” insert “**, AS DETERMINED IN CONSULTATION WITH THE CHIEF PROCUREMENT OFFICER,**”; and after line 13, insert:

**“(II) ANY FEES COLLECTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE DEPOSITED IN THE ELECTRONIC TRANSACTION FUND ESTABLISHED UNDER § 13-102.1(C) OF THIS SUBTITLE.”.**

On pages 34 through 36, strike in their entirety the lines beginning with line 16 on page 34 through line 2 on page 36, inclusive.

**AMENDMENT NO. 9**

On page 36, strike in their entirety lines 7 and 8, inclusive; in lines 9, 11, 13, 16, 19, and 22, strike “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “**(1)**”, “**(2)**”, “**(3)**”, “**(4)**”, “**(5)**”, and “**(6)**”, respectively; in line 26, strike “the General Counsel to the Board of Public Works and”; in line 27, strike “Governor” and substitute “**Board of Public Works**”; and strike beginning with “in” in line 30 down through “State” in line 32 and substitute

“within the Office of the Attorney General to represent all State procurement units in matters within the jurisdiction of the Maryland State Board of Contract Appeals”.

On page 37, strike in their entirety lines 17 through 23, inclusive, and substitute:

“SECTION 5. AND BE IT FURTHER ENACTED, That, on or before October 1, 2018, the Department of General Services, in consultation with the Department of Budget and Management, the Department of Information Technology, the Department of Public Safety and Correctional Services, the Department of Transportation, and the Maryland Port Commission, shall report to the Governor, the Board of Public Works, and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the administrative work plan to implement Section 1 of this Act, including a structure for delegating and overseeing specified types of procurement to units with expertise in those types of procurement.”;

strike in their entirety lines 24 through 27, inclusive; and in lines 28 and 33, strike “7.” and “8.”, respectively, and substitute “6.” and “7.”, respectively.

On page 38, in lines 6 and 8, strike “9.” and “10.”, respectively, and substitute “8.” and “9.”, respectively; in line 6, strike “7, and 8” and substitute “and 7”; and in line 9, strike “9” and substitute “8”.

The preceding 9 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 1083 – Delegates Pendergrass, Anderson, Angel, Atterbeary, Barkley, B. Barnes, Barron, Barve, Beidle, Branch, Bromwell, Brooks, Carr, Clippinger, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Hettleman, Hill, Hixson, Holmes, C. Howard, Jones, Kaiser, Kelly, Korman, Kramer, Krimm, Lafferty, Lam, Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena-Melnyk, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample-Hughes, Sanchez, Sophocleus, Stein, Tarlau, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, Wilkins, C. Wilson, K. Young, and Mosby**

AN ACT concerning

**Health – Family Planning Services – Continuity of Care****HB1083/856381/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1083

(First Reading File Bill)

On page 2, in line 18, after “FUNDING” insert “AS A RESULT OF THE TERMINATION OF FEDERAL FUNDING FOR PROVIDERS BECAUSE OF:”

(I) THE SCOPE OF SERVICES OFFERED BY THE PROVIDERS; OR

(II) THE SCOPE OF SERVICES FOR WHICH THE PROVIDERS OFFER REFERRALS”.

On page 3, strike beginning with “REQUIREMENTS” in line 5 down through “ACT” in line 8 and substitute “A SLIDING SCALE FEE FOR SERVICES PROVIDED UNDER THE PROGRAM”.

On page 4, strike beginning with “THAT” in line 7 down through “2016” in line 9 and substitute “THAT WERE FAMILY PLANNING PROVIDERS IN THE PROGRAM AS OF DECEMBER 31, 2016, AND WERE DISCONTINUED AS RECIPIENTS OF FEDERAL FUNDING UNDER FEDERAL LAW OR REGULATION BECAUSE OF THE SCOPE OF SERVICES OFFERED BY THE PROVIDER OR THE SCOPE OF SERVICES FOR WHICH THE PROVIDER OFFERED REFERRALS”; in line 13, strike “ARE THE SAME AS” and substitute “:”

1. ARE SIMILAR TO THE”;

and after line 14, insert:

“2. DO NOT PROHIBIT A PROVIDER FROM OFFERING A SERVICE IF THE SERVICE IS WITHIN THE SCOPE OF PRACTICE OF THE PROVIDER AS ESTABLISHED UNDER THE HEALTH OCCUPATIONS ARTICLE; AND

**3. DO NOT LIMIT THE SCOPE OF SERVICES FOR WHICH A PROVIDER MAY OFFER REFERRALS;”.**

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

**FLOOR AMENDMENT**

**HB1083/683224/1**

BY: Delegate Simonaire

**AMENDMENTS TO HOUSE BILL 1083**  
**(First Reading File Bill)**

**AMENDMENT NO. 1**

On page 1, in line 6, after “requiring” insert “, except under certain circumstances.”.

**AMENDMENT NO. 2**

On page 3, in line 9, after “(E)” insert “**(1)**”; in the same line, strike “FUNDING” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FUNDING**”; and after line 13, insert:

**“(2) THE DEPARTMENT IS NOT REQUIRED TO FUND THE PROGRAM WITH FUNDING APPLIED BY THE DEPARTMENT BEFORE DECEMBER 31, 2016, TO THE MAINTENANCE OF EFFORT REQUIREMENT FOR FEDERAL FUNDING UNDER TITLE X OF THE FEDERAL PUBLIC HEALTH SERVICE ACT IF:**

**(I) FEDERAL FUNDING IS AUTHORIZED FOR COMMUNITY HEALTH CENTERS OR OTHER HEALTH CARE PROVIDERS FOR WOMEN’S HEALTH SERVICES AT A LEVEL EQUAL TO OR GREATER THAN FUNDING PROVIDED TO THE STATE FOR FAMILY PLANNING PROVIDERS; AND**

**(II) FEDERAL LAW PROHIBITS THE FUNDING DESCRIBED IN ITEM (I) OF THIS PARAGRAPH FROM BEING PROVIDED TO STATES THAT ENACT MAINTENANCE OF EFFORT REQUIREMENTS FOR FAMILY PLANNING SERVICES THAT WERE FEDERALLY FUNDED BEFORE DECEMBER 31, 2016.”.**



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

Affirmative – 47    Negative – 89    (See Roll Call No. 453)

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 1446 – Delegates Hayes, Angel, Bromwell, Krebs, Morgan, Morhaim, and Platt**

AN ACT concerning

**Procurement Preferences – Blind Industries and Services of Maryland – Janitorial Products**

**HB1446/526180/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1446

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “or” and substitute a comma; in the same line, after “manufactured” insert “, remanufactured, or assembled”; and strike beginning with “providing” in line 8 down through “law;” in line 9.

AMENDMENT NO. 2

On page 2, in line 16, strike “(1)”; in line 19, strike “OR” and substitute a comma; in line 20, after “MANUFACTURED” insert “, REMANUFACTURED, OR ASSEMBLED”; and strike in their entirety lines 22 through 24, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1478 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Competitive Bidding Process**

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 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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 4**

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

**House Bill 279 – Delegates Moon, Afzali, Anderson, Atterbeary, Cluster, Conaway, Dumais, Gutierrez, Hettleman, Kelly, Korman, Lierman, Luedtke, Malone, McComas, Morales, Morhaim, Platt, Queen, Reznik, Rosenberg, Sanchez, Sydnor, Valentino-Smith, M. Washington, B. Wilson, C. Wilson, and P. Young**

AN ACT concerning

**Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court**

**HB0279/462819/1**

BY: House Judiciary Committee

**AMENDMENT TO HOUSE BILL 279**

(First Reading File Bill)

On page 4, in line 7, after “UNDER” insert “§ 3-819(C)(3) OR”.

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 294 – Delegates Dumais, B. Wilson, Anderson, Atterbeary, Fennell,  
Hettleman, Kittleman, McComas, Moon, Morhaim, Proctor, Queen,  
Sanchez, and Tarlau**

AN ACT concerning

**Public Safety – Regulated Firearms – Definition of Convicted of a Disqualifying  
Crime**

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 295 – Delegate Kramer**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Impaired  
Boating**

**HB0295/232510/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 295

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 6 down through “claims;” in line 8 and substitute “providing for the prospective application of this Act;”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 19 on page 2 through line 2 on page 3, inclusive, and substitute:

“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 final decision of the Secretary of Public Safety and Correctional Services, for which the time for appeal of the decision has expired, made before the effective date of this Act.”.

On page 3, in line 3, strike “5.” 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 455 – Delegates Atterbeary, Anderson, Chang, Frush, Kramer, McComas, Moon, Morhaim, Parrott, Patterson, Robinson, Sanchez, Sydnor, Turner, and C. Wilson**

AN ACT concerning

**Criminal Law – Animal Cruelty – Applicability**

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 585 – Delegates Carozza, Atterbeary, Kramer, McComas, Valentino-Smith, and B. Wilson**

AN ACT concerning

**Criminal Law – Life-Threatening Injury Involving a Vehicle or Vessel – Criminal Negligence**

**HB0585/422115/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 585

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 23, after “§ 2–209,” insert “§ 2–210.”; and in line 32, after “§ 2–209,” insert “§ 2–210.”.

AMENDMENT NO. 2

On page 2, in line 20, strike “2 YEARS” and substitute “18 MONTHS”.

AMENDMENT NO. 3

On page 2, in line 25, strike “FELONY” and substitute “MISDEMEANOR”.

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:

**House Bill 635 – Delegates Valentino–Smith, Carozza, Angel, Atterbeary, Dumais, Lisanti, Malone, and Sanchez**

AN ACT concerning

**Criminal Law – Homicide by Motor Vehicle or Vessel While Impaired by a  
Controlled Dangerous Substance – Penalties**

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 721 – Delegate Dumais**

AN ACT concerning

**Juvenile Services – Services and Programs for Females**

**HB0721/502117/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 721

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “programs;” insert “altering the duties of the State Advisory Board for Juvenile Services; requiring the Department of Juvenile Services to submit certain reports to the Governor and the General Assembly on or before certain dates;”; and in line 8, after “Section” insert “9–215 and”.

AMENDMENT NO. 2

On page 1, after line 13, insert:

“9–215.

In addition to its other duties specified in this title, the State Advisory Board shall:

(1) consult with and advise the Secretary on:

(i) each aspect of the juvenile services program in the State;

(ii) the educational programs and services of the Department; [and]

(iii) programs designed to divert children from the juvenile justice system; AND

**(IV) THE TREATMENT AND PROGRAMMING NEEDS OF FEMALES  
IN THE JUVENILE JUSTICE SYSTEM;**

(2) recommend to the Secretary policies and programs to improve juvenile services in the State;

(3) participate in interpreting for the public the objectives of the Department; and

(4) participate in planning the development and use of available resources to meet the needs of the Department.”.

AMENDMENT NO. 3

On page 2, in line 11, strike “SUBSTANTIALLY EQUIVALENT TO THOSE OFFERED TO MALES” and substitute “TO MEET THEIR SPECIFIC NEEDS, INCLUDING:”

**(I) DIVERSION PROGRAMS;**

**(II) COMMUNITY DETENTION SERVICES AND PROGRAMS; AND**

**(III) REENTRY SERVICES AND PROGRAMS”.**

AMENDMENT NO. 4

On page 2, after line 27, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before December 31, 2017, the Department of Juvenile Services shall submit an interim report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the implementation of the requirements specified in § 9–238.1(a)(7) of the Human Services Article, as enacted by this Act.

(b) On or before December 31, 2018, the Department shall submit a final report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the implementation of the requirements specified in § 9–238.1(a)(7) of the Human Services Article, as enacted by this Act.”;

and in line 28, strike “2.” and substitute “3.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 757 – Delegate Dumais**

AN ACT concerning

**Evidence – Violation of Ignition Interlock System Requirement**

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 767 – Delegates Sydnor, Conaway, Dumais, and Reilly**

AN ACT concerning

**Public Information Act – Inspection of Records From Body–Worn Digital  
Recording Devices**

**HB0767/882519/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 767

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “under certain circumstances”; and in line 14, after “construction” insert “and application”.

AMENDMENT NO. 2

On page 5, in line 1, after “(A)” insert “**(1) THIS SECTION DOES NOT APPLY TO A PUBLIC RECORD THAT HAS BEEN ENTERED INTO EVIDENCE IN A COURT PROCEEDING.**”

**(2) THIS SECTION MAY NOT BE CONSTRUED TO AFFECT THE DISCOVERY OR EVIDENTIARY RIGHTS OF A PARTY TO A CIVIL SUIT OR CRIMINAL PROSECUTION.**

**(B)**”;

in the same line, strike “(B)” and substitute “**(C)**”; in line 12, strike “OR”; in line 13, after “(IV)” insert “**DEPICTS THE DEATH OF A LAW ENFORCEMENT OFFICER THAT OCCURRED IN THE PERFORMANCE OF THE OFFICER’S DUTIES; OR**”



(v)”;

strike beginning with “**THIS**” in line 24 down through “**(4)**” in line 27; and strike beginning with “**THAT**” in line 27 down through “**SECTION**” in line 28.

On page 6, in line 3, strike “**(B)**” and substitute “**(C)**”; and strike in their entirety lines 27 through 29, 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 Vallario, Chair, for the Committee on Judiciary reported favorably:

**House Bill 793 – Delegates Angel and Malone**

AN ACT concerning

**Family Law – Divorce – Restoration of Former Name**

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 836 – Delegates Folden, Afzali, Kittleman, McComas, and Metzgar**

AN ACT concerning

**Criminal Procedure – Expungement – Common Law Battery**

**HB0836/452017/1**

BY: House Judiciary Committee

**AMENDMENTS TO HOUSE BILL 836**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 6, strike “after the person was convicted of a certain crime” and substitute “; providing for the effective date of this Act”; in line 10, strike “10–105” and substitute “10–110(a) and (c)”; and after line 12, insert “(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)”.

#### AMENDMENT NO. 2

On pages 1 through 5, strike in their entirety the lines beginning with line 16 on page 1 through line 21 on page 5, inclusive, and substitute:

“10–110.

(a) A person may file a petition listing relevant facts for expungement of a police record, court record, or other record maintained by the State or a political subdivision of the State if the person is convicted of a misdemeanor that is a violation of:

(1) § 6–320 of the Alcoholic Beverages Article;

(2) an offense listed in § 17–613(a) of the Business Occupations and Professions Article;

(3) § 5–712, § 19–304, § 19–308, or Title 5, Subtitle 6 or Subtitle 9 of the Business Regulation Article;

(4) § 3–1508 or § 10–402 of the Courts Article;

(5) § 14–1915, § 14–2902, or § 14–2903 of the Commercial Law Article;

(6) § 5–211 of the Criminal Procedure Article;

(7) § 3–203 or § 3–808 of the Criminal Law Article;

(8) § 5–601, § 5–618, § 5–619, § 5–620, § 5–703, § 5–708, or § 5–902 of the Criminal Law Article;

(9) § 6–105, § 6–108, § 6–206, § 6–303, § 6–306, § 6–307, § 6–402, or § 6–503 of the Criminal Law Article;

(10) § 7–104, § 7–203, § 7–205, § 7–304, § 7–308, or § 7–309 of the Criminal Law Article;

(11) § 8–103, § 8–206, § 8–401, § 8–402, § 8–404, § 8–406, § 8–408, § 8–503, § 8–521, § 8–523, or § 8–904 of the Criminal Law Article;

(12) § 9–204, § 9–205, § 9–503, or § 9–506 of the Criminal Law Article;

(13) § 10–110, § 10–201, § 10–402, § 10–404, or § 10–502 of the Criminal Law Article;

(14) § 11–306(a) of the Criminal Law Article;

(15) § 12–102, § 12–103, § 12–104, § 12–105, § 12–109, § 12–203, § 12–204, § 12–205, or § 12–302 of the Criminal Law Article;

(16) § 13–401, § 13–602, or § 16–201 of the Election Law Article;

(17) § 4–509 of the Family Law Article;

(18) § 18–215 of the Health – General Article;

(19) § 4–411 or § 4–2005 of the Human Services Article;

(20) § 27–403, § 27–404, § 27–405, § 27–406, § 27–406.1, § 27–407, § 27–407.1, or § 27–407.2 of the Insurance Article;

(21) § 5–307, § 5–308, § 6–602, § 7–402, or § 14–114 of the Public Safety Article;

(22) § 7–318.1, § 7–509, or § 10–507 of the Real Property Article;

(23) § 9–124 of the State Government Article;

(24) § 13–1001, § 13–1004, § 13–1007, or § 13–1024 of the Tax – General Article;

(25) the common law offenses of affray, rioting, criminal contempt, **BATTERY**, or hindering; or

(26) an attempt, a conspiracy, or a solicitation of any offense listed in items (1) through (25) of this subsection.

(c) (1) Except as provided in paragraph (2) of this subsection, a petition for expungement under this section may not be filed earlier than 10 years after the person satisfies the sentence or sentences imposed for all convictions for which expungement is requested, including parole, probation, or mandatory supervision.

(2) A petition for expungement for a violation of § 3–203 of the Criminal Law Article, **COMMON LAW BATTERY**, or for an offense classified as a domestically related crime under § 6–233 of the Criminal Procedure Article may not be filed earlier than 15 years after the person satisfies the sentence or sentences imposed for all convictions for which expungement is requested, including parole, probation, or mandatory supervision.”.

On page 5, in line 23, after “2017” insert “, the effective date of Section 2 of Chapter 515 of the Acts of the General Assembly of 2016. If the effective date of Section 2 of Chapter 515 is amended, this Act shall take effect on the taking effect of Section 2 of Chapter 515”.

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 899 – Delegates Anderson, Atterbeary, D. Barnes, Barron, Branch, Brooks, Conaway, Davis, Fennell, Glenn, Gutierrez, Hayes, Haynes, Holmes, C. Howard, Jackson, Jalisi, Jones, McCray, Oaks, Patterson, Pena–Melnik, Proctor, Queen, Sample–Hughes, Sanchez, Stein, Sydnor, Turner, A. Washington, M. Washington, C. Wilson, and Lewis**

AN ACT concerning

**Public Safety – Maryland Police Training and Standards Commission –  
Psychological Evaluations of Law Enforcement Officers**

**HB0899/342117/1**

BY: House Judiciary Committee

**AMENDMENT TO HOUSE BILL 899**  
(First Reading File Bill)

On page 1, in line 3, strike “Evaluations” and substitute “Assessments”; and in line 5, strike “evaluation” and substitute “assessment”.

On page 4, in line 24, strike “**EVALUATION**” and substitute “**ASSESSMENT**”.

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 926 – Delegates McComas, Glass, Impallaria, Jalisi, Krebs, Malone, McDonough, McKay, Morgan, Parrott, Patterson, Reilly, Sophocleus, and Vogt**

AN ACT concerning

**Child Support – Health Insurance – Definition**

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 972 – Delegates Dumais, Barron, Anderson, Atterbeary, Conaway, Moon, Morales, Proctor, Queen, Rosenberg, Sanchez, Sydnor, and B. Wilson**

AN ACT concerning

**Civil Cases – Maryland Legal Services Corporation Fund – Surcharges – Repeal of Sunset**

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 1015 – Delegates Fraser-Hidalgo, Dumais, and A. Miller**

AN ACT concerning

**Criminal Law – Allowing Underage Drinker at Residence to Possess or Consume Alcohol – Penalties**

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 1071 – Delegates Valentino-Smith, Holmes, Kramer, McComas, McCray, and Sanchez**

AN ACT concerning

**Vehicle Laws – Victim’s Representative Notification – License Suspension  
Hearing**

**HB1071/312213/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1071

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Sanchez” and substitute “Sanchez, and Fraser–Hidalgo”.

AMENDMENT NO. 2

On page 1, in line 5, strike “develop and, as necessary, update” and substitute “distribute”; in line 6, after “information” insert “and a certain form”; strike beginning with “and” in line 6 down through “information” in line 10 and substitute “; altering the period of time during which a victim’s representative may file a certain form; altering the circumstances under which the Motor Vehicle Administration is required to provide notice of a certain hearing to a victim’s representative; requiring the Administration to notify the Office of Administrative Hearings if a certain form is filed”; and strike beginning with “providing” in line 12 down through “statistics;” in line 15 and substitute “requiring the Governor’s Office of Crime Control and Prevention to develop and, as necessary, update a certain form;”.

AMENDMENT NO. 3

On page 2, strike beginning with “**THE**” in line 8 down through “**ARTICLE**” in line 13 and substitute “**THE COMMISSION SHALL DISTRIBUTE THE VICTIM’S REPRESENTATION NOTIFICATION FORM DEVELOPED BY THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION UNDER § 12–206.1(E) OF THE TRANSPORTATION ARTICLE TO EACH LAW ENFORCEMENT AGENCY IN THE STATE**”.

AMENDMENT NO. 4

On page 2, strike beginning with “**WITHIN**” in line 21 down through “**VIOLATION**” in line 22 and substitute “**ON FIRST CONTACT WITH A VICTIM’S REPRESENTATIVE**”; in the same line, strike “inform” and substitute “;”

**(I) INFORM;**

in line 23, strike the first “a” and substitute “THE”; and in line 24, after “article” insert “; AND

**(II) PROVIDE THE VICTIM’S REPRESENTATIVE WITH A COPY OF THE VICTIM’S REPRESENTATION NOTIFICATION FORM DEVELOPED BY THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION UNDER SUBSECTION (E) OF THIS SECTION**”.

**AMENDMENT NO. 5**

On page 2, in line 26, strike beginning with “within” through “violation” and substitute “AT LEAST 30 DAYS BEFORE A HEARING UNDER § 16–206(F) OF THIS ARTICLE”.

**AMENDMENT NO. 6**

On pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 6 on page 3, inclusive.

On page 3, in line 8, after “section” insert “AND THE PERSON WHO COMMITTED THE MOVING VIOLATION THAT RESULTED IN THE VICTIM’S DEATH REQUESTS A HEARING UNDER § 16–206(F) OF THIS ARTICLE”; in the same line, strike “give the” and substitute “NOTIFY:

**(I) THE**”;

in line 9, strike “notice” and substitute “OF THE HEARING”; and strike beginning with “a” in line 9 down through “article” in line 10 and substitute “THE HEARING; AND

**(II) THE OFFICE OF ADMINISTRATIVE HEARINGS THAT THE VICTIM’S REPRESENTATIVE HAS FILED A VICTIM’S REPRESENTATION NOTIFICATION FORM UNDER SUBSECTION (B) OF THIS SECTION**”.

On page 3, in lines 26 and 29, in each instance, strike “, IF PRACTICABLE,”.

On pages 3 and 4, strike in their entirety the lines beginning with line 31 on page 3 through line 3 on page 4, inclusive.

On page 4, strike in their entirety lines 12 through 21, inclusive, and substitute:

**“(E) THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION SHALL DEVELOP AND, AS NECESSARY, UPDATE A UNIFORM VICTIM’S REPRESENTATION NOTIFICATION FORM THAT MAY BE FILED BY A VICTIM’S REPRESENTATIVE UNDER THIS SECTION.”.**

The preceding 6 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 1163 – Delegates A. Miller, Angel, Dumais, Frush, Gutierrez, Queen, and K. Young**

AN ACT concerning

**Criminal Procedure – Conditional Release – Electronic Monitoring  
(Amber’s Law)**

**HB1163/902911/1**

BY: House Judiciary Committee

**AMENDMENTS TO HOUSE BILL 1163**  
(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 11, after “victim;” insert “requiring a judicial officer to provide a certain individual with the opportunity to request certain reasonable protections at a certain time;”.

On page 2, in line 3, after “11–101(f)” insert “and 11–105”.

**AMENDMENT NO. 2**

On page 5, after line 12, insert:

**“11–105.**



ON A FINDING OF PROBABLE CAUSE AND BEFORE THE ISSUANCE OF AN ARREST WARRANT OR A SUMMONS, A JUDICIAL OFFICER SHALL PROVIDE TO AN INDIVIDUAL FILING AN APPLICATION FOR A STATEMENT OF CHARGES UNDER MARYLAND RULE 4-211(B) AN OPPORTUNITY TO REQUEST REASONABLE PROTECTIONS FOR THE SAFETY OF AN ALLEGED VICTIM OR THE VICTIM'S FAMILY."

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 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**

**HB1279/442512/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1279

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “authorizing certain training to be conducted in person or online;”; and strike in their entirety lines 14 through 18, inclusive.

AMENDMENT NO. 2

On page 2, strike beginning with “SUBJECT” in line 7 down through “TRAFFICKING” in line 16 and substitute “THE CRIMINAL LAWS CONCERNING HUMAN TRAFFICKING, INCLUDING SERVICES AND SUPPORT AVAILABLE TO VICTIMS AND THE RIGHTS AND APPROPRIATE TREATMENT OF VICTIMS”; and strike in their entirety lines 23 and 24.

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 1408 – Delegates Sanchez and Vallario**

AN ACT concerning

**Criminal Law – Controlled Dangerous Substances – Places of Use**

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. 454)

**ADJOURNMENT**

At 1:56 P.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Legislative Day March 12, 2017, Calendar Day, Wednesday, March 15, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 12, 2017**  
**Calendar Day: Wednesday, March 15, 2017**  
**10:00 A.M. Session**

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The House met at 10:18 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Herb McMillan of Anne Arundel County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 455)

EXCUSED:

Del. Ciliberti – left early – family emergency

The Journal of March 14, 2017 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 456)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 51**

**House Bill 133 – Chair, Environment and Transportation Committee (By Request  
– Departmental – Environment)**

AN ACT concerning

**Environment – Reduction of Lead Risk in Housing – Notification of Elevated  
Blood Lead Level**

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

Affirmative – 137    Negative – 1    (See Roll Call No. 457)

The Bill was then sent to the Senate.

**House Bill 169 – Delegates Korman ~~and Buckel~~, Buckel, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Szeliga, West, and K. Young**

AN ACT concerning

**State Board of Elections – Open Meetings – ~~Video Streaming and Recording~~  
Audio Recordings and Documents  
(State Board of Elections Transparency Act)**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 458)

The Bill was then sent to the Senate.

**House Bill 635 – Delegates Valentino-Smith, Carozza, Angel, Atterbeary, Dumais, Lisanti, Malone, and Sanchez**

AN ACT concerning

**Criminal Law – Homicide by Motor Vehicle or Vessel While Impaired by a  
Controlled Dangerous Substance – Penalties**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 459)

The Bill was then sent to the Senate.

**House Bill 721 – Delegate Dumais**

AN ACT concerning

**Juvenile Services – Services and Programs for Females**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 460)

The Bill was then sent to the Senate.

**House Bill 740 – Delegates Angel, Carr, Kipke, Morgan, Oaks, and Wilkins**

AN ACT concerning

**President Jimmy Carter Cancer Treatment Access Act**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 461)

The Bill was then sent to the Senate.

**House Bill 757 – Delegate Dumais**

AN ACT concerning

**Evidence – Violation of Ignition Interlock System Requirement**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 462)

The Bill was then sent to the Senate.

**House Bill 793 – Delegates Angel and Malone**

AN ACT concerning

**Family Law – Divorce – Restoration of Former Name**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 463)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 47****House Bill 669 – Delegates Arentz, Brooks, Jackson, Kittleman, and McDonough**

AN ACT concerning

**Public Schools – Boards of Education – Anonymous Two-Way ~~Text Messaging~~  
Electronic Tip Programs**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 464)

The Bill was then sent to the Senate.

**House Bill 857 – Delegates Angel, Cullison, Knotts, Miele, Morales, and Saab**

AN ACT concerning

**Maryland Mental Health Law – Small Private Group Home – Definition**

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

Affirmative – 121    Negative – 19    (See Roll Call No. 465)

The Bill was then sent to the Senate.

**House Bill 951 – ~~Delegate Lisanti~~ Delegates Lisanti, McComas, and Glass**

AN ACT concerning

**State Highway Administration – Alfred B. Hilton Memorial ~~Highway~~ Bridge –  
Dedication**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 466)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 467)

The Bill was then sent to the Senate.

**House Bill 1301 – Delegates Frush, Chang, Gutierrez, ~~and Tarlau~~ Tarlau, and  
Healey**

AN ACT concerning

**Vehicle Laws – School Crossing Guards – Authority to Direct Traffic**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 468)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 469)

The Bill was then sent to the Senate.

#### CALENDAR OF THIRD READING HOUSE BILLS NO. 49

**House Bill 290 – Delegates Grammer, Anderton, Aumann, Beidle, Bromwell, Brooks, Buckel, Cassilly, Clark, Cluster, Ebersole, Folden, Fraser-Hidalgo, Gaines, Hettleman, Hill, Holmes, Impallaria, Jacobs, Jones, Knotts, Lafferty, Lam, Long, McComas, McDonough, Metzgar, Miele, Morgan, Morhaim, Otto, Robinson, Stein, Sydnor, Szeliga, West, Wivell, and P. Young**

AN ACT concerning

**Maryland Transportation Authority – ~~Vehicles Not Using Bridge – Toll~~  
~~Prohibition~~ Third Generation-Electronic Toll Collection System**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 470)

The Bill was then sent to the Senate.

**House Bill 352 – Delegates Reznik, Dumais, C. Howard, ~~and Krebs~~ Krebs, Jackson, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young**

AN ACT concerning

**Health Care Practitioners – Use of Teletherapy**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 471)

The Bill was then sent to the Senate.

**House Bill 390 – The Speaker (By Request – Administration) and Delegates Cassilly, Kipke, McConkey, ~~and West~~ West, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young**

AN ACT concerning

**Improving the State Procurement Oversight Structure**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 472)

The Bill was then sent to the Senate.

**House Bill 398 – Delegates K. Young, Fennell, Barron, Barve, Carr, Chang, Cullison, Ebersole, Gutierrez, Hayes, Healey, Hixson, Kelly, Korman, Krimm, Luedtke, A. Miller, Moon, Morales, Pena-Melnyk, Platt, Queen, Robinson, Stein, Tarlau, Turner, and M. Washington**

AN ACT concerning

**Labor and Employment – ~~Equal Pay – Job Announcement and~~ Salary History Information Disclosures**

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

Affirmative – 94    Negative – 47    (See Roll Call No. 473)

The Bill was then sent to the Senate.

**House Bill 492 – Delegates Carr, Anderton, Cullison, Dumais, Flanagan, Fraser-Hidalgo, Gutierrez, Healey, McCray, and Stein**

AN ACT concerning

**Vehicle Laws – Certificate of Title – Transfer-on-Death Beneficiary Designation**



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

Affirmative – 141    Negative – 0    (See Roll Call No. 474)

The Bill was then sent to the Senate.

**House Bill 585 – Delegates Carozza, Atterbeary, Kramer, McComas, Valentino-Smith, and B. Wilson**

AN ACT concerning

**Criminal Law – Life-Threatening Injury Involving a Vehicle or Vessel –  
Criminal Negligence**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 475)

The Bill was then sent to the Senate.

**House Bill 586 – Delegates Hettleman, Anderson, Frick, Gutierrez, Hixson, R. Lewis, Lierman, McIntosh, A. Miller, Queen, M. Washington, and West**

AN ACT concerning

**Maryland Farms and Families Act**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 476)

The Bill was then sent to the Senate.

### **ECONOMIC MATTERS COMMITTEE REPORT NO. 13**

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

**House Bill 485 – Delegate Impallaria**

AN ACT concerning

**Harford County – Alcoholic Beverages – Interest in More Than One License**

**HB0485/433092/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 485

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Interest in More Than One License” and substitute “Common Direct or Indirect Sharing of Profit”; and strike beginning with “specifying” in line 3 down through “County;” in line 4 and substitute “repealing in Harford County a provision of law stating that a condition of a common direct or indirect sharing between certain persons of profit from the sale of alcoholic beverages gives rise to a presumption of indirect ownership interest in an alcoholic beverages license;”.

AMENDMENT NO. 2

On page 3, in line 14, after “subsidiaries;” insert “**OR**”; strike beginning with “common” in line 15 down through “(8)” in line 17; and strike in their entirety lines 19 and 20.

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 554 – Delegates Carey, Beidle, Chang, and Sophocleus**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Board of License Commissioners  
– Attorneys**

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 773 – Delegates Korman, Clippinger, Barkley, Buckel, Carr, Cassilly,  
Chang, Fennell, Fraser-Hidalgo, Frick, Jalisi, Jameson, Kelly, Kramer,**

**Lafferty, Lam, Lierman, Mautz, McComas, Miele, Morhaim, Patterson, Pena-Melnyk, Platt, Reznik, Valderrama, Waldstreicher, M. Washington, West, and K. Young**

AN ACT concerning

**Clean Energy – Energy Storage Technology Study**

**HB0773/683193/1**

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 773

(First Reading File Bill)

On page 1 in lines 3, 10, and 14, and on page 5 in lines 14 and 19, in each instance, strike “Maryland Clean Energy Center” and substitute “Power Plant Research Program”.

On page 1 in lines 5, 7, 8, and 17, on page 2 in line 9, and on page 4 in line 27, in each instance, strike “Center” and substitute “Program”.

On page 2, in line 6, after “(ix)” insert “the Maryland Clean Energy Center;

(x)”;

and in line 7, strike “(x)” and substitute “(xi)”.

On page 4, in line 19, after the semicolon insert “and”; and strike beginning with “consider” in line 20 down through “(16)” in line 23.

On page 5, in lines 17 and 22, in each instance, after the second comma insert “of”.

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 795 – Delegate Impallaria**

AN ACT concerning

**Harford County – Alcoholic Beverages – Waiver From School Distance Restrictions**

**HB0795/573696/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 795

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Impallaria” and substitute “Harford County Delegation”; and in line 6, after “licenses;” insert “requiring certain hearings to be held, certain recommendations to be made, and certain recommendations and comments to be considered before a certain waiver can be issued;”.

AMENDMENT NO. 2

On page 3, in line 10, after “(d)” insert “**(1)**”; in the same line, strike “The” and substitute “**SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE**”; and after line 18, insert:

**“(2) BEFORE THE BOARD DECIDES WHETHER TO WAIVE THE DISTANCE RESTRICTIONS FROM A PUBLIC OR PRIVATE SCHOOL BUILDING UNDER PARAGRAPH (1) OF THIS SUBSECTION:**

**(I) A PUBLIC HEARING SHALL BE HELD BY THE GOVERNING BODY OF:**

**1. IF THE RESTAURANT IS LOCATED IN A MUNICIPALITY, THE MUNICIPALITY WHERE THE RESTAURANT IS LOCATED; OR**

**2. IF THE RESTAURANT IS LOCATED OUTSIDE THE BOUNDARIES OF A MUNICIPALITY, THE COUNTY WHERE THE RESTAURANT IS LOCATED;**

(II) THE GOVERNING BODY SHALL MAKE A RECOMMENDATION TO THE BOARD REGARDING WHETHER THE DISTANCE RESTRICTIONS SHOULD BE WAIVED; AND

(III) AFTER RECEIVING THE RECOMMENDATION, THE BOARD SHALL HOLD A PUBLIC HEARING.

(3) IN MAKING A DECISION WHETHER TO WAIVE THE DISTANCE RESTRICTIONS FROM A PUBLIC OR PRIVATE SCHOOL BUILDING, THE BOARD SHALL TAKE INTO CONSIDERATION:

(I) THE RECOMMENDATION FROM THE GOVERNING BODY;

(II) COMMENTS RECEIVED FROM PARENTS WHOSE CHILDREN ATTEND THE PUBLIC OR PRIVATE SCHOOL; AND

(III) COMMENTS MADE AT THE PUBLIC HEARING HELD BY THE BOARD.”.

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 987 – Delegates W. Miller, Arentz, Brooks, Carey, and S. Howard**

AN ACT concerning

**Alcoholic Beverages – Direct Wine Shipper’s Permit – Qualification Standards**

**HB0987/633490/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 987

(First Reading File Bill)

AMENDMENT NO. 1

In line 2, strike “Qualification Standards” and substitute “Application and Renewal Requirements”; strike beginning with “that” in line 3 down through “permit” in line 5 and substitute “or a direct wine shipper who seeks to renew a permit to identify the wines manufactured by the applicant or direct wine shipper intended for shipment into the State”; in line 6, strike “with” and substitute “without”; and after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–145(a) and 2–149(a)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)”.

AMENDMENT NO. 2

In line 17, strike “**THAT DIRECTLY ENGAGES IN THE MANUFACTURE OF WINE**”; and after line 19, insert:

“2–145.

(a) An applicant for a direct wine shipper’s permit shall:

(1) submit to the Comptroller a completed application on a form that the Comptroller provides;

(2) provide to the Comptroller a copy of the applicant’s current license;  
[and]

(3) IDENTIFY THE WINES MANUFACTURED BY THE APPLICANT THAT THE APPLICANT INTENDS TO SHIP INTO THE STATE; AND

(4) pay a fee of \$200 for initial issuance of the direct wine shipper’s permit.

2–149.

(a) A direct wine shipper may renew its direct wine shipper’s permit each year if the direct wine shipper:

(1) is otherwise entitled to have a direct wine shipper’s permit;

(2) provides to the Comptroller a copy of its current permit; [and]

(3) IDENTIFIES THE WINES MANUFACTURED BY THE DIRECT WINE SHIPPER THAT THE DIRECT WINE SHIPPER INTENDS TO SHIP INTO THE STATE; AND

(4) pays to the Comptroller a renewal fee of \$200.”.

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 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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **SPECIAL ORDER CALENDAR NO. 39**

**House Bill 150 – The Speaker and the President (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2018)**

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE  
TO THE MARYLAND HOUSE OF DELEGATES – 2017 SESSION –  
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION  
PERTAINING TO HOUSE BILL 150 – THE BUDGET BILL

(See Exhibit L of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE  
COMMITTEE REPRINT TO HOUSE BILL 150 – THE BUDGET BILL

(See Exhibit M of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPORT ON  
HOUSE BILL 150 – THE BUDGET BILL AND  
HOUSE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit N of Appendix II)

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

Committee amendments 1 through 14 were read and adopted.

Committee amendments 15 through 27 were read and adopted.

Committee amendments 28 through 32 were read and adopted.

Committee amendment 33.

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

Affirmative – 89    Negative – 51    (See Roll Call No. 477)

Committee amendments 34 through 38 were read and adopted.

Committee amendments 39 through 48 were read and adopted.

Committee amendment 49.

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

Affirmative – 86    Negative – 55    (See Roll Call No. 478)

Committee amendment 50 was read and adopted.

Committee amendments 51 through 63 were read and adopted.

Committee amendments 64 through 80 were read and adopted.

Committee amendments 81 through 92 were read and adopted.

Committee amendments 93 through 103 were read and adopted.

Committee amendments 104 through 110 were read and adopted.

Committee amendments 111 through 115 were read and adopted.



Committee amendment 116.

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

Affirmative – 90    Negative – 50    (See Roll Call No. 479)

Committee amendments 117 through 122 were read and adopted.

Committee amendment 123.

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

Affirmative – 84    Negative – 53    (See Roll Call No. 480)

Committee amendment 124 was read and adopted.

Committee amendments 125 through 130 were read and adopted.

Committee amendments 131 through 162 were read and adopted.

Favorable report, as amended, adopted.

**HB0150/943425/1**

BY:    Delegate Reilly

AMENDMENT TO HOUSE BILL 150

(First Reading File Bill – Committee Reprint)

On page 81, under:

Heading:    MEDICAL CARE PROGRAMS ADMINISTRATION

Program:    M00Q01.03

Entitled:    Medical Care Provider Reimbursements

Strike beginning with the semicolon in line 34 down through “health” in line 44.

On page 84, under:

Heading:    MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.07

Entitled: Maryland Children's Health Program

Strike beginning with the semicolon in line 18 down through "health" in line 28.

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

Affirmative – 54    Negative – 82    (See Roll Call No. 481)

Read the second time and ordered prepared for Third Reading.

### **SPECIAL ORDER CALENDAR NO. 40**

#### **House Bill 152 – The Speaker (By Request – Administration)**

AN ACT concerning

#### **Budget Reconciliation and Financing Act of 2017**

HOUSE APPROPRIATIONS COMMITTEE REPORT ON  
HOUSE BILL 150 – THE BUDGET BILL AND  
HOUSE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit N of Appendix II)

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

**HB0152/954468/1**

BY: Appropriations Committee

#### **AMENDMENTS TO HOUSE BILL 152**

(First Reading File Bill)

#### **AMENDMENT NO. 1**

On page 1, strike beginning with "altering" in line 5 down through "funded;" in line 6 and substitute "repealing a requirement that the Comptroller pay certain amounts from a certain Special Fund for certain purposes; repealing a requirement that the State Racing Commission establish a certain bonus award program; repealing a requirement that the purse for a certain horse race be funded by a certain Special Fund;"; in line 7, after

“stipends” insert “for a certain fiscal year”; strike beginning with “providing” in line 7 down through “Works;” in line 9; strike beginning with “and” in line 10 down through “providers” in line 12; in line 13, strike “funds; altering a certain condition on the use of certain funds;” and substitute “funds for a certain fiscal year; prohibiting certain excess funds from being used for certain purposes after a certain fiscal year; altering a certain condition on the use of certain funds for a certain fiscal year; repealing the use of certain funds for certain projects or initiatives after a certain fiscal year; altering the amount the Department of Health and Mental Hygiene is authorized to charge the Maryland Health Care Commission for a certain fiscal year; altering the amount the Department of Health and Mental Hygiene is authorized to charge the State Health Services Cost Review Commission for a certain fiscal year;”; strike beginning with “requiring” in line 14 down through “Taxation;” in line 18 and substitute “requiring the Department of Budget and Management to review certain interagency agreements at certain intervals; requiring the Department of Budget and Management to make certain determinations in the review of certain interagency agreements; requiring the Department of Budget and Management to establish a certain cycle to review certain interagency agreements; requiring the Department of Budget and Management to report certain information and certain findings on or before a certain date each year to certain committees of the General Assembly and the Department of Legislative Services; altering certain provisions of law relating to budget books; requiring the Governor to provide a certain number of copies of the budget books to members of the General Assembly and the Department of Legislative Services; requiring certain information in the budget books to be provided in a certain format on the Department of Budget and Management’s Web site at a certain time; requiring the Department of Budget and Management to archive certain information in a certain format on a certain Web site; altering the regular commissions of a State lottery sales agent; authorizing the State Racing Commission to provide, from the amount provided for certain purses, up to a certain amount each year to a purse for a certain horse race; requiring the Comptroller to administer the Maryland Emergency Medical System Operations Fund;”; and strike beginning with the second “limiting” in line 20 down through “circumstances;” in line 21 and substitute “authorizing the Department of General Services to process a certain budget amendment in a certain amount for a certain fiscal year from certain fees that were recorded as a deferred revenue at the close of a certain fiscal year; prohibiting certain eligibility and benefits rules in place on a certain date for certain programs from being altered unless certain conditions are met; prohibiting the Comptroller from withholding a certain amount for a certain fiscal year to be deposited into a certain fund and instead requiring the amount to be credited to a certain fund to satisfy a certain portion of a certain required payment; requiring the Baltimore City Public School System to report certain information to the Governor and certain committees of the General Assembly on or before certain dates;”; and in line 24, after “Act;” insert “defining certain terms; altering a certain

definition; providing for the termination of certain provisions of this Act; making stylistic changes;”.

On page 2, in line 3, strike “, 7–123(a)(1), 7–1702(a), and 18–303.1(a)(1) and (3)” and substitute “and 7–1702(a)”; in line 8, strike “, 7–123(c), 7–1704, and 18–303.1(g)” and substitute “and 7–1704”; in line 13, strike “, 7–123(c), 7–1704, 17–104(a)(5), and 18–303.1(g)” and substitute “and 7–1704”; in line 18, strike “and (c), 17–104(a)(1), 18–303.1(h), and 23–402(a)”; in line 23, after “15–1004(a),” insert “19–101, 19–201(b),”; in line 28, strike “7–307(d)(3),”; and in the same line, after “15–1004(f),” insert “19–111(c), 19–208(b),”.

On pages 2 and 3, strike in their entirety the lines beginning with line 36 on page 2 through line 2 on page 3, inclusive.

On page 3, in line 5, strike “and 4–509(j)” and substitute “4–509(j), and 6–510(j)”; and strike in their entirety lines 13 through 37, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–212(g)(3)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)”.

On page 4, in line 6, after “Section” insert “2–202; 7–115, 7–118, 7–121, and 7–122 to be under the amended part “Part III. Supporting Materials”; and”; after line 8, insert:

“BY adding to

Article – State Finance and Procurement

Section 3–207 and 7–116

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – State Finance and Procurement

Section 7–116, 7–117, 7–119, and 7–120

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”;

in line 11, strike “9–120(b) and 9–1A–28(c)” and substitute “9–117(a)(1), 9–120(b), and 9–1A–28(f)”; after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–202

Annotated Code of Maryland

(2016 Replacement Volume)”;

in line 16, strike “2–106(b) and”; after line 18, insert:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–955

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)”;

and strike in their entirety lines 25 through 27, inclusive.

On page 22, in line 34, strike “7.” and substitute “6.”.

On page 23, in lines 1, 24, and 29, strike “8.”, “10.”, and “11.”, respectively, and substitute “16.”, “20.”, and “21.”, respectively.

On page 24, in line 1, strike “12.” and substitute “23.”.

## AMENDMENT NO. 2

On page 6, in line 24, strike “shall” and substitute “MAY”; in line 25, after the closing bracket insert “THE FUNDS ALLOCATED TO THE THOROUGHBRED INDUSTRY IN”; in line 26, strike “ESTABLISHED”; and in the same line, strike “9–1A–28” and substitute “9–1A–28(C)(1)”.

## AMENDMENT NO. 3

On page 7, in line 3, after “(1)” insert “(I) FOR FISCAL YEAR 2018, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$2,100,000 TO THE PROGRAM.”

(II)”;

in line 4, strike “MAY” and substitute “SHALL”; and in line 5, before “TO” insert “OF \$5,000,000”.

AMENDMENT NO. 4

On page 7, in lines 8, 14, and 21, in each instance, strike the brackets; in lines 8, 14, and 21, in each instance, strike “MAY”; in line 15, after the closing bracket insert “:

**(I) FOR FISCAL YEAR 2018,**;

and in line 16, after “individual” insert “;AND

**(II) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, \$4,000 PER QUALIFIED INDIVIDUAL**”.

AMENDMENT NO. 5

On page 8, strike in their entirety lines 8 through 27, inclusive.

AMENDMENT NO. 6

On pages 8 and 9, strike in their entirety the lines beginning with line 28 on page 8 through line 3 on page 9, inclusive.

AMENDMENT NO. 7

On page 9, after line 9, insert:

**“(A) FOR FISCAL YEAR 2018, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$5,000,000 TO THE PROGRAM.**

**(B)**”;

in line 10, strike “YEAR 2019 AND EACH FISCAL YEAR THEREAFTER” and substitute “YEARS 2019 THROUGH 2021”; in line 11, strike “MAY” and substitute “SHALL”; and in the same line, after “APPROPRIATION” insert “OF \$7,500,000”.

AMENDMENT NO. 8

On pages 9 and 10, strike in their entirety the lines beginning with line 13 on page 9 through line 27 on page 10, inclusive.

AMENDMENT NO. 9

On pages 10 and 11, strike in their entirety the lines beginning with line 28 on page 10 through line 11 on page 11, inclusive.

AMENDMENT NO. 10

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

AMENDMENT NO. 11

On page 13, strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 12

On page 13, in line 22, strike “Excess” and substitute “**FOR FISCAL YEAR 2018 ONLY, EXCESS**”.

AMENDMENT NO. 13

On page 14, after line 7, insert:

“19–101.

In this subtitle, “Commission” means the Maryland Health Care Commission.

19–111.

(c) (1) The total fees assessed by the Commission may not exceed \$12,000,000.

(2) (i) The fees assessed by the Commission shall be used exclusively to cover the actual documented direct costs of fulfilling the statutory and regulatory duties of the Commission in accordance with the provisions of this subtitle.

(ii) The costs of the Commission include the administrative costs incurred by the Department on behalf of the Commission.

(iii) **1. [The] EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE** amount to be paid by the Commission to the Department for administrative costs, not to exceed 18% of the salaries of the Commission, shall be based on indirect costs or services benefiting the Commission, less overhead costs paid directly by the Commission.

**2. FOR FISCAL YEAR 2018, THE AMOUNT TO BE PAID BY THE COMMISSION TO THE DEPARTMENT FOR ADMINISTRATIVE COSTS SHALL BE BASED ON THE DEPARTMENT’S NEGOTIATED FEDERAL INDIRECT COST RATE.**

(3) The Commission shall pay all funds collected from the fees assessed in accordance with this section into the Fund.

(4) The fees assessed may be expended only for purposes authorized by the provisions of this subtitle.

(5) The amount in paragraph (1) of this subsection limits only the total fees the Commission may assess in a fiscal year.

19–201.

(b) “Commission” means the State Health Services Cost Review Commission.

19–208.

(b) (1) The power of the Secretary to transfer by rule, regulation, or written directive, any staff, functions, or funds of units in the Department does not apply to any staff, function, or funds of the Commission.

(2) The Secretary may assess an administrative charge on the Commission to fund services provided to the Commission by the Department.

(3) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE amount to be paid by the Commission to the Department for administrative costs, not to exceed 18% of the salaries of the Commission, shall be based on indirect costs or services benefiting the Commission, less overhead costs paid directly by the Commission.

(II) FOR FISCAL YEAR 2018, THE AMOUNT TO BE PAID BY THE COMMISSION TO THE DEPARTMENT FOR ADMINISTRATIVE COSTS SHALL BE BASED ON THE DEPARTMENT’S NEGOTIATED FEDERAL INDIRECT COST RATE.”.

AMENDMENT NO. 14



On page 14, strike beginning with “AND” in line 32 down through “THEREAFTER” in line 33.

On page 15, in line 3, strike “EACH” and substitute “THAT”; and after line 4, insert:

“(IV) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE AUTHORIZED UNDER TITLE 10, SUBTITLE 2 AND TITLE 13, SUBTITLE 3 OF THIS ARTICLE AND APPROVED BY THE COMMISSION IF NO LESS THAN \$8,000,000 OF THE SUBSIDY REQUIRED UNDER § 14-106(D)(2)(II)2 OF THE INSURANCE ARTICLE IS USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

#### AMENDMENT NO. 15

On page 15, strike in their entirety lines 5 through 18, inclusive.

#### AMENDMENT NO. 16

On page 15, in line 21, strike the brackets; and in the same line, strike “MAY”.

On page 16, in lines 13, 14, and 15, in each instance, strike the brackets; strike beginning with “FOR” in line 13 down through “THEREAFTER,” in line 14; in line 14, strike “MAY”; in lines 19 and 20, in each instance, strike the bracket; in line 20, after “bill” insert “OR THE CAPITAL BUDGET BILL”; and strike in their entirety lines 21 through 26, inclusive.

#### AMENDMENT NO. 17

On pages 16 and 17, strike in their entirety the lines beginning with line 27 on page 16 through line 3 on page 17, inclusive.

#### AMENDMENT NO. 18

On page 17, strike in their entirety lines 4 through 27, inclusive.

#### AMENDMENT NO. 19

On page 17, after line 27, insert:

“Article – Natural Resources

(g) (3) (I) From revenues described in subsection (f) of this section that are attributable to Maryland Park Service operations, less any amount of those revenues allocated for administrative costs in accordance with paragraph (1)(iii) of this subsection, the Governor shall include in the State budget an appropriation for the Maryland Park Service equal to[:

(i) At least 60% of the remaining revenues, for fiscal year 2016;

(ii) At least 80% of the remaining revenues, for fiscal year 2017; and

(iii)] 100% of the remaining revenues, for fiscal year 2018 [and each fiscal year thereafter].

**(II) FROM REVENUES DESCRIBED IN SUBSECTION (F) OF THIS SECTION THAT ARE ATTRIBUTABLE TO MARYLAND PARK SERVICE OPERATIONS, LESS ANY AMOUNT OF THOSE REVENUES ALLOCATED FOR ADMINISTRATIVE COSTS IN ACCORDANCE WITH PARAGRAPH (1)(III) OF THIS SUBSECTION, AND LESS ANY PRIOR YEAR CLOSING FUND BALANCE, FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE MARYLAND PARK SERVICE IN AN AMOUNT EQUAL TO 100% OF THE REVENUES FROM THE SECOND PRECEDING FISCAL YEAR.”.**

AMENDMENT NO. 20

On page 18, after line 10, insert:

“2–202.

(a) In this section, “block grant” means any federal grant–in–aid that:

(1) contains consolidated funding for 1 or more programs; [and]

**(2) INCLUDES ANY CHANGE IN THE FINANCING OF A PROGRAM THAT INCLUDES ANY KIND OF CAPPED ALLOCATIONS OR SPECIFIC SPENDING TARGETS; OR**

**[(2)] (3) is designated by Congress as a block grant.**

(b) It is the policy of the State that the General Assembly and the Governor should consult before the Executive Branch of the State government adopts State policy on block grants.

(c) (1) This section is in addition to and not in derogation of any other power or duty of the General Assembly.

(2) This section applies to the adoption of State policy to:

(i) participate in a block grant;

(ii) set a date on which the State will accept responsibility for a block grant; or

(iii) transfer money between block grants.

(d) The Governor shall send, subject to § 2–1246 of the State Government Article, to the Legislative Policy Committee each proposal for the adoption of State policy on a block grant.

(e) Within 60 days after the Legislative Policy Committee receives the proposal or, if the Committee sets a shorter period, within that period, the Committee:

(1) may hold a public hearing on the proposal;

(2) may refer the proposal to another committee for review; and

(3) for the General Assembly, may send the Governor comments on the proposal.

(f) The Governor may act on the proposal only after the expiration of the 60–day period or any shorter period set under subsection (e) of this section.

### **3–207.**

(A) **IN THIS SECTION, “INTERAGENCY AGREEMENT” MEANS AN AGREEMENT BETWEEN AN AGENCY OR UNIT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT AND A PUBLIC INSTITUTION OF HIGHER EDUCATION THAT:**

(1) HAS BEEN IN PLACE FOR 3 YEARS OR MORE; AND

(2) HAS A TOTAL OF MORE THAN \$750,000 IN ACTUAL EXPENDITURES IN THE LAST 3 FISCAL YEARS.

(B) AT LEAST ONCE EVERY 3 YEARS, THE DEPARTMENT SHALL REVIEW EACH INTERAGENCY AGREEMENT TO DETERMINE:

(1) WHETHER THE AGREEMENT IS NECESSARY AND SHOULD CONTINUE;

(2) WHETHER THE SERVICES CAN BE PROVIDED MORE COST EFFECTIVELY BY THE AGENCY OR UNIT OR THROUGH A COMPETITIVE PROCUREMENT; AND

(3) WHETHER THE AGREEMENT IS BEING UTILIZED DUE TO THE AGENCY'S OR UNIT'S INABILITY TO RECRUIT OR RETAIN POSITIONS AND, IF SO, WHETHER AN ANNUAL SALARY REVIEW SHOULD BE CONDUCTED TO ADDRESS RECRUITMENT OR RETENTION ISSUES.

(C) THE DEPARTMENT SHALL ESTABLISH A CYCLE TO REVIEW ONE-THIRD OF THE INTERAGENCY AGREEMENTS EACH YEAR.

(D) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, ON OR BEFORE DECEMBER 1 EACH YEAR, THE DEPARTMENT SHALL REPORT A SUMMARY OF THE FINDINGS OF THE REVIEW REQUIRED UNDER SUBSECTION (B) OF THIS SECTION TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE DEPARTMENT OF LEGISLATIVE SERVICES, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

(2) THE REPORT DUE ON OR BEFORE DECEMBER 1, 2017, SHALL INCLUDE A REVIEW OF INTERAGENCY AGREEMENTS THAT HAVE A TOTAL OF MORE THAN \$750,000 IN ACTUAL EXPENDITURES IN FISCAL YEARS 2015 THROUGH 2017.

(3) IN EACH REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL PROVIDE THE FOLLOWING INFORMATION:

- (I) THE INTERAGENCY AGREEMENTS THAT WILL CONTINUE;
- (II) SERVICES THAT WILL BE COMPETITIVELY PROCURED;
- (III) SERVICES THAT WILL BE PROVIDED BY THE AGENCY OR UNIT AS A RESULT OF THE REVIEW;
- (IV) SERVICES THAT HAVE BEEN OR WILL BE CANCELED AS A RESULT OF THE REVIEW; AND
- (V) ACTIONS TAKEN TO ADDRESS RECRUITMENT OR RETENTION ISSUES IDENTIFIED AS A RESULT OF THE REVIEW.”.

AMENDMENT NO. 21

On page 18, before line 11, insert:

“Part III. Supporting [Documents] MATERIALS.

7–115.

(A) On submission of the budget bill to the presiding officers of the General Assembly, the Governor shall [send a copy of the budget books to each member of the General Assembly] PROVIDE THE SUPPORTING MATERIAL SPECIFIED IN THIS SECTION.

(B) THE GOVERNOR SHALL PROVIDE BUDGET BOOKS THAT INCLUDE THE INFORMATION REQUIRED IN THIS SECTION.

(C) THE BUDGET BOOKS FOR A FISCAL YEAR SHALL:

(1) (I) STATE EACH SOURCE OF STATE REVENUES FOR THE YEAR, FROM WHICH THE PROPOSED APPROPRIATIONS ARE TO BE PAID; AND

(II) STATE THE AMOUNT THAT THE GOVERNOR ESTIMATES WILL BE COLLECTED FROM EACH SOURCE;

(2) CONTAIN A SUMMARY OF THE ANNUITY BOND ACCOUNTS OF THE STATE AS OF THE END OF THE LAST FULL FISCAL YEAR; AND

(3) (I) INCLUDE A COPY OF THE STATEWIDE COST ALLOCATION PLAN FILED WITH THE FEDERAL GOVERNMENT FOR FEDERAL REIMBURSEMENT OF THE COSTS OF INDIRECT STATE SERVICES THAT BENEFIT FEDERALLY FUNDED PROGRAMS; AND

(II) LIST, BY UNIT OF THE STATE GOVERNMENT, THE AMOUNT OF REIMBURSEMENT RECEIVED UNDER THE PLAN DURING THE LAST FULL FISCAL YEAR.

(D) THE BUDGET BOOKS SHALL CONTAIN PERSONNEL DETAIL IN A SECTION THAT, BY UNIT OF THE STATE GOVERNMENT, SETS FORTH, FOR EACH PROGRAM OR PURPOSE OF THAT UNIT:

(1) THE TOTAL NUMBER OF OFFICERS AND EMPLOYEES AND THE NUMBER IN EACH JOB CLASSIFICATION:

(I) AUTHORIZED IN THE STATE BUDGET FOR THE LAST FULL FISCAL YEAR AND THE CURRENT FISCAL YEAR; AND

(II) REQUESTED FOR THE NEXT FISCAL YEAR;

(2) THE TOTAL AMOUNT FOR SALARIES OF OFFICERS AND EMPLOYEES AND THE AMOUNT FOR SALARIES OF EACH JOB CLASSIFICATION:

(I) SPENT DURING THE LAST FULL FISCAL YEAR;

(II) AUTHORIZED IN THE STATE BUDGET FOR THE CURRENT FISCAL YEAR; AND

(III) REQUESTED FOR THE NEXT FISCAL YEAR; AND

(3) AN ITEMIZED STATEMENT OF THE EXPENDITURES FOR CONTRACTUAL SERVICES, SUPPLIES AND MATERIALS, EQUIPMENT, LAND AND STRUCTURES, FIXED CHARGES, AND OTHER OPERATING EXPENSES:

(I) MADE IN THE LAST FULL FISCAL YEAR;

(II) AUTHORIZED IN THE STATE BUDGET FOR THE CURRENT FISCAL YEAR; AND

(III) REQUESTED FOR THE NEXT FISCAL YEAR.

(E) THE BUDGET BOOKS SHALL INCLUDE THE STATESTAT OR MANAGING FOR RESULTS AGENCY STRATEGIC PLAN REQUIRED UNDER THIS ARTICLE, BUT SHALL BE LIMITED TO A DESCRIPTION OF THE AGENCY'S MISSION, GOALS, OBJECTIVES, AND PERFORMANCE MEASURES.

(F) WHENEVER A PROPOSED BUDGET EXCEEDS THE RECOMMENDATIONS OF THE SPENDING AFFORDABILITY COMMITTEE, THE BUDGET BOOKS SHALL:

(1) INDICATE THE DEGREE TO WHICH THE PROPOSED BUDGET AND RECOMMENDATIONS DIFFER; AND

(2) SET FORTH THE GOVERNOR'S REASONS FOR EXCEEDING THE RECOMMENDATIONS.

[7-116.

Whenever a proposed budget exceeds the recommendations of the Spending Affordability Committee, the budget books shall:

(1) indicate the degree to which the proposed budget and recommendations differ; and

(2) set forth the Governor's reasons for exceeding the recommendations.]

7-116.

(A) IN THIS SECTION, “MACHINE-READABLE FORMAT” MEANS A COMMA-SEPARATED VALUES FILE FORMAT.

(B) ON SUBMISSION OF THE BUDGET BILL TO THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY, THE GOVERNOR SHALL PROVIDE THE FOLLOWING NUMBER OF COPIES OF THE BUDGET BOOKS REQUIRED UNDER § 7-115 OF THIS SUBTITLE:

(1) ONE COPY TO EACH MEMBER OF THE GENERAL ASSEMBLY; AND

(2) 80 COPIES TO THE DEPARTMENT OF LEGISLATIVE SERVICES.

(C) THE INFORMATION REQUIRED UNDER § 7-115 OF THIS SUBTITLE SHALL BE PROVIDED IN A MACHINE-READABLE FORMAT ON THE WEB SITE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT SIMULTANEOUSLY WITH THE PUBLICATION OF THE PROPOSED ANNUAL STATE BUDGET.

(D) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL ARCHIVE THE INFORMATION PROVIDED IN A MACHINE-READABLE FORMAT ON THE WEB SITE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT BEGINNING WITH THE FISCAL YEAR 2017 BUDGET.

[7-117.

The budget books for a fiscal year shall state:

(1) each source of State revenues for the year, from which the proposed appropriations are to be paid; and

(2) the amount that the Governor estimates will be collected from each source.]

[7-118.] 7-117.

(a) Subject to § 2-1246 of the State Government Article, the Secretary shall provide to the General Assembly on a biennial basis by no later than February 1 of the



fiscal year preceding the fiscal year the report covers, a report that contains a statement of the estimated amount by which exemptions from taxation reduce, for the year:

- (1) State revenues; and
  - (2) revenues that the State collects for local governments.
- (b) For each exemption, the statement shall:
  - (1) show the estimated amount by which the exemption reduces revenues;
  - (2) identify the person or the part of the population that benefits from the exemption; and
  - (3) say whether the exemption conflicts with any other State program.
- (c) The statement shall include:
  - (1) each subtraction modification under § 10–207, § 10–208, or § 10–209 of the Tax – General Article; and
  - (2) each exemption under:
    - (i) Title 8, Subtitle 7 of the Natural Resources Article;
    - (ii) § 5–104, § 6–103, § 7–203, § 7–303, § 9–203, § 9–303, § 9–304, § 10–104, § 10–211, § 10–212, § 12–104, or Title 11, Subtitle 2 of the Tax – General Article;
    - (iii) Title 7 of the Tax – Property Article; and
    - (iv) § 13–810 or § 13–903 of the Transportation Article.
- (d) The Comptroller, the Department of Assessments and Taxation, the Department of Labor, Licensing, and Regulation, the Department of Natural Resources, the Department of Transportation, and other units of the State government shall help the Secretary of Budget and Management to prepare a draft of the statement under this section.

The budget books for a fiscal year shall contain a summary of the annuity bond accounts of the State as of the end of the last full fiscal year.】

【7-120.

The budget books for a fiscal year shall:

(1) include a copy of the statewide cost allocation plan filed with the federal government for federal reimbursement of the costs of indirect State services that benefit federally funded programs; and

(2) list, by unit of the State government, the amount of reimbursement received under the plan during the last full fiscal year.】

【7-121.】 7-118.

(a) 【The budget books shall contain a section that, by unit of the State government, sets forth, for each program or purpose of that unit:

(1) the total number of officers and employees and the number in each job classification:

(i) authorized in the State budget for the last full fiscal year and the current fiscal year; and

(ii) requested for the next fiscal year;

(2) the total amount for salaries of officers and employees and the amount for salaries of each job classification:

(i) spent during the last full fiscal year;

(ii) authorized in the State budget for the current fiscal year; and

(iii) requested for the next fiscal year;

(3) an itemized statement of the expenditures for contractual services, supplies and materials, equipment, land and structures, fixed charges, and other operating expenses:

(i) made in the last full fiscal year;

(ii) authorized in the State budget for the current fiscal year; and

(iii) requested for the next fiscal year; and

(4) the StateStat or managing for results agency strategic plan required under this article that shall be limited to a description of the agency's mission, goals, objectives, and performance measures.

(b) In its annual submission of the proposed budget, the Department of Budget and Management shall provide, for informational purposes, a budget presentation that includes a description of the proposed expenditures under the Maryland Emergency Medical System Operations Fund for the:

(1) Maryland Institute for Emergency Medical Services Systems;

(2) R Adams Cowley Shock Trauma Center;

(3) Maryland Fire and Rescue Institute;

(4) Aviation Division of the Special Operations Bureau, Department of State Police; and

(5) grants under the Senator William H. Amoss Fire, Rescue, and Ambulance Fund.

**[(c) (B)]** (1) (i) In this subsection the following words have the meanings indicated.

(ii) "Cancer Program" means the Cancer Prevention, Education, Screening, and Treatment Program established under Title 13, Subtitle 11 of the Health – General Article.

(iii) “Tobacco Program” means the Tobacco Use Prevention and Cessation Program established under Title 13, Subtitle 10 of the Health – General Article.

(2) The budget books shall contain a budget presentation that provides an overview of the proposed expenditures for:

(i) the Tobacco Program, including the proposed expenditures for:

1. each Component of the Tobacco Program;
2. each program funded under each Component of the Tobacco Program; and
3. each Local Public Health Tobacco Grant;

(ii) the Cancer Program, including the proposed expenditures for:

1. each Component of the Cancer Program;
  2. each program funded under each Component of the Cancer Program;
  3. each Local Public Health Cancer Grant;
  4. each statewide Academic Health Center Public Health Grant;
  5. each statewide Academic Health Center Cancer Research Grant;
  6. each statewide Academic Health Center Tobacco–Related Diseases Research Grant; and
  7. each statewide Academic Health Center Network Grant;
- and

(iii) any other program that is funded with the Cigarette Restitution Fund established under § 7–317 of this title.

[7-122.] 7-119.

(a) (1) For each fiscal year, General Fund capital appropriations shall be budgeted in the operating budget in separate eight-digit programs.

(2) When multiple projects or programs are budgeted within the same nontransportation eight-digit program, each distinct program and project shall be budgeted in a distinct subprogram.

(b) (1) To the extent possible, subprograms for projects spanning multiple years shall be retained to preserve funding history.

(2) The budget detail for prior and current fiscal years submitted with each proposed budget shall be organized in the same fashion to allow comparison between fiscal years.”.

AMENDMENT NO. 22

On page 19, after line 1, insert:

“9-117.

(a) (1) A licensed agent shall receive regular commissions of [5.5%] 5.0% of the licensed agent’s gross receipts from ticket sales.”.

AMENDMENT NO. 23

On pages 19 and 20, strike in their entirety the lines beginning with line 30 on page 19 through line 16 on page 20, inclusive, and substitute:

“(f) From the amount provided to thoroughbred purses, the State Racing Commission:

(1) shall pay an annual grant of \$100,000 to Fair Hill, as defined under § 11-811 of the Business Regulation Article; AND

(2) MAY ALLOCATE UP TO \$500,000 EACH FISCAL YEAR TO A PURSE FOR THE MARYLAND INTERNATIONAL THOROUGHBRED RACE UNDER § 11-522.1 OF THE BUSINESS REGULATION ARTICLE.

Article – Tax – General2–202.

(a) After making the distribution required under § 2–201 of this subtitle, within 20 days after the end of each quarter, the Comptroller shall distribute:

(1) except as provided in [subsection] SUBSECTIONS (b) AND (C) of this section, from the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars under § 4–102(e) of this article:

(i) 1. for fiscal years 2016 through 2021, the revenue attributable to a tax rate of 20% to the Maryland E–Nnovation Initiative Fund under § 6–604 of the Economic Development Article;

2. in fiscal year 2022 and in each fiscal year thereafter, the revenue attributable to a tax rate of 20% to the General Fund of the State; and

(ii) the revenue attributable to a tax rate of 5% as follows:

1. to the Special Fund for Preservation of Cultural Arts in Maryland, as provided in § 4–801 of the Economic Development Article, up to an aggregate amount of \$1,000,000 in each fiscal year; and

2. the remainder to the Maryland State Arts Council, as provided in § 4–512 of the Economic Development Article; and

(2) the remaining admissions and amusement tax revenue:

(i) to the Maryland Stadium Authority, county, or municipal corporation that is the source of the revenue; or

(ii) if the Maryland Stadium Authority and also a county or municipal corporation tax a reduced charge or free admission:

1. 80% of that revenue to the Authority; and

2. 20% to the county or municipal corporation.

(b) From the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars in Calvert County under § 4-102(e) of this article, the Comptroller shall distribute:

(1) for fiscal years 2014 through 2019, from:

(i) the revenue attributable to a tax rate of 1.5%:

1. \$50,000 to the Boys and Girls Club of the Town of North Beach; and

2. the remainder to the Town of North Beach;

(ii) the revenue attributable to a tax rate of 2.5% to the Town of Chesapeake Beach; and

(iii) the revenue attributable to a tax rate of 4% to the Calvert County Youth Recreational Opportunities Fund under Title 5, Subtitle 19 of the Natural Resources Article; and

(2) for fiscal year 2020 and each fiscal year thereafter, from:

(i) the revenue attributable to a tax rate of 1.5%:

1. \$50,000 to the Boys and Girls Club of the Town of North Beach; and

2. the remainder to the Town of North Beach;

(ii) the revenue attributable to a tax rate of 2.5% to the Town of Chesapeake Beach; and

(iii) the revenue attributable to a tax rate of 4% to the Calvert County Board of Education for school renovation and renewal projects that may not be used to supplant county funds for public school construction.

**(C) FROM THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 5% TO BE DISTRIBUTED TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND OR THE MARYLAND STATE ARTS COUNCIL UNDER SUBSECTION**

**(A)(1)(II) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE, FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, \$250,000 TO THE ARTS COUNCIL OF ANNE ARUNDEL COUNTY.”.**

**AMENDMENT NO. 24**

On pages 20 and 21, strike in their entirety the lines beginning with line 18 on page 20 through line 4 on page 21, inclusive.

**AMENDMENT NO. 25**

On page 21, after line 11, insert:

**“Article – Transportation**

**13–955.**

(a) In this section, “Fund” means the Maryland Emergency Medical System Operations Fund.

(b) (1) There is a Maryland Emergency Medical System Operations Fund.

**(2) THE COMPTROLLER SHALL ADMINISTER THE FUND, INCLUDING ACCOUNTING FOR ALL TRANSACTIONS AND PERFORMING YEAR-END RECONCILIATION.**

**[(2)] (3) The Fund is a continuing, nonlapsing fund which is not subject to § 7–302 of the State Finance and Procurement Article.**

**[(3)] (4) Interest and earnings on the Fund shall be separately accounted for and credited to the Fund, and are not subject to § 6–226(a) of the State Finance and Procurement Article.**

(c) The Fund consists of:

(1) Registration surcharges collected under § 13–954 of this subtitle;

(2) All funds, including charges for accident scene transports and interhospital transfers of patients, generated by an entity specified in subsection (e) of this section that is a unit of State government; and



(3) Revenues distributed to the Fund from the surcharges collected under § 7–301(f) of the Courts Article.

(d) Expenditures from the Fund shall be made pursuant to an appropriation approved by the General Assembly in the annual State budget or by the budget amendment procedure provided under § 7–209 of the State Finance and Procurement Article, provided that any budget amendment shall be submitted to and approved by the Legislative Policy Committee prior to the expenditure or obligation of funds.

(e) The money in the Fund shall be used solely for:

(1) Medically oriented functions of the Department of State Police, Special Operations Bureau, Aviation Division;

(2) The Maryland Institute for Emergency Medical Services Systems;

(3) The R Adams Cowley Shock Trauma Center at the University of Maryland Medical System;

(4) The Maryland Fire and Rescue Institute;

(5) The provision of grants under the Senator William H. Amoss Fire, Rescue, and Ambulance Fund in accordance with the provisions of Title 8, Subtitle 1 of the Public Safety Article; and

(6) The Volunteer Company Assistance Fund in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article.”.

#### AMENDMENT NO. 26

On page 21, in line 23, strike “\$364,825,000” and substitute “\$359,825,000”.

#### AMENDMENT NO. 27

On pages 21 and 22, strike in their entirety the lines beginning with line 34 on page 21 through line 12 on page 22, inclusive.

#### AMENDMENT NO. 28

On page 22, in line 14, strike “2018” and substitute “2017”.

#### AMENDMENT NO. 29

On page 22, strike in their entirety lines 29 through 33, inclusive; and after line 38, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2017, the Governor may transfer to the State Agency Loan Program Fund \$3,000,000 of the funds in the Jane E. Lawton Conservation Fund established under § 9–20A–07 of the State Government Article.

SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2017, the Governor may transfer to the General Fund \$30,000,000 of the funds in the accounts of the University System of Maryland.

SECTION 9. AND BE IT FURTHER ENACTED, That the unexpended appropriation for utilization review audit contracts, within the Department of Health and Mental Hygiene Developmental Disabilities Administration, that was included in the fiscal year 2017 operating budget (Chapter 143 of the Acts of 2016) is reduced by \$1,040,000 in federal funds and \$1,460,000 in general funds, which shall revert to the General Fund.

SECTION 10. AND BE IT FURTHER ENACTED, That the special fund appropriation within the Department of Housing and Community Development related to administrative fees that was included in the fiscal year 2017 operating budget (Chapter 143 of the Acts of 2016) is reduced by \$187,500 and shall be transferred to the Department of Commerce to be distributed to the Small, Minority, and Women-Owned Businesses Account established under § 9–1A–35 of the State Government Article.

SECTION 11. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Assistance Payments Program (N00G00.08), within the Department of Human Resources, that was included in the fiscal year 2017 operating budget (Chapter 143 of the Acts of 2016) shall be used by the Department of Human Resources to reduce the deficit in the federal Temporary Assistance for Needy Families grant in fiscal year 2017.

SECTION 12. AND BE IT FURTHER ENACTED, That:

(a) The unexpended appropriation for the Department of General Services that was included in the fiscal year 2017 operating budget (Chapter 143 of the Acts of 2016) shall be reduced by \$968,000 in general funds.

(b) The Department of General Services is authorized to process a fiscal year 2017 special fund budget amendment for \$968,000 from eMaryland Marketplace fees that were recorded as a deferred revenue at the close of fiscal year 2016.

SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2018, the Governor may transfer to the Education Trust Fund \$2,561,757 of the fund balance in the Small, Minority, and Women-Owned Businesses Account established under § 9-1A-35 of the State Government Article.

SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2018, the Governor may transfer \$150,000 as a grant to the Maryland Humanities Council from the revenue distributed to the Special Fund for Preservation of Cultural Arts in Maryland or the Maryland State Arts Council under § 2-202(a)(1)(ii) of the Tax – General Article.

SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2019, the Governor may transfer \$150,000 as a grant to the Maryland Humanities Council from the revenue distributed to the Special Fund for Preservation of Cultural Arts in Maryland or the Maryland State Arts Council under § 2-202(a)(1)(ii) of the Tax – General Article.”.

#### AMENDMENT NO. 30

On page 23, in line 1, strike “if” and substitute “:

(a) If”;

in line 3, strike “may” and substitute “shall”; in lines 5 and 6, strike “(a)” and “(b)”, respectively, and substitute “(1)” and “(2)”, respectively; and after line 7, insert:

“(b) If the Office of the Attorney General does not transfer \$11,000,000 of the recovery from the Moody’s Corporation settlement to the General Fund on or before May 1, 2017, the Comptroller shall transfer from the Consumer Protection Recoveries to the General Fund:

(1) \$11,000,000; or

(2) the difference between the amount transferred on or before May 1, 2017, and \$11,000,000.”.

AMENDMENT NO. 31

On page 23, strike in their entirety lines 8 through 23, inclusive, and substitute:

“SECTION 17. AND BE IT FURTHER ENACTED, That:

(a) Except as provided in subsection (b) of this section, the eligibility and benefits rules in place on January 1, 2017, for the Medical Assistance Program and the Supplemental Nutrition Assistance Program may not be altered to:

- (1) make it more difficult to qualify for benefits;
- (2) expand beneficiary cost sharing to additional services; or
- (3) impose new limitations on benefits, except for changes to provider networks and the preferred drug list.

(b) The eligibility and benefits rules in place on January 1, 2017, for the Medical Assistance Program and the Supplemental Nutrition Assistance Program may be altered if the changes are:

- (1) required under federal law to qualify for the receipt of federal funds;
- (2) included in legislation passed by the General Assembly;
- (3) proposed in the annual State budget submitted to the General Assembly; or
- (4) submitted in writing to the Legislative Policy Committee for a 60–day review and comment period.

SECTION 18. AND BE IT FURTHER ENACTED, That, notwithstanding § 10–645(h)(1) of the Economic Development Article and any other provision of law, for fiscal year 2018 only:

- (1) \$4,600,000 from the General State School Fund may not be withheld from the Baltimore City Board of School Commissioners by the State Comptroller and deposited in the Baltimore City Public School Construction Financing Fund established under § 10–656 of the Economic Development Article; and

(2) the Maryland Stadium Authority shall credit \$4,600,000 of the fund balance of the Baltimore City Public School Construction Facilities Fund established under § 10–657 of the Economic Development Article that represents money held in reserve for Baltimore City in accordance with Section 10–645(i) of the Economic Development Article to the Baltimore City Public School Construction Financing Fund to satisfy a portion of the payment required by § 10–645(h)(1) of the Economic Development Article.

SECTION 19. AND BE IT FURTHER ENACTED, That, on or before November 1, 2017, November 1, 2018, and November 1, 2019, Baltimore City Public Schools shall submit a report to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Budget and Taxation Committee and the House Appropriations Committee on the status of the school system’s structural budget deficit and the actions that have been taken to reduce the gap between ongoing revenues and expenditures, including:

(1) the size and components of the structural deficit in the current year and projected for the next year;

(2) the actions that have been taken to reduce the structural deficit accompanied by the ongoing impact of the action on revenues or expenditures;

(3) the joint procurement of goods or services, or shared services, with the City of Baltimore or other jurisdictions that have promoted efficiency and reduced costs;

(4) the alignment of employee personnel contributions and benefits with the City of Baltimore;

(5) savings from the strategic implementation of the Career Pathways and Achievement Units Compensation System;

(6) consolidation or right-sizing of underutilized school facilities, in addition to the requirements of Chapter 647 of the Acts of 2013;

(7) administrative and operational efficiencies at the central office and school levels; and

(8) initiatives and efforts to retain students and attract new students to the school system.”.

On page 24, before line 1, insert:

“SECTION 22. AND BE IT FURTHER ENACTED, That Section 17 of this Act shall take effect June 1, 2017. It shall remain effective for a period of 2 years and, at the end of May 31, 2019, with no further action required by the General Assembly, Section 17 of this Act shall be abrogated and of no further force and effect.”;

and in line 1, after “That” insert “, except as provided in Section 22 of this Act.”.

The preceding amendments 1 through 21 were read and adopted.

The preceding amendment 22 was read and adopted by a roll call vote as follows:

Affirmative – 89    Negative – 51    (See Roll Call No. 482)

The preceding amendments 23 through 32 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB0152/273929/1**

BY: Delegate McMillan

AMENDMENTS TO HOUSE BILL 152

(First Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 23, before “authorizing” insert “limiting increases in certain mandated spending under certain circumstances.”.

AMENDMENT NO. 2

On page 40, after line 30, insert:

“SECTION 17. AND BE IT FURTHER ENACTED, That:

(a) Except as provided in subsection (b) of this section, for fiscal year 2019 and each fiscal year thereafter, any appropriation that is mandated by law shall have its mandated level of spending increased by the lesser of:

(1) the amount of the existing formula calculation; or

(2) an amount equal to 1% less than the reported amount of General Fund revenue growth in the report submitted by the Board of Revenue Estimates to the Governor under § 6–106(b) of the State Finance and Procurement Article for December.

(b) Subsection (a) of this section does not apply to:

(1) funding required for State aid to public elementary and secondary education as provided under Title 5, Subtitle 2 or § 4–121, § 4–122, § 6–306, § 8–3A–09, § 8–313, or § 8–415 of the Education Article;

(2) any appropriation required to be made to the Revenue Stabilization Account under § 7–311 of the State Finance and Procurement Article; or

(3) any appropriation required for the payment of principal or interest on State debt.”;

and in line 31, strike “17.” and substitute “18.”.

On page 41, in lines 17 and 30, strike “18.” and “19.”, respectively, and substitute “19.” and “20.”, respectively.

On page 42, in lines 17, 22, 29, and 33, strike “20.”, “21.”, “22.”, and “23.”, respectively, and substitute “21.”, “22.”, “23.”, and “24.”, respectively; in lines 29 and 31, in each instance, strike “17” and substitute “18”; and in line 34, strike “22” and substitute “23”.

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

Affirmative – 48    Negative – 88    (See Roll Call No. 483)

Read the second time and ordered prepared for Third Reading.

## **ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 10**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 106 – Chair, Environment and Transportation Committee (By Request  
– Departmental – Housing and Community Development)**

AN ACT concerning

**Department of Housing and Community Development – Homebuyer Education Requirements**

**HB0106/550318/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 106

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Development;” insert “establishing certain requirements for the Department’s homebuyer education requirements; providing that certain provisions do not alter or preempt the authority of a political subdivision to establish homebuyer education or counseling requirements for a down payment assistance program operated by the political subdivision;”.

AMENDMENT NO. 2

On page 2, in line 3, strike the opening bracket; in the same line, after “(a)” insert an opening bracket; in the same line, strike “A” and substitute “SUBJECT TO SUBSECTION (B) OF THIS SECTION, A”; and after line 9, insert:

**“(B) THE DEPARTMENT’S HOMEBUYER EDUCATION REQUIREMENTS SHALL:**

**(1) ALLOW A PROGRAM LOAN RECIPIENT TO USE THE ONLINE HOMEBUYER EDUCATION FOR A HUD-APPROVED PRODUCT AND CONTACT A HUD-APPROVED COUNSELING AGENCY TO RECEIVE A CERTIFICATE;**

**(2) ENABLE ONE POLITICAL SUBDIVISION’S CERTIFICATE TO BE USED IN ANOTHER POLITICAL SUBDIVISION; AND**

**(3) REQUIRE A PROGRAM LOAN RECIPIENT TO RECEIVE HOMEBUYER EDUCATION BEFORE SIGNING A CONTRACT OF SALE.”.**

AMENDMENT NO. 3

On page 2, before line 10, insert:



**“(C) THIS SUBTITLE DOES NOT ALTER OR PREEMPT THE AUTHORITY OF A POLITICAL SUBDIVISION TO ESTABLISH HOMEBUYER EDUCATION OR COUNSELING REQUIREMENTS FOR A DOWN PAYMENT ASSISTANCE PROGRAM OPERATED BY THE POLITICAL SUBDIVISION.”.**

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 970 – Delegates Fraser–Hidalgo, Holmes, Reznik, and West**

AN ACT concerning

**Real Property – New Home Sales – Information on Energy–Efficient Options**

**HB0970/150412/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 970**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 4, after “for” insert “installation in”; in line 6, strike “informed about certain” and substitute “provided with certain information about”; and in line 8, strike “alternatives” and substitute “options”.

On page 2, in lines 3 and 15, in each instance, after “**FOR**” insert “**INSTALLATION IN**”; in lines 4 and 15, in each instance, after “**BEFORE**” insert “**CONSTRUCTION OF**”; in line 14, strike “**ADVISED**” and substitute “**PROVIDED**”; in the same line, before “**BUILDER**” insert “**HOME**”; in the same line, strike “**OF**” and substitute “**WITH WRITTEN INFORMATION ABOUT**”; and in line 15, strike “**WAS**” and substitute “**IS**”.

**AMENDMENT NO. 2**

On page 2, in lines 3 and 15, in each instance, after “OPTIONS” insert “, INCLUDING A STATEMENT THAT TAX CREDITS MAY BE AVAILABLE RELATED TO THE ENERGY-EFFICIENT OPTIONS, THAT ARE”.

The preceding 2 amendments were 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. 13**

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 1652 – Delegates Pena–Melnyk and West**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Health Occupations – Certified Supervised Counselors–Alcohol and Drug – Qualifications**

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

### **WAYS AND MEANS COMMITTEE REPORT NO. 9**

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

**House Bill 112 – Delegates Fraser–Hidalgo, Brooks, and A. Miller**

AN ACT concerning

#### **Interest Rate on Tax Deficiencies and Refunds – Rounding**

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 627 – Delegates C. Howard, Beitzel, Buckel, Hayes, Jameson, Mautz,  
McCray, McKay, Metzgar, and Proctor**

AN ACT concerning

**Motor Fuel Tax Refund – Demand Response Trips**

**HB0627/585967/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 627

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Proctor” and substitute “Proctor, and Adams”; in line 4, after “refund,” insert “limiting the amount of a motor fuel tax refund for certain vehicles used to provide certain services to a certain percentage of motor fuel tax paid”.

AMENDMENT NO. 2

On page 5, after line 9, insert:

**“(4) A REFUND BASED ON A CLAIM UNDER PARAGRAPH (1)(II)1F OF THIS SUBSECTION MAY NOT EXCEED 20% OF THE MOTOR FUEL TAX PAID.”**

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 1104 – Delegates Hixson, Gutierrez, and M. Washington**

AN ACT concerning

**Inheritance Tax – Exemption – Evidence of Domestic Partnership**

**HB1104/915362/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1104

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “is not required” and substitute “or certain other proof may be provided”.

AMENDMENT NO. 2

On page 2, strike beginning with “evidence” in line 1 down through “§ [6–101(b)]” in line 2 and substitute “THE AFFIDAVIT DESCRIBED IN § 6–101(B)(1) OF THE HEALTH – GENERAL ARTICLE OR ANY TWO OF THE PROOFS OF DOMESTIC PARTNERSHIP LISTED UNDER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 7**

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

**House Bill 725 – Delegate Cullison**

AN ACT concerning

**State Board of Dental Examiners – Death of a Licensed Dentist – Ownership of a Dental Practice**

**HB0725/996287/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 725

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Cullison” and substitute “Delegates Cullison, Angel, Barron, Bromwell, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Pendergrass, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

#### FLOOR COMMITTEE AMENDMENT

**HB0725/906780/1**

BY: Health and Government Operations Committee

#### AMENDMENT TO HOUSE BILL 725, AS AMENDED

In line 4 of the Health and Government Operations Committee Amendment (HB0725/996287/1), strike “and K. Young” and substitute “K. Young, and Mautz”.

The preceding amendment was read and 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 771 – Delegates W. Miller, Adams, Anderton, Arentz, Aumann, Barkley, Bromwell, Brooks, Carey, Clark, Fisher, Flanagan, Folden, Hill, S. Howard, Jacobs, Jameson, Kelly, Kipke, Kramer, Krebs, Mautz, McComas, McConkey, Metzgar, Morgan, Pena–Melnik, Rose, Saab, Shoemaker, Turner, Valderrama, Vogt, and B. Wilson**

#### EMERGENCY BILL

AN ACT concerning

**Public Health – Mobile Food Service Facilities – Licensing and Inspection by  
County Health Departments**

**HB0771/956288/1**

BY: Health and Government Operations Committee

#### AMENDMENT TO HOUSE BILL 771

(First Reading File Bill)

On page 1, in the sponsor line, strike “and B. Wilson” and substitute “B. Wilson, Pendergrass, Angel, Barron, Cullison, Hayes, McDonough, Miele, Morales, Platt, Rosenberg, 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 775 – Delegates Kelly, Angel, Cullison, Hayes, Hill, Kipke, Lam, A. Miller, Morales, Morhaim, Pena–Melnyk, Platt, Reznik, Robinson, Rosenberg, Turner, Valderrama, and M. Washington**

AN ACT concerning

**Public Health – Maternal Mental Health**

**HB0775/806889/1**

BY: Health and Government Operations Committee

**AMENDMENTS TO HOUSE BILL 775**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 10, strike “identify methods” and substitute “develop a plan”; in the same line, after “the” insert “Maryland”; in line 11, strike “Program” and substitute “(BHIPP) program”; in the same line, after “purpose,” insert “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;”; and in line 15, strike “through 20–1803” and substitute “and 20–1802”.

**AMENDMENT NO. 2**

On page 3, in line 18, before the first “**THE**” insert “(A)”; and after line 25, insert:

“(B) THE PROGRAMS DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE CONTINUING MEDICAL EDUCATION PROGRAMS DEVELOPED BY ORGANIZATIONS THAT ARE ACCREDITED BY THE ACCREDITATION COUNCIL FOR CONTINUING MEDICAL EDUCATION.”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 26 through 31, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of Health and Mental Hygiene, in collaboration with affected stakeholders, shall develop a statewide plan to expand the Maryland Behavioral Health Integration in Pediatric Primary Care (BHIPP) program to assist obstetric, primary care, pediatric, and other health care providers in addressing the emotional and mental health needs of pregnant and postpartum women.

(b) The affected stakeholders with whom the Department collaborates under subsection (a) of this section shall include:

(1) the directors of the Maryland Behavioral Health Integration in Pediatric Primary Care (BHIPP) program; and

(2) any other public or private institution or organization with links to the targeted populations of providers and patients that the Department considers appropriate.

(c) In developing the plan required under subsection (a) of this section, the Department shall identify and address:

(1) the scope of emotional and mental health conditions to be included in the plan;

(2) methods to accomplish provider outreach and education;

(3) staffing requirements;

(4) consultation standards;

(5) clinical resources; and

(6) funding requirements and mechanisms.

(d) On or before December 1, 2017, the Department, in accordance with § 2–1246 of the State Government Article, shall submit the plan developed under this section to the Senate Finance Committee and the House Health and Government Operations Committee.”.

On page 4, in line 1, strike “2.” and substitute “3.”; and in line 2, strike “October” and substitute “July”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 887 – Delegates Pena–Melnik, Angel, Barron, Kelly, McMillan, and Tarlau**

AN ACT concerning

**Health Insurance – Preauthorization for Drug Products to Treat Substance Use Disorders – Prohibition**

**HB0887/796789/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 887

(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 Tarlau” and substitute “Tarlau, Bromwell, Cullison, Hayes, Hill, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pendergrass, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”; in lines 2 and 3, strike “Preauthorization for Drug Products to Treat Substance Use Disorders” and substitute “Prior Authorization for Drug Products to Treat an Opioid Use Disorder”; in line 6, after “products” insert “under certain circumstances”; in lines 6 and 7, strike “providing for a delayed effective date” and



substitute “making this Act an emergency measure”; and in line 8, strike “substance use disorders” and substitute “opioid use disorders”.

AMENDMENT NO. 2

On page 1, in line 20, after “FOR” insert “SUBSTANCE USE DISORDER BENEFITS OR”.

On page 2, in line 2, after “FOR” insert “SUBSTANCE USE DISORDER BENEFITS OR”; in line 5, after “FOR” insert “SUBSTANCE USE DISORDER BENEFITS UNDER THE MEDICAL BENEFIT OR FOR”; in line 9, after “FOR” insert “A PRESCRIPTION DRUG:

**(1) WHEN USED FOR TREATMENT OF AN OPIOID USE DISORDER; AND**

**(2) THAT CONTAINS**”;

and in line 10, strike “INJECTABLE”.

AMENDMENT NO. 3

On page 2, in line 13, strike “January 1, 2018” and substitute “the effective date of this Act”; in lines 14 and 15, strike “shall take effect January 1, 2018” 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 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR COMMITTEE AMENDMENT

**HB0887/286185/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 887, AS AMENDED

On page 1 of the Health and Government Operations Committee Amendments (HB0887/796789/1), in line 4 of Amendment No. 1, strike “and K. Young” and substitute “K. Young, and Frick”.

The preceding amendment was read and 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 913 – Delegates Rosenberg, Barve, Busch, Davis, Frick, Jones, Kaiser, McIntosh, Pendergrass, and Vallario**

AN ACT concerning

**Attorney General – Powers – Maryland Defense Act of 2017**

**HB0913/796688/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 913

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vallario” and substitute “Vallario, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Morales, Pena–Melnik, Platt, Sample–Hughes, and K. Young”; in line 3, after “of” insert “authorizing the Attorney General to employ certain assistant counsel under certain circumstances;”; in line 14, after “purposes,” insert “requiring the Attorney General to submit a certain report to the Governor and the Legislative Policy Committee on or before a certain date each year;”; and in line 20, after “Section” insert “6–105(f) and”.

AMENDMENT NO. 2

On page 1, after line 25, insert:

“6–105.

**(F) IN ADDITION TO ANY OTHER STAFF APPOINTED UNDER THIS SECTION, THE ATTORNEY GENERAL MAY EMPLOY ANY ASSISTANT COUNSEL THAT THE ATTORNEY GENERAL CONSIDERS NECESSARY TO A CARRY OUT ANY DUTY OF THE OFFICE IF THE EMPLOYMENT OF THE ASSISTANT COUNSEL:**

**(1) IS ON A PRO BONO BASIS;**

(2) WILL NOT RESULT IN MORE THAN MINIMAL COST TO THE STATE;  
AND

(3) WILL NOT RESULT IN THE PAYMENT TO THE ASSISTANT COUNSEL  
OF ANY PORTION OF THE STATE'S RECOVERY IN ANY CASE OR MATTER."

On page 3, after line 27, insert:

"(D) ON OR BEFORE DECEMBER 1 EACH YEAR, THE ATTORNEY GENERAL  
SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THIS  
ARTICLE, THE LEGISLATIVE POLICY COMMITTEE ON ANY ACTION TAKEN UNDER  
THIS SECTION."

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Buckel moved to make the Bill a Special Order for Thursday.

The motion was adopted.

## **HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 12**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably with amendments:

**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**

BY: Committee on Rules and Executive Nominations

AMENDMENT TO HOUSE JOINT RESOLUTION 9

(First Reading File Joint Resolution)

On page 1, in the sponsor line, strike “and P. Young” and substitute “P. Young, Branch, Bromwell, Gaines, Healey, C. Howard, Jameson, Jones, Kaiser, and Walker”; and in line 10, strike “20,000,000” and substitute “24,000,000”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HJ0009/533222/1**

BY: Delegate Szeliga

AMENDMENTS TO HOUSE JOINT RESOLUTION 9, AS AMENDED

(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1 of the joint resolution, in line 2, strike “Protection” and substitute “Improvement”; in line 3, strike “sharp disagreement” and substitute “agreement”; in line 4, strike “repeal of” and substitute “need to repeal or repair”; in lines 5 and 7, in each instance, strike “protect certain provisions of” and substitute “repeal or repair”; and in line 8, strike “repeal” and substitute “improvement”.

In the Committee on Rules and Executive Nominations Amendment (HJ0009/953620/1), in line 3, strike “24,000,000”.

On pages 1 and 2 of the joint resolution, strike in their entirety the lines beginning with line 9 on page 1 through line 13 on page 2, inclusive, and substitute:

“WHEREAS, The Affordable Care Act has led to a decrease in the number of insurance choices in Maryland with 43% of all counties having two or fewer insurance carriers; and

WHEREAS, Since the implementation of the Affordable Care Act, average family premiums have soared by \$4,300 per year and deductibles have increased by as much as 60%; and

WHEREAS, The Affordable Care Act contained \$1 trillion in new taxes, the burden of which mostly fell on families and job creators; and

WHEREAS, 4.7 million Americans lost their health care plans because of the Affordable Care Act; and

WHEREAS, The Affordable Care Act cost taxpayers nearly \$1.9 billion for the 18 failed Affordable Care Act cooperatives, including Evergreen in Maryland, forcing patients to find new insurance at the last minute and resulting in many rural areas in Maryland having only one insurance provider; and

WHEREAS, Five states and nearly one-third of all counties in the United States now have only one insurance provider because of the Affordable Care Act; and

WHEREAS, In the recently completed Maryland Health Benefits Exchange open enrollment period, the individual market shrank by 3,000 policyholders because they chose to discontinue their coverage; and

WHEREAS, It is critical that members of the U.S. Congress set aside their partisan differences and begin to work together to fix the health care system; now, therefore,.”

#### AMENDMENT NO. 2

On page 2 of the joint resolution, in line 15, strike “sharply disagrees with the repeal of” and substitute “agrees that”; in the same line, after “Act” insert “must be repealed or repaired”; in lines 16 and 20, in each instance, strike “protect provisions of” and substitute “repeal or repair”; strike beginning with “that” in line 16 down through “policies” in line 18; and strike beginning with “that” in line 20 down through “policies” in line 22.

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

Affirmative – 50    Negative – 90    (See Roll Call No. 484)

Read the second time and ordered prepared for Third Reading.

**House Bill 381 – Delegates McCray, Beidle, Carr, Cassilly, Fraser–Hidalgo, Frick, Frush, Gilchrist, Glenn, Hayes, Healey, Hill, Holmes, Hornberger, Jackson, Jalisi, Knotts, Lafferty, Robinson, Rose, Stein, Tarlau, Turner, P. Young, and Lewis**

AN ACT concerning

**Railroad Company – Movement of Freight – Required Crew**

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

FLOOR AMENDMENT

**HB0381/293224/1**

BY: Delegate Kipke

AMENDMENT TO HOUSE BILL 381

(First Reading File Bill)

On page 2, strike beginning with “Federal” in line 20 down through “operations” in line 23 and substitute “Congress of the United States enacts a law, or the United States Secretary of Transportation adopts a regulation or issues an order on crew requirements as addressed by Section 1 of this Act”; and in line 23, strike “the rule” and substitute “a law, regulation, or order”.

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

Affirmative – 48    Negative – 91    (See Roll Call No. 485)

FLOOR AMENDMENT

**HB0381/843225/1**

BY: Delegate Kipke

AMENDMENTS TO HOUSE BILL 381

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Movement of Freight –”; in line 4, after “freight” insert “or passengers”; in line 10, strike “for a train” and substitute “requirements for certain trains”; and in line 11, strike “engine used in connection with the movement of freight” and substitute “engines to be operated in the State”.

AMENDMENT NO. 2

On page 2, strike beginning with “IN” in line 1 down through “SAME” in line 2 and substitute “ON A”; in line 3, strike “AS A” and substitute “SHARED BY”; in the same line, strike “OR COMMUTER TRAIN” and substitute “, COMMUTER, OR FREIGHT TRAINS”; strike beginning with “USED” in line 8 down through “FREIGHT” in line 9; and in line 10, after “INDIVIDUALS” insert “IN THE CAB OF THE TRAIN OR LOCOMOTIVE”.

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

Affirmative – 49    Negative – 87    (See Roll Call No. 486)

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 42**

**House Bill 425 – Delegates Lierman, Anderson, Angel, Atterbeary, D. Barnes, Brooks, Conaway, Davis, Fennell, Glenn, Gutierrez, Hayes, Haynes, Hettleman, Hill, Jones, Kelly, Korman, Krimm, McCray, McIntosh, McKay, A. Miller, Moon, Morales, Oaks, Patterson, Queen, Rosenberg, Sanchez, Sydnor, Tarlau, Turner, A. Washington, and M. Washington**

AN ACT concerning

**Public Schools – Suspensions and Expulsions**

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

FLOOR AMENDMENT

**HB0425/773820/1**

BY:    Delegate Cassilly

**AMENDMENTS TO HOUSE BILL 425, AS AMENDED**

(First Reading File Bill)

AMENDMENT NO. 1

Strike in their entirety the Committee on Ways and Means Amendments (HB0425/525766/1).

AMENDMENT NO. 2

On page 1 of the bill, in line 2, strike “and Expulsions” and substitute “– Pending a Parent Conference”; strike beginning with “prohibiting” in line 3 down through “terms;” in line 10 and substitute “altering the authority of a principal of a public school to suspend for cause a certain student pending a parent conference;”; in line 11, strike “and expulsion”; in line 14, strike “4–319(d) and”; and strike in their entirety lines 17 through 21, inclusive.

#### AMENDMENT NO. 3

On page 2 of the bill, strike in their entirety lines 2 through 14, inclusive; in lines 16 and 17, strike “AND § 7–305.1 OF THIS SUBTITLE”; in line 18, after “cause” insert “PENDING A PARENT CONFERENCE”; in line 30, strike the brackets; and in the same line, strike “EXCEPT AS PROVIDED IN § 7–305.1 OF THIS SUBTITLE, AT”.

On pages 5 through 7 of the bill, strike in their entirety the lines beginning with line 12 on page 5 down through line 5 on page 7, inclusive.

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

Affirmative – 49    Negative – 87    (See Roll Call No. 487)

#### FLOOR AMENDMENT

**HB0425/743428/4**

BY: Delegate Krebs

#### AMENDMENTS TO HOUSE BILL 425, AS AMENDED

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 10, after “date;” insert “authorizing county boards of education to opt out of the provisions of this Act; requiring the State Board of Education to review certain decisions;”.

#### AMENDMENT NO. 2

On page 7, after line 5, insert:

**“(F) (1) A COUNTY BOARD MAY DECIDE TO OPT OUT OF THE PROVISIONS OF THIS SECTION.”**



**(2) THE STATE BOARD SHALL REVIEW A DECISION TO OPT OUT UNDER THIS SUBSECTION.”.**

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

Affirmative – 47    Negative – 91    (See Roll Call No. 488)

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 489)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 50**

**House Bill 7 – Delegate Holmes**

AN ACT concerning

**Environment – ~~Children With Elevated Blood Lead Levels~~ Lead Hazards –  
Environmental Investigation, Reporting, and Risk Reduction**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 490)

The Bill was then sent to the Senate.

**House Bill 205 – Delegate Dumais**

AN ACT concerning

**Drivers’ Licenses – Learners’ Permits – Minimum Duration**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 491)

The Bill was then sent to the Senate.

**House Bill 211 – Delegates Robinson, Atterbeary, Barkley, Carr, Fraser-Hidalgo,  
Frush, Gutierrez, Korman, Kramer, A. Miller, Morhaim, Patterson, Platt,**

**Sanchez, Tarlau, Turner, Waldstreicher, ~~and K. Young~~ K. Young, and Lisanti**

**EMERGENCY BILL**

AN ACT concerning

**Cownose Ray ~~Fishing Contests—Prohibition~~ Fishery Management Plan and Moratorium on Contests**

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

Affirmative – 119    Negative – 21    (See Roll Call No. 492)

The Bill was then sent to the Senate.

**House Bill 248 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Maryland Home Improvement Commission – Special Fund and Fees**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 493)

The Bill was then sent to the Senate.

**House Bill 250 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Barbers and State Board of Cosmetologists – Special Fund and Fees**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 494)

The Bill was then sent to the Senate.

**House Bill 279 – Delegates Moon, Afzali, Anderson, Atterbeary, Cluster, Conaway, Dumais, Gutierrez, Hettleman, Kelly, Korman, Lierman, Luedtke, Malone, McComas, Morales, Morhaim, Platt, Queen, Reznik, Rosenberg, Sanchez,**

Sydnor, Valentino-Smith, M. Washington, B. Wilson, C. Wilson, and  
P. Young

AN ACT concerning

**Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and  
Authority of Juvenile Court**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 495)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 45**

**House Bill 4 – ~~Delegate Simonaire~~ Delegates Simonaire and Metzgar**

AN ACT concerning

**Hunting and Fishing Licenses – Active Military, Former Prisoners of War,  
~~Recipients of the Purple Heart Award,~~ and Disabled Veterans**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 496)

The Bill was then sent to the Senate.

**House Bill 68 – ~~Delegate Carey~~ Delegates Carey and Metzgar**

AN ACT concerning

**Hunting and Fishing – ~~Complimentary~~ Discounted Licenses – Purple Heart  
Recipients**

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

Affirmative – 138    Negative – 1    (See Roll Call No. 497)

The Bill was then sent to the Senate.

**House Bill 246 – Chair, Economic Matters Committee (By Request – Departmental  
– Labor, Licensing and Regulation)**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – State Occupational  
Mechanical Licensing Boards – Fund and Fees**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 498)

The Bill was then sent to the Senate.

**House Bill 373 – Delegates D. Barnes, Afzali, Brooks, Buckel, Carr, Chang, Ciliberti, Fennell, Folden, Gilchrist, Gutierrez, Haynes, C. Howard, Knotts, Krimm, McConkey, McKay, Metzgar, Platt, Reznik, Shoemaker, Simonaire, Tarlau, Turner, Vogt, M. Washington, and C. Wilson**

AN ACT concerning

**Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology  
Company – Definition**

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

Affirmative – 135    Negative – 4    (See Roll Call No. 499)

The Bill was then sent to the Senate.

**House Bill 456 – Delegates Kaiser, Barve, Buckel, Chang, Ebersole, Frick, Hornberger, Jalisi, Jones, Kelly, Korman, Lierman, McDonough, Patterson, Queen, Reznik, Sophocleus, Turner, A. Washington, M. Washington, and K. Young**

AN ACT concerning

**~~Family Child Care Homes and Child Care Centers~~ Children With Disabilities  
and Child Care Providers – Dispute Resolution Process – ~~Regulations~~**

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

Affirmative – 126    Negative – 13    (See Roll Call No. 500)

The Bill was then sent to the Senate.

**House Bill 760 – Delegates Arentz, Brooks, Cluster, Krebs, Long, Mautz, McComas, McDonough, and Rose**

AN ACT concerning

**State Real Estate Commission – Real Estate Brokerage Services – Duties and Obligations**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 501)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 44**

**House Bill 304 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Optional Retirement Program – Annuity Contracts – Employee Rights**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 502)

The Bill was then sent to the Senate.

**House Bill 328 – Delegate B. Barnes**

AN ACT concerning

**Optional Retirement Program – Annuity Contract Providers**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 503)

The Bill was then sent to the Senate.

**House Bill 815 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Membership Elections**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 504)

The Bill was then sent to the Senate.

**House Bill 1109 – Delegate B. Barnes**

AN ACT concerning

**Teachers’ Retirement and Pension Systems – County Boards of Education  
Payments**

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

Affirmative – 139    Negative – 1    (See Roll Call No. 505)

The Bill was then sent to the Senate.

**House Bill 1178 – Delegates Ghrist, Krebs, and McKay**

AN ACT concerning

**Employees’ Pension System – ~~Incorrect Enrollments~~ Membership – Study**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 506)

The Bill was then sent to the Senate.

**MESSAGE FROM THE SENATE**

**CONSENT CALENDAR OF INTRODUCTORY SENATE BILLS NO. 30**

**Senate Bill 23 – Senators Klausmeier, Simonaire, ~~and Eckardt~~ Eckardt, Hough,  
Ready, Norman, and Cassilly**

AN ACT concerning

**Handgun Permits – Alternative Expiration Date – Private Detectives, Security  
Guards, and Special Police Officers**

FOR the purpose of authorizing the Secretary of State Police to establish an alternative expiration date for a permit to carry, wear, or transport a handgun that coincides with the expiration of a certain license, certification, or commission that the holder has been issued; and generally relating to handgun permits.

BY repealing and reenacting, with amendments,  
Article – Public Safety

Section 5–309(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2016 Supplement)

BY adding to  
Article – Public Safety  
Section 5–309(d)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2016 Supplement)

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

**Senate Bill 85 – ~~Senator Conway~~ Senators Conway, Brochin, Cassilly, Hough, Kelley, Lee, Muse, Norman, Ramirez, Ready, Smith, and Zirkin**

AN ACT concerning

**Family Law – Treatment Foster Care Homes – Siblings**

FOR the purpose of authorizing the placement of ~~a certain number of~~ more than two children in a treatment foster care home in order to place siblings together if certain children are siblings and if it is in the siblings' best interests ~~the local department makes a certain written finding and notifies the Administration of the placement; defining a certain term~~ terms; and generally relating to the placement of siblings in foster care.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–525.2  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

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

**Senate Bill 88 – Senator Simonaire**

AN ACT concerning

**General Provisions – State Designations – Great Seal**

FOR the purpose of repealing a certain statutory translation of the Calvert family motto depicted on the Great Seal of the State; establishing a certain meaning for the Calvert family motto; and generally relating to the Great Seal of the State.

BY repealing and reenacting, with amendments,  
Article – General Provisions  
Section 7–102(b)(1)

Annotated Code of Maryland  
(2014 Volume and 2016 Supplement)

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

**Senate Bill 142 – ~~Senator Zirkin~~ Senators Manno and Zirkin**

AN ACT concerning

**Task Force to Study Bicycle Safety on Maryland Highways**

FOR the purpose of establishing the Task Force to Study Bicycle Safety on Maryland Highways; 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 bicycle safety on highways in 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 to Study Bicycle Safety on Maryland Highways.

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

**Senate Bill 156 – Senators Brochin and Klausmeier**

AN ACT concerning

**Baltimore County – Elections for Judges of the Orphans’ Court – Procedures**

FOR the purpose of providing that certain provisions of law govern the nomination and election of judges of the orphans’ court in Baltimore County; authorizing a candidate for judge of the orphans’ court in Baltimore County to file and appear on certain primary election ballots; requiring that certain candidates appear on the general election ballot; prohibiting the political affiliation of certain candidates from being included on the general election ballot; providing for the application of certain provisions of this Act; making a conforming change; and generally relating to the procedures for the election of judges of the orphans’ court in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 5–203  
Annotated Code of Maryland  
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 5–301(a)



Annotated Code of Maryland  
(2010 Replacement Volume and 2016 Supplement)

BY adding to

Article – Election Law

Section 8–901 through 8–903 to be under the new subtitle “Subtitle 9. Election of  
Judges of the Orphans’ Court in Baltimore County”

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 269 – Senators Lee, Astle, Benson, Conway, Feldman, Guzzone,  
Hershey, Kagan, Kelley, King, Madaleno, Mathias, Muse, Ready, Rosapepe,  
Salling, Smith, and Young**

AN ACT concerning

**Emergency Veterinary Care – Immunity From Liability**

FOR the purpose of providing that certain prohibitions relating to the practice of veterinary medicine do not apply to certain acts or omissions for which a person may not be held civilly liable; providing immunity from civil liability for a certain person providing veterinary aid, care, or assistance to an animal under certain circumstances; making certain stylistic changes; and generally relating to liability for acts or omissions in giving emergency veterinary care.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–313(a) and 2–314

Annotated Code of Maryland  
(2016 Replacement Volume)

BY repealing

Article – Courts and Judicial Proceedings

Section 5–614

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

BY adding to

Article – Courts and Judicial Proceedings

Section 5–614

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 270 – Senators Lee, Benson, Kagan, Kelley, Manno, Pinsky, Smith, and Zucker**

AN ACT concerning

**Consumer Protection – Credit Report Security Freezes – Prohibition on Fees and Required Notices**

FOR the purpose of prohibiting a consumer reporting agency from charging a consumer a fee for placing a security freeze if the consumer has not previously requested the placement of a security freeze from the consumer reporting agency; ~~temporarily lifting a security freeze a certain number of times, or removing a security freeze if the consumer has received a certain notice of a breach of the security of a system under certain provisions of State law or from or on behalf of a federal agency and provides a copy of the notice to the consumer reporting agency;~~ altering the contents of a certain notice that must be included with a certain summary of rights provided to a consumer; ~~requiring that certain notices relating to the breach of the security of a system include certain information about limitations on the fees that may be charged by a consumer reporting agency for placing, temporarily lifting, or removing a security freeze;~~ and generally relating to fees charged by consumer reporting agencies for services relating to a security freeze and notices about the fees.

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 14–1212.1(a)(1) and (3) ~~and 14–3504(a) and (b)(1) and (2)~~

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 14–1212.1(i) and (j) ~~and 14–3504(g)~~

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

~~Article – State Government~~

~~Section 10–1305(a) and (b)(1) and (2)~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2016 Supplement)~~

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

~~Article – State Government~~

~~Section 10–1305(g)~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2016 Supplement)~~

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

**Senate Bill 274 – Senator Ramirez**

AN ACT concerning

**Family Law – Divorce – Domestic Violence Order**

FOR the purpose of ~~repealing~~ establishing a certain exception to a provision providing that an order or a decision in a domestic violence proceeding is inadmissible as evidence in a divorce proceeding; ~~repealing~~ establishing a certain exception to a provision prohibiting a court from considering compliance with a domestic violence order as grounds for granting a decree of limited or absolute divorce; and generally relating to the admissibility and consideration of domestic violence orders in divorce proceedings.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 7–103.1

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

**Senate Bill 309 – The President (By Request – Administration) and Senators Hershey, Norman, and Salling**

AN ACT concerning

**State Finance and Procurement – Small and Minority Business Participation**

FOR the purpose of clarifying what constitutes good cause for the purpose of removal of a certified minority business enterprise after the execution of a contract; authorizing a certain unit to apply a certain percentage of certain costs toward achieving certain goals under certain circumstances; authorizing a certain unit to apply the total amount of certain fees or commissions toward certain goals under certain circumstances; prohibiting a certain unit from applying any portion of certain costs toward certain goals; repealing the definition of “designated procurement unit” in the Small Business Reserve Program; altering a requirement that certain units structure certain procurement procedures to achieve a certain minimum percentage of the unit’s total dollar value of certain contracts to be made directly to small businesses; providing that a certain unit may apply only certain payments toward its overall annual Small Business Reserve payment; requiring the Special Secretary of Minority Affairs, in consultation with the Attorney General, to establish certain standards and guidelines at a certain regular interval; defining a certain term; making conforming changes; and generally relating to small and minority business participation in State procurement.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–302 and 14–502 through 14–505  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–501  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)  
(As enacted by Chapter 8 of the Acts of the General Assembly of 2016)

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

**Senate Bill 310 – The President (By Request – Administration) and Senators Hershey and Salling**

AN ACT concerning

**Improving the State Procurement Oversight Structure**

FOR the purpose of renaming the Procurement Advisory Council and altering the membership and duties of the Council; altering a certain duty of the Procurement Advisor; repealing a certain provision of law relating to prequalification of certain bidders and offerors; increasing the total value of certain contracts, leases, or other agreements that require a business to file a specified disclosure with the Secretary of State; requiring a certain reviewing authority to approve, disapprove, or modify a certain decision of a procurement officer relating to a contract claim within a certain period of time; providing that a decision not to pay a contract claim is a final action for the purpose of a certain appeal; providing that failure to reach a certain decision within a certain period of time may be deemed a decision not to pay a contract claim; requiring a reviewing authority to comply with a certain provision of law on or before a certain date for certain pending decisions; requiring the Office of the Attorney General to report to the Board of Public Works and certain committees of the General Assembly on or before a certain date; requiring the Department of Transportation, in consultation with the MDDC Press Association, to study the use and costs of certain public announcements and report to certain committees of the General Assembly on or before a certain date; prohibiting the Department of Transportation from adopting a certain regulation before a certain date; and generally relating to requirements of the procurement law.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 12–102(a)(2)(xv), 12–105, 13–221, and 15–218  
Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – State Finance and Procurement

Section 13–204

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 313 – The President (By Request – Administration) and Senators Astle, Bates, Cassilly, Eckardt, Edwards, Feldman, Ferguson, Hershey, Klausmeier, Manno, Mathias, Middleton, Norman, Reilly, Rosapepe, Salling, Serafini, ~~and Simonaire~~ Simonaire, Benson, and Oaks**

AN ACT concerning

**Economic Development – Maryland Energy Innovation Institute**

FOR the purpose of establishing a Maryland Energy Innovation Institute for certain purposes; providing that the Institute is a part of the A. James Clark School of Engineering of the University of Maryland; providing that the School shall manage the Institute according to certain policies with advice of the Advisory Board of the Institute; establishing the purposes of the Institute; providing that the exercise of certain powers by the Institute is an essential governmental function; establishing an Advisory Board of the Institute for certain purposes; providing for the membership, ~~terms,~~ powers, and officers of the Institute Board; providing that the Director of the University of Maryland Energy Research Center is the Director of the Institute; providing for the appointment of an Associate Director; establishing the duties of the Institute Director; authorizing the Institute to retain certain staff and consultants; establishing the powers of the Institute; establishing the Maryland Energy Innovation Fund as a special, nonlapsing revolving fund in the University System of Maryland to be used by the Institute and the Maryland Clean Energy Center; specifying the purposes and uses of the Fund; providing that the Institute shall manage and supervise the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in the Fund; requiring interest earnings of the Fund to be credited to the Fund; providing for the audit of the books and records of the Institute in a certain manner; providing that the Institute and the Center are independent entities that are not responsible for each other's debts, liabilities, bonds, or obligations; requiring the Institute to report each year to the Governor, the Maryland Energy Administration, and the General Assembly on certain matters; stating the intent of the General Assembly regarding coordination of functions and avoidance of duplication of effort between the Center and the Administration; altering the purposes of the Maryland Clean Energy Center; altering the membership of the Board of Directors of the Center; providing that the Governor shall appoint the chair of the Board; ~~repealing the function of requiring the~~

Board to establish a Financing Investment Advisory Committee for certain purposes; providing for the membership of the Advisory Committee; requiring the Advisory Committee to review certain matters and make certain recommendations; authorizing certain State economic development units to provide representatives, resources, and expertise to the Advisory Committee for certain purposes; authorizing the Center to disseminate, rather than to act as a clearinghouse, for certain information and materials for certain purposes; providing that the Center ~~shall~~ may consult with the Administration when cooperating with certain entities and coordinating certain activities with certain programs and persons; requiring certain State economic development units to cooperate with the Center and authorizing those units to provide certain resources and expertise for certain purposes; requiring the Center to publish certain audits on its Web site; repealing the Maryland Clean Energy Technology Incubator Program in the Center; exempting the Fund from a certain provision of law requiring interest earnings of State money to accrue to the General Fund of the State; providing that the Institute is exempt from State and local taxes; providing for the transfer of certain funds in each of certain fiscal years to the Fund from the Strategic Energy Investment Fund; ~~providing for the initial terms of the members of the Institute Board~~ requiring the Center to prepare a certain work plan for certain purposes; requiring the Center to report to the Governor, the Administration, and the General Assembly on certain matters on or before a certain date; requiring the Institute to conduct a certain study and report on its findings and recommendations to the Governor, the Administration, and the General Assembly on or before a certain date; defining certain terms; providing that certain obligations or contracts may not be impaired by this Act; providing that certain loan obligations be converted to grants from the Administration to the Center; and generally relating to the Maryland Energy Innovation Institute, the Maryland Clean Energy Center, and economic development.

BY repealing

Article – Economic Development

Section 10–829 through 10–837 and the part “Part III. Maryland Clean Energy Technology Incubator Program”

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–801(a), (b), (c), (e), (f), (h), and (i)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–806, 10–807, 10–808, 10–810, 10–823, and 10–825

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY adding to

Article – Economic Development

Section 10–828 through ~~10–838~~ 10–839 to be under the new part “Part III. Maryland Energy Innovation Institute”

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

(As enacted by Section 1 of this Act)

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 and the Committee on Appropriations.

**Senate Bill 327 – Senators Young, Klausmeier, Eckardt, Guzzone, Muse, and Rosapepe**

AN ACT concerning

**Public Senior Higher Education Institutions – Financial Aid – Reduction Restrictions**

FOR the purpose of ~~regulating how public senior higher education institutions may adjust funds awarded by the institution when the total amount of financial aid awarded to a student exceeds the student’s demonstrated financial need;~~ authorizing financial aid awarded by a public senior higher education institution to be reduced only under certain circumstances; ~~and up to a certain amount; prohibiting financial aid awarded by a public senior higher education institution from being reduced under certain circumstances; requiring certain financial aid to be reduced in a specific order;~~ authorizing financial aid awarded by a public senior higher education institution to be reduced up to a certain amount under certain circumstances; defining certain terms; providing for the construction of this Act; making the provisions of this Act

severable; and generally relating to financial aid at public senior higher education institutions.

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.

**Senate Bill 328 – Senators Nathan–Pulliam, Salling, Benson, Conway, Currie, Eckardt, Edwards, Ferguson, Kagan, Kelley, King, Madaleno, Manno, Mathias, McFadden, Middleton, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, ~~and Zucker~~ Zucker, and Oaks**

AN ACT concerning

**State Highways – Dedication – Henrietta Lacks Way**

FOR the purpose of requiring the State Highway Administration to dedicate a certain portion of ~~Dundalk Avenue~~ Maryland Route 695A in Baltimore County as Henrietta Lacks Way; and generally relating to State 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 Bill 348 – Senators Kelley, Brochin, Conway, Currie, DeGrange, Ferguson, Lee, Madaleno, McFadden, Muse, Nathan–Pulliam, Ramirez, Robinson, Rosapepe, and Smith**

AN ACT concerning

**State Compensation for Erroneous Conviction and Imprisonment – ~~Gubernatorial Pardon Requirement~~ – Repeal Certification of Error**

FOR the purpose of ~~repealing a requirement that an erroneously convicted individual must receive a gubernatorial pardon to be eligible for certain payments by the Board of Public Works;~~ authorizing a certain individual to request that a State's Attorney certify that a conviction was made in error under certain circumstances; providing that an individual is eligible for a certain grant from the Board of Public Works if a State's Attorney has certified that the individual's conviction was made in error;



establishing the Task Force to Study Erroneous Conviction and Imprisonment; 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 erroneous convictions and establishing innocence; 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 certain provisions of this Act; making conforming changes; and generally relating to State compensation for erroneously convicted and imprisoned individuals.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 8–301(a), (f), and (g)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY adding to

Article – Criminal Procedure

Section 8–301(h)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 10–501

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 365 – Senators Young, Conway, Madaleno, Manno, Nathan–Pulliam, and Pinsky**

AN ACT concerning

~~**Forest Conservation Act – Exemption, Reforestation Rate, and Forest  
Conservation Fund – Alterations**~~

**Task Force on the Forest Conservation Act Offset Policy**

FOR the purpose of ~~altering the exemption from the application of the Forest Conservation Act for the cutting or clearing of public utility rights-of-way or land for certain electric generating stations; increasing the acreage that must be planted in order to meet the reforestation requirement under the Act; authorizing a certain increase in the rate that is paid to the Forest Conservation Fund in lieu of meeting certain reforestation or afforestation requirements; making a stylistic change; and generally relating to the Forest Conservation Act~~ establishing the Task Force on the Forest

Conservation Act Offset Policy; 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 review, study, and develop findings and recommendations regarding forest conservation in Maryland; authorizing the Task Force to consult with certain entities in carrying out its duties; requiring the Task Force to report its findings and recommendations to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on the Forest Conservation Act Offset Policy.

~~BY repealing and reenacting, without amendments,  
Article — Natural Resources  
Section 5-1602(a)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)~~

~~BY repealing and reenacting, with amendments,  
Article — Natural Resources  
Section 5-1602(b)(5), 5-1606(b) and (d), and 5-1610(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 380 – Senators Feldman ~~and Hershey~~, Hershey, Benson, Oaks, and Rosapepe**

AN ACT concerning

**Insurance – ~~Surplus Lines~~ – Short-Term Medical Insurance – ~~Procurement From Nonadmitted Insurer~~ Study**

FOR the purpose of ~~altering the scope of certain provisions of law governing surplus lines insurance as the provisions relate to short term medical insurance; altering the conditions under which short term medical insurance may be procured from a nonadmitted insurer; providing for the application of this Act~~ requiring the Maryland Insurance Administration to conduct a study to assess the need in the State for short-term medical insurance offered by nonadmitted insurers; establishing certain requirements for the study; requiring the Administration to solicit input from certain persons in conducting the study; requiring the Administration to submit a certain report to the Governor and certain legislative committees on or before a certain date; defining a certain term; and generally relating to surplus lines insurance and the procurement of a study of the need for short-term medical insurance from a offered by nonadmitted insurer insurers.

~~BY repealing and reenacting, without amendments,  
Article — Insurance~~

~~Section 3-301(a), (c), and (g)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2016 Supplement)~~

~~BY repealing and reenacting, with amendments,  
Article — Insurance  
Section 3-302(e) and 3-306.2(e)  
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 385 – Senators Nathan–Pulliam, Benson, Eckardt, Ferguson, Kelley,  
Lee, Manno, Mathias, McFadden, Peters, and Robinson**

AN ACT concerning

**Maryland Nurse Practice Act – Revisions**

FOR the purpose of altering the membership of the State Board of Nursing; requiring that certain petitions for membership on the Board have at least a certain number of signatures of support from nurses with a certain license; altering the requirements for the election of Board officers; requiring the Board to hold a special election within a certain time period to fill a certain vacancy under certain circumstances; altering the requirements for a quorum of the Board; authorizing the Board to employ a deputy director; authorizing the Board to set standards for the practice of advanced practice registered nursing, electrology, and direct–entry midwifery; altering the requirement that the Board keep a list of certain nurses and other professionals regulated by the Board; authorizing the Board to appoint certain committees of the Board, to delegate certain duties to the executive director, and to hold the executive director accountable to the Board; renaming the Rehabilitation Program to be the Safe Practice Program; renaming the Rehabilitation Committee to be the Safe Practice Committee; repealing the authority of a certain committee to review and designate certain treatment facilities and services to which certain individuals may be referred; altering the reporting requirements of the Safe Practice Committee; requiring the Program to transfer to the Board certain records; authorizing the Board to summarily suspend the license or certificate of certain licensees and certificate holders; requiring a certain nursing education program in another state or country to be substantially equivalent to an education program in this State at the time of the applicant’s graduation for a certain purpose; requiring certain applicants to demonstrate written and oral competency in the English language as part of the Board’s examination and licensing procedures; repealing certain testing requirements relating to a certain English language competency requirement for certain applicants; repealing certain references to nurse psychotherapists; repealing the requirement that the Board determine certain matters relating to certain licensing examinations; repealing an obsolete date by which the Board was required to begin requiring criminal history records checks; repealing the authority of the

Board to issue a temporary practice letter to certain nurses under certain circumstances; altering the grounds for denying an applicant or licensee a license, reprimanding a licensee, placing a licensee on probation, or suspending or revoking the license of an applicant or licensee if the individual has a substance use disorder; requiring the Board to determine the Maryland passing rate for a certain examination; requiring certain advanced practice registered nurses to report certain information relating to knowledge of certain nurses with a substance use disorder; repealing the requirement that the Board, in consultation with the State Board of Pharmacy and the State Board of Physicians, establish a certain drug formulary for the practice of nurse midwifery; repealing the Board's authority to issue a certain replacement registration certificate and to set a certain fee; repealing the Board's authority to deny the issuance of a certain temporary practice certificate to a certain applicant under certain circumstances; requiring the Board to consider certain information before the Board initiates a disciplinary action against a certain certificate holder or licensee based on information received from a criminal history records check at the time of renewal of a certain certificate or license; prohibiting the Board from renewing a certain certificate without certain documentation that a certain applicant has submitted to a criminal history records check; providing that members of a certain advisory committee are entitled to receive certain compensation and reimbursement for certain expenses; requiring an applicant for a license to practice electrology to take a certain written examination; authorizing the Board or a designee of the Board to give clinical examinations and reexaminations to certain applicants; requiring the Board to provide a certain notice and determine the passing score for a certain examination; repealing the authority of the Board to take certain action against a certain licensee for failing to display a certain notice; repealing the requirement that an electrologist display a certain notice; prohibiting an individual from representing to the public that the individual is authorized to practice advanced practice registered nursing unless authorized to practice advanced practice registered nursing; prohibiting an individual from practicing advanced practice registered nursing under color of a fraudulent diploma, license, certificate, or record; prohibiting an individual from knowingly employing an individual to practice advanced practice registered nursing if the individual is not authorized to practice advanced practice registered nursing; defining certain terms; altering certain defined terms and definitions of certain terms; updating certain terminology; repealing an obsolete provision of law; making conforming and stylistic changes; and generally relating to revisions to the Maryland Nurse Practice Act.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8-101, 8-202(a) through (d), 8-203, 8-204, 8-205(a), 8-208, 8-302, 8-304, 8-305, 8-306, 8-312(g), 8-315, 8-316(a), 8-401, 8-505, 8-601, 8-6A-07, 8-6A-08(k), 8-6A-10(a), 8-6B-10, 8-6B-14(k), 8-6B-18, 8-701 through 8-703, 8-705(a) and (b), and 8-706

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations  
Section 8–302.1 and 8–6A–13(g)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 8–6A–13(a)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY repealing  
Article – Health Occupations  
Section 8–6B–26  
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 505 – Senators Kelley, Young, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, King, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Salling, Smith, and Zucker**

AN ACT concerning

**Civil Actions – Child Sexual Abuse – Statute of Limitations and Required Findings**

FOR the purpose of altering the statute of limitations in certain civil actions relating to child sexual abuse; establishing a statute of repose for certain civil actions relating to child sexual abuse; providing that, in a certain action filed more than a certain number of years after the victim reaches the age of majority, damages may be awarded against a person or governmental entity that is not an alleged perpetrator only under certain circumstances; providing that a certain action is exempt from certain provisions of the Local Government Torts Claims Act; providing that a certain action is exempt from certain provisions of the Maryland Torts Claims Act; defining a certain term; making certain stylistic changes; providing for the application of this Act; and generally relating to child sexual abuse.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–117 and 5–304(a)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings  
Section 5–304(b)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2016 Supplement)

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

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 12–106(b)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

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

**Senate Bill 517 – Senators Zucker, Conway, Kagan, Nathan–Pulliam, and Waugh**

AN ACT concerning

**Secretaries of Principal Departments – Supervision and Review of Decisions  
and Actions by Units Within Departments**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene and the Office of Administrative Hearings, in consultation with stakeholders and other interested parties, to adopt certain regulations for the supervision of certain boards and commissions for certain purposes; requiring the Office ~~of Administrative Hearings~~, in accordance with certain regulations, to review certain decisions or actions to make certain determinations; requiring certain secretaries or certain designees to make certain reviews, make certain assessments, and issue certain decisions under certain circumstances; prohibiting the Office and certain secretaries or designees from approving certain decisions and certain actions under certain circumstances; ~~requiring certain regulations to specify certain actions that the Secretary may refer to the Office for review, certain review processes, and that the actions of certain boards and commissions are not final actions until after a certain review~~ 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; requiring a certain process to require the Office to take certain actions; requiring certain decisions or actions of certain boards, commissions, and units to comply with certain decisions of the Office; prohibiting the Office from authorizing certain administrative law judges to perform a certain review under certain circumstances; providing that certain boards and commissions are responsible for certain costs; providing for the construction of a certain provision of this Act; prohibiting certain secretaries or designees from being certain individuals;

requiring the secretaries of certain principal departments to be responsible for the supervision of certain units within the jurisdiction of the secretaries, for a certain purpose, subject to a certain exception; specifying that certain decisions or actions of certain units are not final decisions or actions until after a certain review; requiring that the final actions or decisions of certain units comply with a certain written decision; requiring certain regulations to be drafted in consultation with certain stakeholders and other interested parties; requiring the Department of Health and Mental Hygiene and the Office to satisfy certain requirements of this Act in a certain manner; 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; specifying the purpose of this Act; and generally relating to the powers and regulatory authority of secretaries of principal departments.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 1–203  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–205(b)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY adding to  
Article – State Government  
Section 8–205.1  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

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

**Senate Bill 534 – Senators Benson, Currie, Ferguson, Lee, Madaleno, Manno, McFadden, Muse, Pinsky, Robinson, Smith, ~~and Young~~ Young, Mathias, and Oaks**

AN ACT concerning

**Motor Vehicle Insurance – Discrimination in Underwriting and Rating –  
Prohibitions**

FOR the purpose of prohibiting an insurer, with respect to private passenger motor vehicle insurance, from ~~refusing to underwrite, canceling, refusing to renew, rating a risk, or increasing a renewal premium based, in whole or in part, on the marital status or employment or occupation of or education level attained by the insured or applicant; repealing certain provisions of law authorizing an insurer, under certain~~

~~circumstances, to use the credit history of an applicant to rate a new policy of private passenger motor vehicle insurance; defining a certain term; making conforming changes increasing the premium for an insured who becomes a surviving spouse based solely on the insured's change in marital status; and generally relating to private passenger motor vehicle insurance.~~

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–501(e–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 539 – The President (By Request – Administration) and Senators Bates, Eckardt, Edwards, Hershey, Jennings, Ready, Salling, Serafini, and Simonaire**

#### EMERGENCY BILL

AN ACT concerning

#### **Criminal Law – ~~Distribution of Opioids Resulting in Death~~ Distribution of Controlled Dangerous Substances – Fentanyl**

FOR the purpose of prohibiting a person from ~~distributing certain opioids or opioid analogues, the use of which causes the death of another, with a certain exception; establishing penalties for a violation of this Act; providing that it is not a defense under this Act that the defendant did not distribute the opioid or opioid analogue directly to the decedent; providing that a person who, in good faith, seeks, provides, or assists with the provision of medical assistance for a person experiencing a medical emergency after using an opioid or opioid analogue shall be immune from criminal prosecution for a violation of this Act if the evidence for the criminal prosecution was obtained in a certain manner; establishing that certain actions do not constitute distribution for a certain purpose; providing that it is a defense under this Act that the defendant was an active user of an opioid or opioid analogue at the time of the distribution causing the death of the decedent; providing that a sentence imposed under this Act shall be separate from and consecutive to a certain other sentence; defining certain terms; making this Act an emergency measure; and generally relating to distribution of opioids or opioid analogues~~ knowingly distributing a certain mixture of controlled dangerous substances; establishing certain penalties for a violation of this Act; requiring a sentence for the distribution of a mixture of certain controlled dangerous substances to be consecutive to any other sentence imposed; making this Act an emergency measure; and generally relating to controlled dangerous substances.

BY repealing and reenacting, without amendments,



Article – Criminal Law  
Section 5–602  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Criminal Law  
Section ~~5–602.1~~ 5–608.1  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

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

**Senate Bill 541 – Senator Conway (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Board of Municipal and Zoning Appeals – Appeals Authority**

FOR the purpose of limiting the authority of the Baltimore City Board of Municipal and Zoning Appeals to hear and decide certain appeals to instances when the Board is authorized to hear and decide the appeals by the Mayor and City Council of Baltimore City by local law or the Charter of Baltimore City; stating that this Act does not prohibit an administrative official or unit from making a certain decision when authorized by the Mayor and City Council of Baltimore City by local law or the Charter of Baltimore City; establishing that this Act does not alter or impair the right to appeal provided for under certain provisions of law; and generally relating to Baltimore City zoning.

BY repealing and reenacting, with amendments,

Article – Land Use  
Section 10–404  
Annotated Code of Maryland  
(2012 Volume and 2016 Supplement)

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

**Senate Bill 549 – Chair, Education, Health, and Environmental Affairs Committee**

EMERGENCY BILL

AN ACT concerning

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

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; 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; 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 ~~related to criminal history records checks~~ on a fiscal year basis; ~~codifying the requirement that requiring the State Board of Physicians to provide certain training on a certain basis rather than at least annually 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;~~ 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; 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 the State Board of Physicians may renew or reinstate a license to practice medicine; altering the circumstances under which a disciplinary panel is required to refer an allegation to peer review; 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; 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; 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; 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; making this Act an emergency measure; 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), 14-205(b), 14-206(e), 14-302(a), 14-316(g), 14-401.1(a)(5)(i), (c)(2), (k), and (l), 14-405(a), 14-411.1(b)(6)(iv), 14-413(a)(1) and (2), 14-414(a)(1) and (2), 14-5A-13(g), 14-5A-17(a), 14-5A-23(b), 14-5A-25, 14-5B-12(g), 14-5B-14(a), 14-5B-21, 14-5C-14(g), 14-5C-17(a), 14-5C-25, 14-5D-12(h), 14-5D-14(a), 14-5D-18(b), 14-5D-20, 14-5E-13(g), 14-5E-16(a), 14-5E-23(b), 14-5E-25, 14-5F-15(d), 14-5F-18(a), 14-5F-25, 14-5F-29, 14-5F-32, 14-602(e), 14-606(a)(5), 14-606(a)(4) and (5), 14-702, 15-307(g), 15-311, 15-313, 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 ~~14-5C-14.1, and 14-5F-15.1~~

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 the General Assembly of 1992 and Chapter 662 of the Acts  
of the General Assembly of 1994  
Section 5

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

### **Senate Bill 562 – Senators Kelley and Lee**

AN ACT concerning

### **Health Care Decisions Act – Advance Directives and Surrogate Decision Making – Disqualified Individuals**

FOR the purpose of prohibiting certain individuals from serving as a health care agent under certain circumstances; establishing a certain exception; prohibiting certain individuals from making decisions about health care for certain individuals ~~who have been certified to be incapable of making an informed decision~~; under certain circumstances; providing that a health care provider may only be required to make a certain inquiry under certain circumstances; requiring a person who obtains certain information that would prohibit an individual from serving as a health care agent or making health care decisions for a certain individual to provide that information to a certain health care provider or a certain health care facility; defining a certain term; and generally relating to the Health Care Decisions Act and decision making by health care agents and surrogates.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 5–602(a)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–602(b) and 5–605(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.

**Senate Bill 625 – Senators Benson, Currie, Madaleno, Pinsky, Robinson, and Young**

AN ACT concerning

**Public Schools and Shelters – Homeless Girls and Women – Feminine Hygiene Products**

FOR the purpose of requiring each county board of education to make available to certain homeless female students a certain supply of feminine hygiene products in a certain manner during a certain year; authorizing funds provided by the Department of Human Resources to local administering agencies for certain service providers and to certain service providers for a certain purpose to be used to purchase a certain supply of feminine hygiene products for a certain purpose; providing that certain feminine hygiene products be made available free to certain female residents in shelters; defining certain terms; and generally relating to feminine hygiene products for homeless girls and women.

BY adding to  
Article – Education  
Section 7–440  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY adding to  
Article – Human Services  
Section 6–441 to be under the new part “Part V. Homeless Women – Feminine Hygiene Products”  
Annotated Code of Maryland  
(2007 Volume and 2016 Supplement)

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

**Senate Bill 631 – Senators Madaleno, Kelley, King, and Smith**

AN ACT concerning

**Criminal Law – Animal Abuse Emergency Compensation Fund – Establishment**

FOR the purpose of requiring certain fines to be remitted to the Animal Abuse Emergency Compensation Fund; establishing the Animal Abuse Emergency Compensation Fund; providing for the uses, purposes, sources of funding, investment of money, and auditing of the Fund; requiring the Executive Director of the Governor's Office of Crime Control and Prevention (GOCCP) to administer the Fund; providing that the Fund is a continuing, nonlapsing fund not subject to certain provisions of law; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining certain terms; providing for the termination of this Act; and generally relating to the Animal Abuse Emergency Compensation Fund.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–302(a)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2016 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 7–302(h)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2016 Supplement)

BY adding to  
Article – Criminal Law  
Section 10–626  
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 Appropriations.

**Senate Bill 649 – ~~Senator Middleton~~ Senators Middleton, Benson, and Oaks**

AN ACT concerning

**Public Utilities – Telephone Lifeline Service – Revisions**

FOR the purpose of providing that a certain local telephone company provide “lifeline” to certain qualifying low-income consumers under certain circumstances; altering certain terminology used with respect to telephone lifeline service and its requirements; repealing a requirement that a telephone company charge an eligible subscriber a percentage of a certain tariff under certain circumstances; requiring the Department of Human Resources to provide certain information to local telephone companies to the extent allowed by State law in addition to federal law and until certain eligibility is determined; specifying that the Department maintain a certain file; authorizing the Department to certify a certain qualifying low-income consumer under certain circumstances; making certain conforming changes; providing for the scope and construction of a certain provision of law; defining certain terms; repealing certain definitions; and generally relating to telephone service.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 8–201  
Annotated Code of Maryland  
(2010 Replacement Volume and 2016 Supplement)

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

**Senate Bill 671 – ~~Senators Kelley and Lee~~ Senators Kelley, Lee, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe**

AN ACT concerning

**Department of Human Resources – Public Assistance Eligibility – Financial Records**

FOR the purpose of requiring the Department of Human Resources, on a showing by an applicant that the applicant has been unable to obtain from a certain fiduciary institution financial records necessary to establish the applicant's eligibility or ineligibility for ~~public assistance~~ Medicaid benefits, to request and obtain the records; requiring the Department to adopt certain regulations; and generally relating to obtaining financial records to establish an individual's eligibility for public assistance.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 5–604  
Annotated Code of Maryland  
(2007 Volume and 2016 Supplement)

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

**Senate Bill 700 – Senators Robinson, Bates, Benson, Brochin, Conway, Currie, DeGrange, Eckardt, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Muse, Nathan–Pulliam, Reilly, Salling, Smith, Young, ~~and Zucker~~ Zucker, and Oaks**

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.

**Senate Bill 703 – Senator Middleton**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Participation in the  
Readiness and Environmental Protection Integration Program**

FOR the purpose of authorizing certain agricultural land preservation easements to be included as part of a partnership under a certain federal program; requiring the Maryland Agricultural Land Preservation Foundation to attempt to form a partnership under a certain federal program when making certain agricultural land preservation easement purchases; and generally relating to the purchase of certain easements.

BY adding to  
Article – Agriculture  
Section 2–513(e)  
Annotated Code of Maryland  
(2016 Replacement Volume)

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

**Senate Bill 781 – ~~Senator Lee~~ Senators Lee, Zirkin, Hough, Muse, Ready, Smith, Cassilly, Norman, Brochin, Ramirez, and Kelley**

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~~ an emergency order 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~~ an emergency order to meet certain requirements; requiring the Court of Appeals to adopt certain rules; 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; altering a certain definition; 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.

**Senate Bill 811 – Senators Zirkin, Kelley, Lee, Muse, Ramirez, and Smith**

AN ACT concerning

**Civil Cases – Maryland Legal Services Corporation Fund – Surcharges – Repeal  
of Sunset**

FOR the purpose of repealing the termination date of certain provisions of law altering certain surcharges on certain fees, charges, and costs in certain civil cases and requiring a certain informational budget to be prepared for the Maryland Legal Services Corporation and submitted to the General Assembly; and generally relating to the Maryland Legal Services Corporation Fund.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 7–202(a)(1), (d), and (g) and 7–301(c)(1), (2), and (5)

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

BY repealing and reenacting, without amendments,  
Article – Human Services  
Section 11–208  
Annotated Code of Maryland  
(2007 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 486 of the Acts of the General Assembly of 2010, as amended by Chapters  
71 and 72 of the Acts of the General Assembly of 2013  
Section 2

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

**Senate Bill 885 – ~~Senator Rosapepe~~ Senators Rosapepe and Kagan**

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 the State, 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 a certain penalty; 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.

**Senate Bill 912 – Chair, Judicial Proceedings 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.

**Senate Bill 919 – ~~Senator Mathias~~ Senators Mathias, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Middleton, Oaks, Reilly, and Rosapepe**

AN ACT concerning

**President Jimmy Carter Cancer Treatment Access Act**

FOR the purpose of prohibiting a certain insurer, nonprofit health service plan, or health maintenance organization from imposing a step therapy or fail–first protocol on an insured or an enrollee for a certain prescription drug used in the treatment of a certain cancer under certain circumstances; providing for the application of this Act; making stylistic and conforming changes; and generally relating to step therapy or fail–first protocols for prescription drugs to treat cancer under health insurance policies and contracts.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–142  
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 943 – Senators Smith, Feldman, Ferguson, and Zucker**

AN ACT concerning

**~~Family Child Care Homes and Child Care Centers~~ Children With Disabilities  
and Child Care Providers – Dispute Resolution Process ~~– Regulations~~**

FOR the purpose of requiring the State ~~Board of Education to develop certain regulations relating to the establishment of a certain dispute resolution process to be used in certain disputes related to certain family child care homes and child care centers; providing guidelines for the content of the regulations; requiring a certain dispute resolution process to be developed by a certain workgroup composed of certain members; and generally relating to regulations for family child care homes and child care centers in the State~~ Department of Education to develop a dispute resolution process to be used by families of children with disabilities and child care providers for resolving complaints of discrimination based on a child's disability; requiring the Department, in developing the specific components of the dispute resolution process, to convene a workgroup that includes representatives of certain entities; requiring the dispute resolution process to include certain components; authorizing the dispute resolution process to include certain components; requiring the Department to submit a certain report to the General Assembly on or before a certain date; and generally relating to the State Department of Education and a process for resolving disputes regarding the care of children with disabilities.

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

~~BY repealing and reenacting, with amendments,  
Article – Education  
Section 9.5–303(e) and 9.5–404  
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 949 – Senators Smith and Madaleno**

AN ACT concerning

**Criminal Procedure – Expungement – Possession of Marijuana ~~and Fees~~**

FOR the purpose of authorizing a person to file a certain petition for expungement ~~if the~~  
~~within a certain amount of time after a person was convicted of possession of~~  
~~marijuana before a certain time; requiring that filing fees for petitions for~~  
~~expungement collected by the District Court be remitted to the Administrative Office~~  
~~of the Courts to be used only for a certain purpose; providing for the effective date of~~  
~~certain provisions of this Act; and generally relating to expungement of records.~~

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

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 10–110(a)(8)  
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 adding to~~  
~~Article – Courts and Judicial Proceedings~~  
~~Section 7–302(h)~~  
~~Annotated Code of Maryland~~  
~~(2013 Replacement Volume and 2016 Supplement)~~

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

**Senate Bill 964 – Senators Klausmeier and Eckardt**

EMERGENCY BILL

AN ACT concerning

**Aquaculture – Leases – Submerged Aquatic Vegetation**

FOR the purpose of requiring the Department of Natural Resources, in consultation with interested stakeholders, to ~~study~~ review certain conflicts that arise related to aquaculture and submerged aquatic vegetation, develop certain solutions to these conflicts, and report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the Department of Natural Resources, notwithstanding certain provisions of law, to adopt regulations that establish standards and a process under which the Department may assess and evaluate certain aquaculture leases in order to make certain determinations; making this Act an emergency measure; providing for the termination of this Act; and generally relating to aquaculture leases and submerged aquatic vegetation.

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

**Senate Bill 966 – Senators Klausmeier and Middleton, Middleton, Astle, Benson, Feldman, Hershey, Jennings, Rosapepe, and Oaks**

AN ACT concerning

**Electric Universal Service Program – Unexpended Funds**

FOR the purpose of providing that the Public Service Commission has oversight responsibility over certain expenditures of the electric universal service program; requiring the Department of Human Resources to expend certain funds collected for the program in certain fiscal years for certain purposes, including bill assistance and arrearage retirement, targeted weatherization, or arrearage management; stating the intent of the General Assembly regarding the timing for expending certain unexpended bill assistance and arrearage funds; and generally relating to the electric universal service program.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–512.1(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–512.1(e) and (f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2016 Supplement)

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

**Senate Bill 968 – ~~Senator Klausmeier~~ Senators Klausmeier, Astle, Benson, Feldman, Hershey, Jennings, Mathias, Middleton, Oaks, Reilly, and Rosapepe**

AN ACT concerning

**Health Insurance – Coverage Requirements for Behavioral Health Disorders – Modifications**

FOR the purpose of 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; and generally relating to health insurance coverage for the diagnosis and treatment of mental illness and emotional, drug use, and alcohol use disorders.



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.

**Senate Bill 969 – Senator Feldman**

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.

**Senate Bill 975 – Senator Ready**

AN ACT concerning

**Real Property – Agricultural Land Preservation Easements – Separate Parcels**

FOR the purpose of establishing that, unless a certain deed expressly provides otherwise, the grant of a certain agricultural land preservation easement governing two or more separate parcels of land owned by the same grantor under separate deeds or two or more parcels separately identified and described in the same deed does not consolidate the parcels for any other purpose, under certain circumstances; establishing that a certain parcel of land subject to an agricultural land preservation easement may be conveyed separately to a certain family member without the approval of the Maryland Agricultural Land Preservation Foundation, regardless of the size of the parcel, but shall remain subject to the easement; requiring the owner of a certain parcel to notify the Foundation at least a certain number of days before conveying the parcel to a certain family member; establishing that, notwithstanding any other provision of law, a conveyance of a separate parcel to a certain family

member under this Act is not a subdivision or off-conveyance; defining a certain term; providing for the application of this Act; providing for the termination of this Act; and generally relating to agricultural land preservation easements.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 2–118  
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 982 – Senators Muse, Benson, Madaleno, Robinson, and Young**

AN ACT concerning

~~**Juveniles Strip Search Limitations**~~  
**Department of Juvenile Services – Implementation of Task Force**  
**Recommendations – Report**

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; permitting 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~~ 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.

~~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.

**Senate Bill 1040 – Senators Ready, Bates, Eckardt, Edwards, and Salling**

AN ACT concerning

**Environment – Water and Sewer Plan Approval**

FOR the purpose of reducing the number of days that the Department of the Environment has to take certain actions on a certain proposed plan or a proposed revision or amendment to a certain plan; reducing the number of days of a certain extension of a certain review period; authorizing an additional extension of time for a certain review period, subject to certain notice requirements; requiring a certain notice to include certain information; requiring the Department to provide certain notice to a county of a certain approval under certain circumstances; and generally relating to approval of county water and sewer plans by the Department of the Environment.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–507

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

**QUORUM CALL**

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

(See Roll Call No. 507)

**RECESS**

At 2:00 P.M. on motion of Delegate Frick the House recessed until 7:00 P.M. on Legislative Day, March 12, 2017, Calendar Day, Wednesday, March 15, 2017.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: March 12, 2017**  
**Calendar Day: Wednesday, March 15, 2017**

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At 7:02 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Benjamin Brooks of Baltimore County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 121 Members present.

(See Roll Call No. 508)

**EXCUSED:**

Del. Hixson – personal  
Del. McDonough – business  
Del. W. Miller – personal  
Del. Morhaim – personal  
Del. Parrott – late – personal

The Journal of March 15, 2017 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 120 Members present.

(See Roll Call No. 509)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 54**

**House Bill 781 – Delegate Kramer**

AN ACT concerning

**Retail Pet Stores – Animal Seller, Dog Cage Signs, and Records – Requirement  
Revisions**

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

Affirmative – 117    Negative – 0    (See Roll Call No. 510)

The Bill was then sent to the Senate.

**House Bill 899 – Delegates Anderson, Atterbeary, D. Barnes, Barron, Branch, Brooks, Conaway, Davis, Fennell, Glenn, Gutierrez, Hayes, Haynes, Holmes, C. Howard, Jackson, Jalisi, Jones, McCray, Oaks, Patterson, Pena–Melnik, Proctor, Queen, Sample–Hughes, Sanchez, Stein, Sydnor, Turner, A. Washington, M. Washington, C. Wilson, and R. Lewis**

AN ACT concerning

**Public Safety – Maryland Police Training and Standards Commission –  
Psychological ~~Evaluations~~ Assessments of Law Enforcement Officers**

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

Affirmative – 94    Negative – 29    (See Roll Call No. 511)

The Bill was then sent to the Senate.

**House Bill 926 – Delegates McComas, Glass, Impallaria, Jalisi, Krebs, Malone, McDonough, McKay, Morgan, Parrott, Patterson, Reilly, Sophocleus, and Vogt**

AN ACT concerning

**Child Support – Health Insurance – Definition**

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

Affirmative – 126    Negative – 1    (See Roll Call No. 512)

The Bill was then sent to the Senate.

**House Bill 1015 – Delegates Fraser–Hidalgo, Dumais, and A. Miller**

AN ACT concerning

**Criminal Law – Allowing Underage Drinker at Residence to Possess or Consume  
Alcohol – Penalties**

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

Affirmative – 127    Negative – 1    (See Roll Call No. 513)

The Bill was then sent to the Senate.

**House Bill 1021 – ~~Delegate Reznik~~ Delegates Reznik, Pendergrass, Bromwell, Angel, Barron, 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

**Reorganization of State Procurement**

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

Affirmative – 129    Negative – 0    (See Roll Call No. 514)

The Bill was then sent to the Senate.

**House Bill 1071 – Delegates Valentino-Smith, Holmes, Kramer, McComas, McCray, ~~and Sanchez~~ Sanchez, and Fraser-Hidalgo**

AN ACT concerning

**Vehicle Laws – Victim’s Representative Notification – License Suspension  
Hearing**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 515)

The Bill was then sent to the Senate.

**House Bill 1150 – Delegates McMillan and Folden**

AN ACT concerning

**Vehicle Laws – Off-Highway Recreational Vehicles**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 516)

The Bill was then sent to the Senate.

**House Bill 1156 – Delegate Stein**

AN ACT concerning

**Residential Property – Foreclosed Property Registry – Notice of Registration**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 517)

The Bill was then sent to the Senate.

**House Bill 1433 – Delegates Valentino-Smith, Fennell, Adams, Anderton, D. Barnes, Beitzel, Frush, Ghrist, McComas, McKay, Sanchez, Tarlau, Waldstreicher, ~~and A. Washington~~ A. Washington, Afzali, Ali, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Kaiser, Long, Luedtke, Mautz, Patterson, Reilly, Rose, Shoemaker, Simonaire, Turner, Walker, M. Washington, and Wilkins**

AN ACT concerning

**Local Income Tax Overpayments – Local Reserve Account Repayment –  
Forgiveness**

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

Affirmative – 130    Negative – 0    (See Roll Call No. 518)

The Bill was then sent to the Senate.

**House Bill 1492 – Delegates Hayes, Ali, Anderson, Conaway, Glenn, R. Lewis, McCray, McIntosh, Mosby, and Rosenberg**

AN ACT concerning

**Housing and Community Development – Food Deserts – Small Loans**

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

Affirmative – 118    Negative – 15    (See Roll Call No. 519)

The Bill was then sent to the Senate.

**House Bill 1506 – Delegates Glenn, Conaway, Hayes, Haynes, R. Lewis, McCray, Oaks, and M. Washington**

AN ACT concerning

**State Government – Office of Minority Affairs and Interdepartmental Advisory  
Committee on Minority Affairs – Renaming**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 520)

The Bill was then sent to the Senate.

### CALENDAR OF THIRD READING HOUSE BILLS NO. 53

**House Bill 455 – Delegates Atterbeary, Anderson, Chang, Frush, Kramer, McComas, Moon, Morhaim, Parrott, Patterson, Robinson, Sanchez, Sydnor, Turner, and C. Wilson**

AN ACT concerning

#### **Criminal Law – Animal Cruelty – Applicability**

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

Affirmative – 131    Negative – 5    (See Roll Call No. 521)

The Bill was then sent to the Senate.

**House Bill 493 – Delegates Kramer, Aumann, Barkley, Carey, Chang, Fennell, Fraser-Hidalgo, Frush, Krimm, Morales, Stein, ~~and Valderrama~~ Valderrama, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morgan, Pena-Melnyk, Pendergrass, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young**

AN ACT concerning

#### **Long-Term Care Insurance – Premium Rates**

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

Affirmative – 135    Negative – 1    (See Roll Call No. 522)

The Bill was then sent to the Senate.

**House Bill 595 – Delegates McMillan, Beidle, Cassilly, Folden, Holmes, Jalisi, and McComas**

AN ACT concerning

#### **Mortgages and Deeds of Trust – ~~Certification Requirement for Recordation –~~ ~~Repeal~~ Prerequisites to Recording**



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

Affirmative – 134    Negative – 0    (See Roll Call No. 523)

The Bill was then sent to the Senate.

**House Bill 617 – Delegates Healey, B. Barnes, Carr, Fraser-Hidalgo, Frush, Gilchrist, Lafferty, and Robinson**

AN ACT concerning

**Natural Resources – Forest Conservation Act – Forest Conservation Thresholds and Afforestation and Reforestation Requirements**

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

Affirmative – 132    Negative – 4    (See Roll Call No. 524)

The Bill was then sent to the Senate.

**House Bill 746 – Delegate M. Washington**

AN ACT concerning

**Public School Labor Relations Board – Administration and Enforcement – Revisions**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 525)

The Bill was then sent to the Senate.

**House Bill 767 – Delegates Sydnor, Conaway, Dumais, and Reilly**

AN ACT concerning

**Public Information Act – Inspection of Records From Body-Worn Digital Recording Devices**

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

Affirmative – 133    Negative – 3    (See Roll Call No. 526)

The Bill was then sent to the Senate.

**House Bill 789 – Delegate Cullison**

AN ACT concerning

**Condominiums and Homeowners Associations – Amendment of Governing Documents**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 527)

The Bill was then sent to the Senate.

**House Bill 846 – Delegate Bromwell**

AN ACT concerning

**Pricing and Selection Committee for Blind Industries and Services of Maryland and the Employment Works Program – Staff**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 528)

The Bill was then sent to the Senate.

**SPECIAL ORDER CALENDAR NO. 43**

**House Bill 898 – Delegates Ebersole, Lafferty, Lam, Lierman, Luedtke, McCray, Moon, Morales, Platt, Reznik, Tarlau, Turner, A. Washington, and M. Washington**

AN ACT concerning

**Election Law – Campaign Finance – Coordinated Expenditures**

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

FLOOR COMMITTEE AMENDMENT

**HB0898/875564/1**

BY:    Committee on Ways and Means

AMENDMENT TO HOUSE BILL 898

(First Reading File Bill)

On page 8, in line 9, strike “A” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A”; and after line 18, insert:

**“(3) A CANDIDATE MAY NOT BE JOINTLY AND SEVERALLY LIABLE FOR A FINE OR PENALTY UNDER THIS SECTION UNLESS A COURT OR THE STATE BOARD FINDS THAT THE CANDIDATE ENGAGED IN CONDUCT THAT CONSTITUTES COORDINATION WITH A PERSON UNDER THIS SECTION.”**

The preceding amendment was read and adopted.

Delegate Kaiser moved to make the Bill a Special Order for Thursday.

The motion was adopted.

### QUORUM CALL

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

(See Roll Call No. 529)

### CALENDAR OF THIRD READING HOUSE BILLS NO. 39

**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**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 530)

The Bill was then sent to the Senate.

**House Bill 210 – Delegate Simonaire**

AN ACT concerning

**Anne Arundel County – Board of License Commissioners**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 531)

The Bill was then sent to the Senate.

**House Bill 231 – Delegates Impallaria and Jackson**

AN ACT concerning

**Property Tax Credit – Disabled or Fallen Law Enforcement Officers and Rescue Workers – Alteration**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 532)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 533)

The Bill was then sent to the Senate.

**House Bill 271 – Delegates Lierman, Anderson, Barron, Beidle, Branch, Clippinger, Ebersole, Glenn, Hayes, Hettelman, Korman, Lafferty, R. Lewis, McCray, Oaks, Robinson, ~~and M. Washington~~ M. Washington, and Ali**

AN ACT concerning

**Maryland Transit Administration – ~~Farebox Recovery, Goals, and Performance Indicators~~ Farebox Recovery Rate – Repeal**

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

Affirmative – 85    Negative – 50    (See Roll Call No. 534)

The Bill was then sent to the Senate.

**House Bill 289 – Delegates Hayes ~~and Conaway~~, Conaway, and Mosby**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Marketplace License**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 535)

The Bill was then sent to the Senate.

**House Bill 300 – Delegates Fennell, D. Barnes, Luedtke, ~~and Tarlau~~ Tarlau, and C. Howard**

AN ACT concerning

**Video Lottery Terminals – Disposition of Unclaimed Winnings**

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

Affirmative – 126    Negative – 11    (See Roll Call No. 536)

The Bill was then sent to the Senate.

**SPECIAL ORDER CALENDAR NO. 44**

**House Bill 924 – Delegates Gilchrist, Barve, Carr, Frush, Lafferty, Robinson, and Stein**

AN ACT concerning

**Natural Resources – Oyster Management – Prohibited Actions**

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

FLOOR AMENDMENT

**HB0924/923026/1**

BY:    Delegate Rey

AMENDMENTS TO HOUSE BILL 924

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “altering” insert “the boundaries of”.

AMENDMENT NO. 2

On page 2, in line 26, after “ALTER” insert “THE BOUNDARIES OF”.

The preceding 2 amendments were read and adopted.

## FLOOR AMENDMENT

**HB0924/943529/1**

BY: Delegate S. Howard

AMENDMENTS TO HOUSE BILL 924

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Actions” insert “and Sanctuary Projects”; in line 4, strike “and” and substitute “requiring that one of the tributaries selected for a certain oyster restoration sanctuary project be in the Severn River; and”; and in line 13, after “4–215(e)(4)” insert “and (5)”.

AMENDMENT NO. 2

On page 2, before line 31, insert:

**“(5) ONE OF THE TWO TRIBUTARIES SELECTED FOR TRIBUTARY–SCALE OYSTER RESTORATION SANCTUARY PROJECTS IN ACCORDANCE WITH THE 2014 CHESAPEAKE BAY AGREEMENT SHALL BE IN THE SEVERN RIVER, LOCATED IN ANNE ARUNDEL COUNTY.”**

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

Affirmative – 49    Negative – 86    (See Roll Call No. 537)

## FLOOR AMENDMENT

**HB0924/503522/1**

BY: Delegate Adams

AMENDMENTS TO HOUSE BILL 924

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Actions” insert “and Shell Replenishment”; in line 4, strike “and” and substitute “requiring the Department to provide a minimum number of bushels of oyster shell for public oyster bottom each year, for a certain purpose; and”; and in line 13, after “4–215(e)(4)” insert “and 4–1108”.

AMENDMENT NO. 2

On page 2, before line 31, insert:

**“4–1108.**

**TO EXPAND THE DEPARTMENT’S OYSTER SHELL AND SEED REPLENISHMENT PROGRAM, THE DEPARTMENT SHALL PROVIDE AT LEAST 250,000 BUSHEL OF OYSTER SHELL FOR PUBLIC OYSTER BOTTOM EACH YEAR.”.**

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

Affirmative – 47    Negative – 86    (See Roll Call No. 538)

## FLOOR AMENDMENT

**HB0924/323328/1**

BY: Delegate Mautz

AMENDMENTS TO HOUSE BILL 924

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Actions” insert “and Alternative Management Plans”; in line 4, strike “and” and substitute “authorizing the Department to prepare a certain alternative management plan for any distressed oyster sanctuary; prohibiting the Department from preparing an alternative management plan in certain areas; providing”.

for the contents of the alternative management plan; requiring the Department to establish, under certain circumstances, a certain account within a certain program to assist with funding for the implementation of alternative management plans; requiring that a certain amount of funding be deposited into the account established under this Act; and”; and in line 13, after “4–215(e)(4)” insert “and 4–1108”.

AMENDMENT NO. 2

On page 2, before line 31, insert:

“4–1108.

(A) IN THIS SECTION, “DISTRESSED OYSTER SANCTUARY” MEANS AN OYSTER SANCTUARY WITH AN OYSTER POPULATION THAT HAS DECREASED OVER THE PREVIOUS 5–YEAR PERIOD.

(B) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT MAY PREPARE AN ALTERNATIVE MANAGEMENT PLAN FOR ANY DISTRESSED OYSTER SANCTUARY.

(II) AN ALTERNATIVE MANAGEMENT PLAN MAY NOT BE PREPARED FOR AN AREA WHERE OYSTERS ARE GROWN UNDER THE DEPARTMENT’S MARYLANDERS GROW OYSTERS PROGRAM.

(2) THE ALTERNATIVE MANAGEMENT PLAN SHALL PROVIDE A SCIENCE–BASED STRATEGY FOR INCREASING THE OYSTER POPULATION IN A DISTRESSED OYSTER SANCTUARY WITHIN 10 YEARS.

(3) THE ALTERNATIVE MANAGEMENT PLAN MAY INCLUDE:

(I) PUBLIC PLANTING OF OYSTER SHELL AND OYSTER SEED;

AND

(II) PUBLIC HARVESTING OF OYSTER SHELL AND OYSTER SEED

THAT:

1. IS LIMITED IN DURATION AND HARVEST AMOUNT; AND



**2. OCCURS ONCE EVERY 3 TO 4 YEARS.**

**(C) (1) IF THE DEPARTMENT ESTABLISHES AN ALTERNATIVE MANAGEMENT PLAN UNDER THIS SECTION, THE DEPARTMENT SHALL ESTABLISH A SEPARATE ACCOUNT WITHIN THE DEPARTMENT'S OYSTER SHELL AND SEED REPLENISHMENT PROGRAM TO ASSIST WITH FUNDING FOR THE IMPLEMENTATION OF ALTERNATIVE MANAGEMENT PLANS.**

**(2) TWENTY-FIVE CENTS OF EVERY DOLLAR THAT THE DEPARTMENT SPENDS ON OYSTER RESTORATION SANCTUARY PROJECTS SHALL BE DEPOSITED INTO THE ACCOUNT ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION."**

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

Affirmative – 46    Negative – 89    (See Roll Call No. 539)

FLOOR AMENDMENT

**HB0924/843726/1**

BY: Delegate Rey

**AMENDMENTS TO HOUSE BILL 924, AS AMENDED**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1 of the bill, in line 4, after “plan” insert “, subject to a certain exception”.

**AMENDMENT NO. 2**

In the Environment and Transportation Committee Amendments (HB0924/960118/1), in line 1 of Amendment No. 2, strike “**SUBJECT**” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH AND SUBJECT**”; in line 2, strike “**(II)**” and substitute “**(III)**”; and in line 3, after “**(II)**” insert “**UNTIL THE DEPARTMENT HAS DEVELOPED THE FISHERIES MANAGEMENT PLAN REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT MAY REDUCE OR ALTER THE OYSTER SANCTUARIES ESTABLISHED IN “OYSTER SANCTUARIES OF THE CHESAPEAKE BAY AND ITS TIDAL TRIBUTARIES (SEPTEMBER 2010)” ON APPROVAL BY THE OYSTER ADVISORY COMMISSION.**

(III)".

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

Affirmative – 41    Negative – 93    (See Roll Call No. 540)

Read the second time and ordered prepared for Third Reading.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 541)

### **CALENDAR OF THIRD READING HOUSE BILLS NO. 46**

**House Bill 260 – Delegates Queen, Morales, Anderson, Angel, Clippinger, Conaway, Dumais, Fraser-Hidalgo, Glenn, Hayes, Kaiser, Kelly, Korman, R. Lewis, Lierman, Luedtke, A. Miller, Moon, Platt, Reznik, Robinson, Tarlau, M. Washington, ~~and K. Young~~ K. Young, and Hettleman**

AN ACT concerning

#### **Local Government – Sexual Assault Cases – Local Audits**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 542)

The Bill was then sent to the Senate.

**House Bill 266 – Delegates Stein, Ebersole, Beidle, Brooks, Ciliberti, Gutierrez, Hettleman, Korman, Lierman, Luedtke, McCray, Morhaim, Pena-Melnyk, Platt, Tarlau, A. Washington, West, K. Young, and P. Young**

AN ACT concerning

#### **Public Senior Higher Education Institutions – Financial Aid – Reduction Restrictions**

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

Affirmative – 135    Negative – 2    (See Roll Call No. 543)

The Bill was then sent to the Senate.

**House Bill 294 – Delegates Dumais, B. Wilson, Anderson, Atterbeary, Fennell, Hettleman, Kittleman, McComas, Moon, Morhaim, Proctor, Queen, Sanchez, and Tarlau**

AN ACT concerning

**Public Safety – Regulated Firearms – Definition of Convicted of a Disqualifying Crime**

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

Affirmative – 91    Negative – 46    (See Roll Call No. 544)

The Bill was then sent to the Senate.

**House Bill 295 – Delegate Kramer**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Impaired Boating**

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

Affirmative – 134    Negative – 2    (See Roll Call No. 545)

The Bill was then sent to the Senate.

**House Bill 351 – Delegate Carr**

AN ACT concerning

**Property Tax – Homestead Property Tax Credit Percentage and Constant Yield Tax Rate – Deadlines**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 546)

The Bill was then sent to the Senate.

**House Bill 355 – Montgomery County Delegation and Prince George's County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Discrimination – Prohibited****MC/PG 102-17**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 547)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 52**

**House Bill 684 – Delegates Krebs, Anderson, Beitzel, Ciliberti, Conaway, Glenn, Hayes, Jacobs, Kittleman, Lierman, McCray, McIntosh, Oaks, Rose, Rosenberg, ~~and Shoemaker~~ Shoemaker, and M. Washington**

AN ACT concerning

**Education – ~~Grant~~ State Grants for ~~Declining~~ Education Aid**

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

Affirmative – 124    Negative – 13    (See Roll Call No. 548)

The Bill was then sent to the Senate.

**House Bill 810 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Apprenticeships – Apprenticeship and Training Council – Revisions**

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

Affirmative – 135    Negative – 1    (See Roll Call No. 549)

The Bill was then sent to the Senate.

**House Bill 860 – Delegates Lierman, Anderson, Angel, Carr, Conaway, Dumais, Gaines, Glenn, Haynes, Hettleman, Hill, Jackson, Jones, R. Lewis, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Patterson, Pena-Melnyk, Platt, Queen, Reznik, Rosenberg, Sydnor, Valentino-Smith, A. Washington, M. Washington, Wilkins, and K. Young**

AN ACT concerning

**Transitional Supports for Ex-Offenders – ~~Repeal~~ Alteration of Restrictions  
(Maryland Equal Access to Food Act of 2017)**

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

Affirmative – 83    Negative – 52    (See Roll Call No. 550)

The Bill was then sent to the Senate.

**House Bill 972 – Delegates Dumais, Barron, Anderson, Atterbeary, Conaway,  
Moon, Morales, Proctor, Queen, Rosenberg, Sanchez, Sydnor, and B. Wilson**

AN ACT concerning

**Civil Cases – Maryland Legal Services Corporation Fund – Surcharges – Repeal  
of Sunset**

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

Affirmative – 135    Negative – 2    (See Roll Call No. 551)

The Bill was then sent to the Senate.

**House Bill 997 – Delegates Fraser-Hidalgo and Kramer**

AN ACT concerning

**Vehicle Laws – Bicycles, Play Vehicles, and Unicycles – Operation on Sidewalks  
and in Crosswalks**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 552)

The Bill was then sent to the Senate.

**House Bill 1163 – Delegates A. Miller, Angel, Dumais, Frush, Gutierrez, Queen,  
and K. Young**

AN ACT concerning

**Criminal Procedure – Conditional Release – Electronic Monitoring  
(Amber's Law)**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 553)

The Bill was then sent to the Senate.

**House Bill 1414 – Delegate Jameson**

AN ACT concerning

**Renewable Energy Portfolio Standard – Study**

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

Affirmative – 133    Negative – 2    (See Roll Call No. 554)

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. 555)

**ADJOURNMENT**

At 8:12 P.M. on motion of Delegate Frick the House adjourned until 10:30 A.M. on Legislative Day March 13, 2017, Calendar Day, Thursday, March 16, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 13, 2017**  
**Calendar Day: Thursday, March 16, 2017**  
**10:30 A.M. Session**

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The House met at 10:45 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Haven Shoemaker of Carroll County.

**QUORUM CALL**

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

(See Roll Call No. 556)

The Journal of March 15, 2017 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 557)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 58**

**House Bill 106 – Chair, Environment and Transportation Committee (By Request  
– Departmental – Housing and Community Development)**

AN ACT concerning

**Department of Housing and Community Development – Homebuyer Education  
Requirements**

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

Affirmative – 135    Negative – 1    (See Roll Call No. 558)

The Bill was then sent to the Senate.

**House Bill 425 – Delegates Lierman, Anderson, Angel, Atterbeary, D. Barnes,  
Brooks, Conaway, Davis, Fennell, Glenn, Gutierrez, Hayes, Haynes,  
Hettleman, Hill, Jones, Kelly, Korman, Krimm, McCray, McIntosh, McKay,**

**A. Miller, Moon, Morales, Oaks, Patterson, Queen, Rosenberg, Sanchez, Sydnor, Tarlau, Turner, A. Washington, and ~~M. Washington~~ M. Washington, Sophocleus, Pena-Melnyk, and Ebersole**

AN ACT concerning

**Public Schools – Suspensions and Expulsions**

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

Affirmative – 91    Negative – 48    (See Roll Call No. 559)

The Bill was then sent to the Senate.

**House Bill 627 – Delegates C. Howard, Beitzel, Buckel, Hayes, Jameson, Mautz, McCray, McKay, Metzgar, and ~~Proctor~~ Proctor, and Adams**

AN ACT concerning

**Motor Fuel Tax Refund – Demand Response Trips**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 560)

The Bill was then sent to the Senate.

**House Bill 771 – Delegates W. Miller, Adams, Anderton, Arentz, Aumann, Barkley, Bromwell, Brooks, Carey, Clark, Fisher, Flanagan, Folden, Hill, S. Howard, Jacobs, Jameson, Kelly, Kipke, Kramer, Krebs, Mautz, McComas, McConkey, Metzgar, Morgan, Pena-Melnyk, Rose, Saab, Shoemaker, Turner, Valderrama, Vogt, and ~~B. Wilson~~ B. Wilson, Pendergrass, Angel, Barron, Cullison, Hayes, McDonough, Miele, Morales, Platt, Rosenberg, Sample-Hughes, Szeliga, West, and K. Young**

**EMERGENCY BILL**

AN ACT concerning

**Public Health – Mobile Food Service Facilities – Licensing and Inspection by County Health Departments**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 561)



The Bill was then sent to the Senate.

**House Bill 887 – Delegates Pena–Melnik, Angel, Barron, Kelly, McMillan, ~~and Tarlau~~ Tarlau, Bromwell, Cullison, Hayes, Hill, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pendergrass, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, ~~and K. Young~~ K. Young, and Frick**

EMERGENCY BILL

AN ACT concerning

**Health Insurance – ~~Prior Authorization for Drug Products to Treat Substance Use Disorders~~ Prior Authorization for Drug Products to Treat an Opioid Use Disorder – Prohibition**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 562)

The Bill was then sent to the Senate.

**House Bill 970 – Delegates Fraser–Hidalgo, Holmes, Reznik, and West**

AN ACT concerning

**Real Property – New Home Sales – Information on Energy–Efficient Options**

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

Affirmative – 127    Negative – 14    (See Roll Call No. 563)

The Bill was then sent to the Senate.

**House Bill 987 – Delegates W. Miller, Arentz, Brooks, Carey, and S. Howard**

AN ACT concerning

**Alcoholic Beverages – Direct Wine Shipper’s Permit – ~~Qualification Standards~~ Application and Renewal Requirements**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 564)

The Bill was then sent to the Senate.

**House Bill 1104 – Delegates Hixson, Gutierrez, and M. Washington**

AN ACT concerning

**Inheritance Tax – Exemption – Evidence of Domestic Partnership**

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

Affirmative – 138    Negative – 2    (See Roll Call No. 565)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 57**

**House Bill 150 – The Speaker (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2018)**

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

Affirmative – 135    Negative – 6    (See Roll Call No. 566)

The Bill was then sent to the Senate.

**House Bill 152 – The Speaker (By Request – Administration)**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2017**

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

Affirmative – 112    Negative – 29    (See Roll Call No. 567)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 60**

**House Bill 924 – Delegates Gilchrist, Barve, Carr, Frush, Lafferty, Robinson, ~~and Stein~~ Stein, Beidle, Fraser-Hidalgo, Healey, Holmes, and McCray**

AN ACT concerning

**Natural Resources – Oyster Management – Prohibited Actions**

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

Affirmative – 102    Negative – 39    (See Roll Call No. 568)

The Bill was then sent to the Senate.

## **ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 12**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

### **House Bill 477 – Delegate Beitzel**

AN ACT concerning

#### **Natural Resources – Protection and Restoration of State-Owned Lakes**

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 494 – Delegates Stein, Beidle, Gilchrist, Healey, Holmes, Jacobs, and Otto**

AN ACT concerning

#### **Motor Vehicles – Use of Fog Lights When Windshield Wipers Operating – 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 578 – Delegates Kramer, Carr, Barkley, Chang, Cullison, Fraser-Hidalgo, Gutierrez, C. Howard, Jackson, Korman, Krimm, Morales, and Valentino-Smith**

AN ACT concerning

#### **Vehicle Laws – Pedestrian Hybrid Signals**

**HB0578/460514/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 578

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Signals” and substitute “Beacons”; strike beginning with “requiring” in line 3 down through “signal;” in line 10 and substitute “establishing that a pedestrian hybrid beacon is a traffic control signal;”; in line 11, strike “signals” and substitute “beacons; authorizing the State Highway Administration or a local jurisdiction to install a pedestrian hybrid beacon in accordance with a certain federal manual”; in the same line, strike “State Highway”; in line 13, strike “signal” and substitute “beacon”; after line 14, insert:

“BY renumberingArticle – TransportationSection 11–145.1to be Section 11–145.2Annotated Code of Maryland(2012 Replacement Volume and 2016 Supplement)”;

in line 14, strike “signals” and substitute “beacons”; in line 17, strike “21–101(a), 21–201(a)(1), and”; in line 22, strike “21–101(l–1), 21–201(e)” and substitute “11–145.1”; in the same line, after “21–202(n),” insert “and”; in the same line, strike “, and 21–204.3”; in line 27, after “Section” insert “11–168,”; in the same line, strike “21–202.1,”; in the same line, strike “21–209,” and substitute “and”; and in the same line, strike “, and 26–305(a)”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 11–145.1 of Article – Transportation of the Annotated Code of Maryland be renumbered to be Section(s) 11–145.2.”;

in line 3, strike “1.” and substitute “2.”; in the same line, strike “BY THE GENERAL ASSEMBLY OF MARYLAND”; in the same line, after “IT” insert “FURTHER”; strike in their entirety lines 6 through 23, inclusive, and substitute:

“11-145.1.

“PEDESTRIAN HYBRID BEACON” HAS THE MEANING STATED IN THE MOST RECENT EDITION OF THE FEDERAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

11-168.

(A) “Traffic control signal” means any traffic control device, whether manually, electrically, or mechanically operated, by which traffic alternately is directed to stop and permitted to proceed.

(B) “TRAFFIC CONTROL SIGNAL” INCLUDES A PEDESTRIAN HYBRID BEACON.”.

On page 3, in line 11, strike “**SIGNAL**” and substitute “**BEACON**”.

On pages 3 through 8, strike in their entirety the lines beginning with line 12 on page 3 through line 7 on page 8, inclusive.

On page 8, in line 25, strike “**SIGNAL**” and substitute “**BEACON**”.

On pages 8 through 10, strike in their entirety the lines beginning with line 27 on page 8 through line 27 on page 10, inclusive, and substitute:

“THE STATE HIGHWAY ADMINISTRATION AND A LOCAL JURISDICTION MAY INSTALL A PEDESTRIAN HYBRID BEACON IN ACCORDANCE WITH THE FEDERAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.”.

On page 11, in line 4, strike “**SIGNAL**” and substitute “**BEACON**”.

On pages 11 and 12, strike in their entirety the lines beginning with line 10 on page 11 through line 2 on page 12, inclusive.

On page 12, in lines 3 and 7, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, 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 Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

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

AN ACT concerning

**Crabs – Holiday Harvest Times – Trotlines and Crab Pots**

**HB1314/260919/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 1314**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike “and Otto” and substitute “Otto, and S. Howard”; in line 2, strike “Holiday Harvest Times – Trotlines and Crab Pots” and substitute “Harvest Times – Holidays”; in line 4, strike “allow” and substitute “provide”; in the same line, strike “trotlines or crab pots” and substitute “all legal gear”; in line 5, strike “certain hours during certain time periods” and substitute “1 additional early hour on certain days”; in line 6, after “for” insert “catching”; and in the same line, strike “using trotlines and crab pots”.

**AMENDMENT NO. 2**

On page 2, in line 15, strike “If” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IF”; in line 17, strike the brackets; in the same line, strike “**SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE**”; in line 23, strike “**ALLOW**” and substitute “PROVIDE”; in the same line, after “A” insert “TIDAL FISH”; in line 24, strike “**TROTLINES OR CRAB POTS**” and substitute “ALL LEGAL GEAR”; in line 25, strike “**THE FOLLOWING HOURS**” and substitute “1 ADDITIONAL EARLY HOUR”; in the same line, after “ON” insert “LABOR DAY,”; in the same line, strike “**INDEPENDENCE DAY**” and substitute “JULY 4”; in line 26, strike “**LABOR DAY,**”; in the same line, strike

“WEEKEND EITHER” and substitute “DAY”; in the same line, strike “OR AFTER”; and strike beginning with the colon in line 27 down through the second “SUNRISE” in line 32.

On page 3, in line 5, strike “June” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

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

AN ACT concerning

**Natural Resources – Gill Nets – Mesh Size**

**HB1339/520218/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1339

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Mesh” insert “Stretched”; in line 3, strike “establishing a certain maximum mesh size and”; and in line 5, after “maximum” insert “stretched”.

AMENDMENT NO. 2

On page 1, in line 22, strike the brackets; and in the same line, strike “6” and substitute “7”.

AMENDMENT NO. 3

On pages 1 and 2, strike beginning with “THAT” in line 22 on page 1 down through “INCHES” in line 2 on page 2.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

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

AN ACT concerning

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

**HB1386/280715/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1386

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and C. Wilson” and substitute “C. Wilson, Anderton, Beidle, Cassilly, Clark, Flanagan, Folden, Healey, Holmes, Jacobs, and McMillan”; in line 3, after “Commissioners” insert “and Liquor Control Boards”; in line 5, after the first “of” insert “certain”; in the same line, after “commissioners” insert “and liquor control boards”; in line 6, after “officials,” insert “establishing an exception for certain counties;”; in line 7, strike “a” and substitute “or repealing”; in the same line, strike “definition” and substitute “provisions”; and in line 18, strike “5–101(y) and 5–103(b)” and substitute “5–101(m)(2) and (y), 5–103(b), 5–601(d), and 5–801”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“(m) (2) “Executive unit” includes:

(i) a county health department unless the officials and employees of the department are expressly designated as local officials in § 5–801 of this title;

(ii) the office of the sheriff in each county; AND

(iii) the office of the State’s Attorney in each county]; and



(iv) the Liquor Control Board for Somerset County].".

On page 3, in line 1, after "(6)" insert "EXCEPT IN COUNTIES IN WHICH A COUNTY COUNCIL OR BOARD OF COUNTY COMMISSIONERS SITS AS A BOARD OF LICENSE COMMISSIONERS OR A LIQUOR CONTROL BOARD,"; in line 2, after "COMMISSIONERS" insert "OR A LIQUOR CONTROL BOARD"; and after line 2, insert:

"5-601.

(d) [(1)] An individual who is a public official only as a member of a board and who receives annual compensation that is less than 25% of the lowest annual compensation at State grade level 16 shall file the statement required by subsection (a) of this section in accordance with § 5-609 of this subtitle.

[(2) A member of the Harford County Liquor Control Board shall file the statement required by subsection (a) of this section in accordance with § 5-609 of this subtitle.]

5-801.

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

(b) "Lobbying" means performing acts, of a nature comparable to acts requiring registration under Subtitle 7 of this title, before the local government involved.

(c) (1) In Baltimore City, "local official" includes:

(i) city employees and officials of the Baltimore City Health Department;

(ii) [employees and members of the Baltimore City Board of Liquor License Commissioners;

(iii)] the Police Commissioner of Baltimore City and the civilian employees and police officers of the Police Department of Baltimore City; and

[(iv)](III) members and employees of the Civilian Review Board.

(2) In Baltimore County, "local official" includes:

(i) board members and the chief executive of the Baltimore County Revenue Authority; and

(ii) for the purpose of the financial disclosure provisions enacted by the governing body of Baltimore County, except for a member of the Baltimore County Board of Education, members of a board of a State agency that is wholly or partly funded by Baltimore County, regardless of whether a member is compensated.

(3) In Montgomery County, “local official” includes:

(i) members and employees of the Montgomery County Revenue Authority;

(ii) commissioners and employees of the Montgomery County Housing Opportunities Commission; and

(iii) county employees of the Montgomery County Department of Health and Human Services.

(4) [In Prince George’s County, “local official” includes:

(i) members of the Board of License Commissioners;

(ii) inspectors of the Board of License Commissioners, including the chief inspector;

(iii) the administrator of the Board of License Commissioners; and

(iv) the attorney to the Board of License Commissioners.

(5) In St. Mary’s County, “local official” includes commissioners and employees of the St. Mary’s County Metropolitan Commission.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1427 – Delegates McMillan, Clark, Holmes, Jacobs, Jalisi, and Stein**

AN ACT concerning

**Natural Resources – Apprentice Hunting License – Establishment**

**HB1427/320814/1**

BY: Environment and Transportation Committee

**AMENDMENT TO HOUSE BILL 1427**

(First Reading File Bill)

On page 2, in line 36, strike “**3-DAY**”; in lines 37 and 38, strike “**FOR THE 3 CONSECUTIVE LEGAL HUNTING DAYS**”; and in lines 38 and 39, strike “**THAT ARE SPECIFIED ON THE LICENSE**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate B. Barnes moved to make the Bill a Special Order for Friday.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 1456 – Delegate Parrott**

AN ACT concerning

**Vehicle Laws – Passing to the Right – Use of Shoulder**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**WAYS AND MEANS COMMITTEE REPORT NO. 11**

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

**House Bill 12 – Delegate S. Howard**

AN ACT concerning

**Senatorial and Delegate Scholarships – Veterans – Eligibility and Use of Funds**

**HB0012/265466/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 12

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate S. Howard” and substitute “Delegates S. Howard, Barve, Folden, Ghrist, Hill, Jalisi, Jameson, Krebs, Saab, Turner, Afzali, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Long, Luedtke, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Walker, and Wilkins”; in line 2, strike “Veterans” and substitute “Individuals on Active Duty”; and in lines 5 and 6, in each instance, strike “veteran” and substitute “individual on active duty”.

AMENDMENT NO. 2

On page 2 in line 26, on page 3 in lines 11 and 27, and on page 4 in line 15, in each instance, strike “A VETERAN” and substitute “AN INDIVIDUAL WHO IS ON ACTIVE DUTY WITH THE UNITED STATES MILITARY”.

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:

**House Bill 94 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)**

AN ACT concerning

**Maryland E–Nnovation Initiative Program – Requirements for Matching Funds**

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 174 – Delegates Luedtke, M. Washington, Afzali, D. Barnes, Buckel, Ebersole, Hixson, Hornberger, Kelly, Vogt, Walker, and A. Washington**

AN ACT concerning

**Education – Children With Disabilities – Individualized Education Program  
Process – Parental Consent**

**HB0174/395765/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 174

(First Reading File Bill)

On page 5, in line 15, strike “OR”; in line 18, strike “**13A.08.04.05.**” and substitute “**13A.08.04.05; OR**”; and after line 18, insert:

**“(IV) INITIATE A CHANGE IN THE CHILD’S EDUCATIONAL  
PLACEMENT.”**.

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 530 – Delegate M. Washington**

AN ACT concerning

**Sales and Use Tax – Tax-Free Period for Back-to-School Shopping – Sale of  
Backpacks and Bookbags**

**HB0530/865865/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 530

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate M. Washington” and substitute “Delegates M. Washington, Afzali, Ali, D. Barnes, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Kaiser, Long, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Turner, Walker, A. Washington, and Wilkins”; and in line 4, after “include” insert “a certain portion of the taxable price of”.

AMENDMENT NO. 2

On page 1, in line 23, strike “the sale of”.

On page 2, in line 1, before “any” insert “**THE SALE OF**”; in line 3, before “ANY” insert “**THE FIRST \$50 OF THE TAXABLE PRICE OF**”; and strike beginning with the comma in line 3 down through “LESS” in line 4.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 621 – Cecil County Delegation**

AN ACT concerning

**Cecil County Board of Education – Members – Salary**

**HB0621/345268/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 621

(First Reading File Bill)

On page 1, in line 17, strike the bracket; in lines 17 and 18, in each instance, after “receive” insert “**NOT LESS THAN**”; in line 18, in each instance, strike the bracket; and in lines 18 and 19, strike “**NOT LESS THAN \$5,000**”.

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 713 – Chair, Ways and Means Committee (By Request – Departmental  
– Transportation)**

AN ACT concerning

**Sales and Use Tax – Light Rail Vehicles – 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 716 – Delegates Beidle, McMillan, and Sophocleus**

AN ACT concerning

**Anne Arundel County – Board of Education – Selection of Members**

**HB0716/425962/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 716

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegates Beidle, McMillan, and Sophocleus” and substitute “Anne Arundel County Delegation”; in line 2, strike “– Selection of Members”; in line 5, strike “and a certain member be elected at large”; in line 14, after “members” insert “of the county board”; in line 17, after “board;” insert “altering the amount of the scholarship granted a certain student member of the county board;”; and in line 24, strike “the election of the members of”.

AMENDMENT NO. 2

On page 5, in line 16, strike “**EIGHT**” and substitute “**SEVEN**”; in line 18, strike “**EIGHT**”; strike beginning with “**ONE**” in line 21 down through “**COUNTY**” in line 22 and substitute “**AT A GENERAL ELECTION IN ACCORDANCE WITH § 3-2A-03 OF THIS**”

SUBTITLE AND TITLE 8, SUBTITLE 8 OF THE ELECTION LAW ARTICLE"; in line 25, after "(1)" insert "(I)"; and after line 26, insert:

"(II) A MEMBER ELECTED FROM A COUNCILMANIC DISTRICT MUST BE A RESIDENT OF THAT DISTRICT."

On page 6, strike in their entirety lines 10 through 12, inclusive; in lines 13 and 19, strike "(B)" and "(C)", respectively, and substitute "(A)" and "(B)", respectively; strike beginning with the colon in line 26 down through "THE" in line 27 and substitute "THE"; and strike beginning with the semicolon in line 28 down through "LARGE" in line 31.

On page 12, in line 7, strike "AN ELECTED OR APPOINTED" and substitute "A".

On page 17, in lines 16 and 17, strike "and the one member elected at large".

#### AMENDMENT NO. 3

On page 12, in line 4, strike "\$6,000" and substitute "\$8,000".

#### AMENDMENT NO. 4

On page 13 in lines 19 and 20, and on page 16 in line 17, in each instance, strike "REMAINING MEMBERS OF THE COUNTY BOARD" and substitute "COUNTY COUNCIL OF ANNE ARUNDEL COUNTY".

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 822 – Delegate Kipke**

AN ACT concerning

#### **Income Tax – Subtraction Modification – Police Auxiliaries and Reserve Volunteers**

**HB0822/435467/1**



BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 822

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Kipke” and substitute “Delegates Kipke, Afzali, Ali, C. Howard, Long, Reilly, Rose, and Simonaire”.

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 842 – Delegates Folden, Anderton, Bromwell, Buckel, Ciliberti, Ghrist, Hornberger, Jacobs, McComas, McDonough, Metzgar, Miele, Vogt, B. Wilson, C. Wilson, and K. Young**

AN ACT concerning

**Admissions and Amusement Tax – Exemption for School Field Trips**

**HB0842/885568/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 842

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 3 down through “activities” in line 5 and substitute “authorizing a county or a municipal corporation to exempt from the admissions and amusement tax gross receipts from any charge for admission to participate in certain State public school activities”; in line 7, strike “repealing and reenacting, with amendments,” and substitute “adding to”; and in line 9, strike “4–103(b)” and substitute “4–104(g)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 30 on page 2, inclusive, and substitute:

“4–104.

**(G) A COUNTY OR A MUNICIPAL CORPORATION MAY EXEMPT, BY LAW, FROM THE ADMISSIONS AND AMUSEMENT TAX GROSS RECEIPTS FROM ANY CHARGE FOR ADMISSION TO PARTICIPATE IN A STATE PUBLIC SCHOOL FIELD TRIP OR SIMILAR STATE PUBLIC SCHOOL ACTIVITY.”.**

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:

**House Bill 873 – Delegates Carey and Lisanti**

AN ACT concerning

**Income Tax Credit – Security Clearances – Employer Costs – Extension**

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 1145 – Delegates Tarlau, Angel, B. Barnes, D. Barnes, Ebersole, Fennell, Frush, Hayes, C. Howard, Luedtke, Morales, Mosby, Patterson, Pena–Melnik, Sanchez, Shoemaker, Turner, Walker, A. Washington, M. Washington, Wilkins, K. Young, and Ali**

AN ACT concerning

**Public School Employee Whistleblower Protection Act**

**HB1145/145266/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1145

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Ali” and substitute “Ali, and Afzali”; and in line 11, after “activity;” insert “requiring a public school employee to exhaust administrative remedies before instituting a certain civil action.”.

AMENDMENT NO. 2

On page 3, in line 20, after “(A)” insert “A PUBLIC SCHOOL EMPLOYEE SHALL EXHAUST ANY ADMINISTRATIVE REMEDIES BEFORE INSTITUTING A CIVIL ACTION UNDER THIS SECTION.”

(B)”;

in line 27, strike “(B)” and substitute “(C)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1227 – Delegates Mosby, Jones, Kaiser, McIntosh, Davis, Pena–Melnik, 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**

Favorable report adopted.

Delegate Adams moved to make the Bill a Special Order for next session.

The motion was adopted.

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

**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**

**HB1240/365065/1**

BY: Committee on Ways and Means

**AMENDMENTS TO HOUSE BILL 1240**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike “Delegates Kaiser” and substitute “Delegates Kaiser, A. Washington”; in the same line, strike “and K. Young” and substitute “K. Young, Kittleman, C. Howard, Afzali, Wilkins, Rose, Simonaire, Tarlau, Walker, Ali, and Hornberger”; in line 8, after “services” insert “or certain changes at a certain meeting”; strike beginning with “providing” in line 9 down through “proof;” in line 11; strike beginning with “authorizing” in line 12 down through “circumstances;” in line 13; and in line 13, after “Education” insert “, in consultation with each local school system,”.

**AMENDMENT NO. 2**

On page 4, in line 20, strike “SUBPARAGRAPHS” and substitute “SUBPARAGRAPH”; in line 21, strike “AND (III)”; in the same line, strike “AND PARAGRAPH (9) OF THIS SUBSECTION”; strike beginning with “IF” in line 24 down through the first “THE” in line 27 and substitute “A”; in line 28, after “SECTION” insert “IF A PARENT OR GUARDIAN FILES A DUE PROCESS COMPLAINT AGAINST A PUBLIC AGENCY CONCERNING:

**1. A DISPUTE OVER THE DELIVERY OF SERVICES UNDER THE CHILD’S EXISTING INDIVIDUALIZED EDUCATION PROGRAM; OR**

**2. A DISPUTE OVER PROPOSED CHANGES TO THE CHILD’S EXISTING INDIVIDUALIZED EDUCATION PROGRAM AT THE ANNUAL REVIEW MEETING**”.

On pages 4 and 5, strike in their entirety the lines beginning with line 29 on page 4 through line 3 on page 5, inclusive.

On page 7, in line 7, after “Education” insert “, in consultation with each local school system.”; in line 16, after the semicolon insert:

“(3) review and assess the current population density of special education teachers in each local school system and in geographical regions in the State.”;

in line 17, strike “(3)” and substitute “(4)”; in line 26, strike “December 31, 2017” and substitute “July 1, 2018”; and in line 28, strike the second “a” and substitute “an independent”.

On page 8, strike beginning with “the” in line 1 down through “how” in line 4; in lines 6 and 8, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively; in line 8, strike “the State Department of Education can provide” and substitute “local school systems utilize”; in line 9, after “assistance” insert “provided by the State Department of Education”; after line 10, insert:

“(4) identify best practices for retaining special education teachers.”;

and in line 29, strike “December 31, 2018” and substitute “July 1, 2019”.

### AMENDMENT NO. 3

On page 8, in line 32, after “That” insert “Section 1 of this Act shall take effect July 1, 2020.”

SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect June 1, 2017. Sections 2 and 3 of this Act”;

strike beginning with “Sections” in line 32 down through “They” in line 33; in line 33, strike “2” and substitute “3”; and in line 34, strike “2019” and substitute “2020”.

On page 9, strike in their entirety lines 1 and 2, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1299 – Howard County Delegation**

AN ACT concerning

**Howard County Board of Education – Elected School Board****Ho. Co. 11-17****HB1299/335966/1**

BY: Committee on Ways and Means

**AMENDMENTS TO HOUSE BILL 1299****(First Reading File Bill)****AMENDMENT NO. 1**

On page 2, in line 21, strike the second set of brackets; in the same line, strike “4”; in line 25, strike the brackets; in line 29, after “(i)” insert “**1.**”; in the same line, after “elected” insert “**FROM A COUNCILMANIC DISTRICT, BEGINNING**”; in line 30, after “election” insert a comma; and after line 30, insert:

**“2. THE TERM OF OFFICE OF EACH MEMBER ELECTED AT LARGE, BEGINNING AT THE 2022 ELECTION, IS 4 YEARS.”.**

On page 3, in line 1, strike “successor to this office” and substitute “**SUCCESSORS TO THE OFFICES ELECTED AT THE 2020 AND 2022 ELECTIONS, RESPECTIVELY,**”.

**AMENDMENT NO. 2**

On page 5, in lines 27 and 28, strike “OR IS NOT PRESENT”.

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 1498 – Delegates A. Washington and Tarlau**

AN ACT concerning

**Campaign Finance – Political Organizations – Disclosure**

**HB1498/375266/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1498

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Organizations –” insert “Compliance and”; in line 3, after “of” insert “authorizing a political action committee to establish one compliance account; providing that disbursements from a political action committee compliance account may be made only for purposes of complying with certain campaign finance laws; providing that donations to a political action committee compliance account may be made only if the donor consents to the use of the donation for certain purposes; providing that donations to a political action committee compliance account are not subject to certain limits; prohibiting a campaign finance entity from making a transfer to a political action committee compliance account; requiring the State Board of Elections to adopt regulations defining permissible disbursements from a political action committee compliance account and requiring disclosure of donations to a political action committee compliance account and disbursements from a political action committee compliance account;”; in line 16, strike “of Elections”; and in line 22, after “information;” insert “requiring a participating organization’s reports to cover certain periods;”.

On page 2, in line 6, after “to” insert “compliance with campaign finance laws and”; and after line 7, insert:

“BY adding to

Article – Election Law

Section 13–220.2

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 15, insert:

“13–220.2.

(A) EACH POLITICAL ACTION COMMITTEE MAY ESTABLISH ONE COMPLIANCE ACCOUNT.

(B) DISBURSEMENTS FROM A POLITICAL ACTION COMMITTEE COMPLIANCE ACCOUNT MAY BE MADE ONLY FOR PURPOSES OF RECORD KEEPING, REPORTING, AND ANY OTHER WORK NECESSARY TO COMPLY WITH THE REQUIREMENTS OF THIS TITLE, INCLUDING ACCOUNTING AND LEGAL SERVICES.

(C) A DISBURSEMENT FROM A POLITICAL ACTION COMMITTEE COMPLIANCE ACCOUNT MAY NOT BE MADE FOR THE PURPOSE OF SOLICITING CONTRIBUTIONS FOR THE POLITICAL ACTION COMMITTEE.

(D) A DONATION TO A POLITICAL ACTION COMMITTEE COMPLIANCE ACCOUNT:

(1) MAY BE MADE ONLY IF THE DONOR IS AWARE THAT THE DONATION WILL BE USED FOR THE PURPOSES DESCRIBED IN SUBSECTION (B) OF THIS SECTION AND CONSENTS TO THAT USE BEFORE MAKING THE DONATION; AND

(2) IS NOT SUBJECT TO § 13–226 OF THIS SUBTITLE.

(E) A CAMPAIGN FINANCE ENTITY MAY NOT MAKE A TRANSFER TO A POLITICAL ACTION COMMITTEE COMPLIANCE ACCOUNT.

(F) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:

(1) DEFINE PERMISSIBLE DISBURSEMENTS FROM A POLITICAL ACTION COMMITTEE COMPLIANCE ACCOUNT; AND

(2) REQUIRE DISCLOSURE OF:

(I) DONATIONS TO A POLITICAL ACTION COMMITTEE COMPLIANCE ACCOUNT; AND



**(II) DISBURSEMENTS FROM A POLITICAL ACTION COMMITTEE COMPLIANCE ACCOUNT.**

**AMENDMENT NO. 3**

On page 5, in line 1, strike “PARTICIPATING ORGANIZATION” and substitute “**PERSON MAKING INDEPENDENT EXPENDITURES**”.

On page 14, in line 8, after “COMMITTEE” insert “**SUBJECT TO THIS SECTION**”.

**AMENDMENT NO. 4**

On page 16, in line 28, strike “MORE THAN \$6,000” and substitute “**\$25,000 OR MORE**”; and after line 32, insert:

**“(4) A PARTICIPATING ORGANIZATION REPORT SHALL COVER:**

**(I) FOR THE FIRST REPORT FILED BY A PARTICIPATING ORGANIZATION, THE PERIOD BEGINNING 2 YEARS BEFORE THE DATE THE REPORT IS FILED; AND**

**(II) FOR ANY SUBSEQUENT REPORTS FILED BY A PARTICIPATING ORGANIZATION, THE PERIOD AFTER THE CLOSING DATE OF THE PARTICIPATING ORGANIZATION’S PREVIOUS REPORT.**

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 1565 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County Board of Education – Academic Revitalization and  
Management Effectiveness Initiative – Repeal**

**HB1565/945967/1**

BY: Committee on Ways and Means

**AMENDMENTS TO HOUSE BILL 1565**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, strike beginning with “Academic” in line 2 through “Repeal” in line 3 and substitute “Election of Vice Chair, Voting Procedures, and Final Report”; and strike beginning with “revising” in line 5 down through “changes” in line 29 and substitute “altering the procedure for the selection of the vice chair of the Prince George’s County Board of Education; altering a certain percentage of the voting members of the county board that is required to take a certain action that is contrary to an action of the Chief Executive Officer; altering the date of submission of a certain final report to certain committees, the Prince George’s County Senators, and the Prince George’s County Delegation”.

On page 2, in line 3, strike “3–105, 3–114, 3–1002 through”; in the same line, strike “3–1004” and substitute “3–1004(a) and 4–403”; strike beginning with “, 4–101” in line 3 through “(b)” in line 4; strike in their entirety lines 7 through 12, inclusive; in line 13, after “repealing” insert “and reenacting, with amendments,”; and in line 15, strike “2 through”.

**AMENDMENT NO. 2**

On pages 2 through 11, strike in their entirety the lines beginning with line 19 on page 2 through line 22 on page 11, inclusive.

On page 11, in lines 24, 27, 30, 31, and 32, in each instance, strike the bracket; strike beginning with “COUNTY” in line 24 through “ELECT” in line 25; strike beginning with “and” in line 25 through “chair” in line 26; in line 27, strike “County Executive” and substitute “ELECTED MEMBERS OF THE COUNTY BOARD”; in the same line, strike “select” and substitute “ELECT”; and in line 29, strike “appointed” and substitute “SELECTED”.

**AMENDMENT NO. 3**

On pages 11 through 20, strike in their entirety the lines beginning with line 31 on page 11 through line 4 on page 20, inclusive.

On page 20, in lines 5 and 13, in each instance, strike the bracket; and in line 12, strike “two-thirds” and substitute “THREE-FIFTHS”.

On pages 20 through 21, strike in their entirety the lines beginning with line 14 on page 20 through line 2 on page 21, inclusive.

On page 21, strike in their entirety lines 4 through 33; and in line 34, strike the bracket.

On page 22, in line 6, strike “December 31” and substitute “October 1”; in line 17, strike the bracket; strike in their entirety lines 18 through 20, inclusive; and in line 21, strike “3.” and substitute “2”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

Delegate Saab moved to make the Bill a Special Order for next session.

The motion was adopted.

#### **SPECIAL ORDER CALENDAR NO. 46**

**House Bill 1203 – Delegates Mautz and Adams**

AN ACT concerning

**Talbot County – Deer Management Permit – Use of Rifles**

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

Delegate Stein moved the Bill be recommitted to the Environment and Transportation Committee.

The motion was adopted.

## **JUDICIARY COMMITTEE REPORT NO. 5**

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

**House Bill 642 – Delegates C. Wilson, Angel, Atterbeary, Bromwell, Folden, C. Howard, and Moon**

AN ACT concerning

### **Civil Actions – Child Sexual Abuse – Statute of Limitations and Required Findings**

**HB0642/252810/1**

BY: House Judiciary Committee

#### AMENDMENTS TO HOUSE BILL 642

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, after “abuse;” insert “establishing a statute of repose for certain civil actions relating to child sexual abuse;”; in the same line, after “action” insert “filed more than a certain number of years after the victim reaches the age of majority”; and in line 9, after “Act;” insert “defining a certain term; making certain stylistic changes;”.

#### AMENDMENT NO. 2

On page 2, in line 9, after “(a)” insert “**(1)**”; in the same line, strike the comma and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

**(2) “ALLEGED PERPETRATOR” MEANS THE INDIVIDUAL ALLEGED TO HAVE COMMITTED THE SPECIFIC INCIDENT OR INCIDENTS OF SEXUAL ABUSE THAT SERVE AS THE BASIS OF AN ACTION UNDER THIS SECTION.**

**(3)**;

in the same line, strike “sexual” and substitute “**SEXUAL**”; strike beginning with “AGAINST” in line 12 down through “ABUSE” in line 13; and in line 16, strike “WITHIN” and substitute “**SUBJECT TO SUBSECTIONS (C) AND (D) OF THIS SECTION, WITHIN**”.

On pages 2 and 3, strike in their entirety the lines beginning with line 25 on page 2 through line 11 on page 3, inclusive, and substitute:

“(C) IN AN ACTION BROUGHT UNDER THIS SECTION MORE THAN 7 YEARS AFTER THE VICTIM REACHES THE AGE OF MAJORITY, DAMAGES MAY BE AWARDED AGAINST A PERSON OR GOVERNMENTAL ENTITY THAT IS NOT THE ALLEGED PERPETRATOR OF THE SEXUAL ABUSE ONLY IF:

(1) THE PERSON OR GOVERNMENTAL ENTITY OWED A DUTY OF CARE TO THE VICTIM;

(2) THE PERSON OR GOVERNMENTAL ENTITY EMPLOYED THE ALLEGED PERPETRATOR OR EXERCISED SOME DEGREE OF RESPONSIBILITY OR CONTROL OVER THE ALLEGED PERPETRATOR; AND

(3) THERE IS A FINDING OF GROSS NEGLIGENCE ON THE PART OF THE PERSON OR GOVERNMENTAL ENTITY.

(D) IN NO EVENT MAY AN ACTION FOR DAMAGES ARISING OUT OF AN ALLEGED INCIDENT OR INCIDENTS OF SEXUAL ABUSE THAT OCCURRED WHILE THE VICTIM WAS A MINOR BE FILED AGAINST A PERSON OR GOVERNMENTAL ENTITY THAT IS NOT THE ALLEGED PERPETRATOR MORE THAN 20 YEARS AFTER THE DATE ON WHICH THE VICTIM REACHES THE AGE OF MAJORITY.”.

#### AMENDMENT NO. 3

On page 4, strike beginning with “That” in line 6 down through “Act” in line 8 and substitute “That this Act may not be construed to apply retroactively to revive any action that was barred by the application of the period of limitations applicable before October 1, 2017”; and in line 9, after “That” insert “the statute of repose under § 5–117(d) of the Courts Article as enacted by Section 1 of this Act shall be construed to apply both prospectively and retroactively to provide repose to defendants regarding actions that were barred by the application of the period of limitations applicable before October 1, 2017.”

SECTION 4. AND BE IT FURTHER ENACTED, That”.

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:

**House Bill 799 – Delegates Atterbeary, Anderson, Cluster, Conaway, Dumais, Frick, Glass, Hettleman, Hill, Kaiser, Kelly, Kittleman, Lierman, Lisanti, Malone, McComas, McIntosh, Moon, Morhaim, Proctor, Rey, Reznik, Sanchez, Sydnor, Turner, Valderrama, B. Wilson, and C. Wilson**

AN ACT concerning

**Family Law – Marriage – Age Requirements**

Favorable report adopted.

Delegate M. Washington moved to make the Bill a Special Order for next session.

The motion was adopted.

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

**House Bill 1037 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Conaway, Glenn, and Oaks**

AN ACT concerning

**Baltimore City – Civilian Review Board**

**HB1037/202013/1**

BY: House Judiciary Committee

**AMENDMENTS TO HOUSE BILL 1037**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, strike beginning with “altering” in line 3 down through “definitions” in line 11 and substitute “modifying a certain time limit on the filing of a certain complaint with the Baltimore City Civilian Review Board; repealing a requirement that a certain complaint be witnessed by a notary public; requiring a certain complaint to be sworn to, under penalty of perjury, by the complainant; making a certain stylistic change”; and strike in their entirety lines 13 through 19, inclusive.

On page 2, in line 1, strike “, 16–44(c) through (e), and 16–48(a)” and substitute “and 16–44(b) and (c)”; and strike in their entirety lines 4 through 19, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 23 on page 2 through line 22 on page 3, inclusive.

On page 4, in line 6, strike the bracket; in the same line, strike “(1) Except as provided in paragraph (2) of this subsection, a” and substitute “A”; strike lines 8 and 9 in their entirety; in line 10, strike the first set of brackets; in the same line, strike “(B)”; in line 15, after “SIGNED” insert “AND SWORN TO, UNDER PENALTY OF PERJURY,”; in line 16, strike “FORM FOR THE”; in the same line, strike “THAT IS AUTHORIZED BY THE BOARD”; and in line 17, strike “REQUESTS FOR THE FOLLOWING INFORMATION”.

On pages 4 through 7, strike in their entirety the lines beginning with line 24 on page 4 through line 8 on page 7, 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 Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1047 – Delegates Moon, Dumais, Sanchez, and Sydnor**

AN ACT concerning

**Child Support – Suspension of Employment–Related License for Arrears –  
Hardship Exception and Reinstatement**

**HB1047/812614/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1047  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Child Support – Noncompliance With Court Order – License Suspension”; in line 4, after the first “of” insert “extending the period of time that an individual with a commercial driver’s license may be out of compliance with the most recent order of the court in making child support payments before the Child Support Enforcement Administration may notify the Motor Vehicle Administration to suspend the individual’s driver’s license; altering the circumstances under which the Child Support Enforcement Administration may request that a certain licensing authority suspend or deny a certain license under certain circumstances;”; in the same line, after “suspend” insert “or deny”; strike beginning with “authorizing” in line 6 down through “circumstances” in line 8 and substitute “altering the circumstances under which the Child Support Enforcement Administration may not send a notification about an individual to a certain licensing authority”; in line 10, after the semicolon insert “making a certain stylistic change;”; in line 11, strike “employment-related”; in line 14, after “Section” insert “10–119(a) and”; and in line 19, strike “10–119.3(f)” and substitute “10–119(b)(1) and 10–119.3(e)(1)(i), (f).”.

#### AMENDMENT NO. 2

On page 1, after line 24, insert:

“10–119.

(a) (1) In this section the following words have the meanings indicated.

(2) “License” has the meaning stated in § 11–128 of the Transportation Article.

(3) “Motor Vehicle Administration” means the Motor Vehicle Administration of the Department of Transportation.

(b) (1) Subject to the provisions of subsection (c) of this section, the Administration may notify the Motor Vehicle Administration of [any] AN obligor **WITH A NONCOMMERCIAL LICENSE** who is 60 days or more out of compliance, **OR AN OBLIGOR WITH A COMMERCIAL LICENSE WHO IS 120 DAYS OR MORE OUT OF COMPLIANCE**, with the most recent order of the court in making child support payments if:

(i) the Administration has accepted an assignment of support under § 5–312(b)(2) of the Human Services Article; or



(ii) the recipient of support payments has filed an application for support enforcement services with the Administration.”.

AMENDMENT NO. 3

On page 2, after line 9, insert:

“(e) (1) Except as provided in paragraph (3) of this subsection and subject to the provisions of subsection (f) of this section, the Administration may request a licensing authority to suspend or deny an individual’s license if:

(i) 1. the individual is [in arrears amounting to more than] 120 days [under] OR MORE OUT OF COMPLIANCE WITH the most recent order; and

2. A. the Administration has accepted an assignment of support under § 5–312(b)(2) of the Human Services Article; or

B. the recipient of support payments has filed an application for support enforcement services with the Administration; or”;

in line 18, strike “(I)”; in lines 22, 23, and 28, strike “1.”, “2.”, and “3.”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; and in lines 23 and 30, in each instance, strike “A.” and substitute “1.”.

On page 2 in line 26, and on page 3 in line 2, in each instance, strike “B.” and substitute “2.”.

On page 3, strike in their entirety lines 4 through 8, inclusive; and in line 20, after “decision” insert “OR THAT ONE OF THE GROUNDS UNDER PARAGRAPH (2) OF THIS SUBSECTION EXISTS”.

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 1065 – Delegate Sydnor**

AN ACT concerning

**State Government – State Commission on Surveillance Technology and Civil Rights**

**HB1065/542819/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1065

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute:

“Task Force to Study Law Enforcement Surveillance Technologies”;

strike beginning with “requiring” in line 4 down through “Rights” in line 15 and substitute “establishing the Task Force to Study Law Enforcement Surveillance Technologies; 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 Law Enforcement Surveillance Technologies”; and strike in their entirety lines 16 through 26, inclusive.

AMENDMENT NO. 2

On page 1, in line 28, strike “the Laws of Maryland read as follows”.

On pages 2 through 5, strike in their entirety the lines beginning with line 1 on page 2 through line 31 on page 5, inclusive, and substitute:

“(a) There is a Task Force to Study Law Enforcement Surveillance Technologies.

(b) The Task Force consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

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

(3) the Executive Director of the American Civil Liberties Union of Maryland, or the Executive Director's designee;

(4) the Executive Director of the Electronic Privacy Information Center, or the Executive Director's designee;

(5) one representative of local government, appointed by the Executive Director of the Maryland Association of Counties;

(6) the Coordinator of the Maryland State's Attorneys' Association, or the Coordinator's designee;

(7) the Attorney General, or the Attorney General's designee;

(8) the Public Defender, or the Public Defender's designee;

(9) the Secretary of State Police, or the Secretary's designee; and

(10) the Executive Director of the Governor's Office of Crime Control and Prevention, or the Executive Director's designee.

(c) The Task Force shall elect a chair of the Task Force from among its members.

(d) State agencies represented on the Task Force shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study current and planned uses of surveillance technology by law enforcement agencies in the State, including:

(i) mass-surveillance devices and techniques;

(ii) social media monitoring software;

(iii) facial recognition technology;

(iv) cell-site simulator technology, including devices commonly referred to as “Stingray” devices and “DRT box” (or “Dirt box”) devices;

(v) automatic license plate readers and similar devices used for optical character recognition in public spaces;

(vi) aerial surveillance; and

(vii) real-time location tracking systems;

(2) evaluate the need for transparent civilian oversight of the uses of surveillance technologies by law enforcement agencies in the State; and

(3) make recommendations to the General Assembly based on the Task Force’s findings.

(g) On or before December 5, 2017, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.”.

### AMENDMENT NO. 3

On page 6, strike in their entirety lines 1 and 2 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017. 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 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:

**House Bill 1263 – Delegate Dumais**

AN ACT concerning

**Family Law – Child Abuse and Neglect – Definitions**

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 1297 – Delegates Valentino–Smith, Atterbeary, Dumais, McComas, and Sanchez**

AN ACT concerning

**Domestic Violence – Petitioner – Attorney for Child**

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 1343 – Howard County Delegation**

AN ACT concerning

**Howard County – Fire and Explosive Investigator – Authority**

**Ho. Co. 24–17**

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 1344 – Delegates C. Wilson and McComas**

AN ACT concerning

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

**HB1344/562716/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1344

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 2, strike “Charles and” and substitute “Baltimore City and Charles,”; in the same line, after “George’s” insert “, and Harford”; in line 4, after “in” insert “Baltimore City,”; in line 5, after “Charles County” insert “, Harford County,”; and in the same line, after “assignment;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 3 down through “In” in line 7 and substitute “IN”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 23 and 24 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”

The preceding 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:

**House Bill 1382 – Delegate Barron**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 14**

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

**House Bill 410 – The Speaker (By Request – Administration) and Delegates Adams, Afzali, Anderton, Arentz, Beitzel, Buckel, Carozza, Cassilly, Ciliberti, Clark, Flanagan, Folden, Grammer, Hornberger, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McKay, Metzgar, Miele, Reilly, Rose, Shoemaker, Simonaire, Szeliga, Vogt, West, B. Wilson, and Wivell**

AN ACT concerning

**Economic Development – Maryland Energy Innovation Institute**

**HB0410/413391/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 410

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Arentz,”; in the same line, strike “Grammer,”; in the same line, strike “and Wivell” and substitute “Wivell, Jameson, and Clippinger”; in line 10, strike “terms,”; in line 22, after “manner,” insert “providing that the Institute and the Center are independent entities that are not responsible for each other’s debts, liabilities, bonds, or obligations;”; in line 24, after “matters,” insert “stating the intent of the General Assembly regarding coordination of functions and avoidance of duplication of effort between the Center and the Administration;”; in line 26, strike “repealing the function of” and substitute “requiring the Board to establish a Financing Investment Advisory Committee for certain purposes; providing for the membership of the Advisory Committee; requiring the Advisory Committee to review certain matters and make certain

recommendations; authorizing certain State economic development units to provide representatives, resources, and expertise to the Advisory Committee for certain purposes; authorizing"; in line 27, after "Center" insert "to disseminate, rather than to act"; and in the same line, after "clearinghouse" insert a comma.

On page 2, in line 1, strike "shall" and substitute "may"; in line 3, after "persons;" insert "requiring certain State economic development units to cooperate with the Center and authorizing those units to provide certain resources and expertise for certain purposes"; in line 9, strike "providing for the initial terms of the members of the Institute Board" and substitute "requiring the Center to prepare a certain work plan for certain purposes; requiring the Center to report to the Governor, the Administration, and the General Assembly on certain matters on or before a certain date"; in line 13, after "Act;" insert "providing that certain loan obligations be converted to grants from the Administration to the Center"; in line 28, after "10-808," insert "10-810"; and in line 33, strike "10-838" and substitute "10-839".

#### AMENDMENT NO. 2

On page 5, strike beginning with "The" in line 3 down through "Administration" in line 5 and substitute "**IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT, AS THE CENTER DEVELOPS PROGRAMS AND ACTIVITIES UNDER THIS SUBTITLE, THE CENTER AND THE ADMINISTRATION SHALL WORK COLLABORATIVELY TOGETHER, AS APPROPRIATE, IN ORDER TO COORDINATE SHARED-INTEREST FUNCTIONS AND AVOID DUPLICATION OF EFFORTS**"; in lines 9 and 15, in each instance, strike the bracket; in line 9, strike "**11**"; strike beginning with "**(2)**" in line 11 down through "**AUTHORITY**;" in line 14; and in line 15, strike "**(4)**".

On page 6, in lines 18 and 23, in each instance, strike the bracket; in line 18, strike "shall serve as a clearinghouse for" and substitute "**MAY DISSEMINATE**"; in lines 18 and 19, strike "that may be"; in line 19, strike "education, and deployment" and substitute "**FINANCING, AND DEVELOPMENT**"; in line 29, strike "**(B)**" and substitute "**(C)**"; and in the same line, strike "**SHALL**" and substitute "**MAY**".

#### AMENDMENT NO. 3

On page 6, after line 16, insert:

"10-810.

- (a) (1) The Board shall establish an Advisory Committee.



(2) The Advisory Committee consists of individuals that the Board considers will assist the Center in studying and developing policies to further the purposes of this subtitle.

(b) (1) THE BOARD SHALL ESTABLISH A FINANCING INVESTMENT ADVISORY COMMITTEE.

(2) THE FINANCING INVESTMENT ADVISORY COMMITTEE CONSISTS OF INDIVIDUALS WITH KNOWLEDGE AND EXPERTISE IN FINANCING MATTERS RELEVANT TO BORROWER ELIGIBILITY, TERMS AND CONDITIONS OF SUPPORT, AND OTHER FINANCING EVALUATION CRITERIA OF THE CENTER.

(3) BEFORE THE CENTER PROVIDES FINANCING FOR A PROJECT, INCLUDING A PROJECT TO BE FUNDED BY THE MARYLAND ENERGY INNOVATION FUND UNDER § 10-835 OF THIS SUBTITLE, THE FINANCING INVESTMENT ADVISORY COMMITTEE SHALL REVIEW AND MAKE RECOMMENDATIONS TO THE BOARD FOR QUALIFYING PROJECT APPLICANTS.

(4) THE MARYLAND ECONOMIC DEVELOPMENT CORPORATION AND OTHER STATE ECONOMIC DEVELOPMENT UNITS MAY PROVIDE RESOURCES AND EXPERTISE TO THE FINANCING INVESTMENT ADVISORY COMMITTEE AND THE CENTER TO ASSIST IN EVALUATING PROJECTS, COORDINATING FINANCING FOR PROJECTS, AND OTHER MATTERS.

(C) The Board may establish other committees as appropriate.

[(c)] (D) (1) The membership of a committee may include individuals who are not Board members.

(2) The Board may establish the term and manner of selection of the membership of a committee.”;

and after line 30, insert:

“(D) THE MARYLAND ENVIRONMENTAL SERVICE, THE MARYLAND ECONOMIC DEVELOPMENT CORPORATION, AND OTHER STATE ECONOMIC

DEVELOPMENT UNITS SHALL COOPERATE WITH THE CENTER AND MAY MAKE AVAILABLE TO THE CENTER RESOURCES AND EXPERTISE FOR THE EVALUATION OF PROJECT FINANCING AND COORDINATION OF FINANCING BETWEEN THE CENTER AND OTHER ECONOMIC DEVELOPMENT UNITS.”.

AMENDMENT NO. 4

On pages 8 and 9, strike beginning with “(1)” in line 24 on page 8 down through “(E)” in line 5 on page 9.

On page 10, in line 12, after “POLICY” insert “INNOVATION”; and in line 21, after “INSTITUTION” insert “, BUT NOT DUPLICATE EXISTING SEED GRANTS MADE THROUGH THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION”.

On page 11, in line 17, after “VISION” insert “, IN COLLABORATION WITH THE ADMINISTRATION”.

On page 12, in line 23, strike “MADE AVAILABLE” and substitute “CONTRIBUTED”; and in line 24, strike “CONTRIBUTIONS” and substitute “ENTITIES”.

On page 13, in lines 3, 8, and 10, in each instance, strike “UNDER THIS PART” and substitute “FROM THE FUND”; in line 12, strike “UNDER THIS SUBTITLE” and substitute “FROM THE FUND”; in line 18, after “PARTICIPATION” insert “MADE FROM THE FUND”; and in line 21, after “CENTER” insert “FROM THE FUND”.

On page 14, after line 8, insert:

“THE INSTITUTE AND THE CENTER ARE INDEPENDENT ENTITIES THAT ARE NOT LIABLE OR RESPONSIBLE FOR EACH OTHER’S DEBTS, LIABILITIES, BONDS, OR OBLIGATIONS.

10-839.”.

AMENDMENT NO. 5

On page 15, strike beginning with “terms” in line 4 down through “2021” in line 9 and substitute “Maryland Clean Energy Center shall:

(1) establish a work plan to become self-sustaining within 5 years after the effective date of this Act using funding provided under this Act and other funding that the Center may obtain, and projected revenues from project financing activities of the Center under Title 10, Subtitle 8 of the Economic Development Article; and

(2) submit a report, which may be part of its annual report, on or before December 1, 2019, to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the Center's:

(i) progress since enactment of this Act to become self-sustaining with its current activities and funding and revenue levels; and

(ii) recommendations for changes, including additional necessary funding, to continue on the trajectory path to reach the goal to become self-sustaining within 5 years”;

after line 24, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That the existing outstanding loan obligations to the Maryland Energy Administration by the Maryland Clean Energy Center as of the effective date of this Act shall be converted to a grant from the Maryland Energy Administration to the Maryland Clean Energy Center.”;

and in lines 25 and 27, strike “6.” and “7.”, respectively, and substitute “7.” and “8.”, respectively.

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 1143 – Delegates Lierman, Barkley, Brooks, Clippinger, Davis, Fennell, Glenn, Valderrama, and Waldstreicher**

AN ACT concerning

**Maryland Pay Stub Transparency Act of 2017**

**HB1143/793892/1**

BY: Economic Matters Committee

**AMENDMENTS TO HOUSE BILL 1143**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 4, strike “and for each pay period”; strike beginning with “authorizing” in line 6 down through “circumstances;” in line 7; in line 8, strike “wage records, wages, and paydays” and substitute “notice and explanation of wages”; and in line 11, strike “and 3–507.2”.

**AMENDMENT NO. 2**

On page 2, in line 10, after “(III)” insert “**WHETHER THE EMPLOYEE’S WAGES CONSIST OF ANY REPORTED TIPS AND ANY ADDITIONAL PAY REQUIRED TO BE PAID AS PART OF THE EMPLOYEE’S WAGES UNDER:**”

- 1. § 3–419 OF THIS TITLE;**
- 2. THE FEDERAL ACT; OR**
- 3. AN APPLICABLE LOCAL LAW;**

**(IV)**”;

strike beginning with “TIP” in line 12 down through “**2.**” in line 13; in line 14, strike “**3.**” and substitute “**2.**”; in lines 15, 16, 17, 18, and 21, strike “(IV)”, “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “(V)”, “(VI)”, “(VII)”, “(VIII)”, and “(IX)”, respectively; in lines 22 and 24, in each instance, strike the brackets; and in lines 22 and 23, strike “: (I)”.

On page 3, strike in their entirety lines 1 through 24, inclusive.

On page 4, strike in their entirety lines 1 through 5, inclusive; and strike in their entirety lines 13 through 25, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Krebs moved to make the Bill a Special Order for Friday.

The motion was adopted.

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

### **House Bill 1283 – Delegate Branch**

AN ACT concerning

### **Alcoholic Beverages – Class 5 Brewery License**

**HB1283/343391/1**

BY: Economic Matters Committee

### AMENDMENTS TO HOUSE BILL 1283

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Branch” and substitute “Delegates Branch, Brooks, Barkley, Adams, Arentz, Aumann, Clippinger, Fennell, S. Howard, Lisanti, W. Miller, and Waldstreicher”.

#### AMENDMENT NO. 2

On page 1, in line 3, strike “repealing” and substitute “altering”; in line 7, strike “repealing” and substitute “altering”; in the same line, strike “requiring” and substitute “to authorize rather than require”; strike beginning with “and” in line 8 down through the first “license” in line 12 and substitute “; establishing certain requirements for the beer that the holder of a Class 5 brewery license serves for on-premises consumption; altering the maximum amount of beer that the license holder may sell for on-premises consumption each year; authorizing the license holder to file a request to sell up to a certain additional amount of beer in a single year under certain circumstances; requiring that beer sold in excess of a certain amount be purchased from a wholesaler”; in lines 14 and 16, in each instance, strike “Class D beer” and substitute “certain permit or”; in line 15, strike “or a certain employee”; strike beginning with “repealing” in line 17 down through “consumers;” in line 18; in line 19, after the first “licenses” insert “and permits”; in the same line, after the second “licenses” insert “and permits only”; in line 20, after “days;” insert “requiring the Comptroller to report certain information to certain committees each year; authorizing the Comptroller to include certain information in a certain report; requiring certain license”.

holders to report certain information for certain purposes;”; in the same line, after “conforming” insert “and clarifying”; and in the same line, after “changes,” insert “providing for the termination of certain provisions of this Act.”.

### AMENDMENT NO. 3

On page 2, in lines 12, 18, 22, and 24, in each instance, strike the bracket; in line 12, strike “not more than six”; in line 13, strike “with each sample”; in the same line, after the first “of” insert “A TOTAL OF”; in the same line, strike “3” and substitute “18”; in the same line, strike “from a single style”; in the same line, after “beer” insert “PER DAY”; in line 22, strike “(5)”; in line 24, strike “(B)(4)”; and in line 26, after “beer” insert “PER DAY”.

On page 3, in lines 1, 4, and 5, in each instance, strike the bracket; in line 1, strike “shall” and substitute “MAY”; strike beginning with “MAY” in line 2 down through “CONSUMPTION” in line 3; in line 5, strike “A” and substitute “OR A”; in the same line, after “LICENSE” insert “OR AN EQUIVALENT LICENSE UNDER PARAGRAPH (3) OF THIS SUBSECTION”; in line 9, strike “The” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE”; in line 10, strike “500” and substitute “2,000”; after line 10, insert:

**“(III) 1. IF, IN A SINGLE YEAR, THE LICENSE HOLDER REACHES 80% OF THE VOLUME AUTHORIZED TO BE SOLD FOR ON-PREMISES CONSUMPTION UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE LICENSE HOLDER MAY FILE A REQUEST WITH THE COMPTROLLER FOR PERMISSION TO SELL UP TO AN ADDITIONAL 1,000 BARRELS FOR ON-PREMISES CONSUMPTION IN THAT YEAR.**

**2. THE MAXIMUM VOLUME THAT A LICENSE HOLDER MAY SELL FOR ON-PREMISES CONSUMPTION IN A SINGLE YEAR IS 3,000 BARRELS.**

**3. ANY BEER THAT THE LICENSE HOLDER SELLS FOR ON-PREMISES CONSUMPTION IN EXCESS OF THE 2,000-BARREL LIMIT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL BE PURCHASED FROM A WHOLESALER.”;**

in line 11, strike the bracket; in lines 15 and 16, strike “: (i)”; in line 16, strike “; and” and substitute a period; strike in their entirety lines 17 through 19, inclusive; in line 20, strike “(4)” and substitute “(5)”; in the same line, after “A” insert “LOCAL LICENSING BOARD”

SHALL REQUIRE THE"; in the same line, after "OF" insert "AN ON-SITE CONSUMPTION PERMIT OR"; in the same line, strike "SHALL" and substitute "OR AN EQUIVALENT LICENSE UNDER PARAGRAPH (3) OF THIS SUBSECTION TO:

(I) COMPLY WITH THE ALCOHOL AWARENESS REQUIREMENTS UNDER § 4-505 OF THIS ARTICLE; AND

(II)";

in line 25, strike the bracket and substitute ", WITH RESPECT TO INDIVIDUALS WHO HAVE ATTAINED THE LEGAL DRINKING AGE"; in line 26, after "samples" insert "CONSISTING OF A TOTAL"; in the same line, strike "3" and substitute "18"; in the same line, strike "per brand"; in line 27, strike "consumers" and substitute "A CONSUMER"; and in line 28, strike the bracket.

#### AMENDMENT NO. 4

On page 2, in lines 12, 18, and 22, and on page 3 in line 6, in each instance, after "beer" insert "FERMENTED AND".

On page 2, in lines 12, 18, and 22, and on page 3 in line 6, in each instance, after "brewed" insert "ENTIRELY".

On page 3, in line 30, after "be" insert ":

(I) FERMENTED AND BREWED ENTIRELY AT THE BREWERY; AND

(II)".

#### AMENDMENT NO. 5

On page 4, in line 10, strike "A" and substitute "NOTWITHSTANDING ANY PROVISION AUTHORIZING LATER SALES IN THE JURISDICTION, A"; in the same line, after "AND" insert "AN ON-SITE CONSUMPTION PERMIT OR"; in line 11, after "LICENSE" insert "OR AN EQUIVALENT LICENSE"; in the same line, after "MAY" insert "ONLY"; in the same line, after the second "THE" insert "PERMIT AND"; in line 13, strike "7" and substitute "9"; and in line 15, strike "9" and substitute "10".

AMENDMENT NO. 6

On page 4, after line 27, insert:

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

Article – Alcoholic Beverages

2–207.

(I) (1) ON OR BEFORE OCTOBER 1 EACH YEAR, THE COMPTROLLER SHALL REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON THE FOLLOWING, IDENTIFIED BY JURISDICTION AND CLASS 5 LICENSE HOLDER:

(I) THE TOTAL BEER PRODUCTION OF THE LICENSE HOLDER IN THE PRECEDING FISCAL YEAR;

(II) THE TOTAL SALES OF THE LICENSE HOLDER FOR ON–SITE CONSUMPTION UNDER AN ON–SITE CONSUMPTION PERMIT, A CLASS D BEER LICENSE, OR AN EQUIVALENT LICENSE IN THE PRECEDING FISCAL YEAR;

(III) WHETHER THE LICENSE HOLDER HAS REQUESTED PERMISSION TO SELL ADDITIONAL BEER UNDER SUBSECTION (E)(2)(III) OF THIS SECTION, AND WHETHER THE COMPTROLLER GRANTED THAT PERMISSION, FOR THE PRECEDING FISCAL YEAR; AND

(IV) THE TOTAL SALES OF THE LICENSE HOLDER OF ADDITIONAL BEER UNDER SUBSECTION (E)(2)(III) OF THIS SECTION IN THE PRECEDING FISCAL YEAR.

(2) EACH HOLDER OF A CLASS B LICENSE SHALL REPORT TO THE COMPTROLLER THE INFORMATION NEEDED TO PREPARE THE ANNUAL REPORT UNDER THIS SUBSECTION.



**(3) THE COMPTROLLER MAY INCLUDE THE INFORMATION REPORTED UNDER THIS SUBSECTION IN THE ANNUAL REPORT SUBMITTED UNDER § 1-306 OF THIS ARTICLE.”;**

in line 28, strike “2.” and substitute “3.”; and in line 29, after “2017.” insert “Section 2 of this Act shall remain effective for a period of 5 years and, at the end of June 30, 2022, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for Friday.

The motion was adopted.

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

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

AN ACT concerning

**Cable Service – Broadband Connection Requirement – 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 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**

**HB1317/263193/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1317

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Delegation”; strike beginning with “Appointment” in line 2 down through “Commissioners” in line 3 and substitute “Alcoholic Beverages Regulation Reform Act of 2017”; in line 5, strike “repealing the requirement that” and substitute “requiring the County Executive for Prince George’s County, instead of”; in the same line, after “Governor” insert “, to”; in the same line, strike “all of the”; in line 7, strike “the County Executive to make”; in the same line, strike the comma and substitute “to be made”; in line 8, after the first “the” insert “Prince George’s”; in the same line, after “Council,” insert “requiring a confirmation hearing before the Prince George’s County Council to be held within a certain time; requiring members of the Board to have a certain type of experience; repealing certain appointment procedures for members of the Board; 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 receiving certain benefits; prohibiting certain individuals from soliciting or receiving certain benefits from certain individuals; prohibiting a member of the Board from being appointed to more than a certain number of terms;”; in the same line, after “Executive” insert a comma; in the same line, after “Governor” insert a comma; in line 9, strike “make an appointment” and substitute “appoint an eligible individual”; in the same line, after “vacancy” insert “under certain circumstances; providing that a vacancy appointment is subject to a certain confirmation hearing”; and strike beginning with “requiring” in line 10 down through “Governor,” in line 12.

On pages 1 and 2, strike beginning with “authorizing” in line 14 on page 1 down through “date” in line 1 on page 2 and substitute “requiring the Board to appoint a director, rather than an administrator; altering certain provisions relating to the salary and expenses of certain members and employees of the Board; altering the number of full-time and part-time inspectors of the Board; authorizing, except under certain circumstances, certain individuals to hold certain employment; providing that a member of the Board is subject to the same restrictions on earned income as certain individuals are under a certain provision of law; authorizing the Prince George’s County Board of Ethics to exempt a member of the Board from the restriction on earned income; requiring certain individuals to comply with certain public ethics laws; requiring that certain financial disclosure provisions for the Board be equivalent to or exceed the requirements of a certain provision of law; providing that 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 of Ethics and Accountability to take certain action if a complaint is filed; requiring that the Office of Legislative Audits conduct a certain audit of the Board and focus on certain matters; authorizing the employees and authorized representatives of the Office of Legislative Audits to have access to certain records for a certain purpose; exempting certain audit reports from the requirement that the Legislative Auditor send copies of audit reports to certain individuals; requiring that certain audit reports be sent to certain persons; providing for the termination of certain terms of office; requiring the County Executive to employ an outside professional consultant to review certain standard operating procedures, make a certain comparison, and recommend certain changes; making conforming changes; defining a certain term; altering a certain definition".

On page 2, after line 12, insert:

"BY adding to

Article – Alcoholic Beverages

Section 26–206.1 and 26–209

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – General Provisions

Section 5–809(a)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 5–809(b)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY adding to

Article – State Government

Section 2–1220(g)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 2–1223(a) and 2–1224(a), (d), and (e)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 2–1224(b) and (c)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

#### AMENDMENT NO. 2

On page 2, in lines 21, 24, and 31, in each instance, strike the bracket; strike beginning with “The” in line 21 down through “alone” in line 24 and substitute:

**“(I) WITHIN 60 DAYS AFTER NOMINATION BY THE COUNTY EXECUTIVE, AND NOT LESS THAN 7 DAYS BEFORE A CONFIRMATION VOTE ON A NOMINEE IS SCHEDULED, THE COUNTY COUNCIL SHALL HOLD A PUBLIC CONFIRMATION HEARING FOR AN INDIVIDUAL NOMINATED TO THE BOARD.**

**(II) IF THE COUNTY COUNCIL DOES NOT HOLD A PUBLIC HEARING AS REQUIRED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE NOMINEE SHALL BECOME A MEMBER OF THE BOARD”;**

and in line 25, after “(b)” insert an opening bracket.

On page 3, in line 12, strike the bracket; in line 13, strike the first bracket; in the same line, strike “(2)” and substitute “(1)”; after line 16, insert:

**“(2) EACH MEMBER OF THE BOARD SHALL HAVE:**

**(I) LEGAL EXPERIENCE;**

**(II) PUBLIC SAFETY EXPERIENCE;**

**(III) REGULATORY EXPERIENCE; OR**

**(IV) BUSINESS MANAGEMENT EXPERIENCE.**

**(3) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE BOARD, THE COUNTY EXECUTIVE SHALL CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, AND GENDER DIVERSITY ON THE BOARD.”;**

and in line 28, strike “or”.

On page 4, in line 3, after “holder” insert “;

**(V) SOLICIT OR RECEIVE, DIRECTLY OR INDIRECTLY OR ON BEHALF OF ANOTHER PERSON, A COMMISSION, POLITICAL CONTRIBUTION, REMUNERATION, OR GIFT FROM A PERSON ENGAGED IN THE MANUFACTURE, DISTRIBUTION, OR SALE OF ALCOHOLIC BEVERAGES OR AN AGENT OR EMPLOYEE OF THE PERSON; OR**

**(VI) SOLICIT OR RECEIVE, DIRECTLY OR INDIRECTLY, A COMMISSION, REMUNERATION, OR GIFT FROM A LICENSE HOLDER”;**

in lines 12, 13, 21, and 26, in each instance, strike the bracket; after line 13, insert:

**“(3) A MEMBER MAY NOT BE APPOINTED TO MORE THAN THREE TERMS.”;**

after line 18, insert:

**“(3) AN APPOINTMENT MADE TO FILL A VACANCY IS SUBJECT TO A CONFIRMATION HEARING BY THE COUNTY COUNCIL UNDER SUBSECTION (A) OF THIS SECTION.”;**

in lines 21 and 24, in each instance, strike “Governor” and substitute “**COUNTY EXECUTIVE**”; and in line 25, strike “Governor’s” and substitute “**COUNTY EXECUTIVE’S**”.

**AMENDMENT NO. 3**

On page 5, in line 26, strike “Board” and substitute “**DIRECTOR**”.

On page 6, in line 4, strike the first bracket; in the same line, strike “] COUNTY EXECUTIVE”; in the same line, strike “an” and substitute “A”; in lines 5, 6, 8, and 11, in each instance, strike “EXECUTIVE”; in line 5, strike “, SUBJECT TO CONFIRMATION BY THE COUNTY COUNCIL”; in line 7, strike the brackets; in the same line, strike “COUNTY EXECUTIVE”; in line 8, strike “SHALL” and substitute “MAY”; in line 11, strike “(i)”; and strike in their entirety lines 13 and 14 and substitute:

“(5) THE DIRECTOR SHALL FOLLOW THE REQUIREMENTS OF SUBTITLE 16 OF THE PRINCE GEORGE’S COUNTY CODE WHILE HIRING ANY EMPLOYEES UNDER SUBSECTION (A) OF THIS SECTION.”.

On page 7, strike in their entirety lines 17 and 18.

On page 8, in line 9, strike “Board” and substitute “DIRECTOR”; and in the same line, strike “its” and substitute “THE BOARD’S”.

#### AMENDMENT NO. 4

On page 9, in line 1, in each instance, strike the opening bracket and substitute “UP TO”; in the same line, strike “] TWO”; in lines 1 and 2, strike “] NOT MORE THAN 16”; in line 6, strike the brackets; in the same line, strike “ONE”; in the same line, strike “INSPECTOR”; in line 12, strike the first bracket; in the same line, strike “] THE”; in line 13, strike “THAT IS” and substitute “AS”; and after line 13, insert:

“26-206.1.

(A) IN THIS SECTION, “DIRECT OR INDIRECT INTEREST” MEANS AN INTEREST THAT IS:

(1) PROPRIETARY;

(2) OBTAINED BY A LOAN, MORTGAGE, OR LIEN OR IN ANY OTHER MANNER; OR

(3) BENEFICIALLY OWNED THROUGH AN INVESTMENT VEHICLE, ESTATE, TRUST, OR OTHER INTERMEDIARY WHEN THE BENEFICIARY DOES NOT CONTROL THE INTERMEDIARY OR MAY SUPERVISE OR PARTICIPATE IN THE INTERMEDIARY’S INVESTMENT DECISIONS.

(B) (1) A MEMBER OF THE BOARD IS SUBJECT TO THE RESTRICTIONS ON EARNED INCOME THAT A FILED CANDIDATE FOR ELECTION TO THE GENERAL ASSEMBLY, A MEMBER-ELECT OF THE GENERAL ASSEMBLY, AND A MEMBER OF THE GENERAL ASSEMBLY ARE SUBJECT TO UNDER § 5-514(A)(1) OF THE GENERAL PROVISIONS ARTICLE.

(2) THE PRINCE GEORGE'S COUNTY BOARD OF ETHICS MAY EXEMPT A MEMBER OF THE BOARD FROM THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION IN THE SAME MANNER THAT THE JOINT ETHICS COMMITTEE MAY EXEMPT AN INDIVIDUAL FROM § 5-514(A)(1) OF THE GENERAL PROVISIONS ARTICLE.

(C) AN ACTION OF A MEMBER, AN INSPECTOR, OR AN EMPLOYEE OF THE BOARD IS SUBJECT TO STATE REQUIREMENTS OF THE PUBLIC INFORMATION ACT UNDER TITLE 3 OF THE GENERAL PROVISIONS ARTICLE.

26-209.

(A) ALL MEMBERS, EMPLOYEES, AND INSPECTORS OF THE BOARD ARE SUBJECT TO THE COUNTY'S PUBLIC ETHICS LAWS ENACTED UNDER § 5-807 OF THE GENERAL PROVISIONS ARTICLE TO THE SAME EXTENT AS A LOCAL OFFICIAL OF THE COUNTY.

(B) (1) A PERSON MAY FILE A COMPLAINT WITH THE COUNTY'S OFFICE OF ETHICS AND ACCOUNTABILITY IF THE PERSON BELIEVES THAT A MEMBER, AN EMPLOYEE, OR AN INSPECTOR OF THE BOARD HAS VIOLATED:

(I) ANY PROVISION OF CIVIL OR CRIMINAL LAW, INCLUDING LAWS AGAINST BRIBERY, IN CONNECTION WITH THE PERFORMANCE OF THE DUTIES OF THE MEMBER, EMPLOYEE, OR INSPECTOR; OR

(II) ANY PROVISION OF THE COUNTY'S PUBLIC ETHICS LAWS.

(2) IF A COMPLAINT IS FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY'S OFFICE OF ETHICS AND ACCOUNTABILITY SHALL:

**(I) INVESTIGATE THE COMPLAINT; AND**

**(II) IF APPROPRIATE, REFER THE COMPLAINT TO THE STATE’S ATTORNEY OF THE COUNTY FOR CRIMINAL PROSECUTION.**

Article – General Provisions

5–809.

(a) In this section, “local official” includes an individual who is designated as a local official and whose position is funded wholly or partly by the State.

(b) (1) Except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this subsection and subsection (c) of this section, the financial disclosure provisions enacted by a county or municipal corporation under § 5–807 of this subtitle:

(i) shall be similar to the provisions of Subtitle 6 of this title; but

(ii) in accordance with regulations adopted by the Ethics Commission and consistent with the intent of this title, may be modified to the extent necessary to make the provisions relevant to the prevention of conflicts of interest in that jurisdiction.

(2) The financial disclosure provisions for elected local officials enacted by a county or municipal corporation under § 5–807 of this subtitle:

(i) shall be equivalent to or exceed the requirements of Subtitle 6 of this title; but

(ii) in accordance with regulations adopted by the Ethics Commission and consistent with the intent of this title, may be modified to the extent necessary to make the provisions relevant to the prevention of conflicts of interest in that jurisdiction.

**(3) THE FINANCIAL DISCLOSURE PROVISIONS FOR MEMBERS OF THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE’S COUNTY ENACTED BY PRINCE GEORGE’S COUNTY UNDER § 5–807 OF THIS SUBTITLE SHALL BE EQUIVALENT TO OR EXCEED THE REQUIREMENTS OF SUBTITLE 6 OF THIS TITLE.**



Article – State Government2–1220.

(G) (1) BEGINNING ON JULY 1, 2017, AND AT LEAST ONCE EVERY 3 YEARS THEREAFTER, THE OFFICE OF LEGISLATIVE AUDITS SHALL CONDUCT A PERFORMANCE AUDIT OF THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE’S COUNTY TO EVALUATE THE EFFECTIVENESS AND EFFICIENCY OF THE MANAGEMENT PRACTICES OF THE BOARD AND OF THE ECONOMY WITH WHICH THE BOARD USES RESOURCES.

(2) THE PERFORMANCE AUDIT SHALL FOCUS ON OPERATIONS RELATING TO LIQUOR INSPECTIONS, LICENSING, DISCIPLINARY PROCEDURES, AND MANAGEMENT OVERSIGHT.

2–1223.

(a) (1) Except as prohibited by the federal Internal Revenue Code, during an examination, the employees or authorized representatives of the Office of Legislative Audits shall have access to and may inspect the records, including those that are confidential by law, of any unit of the State government or of a person or other body receiving State funds, with respect to any matter under the jurisdiction of the Office of Legislative Audits.

(2) In conjunction with an examination authorized under this subtitle, the access required by paragraph (1) of this subsection shall include the records of contractors and subcontractors that perform work under State contracts.

(3) The employees or authorized representatives of the Office of Legislative Audits shall have access to and may inspect the records, including those that are confidential by law, of:

(i) any local school system to perform the audits authorized under § 2–1220 of this subtitle or in accordance with a request for information as provided in § 5–114(d) of the Education Article; [and]

(ii) the Board of Liquor License Commissioners for Baltimore City to perform the audits authorized under § 2–1220(f) of this subtitle; AND

(III) THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE’S COUNTY TO PERFORM THE AUDITS AUTHORIZED UNDER § 2-1220(G) OF THIS SUBTITLE.

2-1224.

(a) In this section, “unit” includes:

(1) the Board of Liquor License Commissioners for Baltimore City; AND

(2) THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE’S COUNTY.

(b) Except with the written approval of the Legislative Auditor, an employee or authorized representative of the Office of Legislative Audits shall submit any report of findings only to the Legislative Auditor.

(c) (1) On the completion of each examination, the Legislative Auditor shall submit a full and detailed report to the Joint Audit Committee.

(2) A report shall include:

(i) the findings;

(ii) any appropriate recommendations for changes in record keeping or in other conduct of the unit or body that is the subject of the report; and

(iii) any response of that unit or body, subject to procedures approved by the Joint Audit Committee.

(d) The Legislative Auditor shall send a copy of the report to:

(1) the President of the Senate and the Speaker of the House of Delegates;

(2) the Chairmen of the Senate Budget and Taxation and House Appropriations Committees;

(3) members of the General Assembly, subject to § 2-1246 of this subtitle;

(4) the Governor, unless the report is of the Board of Liquor License Commissioners for Baltimore City OR THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY;

(5) the Comptroller;

(6) the State Treasurer, unless the report is of the Board of Liquor License Commissioners for Baltimore City OR THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY;

(7) the Attorney General, unless the report is of the Board of Liquor License Commissioners for Baltimore City OR THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY;

(8) the unit or body that is the subject of the report;

(9) the Secretary of Budget and Management, unless the report is of the Board of Liquor License Commissioners for Baltimore City OR THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY;

(10) the Executive Director; and

(11) any other person whom the Joint Audit Committee specifies.

(e) In addition to the requirements of subsection (d) of this section, each report of:

(1) a local school system shall be distributed to the chair of the House Ways and Means Committee and the cochairs of the Joint Committee on the Management of Public Funds; [and]

(2) the Board of Liquor License Commissioners for Baltimore City shall be distributed to the chair of the Baltimore City delegation and the chair of the Baltimore City senators; AND

**(3) THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY SHALL BE DISTRIBUTED TO:**

**(I) THE PRINCE GEORGE'S COUNTY COUNCIL;**

(II) THE PRINCE GEORGE’S COUNTY EXECUTIVE;

(III) THE CHAIR OF THE PRINCE GEORGE’S COUNTY HOUSE  
DELEGATION TO THE GENERAL ASSEMBLY; AND

(IV) THE CHAIR OF THE PRINCE GEORGE’S COUNTY SENATE  
DELEGATION TO THE GENERAL ASSEMBLY.”.

AMENDMENT NO. 5

On page 9, in line 14, strike the first “the” and substitute “;

(a) The”;

in line 17, strike “April 30, 2017” and substitute “the effective date of this Act”; and strike in their entirety lines 18 through 23, inclusive, and substitute:

“(b) A member whose term is terminated under subsection (a) of this section shall continue to serve until a successor is appointed.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The County Executive shall hire an outside professional consultant on or before September 1, 2017, to review the standard operating procedures of the Board.

(b) In conducting the review, the consultant shall:

(1) compare the standard operating procedures to best practices in the area as well as to the standard operating procedures of other boards of license commissioners throughout the State; and

(2) recommend changes to improve the operation and efficiency of the Board.

(c) The consultant shall submit a report detailing the findings and recommendations to the Prince George’s County Executive, the Prince George’s County Council, the Prince George’s County House Delegation to the General Assembly, and the Prince George’s County Senate Delegation to the General Assembly.”.

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 1381 – Delegates Clippinger, Lisanti, Carey, and Buckel**

AN ACT concerning

**Adult High School Pilot Program**

**HB1381/853994/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1381

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “law” insert “and provide certain accommodations”.

AMENDMENT NO. 2

On page 5, in line 17, strike “AND”; and in line 19, after “SELF-SUFFICIENCY” insert “;AND”

(XI) PLANS FOR WORKING WITH ENGLISH LANGUAGE LEARNERS”.

On page 6, in line 10, strike “BE” and substitute “;”

(1) BE”;

in line 11, after “1973” insert “;AND”

(2) SHALL PROVIDE ACCOMMODATIONS EQUAL TO THOSE A STUDENT WOULD QUALIFY FOR UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT IF A STUDENT HAS A DISABILITY WITH AN EDUCATIONAL IMPACT”;

in line 26, strike “AND”; and in line 29, after “PILOT” insert “;AND”

**(V) HIRE APPROPRIATELY TRAINED INSTRUCTIONAL PERSONNEL**”.

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. 45**

**House Bill 913 – Delegates Rosenberg, Barve, Busch, Davis, Frick, Jones, Kaiser, McIntosh, Pendergrass, and Vallario**

AN ACT concerning

#### **Attorney General – Powers – Maryland Defense Act of 2017**

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

FLOOR AMENDMENT

**HB0913/363020/1**

BY: Delegate Buckel

#### **AMENDMENTS TO HOUSE BILL 913, AS AMENDED**

##### **AMENDMENT NO. 1**

On page 1 of the Health and Government Operations Committee Amendments (HB0913/796688/1), in line 5 of Amendment No. 1, before “requiring” insert “prohibiting the Attorney General from contracting with a third party to represent the State in certain actions and suits:”.

##### **AMENDMENT NO. 2**

On page 2 of the Health and Government Operations Committee Amendments, in line 5 of Amendment No. 2, after “**(D)**” insert “**NOTWITHSTANDING ANY OTHER**”

PROVISION OF LAW, THE ATTORNEY GENERAL MAY NOT CONTRACT WITH A THIRD PARTY TO REPRESENT THE STATE IN A SUIT OR AN ACTION COMMENCED UNDER SUBSECTION (B)(1) OF THIS SECTION.

(E)".

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

Affirmative – 49    Negative – 86    (See Roll Call No. 569)

FLOOR AMENDMENT

**HB0913/233926/1**

BY:    Delegate Aumann

AMENDMENT TO HOUSE BILL 913

(First Reading File Bill)

On page 1, in line 13, after "thereafter" insert ", subject to certain limitations,".

On page 3, in line 22, strike "**THE**" and substitute "**SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, THE**".

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

Affirmative – 50    Negative – 89    (See Roll Call No. 570)

FLOOR AMENDMENT

**HB0913/953825/1**

BY:    Delegate Buckel

AMENDMENTS TO HOUSE BILL 913, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Health and Government Operations Committee Amendments (HB0913/796688/1), in line 5 of Amendment No. 1, before "requiring" insert "requiring the Attorney General to maintain a certain record;".

AMENDMENT NO. 2

On page 2 of the Health and Government Operations Committee Amendments, in line 5 of Amendment No. 2, after “(D)” insert “THE ATTORNEY GENERAL SHALL MAINTAIN A RECORD OF ALL HOURS SPENT AND ACTIVITIES ENGAGED IN BY ANY ATTORNEY IN CONNECTION WITH INVESTIGATING, COMMENCING, PROSECUTING, OR DEFENDING ANY CIVIL OR CRIMINAL SUIT OR ACTION UNDER SUBSECTION (B)(1) OF THIS SECTION.”

(E)”.

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

Affirmative – 53    Negative – 85    (See Roll Call No. 571)

FLOOR AMENDMENT

**HB0913/543722/1**

BY: Delegate Flanagan

AMENDMENT TO HOUSE BILL 913

(First Reading File Bill)

On page 2, in line 31, strike “**OR**”; and after line 31, insert:

“(IX) PROTECTING THE RESIDENTS OF THE STATE AGAINST NOISE POLLUTION INVOLVING AIR TRAFFIC CONTROL FOR AIRPORTS IN THE STATE AND THE IMPLEMENTATION OF THE NEXT-GEN SATELLITE NAVIGATION SYSTEM; OR”.

On page 3, in line 1, strike “**(IX)**” and substitute “(X)”.

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

Affirmative – 52    Negative – 81    (See Roll Call No. 572)

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.



(See Roll Call No. 573)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 48**

**House Bill 836 – Delegates Folden, Afzali, Kittleman, McComas, and Metzgar**

AN ACT concerning

**Criminal Procedure – Expungement – Common Law Battery**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 574)

The Bill was then sent to the Senate.

**House Bill 889 – Delegate Stein**

AN ACT concerning

**Vehicle Laws – HOV Lanes – Tow Trucks**

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

Affirmative – 139    Negative – 1    (See Roll Call No. 575)

The Bill was then sent to the Senate.

**House Bill 952 – Delegates Healey, Anderton, Frush, and Jalisi**

AN ACT concerning

**Vehicle Law – Waste and Recycling Collection Vehicles – Use of Yellow and  
Amber Lights**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 576)

The Bill was then sent to the Senate.

**House Bill 1083 – Delegates Pendergrass, Anderson, Angel, Atterbeary, Barkley,  
B. Barnes, Barron, Barve, Beidle, Branch, Bromwell, Brooks, Carr,  
Clippinger, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo,  
Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes,**

Hettleman, Hill, Hixson, Holmes, C. Howard, Jones, Kaiser, Kelly, Korman, Kramer, Krimm, Lafferty, Lam, R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena–Melnik, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample–Hughes, Sanchez, Sophocleus, Stein, Tarlau, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, Wilkins, C. Wilson, K. Young, and Mosby

AN ACT concerning

**Health – Family Planning Services – Continuity of Care**

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

Affirmative – 90    Negative – 51    (See Roll Call No. 577)

The Bill was then sent to the Senate.

**House Bill 1200 – Delegate Mautz**

**EMERGENCY BILL**

AN ACT concerning

**Aquaculture – Leases – Submerged Aquatic Vegetation**

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

Affirmative – 140    Negative – 1    (See Roll Call No. 578)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 579)

The Bill was then sent to the Senate.

**House Bill 1408 – Delegates Sanchez and Vallario**

AN ACT concerning

**Criminal Law – Controlled Dangerous Substances – Places of Use**

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

Affirmative – 76    Negative – 64    (See Roll Call No. 580)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 59****House Bill 112 – Delegates Fraser–Hidalgo, Brooks, and A. Miller**

AN ACT concerning

**Interest Rate on Tax Deficiencies and Refunds – Rounding**

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

Affirmative – 139    Negative – 1    (See Roll Call No. 581)

The Bill was then sent to the Senate.

**House Bill 381 – Delegates McCray, Beidle, Carr, Cassilly, Fraser–Hidalgo, Frick, Frush, Gilchrist, Glenn, Hayes, Healey, Hill, Holmes, Hornberger, Jackson, Jalisi, Knotts, Lafferty, Robinson, Rose, Stein, Tarlau, Turner, P. Young, and R. Lewis**

AN ACT concerning

**Railroad Company – Movement of Freight – Required Crew**

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

Affirmative – 98    Negative – 42    (See Roll Call No. 582)

The Bill was then sent to the Senate.

**House Bill 485 – Delegate Impallaria**

AN ACT concerning

**Harford County – Alcoholic Beverages – ~~Interest in More Than One License~~  
Common Direct or Indirect Sharing of Profit**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 583)

The Bill was then sent to the Senate.

**House Bill 554 – Delegates Carey, Beidle, Chang, and Sophocleus**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Board of License Commissioners  
– Attorneys**

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

Affirmative – 110    Negative – 27    (See Roll Call No. 584)

The Bill was then sent to the Senate.

**House Bill 725 – ~~Delegate Cullison~~ Delegates Cullison, Angel, Barron, Bromwell,  
Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales,  
Morgan, Pena-Melnyk, Pendergrass, Platt, Rosenberg, Saab,  
Sample-Hughes, Szeliga, West, and K. Young K. Young, and Mautz**

AN ACT concerning

**State Board of Dental Examiners – Death of a Licensed Dentist – Ownership of a  
Dental Practice**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 585)

The Bill was then sent to the Senate.

**House Bill 773 – Delegates Korman, Clippinger, Barkley, Buckel, Carr, Cassilly,  
Chang, Fennell, Fraser-Hidalgo, Frick, Jalisi, Jameson, Kelly, Kramer,  
Lafferty, Lam, Lierman, Mautz, McComas, Miele, Morhaim, Patterson,  
Pena-Melnyk, Platt, Reznik, Valderrama, Waldstreicher, M. Washington,  
West, and K. Young**

AN ACT concerning

**Clean Energy – Energy Storage Technology Study**

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

Affirmative – 107    Negative – 34    (See Roll Call No. 586)

The Bill was then sent to the Senate.

**House Bill 775 – Delegates Kelly, Angel, Cullison, Hayes, Hill, Kipke, Lam, A. Miller, Morales, Morhaim, Pena–Melnik, Platt, Reznik, Robinson, Rosenberg, Turner, Valderrama, and M. Washington**

AN ACT concerning

**Public Health – Maternal Mental Health**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 587)

The Bill was then sent to the Senate.

**House Bill 795 – ~~Delegate Impallaria~~ Harford County Delegation**

AN ACT concerning

**Harford County – Alcoholic Beverages – Waiver From School Distance Restrictions**

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

Affirmative – 138    Negative – 1    (See Roll Call No. 588)

The Bill was then sent to the Senate.

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

AN ACT concerning

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

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

Affirmative – 139    Negative – 0    (See Roll Call No. 589)

The Bill was then sent to the Senate.

**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, R. Lewis, Lierman, Luedtke, McIntosh, A. Miller, Morales, Morhaim, Mosby, Pena-Melnyk, Pendergrass, Platt, Queen, Reznik, Robinson, Rosenberg, Sanchez, Stein, Sydnor, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, ~~and P. Young~~ P. Young, Branch, Bromwell, Gaines, Healey, C. Howard, Jameson, Jones, Kaiser, and Walker

A House Joint Resolution concerning

**The Protection of the Federal Affordable Care Act**

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

Affirmative – 90    Negative – 50    (See Roll Call No. 590)

The Bill was then sent to the Senate.

**MESSAGE FROM THE SENATE**

**CONSENT CALENDAR OF INTRODUCTORY SENATE BILLS NO. 31**

**Senate Bill 44 – Chair, Education, Health, and Environmental Affairs Committee  
(By Request – Departmental – Maryland State Archives)**

AN ACT concerning

**Records Management and Preservation – State ~~and Local Government Units~~  
Units and Public Officials – Responsibilities**

FOR the purpose of ~~applying certain provisions of law regarding records management and preservation to instrumentalities of the State, counties, and municipalities; altering the procedures required to be included in a program for the management of records; requiring each head of a unit of State government to designate a records officer to carry out certain functions; providing that the Records Management Division is required to study the records management practices of the units of State government; requiring a records officer to notify the State Archives that records of the unit are no longer needed for the transaction of business; requiring the records officer to transfer to the custody of the Archives certain records; altering the examples of records that may be considered are required to be offered by a public official to the State Archives for transfer; requiring that records accepted for transfer to the Archives be accompanied by a records inventory; authorizing a records officer, rather than a public official, to send certain information to the Archives; defining certain terms; altering a certain definition; making a stylistic change; and generally relating to records management and preservation.~~

BY repealing and reenacting, with amendments,

Article – State Government  
Section 10–608, 10–610, 10–611(2), 10–614, and 10–616  
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 230 – Senators Middleton, Astle, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, King, Lee, Madaleno, Manno, McFadden, Peters, Pinsky, Ramirez, Robinson, Nathan–Pulliam, Rosapepe, Smith, Young, and Zucker**

SECOND PRINTING

AN ACT concerning

**Labor and Employment – Maryland Healthy Working Families Act**

FOR the purpose of requiring certain employers to provide employees with certain earned sick and safe leave; providing that, except under certain circumstances, certain employees of a unit of State or local government are subject to certain provisions of the unit's laws, regulations, policies, and procedures under certain circumstances; prohibiting an employer from being required to pay a tipped employee more than a certain wage for earned sick and safe leave; providing for the method of determining whether an employer is required to provide paid or unpaid earned sick and safe leave; providing for the manner in which earned sick and safe leave is accrued by the employee and treated by the employer; authorizing an employer, under certain circumstances, to deduct the amount paid for earned sick and safe leave from the wages paid to an employee on the termination of employment under a certain provision of law; prohibiting an employer from being required to pay out on the termination of employment certain earned sick and safe leave; requiring an employer to allow an employee to use earned sick and safe leave for certain purposes; authorizing an employer to require an employee to provide certain notice under certain circumstances; requiring an employee, under certain circumstances, to provide certain notice to the employer; authorizing an employer to deny a request for leave under certain circumstances; prohibiting an employer from requiring that a certain employee search for or find an individual to work in the employee's stead during a certain period of time; authorizing an employee to work additional hours or trade shifts with another employee instead of taking earned sick and safe leave, under certain circumstances; providing that an employee is not required to accept a certain offer; providing that an employer is not required to consent to a certain request under certain circumstances; prohibiting an employer, under certain circumstances, from being required to pay more than a certain rate ~~or allowing an employee to work certain hours or shifts;~~ prohibiting an employer, under certain circumstances, from deducting a certain absence from a certain employee's earned sick and safe leave; requiring an employer to offer a certain employee employed in the restaurant industry the employee's base rate of pay for the employee's absence.

except under certain circumstances; authorizing an employer, in lieu of offering to pay a certain employee the employee's base rate of pay, to offer an additional shift of the same number of hours within a certain time frame; authorizing an employer to deduct accrued earned sick and safe leave for leave taken under certain circumstances; authorizing an employer, under certain circumstances, to require an employee to provide certain verification; requiring an employer to notify the employees that the employees are entitled to certain earned sick and safe leave; specifying the information that must be included in the notice; requiring the Commissioner of Labor and Industry to create and make available a certain poster and notice; requiring the Commissioner to develop a certain model paid sick and safe leave policy for use by certain employers for certain purposes; requiring the Commissioner to provide technical assistance to certain employers under certain circumstances; requiring the Department of Labor, Licensing, and Regulation to post a certain notice and model on a certain Web site in a certain format; requiring an employer to keep certain records for a certain time period; authorizing the Commissioner to inspect certain records; establishing a rebuttable presumption that an employer has violated certain provisions of this Act under certain circumstances; prohibiting an employer from being assessed a certain civil penalty under certain circumstances; providing for the liability of certain payroll service providers under certain circumstances; requiring and authorizing the Commissioner to take certain acts when the Commissioner receives a certain written complaint; specifying the contents that are required to be included and may be included in a certain order issued by the Commissioner; subjecting certain acts to certain hearing and notice requirements; requiring an employer to comply with a certain order within a certain time period; authorizing an employee to bring a civil action in a certain court against an employer for a violation of certain provisions of this Act within a certain time period; ~~requiring~~ authorizing a court to award certain damages, fees, and injunctive relief under certain circumstances; establishing certain prohibited acts; providing for certain criminal penalties; providing that certain protections apply to certain employees; authorizing the Commissioner to adopt regulations to carry out certain provisions of this Act; authorizing the Commissioner to conduct an investigation, under certain circumstances, to determine whether certain provisions of this Act have been violated; requiring the Commissioner, except under certain circumstances, to keep certain information confidential; providing for the construction of certain provisions of this Act; providing that this Act preempts the authority of a local jurisdiction to enact a law on or after a certain date that provides for certain sick and safe leave provided by certain employers; authorizing certain jurisdictions to amend certain sick and safe leave laws enacted before a certain date; providing for the application of this Act; providing for a delayed effective date; defining certain terms; and generally relating to earned sick and safe leave.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 2–106(b)  
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. Healthy Working Families Act”

Annotated Code of Maryland

(2016 Replacement Volume)

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

### **Senate Bill 235 – Senator Guzzone**

AN ACT concerning

#### **Sales and Use Tax – ~~Exemption – Service Performed by Person Practicing Engineering~~ Declaration of Legislative Intent – Services**

FOR the purpose of ~~providing an exemption from the sales and use tax for certain services performed by certain persons practicing engineering;~~ clarifying that the sales tax applies to a security service by a detective who is authorized to provide private detective services under certain provisions of law; declaring the intent of the General Assembly regarding the application of the sales tax to taxable services; declaring the intent of the General Assembly that a certain service is subject to the sales tax only if it is provided by certain persons with certain authority; clarifying that the Comptroller is prohibited from imposing the sales tax on certain services; defining a certain term; providing for the application of this Act; and generally relating to the sales and use tax.

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

~~Article – Business Occupations and Professions~~

~~Section 14–101(a) and (j)~~

~~Annotated Code of Maryland~~

~~(2010 Replacement Volume and 2016 Supplement)~~

BY adding to

Article – Tax – General

Section 11–101(c–1)

Annotated Code of Maryland

(2016 Replacement Volume)

BY adding to repealing and reenacting, without amendments,

Article – Tax – General

Section ~~11–219(e)~~ 11–101(m)(10)

Annotated Code of Maryland

(2016 Replacement Volume)

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

**Senate Bill 251 – ~~Senator Simonaire Anne Arundel County Senators~~ Senators Simonaire, Astle, DeGrange, Reilly, and Rosapepe**

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.

**Senate Bill 266 – Senators Conway, Pinsky, Astle, Currie, Feldman, Guzzone, Kagan, Madaleno, Nathan–Pulliam, Robinson, Young, and Zucker**

AN ACT concerning

**Environment – On-Site Sewage Disposal Systems – Best Available Technology  
for Nitrogen Removal – ~~Prohibition~~**

FOR the purpose of ~~prohibiting a person from installing, or having installed, on property a person owns in the State in the Chesapeake Bay watershed, the Atlantic Coastal Bays watershed, or the watershed of a nitrogen-impaired body of water, an on-site sewage disposal system to service a newly constructed building, unless the on-site sewage disposal system utilizes certain nitrogen removal technology; requiring the Department of the Environment to use certain money from the Bay Restoration Fund to assist a person in paying the cost difference between a conventional on-site sewage disposal system and a system utilizing nitrogen removal technology in a certain order of priority; repealing certain obsolete provisions of law; requiring the Bay Cabinet, in consultation with the Chesapeake Bay Commission and other interested parties, to review and make certain recommendations regarding certain matters; requiring the Bay Cabinet to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; and generally~~

relating to on-site sewage disposal systems that utilize the best available technology for nitrogen removal.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1108 and 9–1605.2(h)(2)(i)1.  
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 273 – Senators Edwards, Mathias, Middleton, ~~and Serafini~~ Serafini, Eckardt, Ferguson, Manno, McFadden, and Peters**

AN ACT concerning

**State Forest, State Park, and Wildlife Management Area Revenue Equity  
Program**

FOR the purpose of prohibiting a county from receiving certain revenues derived from a State forest or State park reserve within a county if the county receives a certain payment in a fiscal year; prohibiting a county from receiving certain revenues derived from concession operations within a State forest or State park if the county receives a certain payment in a fiscal year; requiring certain payments to certain counties for State forests, State parks, and wildlife management areas that are exempt from the property tax; providing for the amount calculation of the payments; ~~establishing eligibility criteria for a county to receive certain payments for State forests, State parks, and wildlife management areas that are exempt from the property tax; providing for a triennial adjustment to the amount of the payments beginning in a certain fiscal year; establishing the manner of determining which land is considered in determining the amount of the payment; clarifying how to apportion the land in a State forest, State park, or wildlife management area that is contained in multiple counties; clarifying when land shall be included in the total number of acres for a county in a fiscal year~~ calculation of payments to a county; excluding certain lands from being included in the total number of acres in calculation of payments to a county; requiring the State Department of Assessments and Taxation, in consultation with the Secretary of Natural Resources, to certify certain information to the Governor and the Secretary of Budget and Management on or before a certain date each year; requiring the Governor to include certain amounts to be paid to each county in the annual budget bill; requiring the State to pay to each county a certain percent of a certain payment on or before certain dates; clarifying that the provisions of this Act may not be construed to prohibit the application of or collection of certain taxes; defining certain terms; and generally relating to payments to counties for State forests, State parks, and wildlife management areas within a county.

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 5–101(a) and (e) and 10–801  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–212 and 5–212.1  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 6–102, 7–210, 7–211(c), and 7–501(a) and (b)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

BY adding to  
Article – Tax – Property  
Section 6.5–101 through 6.5–301 to be under the new title “Title 6.5. State Forest,  
State Park, and Wildlife Management Area Revenue Equity Program”  
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 318 – The President (By Request – Administration) and Senators  
Bates, Cassilly, Eckardt, Edwards, Ferguson, Hough, Manno, Mathias,  
Norman, Ready, Rosapepe, Salling, and Serafini**

AN ACT concerning

**Cybersecurity Investment Incentive Tax Credit – Eligibility and Sunset  
Extension**

FOR the purpose of altering the eligibility criteria for the cybersecurity investment incentive tax credit to provide the credit to a certain qualified investor in a certain qualified Maryland cybersecurity company rather than providing the credit to the company; 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; making conforming changes; extending the termination date of the credit; providing for the application of this Act; and generally relating to the cybersecurity investment incentive tax credit.

BY repealing and reenacting, with amendments,  
Article – Tax – General

Section 10-733  
Annotated Code of Maryland  
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,  
Chapter 390 of the Acts of the General Assembly of 2013  
Section 2

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

**Senate Bill 406 – Senators Peters, Benson, Currie, Muse, Ramirez, and Rosapepe**

AN ACT concerning

**Election Law – Voting System – ~~Optical Digital Scanners in Prince George's~~  
County**

FOR the purpose of requiring the State Board of Elections to include, on request by a local board of elections and with the approval of the applicable county governing body, a certain number of ~~optical~~ additional digital scanners for ~~each polling place in Prince George's County~~ certain polling places as part of the voting system for voting in polling places; requiring certain costs to be apportioned between the State and a county in a certain manner; providing that, except under certain circumstances, a local board shall submit a request to the State Board for additional digital scanners on or before a certain date; requiring that, following each primary and general election, the State Board conduct a statewide independent automated software audit of the ballot images for the election; and generally relating to ~~optical~~ additional digital scanners in polling places ~~in Prince George's 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 Ways and Means.

**Senate Bill 450 – Senator Manno**

AN ACT concerning

**Open Meetings Act – ~~Required Training for Members of Public Bodies~~ Annual Reporting Requirement, Web Site Postings, and Training**

FOR the purpose of ~~repealing the requirement that a public body designate a certain individual to receive training on the Open Meetings Act and forward a certain list to the Open Meetings Compliance Board; requiring that certain individuals complete~~

~~certain classes or submit a letter stating certain information to the Board within a certain period of time after becoming a member of a public body; requiring an individual who is a member of a public body on the effective date of this Act to comply with certain provisions of this Act on or before a certain date except under certain circumstances; and generally relating to required training for members of public bodies regarding~~ requiring the Board, in conjunction with the Office of the Attorney General, to distribute certain educational materials to the staff and attorneys for certain entities; adding the Maryland Association of Boards of Education to the entities the Board, in conjunction with the Office of the Attorney General, is required to develop and conduct certain educational programs for; altering the annual reporting requirement of the State Open Meetings Law Compliance Board to require that certain information on certain violations be reported; requiring the Board to post certain information on a certain Web site; repealing a requirement that certain public bodies forward a certain list to the Board; prohibiting a public body from meeting in a closed session unless the public body designates at least a certain number of members to receive the training; requiring that certain designated individuals attend certain meetings or that certain public bodies include a certain checklist in certain minutes; requiring the Board, the University of Maryland's Institute for Governmental Service and Research, and the Academy for Excellence in Local Governance in the University of Maryland's School of Public Health to collaborate with certain entities to determine a certain cost-benefit analysis, develop a certain list of contacts, and report to certain committees of the General Assembly on or before a certain date; defining a certain term; and generally relating to the annual reporting requirement, Web site postings, and training under the Open Meetings Act.

BY adding to

Article – General Provisions

Section 3-101(d-1)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 3-204(d) and (e), 3-211, and 3-213

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

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

**Senate Bill 452 – Senators Manno, Benson, Brochin, Currie, DeGrange, Edwards, Feldman, Guzzone, Hough, Jennings, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Mathias, Muse, Nathan-Pulliam, Norman, Peters, Ready, Robinson, Rosapepe, Salling, Serafini, Smith, Young, Zirkin, ~~and Zucker~~ Zucker, and Pinsky**

AN ACT concerning

**Education – Accountability Program – Assessments**  
**~~(Less Testing, More Learning~~**  
**(More Learning, Less Testing Act of 2017)**

FOR the purpose of ~~requiring certain county boards of education to develop a certain social studies assessment beginning in a certain school year; repealing certain requirements relating to a certain social studies assessments assessment; requiring a county board to certify annually to the State Board of Education that the county board's social studies assessment aligns with certain standards and matches a certain tool; requiring the State Board to adopt certain regulations limiting the amount of time that may be spent on certain assessments~~ requiring the State Board of Education, in collaboration with certain stakeholders, to redesign a certain assessment to meet certain criteria when a certain contract expires; requiring certain county boards of education and certain employee representatives to meet and confer regarding certain items and to mutually agree to a certain amount of time that must be devoted to certain assessments, subject to certain conditions, on or before certain dates; prohibiting a student who participates in certain programs from being subject to certain testing time limits; prohibiting certain types of assessments and activities from being counted toward certain testing time limits; requiring certain county boards to establish on or before a certain date a certain committee on assessments; providing for the membership of the committee; requiring the committee on or before a certain date to develop a certain rubric to evaluate certain local assessments; requiring the committee to report annually to the local county board beginning on or before a certain date; providing for the content of the report; authorizing a county board, after reviewing the committee's report, to adopt or reject the committee's recommendations; requiring a county board that adopts a recommendation to implement the change to the assessment for the following school year; requiring the county board to report annually to the State Board certain information beginning on a certain date; requiring the committee to publish annually on its Web site certain information beginning on a certain date; requiring the State Department of Education to survey annually certain public schools to measure time spent administering assessments requiring the State Board to define a certain rubric, on or before a certain date, to be used for a certain purpose; defining a certain term; providing for the construction of this Act; repealing certain obsolete provisions of law; and generally relating to assessments in public schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–203  
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 460 – Senator Conway (By Request – Baltimore City Administration)**

AN ACT concerning

**Education – Debt Service for Transferred Schools – County Reimbursement  
Grace Period**

FOR the purpose of establishing a certain period of time during which a county government is not required to reimburse the State for certain outstanding debt service for certain school buildings that are transferred to a county government; requiring a county government to reimburse the State for a certain amount of outstanding debt service for certain school buildings after a certain period of time has elapsed; and generally relating to a grace period for counties for debt service for schools transferred to a county.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–308  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

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

**Senate Bill 495 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Lottery and Gaming Control Agency)**

AN ACT concerning

**Gaming – Video Lottery Terminals – Transfer of Ownership and Local Impact  
Grants**

FOR the purpose of requiring certain video lottery facilities to own or lease certain video lottery terminals and associated equipment and software by a certain date; altering the distribution of certain proceeds of video lottery terminals ~~if certain conditions are met~~ at certain video lottery facilities; and generally relating to video lottery terminal ownership ~~and leasing, leasing, and proceeds.~~

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–21(a)(2) and 9–1A–27(a)(7) and (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 498 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Commerce)**

AN ACT concerning



**Video Lottery Terminals – Small, Minority, and Women–Owned Businesses  
Account – Transfer of Authority**

FOR the purpose of transferring the authority for the administration of the Small, Minority, and Women–Owned Businesses Account from the Board of Public Works to the Department of Commerce; making conforming changes; and generally relating to the authority for the Small, Minority, and Women–Owned Businesses Account.

BY transferring

Article – State Government  
Section 9–1A–35  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

to be

Article – Economic Development  
Section 5–1501  
Annotated Code of Maryland  
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 5–1501 to be under the new subtitle “Subtitle 15. Small, Minority, and  
Women–Owned Businesses Account”  
Annotated Code of Maryland  
(2008 Volume and 2016 Supplement)  
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–1A–27(a)(6) and (c)(1)(v)  
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 667 – Senator Jennings**

AN ACT concerning

**Education – Prekindergarten Student Assessment – Moratorium**

FOR the purpose of placing a moratorium on ~~the~~ a certain assessment of prekindergarten students until a certain audit of the pilot year of the assessment results in certain determinations; and generally relating to a moratorium on the assessment of prekindergarten students.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–210  
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 752 – Senator Guzzone**

AN ACT concerning

#### **Optional Retirement Program – Annuity Contract Providers**

FOR the purpose of repealing a default inclusion as an optional retirement program annuity contract provider of a company designated by a governing board of an employing institution on or before a certain date; ~~repealing a requirement that a designated company provide certain information regarding compensation of certain employees of the company;~~ altering a certain definition; and generally relating to companies designated to offer annuity contracts in the optional retirement program.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 30–101(c), ~~30–202, and 30–211~~ and 30–202  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 30–211  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

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

### **Senate Bill 754 – Senator Guzzone**

AN ACT concerning

#### **Law Enforcement Officers' Pension System – Membership**

FOR the purpose of ~~authorizing certain individuals to transfer~~ transferring certain individuals into the Law Enforcement Officers' Pension System; ~~requiring an individual who transfers into the Law Enforcement Officers' Pension System to submit a certain application to the State Retirement Agency; requiring the State Retirement Agency to provide a certain application form;~~ requiring an individual who ~~transfers~~ is transferred into the Law Enforcement Officers' Pension System to

make certain deposits in the annuity savings fund of the Law Enforcement Officers' Pension System; requiring the Board of Trustees for the State Retirement and Pension System to make certain transfers to the accumulation fund and annuity savings fund of the Law Enforcement Officers' Pension System; providing for the termination of this Act; and generally relating to membership in the Law Enforcement Officers' Pension System.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 26–201(a)(22), 26–202(b)(1)(xix), (2), and (3), and 26–203.4  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 814 – Senators Rosapepe, Benson, Hershey, Jennings, Klausmeier, and Mathias**

AN ACT concerning

**Pharmacists – Dispensing of Prescription Drugs – Single Dispensing of Dosage Units**

FOR the purpose of authorizing a pharmacist to dispense, in a single dispensing and exercising the pharmacist's professional judgment, a quantity of a prescription drug that is up to a certain number of authorized dosage units and does not exceed a certain supply of the prescription drug; providing that this Act does not apply to ~~a certain controlled dangerous substance~~ certain drugs; and generally relating to pharmacists and dispensing of prescription drugs.

BY adding to  
Article – Health Occupations  
Section 12–511  
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 815 – ~~Senator Rosapepe~~ Senators Rosapepe and Middleton**

AN ACT concerning

**State Board of Pharmacy – Registered Pharmacy Technicians – Exemption for Pharmacy Students**

FOR the purpose of providing that a certain provision of law requiring an individual to be registered and approved by the State Board of Pharmacy as a pharmacy technician

before performing delegated pharmacy acts does not apply to a certain pharmacy student; repealing an obsolete provision of law; and generally relating to the State Board of Pharmacy, registered pharmacy technicians, and pharmacy students.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–101(a), (f), (h), (s), and (w)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–6B–01

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 846 – Senator Conway (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Hotel Room Tax – Convention Center Promotion and  
Operations**

FOR the purpose of extending to a certain date provisions requiring that for certain fiscal years certain amounts measured by proceeds from a hotel room tax imposed by Baltimore City be appropriated to a certain association for certain purposes; altering the purposes for which the proceeds shall be appropriated to include the operations of the Baltimore City Convention Center; and generally relating to hotel room taxes and convention center marketing and operations and tourism promotion in Baltimore City.

BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (40)(e)

(2007 Replacement Volume, as amended)

(As enacted by Chapter 151 of the Acts of the General Assembly of 2007, as amended by Chapter 197 of the Acts of the General Assembly of 2012)

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

**Senate Bill 908 – Senators Ferguson, Benson, Guzzone, Klausmeier, Middleton, Peters, ~~and Young~~ Young, Currie, DeGrange, Eckardt, Edwards, Kasemeyer, King, Madaleno, Manno, McFadden, and Serafini**

AN ACT concerning

**Maryland Education Development Collaborative – Established**

FOR the purpose of establishing the Maryland Education Development Collaborative; providing that the Collaborative is an instrumentality of the State; providing for the purposes of the Collaborative; establishing a Governing Board of the Collaborative; providing for the composition, residency requirement, appointment considerations, removal, chair, and quorum requirements for the Governing Board; requiring the Governing Board to establish an Advisory Committee, made up of certain persons, to advise in certain matters; requiring the Collaborative to employ an Executive Director who meets certain qualifications; providing for the legal adviser for the Collaborative and the hiring of certain legal counsel; authorizing the Collaborative to retain certain professionals; exempting the Collaborative from certain provisions of law; providing that the Collaborative is subject to the Public Information Act; providing that the Governing Board and the officers and employees of the Collaborative are subject to the Public Ethics Law; providing that certain officers and employees of the Collaborative are not subject to certain provisions of law governing State personnel; providing that the Collaborative and its Governing Board and employees are subject to certain procurement policies and procedures governing certain exempt units of government; establishing the powers and duties of the Collaborative; providing that certain debts, claims, obligations, or liabilities of the Collaborative are not held against the State or a pledge of credit of the State; authorizing certain institutions of higher education to perform certain acts regarding the Collaborative; providing that the Collaborative is exempt from State and local taxes; providing that the books and records of the Collaborative are subject to a certain audit by certain entities at certain times; requiring the Collaborative to report certain information to the Governor, the State Department of Education, 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 establishment of the Maryland Education Development Collaborative.

BY adding to

Article – Education

Section 9.7–101 through 9.7–113 to be under the new title “Title 9.7. Maryland Education Development Collaborative”

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 930 – Chair, Anne Arundel County Senators**

AN ACT concerning

**Anne Arundel County – Property Tax – Payment in Lieu of Taxes Agreements –  
Economic Development Projects**

FOR the purpose of authorizing the governing body of Anne Arundel County, on or before a certain date, to enter into an agreement with the owner of a certain economic development project for payment in lieu of the county real and personal property tax; exempting certain property of an economic development project in Anne Arundel County from county property tax under certain circumstances; requiring that a payment in lieu of taxes agreement include certain provisions; authorizing the owner of the economic development project and the county to modify a certain payment in lieu of taxes agreement under certain circumstances; and generally relating to authorizing certain payment in lieu of taxes agreements in Anne Arundel County.

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 Ways and Means.

**Senate Bill 989 – Senators Nathan–Pulliam and Mathias**

AN ACT concerning

**State Board of Physicians – Physician Licensure – Prohibition on Requiring  
Specialty Certification**

FOR the purpose of prohibiting the State Board of Physicians from requiring, as a qualification to obtain a license or as a condition to renew a license, certification by a certain accrediting organization that specializes in a specific area of medicine or maintenance of certification by a certain accrediting organization that includes certain reexamination as a requirement for maintaining certification; and generally relating to physician licensure by the State Board of Physicians.

BY adding to

Article – Health Occupations

Section 14–205(d)

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 997 – Senator Conway**

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.

**Senate Bill 1001 – Senators Guzzone, DeGrange, Kasemeyer, King, Madaleno, McFadden, Miller, and Peters**

AN ACT concerning

**Teachers' Retirement and Pension Systems – County Boards of Education  
Payments**

FOR the purpose of providing that, for a certain fiscal year, county boards of education shall be relieved of a certain portion of a contribution for certain local employees of the Teachers' Retirement and Pension Systems; providing for a certain allocation of payment relief for county boards of education; requiring the Governor to provide a certain amount in a certain fiscal year to be paid into certain accumulation funds of the State Retirement and Pension System if a certain condition is not met; defining a certain term; and generally relating to county board of education payments to the Teachers' Retirement and Pension Systems.

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

**Senate Bill 1012 – Senator Conway (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City Board of School Commissioners – Members – Appointment and  
Removal**

FOR the purpose of establishing the Baltimore City Public School Board Community Panel; providing for the purpose and composition of the panel; authorizing the Mayor of Baltimore City to request the panel to reconvene under certain circumstances; requiring the panel to reconvene for a certain purpose; repealing the role of the Governor in making certain appointments to, filling certain vacancies on, and removing certain members from the Baltimore City Board of School Commissioners; requiring the Mayor of Baltimore City to appoint certain members of the board and fill certain vacancies from a list of qualified individuals submitted by a certain panel; establishing the Baltimore City Public School Board Community Panel; providing for the purpose and composition of the panel; and generally relating to the appointment and removal of the members of the Baltimore City Board of School Commissioners.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–108.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)



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

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 141 Members present.

(See Roll Call No. 591)

### **ADJOURNMENT**

At 1:08 P.M. on motion of Delegate Frick the House adjourned until 11:00 A.M. on Legislative Day March 14, 2017, Calendar Day, Friday, March 17, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 14, 2017**  
**Calendar Day: Friday, March 17, 2017**  
**11:00 A.M. Session**

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The House met at 11:49 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Pat Young of Baltimore County.

**QUORUM CALL**

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

(See Roll Call No. 592)

EXCUSED:

Del. R. Lewis – illness

The Journal of March 16, 2017 was read and approved.

**MESSAGE FROM THE SENATE**

**CONSENT CALENDAR OF INTRODUCTORY SENATE BILLS NO. 32**

**Senate Bill 13 – Chair, Education, Health, and Environmental Affairs Committee**  
**(By Request – Departmental – Military)**

AN ACT concerning

**Public Safety – State Militia**

FOR the purpose of clarifying that service in the Maryland Defense Force is ~~at will and~~ voluntary and a member may be dismissed with cause; altering the classes of State militia; repealing the requirement that a certain individual take a certain oath; repealing certain authorization and requirements relating to organizational commanders; repealing a certain requirement relating to inspections of a unit of the organized militia; altering the composition of a certain retired list; amending the authority by which the National Guard is organized; specifying who is authorized to administer certain oaths; repealing certain provisions relating to appointment and commission of certain officers; altering the oath of service for an individual who serves in the Maryland Defense Force; prohibiting the Maryland Defense Force or its members from accepting certain items in exchange for a service rendered; altering

certain definitions; making stylistic changes; and generally relating to the State militia.

BY repealing

Article – Public Safety

Section 13–206, 13–509, and 13–510; and 13–601 through 13–603 and the subtitle “Subtitle 6. Officers”

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 13–101, 13–203, 13–204, 13–207, 13–210 through 13–213, 13–401, 13–407, 13–408, 13–501 through 13–504, 13–506, 13–706, and 13–902

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 307 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Hershey, Hough, Jennings, Norman, Ready, Salling, Serafini, Simonaire, ~~and Waugh~~ Waugh, Kasemeyer, Madaleno, Currie, DeGrange, Ferguson, Guzzone, King, Manno, McFadden, and Peters**

**EMERGENCY BILL**

AN ACT concerning

**~~Repeal of the~~ Maryland Open Transportation Investment Decision Act ~~of 2016~~ –  
Application and Evaluation  
~~(Road Kill Bill Repeal)~~**

FOR the purpose of ~~repealing certain State transportation goals; repealing a requirement that the Department of Transportation score the extent to which certain projects satisfy certain goals; repealing a requirement that the Department develop a certain scoring system and promulgate certain regulations; repealing a requirement that the Department submit a certain list; repealing a requirement that the Department evaluate, score, and rank certain projects for inclusion in a certain program; repealing a requirement that certain projects be ranked in a certain manner; repealing a requirement that the Department incorporate certain State transportation goals into a certain program and a certain plan; repealing a requirement that certain analyses and benchmarks are included in a certain program and certain plan; making this Act an emergency measure~~ altering the definition of “major transportation project”; repealing the requirement that the Department of Transportation adopt certain regulations on or before a certain date; requiring the Department to develop a certain model that uses a certain

project-based scoring system to rank certain projects; requiring the Department to use the model to rank certain projects; requiring the Department to include a certain ranking and certain project scores in an appendix to the Consolidated Transportation Program and make the ranking and project scores available on the Department's Web site; altering the manner by which the Department evaluates and scores certain major transportation projects; expanding and altering the list of the State's transportation goals and establishing and altering certain measures for the goals; repealing a requirement that the Department multiply certain scores by a certain weighting factor; repealing the requirement that the Department prioritize certain projects for inclusion in the Consolidated Transportation Program; repealing the authorization of the Department to include certain projects with a certain score in the Consolidated Transportation Program under certain circumstances; specifying that certain provisions of this Act may not be construed to impede or alter the inclusion of local transportation priorities in the Consolidated Transportation Program; establishing the Workgroup on the Maryland Open Transportation Investment Decision Act; 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 evaluate 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 State transportation programs and plans.

~~BY repealing~~

~~Chapter 36 of the Acts of the General Assembly of 2016~~

BY repealing and reenacting, with amendments,

Article – Transportation

Section 2-103.7

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 387 – Senator Lee**

AN ACT concerning

### **Crimes – Solicitation to Commit Murder or Arson – Statute of Limitations**

FOR the purpose of ~~providing that~~ increasing the statute of limitations for the crime of solicitation to commit murder in the first degree, murder in the second degree, arson in the first degree, or arson in the second degree ~~is the statute of limitations for the prosecution of the substantive crime that is the subject of the solicitation;~~ and generally relating to the statute of limitations for the crime of solicitation.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–106(ff)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

**Senate Bill 484 – Senators Madaleno, Astle, Conway, Currie, Feldman, Ferguson, Guzzone, King, Lee, Manno, McFadden, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker**

AN ACT concerning

**Maryland Transit Administration – ~~Farebox Recovery, Goals, and Performance Indicators~~ Farebox Recovery Rate – Repeal**

FOR the purpose of repealing the requirement that a certain percentage of operating costs for certain public transit services must be recovered by the Maryland Transit Administration from certain revenues; ~~establishing certain goals for the Administration;~~ altering requirements for certain annual reports submitted by the Administration to certain committees of the General Assembly; ~~altering requirements relating to the Administration's implementation of performance indicators; making a stylistic change;~~ making conforming changes; and generally relating to the Maryland Transit Administration and the repeal of the farebox recovery rate.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 7–208

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 509 – Senator Peters**

AN ACT concerning

**Prince George's County – Orphans' Court Judges – Salary**

FOR the purpose of altering the salaries of the judges of the Orphans' Court for Prince George's County; providing for the application of this Act; and generally relating to judicial salaries.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts  
Section 2–108(q)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2016 Supplement)

~~BY adding to~~

~~Article – Estates and Trusts  
Section 2–108(q)  
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 574 – Senators Feldman, Lee, Astle, Benson, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Muse, Nathan–Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Robinson, Rosapepe, Salling, Serafini, Smith, Young, and Zucker**

AN ACT concerning

**Family Law – Child Conceived Without Consent – Termination of Parental  
Rights  
(Rape Survivor Family Protection Act)**

FOR the purpose of authorizing a court, under certain circumstances, to terminate the parental rights of an individual convicted of or found to have committed an act of nonconsensual sexual conduct against the other parent that resulted in the conception of a child; prohibiting the court from terminating parental rights under certain circumstances; specifying that a termination of parental rights under this Act terminates completely certain rights and responsibilities of a parent; specifying certain procedures for an action for termination of parental rights under this Act; authorizing the court to order certain means of service under certain circumstances; requiring the court to rule on a certain motion within a certain period of time; ~~prohibiting the court from requiring publication of the name or personally identifying information of the petitioner or the child;~~ requiring the court to hold a trial on termination of parental rights within a certain period of time after an answer to the complaint is filed; ~~authorizing~~ requiring the court to stay further proceedings in a termination of parental rights action until a certain criminal proceeding is resolved under certain circumstances; ~~authorizing the court to stay or postpone a trial on termination of parental rights for good cause;~~ authorizing a respondent in a termination of parental rights action to refuse to testify or to offer evidence ~~that may incriminate the respondent;~~ specifying that no adverse inference may be drawn from the respondent's refusal to testify or to offer evidence; specifying that a party's testimony and certain other information in a termination of parental rights proceeding is inadmissible as evidence in a criminal proceeding against that party under certain circumstances; establishing that a party to a termination of parental

rights proceeding is entitled to the assistance of counsel; requiring the court to refer an unrepresented party to the Maryland Legal Services Corporation or its designee for assessment of counsel through a certain program; ~~establishing that a party is not entitled to the assistance of counsel at the expense of the Maryland Legal Services Corporation or its designee unless the party is indigent~~; defining certain terms; and generally relating to children conceived without consent and termination of parental rights.

BY adding to

Article – Family Law

Section 5–1401 through 5–1405 to be under the new subtitle “Subtitle 14. Child Conceived Without Consent”

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

**Senate Bill 680 – Senators Lee, Mathias, Eckardt, and Kelley**

AN ACT concerning

**Adult Protective Services Investigations – Completion Time**

FOR the purpose of increasing the period of time during which a local department of social services must complete an investigation of a report of abuse, neglect, self–neglect, or financial exploitation when the report does not indicate that an emergency exists; and generally relating to adult protective services investigations.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 14–303

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

**Senate Bill 713 – Senators Young, Madaleno, Manno, Pinsky, and Smith**

AN ACT concerning

**Products That Contain Mercury – Prohibition on Sale of Electric Switches,  
Electric Relays, and Gas Valve Switches**

FOR the purpose of prohibiting a certain marketer from selling or providing certain electric switches, electric relays, and gas valve switches that contain mercury to a consumer; providing for the application of this Act; providing for a delayed effective date; and generally relating to products that contain mercury.

BY renumbering

Article – Environment

Section 6–905.3 through 6–905.6, respectively

to be Section 6–905.4 through 6–905.7, respectively

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 6–905(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – Environment

Section 6–905(b–1), (b–2), and (c–1) and 6–905.3

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 6–905(e) and (f)

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 714 – Senator McFadden**

AN ACT concerning

### **Criminal Procedure – Indigent Individual – Bail Review and Indigency Determination**

FOR the purpose of ~~requiring a certain bail review hearing to be held at a certain time under certain circumstances to make certain determinations;~~ requiring a District Court commissioner to determine whether a certain individual qualifies as indigent; making conforming changes; ~~defining a certain term;~~ and generally relating to indigent criminal defendants.

~~BY adding to~~

~~Article – Criminal Procedure~~

~~Section 5–205.1~~

~~Annotated Code of Maryland~~

~~(2008 Replacement Volume and 2016 Supplement)~~



BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 16–210  
Annotated Code of Maryland  
(2008 Replacement Volume and 2016 Supplement)

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

**Senate Bill 794 – Senator Smith**

AN ACT concerning

**Legal Advice to Corporations – Clarification**

FOR the purpose of altering an exception to the requirement that an individual be admitted to the Maryland Bar before the individual may practice law in the State by authorizing an individual who is admitted to the bar of any other state to provide legal advice to the individual's employer or the employer's organizational affiliates; defining certain terms; and generally relating to the provision of legal advice to employers by individuals not admitted to the Maryland Bar.

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(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2016 Supplement)

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

**Senate Bill 941 – Senators Smith, Kelley, Lee, Muse, and Ramirez**

AN ACT concerning

**Public Safety – SWAT Teams – ~~Reporting and Limitations~~ Standards**

FOR the purpose of requiring the Maryland Police Training and Standards Commission to adopt a certain set of standards for the training and deployment of SWAT teams in the State; ~~requiring each law enforcement agency to follow a certain set of standards; requiring, at certain intervals, a law enforcement agency that maintains a SWAT team to report certain information to the Governor's Office of Crime Control and Prevention using a certain format; requiring the Commission, in consultation with~~

~~the Office, to develop a standardized format that certain law enforcement agencies shall use in reporting to the Office certain data relating to the deployment of SWAT teams; requiring the Office to analyze and summarize certain reports of law enforcement agencies and to submit a certain report of the analyses and summaries to the Governor, the General Assembly, and each law enforcement agency before a certain date each year; providing that, if a law enforcement agency fails to comply with the reporting provisions of this Act, the Office shall report the noncompliance to the Commission; requiring the Commission to contact a certain law enforcement agency and request that the agency comply with this Act under certain circumstances; providing that, if a certain law enforcement agency fails to comply with certain reporting provisions within a certain period after being contacted by the Commission, the Office and the Commission jointly shall make a certain report to the Governor and the Legislative Policy Committee of the General Assembly requiring the Commission to adopt a certain set of standards for recording data on the deployment of SWAT teams; defining certain terms a certain term; and generally relating to the deployment of SWAT teams.~~

~~BY adding to~~

~~Article – Public Safety~~

~~Section 3–801 through 3–803 to be under the new subtitle “Subtitle 8. SWAT Teams”~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2016 Supplement)~~

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)

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

**Senate Bill 944 – Senator Smith**

AN ACT concerning

**Criminal Law – Sexual Offenses – Classification**

FOR the purpose of reclassifying criminal conduct currently classified as sexual offense in the first degree and sexual offense in the second degree as rape in the first degree and rape in the second degree, respectively; repealing the crimes of sexual offense in the first degree, sexual offense in the second degree, attempted sexual offense in the first degree, and attempted sexual offense in the second degree; making conforming changes; and generally relating to sexual offenses.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–702, 9–201, and 11–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–303, 3–304, 3–308(d), 3–313, 3–314(f), 3–315 through 3–317, and 3–320  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

BY repealing  
Article – Criminal Law  
Section 3–305, 3–306, 3–311, and 3–312  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–220(d)(3), 6–222(a), 11–304(b), 11–701(j) and (q), 11–704(c), 11–704.1, 11–723(a), and 11–922  
Annotated Code of Maryland  
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–701(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–506(k)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

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

**Senate Bill 1034 – Senators King, Astle, Currie, Ferguson, Guzzone, Klausmeier, Madaleno, Manno, McFadden, Muse, Nathan–Pulliam, Peters, Smith, and Zucker**

AN ACT concerning

**Maryland Public Broadcasting Commission – Recording and Distribution  
During Legislative Session – Funding**

FOR the purpose of requiring, each fiscal year, that the Governor include in the annual budget bill an appropriation to the Maryland Public Broadcasting Commission ~~to be used for certain purposes~~; providing for the calculation of the appropriation; requiring the total appropriation in the annual budget bill to be altered by a certain percentage each year; ~~requiring the Commission, subject to a certain appropriation, to record and distribute certain events or activities~~; requiring, if certain federal funds are reduced in a fiscal year, the Governor to include a certain appropriation in the next fiscal year; stating the intent of the General Assembly; and generally relating to an annual appropriation to the Maryland Public Broadcasting Commission.

BY adding to

Article – Education

Section 24–204(d) ~~and 24–205(d)~~

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

**QUORUM CALL**

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

(See Roll Call No. 593)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 66**

**House Bill 94 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)**

AN ACT concerning

**Maryland E–Nnovation Initiative Program – Requirements for Matching Funds**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 594)

The Bill was then sent to the Senate.

**House Bill 530 – ~~Delegate M. Washington~~ Delegates M. Washington, Afzali, Ali, D. Barnes, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Kaiser, Long, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Turner, Walker, A. Washington, and Wilkins**

AN ACT concerning

**Sales and Use Tax – Tax-Free Period for Back-to-School Shopping – Sale of Backpacks and Bookbags**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 595)

The Bill was then sent to the Senate.

**House Bill 642 – Delegates C. Wilson, Angel, Atterbeary, Bromwell, Folden, C. Howard, and Moon**

AN ACT concerning

**Civil Actions – Child Sexual Abuse – Statute of Limitations and Required Findings**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 596)

The Bill was then sent to the Senate.

**House Bill 716 – ~~Delegates Beidle, McMillan, and Sophocleus~~ Anne Arundel County Delegation**

AN ACT concerning

**Anne Arundel County – Board of Education – ~~Selection of Members~~**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 597)

The Bill was then sent to the Senate.

**House Bill 822 – ~~Delegate Kipke~~ Delegates Kipke, Afzali, Ali, C. Howard, Long, Reilly, Rose, and Simonaire**

AN ACT concerning

**Income Tax – Subtraction Modification – Police Auxiliaries and Reserve Volunteers**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 598)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 63**

**House Bill 842 – Delegates Folden, Anderton, Bromwell, Buckel, Ciliberti, Ghrist, Hornberger, Jacobs, McComas, McDonough, Metzgar, Miele, Vogt, B. Wilson, C. Wilson, and K. Young**

AN ACT concerning

**Admissions and Amusement Tax – Exemption for School Field Trips**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 599)

The Bill was then sent to the Senate.

**House Bill 873 – Delegates Carey and Lisanti**

AN ACT concerning

**Income Tax Credit – Security Clearances – Employer Costs – Extension**

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

Affirmative – 105    Negative – 34    (See Roll Call No. 600)

The Bill was then sent to the Senate.

**House Bill 1047 – Delegates Moon, Dumais, Sanchez, and Sydnor**

AN ACT concerning

~~Child Support – Suspension of Employment Related License for Arrears –  
Hardship Exception and Reinstatement~~  
**Child Support – Noncompliance With Court Order – License Suspension**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 601)

The Bill was then sent to the Senate.

**House Bill 1240 – ~~Delegates Kaiser~~ Delegates Kaiser, A. Washington, 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 K. Young, Kittleman, C. Howard, Afzali, Wilkins, Rose, Simonaire, Tarlau, Walker, Ali, and Hornberger**

AN ACT concerning

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

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

Affirmative – 138    Negative – 0    (See Roll Call No. 602)

The Bill was then sent to the Senate.

**House Bill 1317 – Prince George’s County Delegation**

**EMERGENCY BILL**

AN ACT concerning

**Prince George’s County ~~Delegation – Appointment of Board of License  
Commissioners~~ Alcoholic Beverages Regulation Reform Act of 2017**

**PG 310-17**

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

Affirmative – 137    Negative – 1    (See Roll Call No. 603)

The Bill was then sent to the Senate.

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

AN ACT concerning

**Adult High School Pilot Program**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 604)

The Bill was then sent to the Senate.

**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~~ Election of Vice Chair, Voting Procedures, and Final Report**

PG 402–17

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

Affirmative – 134    Negative – 1    (See Roll Call No. 605)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 64****House Bill 1314 – Delegates Jacobs, Arentz, Mautz, ~~and Otto~~ Otto, and S. Howard**

AN ACT concerning

**Crabs – ~~Holiday Harvest Times – Trotlines and Crab Pots~~ Harvest Times – Holidays**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 606)

The Bill was then sent to the Senate.

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

AN ACT concerning



**Natural Resources – Gill Nets – Stretched Mesh Size**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 607)

The Bill was then sent to the Senate.

**House Bill 1344 – Delegates C. Wilson and McComas****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**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 608)

The Bill was then sent to the Senate.

**House Bill 1386 – Delegates Lisanti, Barkley, ~~and C. Wilson~~ C. Wilson, Anderton,  
Beidle, Cassilly, Clark, Flanagan, Folden, Healey, Holmes, Jacobs, and  
McMillan**

AN ACT concerning

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

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

Affirmative – 137    Negative – 0    (See Roll Call No. 609)

The Bill was then sent to the Senate.

**House Bill 1456 – Delegate Parrott**

AN ACT concerning

**Vehicle Laws – Passing to the Right – Use of Shoulder**

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

Affirmative – 138    Negative – 1    (See Roll Call No. 610)

The Bill was then sent to the Senate.

**House Bill 1498 – Delegates A. Washington and Tarlau**

AN ACT concerning

**Campaign Finance – Political Organizations – Compliance and Disclosure**

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

Affirmative – 89    Negative – 50    (See Roll Call No. 611)

The Bill was then sent to the Senate.

**APPROPRIATIONS COMMITTEE REPORT NO. 11**

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

**House Bill 151 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2017,  
and the Maryland Consolidated Capital Bond Loans of 2009, 2012, 2013, 2014,  
2015, and 2016**

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE  
TO THE MARYLAND HOUSE OF DELEGATES – 2017 SESSION –  
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION  
PERTAINING TO HOUSE BILL 151 – THE CAPITAL BUDGET

(See Exhibit O of Appendix II)

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

(See Exhibit P of Appendix II)

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

The motion was adopted.

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

**House Bill 153 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bonds**

Favorable report adopted.

Delegate Jones moved to make the Bill a Special Order for Saturday.

The motion was adopted.

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

**House Bill 717 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)**

AN ACT concerning

**Academic Facilities Bonding Authority**

Favorable report adopted.

Delegate Jones moved to make the Bill a Special Order for Saturday.

The motion was adopted.

**WAYS AND MEANS COMMITTEE REPORT NO. 12**

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

**House Bill 349 – Delegates Miele, Afzali, Angel, Aumann, Barkley, Brooks, Cassilly, Chang, Ciliberti, Cluster, Ebersole, Folden, Frush, Grammer, Hixson, Holmes, Hornberger, S. Howard, Jalisi, Krebs, Long, McConkey, Metzgar, Pena-Melnyk, Queen, Rose, Saab, Shoemaker, Sophocleus, Szeliga, Turner, Valentino-Smith, C. Wilson, and P. Young**

AN ACT concerning

**Income Tax Credit – Wages Paid to Qualified Veteran Employees  
(Hire Our Veterans Act of 2017)**

**HB0349/165667/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 349

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and P. Young” and substitute “P. Young, Ali, D. Barnes, Buckel, C. Howard, Kaiser, Luedtke, McMillan, Mosby, Patterson, Reilly, Simonaire, Tarlau, Walker, and Wilkins”; strike beginning with “requiring” in line 7 down through “credit;” in line 8 and substitute “requiring the Department of Veterans Affairs, on application of a small business, to issue a tax credit certificate under certain circumstances; requiring the application to contain certain information; requiring the Department to approve applications on a first-come, first-served basis and notify applicants of approval or denial of an application within a certain number of days after receipt of the application; providing that the total amount of tax credit certificates issued by the Department may not exceed a certain amount for each taxable year; requiring the Department to report certain information to the Comptroller on or before a certain date each year; requiring the Department to adopt certain regulations; requiring the Secretary of Veterans Affairs to report to the General Assembly on or before a certain date;”; and after line 21, insert:

**“(2) “DEPARTMENT” MEANS THE DEPARTMENT OF VETERANS AFFAIRS.”.**

On page 2, in lines 1 and 4, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

AMENDMENT NO. 2

On page 2, in line 1, after “WHO” insert “:

**(I)**”;

and in line 3, after “38 U.S.C. § 101” insert “;AND

**(II) IS A QUALIFIED VETERAN AS DEFINED UNDER 26 U.S.C. § 51(D)(3)(A) FOR PURPOSES OF THE FEDERAL WORK OPPORTUNITY TAX CREDIT**”.

AMENDMENT NO. 3

On page 2, strike beginning with “IN” in line 10 down through “SECTION” in line 11 and substitute “IN THE AMOUNT STATED ON THE TAX CREDIT CERTIFICATE ISSUED UNDER SUBSECTION (E) OF THIS SECTION”; strike beginning with “IS” in line 14 down through “(1)” in line 15 and substitute “MAY NOT EXCEED”; strike beginning with the semicolon in line 16 down through “EMPLOYMENT” in line 18; in line 19, after “SECTION” insert “:

(1) FOR MORE THAN FIVE QUALIFIED VETERAN EMPLOYEES IN A TAXABLE YEAR; OR

(2)”;

after line 21, insert:

“(E) (1) ON APPLICATION BY A SMALL BUSINESS, THE DEPARTMENT SHALL ISSUE A TAX CREDIT CERTIFICATE IN THE AMOUNT ALLOWABLE UNDER SUBSECTION (C) OF THIS SECTION FOR EACH QUALIFIED VETERAN EMPLOYEE EMPLOYED BY THE SMALL BUSINESS IN A TAXABLE YEAR, SUBJECT TO SUBSECTION (D)(1) OF THIS SECTION.

(2) THE APPLICATION SHALL INCLUDE:

(I) THE NAME OF THE SMALL BUSINESS;

(II) INFORMATION IDENTIFYING THE NAME AND DATE OF HIRE OF THE QUALIFIED VETERAN EMPLOYEE;

(III) PROOF OF THE WAGES PAID TO THE QUALIFIED VETERAN EMPLOYEE; AND

(IV) ANY OTHER INFORMATION THAT THE DEPARTMENT REQUIRES.

(3) THE DEPARTMENT SHALL:

(I) APPROVE ALL APPLICATIONS THAT QUALIFY FOR A TAX CREDIT CERTIFICATE UNDER THIS SUBSECTION ON A FIRST-COME, FIRST-SERVED BASIS; AND

(II) NOTIFY THE SMALL BUSINESS WITHIN 45 DAYS AFTER THE RECEIPT OF THE APPLICATION OF THE DEPARTMENT’S APPROVAL OR DENIAL.

(4) FOR EACH TAXABLE YEAR, THE TOTAL AMOUNT OF THE CREDIT CERTIFICATES THAT MAY BE ISSUED BY THE DEPARTMENT UNDER THIS SECTION MAY NOT EXCEED \$500,000.

(F) ON OR BEFORE JANUARY 31 OF EACH TAXABLE YEAR, THE DEPARTMENT SHALL REPORT TO THE COMPTROLLER ON THE TAX CREDIT CERTIFICATES ISSUED UNDER THIS SECTION DURING THE PRIOR TAXABLE YEAR.

(G) THE DEPARTMENT SHALL ADOPT REGULATIONS TO:

(1) IMPLEMENT THE PROVISIONS OF THIS SECTION; AND

(2) SPECIFY CRITERIA AND PROCEDURES FOR APPLICATION FOR, APPROVAL OF, AND MONITORING CONTINUING ELIGIBILITY FOR THE TAX CREDIT UNDER THIS SECTION.”;

and strike in their entirety lines 22 through 29, inclusive.

#### AMENDMENT NO. 4

On page 2, after line 29, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 30, 2020, the Secretary of Veterans Affairs shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the effectiveness of the tax credit established under this Act.”;

and in line 30, strike “2.” and substitute “3.”.

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 353 – Delegates Rosenberg and Luedtke**

AN ACT concerning

**Election Law – Change in Administrative Policy Affecting Voting Rights –  
Notice**

**HB0353/805662/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 353

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “providing” in line 9 down through “law;” in line 14; and strike in their entirety lines 21 through 25, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 29 on page 2 through line 26 on page 3, 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 453 – Delegates M. Washington, Anderson, Angel, D. Barnes, Barron, Brooks, Clippinger, Conaway, Cullison, Glass, Glenn, Hayes, Hettleman, Kelly, Lewis, Lierman, Luedtke, McIntosh, A. Miller, Morales, Patterson, Platt, and Rosenberg**

AN ACT concerning

**Tax Sales – Water Liens**

**HB0453/365468/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 453

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rosenberg” and substitute “Rosenberg, Mosby, Tarlau, A. Washington, C. Howard, Walker, Ebersole, Hornberger, Wilkins, Ali, and Turner”; in line 2, after “Liens” insert “- Moratorium”; in line 4, after “services” insert “during a certain period”; strike beginning with “providing” in line 4 down through “change;” in line 6 and substitute “defining a certain term;”; in line 10, after “14–801(d)” insert “, 14–808, and 14–849.1”; and strike in their entirety lines 13 through 22, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 2 on page 2 through line 11 on page 3 and substitute:

“14–801.

(d) (1) “Tax” means any tax, or charge of any kind due to the State or any of its political subdivisions, or to any other taxing agency, that by law is a lien against the real property on which it is imposed or assessed.

(2) “Tax” includes interest, penalties, and service charges.

14–808.

(a) The collector shall proceed to sell and shall sell under this subtitle, at the time required by local law but in no case, except in Baltimore City, later than 2 years from the date the tax is in arrears, all property in the county in which the collector is elected or appointed on which the tax is in arrears. The collector is required to sell, but failure of the collector to sell within the 2–year period does not affect the validity or collectibility of any tax, or the validity of any sale thereafter made.

(b) In Calvert County the collector shall proceed to advertise and sell any real property immediately after the tax is delinquent for a period of 1 year.



(c) In St. Mary's County, the Board of County Commissioners shall set by resolution the date and time of a tax sale.

(d) In Garrett County, the Board of County Commissioners shall set by resolution the date and time of a tax sale.

14-849.1.

(a) In Baltimore City, the Mayor and City Council may not sell a property solely to enforce a lien for unpaid charges for water and sewer service unless:

(1) (i) for a property other than owner-occupied residential property, the lien is for at least \$350; or

(ii) for an owner-occupied residential property, the lien is for at least \$750; and

(2) the unpaid charges for water and sewer service are at least 3 quarters in arrears.

(b) (1) Notwithstanding subsection (a)(1)(i) of this section, the Mayor and City Council may enforce a lien on a property other than owner-occupied residential property for unpaid water and sewer service that is less than \$350 if the property is being sold to enforce another lien.

(2) Notwithstanding subsection (a)(1)(ii) of this section, the Mayor and City Council may enforce a lien on owner-occupied residential property for unpaid water and sewer service that is less than \$750 if the property is being sold to enforce another lien.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) In this section, "collector" has the meaning stated in § 1-101 of the Tax – Property Article.

(b) Notwithstanding any other provision of law, during the period from July 1, 2017, until July 1, 2018, a collector may not sell real property solely to enforce a lien for unpaid water, sewer, or sanitary system charges, fees, or assessments.”.

On page 3, in line 12, strike “2.” and substitute “3.”; in line 15, strike “3.” and substitute “4.”; and in line 16, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 659 – Delegates Angel, Carr, Davis, Hill, Jackson, Oaks, Tarlau,  
A. Washington, M. Washington, and Wilkins**

AN ACT concerning

**Task Force to Study Tax Sales in Maryland**

**HB0659/305365/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 659  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “taxes” insert “and water bills”.

AMENDMENT NO. 2

On page 2, in line 16, strike “and”; and in line 18, after “Maryland” insert “:

(11) one member appointed by the Maryland Multi-Housing Association;

(12) one member appointed by the Maryland State Bar Association;

(13) one member appointed by the National Tax Lien Association; and

(14) one member appointed by the Maryland Association of Municipal Water Agencies”.

AMENDMENT NO. 3

On page 3, in line 2, strike “and”; after line 2, insert:

“(3) evaluate tax sales to collect delinquent water charges and alternative methods of collecting delinquent water charges; and”;

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

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 786 – Delegates Angel, Morales, Branch, Cullison, Davis, Glenn, C. Howard, Korman, A. Miller, Mosby, Pena–Melnik, Platt, Queen, Sanchez, A. Washington, and Wilkins**

AN ACT concerning

**Education – Individualized Counseling Services – Requirements**

**HB0786/745265/1**

BY: Committee on Ways and Means

**AMENDMENTS TO HOUSE BILL 786**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 2, after “Individualized” insert “or Group Behavioral”; in the same line, strike “Requirements” and substitute “Establishment”; strike beginning with “authorizing” in line 3 down through “circumstances” in line 16 and substitute “requiring the State Department of Education, in conjunction with the Department of Health and Mental Hygiene, to recommend best practices for county boards of education to provide to students certain needs assessments and certain behavioral health counseling services; prohibiting certain insurance policies or contracts from denying a medically necessary behavioral health care service to a student under certain circumstances; defining certain terms”; and strike beginning with “requirements” in line 17 down through “individualized” in line 18 and substitute “behavioral health”.

On page 1, in line 26, strike “15–716” and substitute “15–510”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 and 7 and substitute:

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

(2) “BEHAVIORAL HEALTH COUNSELING SERVICES” MEANS PREVENTION, INTERVENTION, AND TREATMENT SERVICES FOR THE SOCIAL-EMOTIONAL, PSYCHOLOGICAL, BEHAVIORAL, AND PHYSICAL HEALTH OF STUDENTS, INCLUDING MENTAL HEALTH AND SUBSTANCE ABUSE DISORDERS.

(3) “HEALTH CARE PROVIDER” HAS THE MEANING STATED IN § 20–104 OF THE HEALTH – GENERAL ARTICLE.

(B) (1) THE DEPARTMENT, IN CONJUNCTION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, SHALL RECOMMEND BEST PRACTICES FOR COUNTY BOARDS OF EDUCATION TO PROVIDE TO STUDENTS:

(I) BEHAVIORAL NEEDS ASSESSMENTS; AND

(II) INDIVIDUALIZED OR GROUP BEHAVIORAL HEALTH COUNSELING SERVICES WITH A HEALTH CARE PROVIDER THROUGH A SCHOOL-BASED HEALTH CENTER OR THROUGH COMMUNITY PARTNERED SCHOOL-BASED BEHAVIORAL HEALTH SERVICES.”.

On pages 2 through 4, strike in their entirety the lines beginning with line 8 on page 2 through line 3 on page 4, inclusive, and substitute:

“Article – Insurance

15–510.

NO INDIVIDUAL, GROUP, OR BLANKET INSURANCE POLICY OR CONTRACT ISSUED OR DELIVERED IN THE STATE BY AN INSURER, A NONPROFIT HEALTH

SERVICE PLAN, OR A HEALTH MAINTENANCE ORGANIZATION MAY DENY A MEDICALLY NECESSARY BEHAVIORAL HEALTH CARE SERVICE PROVIDED BY A PARTICIPATING PROVIDER TO A MEMBER WHO IS A STUDENT SOLELY ON THE BASIS THAT THE SERVICE IS PROVIDED AT A PUBLIC SCHOOL OR THROUGH A SCHOOL-BASED HEALTH CENTER UNDER § 7-440 OF THE EDUCATION ARTICLE.”.

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:

**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**

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 1522 – Delegate Hill**

AN ACT concerning

**Needs Assessment for Student School Based Behavioral Health Counseling  
Services Throughout the Year**

**HB1522/425764/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1522

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Counseling”; in line 3, strike “Throughout the Year”; in line 4, strike “Mental”; in the same line, after the first “and” insert “Mental”; in line 5, strike “Maryland”; in line 6, strike “counseling”; in the same line, strike “throughout the school year”; in line 8, strike “counseling”; and strike beginning with “throughout” in line 8 down through “year” in line 9.

#### AMENDMENT NO. 2

On page 1, in line 12, strike “Mental”; in the same line, after the first “and” insert “Mental”; in the same line, strike “Maryland”; in line 14, strike “counseling” and substitute “behavioral health”; in the same line, strike “throughout the school year”; in line 15, after “include” insert “data concerning”; in line 21, after the second “of” insert “school-based behavioral health”; and in line 22, after “needs” insert “in each school district through:

(i) community-partnered school-based behavioral health programs;

(ii) school-based health centers; and

(iii) any other methods identified by the Department of Health and Mental Hygiene and the State Department of Education”.

On page 2, strike beginning with “methods” in line 1 down through “(4)” in line 3; strike beginning with “and” in line 4 down through “treated” in line 5; after line 5, insert:

“(4) a description of the extent to which school-based behavioral health services are offered in the summer and during school breaks, in addition to the school year;”;

strike beginning with “the” in line 6 down through “(6)” in line 7; in line 7, after “children” insert “who need them”; in line 8, strike “(7)” and substitute “(6)”; and after line 9, insert:

“(d) In conducting the needs assessment under this section, the Department of Health and Mental Hygiene and the State Department of Education shall consult with local education agencies and other interested stakeholders.”.

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 1537 – Delegate Bromwell**

AN ACT concerning

**Video Lottery Facilities – Donation of Coins From Gaming Payouts – Expansion**

**HB1537/835168/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1537

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Bromwell” and substitute “Delegates Bromwell, Buckel, Hornberger, Long, Mosby, Rose, and Simonaire”.

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 1560 – Delegates Kelly and Morales**

AN ACT concerning

**Education – Family Life and Human Sexuality Curriculum – Consent**

**HB1560/445665/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1560

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “in all grades in which the curriculum is taught” and substitute “in grades 5 and higher”; and in line 6, strike “beginning in a certain school year” and substitute “; authorizing a county board to provide age appropriate instruction on consent as part of the Family Life and Human Sexuality curriculum in grades below grade 5 in which the curriculum is taught in public schools in the county”.

AMENDMENT NO. 2

On page 1, in line 20, strike “**BEGINNING IN THE 2017–2018 SCHOOL YEAR, A**” and substitute “**A**”; in line 22, after “**CURRICULUM**” insert “**IN GRADES 5 AND HIGHER**”; strike beginning with the first “**IN**” in line 22 down through “**TAUGHT**” in line 23; and after line 23, insert:

**“(C) A COUNTY BOARD MAY PROVIDE AGE APPROPRIATE INSTRUCTION ON CONSENT AS PART OF THE FAMILY LIFE AND HUMAN SEXUALITY CURRICULUM IN GRADES BELOW GRADE 5 IN WHICH THE CURRICULUM IS TAUGHT IN PUBLIC SCHOOLS IN THE COUNTY.”**.

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. 14**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 504 – Delegates Robinson, Carr, Fraser–Hidalgo, Lafferty, Lam, and Lewis**

AN ACT concerning

**Products That Contain Mercury – Prohibition on Sale of Electric Switches,  
Electric Relays, and Gas Valve Switches**

**HB0504/780813/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 504



(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “from” insert “knowingly”; and in line 5, after “consumer” insert “on or after a certain date; establishing certain penalties for certain violations; authorizing the Department of the Environment to impose certain penalties in a certain manner for certain violations”.

AMENDMENT NO. 2

On page 2, in line 22, after “MERCURY” insert “OR A PRODUCT COMPONENT WITH AN ELECTRIC SWITCH CONTAINING MERCURY”; in line 23, after “MERCURY” insert “OR A PRODUCT COMPONENT WITH AN ELECTRIC RELAY CONTAINING MERCURY”; and in line 24, after “MERCURY” insert “OR A PRODUCT COMPONENT WITH A GAS VALVE SWITCH CONTAINING MERCURY”.

AMENDMENT NO. 3

On page 3, in line 4, after “SECTION,” insert “ON OR AFTER OCTOBER 1, 2018,”; in line 5, after “NOT” insert “KNOWINGLY”; in line 13, strike “2010” and substitute “2018”; in line 19, strike “OR”; in line 21, after “REGULATION” insert “; OR”

(5) THE MANUFACTURER OF THE LARGER PRODUCT HAS NOT APPROVED FOR USE IN THE LARGER PRODUCT A SWITCH OR RELAY THAT DOES NOT CONTAIN MERCURY;

and after line 21, insert:

“(C) (1) A PERSON THAT VIOLATES THIS SECTION IS LIABLE FOR A CIVIL PENALTY TO BE COLLECTED IN A CIVIL ACTION IN THE CIRCUIT COURT FOR ANY COUNTY IN THE STATE NOT EXCEEDING:

(I) \$1,000 FOR A FIRST OFFENSE;

(II) \$2,500 FOR A SECOND OFFENSE; OR

(III) \$5,000 FOR A THIRD OR SUBSEQUENT OFFENSE.

(2) (I) IN ADDITION TO ANY OTHER REMEDIES AVAILABLE AT LAW OR IN EQUITY, AFTER AN OPPORTUNITY FOR A HEARING, THE DEPARTMENT MAY IMPOSE A FINE FOR EACH VIOLATION OF THIS SECTION, NOT EXCEEDING:

1. \$1,000 FOR A FIRST OFFENSE;
2. \$2,500 FOR A SECOND OFFENSE; OR
3. \$5,000 FOR A THIRD OR SUBSEQUENT OFFENSE.

(II) THE DEPARTMENT SHALL CONSIDER THE FOLLOWING IN ASSESSING THE FINE IN SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. THE WILLFULNESS OF THE VIOLATION;
2. THE EXTENT TO WHICH THE VIOLATION WAS KNOWN, BUT UNCORRECTED, BY THE VIOLATOR;
3. THE EXTENT TO WHICH THE VIOLATION RESULTED IN ACTUAL HARM TO HUMAN HEALTH OR THE ENVIRONMENT;
4. THE NATURE AND DEGREE OF INJURY TO, OR INTERFERENCE WITH, GENERAL WELFARE AND HEALTH; AND
5. THE EXTENT TO WHICH THE CURRENT VIOLATION IS PART OF A PATTERN OF THE SAME OR A SIMILAR TYPE OF VIOLATION BY THE VIOLATOR.

(3) EACH DAY A VIOLATION CONTINUES IS A SEPARATE OFFENSE UNDER 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 Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 702 – Delegate Holmes**

AN ACT concerning

**Residential Property – Vacant and Abandoned Property – Expedited  
Foreclosure**

**HB0702/600219/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 702

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Holmes” and substitute “Delegates Holmes, Parrott, Angel, Proctor, Anderton, Barve, Beidle, Cassilly, Clark, Flanagan, Folden, Fraser–Hidalgo, Frush, Healey, Jalisi, Lafferty, McCray, McMillan, Robinson, Stein, and Wivell”; in line 7, after “circumstances;” insert “requiring a secured party to send a copy of a certain petition to certain persons under certain circumstances;”; and strike beginning with “order” in line 9 down through “circumstances” in line 15 and substitute “grant a certain petition for leave to file an action for immediate foreclosure under certain circumstances; providing that, if a court grants a certain petition, certain foreclosure process provisions do not apply to an action to foreclose residential property found to be vacant and abandoned under certain circumstances; requiring a secured party to serve certain foreclosure documents in a certain manner under certain circumstances; requiring the Commissioner of Financial Regulation to adopt certain regulations; requiring a challenge to a certain finding regarding residential property being vacant and abandoned to be filed within a certain period of time; requiring a secured party to comply with certain foreclosure process provisions if a certain challenge is upheld”.

AMENDMENT NO. 2

On page 3, in line 14, after “(2)” insert “ON FILING A PETITION UNDER THIS SECTION, THE SECURED PARTY SHALL SEND A COPY OF THE PETITION TO THE MORTGAGOR’S OR GRANTOR’S LAST KNOWN ADDRESS AND THE RECORD OWNER OF THE PROPERTY BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND FIRST-CLASS MAIL.”

(3)".

AMENDMENT NO. 3

On page 4, strike beginning with the colon in line 22 down through "**THE**" in line 23 and substitute "**THE**"; in line 23, strike "**OR**"; and strike in their entirety lines 24 through 29, inclusive, and substitute:

"(9) TWO OR MORE CITATIONS HAVE BEEN ISSUED BY A COUNTY OR MUNICIPAL CORPORATION AGAINST THE PROPERTY FOR FAILURE TO MAINTAIN THE PROPERTY AND A HEALTH AND SAFETY ISSUE EXISTS THAT HAS NOT BEEN RECTIFIED;".

On pages 4 and 5, strike in their entirety the lines beginning with line 30 on page 4 through line 2 on page 5, inclusive, and substitute:

"(10) THE PROPERTY HAS BEEN CONDEMNED BY A COUNTY OR MUNICIPAL CORPORATION; OR".

AMENDMENT NO. 4

On page 5, strike in their entirety lines 4 through 10, inclusive; in line 11, strike "**(F)**" and substitute "**(E) (1)**"; in line 14, strike the colon and substitute "**GRANT THE PETITION.**"; and strike in their entirety lines 15 through 25, inclusive, and substitute:

"(2) EXCEPT AS PROVIDED UNDER SUBSECTION (F) OF THIS SECTION, IF THE COURT GRANTS THE PETITION UNDER PARAGRAPH (1) OF THIS SUBSECTION, § 7-105.1 OF THIS SUBTITLE DOES NOT APPLY TO AN ACTION TO FORECLOSE A MORTGAGE OR DEED OF TRUST ON THE RESIDENTIAL PROPERTY THAT IS FOUND TO BE VACANT AND ABANDONED.

(F) (1) A SECURED PARTY FILING AN ORDER TO DOCKET OR COMPLAINT TO FORECLOSE BASED ON A PETITION GRANTED BY A COURT UNDER SUBSECTION (E)(1) OF THIS SECTION SHALL SERVE THE FORECLOSURE DOCUMENTS, ACCOMPANIED BY THE DOCUMENT REQUIRED UNDER PARAGRAPH (4) OF THIS SUBSECTION, BY:

(I) PERSONAL DELIVERY OF THE PAPERS TO THE MORTGAGOR OR GRANTOR; OR

(II) LEAVING THE PAPERS WITH A RESIDENT OF SUITABLE AGE AND DISCRETION AT THE MORTGAGOR'S OR GRANTOR'S DWELLING HOUSE OR USUAL PLACE OF ABODE.

(2) IF AT LEAST TWO GOOD FAITH EFFORTS ON DIFFERENT DAYS TO SERVE THE MORTGAGOR OR GRANTOR UNDER PARAGRAPH (1) OF THIS SUBSECTION HAVE NOT SUCCEEDED, THE SECURED PARTY MAY EFFECT SERVICE BY:

(I) FILING AN AFFIDAVIT WITH THE COURT DESCRIBING THE GOOD FAITH EFFORTS TO SERVE THE MORTGAGOR OR GRANTOR; AND

(II) 1. MAILING A COPY OF ALL THE DOCUMENTS REQUIRED TO BE SERVED UNDER PARAGRAPH (1) OF THIS SUBSECTION BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND FIRST-CLASS MAIL TO THE MORTGAGOR'S OR GRANTOR'S LAST KNOWN ADDRESS AND, IF DIFFERENT, TO THE ADDRESS OF THE RESIDENTIAL PROPERTY SUBJECT TO THE MORTGAGE OR DEED OF TRUST; AND

2. POSTING A COPY OF ALL THE DOCUMENTS REQUIRED TO BE SERVED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN A CONSPICUOUS PLACE ON THE RESIDENTIAL PROPERTY SUBJECT TO THE MORTGAGE OR DEED OF TRUST.

(3) THE INDIVIDUAL MAKING SERVICE OF DOCUMENTS UNDER THIS SUBSECTION SHALL FILE PROOF OF SERVICE WITH THE COURT IN ACCORDANCE WITH THE MARYLAND RULES.

(4) THE SERVICE OF DOCUMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ACCOMPANIED BY A SEPARATE, CLEARLY MARKED NOTICE, IN THE FORM PRESCRIBED BY REGULATIONS ADOPTED BY THE COMMISSIONER OF FINANCIAL REGULATION, THAT STATES:

(I) THE SIGNIFICANCE OF THE ORDER TO DOCKET OR COMPLAINT TO FORECLOSE; AND

**(II) THE RIGHT OF A RECORD OWNER OR OCCUPANT OF THE PROPERTY TO CHALLENGE THE FINDING THAT THE RESIDENTIAL PROPERTY IS VACANT AND ABANDONED.**

**(5) (I) A CHALLENGE TO THE FINDING THAT THE RESIDENTIAL PROPERTY IS VACANT AND ABANDONED SHALL BE FILED WITH THE COURT IN THE FORECLOSURE PROCEEDING NOT LATER THAN 20 DAYS AFTER SERVICE IS MADE UNDER THIS SUBSECTION.**

**(II) IF A TIMELY FILED CHALLENGE UNDER THIS SUBSECTION IS UPHOLD, THE SECURED PARTY SHALL COMPLY WITH THE REQUIREMENTS OF § 7-105.1 OF THIS SUBTITLE.”.**

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 with amendments:

**House Bill 1309 – Delegates Frush and Waldstreicher**

AN ACT concerning

**Environment – Recycling – Special Events**

**HB1309/470818/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 1309**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike “and Waldstreicher” and substitute “, Waldstreicher, and Carr”; strike beginning with “altering” in line 3 down through “events;” in line 4; in line 4, after “requiring” insert “the State.”; strike beginning with “requiring” in line 6 down through “event;” in line 7; in line 7, after “altering” insert “a”; in line 8, strike

“penalties” and substitute “penalty”; and in the same line, strike “making stylistic changes;”.

AMENDMENT NO. 2

On page 2, in line 1, strike the brackets; in the same line, strike “**100**”; in line 6, after “**EVENT,**” insert “**THE STATE,**”; in lines 25 and 26, in each instance, strike the bracket; and in line 25, strike “\$50” and substitute “**\$300**”.

On pages 2 and 3, strike beginning with “**OF**” in line 26 on page 2 down through “**\$500,000**” in line 4 on page 3.

On page 3, strike beginning with “**(1)**” in line 5 down through “**(2)**” in line 8.

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 1345 – Delegate A. Washington**

AN ACT concerning

**National Capital Strategic Economic Development Fund**

**HB1345/240413/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 1345

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate A. Washington” and substitute “Delegates A. Washington and Healey”.

On page 2, in line 14, strike “**AND LOANS**”; in line 15, after “**ACTIVITIES**” insert “**FOR COMMERCIAL AND RESIDENTIAL DEVELOPMENT**”; in line 17, strike “**PROJECTS**”; in line 28, after “**(1)**” insert “**(I)**”; in line 29, after “**AND**” insert “**NONPROFIT**”; and in the

same line, after “FOR” insert “COMMERCIAL OR RESIDENTIAL DEVELOPMENT PROJECTS FOR”.

On page 3, in line 2, strike “PROJECTS”; after line 3, insert:

**“(II) COMMERCIAL AND RESIDENTIAL DEVELOPMENT PROJECTS INCLUDE:**

**1. RENOVATION AND REHABILITATION OF SINGLE FAMILY HOMES;**

**2. ACQUISITION AND REHABILITATION OF VACANT HOMES FOR RESALE TO NEW HOMEBUYERS;**

**3. IMPROVEMENTS TO BUSINESS PROPERTIES;**

**4. ENHANCEMENT OF COMMUNITY OPEN SPACE OR PUBLIC INFRASTRUCTURE; AND**

**5. WORKFORCE AND EMPLOYMENT DEVELOPMENT PROGRAMS.”;**

and in line 6, after “OR” insert “NONPROFIT”.

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 1349 – Delegate Robinson**

AN ACT concerning

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



**HB1349/830918/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1349

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “, marine degradable,”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 14 through 16, inclusive; and in lines 17, 20, 24, 28, and 30, strike “**(E)**”, “**(F)**”, “**(G)**”, “**(H)**”, and “**(I)**”, respectively, and substitute “**(D)**”, “**(E)**”, “**(F)**”, “**(G)**”, and “**(H)**”, respectively.

On page 3, in lines 6, 11, and 22, strike “**(J)**”, “**(K)**”, and “**(L)**”, respectively, and substitute “**(I)**”, “**(J)**”, and “**(K)**”, respectively.

On page 4, in line 5, strike “, **MARINE DEGRADABLE,**”; and strike beginning with “**FOR**” in line 14 down through “**(3)**” in line 19.

The preceding 2 amendments were read and adopted.Favorable report, as amended, adopted.

Delegate Kipke moved to make the Bill a Special Order for Saturday.

The motion was adopted.**ECONOMIC MATTERS COMMITTEE REPORT NO. 15**

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

**House Bill 523 – Delegates Jameson, Barron, Chang, Frick, Frush, Healey, Hixson, Jalisi, Kelly, Kramer, Krimm, Lafferty, Lam, Luedtke, Morales, Morhaim, Patterson, Rosenberg, Sanchez, Sophocleus, Stein, Valderrama, Valentino-Smith, and Waldstreicher**

AN ACT concerning

**Electronic Nicotine Delivery Systems – Licensing**

**HB0523/563499/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 523

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Waldstreicher” and substitute “Waldstreicher, Aumann, Barkley, Brooks, Fennell, Glenn, Lisanti, and C. Wilson”; in line 2, after “Systems” insert “and Vaping Liquid”; in line 5, strike “or”; in the same line, after “wholesaler” insert “distributor, or wholesaler importer”; in line 12, strike “the Comptroller” and substitute “certain clerks of the circuit court”; in line 14, strike “and wholesalers” and substitute “wholesaler distributors, and wholesaler importers”; in line 16, after “circumstances;” insert “requiring certain clerks of the circuit court to forward certain applications to the Comptroller within a certain time;”; strike beginning with “authorizing” in line 17 down through “circumstances;” in line 20; in line 22, strike “or”; in line 23, after “wholesaler” insert “distributor, or wholesaler importer”; and strike beginning with “requiring” in line 23 down through “information;” in line 28.

On page 2, in line 9, strike “and wholesalers” and substitute “wholesaler distributors, and wholesaler importers”; in line 12, strike “16.7–218” and substitute “16.7–214”; and in line 25, strike “; **GENERAL PROVISIONS**”.

AMENDMENT NO. 2

On page 3, in line 2, strike “OR”; in line 3, after “PIPE” insert “, AND VAPING LIQUID”; in line 4, after “INCLUDE” insert “;”

(I);

in line 8, after “PURPOSE” insert “;”

(II) CANNABIS OIL OR ANY OTHER UNLAWFUL SUBSTANCE; OR

(III) AN ELECTRONIC DEVICE THAT IS BEING USED TO DELIVER CANNABIS OIL OR ANOTHER UNLAWFUL SUBSTANCE”;

in line 11, after “MANUFACTURES” insert “, MIXES,”; in line 16, after “WHOLESALE” insert “DISTRIBUTOR OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER”; in line 19, after “WHOLESALE” insert “DISTRIBUTOR OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER”; in line 23, strike “OR”; and in line 27, after “STATE” insert “; OR”

(V) IF THE ELECTRONIC NICOTINE DELIVERY SYSTEMS MANUFACTURER ALSO HOLDS A LICENSE TO ACT AS AN ELECTRONIC NICOTINE DELIVERY SYSTEMS RETAILER OR A VAPE SHOP VENDOR, SELLS ELECTRONIC NICOTINE DELIVERY SYSTEMS TO CONSUMERS LOCATED IN THE STATE”.

On page 4, in line 5, after “WHOLESALE” insert “DISTRIBUTOR”; in line 7, after “(1)” insert “OBTAINS AT LEAST 70% OF ITS ELECTRONIC NICOTINE DELIVERY SYSTEMS FROM A HOLDER OF AN ELECTRONIC NICOTINE DELIVERY SYSTEMS MANUFACTURER LICENSE UNDER THIS SUBTITLE OR A BUSINESS ENTITY LOCATED IN THE UNITED STATES; AND”

(2) (I);

in line 9, strike “(2)” and substitute “(II)”; in line 11, after “(H)” insert ““ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER” MEANS A PERSON THAT:”

(1) OBTAINS AT LEAST 70% OF ITS ELECTRONIC NICOTINE DELIVERY SYSTEMS FROM A BUSINESS ENTITY LOCATED IN A FOREIGN COUNTRY; AND

(2) (I) HOLDS ELECTRONIC NICOTINE DELIVERY SYSTEMS FOR SALE TO ANOTHER PERSON FOR RESALE; OR

(II) SELLS ELECTRONIC NICOTINE DELIVERY SYSTEMS TO ANOTHER PERSON FOR RESALE.

(I);

strike beginning with the colon in line 11 down through “(1)” in line 12; in line 12, strike “COMPTROLLER” and substitute “CLERK”; in the same line, strike “16.7-204(A)” and substitute “16.7-204”; in lines 14, 16, and 18, strike “(I)”, “(II)”, and “(III)”, respectively,

and substitute “(1)”, “(2)”, and “(4)”, respectively; in line 17, after “**WHOLESALER**” insert “**DISTRIBUTOR**”; in the same line, strike “**OR**” and substitute:

“**(3) ACT AS A LICENSED ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALER IMPORTER;**”;

in line 19, strike “**OR**”; in line 20, strike “**(2)**” and substitute “**(5)**”; strike beginning with “**A**” in line 20 down through “**TO**” in line 21; in line 21, strike “**AN**” and substitute “**A LICENSED**”; in the same line, after “**RETAILER**” insert a semicolon; in the same line, strike “**A**” and substitute:

“**(6) ACT AS A LICENSED**”;

in lines 23 and 26, strike “**(I)**” and “**(J)**”, respectively, and substitute “**(J)**” and “**(K)**”, respectively; and after line 29, insert:

“**(L) “VAPING LIQUID” MEANS A LIQUID THAT:**

**(1) CONSISTS OF PROPLYENE GLYCOL, VEGETABLE GLYCERIN, OR OTHER SIMILAR SUBSTANCE;**

**(2) CONTAINS NATURAL OR ARTIFICIAL FLAVORS;**

**(3) MAY OR MAY NOT CONTAIN NICOTINE; AND**

**(4) CONVERTS TO VAPOR INTENDED FOR INHALATION WHEN HEATED IN AN ELECTRONIC DEVICE.”.**

On pages 4 and 5, strike in their entirety the lines beginning with line 30 on page 4 through line 2 on page 5, inclusive.

### AMENDMENT NO. 3

On page 5, in line 11, strike “**WHOLESALER;**” and substitute “**WHOLESALER DISTRIBUTOR;**”;

**(5) AN ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALER IMPORTER;**

in line 12, strike “(5)” and substitute “(6)”; and in line 25, after “WHOLESALE” insert “DISTRIBUTOR OR AS AN ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER”.

On page 6, in line 1, after “(A)” insert “(1)”; in line 2, after “MANUFACTURER” insert “, ELECTRONIC NICOTINE DELIVERY SYSTEMS STORAGE WAREHOUSE, ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE DISTRIBUTOR, OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER”; in line 3, strike “(1) SUBMIT” and substitute “(I) OBTAIN AN APPROPRIATE COUNTY LICENSE BY SUBMITTING”; in lines 3, 4, 5, and 19, in each instance, strike “COMPTROLLER” and substitute “CLERK”; in line 4, strike the second “AND”; after line 4, insert:

“(II) INDICATE THE LICENSES FOR WHICH THE APPLICANT IS APPLYING; AND”;

in line 5, strike “(2)” and substitute “(III) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION,”; in the same line, after “\$25” insert “FOR EACH LICENSE FOR WHICH THE APPLICANT APPLIES”; and after line 5, insert:

“(2) AN APPLICANT FOR A LICENSE TO ACT AS AN ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE DISTRIBUTOR OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER SHALL PAY TO THE CLERK A FEE OF \$150.

(3) A PERSON THAT IS ISSUED A LICENSE UNDER TITLE 16 OR TITLE 16.5 OF THIS ARTICLE TO ACT AS A CIGARETTE WHOLESALE OR OTHER TOBACCO PRODUCTS WHOLESALE OR TO ACT AS A CIGARETTE SUBWHOLESALE OR OTHER TOBACCO PRODUCTS SUBWHOLESALE IS NOT REQUIRED TO PAY THE LICENSE FEE FOR AN ELECTRONIC DELIVERY SYSTEM WHOLESALE DISTRIBUTOR OR AN ELECTRONIC NICOTINE DELIVERY SYSTEM WHOLESALE IMPORTER.”

On pages 6 and 7, strike beginning with “(C)” in line 21 on page 6 down through “FEE.” in line 10 on page 7.

On page 7, in lines 11 and 13, strike “(E)” and “(F)”, respectively, and substitute “(C)” and “(D)”, respectively; in line 17, strike “COMPTROLLER” and substitute “CLERK”;

in line 20, strike “OR”; in line 21, after “WHOLESALE” insert “DISTRIBUTOR, OR ELECTRONIC NICOTINE DELIVERY WHOLESALE IMPORTER”; and after line 24, insert:

“(C) THE CLERK SHALL FORWARD A COPY OF AN APPLICATION RECEIVED FOR EACH LICENSE ISSUED UNDER THIS SECTION TO THE COMPTROLLER WITHIN 30 DAYS OF ISSUANCE OF THE LICENSE.”.

On page 8, in line 12, strike “AND”; in line 13, after “(4)” insert “IF THE ELECTRONIC NICOTINE DELIVERY SYSTEMS MANUFACTURER LICENSEE ALSO HOLDS A LICENSE TO ACT AS AN ELECTRONIC NICOTINE DELIVERY SYSTEMS RETAILER OR A VAPE SHOP VENDOR, TRANSFER ELECTRONIC NICOTINE DELIVERY SYSTEMS TO INVENTORY FOR SALE UNDER THE RETAIL LICENSE OR VAPE SHOP LICENSE; AND

(5)”;

in line 19, strike “AND”; in line 21, after “WHOLESALE” insert “DISTRIBUTOR OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER; AND

(3) IF THE ELECTRONIC NICOTINE DELIVERY SYSTEMS RETAILER LICENSEE ALSO HOLDS A LICENSE TO ACT AS AN ELECTRONIC NICOTINE DELIVERY SYSTEMS MANUFACTURER, SELL AT RETAIL ELECTRONIC NICOTINE DELIVERY SYSTEMS MANUFACTURED UNDER THE MANUFACTURER LICENSE”;

in line 29, after “WHOLESALE” insert “DISTRIBUTOR OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER”; and in line 32, after “WHOLESALE” insert “DISTRIBUTOR LICENSE OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER”.

On page 9, in lines 5 and 10, in each instance, after “WHOLESALE” insert “DISTRIBUTOR OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER”; in line 16, strike “AND”; and in line 17, after “(2)” insert “IF THE VAPE SHOP VENDOR LICENSEE ALSO HOLDS A LICENSE TO ACT AS AN ELECTRONIC NICOTINE DELIVERY SYSTEMS MANUFACTURER, SELL AT RETAIL ELECTRONIC NICOTINE DELIVERY SYSTEMS MANUFACTURED UNDER THE MANUFACTURER LICENSE; AND

(3)”.

On page 10, in lines 11 and 23, in each instance, after “**WHOLESALE**” insert “**DISTRIBUTOR OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER**”; and in lines 12, 18, 23, 25, and 32, in each instance, strike “**COMPTROLLER**” and substitute “**CLERK**”.

On page 11, in lines 22, 25, and 29, in each instance, strike “**COMPTROLLER**” and substitute “**CLERK**”.

On page 12, in lines 6, 7, 9, 10, 12, 17, 22, and 29, in each instance, strike “**COMPTROLLER**” and substitute “**CLERK**”.

On page 13, in lines 4, 12, 14, and 24, in each instance, strike “**COMPTROLLER**” and substitute “**CLERK**”; strike in their entirety lines 20, 21, 30, and 31; and in lines 22 and 24, strike “**(3)**” and “**(4)**”, respectively, and substitute “**(2)**” and “**(3)**”, respectively.

On page 14, in line 12, strike “, **OR**” and substitute “**DISTRIBUTOR, AN ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER, OR**”; strike beginning with “**A**” in line 2 down through “**16.7–212.**” in line 7; strike in their entirety lines 19 through 26, inclusive; in line 27, strike “**16.7–214.**” and substitute “**16.7–212.**”; and in line 28, after “**WHOLESALE**” insert “**DISTRIBUTOR OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER**”.

On page 15, in lines 3, 25, and 28, in each instance, after “**WHOLESALE**” insert “**DISTRIBUTOR OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER**”.

On page 16, in line 2, after “**WHOLESALE**” insert “**DISTRIBUTOR OR ELECTRONIC NICOTINE DELIVERY SYSTEMS WHOLESALE IMPORTER**”; and strike beginning with “**16.7–215.**” in line 12 down through “**16.7–216.**” in line 25 and substitute “**16.7–213.**”.

On page 17, in line 19, strike “**COMPTROLLER**” and substitute “**CLERK**”.

On pages 17 and 18, strike beginning with “**16.7–217.**” in line 21 on page 17 down through “**16.7–218.**” in line 23 on page 18 and substitute “**16.7–214.**”.

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 959 – Delegate Kramer**

AN ACT concerning

**Commercial Law – Consumer Protection – Door-to-Door Sales**

**HB0959/663997/1**

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 959

(First Reading File Bill)

On page 3, in line 24, strike “(A)”.

On page 5, strike in their entirety lines 7 through 17, inclusive; and in line 18, strike “(6)” and substitute “(5)”.

On page 6, in line 10, strike “(7)” and substitute “(6)”.

On pages 6 and 7, strike in their entirety the lines beginning with line 16 on page 6 through line 21 on page 7, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1058 – Delegate W. Miller**

AN ACT concerning



**Business Regulation – Home Improvement Retailers – Home Improvement  
Contracts**

**HB1058/593790/1**

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1058

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate W. Miller” and substitute “Delegates W. Miller and Adams”; in line 2, strike “– Home Improvement Retailers”; strike beginning with “authorizing” in line 4 down through “terms” in line 19 and substitute “increasing the maximum portion of a home improvement contract price that a person may receive as a deposit before or at the time of execution of a home improvement contract”; strike in their entirety lines 21 through 25, inclusive; and in line 20, strike “home improvement retailers and”.

On page 2, strike in their entirety lines 1 through 16, inclusive.

On pages 2 and 3, strike in their entirety the lines beginning with line 20 on page 2 through line 22 on page 3, inclusive.

On page 3, in line 26, strike the brackets; in the same line, strike “**EXCEPT AS PROVIDED IN § 8–501.1 OF THIS TITLE, A**”; and in line 27, strike “one-third” and substitute “ONE-HALF”.

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 21 on page 4, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1294 – Delegate Valderrama**

AN ACT concerning

**Workers' Compensation – Permanent Total Disability – Survival of Claim**

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 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**

**HB1476/423396/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1476

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Accident” in line 2 down through “Penalties” in line 3 and substitute “Accidental Personal Injury – Penalty”; in line 4, after “altering” insert “a certain violation relating to an employer failing to report an accidental personal injury within a certain time required under the workers’ compensation law to require the violation to be a knowing violation; increasing”; in the same line, strike “penalties” and substitute “penalty”; strike beginning with “who” in line 4 down through “law” in line 6 and substitute “for a certain violation”; and strike beginning with “providing” in line 6 down through “term;” in line 10.

AMENDMENT NO. 2

On page 1, strike beginning with “(A)” in line 20 down through “(1)” in line 22; and in line 22, after “who” insert “KNOWINGLY”.

On pages 1 and 2, strike beginning with “OR” in line 23 on page 1 down through “TITLE” in line 2 on page 2.

On page 2, in line 3, strike “OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH”; and strike in their entirety lines 4 through 9, inclusive.

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. 50**

**House Bill 1227 – Delegates Mosby, Jones, Kaiser, McIntosh, Davis, Pena–Melnik, 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**

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

Read the second time and ordered prepared for Third Reading.

#### **SPECIAL ORDER CALENDAR NO. 47**

**House Bill 898 – Delegates Ebersole, Lafferty, Lam, Lierman, Luedtke, McCray, Moon, Morales, Platt, Reznik, Tarlau, Turner, A. Washington, and M. Washington**

AN ACT concerning

#### **Election Law – Campaign Finance – Coordinated Expenditures**

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

FLOOR AMENDMENT

**HB0898/923829/1**

BY: Delegate McDonough

AMENDMENTS TO HOUSE BILL 898

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Campaign Finance –” and substitute “Eligibility for Candidacy and”; in the same line, after “Expenditures” insert “– Limitations”; in line 3, after “of” insert “prohibiting a secretary of a principal department or the Maryland Insurance Commissioner from filing a certificate of candidacy for a public office while the individual holds the position of secretary or Insurance Commissioner;”; in line 22, after “to” insert “limitations on eligibility for candidacy and”; and after line 27, insert:

“BY repealing and reenacting, without amendments,

Article – Election Law

Section 5–201 and 13–306(a)(6)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)”.

On page 2, in line 2, after “Section” insert “5–206 and”; and strike in their entirety lines 5 through 9, inclusive.

AMENDMENT NO. 2

On page 3, after line 2, insert:

“5–201.

An individual may become a candidate for a public or party office only if the individual satisfies the qualifications for that office established by law and, in the case of a party office, by party constitution or bylaws.

5–206.

A SECRETARY OF A PRINCIPAL DEPARTMENT OR THE MARYLAND INSURANCE COMMISSIONER MAY NOT FILE A CERTIFICATE OF CANDIDACY FOR A PUBLIC OFFICE WHILE THE INDIVIDUAL HOLDS THE POSITION OF SECRETARY OR INSURANCE COMMISSIONER.”.

The preceding 2 amendments were read only.

Delegate Szeliga moved to make the Bill and Amendment a Special Order for next session.

The motion was adopted.

**SPECIAL ORDER CALENDAR NO. 49**

**House Bill 1143 – Delegates Lierman, Barkley, Brooks, Clippinger, Davis, Fennell, Glenn, Valderrama, and Waldstreicher**

AN ACT concerning

**Maryland Pay Stub Transparency Act of 2017**

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

FLOOR COMMITTEE AMENDMENT

**HB1143/133597/1**

BY: Economic Matters Committee

**AMENDMENT TO HOUSE BILL 1143, AS AMENDED**

On page 1 of the Economic Matters Committee Amendments (HB1143/793892/1), in Amendment No. 2, strike beginning with “CONSIST” in line 2 down through “WAGES” in line 3 and substitute “WOULD BE SUBJECT TO A TIP CREDIT”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 53**

**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**

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

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 51**

**House Bill 1283 – Delegate Branch**

AN ACT concerning

**Alcoholic Beverages – Class 5 Brewery License**

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

FLOOR AMENDMENT

**HB1283/793522/1**

BY: Delegate Davis

**AMENDMENT TO HOUSE BILL 1283, AS AMENDED**

(First Reading File Bill)

On page 1 of the bill, in line 19, strike the second “the” and substitute “certain”.

On page 4 of the bill, strike beginning with “**SUBJECT**” in line 7 down through “**(2)**” in line 10; in line 11, after the first “**THE**” insert “**SALES AND SERVING**”; in line 12, strike “**LICENSES**” and substitute “**THE CLASS D OR EQUIVALENT LICENSE**”; after line 15, insert:

**“(2) THIS SUBSECTION DOES NOT APPLY TO A PROMOTIONAL EVENT CONDUCTED UNDER SUBSECTION (F) OF THIS SECTION.**

**(H) ALL BEER OFFERED, SERVED, OR SOLD TO A CONSUMER UNDER SUBSECTION (B)(4), (5), OR (6), OR (C), (E), OR (F) OF THIS SECTION SHALL BE FERMENTED AND BREWED:**

**(1) ENTIRELY AT THE BREWERY; AND**

**(2) UNDER THE TRADE NAME OF THE LICENSE HOLDER.”;**

and in line 16, strike “**(H)**” and substitute “**(I)**”.

On page 1 of the Economic Matters Committee Amendments (HB1283/343391/1), in line 9 of Amendment No. 2, after “from a” insert “licensed”.

On page 2 of the Economic Matters Committee Amendments, in line 24 of Amendment No. 3, after “A” insert “LICENSED”.

On page 4 of the Economic Matters Committee Amendments, in line 6 of Amendment No. 6, strike “(I)” and substitute “(J)”.

On page 5 of the Economic Matters Committee Amendments, in line 11 of Amendment No. 6, strike “B” and substitute “5”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

### QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 612)

### CALENDAR OF THIRD READING HOUSE BILLS NO. 62

House Bill 12 – ~~Delegate S. Howard~~ Delegates S. Howard, Barve, Folden, Ghrist, Hill, Jalisi, Jameson, Krebs, Saab, Turner, Afzali, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Long, Luedtke, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Walker, and Wilkins

AN ACT concerning

**Senatorial and Delegate Scholarships – ~~Veterans~~ Individuals on Active Duty – Eligibility and Use of Funds**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 613)

The Bill was then sent to the Senate.

**House Bill 174 – Delegates Luedtke, M. Washington, Afzali, D. Barnes, Buckel, Ebersole, Hixson, Hornberger, Kelly, Vogt, Walker, and A. Washington**

AN ACT concerning

**Education – Children With Disabilities – Individualized Education Program Process – Parental Consent**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 614)

The Bill was then sent to the Senate.

**House Bill 494 – Delegates Stein, Beidle, Gilchrist, Healey, Holmes, Jacobs, and Otto**

AN ACT concerning

**Motor Vehicles – Use of Fog Lights When Windshield Wipers Operating – Repeal**

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

Affirmative – 138    Negative – 1    (See Roll Call No. 615)

The Bill was then sent to the Senate.

**House Bill 578 – Delegates Kramer, Carr, Barkley, Chang, Cullison, Fraser-Hidalgo, Gutierrez, C. Howard, Jackson, Korman, Krimm, Morales, and Valentino-Smith**

AN ACT concerning

**Vehicle Laws – Pedestrian Hybrid ~~Signals~~ Beacons**

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

Affirmative – 138    Negative – 1    (See Roll Call No. 616)

The Bill was then sent to the Senate.

**House Bill 1382 – Delegate Barron**

AN ACT concerning

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



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

Affirmative – 129    Negative – 11    (See Roll Call No. 617)

The Bill was then sent to the Senate.

### **CALENDAR OF THIRD READING HOUSE BILLS NO. 61**

#### **House Bill 621 – Cecil County Delegation**

AN ACT concerning

#### **Cecil County Board of Education – Members – Salary**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 618)

The Bill was then sent to the Senate.

#### **House Bill 713 – Chair, Ways and Means Committee (By Request – Departmental – Transportation)**

AN ACT concerning

#### **Sales and Use Tax – Light Rail Vehicles – Exemption**

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

Affirmative – 133    Negative – 7    (See Roll Call No. 619)

The Bill was then sent to the Senate.

**House Bill 1145 – Delegates Tarlau, Angel, B. Barnes, D. Barnes, Ebersole, Fennell, Frush, Hayes, C. Howard, Luedtke, Morales, Mosby, Patterson, Pena-Melnyk, Sanchez, Shoemaker, Turner, Walker, A. Washington, M. Washington, Wilkins, K. Young, ~~and Ali~~ Ali, and Afzali**

AN ACT concerning

#### **Public School Employee Whistleblower Protection Act**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 620)

The Bill was then sent to the Senate.

**House Bill 1263 – Delegate Dumais**

AN ACT concerning

**Family Law – Child Abuse and Neglect – Definitions**

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

Affirmative – 132    Negative – 4    (See Roll Call No. 621)

The Bill was then sent to the Senate.

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

AN ACT concerning

**Domestic Violence – Petitioner – Attorney for Child**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 622)

The Bill was then sent to the Senate.

**House Bill 1343 – Howard County Delegation**

AN ACT concerning

**Howard County – Fire and Explosive Investigator – Authority**

**Ho. Co. 24-17**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 623)

The Bill was then sent to the Senate.

**JUDICIARY COMMITTEE REPORT NO. 6**

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

**House Bill 483 – Delegates B. Wilson and Atterbeary**

AN ACT concerning

**Criminal Procedure – Victims and Witnesses – Out of Court Statement of Child Victim**

**HB0483/682916/1**

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 483

(First Reading File Bill)

On page 3, in line 1, strike “AND”; and in line 4, after “OFFENSE” insert “;

(III) WAS PROMPTLY REPORTED IN ACCORDANCE WITH § 5–704 OR § 5–705 OF THE FAMILY LAW ARTICLE; AND

(IV) WAS DOCUMENTED IN WRITING OR BY AUDIO OR VIDEO RECORDING”.

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 650 – Delegates Morhaim, Atterbeary, Dumais, Krebs, Rose, Shoemaker, and P. Young**

AN ACT concerning

**Criminal Procedure – Incompetency and Criminal Responsibility – Court-Ordered Medication**

**HB0650/922919/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 650

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Medication” and substitute “Evaluation”; strike beginning with “administration” in line 4 down through “time” in line 5 and substitute “a certain defendant’s doctor to develop a treatment plan within a certain period of time”; and strike beginning with “a” in line 6 down through “circumstances” in line 10 and substitute “if a certain defendant refuses medication, the court may order a certain panel to convene within a certain period of time; prohibiting a certain panel from being postponed under certain circumstances”.

AMENDMENT NO. 2

On page 2, in line 11, strike the colon; in line 12, strike “(I)”; in line 14, strike the brackets; in the same line, strike “1.”; in line 15, strike the brackets; in the same line, strike “2.”; in line 17, strike the brackets; in the same line, strike “3.”; strike beginning with the semicolon in line 18 down through “MEDICATION” in line 24; after line 27, insert:

**“(3) (I) IF THE COURT COMMITS THE DEFENDANT BECAUSE OF A MENTAL DISORDER AND THE MENTAL DISORDER IS TREATABLE WITH PSYCHIATRIC MEDICATION THAT WILL BE LIKELY TO MAKE THE DEFENDANT LESS OF A DANGER TO SELF OR THE PERSON OR PROPERTY OF ANOTHER, THE COURT MAY ORDER THE DEFENDANT’S TREATING PHYSICIAN TO EVALUATE AND DEVELOP A RECOMMENDED TREATMENT PLAN WITHIN 5 DAYS OF THE DEFENDANT’S ADMISSION TO THE DESIGNATED FACILITY.**

**(II) IF THE DEFENDANT REFUSES TREATMENT RECOMMENDED BY A TREATMENT PLAN DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, A CLINICAL REVIEW PANEL SHALL BE ESTABLISHED UNDER THE PROCEDURES OUTLINED BY § 10-708 OF THE HEALTH – GENERAL ARTICLE AND SHALL CONVENE WITHIN 14 DAYS OF THE DEFENDANT’S ADMISSION TO THE DESIGNATED FACILITY IN ORDER TO REVIEW ANY PROPOSED ADMINISTRATION OF PSYCHIATRIC MEDICATION OVER THE REFUSAL OF THE DEFENDANT.”;**

and in line 29, strike “(1)”.

On pages 2 and 3, strike in their entirety the lines beginning with line 32 on page 2 through line 7 on page 3, inclusive.

On page 3, in line 8, after “(b)” insert “(1)”; and after line 10, insert:

“(2) (I) IF THE COURT COMMITS A DEFENDANT WHO WAS FOUND NOT CRIMINALLY RESPONSIBLE PRIMARILY BECAUSE OF MENTAL DISORDER THE COURT MAY ORDER THE DEFENDANT’S TREATING PHYSICIAN TO EVALUATE AND DEVELOP A RECOMMENDED TREATMENT PLAN WITHIN 5 DAYS OF THE DEFENDANT’S ADMISSION TO THE DESIGNATED FACILITY IF THE COURT FINDS:

1. BECAUSE OF A MENTAL DISORDER, THE DEFENDANT IS A DANGER TO SELF OR THE PERSON OR PROPERTY OF ANOTHER;

2. THE DEFENDANT HAS A MENTAL DISORDER THAT IS TREATABLE WITH PSYCHIATRIC MEDICATION; AND

3. THE MEDICATION IS LIKELY TO MAKE THE DEFENDANT LESS OF A DANGER TO SELF OR THE PERSON OR PROPERTY OF ANOTHER.

(II) IF THE DEFENDANT REFUSES TREATMENT RECOMMENDED BY A TREATMENT PLAN DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, A CLINICAL REVIEW PANEL ESTABLISHED UNDER THE PROCEDURES OUTLINED IN § 10-708 OF THE HEALTH – GENERAL ARTICLE SHALL CONVENE WITHIN 14 DAYS OF THE DEFENDANT’S ADMISSION TO THE DESIGNATED FACILITY IN ORDER TO REVIEW ANY PROPOSED ADMINISTRATION OF PSYCHIATRIC MEDICATION OVER THE REFUSAL OF THE DEFENDANT.”.

On page 4, in lines 22 and 23, in each instance, strike the bracket; and in line 23, strike “**MEDICATION**”.

On pages 4 and 5, strike beginning with the comma in line 24 on page 4 down through “**ARTICLE**” in line 2 on page 5.

On page 5, in line 24, strike “Postpone” and substitute “UNLESS THE PANEL HAS BEEN ORDERED BY A COURT TO CONVENE UNDER § 3-106 OR § 3-112 OF THE CRIMINAL PROCEDURE ARTICLE, POSTPONE”.

On page 8, strike in their entirety lines 9 through 15, inclusive; in line 16, strike the brackets; in the same line, strike “(K)”; in line 19, strike the brackets; in the same line, strike “(L)”; in line 23, strike the brackets; in the same line, strike “(L)(1)”; in line 28, strike the brackets; and in the same line, strike “(L)”.

On page 9, in line 21, strike the brackets; and in the same line, strike “(M)”.

On page 10, in line 6, strike the brackets; in the same line, strike “(N)”; in line 15, strike the brackets; and in the same line, strike “(O)”.

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 877 – Delegates McComas, Carey, Cassilly, Glass, Hornberger, Impallaria, Krebs, Malone, McDonough, McKay, Parrott, Reilly, Rey, Saab, Sophocleus, B. Wilson, and C. Wilson**

AN ACT concerning

**Handgun Permits – Alternative Expiration Date – Private Detectives, Security Guards, and Special Police Officers**

**HB0877/242915/1**

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 877

(First Reading File Bill)

On page 1, in line 6, after “license” insert “, certification,”.

On page 2, in line 5, after “LICENSE” insert “, CERTIFICATION,”.

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 891 – Delegates Saab, Anderton, Beidle, Beitzel, Bromwell, Buckel, Carey, Chang, Clark, Glass, Hornberger, S. Howard, Kipke, Kittleman, Krebs, Lisanti, Malone, McComas, McConkey, McKay, Miele, W. Miller, Morgan, Oaks, Otto, Parrott, Reilly, Rose, Simonaire, Sophocleus, Szeliga, and B. Wilson**

AN ACT concerning

**Handgun Permits – Firearms Training Courses**

Favorable report adopted.

Delegate Lafferty moved to make the Bill a Special Order for Saturday.

The motion was adopted.

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

**House Bill 1036 – Delegates Rey, Bromwell, Buckel, Carey, Clark, Cluster, Fisher, Glass, S. Howard, Malone, McConkey, Morgan, Parrott, Queen, Saab, Simonaire, B. Wilson, and C. Wilson**

AN ACT concerning

**Firearms – Handgun Permit – Preliminary Approval**

Favorable report adopted.

Delegate Lierman moved to make the Bill a Special Order for Saturday.

The motion was adopted.

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

**House Bill 1043 – Delegates Valentino-Smith, B. Wilson, Afzali, Anderton, Atterbeary, Beidle, Carozza, Folden, Ghrist, Jackson, Kipke, Krebs, Lisanti, McMillan, Otto, Parrott, Rose, Shoemaker, Sophocleus, Vallario, and Vogt**

AN ACT concerning

**Criminal Law – Smoking Marijuana in Public and in Vehicles – Prohibition**

**HB1043/362418/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1043

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Criminal Law” and substitute “Vehicle Laws”; in the same line, strike “in Public and”; strike beginning with “prohibiting” in line 3 down through “purpose;” in line 6; and in line 10, strike “establishing certain penalties; defining certain terms;”.

On pages 1 and 2, strike in their entirety the lines beginning with line 12 on page 1 through line 15 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 23 on page 2 through line 21 on page 6, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

## FLOOR AMENDMENT

**HB1043/643325/1**

BY: Delegate Luedtke

AMENDMENTS TO HOUSE BILL 1043

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “highway” insert “while the vehicle is in operation”.

AMENDMENT NO. 2

On page 7, in line 11, strike “This section applies” and substitute “**SUBSECTIONS (C) AND (D) OF THIS SECTION APPLY**”; and in line 18, after “HIGHWAY” insert “**WHILE THE VEHICLE IS IN OPERATION**”.



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

Affirmative – 27    Negative – 100    (See Roll Call No. 624)

Read the second time and ordered prepared for Third Reading.

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

**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**

**HB1375/612014/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1375

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 7, in each instance, strike “a search warrant” and substitute “an emergency order”; in line 8, after “requirements,” insert “requiring the Court of Appeals to adopt certain rules;”; and in line 15, after “term,” insert “altering a certain definition;”.

AMENDMENT NO. 2

On page 2, in line 24, strike “and”; and in line 27, after “duty” insert “; AND

(IV) AN INDIVIDUAL WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED TO PROVIDE HEALTH CARE UNDER THE HEALTH OCCUPATIONS ARTICLE WHO IS EXPOSED TO HIV OR HEPATITIS C WHILE WORKING UNDER THE DIRECTION OF A LAW ENFORCEMENT AGENCY OR WHILE PERFORMING A SEXUAL ASSAULT MEDICAL EVIDENCE COLLECTION EXAMINATION”.

AMENDMENT NO. 3

On page 3 in line 24 and on page 4 in lines 9, 11, and 19, in each instance, strike “BUCCAL” and substitute “ORAL”.

AMENDMENT NO. 4

On page 3, in lines 24 and 29, in each instance, strike “A SEARCH WARRANT” and substitute “AN EMERGENCY ORDER”; and in line 29, after “SHALL” insert “BE”.

On page 4, in line 1, strike “BE”; in line 2, strike “24” and substitute “72”; strike beginning with “MEET” in line 4 down through “AND” in line 5 and substitute “IN WRITING, SIGNED AND SWORN TO BY THE APPLICANT, AND ACCOMPANIED BY AN AFFIDAVIT THAT SETS FORTH THE BASIS TO BELIEVE THAT THE PERSON FROM WHOM AN ORAL SWAB IS REQUESTED HAS CAUSED A PROHIBITED EXPOSURE TO A VICTIM;”; in line 6, strike “BE”; in the same line, after “SEALED” insert “; AND”

(IV) SUBJECT TO RULES DEVELOPED BY THE COURT OF APPEALS”;

in line 7, strike “A SEARCH WARRANT” and substitute “AN EMERGENCY ORDER”; after line 8, insert:

“(4) THE COURT OF APPEALS SHALL ADOPT RULES TO CARRY OUT THE REQUIREMENTS OF THIS SUBSECTION.”;

in line 10, strike “A SEARCH WARRANT” and substitute “AN EMERGENCY ORDER”; and in line 27, after “OF” insert “SUBSECTIONS (C) THROUGH (G) OF”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

**HB1393/202019/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1393

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “contendere,” insert “requiring that a petition for actual innocence require a sworn affirmation by the petitioner that the petitioner is innocent;”; and in line 11, after “8–301(a)” insert “and (b)”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“(b) A petition filed under this section shall:

(1) be in writing;

(2) state in detail the grounds on which the petition is based;

(3) describe the newly discovered evidence;

(4) contain or be accompanied by a request for hearing if a hearing is sought;

(5) CONTAIN A SWORN AFFIRMATION BY THE PETITIONER THAT THE PETITIONER IS INNOCENT; and

[(5)](6) distinguish the newly discovered evidence claimed in the petition from any claims made in prior petitions.”.

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 1411 – Delegates Dumais, Barron, Hayes, Lewis, Lierman, McCray, A. Miller, Moon, Pena–Melnyk, Rosenberg, and M. Washington**

AN ACT concerning

**DNA Testing – Postconviction Review**

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 1465 – Delegate Hayes**

AN ACT concerning

**Baltimore City – Police Community Policing Steering Committee**

**HB1465/232613/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1465

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “Plan” and substitute “Recommendations Report”; and in lines 9 and 10, in each instance, strike “Plan” and substitute “Report”.

AMENDMENT NO. 2

On page 2, in line 3, strike “**PLAN**” and substitute “**REPORT**”; in line 4, strike “**PLAN**” and substitute “**RECOMMENDATIONS REPORT**”; and in line 18, after “**POLICE**” insert “**, OR THE COMMISSIONER’S DESIGNEE**”.

On page 4, in line 3, strike “**PLAN**” and substitute “**RECOMMENDATIONS REPORT**”; in the same line, strike “**CREATING**” and substitute “**MAKING RECOMMENDATIONS TO CREATE**”; in line 5, strike “**PLAN**” and substitute “**REPORT**”; in line 6, strike “**1. ENSURE**” and substitute “**RECOMMEND**”; in the same line, strike “**ALL**”; in the same line, strike “**WILL**”; strike in their entirety lines 9 through 12, inclusive; in line 13, strike “**OUTLINE STEPS TO ENSURE**” and substitute “**IDENTIFY WAYS TO HELP BUILD**”; in line 16, strike “**OUTLINE STEPS TO ENSURE**” and substitute “**IDENTIFY WAYS**”; in the same line, after “**OFFICERS**” insert “**CAN**”; in lines 19 and 23, in each

instance, strike “DIRECT” and substitute “RECOMMEND WAYS”; in the same lines, in each instance, after “EMPHASIS” insert “CAN”; in line 26, strike “INPUT ON” and substitute “IDEAS FOR”; and in line 30, strike “A PLAN” and substitute “RECOMMENDATIONS”.

On page 5, in line 1, strike “ADDRESS EFFORTS” and substitute “INCLUDE RECOMMENDATIONS ON HOW”; in line 2, after the semicolon insert “AND”; in line 3, strike “OUTLINE STEPS FOR FORMING AND MAINTAINING” and substitute “IDENTIFY WAYS TO FORM AND MAINTAIN LASTING AND”; in line 6, strike “; AND” and substitute a period; strike in their entirety lines 7 through 13, inclusive; in line 14, strike “(F)” and substitute “(E)”; and in line 15, strike “PLAN” and substitute “REPORT”.

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 1525 – Delegates J. Lewis, Sanchez, and Vallario**

AN ACT concerning

**Criminal Procedure – Victim Notification – Dissemination and National Standards**

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 1526 – Delegates Angel and Vallario**

AN ACT concerning

**Criminal Procedure – Postsentencing – Victim Notification**

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 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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**APPROPRIATIONS COMMITTEE REPORT NO. 12**

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

**House Bill 105 – Chair, Appropriations Committee (By Request – Departmental –  
Natural Resources)**

AN ACT concerning

**Program Open Space – Apportionment Formula and Committee**

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 364 – Delegate Conaway**

AN ACT concerning

**Baltimore City – Public Art – Verification of Location by Legislative Auditor**

**HB0364/984963/1**

BY: Appropriations Committee

**AMENDMENTS TO HOUSE BILL 364**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 2, strike “Verification of Location by Legislative Auditor” and substitute “Report on Identification, Protection, and Maintenance”; strike beginning with “that” in line 3 down through “term;” in line 6 and substitute “the City of Baltimore and the Baltimore City Public School System to report to the Baltimore City delegation to the General Assembly on or before a certain date on the status of the implementation of certain recommendations concerning the identification, protection, and maintenance of public art located on certain campuses and within certain buildings;”; in line 7, strike “verification of the location” and substitute “identification, protection, and maintenance”; and strike in their entirety lines 8 through 12, inclusive.

#### AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 10 on page 2, inclusive, and substitute:

“That, on or before December 1, 2017, the City of Baltimore and the Baltimore City Public School System shall report to the members of the Baltimore City delegation to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the status of the implementation of the recommendations contained in the City of Baltimore Office of the Inspector General’s March 4, 2016 report (OIG Report #2014–0338) concerning the identification, protection, and maintenance of public art located on campuses and within buildings of the City of Baltimore and the Baltimore City Public School System.”.

On page 2, in line 12, 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 McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 441 – Delegate Anderson (By Request – Baltimore City Administration)  
and Delegate McIntosh**

AN ACT concerning

**Education – Debt Service for Transferred Schools – County Reimbursement  
Grace Period**

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 694 – Delegates McIntosh and Barron**

AN ACT concerning

**Higher Education – Admissions Process – Criminal History  
(Maryland Fair Access to Education Act of 2017)**

**HB0694/704962/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 694

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 5 and 6, in each instance, strike “inquiring into or considering” and substitute “using”; in line 5, after “applicants” insert “on certain admissions applications”; in the same line, strike “a”; in line 6, strike “exception” and substitute “exceptions”; in line 8, after the second “of” insert “admission and access to”; strike beginning with “using” in line 11 down through “student’s” in line 12 and substitute “automatically or unreasonably restricting a student’s admission and”; strike beginning with “an” in line 13 down through “individualized” in line 14 and substitute “a”; in line 15, after “activity” insert “, academic program,”; in the same line, strike “an individualized” and substitute “the”; strike beginning with “requiring” in line 16 down through “writing,” in line 21; in line 23, after “terms,” insert “providing for a delayed effective date;”; strike beginning with “prohibition” in line 24 down through “process” in line 25 and substitute “consideration of criminal history in the admissions process”; in lines 28 and 29, strike “Prohibition on Considering” and substitute “Consideration of”; and in line 29, strike “During” and substitute “in”.

On page 2, strike in their entirety lines 2 through 11, inclusive.

AMENDMENT NO. 2

On page 2, strike beginning with “**PROHIBITION**” in line 15 down through “**PROCESS**” in line 16 and substitute “**CONSIDERATION OF CRIMINAL HISTORY IN THE ADMISSIONS PROCESS**”; strike beginning with “**(1)**” in line 20 down through “**MATRICULATE**” in line 25 and substitute “**“ADMISSIONS APPLICATION” MEANS AN**



INDIVIDUAL APPLICATION TO ENROLL AS AN UNDERGRADUATE STUDENT AT AN INSTITUTION OF HIGHER EDUCATION"; and in line 26, strike “, A CRIMINAL ACCUSATION,”.

On page 3, in line 2, after “CONDITION.” insert:

“(E) “THIRD-PARTY ADMISSIONS APPLICATION” MEANS AN ADMISSIONS APPLICATION NOT CONTROLLED BY THE INSTITUTION.”;

strike beginning with “INQUIRE” in line 8 down through “PROCESS” in line 10 and substitute “USE AN ADMISSIONS APPLICATION THAT CONTAINS QUESTIONS ABOUT THE CRIMINAL HISTORY OF THE APPLICANT”; strike beginning with “CONSIDER” in line 11 down through “ONGOING” in line 13 and substitute “USE A THIRD-PARTY ADMISSIONS APPLICATION THAT CONTAINS QUESTIONS ABOUT THE CRIMINAL HISTORY OF THE APPLICANT IF THE INSTITUTION POSTS A NOTICE ON ITS WEB SITE STATING THAT A CRIMINAL HISTORY DOES NOT DISQUALIFY AN APPLICANT FROM ADMISSION”; in line 18, after “REGARDING” insert “ADMISSION AND ACCESS TO”; strike beginning with the colon in line 25 down through “AUTOMATICALLY” in line 28 and substitute “AUTOMATICALLY”; in line 28, after “STUDENT’S” insert “ADMISSION,”; and in line 29, after “ACTIVITIES” insert a comma.

### AMENDMENT NO. 3

On page 4, in line 2, after “STUDENT’S” insert “ADMISSION OR”; in line 5, strike “AN INDIVIDUALIZED” and substitute “A”; in line 7, after “RESIDENCY” insert “, A SPECIFIC ACADEMIC PROGRAM,”; in line 8, strike “AN INDIVIDUALIZED” and substitute “THE”; strike beginning with “AND” in line 14 down through “ISSUE” in line 16; and strike beginning with “(C)” in line 19 down through “CONDUCT.” in line 26.

On page 5, in line 3, strike “July” and substitute “December”.

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 941 – Delegates A. Miller, Atterbeary, Barkley, Bromwell, Chang, Dumais, Frush, Gilchrist, Kaiser, Kipke, Luedtke, McMillan, Moon, Robinson, Sanchez, Vogt, and Waldstreicher**

AN ACT concerning

**Criminal Law – Animal Abuse Emergency Compensation Fund – Establishment**

**HB0941/274162/1**

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 941

(First Reading File Bill)

On page 1, in line 11, after “terms;” insert “providing for the termination of this Act;”.

On page 5, in line 8, after “2017.” insert “It shall remain effective for a period of 3 years and, at the end of September 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 amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1110 – Delegate B. Barnes**

AN ACT concerning

**Law Enforcement Officers’ Pension System – Membership**

**HB1110/684160/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1110

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “authorizing certain individuals to transfer” and substitute “transferring certain individuals”; strike beginning with “requiring” in line 4 down through “form;” in line 7; in line 7, strike “transfers” and substitute “is transferred”; and in line 11, after “fund” insert “and annuity savings fund”.

#### AMENDMENT NO. 2

On page 3, in line 18, strike “(1)”; in line 19, strike “may transfer” and substitute “shall be transferred”; strike beginning with “by” in line 20 down through “Agency” in line 21; strike lines 22 and 23 in their entirety; and in line 24, strike “transfers” and substitute “is transferred”.

On page 4, in line 1, strike “transfers” and substitute “is transferred”; and after line 2, insert:

“(e) (1) The Board of Trustees of the State Retirement and Pension System shall transfer the member’s accumulated contributions from the annuity savings fund of the Employees’ Pension System to the annuity savings fund of the Law Enforcement Officers’ Pension System for a member who is transferred into the Law Enforcement Officers’ Pension System under this Act.

(2) The amount a member is required to deposit under subsection (c) of this section shall be reduced by the amount of accumulated contributions transferred 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 McIntosh, Chair, for the Committee on Appropriations reported favorably:

**House Bill 1122 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

#### **State Retirement and Pension System – Death Benefits**

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 1154 – Delegates Hayes, Conaway, and Mosby**

AN ACT concerning

**Program Open Space – Baltimore City Grants – Use of Grant Funds**

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 1431 – Delegates Lisanti and Impallaria**

AN ACT concerning

**Harford County Sheriff – Deputy Sheriffs and Correctional Officers – Collective Bargaining**

**HB1431/734266/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1431

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegates Lisanti and Impallaria” and substitute “Harford County Delegation”.

AMENDMENT NO. 2

On page 4 in lines 13 and 14, and on page 9 in lines 15 and 16, in each instance, after “AND” insert “THE”.

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 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**

**HB1469/244964/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1469  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “received;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 7, strike “October 1, 2017” and substitute “July 1, 2019”.

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 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**

**HB1503/314662/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1503

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “State Funding – Requirement for”; in line 3, after “Officers” insert “– Reports”; strike beginning with “meet” in line 4 down through “safety.” in line 9 and substitute “report at a certain interval to the Governor’s Office of Crime Control and Prevention on certain policies and procedures related to use of force de-escalation training for its law enforcement officers; requiring the Governor’s Office of Crime Control and Prevention to adopt procedures for the collection, analysis, and compilation of certain use of force de-escalation training information received from a certain law enforcement agency; requiring the Governor’s Office of Crime Control and Prevention to submit a certain report at a certain interval that compiles certain information received from a certain law enforcement agency; and generally relating to use of force de-escalation training.”; and strike in their entirety lines 10 through 19, inclusive, and substitute:

“BY adding to

Article – Public Safety

Section 3-520

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 17, inclusive, and substitute:

**“3-520.**

**(A) IN THIS SECTION, “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 2-101 OF THIS TITLE.**

**(B) BEGINNING OCTOBER 1, 2017, AND EVERY 2 YEARS THEREAFTER, EACH LOCAL LAW ENFORCEMENT AGENCY SHALL PROVIDE THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION WITH THE LOCAL LAW ENFORCEMENT**

AGENCY'S POLICIES AND PROCEDURES ON USE OF FORCE DE-ESCALATION  
TRAINING FOR ITS LAW ENFORCEMENT OFFICERS, INCLUDING:

(1) WHETHER THE AGENCY REQUIRES OFFICERS TO COMPLETE USE  
OF FORCE DE-ESCALATION TRAINING;

(2) WHETHER THE AGENCY PROVIDES OFFICERS WITH THE  
OPPORTUNITY TO UNDERGO USE OF FORCE DE-ESCALATION TRAINING;

(3) THE FREQUENCY WITH WHICH OFFICERS MUST UNDERGO USE OF  
FORCE DE-ESCALATION TRAINING;

(4) THE NUMBER OF REPORTED INCIDENTS RESULTING IN USE OF  
FORCE BY LAW ENFORCEMENT OFFICERS; AND

(5) IF ANY INCIDENT THAT RESULTED IN USE OF FORCE BY LAW  
ENFORCEMENT OFFICERS ENDED IN A FATALITY.

(C) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION  
SHALL:

(1) ADOPT PROCEDURES FOR THE COLLECTION, ANALYSIS, AND  
COMPILATION OF THE INFORMATION DESCRIBED IN SUBSECTION (B) OF THIS  
SECTION; AND

(2) BEGINNING JANUARY 1, 2018, AND EVERY 2 YEARS THEREAFTER,  
SUBMIT A REPORT TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE, THE  
SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE JUDICIARY  
COMMITTEE, AND THE HOUSE APPROPRIATIONS COMMITTEE, IN ACCORDANCE  
WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THAT COMPILES THE  
INFORMATION DESCRIBED IN SUBSECTION (B) OF THIS SECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 48**

**House Bill 799 – Delegates Atterbeary, Anderson, Cluster, Conaway, Dumais, Frick, Glass, Hettleman, Hill, Kaiser, Kelly, Kittleman, Lierman, Lisanti, Malone, McComas, McIntosh, Moon, Morhaim, Proctor, Rey, Reznik, Sanchez, Sydnor, Turner, Valderrama, B. Wilson, and C. Wilson**

AN ACT concerning

**Family Law – Marriage – Age Requirements**

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

FLOOR AMENDMENT

**HB0799/133422/1**

BY: Delegate M. Washington

**AMENDMENTS TO HOUSE BILL 799**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 3, strike “repealing” and substitute “altering”.

**AMENDMENT NO. 2**

On page 1, in line 15, strike the bracket; in the same line, after “(a)” insert:

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

**“(2) “EMANCIPATED MINOR” MEANS AN INDIVIDUAL UNDER THE AGE OF 18 YEARS WHO IS:**

**(I) EMANCIPATED BY A COURT ORDER; OR**

**(II) SERVING IN THE MILITARY.**

**“(3) “CERTIFIED OR LICENSED PROFESSIONAL COUNSELOR OR THERAPIST” MEANS AN INDIVIDUAL CERTIFIED OR LICENSED BY THE STATE BOARD**



**OF PROFESSIONAL COUNSELORS OR THERAPISTS UNDER TITLE 17 OF THE HEALTH OCCUPATIONS ARTICLE.**

**(B) THIS SECTION DOES NOT APPLY TO AN EMANCIPATED MINOR.**

**(C)**”;

strike beginning with “has” in line 16 down through “old” in line 17 and substitute “**GIVES THE CLERK A CERTIFICATE FROM A CERTIFIED OR LICENSED PROFESSIONAL COUNSELOR OR THERAPIST STATING THAT THE CERTIFIED OR LICENSED PROFESSIONAL COUNSELOR OR THERAPIST HAS EVALUATED THE INDIVIDUAL TO BE MARRIED AND HAS FOUND THAT THE INDIVIDUAL IS NOT UNDER ANY UNDUE INFLUENCE OR COERCION**”; and in line 18, strike “if the individual does not have the consent of a parent or guardian,”.

On page 2, strike in their entirety lines 3 through 8, inclusive; in line 9, strike “(c)]” and substitute “**(D)**”;

in the same line, strike “18” and substitute “**16**”; strike beginning with “either” in line 19 down through “oath,” in line 20 and substitute “**THE CERTIFIED OR LICENSED COUNSELOR OR THERAPIST CERTIFICATE**”; in line 21, strike “the consent and oath or”; strike beginning with “(i)” in line 23 down through “(ii)” in line 28; in line 28, after “The” insert “**CERTIFIED OR LICENSED COUNSELOR OR THERAPIST CERTIFICATE AND THE**”; and in line 31, after “seal” insert “**THE CERTIFIED OR LICENSED COUNSELOR OR THERAPIST CERTIFICATE OR**”.

On page 2, in line 19, and on page 3, in lines 3, 11, 14, 18, and 25, in each instance, strike the bracket.

On page 3, in lines 11, 14, 18, and 25, strike “(D)”, “(E)”, “(F)”, and “(G)”, respectively.

Delegate Gilchrist moved the previous question.

The motion was adopted.

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

Affirmative – 64    Negative – 72    (See Roll Call No. 625)

Delegate Hornberger moved the Bill be recommitted.

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

Affirmative – 40    Negative – 93    (See Roll Call No. 626)

Read the second time and ordered prepared for Third Reading.

## **HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 8**

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

### **House Bill 433 – The Speaker (By Request – Administration) and Delegates Kipke, McConkey, and West**

AN ACT concerning

#### **State Finance and Procurement – Small and Minority Business Participation**

**HB0433/726088/1**

BY:    Health and Government Operations Committee

#### AMENDMENTS TO HOUSE BILL 433

(First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 4, after “contract;” insert “prohibiting the failure of a certified minority business to provide a certain bond from being considered nonperformance;”.

##### AMENDMENT NO. 2

On page 7, in line 21, strike “**FOR**” and substitute “**A.    EXCEPT AS PROVIDED IN SUBSUBSUBPARAGRAPH B OF THIS SUBSUBPARAGRAPH, FOR**”; and after line 25, insert:

**“B.    FAILURE OF A CERTIFIED MINORITY BUSINESS ENTERPRISE TO PROVIDE A BOND REQUESTED BY A CONTRACTOR IN VIOLATION OF § 13–227 OF THIS ARTICLE MAY NOT BE CONSIDERED NONPERFORMANCE BY THE MINORITY BUSINESS ENTERPRISE.”**.

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 584 – Delegates K. Young, Pena–Melnik, Anderton, Frush, Grammer, Gutierrez, Hixson, Jalisi, Kaiser, Krebs, Lierman, Lisanti, McComas, McCray, McMillan, Metzgar, Rose, Turner, and Vogt**

AN ACT concerning

**Investigational Drugs, Biological Products, and Devices – Right to Try Act**

**HB0584/146788/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 584

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vogt” and substitute “Vogt, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Miele, Morales, Morgan, Pendergrass, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, and West”; strike beginning with “establishing” in line 8 down through “debts” in line 9 and substitute “requiring a manufacturer of an investigational drug, biological product, or device to notify a certain patient and a certain health care provider of certain side effects or risks; requiring the Office of the Attorney General to develop an informed consent form that meets certain requirements; providing for the construction of certain provisions of this Act; establishing that a certain manufacturer may enforce a certain claim against the estate of a certain patient, but not the patient’s heirs or legatees, except”; and in line 15, after “provider” insert “or certain treatment provided by a health care provider”.

AMENDMENT NO. 2

On page 2, after line 7, insert:

**“(B) “CARRIER” HAS THE MEANING STATED IN § 15–10A–01(C) OF THE INSURANCE ARTICLE.”;**

and in lines 8, 27, and 30, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively.

On page 3, after line 15, insert:

**“(IV) INFORMS THE PROVIDER AND ELIGIBLE PATIENT OF ANY KNOWN OR ANTICIPATED SIDE EFFECTS, RISKS, OR REPORTED PATIENT DISCOMFORT THAT IS LIKELY RELATED TO THE TREATMENT;”**;

in lines 16, 23, and 28, strike “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(V)”, “(VI)”, and “(VII)”, respectively; in line 23, strike “HEALTH INSURANCE”; in line 25, strike “MAY BE” and substitute “ARE”; and strike beginning with “UNLESS” in line 26 down through “BY” in line 27 and substitute “EXCEPT AS REQUIRED BY FEDERAL OR STATE”.

On page 4, in line 1, strike “(VII)” and substitute “(VIII)”; in line 2, strike “IS” and substitute “MAY BE”; in line 4, after “ESTATE” insert “, BUT NOT THE HEIRS OR LEGATEES OF THE PATIENT,”; in lines 7 and 14, strike “(E)” and “(F)”, respectively, and substitute “(F)” and “(G)”, respectively; and in line 12, after “INVESTIGATION” insert “OR”.

On page 5, after line 3, insert:

**“(C) AFTER THE DATE THAT AN ELIGIBLE PATIENT BEGINS TAKING OR USING THE INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE AND DURING THE TIME THE ELIGIBLE PATIENT IS TAKING OR USING THE INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE, THE MANUFACTURER SHALL NOTIFY THE ELIGIBLE PATIENT AND THE ELIGIBLE PATIENT’S HEALTH CARE PROVIDER OF ANY SIDE EFFECTS OR RISKS ASSOCIATED WITH THE INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE THAT ARE REQUIRED TO BE DISCLOSED TO THE UNITED STATES FOOD AND DRUG ADMINISTRATION DURING THE DRUG APPROVAL PROCESS.**

**(D) (1) THE OFFICE OF THE ATTORNEY GENERAL SHALL DEVELOP AN INFORMED CONSENT FORM THAT:**

**(I) COMPLIES WITH THE REQUIREMENTS OF § 21-2B-01(D)(3) OF THIS SUBTITLE;**

(II) INCLUDES INSTRUCTIONS FOR THE PHYSICIAN OR PATIENT ON HOW TO COMPLETE THE FORM; AND

(III) PROVIDES SPACES FOR A PHYSICIAN TO INCLUDE THE INFORMATION RELATING TO A PARTICULAR PATIENT AND THE PHYSICIAN'S RECOMMENDATION FOR THE PATIENT.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT A TREATING PHYSICIAN OR A MANUFACTURER OF AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE FROM INCLUDING ADDITIONAL INFORMATION OR ADVISEMENTS WITH THE INFORMED CONSENT FORM DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”;

strike beginning with “ELIGIBLE” in line 6 down through “LIABLE” in line 7 and substitute “MANUFACTURER OF THE INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE MAY ENFORCE A CLAIM AGAINST THE ESTATE OF THE ELIGIBLE PATIENT, BUT NOT THE ELIGIBLE PATIENT’S HEIRS OR LEGATEES,”; in line 8, after the second “TREATMENT” insert “UNLESS A CONTRACT BETWEEN THE ELIGIBLE PATIENT AND THE MANUFACTURER STATES OTHERWISE”; strike beginning with the third comma in line 14 down through “CARE” in line 15; and in line 19, after “DEVICE” insert “OR THE HEALTH CARE PROVIDER’S TREATMENT OF AN ELIGIBLE PATIENT WITH AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE”.

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 764 – Delegate West**

AN ACT concerning

**Requirements for Filial Support – Repeal**

**HB0764/256882/1**

BY: Health and Government Operations Committee

**AMENDMENT TO HOUSE BILL 764**

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate West” and substitute “Delegates West, Hill, and Metzgar”.

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 774 – Delegates Kipke and Bromwell**

AN ACT concerning

**Insurance – Surplus Lines – Short-Term Medical Insurance – Procurement  
From Nonadmitted Insurer****HB0774/856486/1**

BY: Health and Government Operations Committee

**AMENDMENTS TO HOUSE BILL 774**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 2, strike “Surplus Lines –”; strike beginning with “Procurement” in line 2 down through “Insurer” in line 3 and substitute “Study”; strike beginning with “altering” in line 4 down through “Act” in line 7 and substitute “requiring the Maryland Insurance Administration to conduct a study to assess the need in the State for short-term medical insurance offered by nonadmitted insurers; establishing certain requirements for the study; requiring the Administration to solicit input from certain persons in conducting the study; requiring the Administration to submit a certain report to the Governor and certain legislative committees on or before a certain date; defining a certain term”; in line 8, strike “surplus lines insurance and the procurement of” and substitute “a study of the”

need for"; in line 9, strike "from a" and substitute "offered by"; in the same line, strike "insurer" and substitute "insurers"; strike in their entirety lines 10 through 19, inclusive; and in line 21, strike "the Laws of Maryland read as follows".

#### AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 22 on page 1 through line 26 on page 3, inclusive, and substitute:

"(a) In this section, "short-term medical insurance" means medical insurance with a policy term that does not exceed 11 months.

(b) The Maryland Insurance Administration shall conduct a study to assess the need in the State for short-term medical insurance offered by nonadmitted insurers.

(c) The study required under subsection (b) of this section shall:

(1) seek to identify the circumstances in which individuals in the State are in need of short-term medical insurance;

(2) assess the availability of short-term medical insurance offered by admitted insurers in the State, including whether short-term medical insurance coverage offered by admitted insurers is unavailable to individuals in certain geographic regions of the State;

(3) determine whether short-term medical insurance policies are being offered online and, if so, whether the policies are being procured through licensed Maryland insurance producers;

(4) compare the coverages under and premiums for short-term medical insurance policies offered by admitted insurers and the underwriting practices of those insurers with the coverages under and premiums for short-term medical insurance policies offered by nonadmitted insurers as a surplus line and the underwriting practices of those insurers;

(5) assess the impact on the admitted health insurance market and consumers of authorizing nonadmitted insurers to offer short-term medical insurance as a surplus line to individuals in the State who:

(i) are unable to obtain health coverage under the Affordable Care Act, including individuals who are unable to obtain health coverage due to not enrolling during an open enrollment period; or

(ii) drop coverage obtained under the Affordable Care Act;

(6) review and provide information about consumer complaints and enforcement actions relating to short-term medical insurance policies; and

(7) recommend:

(i) whether limitations in current law on the offering of short-term medical insurance by a nonadmitted insurer as a surplus line should be altered to address any barriers to health coverage access encountered by individuals in the State; and

(ii) the adoption of any disclosures or consumer protections that may be needed:

1. for short-term medical insurance procured from admitted insurers; and

2. for short-term medical insurance procured from nonadmitted insurers as a surplus line if offering the insurance is authorized for circumstances in addition to those permitted under current law.

(d) In conducting the study required under subsection (b) of this section, the Administration shall solicit input from:

(1) admitted insurers, including insurers that offer short-term medical insurance policies and insurers that offer qualified health plans;

(2) nonadmitted insurers that offer short-term medical insurance policies as a surplus line;

(3) insurance producers and surplus lines brokers;

(4) Maryland consumers;

(5) members of the General Assembly; and



(6) other interested stakeholders.

(e) On or before December 1, 2017, the Administration shall submit a report on its findings and recommendations from the study required under subsection (b) of this section to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee.”.

On page 3, in line 27, strike “3.” and substitute “2.”; and in line 28, 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 880 – Delegates Morales, Carr, Angel, Cullison, Hill, Kelly, Lewis, Morgan, Mosby, Pena–Melnik, Platt, Tarlau, and K. Young**

AN ACT concerning

**Open Meetings Act – Required Training for Members of Public Bodies**

**HB0880/916087/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 880

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, and Krebs”; in line 2, strike “Required Training for Members of Public Bodies” and substitute “Annual Reporting Requirement, Web Site Postings, and Training”; strike beginning with “repealing” in line 3 down through “regarding” in line 11 and substitute “requiring the Board, in conjunction with the Office of the Attorney General, to distribute certain educational materials to the staff and attorneys for certain entities; adding the Maryland Association of Boards of Education to the entities the Board, in conjunction with the Office”.

of the Attorney General, is required to develop and conduct certain educational programs for; altering the annual reporting requirement of the State Open Meetings Law Compliance Board to require that certain information on certain violations be reported; requiring the Board to post certain information on a certain Web site; repealing a requirement that certain public bodies forward a certain list to the Board; prohibiting a public body from meeting in a closed session unless the public body designates at least a certain number of members to receive the training; requiring that certain designated individuals attend certain meetings or that certain public bodies include a certain checklist in certain minutes; requiring the Board, the University of Maryland’s Institute for Governmental Service and Research, and the Academy for Excellence in Local Governance in the University of Maryland’s School of Public Health to collaborate with certain entities to determine a certain cost–benefit analysis, develop a certain list of contacts, and report to certain committees of the General Assembly on or before a certain date; defining a certain term; and generally relating to the annual reporting requirement, Web site postings, and training under”; after line 11, insert:

“BY adding to

Article – General Provisions

Section 3–101(d–1)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)”;

and in line 14, before “3–213” insert “3–204(d) and (e), 3–211, and”.

## AMENDMENT NO. 2

On page 1, after line 19, insert:

“3–101.

**(D–1) “CLASS ON THE OPEN MEETINGS LAW” MEANS:**

**(1) AN ONLINE CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW OFFERED BY THE OFFICE OF THE ATTORNEY GENERAL AND THE UNIVERSITY OF MARYLAND’S INSTITUTE FOR GOVERNMENTAL SERVICE AND RESEARCH;**

**(2) A CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW OFFERED BY THE MARYLAND ASSOCIATION OF COUNTIES OR THE MARYLAND**

**MUNICIPAL LEAGUE THROUGH THE ACADEMY FOR EXCELLENCE IN LOCAL GOVERNANCE; OR**

**(3) A CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW OFFERED BY THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION THROUGH THE BOARDSMANSHIP ACADEMY PROGRAM.**

3-204.

(d) The Board, in conjunction with the Office of the Attorney General and other interested organizations or persons, shall develop and conduct educational programs AND DISTRIBUTE EDUCATIONAL MATERIALS on the requirements of the open meetings law for the staffs and attorneys of:

- (1) public bodies;
- (2) the Maryland Municipal League; [and]
- (3) the Maryland Association of Counties; AND
- (4) THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION.**

(e) (1) On or before October 1 of each year, the Board shall submit an annual report to the Governor and, subject to § 2-1246 of the State Government Article, the General Assembly.

(2) The report shall:

- (i) describe the activities of the Board;
- (ii) describe the opinions of the Board;
- (iii) state the number and nature of complaints filed with the Board and discuss complaints that reasonable notice of a meeting was not given; [and]

**(IV) IDENTIFY THE PROVISIONS OF THIS TITLE THAT THE BOARD HAS FOUND A PUBLIC BODY TO HAVE VIOLATED AND THE NUMBER OF TIMES EACH PROVISION HAS BEEN VIOLATED;**

**(V) IDENTIFY EACH PUBLIC BODY THAT THE BOARD HAS FOUND TO HAVE VIOLATED A PROVISION OF THIS TITLE; AND**

**[(iv)](VI)** recommend any improvements to this title.

3–211.

**(A) THIS SECTION DOES NOT APPLY TO A PUBLIC BODY THAT IS:**

**(1) IN THE JUDICIAL BRANCH OF STATE GOVERNMENT; OR**

**(2) SUBJECT TO GOVERNANCE BY RULES ADOPTED BY THE COURT OF APPEALS.**

**[(a)](B)** If the Board determines that a violation of this title has occurred:

(1) at the next open meeting of the public body after the Board has issued its opinion, a member of the public body shall announce the violation and orally summarize the opinion; and

(2) a majority of the members of the public body shall sign a copy of the opinion and return the signed copy to the Board.

**[(b)](C)** The public body may not designate its counsel or another representative to provide the announcement and summary.

**[(c)](D)** Compliance by a public body or a member of a public body with subsections [(a) and (b)] (B) AND (C) of this section:

(1) is not an admission to a violation of this title by the public body; and

(2) may not be used as evidence in a proceeding conducted in accordance with § 3–401 of this title.

**(E) IF THE BOARD DETERMINES THAT A PUBLIC BODY HAS VIOLATED A PROVISION OF THIS TITLE, THE BOARD SHALL POST ON THE MARYLAND OPEN**

MEETINGS ACT PAGE OF THE OFFICE OF THE ATTORNEY GENERAL WEB SITE THE NAME OF THE PUBLIC BODY AND THE OPINION THAT DESCRIBES THE VIOLATION.”;

after line 20, insert:

“(A) THIS SECTION DOES NOT APPLY TO A PUBLIC BODY THAT IS:

(1) IN THE JUDICIAL BRANCH OF STATE GOVERNMENT; OR

(2) SUBJECT TO GOVERNANCE BY RULES ADOPTED BY THE COURT OF APPEALS.”;

in line 21, strike “[a)” and substitute “(B)”; and in the same line, strike the colon.

### AMENDMENT NO. 3

On page 2, in line 1, strike “(1)”; strike beginning with the semicolon in line 3 down through “Board” in line 5; in line 6, strike “(b)]” and substitute “(C)”; in the same line, in each instance, strike the bracket; in the same line, strike “(a)(1)” and substitute “(B)”; in line 7, strike “BECOMING A MEMBER OF A PUBLIC BODY”; strike beginning with the colon in line 7 down through “SUBSECTION” in line 17 and substitute “COMPLETE A CLASS ON THE OPEN MEETINGS LAW”; strike in their entirety lines 18 through 22, inclusive, and substitute:

“(D) (1) THIS SUBSECTION APPLIES TO A PUBLIC BODY THAT MEETS IN A CLOSED SESSION ON OR AFTER OCTOBER 1, 2017.

(2) A PUBLIC BODY MAY NOT MEET IN A CLOSED SESSION UNLESS THE PUBLIC BODY HAS DESIGNATED AT LEAST ONE MEMBER OF THE PUBLIC BODY TO RECEIVE TRAINING ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AT LEAST ONE INDIVIDUAL DESIGNATED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE PRESENT AT EACH OPEN MEETING OF THE PUBLIC BODY.

(II) IF AN INDIVIDUAL DESIGNATED UNDER PARAGRAPH (2) OF THIS SUBSECTION CANNOT BE PRESENT AT AN OPEN MEETING OF THE PUBLIC BODY,

THE PUBLIC BODY SHALL COMPLETE THE COMPLIANCE CHECKLIST FOR MEETINGS SUBJECT TO THE MARYLAND OPEN MEETINGS ACT DEVELOPED BY THE OFFICE OF THE ATTORNEY GENERAL AND INCLUDE THE COMPLETED CHECKLIST IN THE MINUTES FOR THE MEETING.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2017, the Open Meetings Compliance Board, the University of Maryland's Institute for Governmental Service and Research, and the Academy for Excellence in Local Governance in the University of Maryland's School of Public Policy shall:

(1) collaborate with the Maryland Association of Counties, the Maryland Municipal League, the Maryland Association of Boards of Education, Maryland Common Cause, and the Maryland–Delaware–District of Columbia Press Association to determine a cost–benefit analysis of:

(i) the costs to the State associated with tracking the names of individuals who complete a class on the open meetings law as required by § 3–213 of the General Provisions Article, as enacted by Section 1 of this Act, including the public body with which the individual is affiliated, including the cost to the University of Maryland's Institute for Governmental Service and Research to collect information on individuals who take the online course offered by the Institute; and

(ii) the benefits to the State of tracking the names of individuals who complete a class on the open meetings law as required by § 3–213 of the General Provisions Article, as enacted by Section 1 of this Act, including the public body with which the individual is affiliated;

(2) collaborate with the Maryland Association of Counties, the Maryland Municipal League, and the Maryland Association of Boards of Education to develop a list of contacts for public bodies to which the Board may send educational materials, the Compliance Checklist for Meetings Subject to the Maryland Open Meetings Act, the Board's annual report, and any other information the Board determines would be useful to a public body in assisting compliance with the Open Meetings Act; and

(3) report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on:

(i) the findings of the results of the cost–benefit analysis required by item (1) of this section and any resulting recommendations for legislation; and

(ii) the status of developing the information required under item (2) of this section.”;

and in line 24, strike “October” and substitute “July”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1093 – Delegates K. Young, Afzali, Barron, Ciliberti, Folden, Krimm, and Vogt**

AN ACT concerning

**Substance Use Treatment – Inpatient and Intensive Outpatient Programs –  
Consent by Minor**

**HB1093/436086/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1093

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Vogt” and substitute “Vogt, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, and West”.

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 1107 – Delegate Rosenberg**

AN ACT concerning

**Procurement – Intergovernmental Cooperative Purchasing Agreements****HB1107/396886/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1107

(First Reading File Bill)

On page 2, in line 20, after “(2)” insert “OR (3)”; after line 28, insert:

“(2) A DETERMINATION UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL BE IN WRITING AND INCLUDE:

(I) SUFFICIENT EVIDENCE THAT THE INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT:

1. WILL PROVIDE COST BENEFITS TO THE STATE; OR

2. WILL PROMOTE ADMINISTRATIVE EFFICIENCIES OR PROMOTE INTERGOVERNMENTAL COOPERATION; AND

(II) A STATEMENT THAT THE INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT:

1. IS IN THE BEST INTEREST OF THE STATE; AND

2. IS NOT INTENDED TO EVADE THE PURPOSES OF THIS DIVISION II.”;

in line 29, strike “(2)” and substitute “(3)”; in the same line, after “under” insert “PARAGRAPH (1)(II) OR (III) OF”; and in line 31, before “EVIDENCE” insert “SUFFICIENT”.



On page 3, in lines 7, 10, and 20, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(4)”, “(5)”, and “(6)”, respectively; and in line 10, after “sponsors” insert “**OR PARTICIPATES IN**”.

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 134 Members present.

(See Roll Call No. 627)

### CALENDAR OF THIRD READING HOUSE BILLS NO. 65

**House Bill 410 – The Speaker (By Request – Administration) and Delegates Adams, Afzali, Anderton, ~~Arentz~~, Beitzel, Buckel, Carozza, Cassilly, Ciliberti, Clark, Flanagan, Folden, ~~Grammer~~, Hornberger, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McKay, Metzgar, Miele, Reilly, Rose, Shoemaker, Simonaire, Szeliga, Vogt, West, B. Wilson, ~~and Wivell~~ Wivell, Jameson, and Clippinger**

AN ACT concerning

#### **Economic Development – Maryland Energy Innovation Institute**

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

Affirmative – 123    Negative – 11    (See Roll Call No. 628)

The Bill was then sent to the Senate.

#### **House Bill 477 – Delegate Beitzel**

AN ACT concerning

#### **Natural Resources – Protection and Restoration of State-Owned Lakes**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 629)

The Bill was then sent to the Senate.

**House Bill 913 – Delegates Rosenberg, Barve, Busch, Davis, Frick, Jones, Kaiser, McIntosh, Pendergrass, ~~and Vallario~~ Vallario, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Morales, Pena-Melnyk, Platt, Sample-Hughes, and K. Young**

AN ACT concerning

**Attorney General – Powers – Maryland Defense Act of 2017**

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

Affirmative – 85    Negative – 49    (See Roll Call No. 630)

The Bill was then sent to the Senate.

**House Bill 1037 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Conaway, Glenn, and Oaks**

AN ACT concerning

**Baltimore City – Civilian Review Board**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 631)

The Bill was then sent to the Senate.

**House Bill 1065 – Delegate Sydnor**

AN ACT concerning

~~State Government – State Commission on Surveillance Technology and Civil Rights~~

**Task Force to Study Law Enforcement Surveillance Technologies**

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

Affirmative – 134    Negative – 2    (See Roll Call No. 632)

The Bill was then sent to the Senate.

**House Bill 1299 – Howard County Delegation**

AN ACT concerning

**Howard County Board of Education – Elected School Board**

**Ho. Co. 11-17**

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

Affirmative – 137    Negative – 1    (See Roll Call No. 633)

The Bill was then sent to the Senate.

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

AN ACT concerning

**Cable Service – Broadband Connection Requirement – Enforcement**

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

Affirmative – 134    Negative – 3    (See Roll Call No. 634)

The Bill was then sent to the Senate.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 11**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 22 – Delegate Conaway**

AN ACT concerning

**Baltimore City Fire Department – Motorized Fire Equipment – Report**

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 758 – Delegate Beitzel**

AN ACT concerning

**Garrett County – Payment to Rescue Squads – Repeal****HB0758/460713/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 758**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 2, strike “– Repeal”; in line 3, strike “repealing from” and substitute “altering”; strike beginning with “certain” in line 3 down through “by” in line 4 and substitute “to require”; in line 5, after the second “County” insert “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; repealing certain provisions concerning the use and withholding of county funds and certain reporting requirements under certain circumstances”; and in line 7, after “repealing” insert “and reenacting, with amendments,”.

**AMENDMENT NO. 2**

On page 1, in line 15, strike the bracket; and in line 19, strike “and pay to” and substitute “FOR THE BENEFIT OF”.

On page 2, strike beginning with “The” in line 1 down through “June” in line 2 and substitute “THE VALUE OF THE APPROPRIATION SHALL BE PAID TO THE RESCUE SQUADS IN THE COUNTY BY:

**(I) DIRECT PAYMENT; OR**

**(II) IN-KIND PAYMENT BY THE BOARD OF COUNTY COMMISSIONERS THROUGH THE ASSIGNMENT OF PERSONNEL, EQUIPMENT, OR SERVICES TO THE RESCUE SQUAD**”;

and in line 4, before “(C)” insert an opening bracket.

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 858 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Sheriff's Deputies – Salary and Duties**

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 914 – St. Mary's County Delegation**

AN ACT concerning

**St. Mary's County – Metropolitan Commission – Authority to Borrow Money**

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 1182 – Frederick County Delegation**

AN ACT concerning

**Frederick 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:

**House Bill 1440 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Solid Waste Disposal Contracts**

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 1500 – Harford County Delegation**

AN ACT concerning

**Sheriff of Harford County – Salary**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**WAYS AND MEANS COMMITTEE REPORT NO. 10**

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

**House Bill 545 – Delegates Shoemaker, Aumann, Grammer, Malone, McComas, W. Miller, Reilly, and Rose**

AN ACT concerning

**Gaming – Home Games – Bingo**

**HB0545/755462/1**

BY: Committee on Ways and Means

**AMENDMENTS TO HOUSE BILL 545**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike beginning with “Delegates” down through “Rose” and substitute “Carroll County Delegation”; in line 2, before “Gaming” insert “Carroll County –”; in line 3, after “bingo” insert “in Carroll County”; and in the same line, after “conduct” insert “in a common area of a residential property”.

AMENDMENT NO. 2

On page 1, in line 14, before “Notwithstanding” insert “**(A)**”; in line 16, after “(1)” insert “**EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**”; in the same line, strike the first comma; in the same line, strike the brackets; and in the same line, strike “, OR BINGO”.

On page 2, after line 16, insert:

**“(B) IN CARROLL COUNTY, A HOME GAME OF BINGO IS ALLOWED IF CONDUCTED IN A COMMON AREA OF A RESIDENTIAL PROPERTY THAT IS RESTRICTED TO RESIDENTS WHO ARE AT LEAST 55 YEARS OLD.”**.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 645 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Gaming Events – Sunday Hours of Operation**

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 990 – Harford County Delegation**

AN ACT concerning

**Harford County – Bingo**

**HB0990/155362/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 990

(First Reading File Bill)

On page 2, strike beginning with the colon in line 6 down through “(II)” in line 9.

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 1030 – Delegate Anderson**

AN ACT concerning

**Baltimore City – Hotel Room Tax – Convention Center Promotion****HB1030/375569/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1030

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Promotion” insert “and Operations”; in line 5, after “purposes,” insert “altering the purposes for which the proceeds shall be appropriated to include the operations of the Baltimore City Convention Center;”; and in line 6, after “marketing” insert “and operations”.

AMENDMENT NO. 2

On page 2, in line 3, strike “specifically”; in the same line, after “for” insert “**THE MARKETING AND OPERATIONS OF THE**”; and in the same line, strike “marketing”.

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 1138 – Delegates Ali, Oaks, and Rosenberg**

AN ACT concerning

**Baltimore City – Table Games Proceeds – Recreational Facilities**

**HB1138/965266/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1138

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Recreational” insert “Distribution and”; in line 3, after the first “of” insert “altering the distribution of certain table game proceeds paid to Baltimore City for certain purposes;”; in line 6, strike “making this Act subject to a certain contingency;”; and strike in their entirety lines 13 and 14.

AMENDMENT NO. 2

On page 2, in lines 3 and 5, in each instance, strike “50%” and substitute “49%”; in line 4, strike “and”; in line 6, after the second “and” insert:

**“C. 2% OF THE PROCEEDS PAID TO BALTIMORE CITY SHALL BE PAID TO THE SMALL, MINORITY, AND WOMEN-OWNED BUSINESSES ACCOUNT ESTABLISHED UNDER § 9-1A-35 OF THIS SUBTITLE, TO BE USED FOR LENDING, INVESTING, MANAGEMENT FEES, MARKETING, AND OTHER RELATED EXPENSES FOR ELIGIBLE BUSINESSES IN BALTIMORE CITY; AND”;**

and strike beginning with the second comma in line 16 down through “Assembly” in line 19.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 635)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 55****House Bill 108 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Regulation of Animals – Dogs**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 636)

The Bill was then sent to the Senate.

**House Bill 109 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Farm Fences – Repeal**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 637)

The Bill was then sent to the Senate.

**House Bill 163 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Mobile Home Parks – Repeal**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 638)

The Bill was then sent to the Senate.

**House Bill 194 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary's County – Licensing and Operation of Amusement Devices – Repeal**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 639)

The Bill was then sent to the Senate.

**House Bill 209 – St. Mary's County Delegation**

AN ACT concerning

**St. Mary's County – Vocational Training Facility – Repeal**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 640)

The Bill was then sent to the Senate.

**House Bill 319 – Montgomery County Delegation and Prince George's County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Office of Supplier Diversity and Inclusion and Minority Business Enterprise Program**

**MC/PG 106–17**

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

Affirmative – 138    Negative – 2    (See Roll Call No. 641)

The Bill was then sent to the Senate.

**House Bill 350 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Gaming – Bingo Games**

**MC 16–17**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 642)

The Bill was then sent to the Senate.

## MESSAGE FROM THE SENATE

### CONSENT CALENDAR OF INTRODUCTORY SENATE BILLS NO. 33

#### Senate Bill 131 – Senators Simonaire and Astle

AN ACT concerning

#### **Anne Arundel County – Board of Education – Selection of Members**

FOR the purpose of establishing a procedure for the election and appointment of certain members of the Anne Arundel County Board of Education; repealing certain provisions governing the appointment of members of the county board; establishing the composition of the county board; requiring certain members of the county board to be elected from certain districts; establishing certain procedures for the election and appointment of certain members of the county board; providing for the residency requirements, terms of office, and filling of a vacancy in the office of certain members of the county board; renaming the School Board Nominating Commission of Anne Arundel County to be the School Board Appointment Commission of Anne Arundel County; requiring the Commission to appoint certain members of the county board and ensure, to the extent practicable, that the total makeup of the county board reflects a certain diversity; altering the membership of the Commission; altering the number of affirmative votes required for the approval of any Commission action; providing for the removal of, and hearings and appeal procedures for, certain members of the county board; providing for the expiration of the terms of certain appointed members of the county board; making certain conforming changes; and generally relating to the election and appointment of members of the Anne Arundel County Board of Education.

BY renumbering

Article – Education

Section 3–2A–01 through 3–2A–10, respectively, and the subtitle “Subtitle 2A. Baltimore County”

to be Section 3–2B–01 through 3–2B–10, respectively, and the subtitle “Subtitle 2B. Baltimore County”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–108(a), 3–110, and 3–114  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education  
Section 3–2A–02 and 3–2A–07 to be under the new subtitle “Subtitle 2A. Anne  
Arundel County”  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education  
Section 3–2B–01(a)  
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 – Education  
Section 3–2B–01(b)(2)  
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 Ways and Means.

### **Senate Bill 304 – The President (By Request – Administration)**

AN ACT concerning

#### **Taxpayer Protection Act**

FOR the purpose of prohibiting a person from employing certain individuals not registered with the State Board of Individual Tax Preparers to provide certain services; altering the statute of limitations for certain offenses arising under the Tax – General Article; providing certain employees of the Field Enforcement Bureau of the Comptroller’s Office with certain police powers when enforcing certain laws; repealing the authority of certain employers or payors to submit certain information to the Comptroller in a certain format; requiring all employers or payors required to submit certain information to the Comptroller to submit the information in a certain format; providing that a certain definition of “tax information” includes certain information contained on certain types of returns filed with the Comptroller; altering a certain definition of “taxing official” to include certain attorneys; authorizing the Comptroller to disclose certain information to the State Board of Individual Tax Preparers; altering a certain penalty the tax collector is required to impose; requiring a tax collector to impose a certain penalty on certain paid tax preparers; requiring

the Comptroller to assess a certain penalty on a person required to provide a certain annual report if the person fails to provide the report or provides a false report; authorizing the Attorney General to bring a certain civil action to enjoin a person from acting as an income tax preparer under certain circumstances; providing when a court may enjoin a person from acting as an income tax preparer; requiring the Attorney General to bring a civil action in certain counties; imposing a certain penalty on certain income tax preparers for certain offenses; providing for the application of a certain provision of this Act; making stylistic changes; and generally relating to the collection and enforcement of taxes.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 21–401  
Annotated Code of Maryland  
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–106(l)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–107(a), 10–911, 13–201, 13–203, 13–703, and 13–1004  
Annotated Code of Maryland  
(2016 Replacement Volume)

BY adding to  
Article – Tax – General  
Section 13–706.1 and 13–715(c)  
Annotated Code of Maryland  
(2016 Replacement Volume)

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

**Senate Bill 312 – The President (By Request – Administration) and Senators  
Bates, Brochin, Cassilly, Eckardt, Edwards, Ferguson, Jennings, Mathias,  
Norman, Ready, Salling, Serafini, Simonaire, and Waugh**

AN ACT concerning

~~Vehicle Laws~~ **Drunk and Drugged Driving – Subsequent Offenders – Felonies  
and Punitive Damages**  
**(Repeat Drunk Driving Offenders Act of 2017)**

FOR the purpose of ~~increasing certain penalties for drunk and drugged driving offenses for individuals who have~~ providing that a person who causes personal injury or wrongful death while operating or attempting to operate a motor vehicle and who has a certain alcohol concentration in the person's blood or breath or who refuses to submit to a certain test for alcohol concentration is liable for punitive damages under certain circumstances; requiring a party who seeks to recover punitive damages under this Act to plead certain facts with particularity; providing for a standard of proof of clear and convincing evidence for a claim of punitive damages under this Act; providing that punitive damages under this Act may not be awarded in the absence of an award of compensatory damages; providing that evidence of a defendant's financial means is not admissible until there has been a finding of liability and that punitive damages under this Act are supportable under the facts; limiting liability for punitive damages under this Act to the person operating or attempting to operate the motor vehicle; prohibiting an individual from committing a certain drunk and drugged driving offense if the individual has been convicted previously for certain other crimes under certain circumstances; making a certain drunk and drugged driving offenses felonies; establishing that the District Court and circuit courts have concurrent jurisdiction over certain drunk and drugged driving offenses offense a felony; defining a certain term; making certain conforming changes; providing for the application of certain provisions of this Act; providing for the effective date of this Act; and generally relating to drunk and drugged driving.

~~BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–301(b)(24) and (25) and 4–302(a) and (d)(1)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2016 Supplement)~~

BY adding to  
Article – Courts and Judicial Proceedings  
Section ~~4–301(b)(26)~~ 10–913.1  
Annotated Code of Maryland  
(2013 Replacement Volume and 2016 Supplement)

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

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 27–101(f), (k), and (q)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation  
Section 27–116  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 21–902(a) through (d)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)  
(As enacted by Chapter \_\_\_\_ (S.B. 165) of the Acts of the General Assembly of 2017)

BY adding to

Article – Transportation  
Section 21–902(h)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)  
(As enacted by Chapter \_\_\_\_ (S.B. 165) of the Acts of the General Assembly of 2017)

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

**Senate Bill 429 – Senators Klausmeier, Benson, Cassilly, Eckardt, Madaleno, Muse, Ready, Rosapepe, Salling, Smith, and Young**

AN ACT concerning

### **Higher Education – Student Loan Notification Letter**

FOR the purpose of requiring institutions of higher education that receive State funds to provide certain information to students regarding their education loans; requiring the education loan information to be provided annually, ~~concurrent with the student's first tuition bill of a calendar year; authorizing students to choose the delivery method for education loan information; providing that the information shall include certain assumptions and;~~ providing that certain information may be included in a certain notice; providing that certain information may include a certain statements statement; prohibiting an institution of higher education from incurring a certain liability, under certain circumstances; defining a certain term; providing for a delayed effective date; and generally relating to notification of education loans to students by institutions of higher education.

BY adding to

Article – Education  
Section 18–115  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)



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

**Senate Bill 476 – Senators Guzzone, Zucker, Astle, Benson, Conway, Currie, DeGrange, Eckardt, Feldman, Ferguson, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Serafini, Smith, Waugh, Young, ~~and Zirkin~~ Zirkin, Edwards, Hershey, Jennings, and Oaks**

AN ACT concerning

**Behavioral Health Community Providers – Keep the Door Open Act**

FOR the purpose of ~~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, years and for each fiscal year thereafter, include certain rate adjustments increases for certain community providers based on over 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 the Behavioral Health Administration and the Medical Care Programs Administration jointly to conduct a certain study, develop and implement a certain payment system, and consult with stakeholders in conducting a certain study and developing a certain payment system; requiring the Administration to complete a certain study on or before a certain date; requiring the Administration to adopt certain regulations; 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; defining certain terms; providing for the application of this Act; requiring that increased funding provided under certain provisions of this Act may be used only to increase the rates paid to certain community providers and certain health care providers; requiring the Department 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 to require certain community providers to submit certain information to the Department in the form and manner required by the Department; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; stating the intent of the General Assembly; providing for the termination of this Act under certain circumstances; and generally relating to the rate of reimbursement rates for behavioral health community providers.~~

BY adding to

Article – Health – General

Section 16–201.3

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 746 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**District Court Commissioners – Residency in Contiguous County**

FOR the purpose of providing that, subject to a certain exception, a District Court Commissioner may be a resident of a county contiguous to the county in which the commissioner serves; and generally relating to District Court Commissioners.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–607(b)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2016 Supplement)

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

**Senate Bill 817 – Cecil County Senators**

AN ACT concerning

**Public Safety – Agritourism – Permit Exemption**

FOR the purpose of adding Cecil County and Garrett 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 and Garrett 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 Environment and Transportation.

**Senate Bill 857 – Senators Smith and Waugh**

AN ACT concerning

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

FOR the purpose of requiring certain units of State government to assign a full-time 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; making the Act applicable to certain units of State government; requiring certain governmental units to direct veterans to contact the Department and provide the veterans with certain contact information; 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.

**Senate Bill 866 – ~~Senator Klausmeier~~ Senators Klausmeier and Ferguson**

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; providing for the qualifications of teachers and the salaries of certain teachers and certain professional personnel of a pilot; 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 9.7–111 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.

### **Senate Bill 979 – Senator Edwards**

AN ACT concerning

#### **Vehicle Laws – All-Terrain Vehicles and Snowmobiles**

FOR the purpose of prohibiting an individual from driving or attempting to drive an all-terrain vehicle or a snowmobile on portions of a highway in the State on which an all-terrain vehicle or a snowmobile is authorized unless the individual holds a driver’s license or is exempt from certain licensing requirements; applying certain provisions of law relating to the operation of a snowmobile to the operation of an

all-terrain vehicle; prohibiting a certain individual from operating an all-terrain vehicle or a snowmobile on certain property unless the individual is accompanied by a certain adult; authorizing a local authority in Garrett County to authorize a person to cross a highway in a certain manner on an all-terrain vehicle when operated under a certain speed; authorizing a local authority in Garrett County to authorize the operation of a snowmobile or an all-terrain vehicle on a certain portion of highway when operated under a certain speed; authorizing Garrett County to designate a certain portion of highway on which an all-terrain vehicle or a snowmobile may travel under a certain speed for certain purposes; altering the circumstances under which a local authority in Garrett County may authorize a snowmobile to travel on a highway; ~~authorizing each county and Baltimore City to regulate the operation of all-terrain vehicles, require the all-terrain vehicle to be registered, and impose a registration fee;~~ defining the term “all-terrain vehicles”; making conforming changes; making a stylistic change; and generally relating to all-terrain vehicles and snowmobiles.

BY renumbering

Article – Transportation

Section 11–103.3

to be Section 11–103.4

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation

Section 11–103.3 and 21–1130

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–101(a), 21–104.1, and 25–102(a)(14), and 25–102.1

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 1006 – ~~Senator Jennings~~ Senators Jennings and Manno**

AN ACT concerning

**Senior Citizen Activities Centers – Bingo Games – Authorization**

FOR the purpose of allowing an individual who is at least a certain age to conduct a bingo game involving cash prizes if the game is conducted at a certain senior citizen activities center in a certain manner; defining a certain term; and generally relating to gaming in senior citizen activities centers.

BY repealing and reenacting, without amendments,  
Article – Human Services  
Section 10–513(c)  
Annotated Code of Maryland  
(2007 Volume and 2016 Supplement)

BY adding to  
Article – State Government  
Section 9–1C–02  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

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

### **QUORUM CALL**

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

(See Roll Call No. 643)

### **ADJOURNMENT**

At 3:08 P.M. on motion of Delegate Frick the House adjourned until 11:00 A.M. on Legislative Day March 15, 2017, Calendar Day, Saturday, March 18, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 15, 2017**  
**Calendar Day: Saturday, March 18, 2017**  
**11:00 A.M. Session**

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The House met at 11:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Brooke E. Lierman of Baltimore City.

**QUORUM CALL**

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

(See Roll Call No. 644)

EXCUSED:

Del. Morales – personal

The Journal of March 17, 2017 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 645)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 77**

**House Bill 1393 – Delegates Dumais, Barron, Hayes, R. 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**

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

Affirmative – 96    Negative – 44    (See Roll Call No. 646)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 74****House Bill 1107 – Delegate Rosenberg**

AN ACT concerning

**Procurement – Intergovernmental Cooperative Purchasing Agreements**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 647)

The Bill was then sent to the Senate.

**House Bill 1283 – ~~Delegate Branch~~ Delegates Branch, Brooks, Barkley, Adams, Arentz, Aumann, Clippinger, Fennell, S. Howard, Lisanti, W. Miller, and Waldstreicher**

AN ACT concerning

**Alcoholic Beverages – Class 5 Brewery License**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 648)

The Bill was then sent to the Senate.

**House Bill 1431 – ~~Delegates Lisanti and Impallaria~~ Harford County Delegation**

AN ACT concerning

**Harford County Sheriff – Deputy Sheriffs and Correctional Officers – Collective Bargaining**

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

Affirmative – 132    Negative – 6    (See Roll Call No. 649)

The Bill was then sent to the Senate.

**House Bill 1465 – Delegate Hayes**

AN ACT concerning

**Baltimore City – Police Community Policing Steering Committee**



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

Affirmative – 138    Negative – 0    (See Roll Call No. 650)

The Bill was then sent to the Senate.

**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 R. Lewis**

AN ACT concerning

**Public Safety – ~~State Funding – Requirement for~~ Use of Force De-Escalation  
Training of Law Enforcement Officers – Reports**

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

Affirmative – 138    Negative – 2    (See Roll Call No. 651)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 652)

The Bill was then sent to the Senate.

## **CALENDAR OF THIRD READING HOUSE BILLS NO. 68**

**House Bill 353 – Delegates Rosenberg and Luedtke**

AN ACT concerning

**Election Law – Change in Administrative Policy Affecting Voting Rights –  
Notice**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 653)

The Bill was then sent to the Senate.

**House Bill 659 – Delegates Angel, Carr, Davis, Hill, Jackson, Oaks, Tarlau,  
A. Washington, M. Washington, and Wilkins**

AN ACT concerning

**Task Force to Study Tax Sales in Maryland**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 654)

The Bill was then sent to the Senate.

**House Bill 959 – Delegate Kramer**

AN ACT concerning

**Commercial Law – Consumer Protection – Door-to-Door Sales**

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

Affirmative – 137    Negative – 2    (See Roll Call No. 655)

The Bill was then sent to the Senate.

**House Bill 1227 – Delegates Mosby, Jones, Kaiser, McIntosh, Davis, Pena–Melnyk,  
Ali, Barron, Branch, Glenn, C. Howard, Korman, R. 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**

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

Affirmative – 97    Negative – 43    (See Roll Call No. 656)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 657)

The Bill was then sent to the Senate.

#### **CALENDAR OF THIRD READING HOUSE BILLS NO. 67**

**House Bill 1294 – Delegate Valderrama**

AN ACT concerning

**Workers’ Compensation – Permanent Total Disability – Survival of Claim**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 658)

The Bill was then sent to the Senate.

**House Bill 1345 – ~~Delegate A. Washington~~ Delegates A. Washington and Healey**

AN ACT concerning

**National Capital Strategic Economic Development Fund**

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

Affirmative – 91    Negative – 47    (See Roll Call No. 659)

The Bill was then sent to the Senate.

**House Bill 1522 – Delegate Hill**

AN ACT concerning

**Needs Assessment for Student School Based Behavioral Health ~~Counseling~~  
Services ~~Throughout the Year~~**

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

Affirmative – 132    Negative – 8    (See Roll Call No. 660)

The Bill was then sent to the Senate.

**House Bill 1537 – ~~Delegate Bromwell~~ Delegates Bromwell, Buckel, Hornberger,  
Long, Mosby, Rose, and Simonaire**

AN ACT concerning

**Video Lottery Facilities – Donation of Coins From Gaming Payouts – Expansion**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 661)

The Bill was then sent to the Senate.

**House Bill 1560 – Delegates Kelly and Morales**

AN ACT concerning

**Education – Family Life and Human Sexuality Curriculum – Consent**

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

Affirmative – 112    Negative – 28    (See Roll Call No. 662)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 99    Negative – 40    (See Roll Call No. 663)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 73**

**House Bill 105 – Chair, Appropriations Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Program Open Space – Apportionment Formula and Committee**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 664)

The Bill was then sent to the Senate.

**House Bill 441 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate McIntosh**

AN ACT concerning

**Education – Debt Service for Transferred Schools – County Reimbursement Grace Period**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 665)

The Bill was then sent to the Senate.

**House Bill 483 – Delegates B. Wilson and Atterbeary**

AN ACT concerning

**Criminal Procedure – Victims and Witnesses – Out of Court Statement of Child Victim**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 666)

The Bill was then sent to the Senate.

**House Bill 650 – Delegates Morhaim, Atterbeary, Dumais, Krebs, Rose, Shoemaker, and P. Young**

AN ACT concerning

**Criminal Procedure – Incompetency and Criminal  
Responsibility – Court-Ordered ~~Medication~~ Evaluation**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 667)

The Bill was then sent to the Senate.

**House Bill 941 – Delegates A. Miller, Atterbeary, Barkley, Bromwell, Chang,  
Dumais, Frush, Gilchrist, Kaiser, Kipke, Luedtke, McMillan, Moon,  
Robinson, Sanchez, Vogt, and Waldstreicher**

AN ACT concerning

**Criminal Law – Animal Abuse Emergency Compensation Fund – Establishment**

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

Affirmative – 132    Negative – 7    (See Roll Call No. 668)

The Bill was then sent to the Senate.

**SPECIAL ORDER CALENDAR NO. 54**

**House Bill 151 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2017,  
and the Maryland Consolidated Capital Bond Loans of 2009, 2012, 2013, 2014,  
2015, and 2016**

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE  
TO THE MARYLAND HOUSE OF DELEGATES – 2017 SESSION –  
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION  
PERTAINING TO HOUSE BILL 151 – THE CAPITAL BUDGET

(See Exhibit O of Appendix II)

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

(See Exhibit P of Appendix II)

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

Committee amendment 1 was read and adopted.

Committee amendments 2 through 5 were read and adopted.

Committee amendments 6 through 13 were read and adopted.

Committee amendments 14 through 38 were read only.

Committee amendments 39 through 70 were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 55**

**House Bill 153 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bonds**

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

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDER CALENDAR NO. 56**

**House Bill 717 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)**

AN ACT concerning

**Academic Facilities Bonding Authority**

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

Read the second time and ordered prepared for Third Reading.

**APPROPRIATIONS COMMITTEE REPORT NO. 14**

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

**House Bill 503 – Delegate McIntosh**

AN ACT concerning

**State Budget – Appropriations – Income Tax Revenue Estimate Cap and  
Revenue Stabilization Account**

**HB0503/444267/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 503

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 16 down through “revenues;” in line 21 and substitute “stating a certain goal of the State for certain revenues retained in the Revenue Stabilization Account;”; strike beginning with “Extraordinary” in line 21 down through “Revenues” in line 22 and substitute “Fiscal Responsibility”; and in line 30, after “revenues” insert “to the Fund and the Revenue Stabilization Account in certain fiscal years”.

AMENDMENT NO. 2

On page 8, in line 1, after “(b)” insert “(1)”; and after line 2, insert:

**“(2) IT IS THE GOAL OF THE STATE THAT 10% OF ESTIMATED GENERAL FUND REVENUES IN EACH FISCAL YEAR BE RETAINED IN THE ACCOUNT.”**.

AMENDMENT NO. 3

On page 8, in line 6, strike “and”; after line 6, insert:

**“(2) MONEY DISTRIBUTED TO THE ACCOUNT BY THE STATE COMPTROLLER AS PROVIDED IN § 7-329 OF THIS SUBTITLE; AND”**;

and in line 7, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 4



On page 8, in lines 9, 13, 16, 19, 20, and 25, in each instance, strike the bracket; in line 13, strike the comma; in lines 13, 16, and 19, in each instance, strike “10%”; and in lines 21 and 25, in each instance, strike “7.5%”.

#### AMENDMENT NO. 5

On page 8, in line 9, after “(e)” insert “(1)”; in lines 10 and 13, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 17, insert:

**“(2) AT THE END OF FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER, IF THE AMOUNT OF NONWITHHOLDING INCOME TAX REVENUES EXCEEDS THE CAPPED ESTIMATE DETERMINED UNDER § 6-104(E) OF THIS ARTICLE, THE STATE COMPTROLLER SHALL DISTRIBUTE FUNDS AS PROVIDED IN § 7-329(C) AND (D)(1) OF THIS SUBTITLE.”.**

#### AMENDMENT NO. 6

On page 8, in line 18, after “(f)” insert “(1)”; in the same line, after “(e)” insert “(1)”; and in line 19, after the period, insert:

**“(2) THE DISTRIBUTIONS REQUIRED BY SUBSECTION (E)(2) OF THIS SECTION ARE NOT REQUIRED WHEN THE ACCOUNT BALANCE EXCEEDS 10% OF THE ESTIMATED GENERAL FUND REVENUES FOR THAT FISCAL YEAR.”.**

#### AMENDMENT NO. 7

On page 9, strike beginning with “EXTRAORDINARY” in line 28 down through “REVENUES” in line 29 and substitute “FISCAL RESPONSIBILITY”.

On page 11, strike beginning with “EXTRAORDINARY” in line 21 down through “REVENUES” in line 22 and substitute “FISCAL RESPONSIBILITY”.

On page 12, strike beginning with “AN” in line 4 down through “REVENUES” in line 5 and substitute “A FISCAL RESPONSIBILITY”.

#### AMENDMENT NO. 8

On page 10, in line 10, strike the first “THE”; in the same line, strike “CLOSES WITH A DEFICIT” and substitute “REVENUES FOR THE FISCAL YEAR ARE LESS THAN THE MARCH ESTIMATE OF THE BOARD OF REVENUE ESTIMATES”; in line 18, strike “10%” and substitute “6%”; and strike in their entirety lines 20 through 22 and substitute “STATE”.

**COMPTROLLER SHALL DISTRIBUTE TO THE REVENUE STABILIZATION ACCOUNT THE LESSER OF:**

**(1) THE REMAINING BALANCE OF NONWITHOLDING INCOME TAX REVENUES IN EXCESS OF THE CAPPED ESTIMATE DETERMINED UNDER § 6-104(E) OF THIS ARTICLE; OR**

**(2) THE AMOUNT REQUIRED FOR THE REVENUE STABILIZATION ACCOUNT BALANCE TO EQUAL 6% OF THE ESTIMATED GENERAL FUND REVENUES FOR THAT FISCAL YEAR.”.**

**AMENDMENT NO. 9**

On page 10, in line 25, strike “APPROPRIATE” and substitute “**DISTRIBUTE**”; and in lines 25 and 27, in each instance, strike “GOVERNOR” and substitute “**STATE COMPTROLLER**”.

**AMENDMENT NO. 10**

On pages 10 and 11, strike beginning with “INCLUDE” in line 27 on page 10 down through “ARTICLE.” in line 17 on page 11 and substitute “**DISTRIBUTE:**

**(1) SUBJECT TO SUBSECTION (E) OF THIS SECTION, 50% OF THE REMAINING AMOUNT TO THE REVENUE STABILIZATION ACCOUNT; AND**

**(2) THE REMAINDER TO THE FISCAL RESPONSIBILITY FUND ESTABLISHED UNDER § 7-330 OF THIS SUBTITLE.**

**(E) THE DISTRIBUTION TO THE REVENUE STABILIZATION ACCOUNT UNDER SUBSECTION (D)(1) OF THIS SECTION DOES NOT APPLY IF THE AMOUNT IN THE REVENUE STABILIZATION ACCOUNT EXCEEDS 10% OF GENERAL FUND REVENUES.”.**

**AMENDMENT NO. 11**

On page 12, strike beginning with “THAT” in line 7 down through “ARTICLE” in line 8 and substitute “**DEPOSITED TO THE FUND IN ACCORDANCE WITH § 7-329(D)(2) OF THIS SUBTITLE**”; in line 10, strike “(1)”; and strike in their entirety lines 11 through 16, inclusive.

AMENDMENT NO. 12

On page 12, in line 23, after “COMPTROLLER” insert “UNDER § 7-329(D)(2) OF THIS SUBTITLE”; strike beginning with “IN” in line 24 down through “SUBTITLE.” in line 25 and substitute “TO PROVIDE PAY-AS-YOU-GO CAPITAL FUNDS FOR:

(1) PUBLIC SCHOOL CONSTRUCTION AND PUBLIC SCHOOL CAPITAL IMPROVEMENT PROJECTS, IN ACCORDANCE WITH §§ 5-301 THROUGH 5-303 OF THE EDUCATION ARTICLE;

(2) CAPITAL PROJECTS AT PUBLIC COMMUNITY COLLEGES; AND

(3) CAPITAL PROJECTS AT FOUR-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION.”.

AMENDMENT NO. 13

On page 13, in line 1, after “(J)” insert “(1) THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL FOR THE SECOND FOLLOWING FISCAL YEAR AN APPROPRIATION EQUAL TO THE AMOUNT IN THE FUND FOR PAY-AS-YOU-GO CAPITAL PROJECTS.

(2)”;

strike beginning with “AND” in line 2 down through “ARTICLE” in line 4; in line 6, strike “PAY-AS-YOU-GO”; and in the same line, strike “AND POSTRETIREMENT HEALTH BENEFITS.” and substitute “, INCLUDING THOSE FUNDED WITH PAY-AS-YOU-GO FUNDS AND THE PROCEEDS FROM THE SALE OF GENERAL OBLIGATION BONDS.

(K) AT THE END OF A FISCAL YEAR, THE UNSPENT BALANCE OF EACH APPROPRIATION THAT WAS MADE FOR THAT FISCAL YEAR FROM THE FUND REVERTS TO THE FUND.”.

The preceding 13 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 509 – Delegates Hettleman, Barron, Jones, Korman, Lierman, McIntosh, Rosenberg, Stein, M. Washington, and P. Young**

AN ACT concerning

**Higher Education – Student Loan Notification Letter**

**HB0509/954865/1**

BY: Appropriations Committee

**AMENDMENTS TO HOUSE BILL 509**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike “and P. Young” and substitute “P. Young, Afzali, Ciliberti, and Vogt”; strike beginning with the comma in line 5 down through “and” in line 8 and substitute “; providing that certain information may be included in a certain notice; providing that certain information”; in line 8, after “include” insert “a”; in the same line, strike “statements” and substitute “statement”; in line 9, after “liability” insert “under certain circumstances”; and in line 10, after “term,” insert “providing for a delayed effective date”.

**AMENDMENT NO. 2**

On page 1, in line 21, after “(A)” insert “(1)”; strike beginning with “OR” in line 21 down through “PROGRAM” in line 22 and substitute “ADMINISTERED BY THE U.S. DEPARTMENT OF EDUCATION”; and after line 23, insert:

**“(2) “EDUCATION LOAN” DOES NOT INCLUDE A PARENT PLUS LOAN OR A PRIVATE STUDENT LOAN.”**

On page 2, in line 4, strike “FOR A STUDENT ENROLLED IN THE INSTITUTION” and substitute “FROM THE U.S. DEPARTMENT OF EDUCATION”; strike beginning with “THE” in line 5 down through “AND” in line 16 and substitute “EACH UNDERGRADUATE STUDENT ENROLLED IN THE INSTITUTION WHO APPLIES FOR FEDERAL STUDENT AID IN THE APPLICABLE AWARD YEAR”:

(1) THE INFORMATION REPORTED ON THE STUDENT'S STUDENT AID REPORT ISSUED BY THE U.S. DEPARTMENT OF EDUCATION FROM THE MOST RECENT AWARD YEAR, INCLUDING:

(I) THE TOTAL AMOUNT OF OUTSTANDING LOANS; AND

(II) THE MONTHLY PAYMENT AMOUNT FOR A 10-YEAR PERIOD FOR EVERY \$1,000 OWED BY THE BORROWER;

(2) THE LIFETIME LOAN LIMIT FOR UNDERGRADUATE STUDENT BORROWERS;

(3) A STATEMENT THAT THE ACTUAL REPAYMENT AMOUNT IS DEPENDENT ON THE FOLLOWING FACTORS:

(I) THE TOTAL AMOUNT A STUDENT BORROWS;

(II) THE INTEREST RATE AT THE TIME THE FUNDS ARE BORROWED AND THE AMOUNT OF INTEREST THAT ACCRUES OVER THE COURSE OF THE LOAN;

(III) THE LENGTH OF THE REPAYMENT TERM OF THE LOAN; AND

(IV) THE DECISIONS A STUDENT MAKES RELATING TO:

1. INCOME-BASED REPAYMENT PLANS;

2. DEFERMENTS; AND

3. LOAN FORGIVENESS;

(4) A LINK TO THE NATIONAL STUDENT LOAN DATA SYSTEM FOR STUDENTS WEB SITE AND AN INCOME-DRIVEN REPAYMENT PLAN WEB SITE; AND”;

in line 17, strike “(4)” and substitute “(5)”; strike beginning with the comma in line 21 down through “AND” in line 30 and substitute “ON RECEIPT OF A STUDENT’S FREE APPLICATION FOR FEDERAL STUDENT AID.”

(2) THE INFORMATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION MAY BE INCLUDED WITH THE STUDENT’S FINANCIAL AID AWARD NOTICE.

(E) THE INFORMATION PROVIDED UNDER THIS SECTION MAY INCLUDE THE FOLLOWING STATEMENT:

“THE INFORMATION PROVIDED BY THE INSTITUTION OF HIGHER EDUCATION WAS OBTAINED FROM YOUR STUDENT AID REPORT ISSUED BY THE U.S. DEPARTMENT OF EDUCATION FOR THE MOST RECENT AWARD YEAR. IT IS BASED ON ASSUMPTIONS MADE BY THE U.S. DEPARTMENT OF EDUCATION AS REPORTED IN YOUR STUDENT AID REPORT AND IS”;

and in line 31, after “PROMISE.” insert “THIS INFORMATION DOES NOT INCLUDE PARENT PLUS LOANS OR PRIVATE STUDENT LOANS.””.

On page 3, in line 1, strike “AN” and substitute “IF AN INSTITUTION OF HIGHER EDUCATION INCLUDES THE STATEMENT UNDER SUBSECTION (E) OF THIS SECTION WITH THE INFORMATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE”; in line 2, after “ANY” insert “INACCURATE”; in the same line, after “SECTION” insert “IF THE REPRESENTATIONS WERE:”

(1) MADE BASED ON INCORRECT INFORMATION PROVIDED BY THE U.S. DEPARTMENT OF EDUCATION; AND

(2) REASONABLY RELIED ON IN GOOD FAITH BY THE INSTITUTION OF HIGHER EDUCATION”;

and in line 4, strike “2017” and substitute “2018”.

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 685 – Delegate Conaway**

AN ACT concerning

**Baltimore City Board of School Commissioners – Use of Funds**

**HB0685/864065/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 685

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in the sponsor line, strike “Delegate Conaway” and substitute “Delegates Conaway, Ali, Anderson, Clippinger, Gibson, Glenn, Hayes, Haynes, R. Lewis, Lierman, McCray, McIntosh, Rosenberg, and M. Washington”; strike line 2 in its entirety and substitute “Baltimore City – Public Schools and City Council – Logistical and Financial Assistance”; strike beginning with “authorizing” in line 3 down through “funds” in line 6, and substitute “stating the intent of the General Assembly that the Baltimore City Council provide logistical and financial assistance to Baltimore City Public Schools for certain shared services; requiring the Baltimore City Council to report certain information to the General Assembly; making this Act an emergency measure; and generally relating to the assistance by the Baltimore City Council to Baltimore City Public Schools”; and strike in their entirety lines 7 through 11, inclusive.

AMENDMENT NO. 2

On page 1, in line 13, strike “the Laws of Maryland read as follows:” and substitute “it is the intent of the General Assembly that the Baltimore City Council, through the identification of cost efficiencies in shared costs and other financial arrangements, provide logistical and financial assistance to Baltimore City Public Schools for shared services, such as health, public safety, and fleet management services.”.

On pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 2 on page 2, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2017, the Baltimore City Council shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the logistical and financial assistance that the Baltimore City Council provides to Baltimore City Public Schools in accordance with Section 1 of this Act.”.

On page 2, strike lines 3 and 4 in their entirety, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a 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 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 1144 – Delegates Jones, Haynes, Anderson, Anderton, Angel, Barkley, B. Barnes, D. Barnes, Branch, Buckel, Carr, Chang, Clippinger, Cullison, Dumais, Ebersole, Fennell, Frick, Glenn, Gutierrez, Healey, Hettleman, Hornberger, C. Howard, Jackson, Korman, Krimm, Lam, Lierman, Luedtke, McCray, A. Miller, Moon, Morales, Patterson, Pena–Melnik, Platt, Reznik, Rosenberg, Sophocleus, Sydnor, Tarlau, Turner, Valderrama, Valentino–Smith, Waldstreicher, K. Young, and P. Young**

AN ACT concerning

### **Payroll Recovery Act**

**HB1144/584568/1**

BY: Appropriations Committee

### AMENDMENTS TO HOUSE BILL 1144

(First Reading File Bill)

### AMENDMENT NO. 1



On page 1, in line 5, after “time;” insert “requiring each appointing authority to calculate and report certain payroll information to the Central Payroll Bureau;”; in the same line, strike “the Bureau” and substitute “each appointing authority”; in line 6, strike “and” and substitute “; requiring the Bureau to provide to each employee”; strike beginning with “requiring” in line 7 down through “changes;” in line 8; in line 10, strike “Bureau does not pay the employee” and substitute “appointing authority does not report certain payroll information”; in line 11, strike “number of years” and substitute “period of time”; in line 12, strike “the Bureau” and substitute “an appointing authority”; in the same line, after “circumstances;” insert “defining a certain term”; and in line 14, after “date” insert “for an action that occurred during a certain period of time”.

#### AMENDMENT NO. 2

On page 3, in line 7, strike “ALL WAGES DUE”; after line 11, insert:

**“(D) EACH APPOINTING AUTHORITY SHALL ACCURATELY AND TIMELY CALCULATE AND REPORT TO THE CENTRAL PAYROLL BUREAU THE PAYROLL INFORMATION FOR EACH EMPLOYEE.”;**

strike beginning with “THE” in line 13 down through “COMPTROLLER” in line 14 and substitute “**EACH APPOINTING AUTHORITY**”; in line 14, strike the colon and substitute a comma; in line 15, strike “(1)”; in lines 16, 17, and 18, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “**(1)**”, “**(2)**”, and “**(3)**”, respectively; in line 18, strike “; AND” and substitute a period; in line 19, strike “(2)” and substitute “**(B) THE CENTRAL PAYROLL BUREAU OF THE OFFICE OF THE STATE COMPTROLLER SHALL PROVIDE FOR EACH EMPLOYEE,**”; and strike in their entirety lines 21 through 24, inclusive.

#### AMENDMENT NO. 3

On page 4, strike beginning with the first “THE” in line 1 down through “EMPLOYEE” in line 2 and substitute “**AN APPOINTING AUTHORITY DOES NOT REPORT PAYROLL INFORMATION**”; in line 4, strike “AT STEP TWO OF” and substitute “**UNDER**”; in line 7, strike “UP TO 2 YEARS” and substitute “**NO LATER THAN 6 MONTHS**”; in line 9, strike “PARAGRAPH (2)” and substitute “**PARAGRAPHS (2) AND (3)**”; strike beginning with “IN” in line 9 down through “UNDER” in line 10 and substitute “**IF A GRIEVANCE IS INITIATED IN ACCORDANCE WITH**”; in line 10, after “SECTION” insert a comma; in the same line, after “TO” insert “**WAGES AND**”; strike beginning with “IN” in line 11 down through “PAY” in line 12; and strike in their entirety lines 14 through 18, inclusive, and substitute:

**“(2) IF THE GRIEVANCE WAS FILED:**

(I) IN THE FIRST 3 BUSINESS DAYS OF A PAY PERIOD, THEN DAMAGES SHALL START IN THE FOLLOWING REGULAR PAY PERIOD; OR

(II) AFTER THE THIRD BUSINESS DAY OF A PAY PERIOD, THEN THE DAMAGES SHALL START IN THE SECOND REGULAR PAY PERIOD FOLLOWING THE PAY PERIOD IN WHICH THE EMPLOYEE WAS NOT PAID THE EMPLOYEE’S FULL WAGE.

(3) THE DAMAGES UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) MAY NOT BEGIN UNTIL AT LEAST ONE REGULAR PAY PERIOD HAS ELAPSED SINCE THE EMPLOYEE WAS NOT PAID THE EMPLOYEE’S FULL WAGE DUE FOR A PAY PERIOD;

(II) SHALL INCREASE PER PAY PERIOD BY 30% OF THE WAGE THAT THE APPOINTING AUTHORITY FAILED TO REPORT;

(III) SHALL CONTINUE UNTIL THE PAY PERIOD WHEN THE APPOINTING AUTHORITY REPORTS THE MISSING WAGES AND DAMAGES, IF ANY, TO THE CENTRAL PAYROLL BUREAU; AND

(IV) MAY NOT EXCEED THREE TIMES THE AMOUNT OF WAGE DUE THAT THE APPOINTING AUTHORITY FAILED TO REPORT FOR A PAY PERIOD.”.

#### AMENDMENT NO. 4

On page 5, in line 5, after “law,” insert “on or before July 31, 2017,”; and in line 7 strike “on or before July 31, 2017” and substitute “for an action that occurred on or after January 1, 2016, but before July 1, 2017”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB1144/963223/1**

BY: Delegate Aumann

AMENDMENTS TO HOUSE BILL 1144  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “occurs;” insert “prohibiting the grievance from being initiated before a certain number of days after the date on which the failure to pay occurred;”.

AMENDMENT NO. 2

On page 4, in line 6, after “(B)” insert “(1)”; and after line 8, insert:

**“(2) A GRIEVANCE UNDER SUBSECTION (A) OF THIS SECTION MAY NOT BE INITIATED BEFORE THE 11TH DAY AFTER THE DATE ON WHICH THE FAILURE TO PAY OCCURRED.”**

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

Affirmative – 50    Negative – 86    (See Roll Call No. 669)

FLOOR AMENDMENT

**HB1144/313623/1**

BY: Delegate W. Miller

AMENDMENT TO HOUSE BILL 1144, AS AMENDED

On page 2 of the Appropriations Committee Amendments (HB1144/584568/1), in lines 4 and 5 of Amendment No. 3, strike “**6 MONTHS**” and substitute “**30 DAYS**”.

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

Affirmative – 50    Negative – 85    (See Roll Call No. 670)

FLOOR AMENDMENT

**HB1144/133725/1**

BY: Delegate Flanagan

AMENDMENT TO HOUSE BILL 1144, AS AMENDED

On page 3 of the Appropriations Committee Amendments (HB1144/584568/1), in line 3 of Amendment No. 4, strike “January 1, 2016,” and substitute “March 16, 2016,”.

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

Affirmative – 48    Negative – 86    (See Roll Call No. 671)

#### FLOOR AMENDMENT

##### **HB1144/793129/1**

BY: Delegate Arentz

#### AMENDMENTS TO HOUSE BILL 1144

(First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 15, before “and” insert “providing for the termination of this Act;”.

##### AMENDMENT NO. 2

On page 5, in line 9, after “2017.” insert “It shall remain effective for a period of 2 years and, at the end of June 30, 2019, 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 – 49    Negative – 87    (See Roll Call No. 672)

Read the second time and ordered prepared for Third Reading.

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

**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**

##### **HB1513/204167/1**

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1513

(First Reading File Bill)

On page 1, in line 6, after “bill” insert “, subject to certain limitations”.

On page 4, in line 17, strike “**FOR**” and substitute “**SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, FOR**”.

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. 16**

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

**House Bill 467 – Delegates McCray, Anderson, Barkley, B. Barnes, Barve, Carey, Chang, Clippinger, Conaway, Ebersole, Fennell, Frick, Glenn, Hayes, Haynes, Healey, Hettleman, Hill, Holmes, Hornberger, C. Howard, Jackson, Jalisi, Kelly, Lafferty, Lam, Lewis, Lierman, Lisanti, Luedtke, McIntosh, Moon, Morales, Patterson, Platt, Robinson, Rosenberg, Sanchez, Sophocleus, Tarlau, Turner, Valderrama, Waldstreicher, M. Washington, and P. Young**

AN ACT concerning

**Providing Our Workers Education and Readiness (POWER) – Apprenticeship Act**

**HB0467/923597/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 467

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, strike “establishing a certain penalty;” and substitute “providing that a certain contractor or subcontractor that fails to meet certain requirements shall be liable for a certain amount; establishing a certain penalty; authorizing the Secretary to file suit to enforce certain provisions in a certain court; requiring a certain court to require a certain contractor or subcontractor to pay certain amounts;”.

On page 2, in line 8, strike “17-6A-05” and substitute “17-6A-06”.

#### AMENDMENT NO. 2

On page 6, strike in their entirety lines 8 through 24, inclusive, and substitute:

#### “17-6A-06.

(A) A CONTRACTOR OR SUBCONTRACTOR THAT FAILS TO MEET THE REQUIREMENTS OF THIS SUBTITLE SHALL BE LIABLE FOR AN AMOUNT EQUAL TO TWICE THE AMOUNT OF UNPAID APPRENTICESHIP CONTRIBUTIONS REQUIRED BY THIS SUBTITLE.

(B) (1) IN THIS SUBSECTION, “WILLFULLY” MEANS A REPRESENTATION OR AN OMISSION KNOWN TO BE FALSE OR MADE WITH DELIBERATE IGNORANCE OR RECKLESS DISREGARD FOR TRUTH OR FALSITY.

(2) (I) ANY PERSON, FIRM, OR CORPORATION THAT IS FOUND TO HAVE MADE WILLFULLY A FALSE OR FRAUDULENT REPRESENTATION OR OMISSION REGARDING A MATERIAL FACT IN CONNECTION WITH CONTRIBUTIONS REQUIRED BY THIS SUBTITLE SHALL BE LIABLE FOR A CIVIL PENALTY IN AN AMOUNT OF UP TO \$1,000 FOR EACH EMPLOYEE FOR WHOM CONTRIBUTIONS ARE REQUIRED AND EACH FALSIFICATION.

(II) A PENALTY SHALL BE RECOVERABLE IN A CIVIL ACTION AND PAID TO THE STATE.

(C) (1) THE SECRETARY MAY FILE SUIT TO ENFORCE THIS SECTION IN ANY COURT OF COMPETENT JURISDICTION.

(2) IN AN ACTION FILED UNDER THIS SUBSECTION, THE COURT SHALL REQUIRE THE CONTRACTOR OR SUBCONTRACTOR TO PAY THE AMOUNT REQUIRED

BY SUBSECTION (A) OF THIS SECTION, INCLUDING INTEREST, REASONABLE COUNSEL FEES, AND COURT COSTS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Parrott moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

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

**House Bill 1149 – Delegate Kramer**

AN ACT concerning

**Maryland Securities Act – Vulnerable Adults**

**HB1149/833599/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1149

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “individuals;” insert “requiring that a certain notification be given within a certain time period or, under certain circumstances, immediately; providing for the construction of certain provisions of this Act;”; and in line 21, strike “within a certain number of days after a disbursement request,” and substitute “on request, a status report of”.

AMENDMENT NO. 2

On page 3, in line 33, strike “**18(B)(4)(E)**” and substitute “**18(B)(4)(F)**”.

On page 10, in line 12, after the closing bracket insert “**WILLFULLY**”.

On page 11, in line 22, after “**(B)**” insert “**(1)**”; in the same line, after “**A**” insert “**BROKER–DEALER, AN INVESTMENT ADVISER, OR A**”; in lines 25 and 29, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in line 25, strike

“PROMPTLY”; in lines 26 and 27, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; in line 30, after “ADULT” insert “AND ANY OTHER THIRD PARTY PERMITTED UNDER STATE OR FEDERAL LAWS OR REGULATIONS, OR THE RULES OF A SELF-REGULATORY ORGANIZATION,”; and after line 31, insert:

“(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL BE GIVEN:

(I) WITHIN 5 DAYS AFTER THE BROKER-DEALER, INVESTMENT ADVISER, OR QUALIFIED INDIVIDUAL DEVELOPS THE REASONABLE BELIEF THAT THE ELIGIBLE ADULT HAS BEEN, IS CURRENTLY, OR WILL BE THE SUBJECT OF FINANCIAL EXPLOITATION OR ATTEMPTED FINANCIAL EXPLOITATION; OR

(II) IMMEDIATELY ON CONFIRMATION THAT THE ELIGIBLE ADULT HAS BEEN, IS CURRENTLY, OR WILL BE THE SUBJECT OF FINANCIAL EXPLOITATION OR ATTEMPTED FINANCIAL EXPLOITATION IF THE CONFIRMATION IS MADE BEFORE THE 5-DAY PERIOD SPECIFIED IN ITEM (I) OF THIS PARAGRAPH EXPIRES.

(3) THIS SUBSECTION MAY NOT BE CONSTRUED TO REQUIRE MORE THAN ONE NOTIFICATION UNDER PARAGRAPH (1)(I) FOR EACH OCCURRENCE.”.

On page 12, strike beginning with “WITHIN” in line 27 down through “RESULT” in line 28 and substitute “ON REQUEST, A STATUS REPORT”.

On page 13, in line 11, strike “OR UNTIL” and substitute “UNLESS”; in line 12, after “JURISDICTION” insert “ENTERS AN ORDER THAT”; in the same line, after “TERMINATES” insert “OR EXTENDS”; in lines 12 and 13, strike “, WHICHEVER HAPPENS FIRST”; and in line 14, after “A” insert “BROKER-DEALER, AN INVESTMENT ADVISER, OR A”.

On page 15, in line 32, after “PERSON” insert “WHO IS NOT A FEDERAL COVERED ADVISER”.

On page 24, strike beginning with “MATERIALLY” in line 25 down through “AID” in line 26 and substitute “KNOWINGLY OR RECKLESSLY PROVIDED SUBSTANTIAL ASSISTANCE, IS KNOWINGLY OR RECKLESSLY PROVIDING SUBSTANTIAL”.



ASSISTANCE, OR IS ABOUT TO KNOWINGLY OR RECKLESSLY PROVIDE SUBSTANTIAL ASSISTANCE TO ANOTHER PERSON IN CONNECTION WITH".

On page 25, in line 7, strike "MATERIALLY AIDED" and substitute "KNOWINGLY OR RECKLESSLY PROVIDED SUBSTANTIAL ASSISTANCE TO ANOTHER PERSON IN CONNECTION WITH"; in line 21, after "title" insert "OR THAT THE PERSON IS ABOUT TO KNOWINGLY OR RECKLESSLY PROVIDE SUBSTANTIAL ASSISTANCE TO ANOTHER PERSON IN CONNECTION WITH AN ACT, A PRACTICE, OR A COURSE OF BUSINESS CONSTITUTING A VIOLATION OF THIS TITLE OR A RULE ADOPTED OR AN ORDER ISSUED UNDER THIS TITLE"; and strike beginning with the first "MATERIALLY" in line 27 down through "AID" in line 28 and substitute "KNOWINGLY OR RECKLESSLY PROVIDED SUBSTANTIAL ASSISTANCE, IS KNOWINGLY OR RECKLESSLY PROVIDING SUBSTANTIAL ASSISTANCE, OR IS ABOUT TO KNOWINGLY OR RECKLESSLY PROVIDE SUBSTANTIAL ASSISTANCE TO ANOTHER PERSON IN CONNECTION WITH".

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 1464 – Delegates Waldstreicher and Barkley**

AN ACT concerning

**Make Office Vacancies Extinct Program**

**HB1464/753596/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1464

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "providing for" and substitute "authorizing the Program to provide"; and in line 6, strike "under the Program" and substitute "on a first-come, first-served basis, subject to a certain limitation".

AMENDMENT NO. 2

On page 4, in line 8, strike “OR”; in line 9, strike “OR” and substitute “FROM OUTSIDE THE STATE; OR”

**(III) A BUSINESS**;

strike beginning with “**THE**” in line 17 down through “**(D)**” in line 23; in lines 24 and 25, in each instance, strike “**THAT HAS A COMPARABLE PROGRAM**”; and in line 26, strike “**(E)**” and substitute “**(D)**”.

On page 5, in line 12, strike “**THE**” and substitute “**(1) SUBJECT TO THE AVAILABILITY OF MONEY IN THE FUND, THE**”; in the same line, strike “**SHALL**” and substitute “**MAY**”; and after line 14, insert:

**“(2) THE PROGRAM SHALL PROVIDE THE GRANTS DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION ON A FIRST-COME, FIRST-SERVED BASIS.”**.

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 1517 – Delegates Glenn and M. Washington**

AN ACT concerning

**Maryland Nonprofit Development Center Program and Fund – Bridge Loans**

**HB1517/183394/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1517

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “loans” insert “for certain expenses”; in the same line, after “entities,” insert “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;”; in line 8, strike “proceeds of video lottery terminals” and substitute “money in the Account”; strike beginning with “requiring” in line 11 down through “time” in line 12 and substitute “requiring the Department to establish a certain schedule and terms of repayment for a bridge loan”; and strike beginning with “amount” in line 12 down through “Fund” in line 13 and substitute “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”.

#### AMENDMENT NO. 2

On page 3, in line 11, strike “**WAITING TO RECEIVE THE**” and substitute “**THAT HAVE RECEIVED WRITTEN CONFIRMATION OF**”; and in the same line, after “**CONTRACTS**” insert “**BUT HAVE NOT YET RECEIVED THE FUNDING**”.

On page 4, in line 12, after “(1)” insert “**(I)**”; after line 13, insert:

**“(II) 1. WITHIN THE FUND, THERE IS A NONPROFIT, INTEREST–FREE, MICRO BRIDGE LOAN (NIMBL) ACCOUNT.**

**2. THE ACCOUNT CONSISTS OF MONEY RECEIVED UNDER § 9–1A–27 OF THE STATE GOVERNMENT ARTICLE.**

**3. THE MONEY IN THE ACCOUNT MAY NOT EXCEED \$1,000,000.**

**4. IF THE MONEY IN THE ACCOUNT EXCEEDS \$1,000,000, ANY MONEY IN EXCESS OF THAT AMOUNT SHALL BE TRANSFERRED TO THE SMALL, MINORITY, AND WOMEN–OWNED BUSINESSES ACCOUNT ESTABLISHED UNDER § 9–1A–35 OF THE STATE GOVERNMENT ARTICLE.”;**

and strike beginning with “**RECEIVED**” in line 18 down through “**ARTICLE**” in line 19 and substitute “**IN THE NONPROFIT, INTEREST–FREE, MICRO BRIDGE LOAN (NIMBL) ACCOUNT**”.

On page 5, in line 17, after “LOAN” insert “FOR OPERATING EXPENSES”; in line 18, strike “IS WAITING TO RECEIVE THE” and substitute “HAS RECEIVED WRITTEN CONFIRMATION OF”; in line 19, after “CONTRACT” insert “BUT HAS NOT YET RECEIVED THE FUNDING”; and strike in their entirety lines 26 through 28, inclusive, and substitute:

“(4) THE DEPARTMENT SHALL ESTABLISH A SCHEDULE FOR REPAYMENT FOR A BRIDGE LOAN THAT:

(I) IS REASONABLE BASED ON THE NATURE AND PAYMENT SCHEDULE OF THE GOVERNMENT GRANT OR CONTRACT TO THE NONPROFIT ENTITY; AND

(II) ASSURES REPAYMENT OF THE BRIDGE LOAN IS COMPLETED NO LATER THAN THE DATE OF THE FINAL GRANT OR CONTRACT PAYMENT TO THE NONPROFIT ENTITY.”.

AMENDMENT NO. 3

On page 6, in line 21, after “(6)” insert “(I)”; and in line 22, after the semicolon insert “AND

(II) FROM THE AMOUNT PAID TO THE SMALL, MINORITY, AND WOMEN-OWNED BUSINESSES ACCOUNT UNDER ITEM (I) OF THIS ITEM, UP TO 5%, NOT TO EXCEED \$1,000,000, TO THE NONPROFIT, INTEREST-FREE, MICRO BRIDGE LOAN (NIMBL) ACCOUNT ESTABLISHED UNDER § 5-1204 OF THE ECONOMIC DEVELOPMENT ARTICLE;”;

and in line 33, strike the brackets.

On page 7, strike beginning with “5%” in line 1 down through “(10)” in line 4.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**JUDICIARY COMMITTEE REPORT NO. 7**

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

**House Bill 371 – The Speaker (By Request – Administration) and Delegates Adams, Afzali, Arentz, Aumann, Beitzel, Carozza, Cassilly, Ciliberti, Clark, Cluster, Flanagan, Folden, Ghrist, Grammer, Hornberger, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McConkey, McKay, McMillan, Metzgar, Miele, Parrott, Reilly, Rey, Rose, Saab, Simonaire, Szeliga, Vogt, West, B. Wilson, and Wivell**

AN ACT concerning

**Vehicle Laws – Drunk and Drugged Driving – Subsequent Offenders – Felonies  
(Repeat Drunk Driving Offenders Act of 2017)**

**HB0371/622114/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 371

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Felonies”; and strike beginning with “making” in line 6 down through “offenses” in line 8 and substitute “requiring a certain notice; making certain conforming changes; providing for the application of certain provisions of this Act; providing for the effective date of this Act”.

On page 2, after line 11, insert:

“BY adding to

Article – Transportation

Section 21–902(h)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter (S.B. 165) of the Acts of the General Assembly of 2017)”.

AMENDMENT NO. 2

On page 2, in line 19, after the second “of” insert “**THE**”; and after line 23, insert:

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

Article – Courts and Judicial Proceedings”.

On page 3, after line 9, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation”.

AMENDMENT NO. 3

On page 3, in lines 22, 25, and 29, in each instance, strike the brackets; and in lines 25 and 29, in each instance, strike “**THIRD**”.

On page 4, in lines 1 and 25, in each instance, strike “**A**” and substitute “**NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION, A**”; in lines 13, 15, and 20, in each instance, strike the brackets; and in lines 15 and 20, in each instance, strike “**THIRD**”.

On page 5, in lines 1, 9, and 11, in each instance, strike the brackets; in line 11, strike “**THIRD**”; and in line 15, strike “**A**” and substitute “**NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION, A**”.

AMENDMENT NO. 4

On page 5, in line 20, strike “**A**” and substitute “**SUBJECT TO SUBSECTION (C) OF THIS SECTION, A**”; in the same line, strike “**WHO VIOLATES**” and substitute “**CONVICTED OF A VIOLATION OF**”; in line 21, strike “**IS GUILTY OF A FELONY AND ON CONVICTION**”; and after line 32, insert:

**“(C) A COURT MAY NOT IMPOSE AN ADDITIONAL PENALTY UNDER THIS SUBSECTION UNLESS THE STATE’S ATTORNEY SERVES NOTICE OF THE ALLEGED PRIOR CONVICTIONS ON THE DEFENDANT OR THE DEFENDANT’S COUNSEL BEFORE THE ACCEPTANCE OF A PLEA OF GUILTY OR NOLO CONTENDERE OR AT LEAST 15 DAYS BEFORE TRIAL IN A CIRCUIT COURT OR 5 DAYS BEFORE TRIAL IN THE DISTRICT COURT, WHICHEVER IS EARLIER.**

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

4–301.

(b) Except as provided in § 4–302 of this subtitle, the District Court also has exclusive original jurisdiction in a criminal case in which a person at least 18 years old or a corporation is charged with:

(24) Violation of § 11–721 of the Criminal Procedure Article as a second or subsequent offense; [or]

(25) Violation of § 11–303(b) of the Criminal Law Article; OR

(26) VIOLATION OF § 21–902 OF THE TRANSPORTATION ARTICLE THAT IS PUNISHABLE UNDER § 21–902(H) OF THE TRANSPORTATION ARTICLE.

Article – Transportation

21–902.

(H) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A PERSON CONVICTED OF A VIOLATION OF ANY PROVISION OF SUBSECTION (A), (B), (C), OR (D) OF THIS SECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH IF THE PERSON HAS PREVIOUSLY BEEN CONVICTED OF:

(I) THREE OR MORE VIOLATIONS OF ANY PROVISION OF SUBSECTION (A), (B), (C), OR (D) OF THIS SECTION; OR

(II) A VIOLATION OF § 2–209, § 2–210, § 2–503, § 2–504, § 2–505, § 2–506, OR § 3–211 OF THE CRIMINAL LAW ARTICLE.

(2) FOR PURPOSES OF THIS SUBSECTION, A CONVICTION FOR A CRIME UNDER THE LAWS OF ANY STATE OR THE UNITED STATES THAT WOULD BE A

CRIME INCLUDED IN PARAGRAPH (1) OF THIS SUBSECTION IF COMMITTED IN THIS STATE SHALL BE CONSIDERED A PRIOR CONVICTION UNDER THIS SUBSECTION.

(3) A COURT MAY NOT IMPOSE AN ADDITIONAL PENALTY UNDER THIS SUBSECTION UNLESS THE STATE’S ATTORNEY SERVES NOTICE OF THE ALLEGED PRIOR CONVICTIONS ON THE DEFENDANT OR THE DEFENDANT’S COUNSEL BEFORE THE ACCEPTANCE OF A PLEA OF GUILTY OR NOLO CONTENDERE OR AT LEAST 15 DAYS BEFORE TRIAL IN A CIRCUIT COURT OR 5 DAYS BEFORE TRIAL IN THE DISTRICT COURT, WHICHEVER IS EARLIER.”.

AMENDMENT NO. 5

On page 6, strike in their entirety lines 1 and 2, and substitute:

“SECTION 5. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect on the taking effect of Chapter (S.B. 165) of the Acts of the General Assembly of 2017. If Chapter (S.B.165) does not take effect, Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly. If Section 4 of this Act takes effect, Sections 1 and 3 shall be null and void without the necessity of further action by the General Assembly.

SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 5 of this Act, this Act shall take effect October 1, 2017.”.

The preceding 5 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 379 – Delegates Moon, Gutierrez, Hettleman, Korman, Queen, Sanchez, and Sydnor**

AN ACT concerning

**Criminal Procedure – Expungement – Possession of Marijuana**

**HB0379/122412/1**

BY: House Judiciary Committee



AMENDMENTS TO HOUSE BILL 379

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “expungement” insert “at a certain time”; strike beginning with “before” in line 4 down through “purpose” in line 6 and substitute “; making a certain conforming change; providing for the effective date of certain provisions of this Act”; after line 12, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–110(a)(8)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)”;

and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 3, in line 14, strike “**BEFORE OCTOBER 1, 2014**”.

On page 4, after line 25, insert:

“(8) A PETITION FOR EXPUNGEMENT BASED ON THE CONVICTION OF A CRIME UNDER SUBSECTION (A)(12) OF THIS SECTION MAY NOT BE FILED WITHIN 5 YEARS AFTER THE CONVICTION OR SATISFACTORY COMPLETION OF THE SENTENCE, INCLUDING PROBATION, THAT WAS IMPOSED FOR THE CONVICTION, WHICHEVER IS LATER.”;

and in line 26, strike “(8)” and substitute “**(9)**”.

On page 5, after line 19, insert:

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

Article – Criminal Procedure

10–110.

(a) A person may file a petition listing relevant facts for expungement of a police record, court record, or other record maintained by the State or a political subdivision of the State if the person is convicted of a misdemeanor that is a violation of:

(8) § 5–601 NOT INVOLVING THE USE OR POSSESSION OF MARIJUANA, § 5–618, § 5–619, § 5–620, § 5–703, § 5–708, or § 5–902 of the Criminal Law Article;

and strike in their entirety lines 20 through 27, inclusive.

AMENDMENT NO. 3

On page 5, before line 28, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2017, the effective date of Section 2 of Chapter 515 of the Acts of the General Assembly of 2016. If the effective date of Section 2 of Chapter 515 of the Acts of the General Assembly of 2016 is amended, Section 2 of this Act shall take effect on the taking effect of Section 2 of Chapter 515 of the Acts of the General Assembly of 2016.”;

in line 28, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, subject to Section 3 of this Act,”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 593 – Delegate Dumais**

AN ACT concerning

**State Compensation for Erroneous Conviction and Imprisonment –  
Gubernatorial Pardon Requirement – Repeal**

**HB0593/952717/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 593

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Gubernatorial Pardon Requirement – Repeal” and substitute “Certification of Error”; strike beginning with “repealing” in line 4 down through “Works;” in line 6 and substitute “authorizing a certain individual to request that a State’s Attorney certify that a conviction was made in error under certain circumstances; providing that an individual is eligible for a certain grant from the Board of Public Works if a State’s Attorney has certified that the individual’s conviction was made in error; establishing the Task Force to Study Erroneous Conviction and Imprisonment; 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 erroneous convictions and establishing innocence; 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 certain provisions of this Act;”; and after line 7, insert:

“BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 8–301(a), (f), and (g)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY adding to

Article – Criminal Procedure

Section 8–301(h)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 14, insert:

“Article – Criminal Procedure

8–301.

(a) A person charged by indictment or criminal information with a crime triable in circuit court and convicted of that crime may, at any time, file a petition for writ of actual innocence in the circuit court for the county in which the conviction was imposed if the person claims that there is newly discovered evidence that:

(1) creates a substantial or significant possibility that the result may have been different, as that standard has been judicially determined; and

(2) could not have been discovered in time to move for a new trial under Maryland Rule 4–331.

(f) (1) In ruling on a petition filed under this section, the court may set aside the verdict, resentence, grant a new trial, or correct the sentence, as the court considers appropriate.

(2) The court shall state the reasons for its ruling on the record.

(g) A petitioner in a proceeding under this section has the burden of proof.

**(H) ON WRITTEN REQUEST BY THE PETITIONER, THE STATE’S ATTORNEY MAY CERTIFY THAT A CONVICTION WAS IN ERROR, IF:**

**(1) THE COURT GRANTS A PETITION FOR RELIEF UNDER THIS SECTION;**

**(2) IN RULING ON A PETITION UNDER THIS SECTION, THE COURT SETS ASIDE THE VERDICT OR GRANTS A NEW TRIAL; AND**

**(3) THE STATE’S ATTORNEY DECLINES TO PROSECUTE THE PETITIONER BECAUSE THE STATE’S ATTORNEY DETERMINES THAT THE PETITIONER IS INNOCENT.”.**

### AMENDMENT NO. 3

On page 1, in line 17, strike the brackets; and in the same line, strike “**THE**”.

On page 2, in line 1, strike the bracket; in the same line, strike “only”; in line 2, after “if” insert “;”

(1)”;

in line 3, after “error” insert “; **OR**

(2) THE STATE’S ATTORNEY CERTIFIES THAT THE INDIVIDUAL’S CONVICTION WAS IN ERROR UNDER § 8–301 OF THE CRIMINAL PROCEDURE ARTICLE”;

in line 4, strike the bracket; in line 6, strike the brackets; in the same line, strike “(C)”; in line 15, strike the brackets; and in the same line, strike “(D)”.

AMENDMENT NO. 4

On page 2, after line 19, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force to Study Erroneous Conviction and Imprisonment.

(b) The Task Force consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

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

(3) the Public Defender of Maryland, or the Public Defender’s designee;

(4) the President of the Maryland State’s Attorney’s Association, or the President’s designee;

(5) the Executive Director of the Governor’s Office of Crime Control and Prevention, or the Executive Director’s designee;

(6) the Director of the Maryland Restorative Justice Initiative or the Director’s designee;

(7) a representative with expertise in criminal postconviction procedures from the University of Maryland School of Law, appointed by the Dean of the school; and

(8) a representative of the Innocence Project Clinic from the University of Baltimore School of Law, appointed by the Dean of the school.

(c) The Governor shall designate the chair of the Task Force.

(d) The Governor's Office of Crime Control and Prevention shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study the State's current process for establishing whether a conviction was made in error and for determining the innocence of a person erroneously convicted;

(2) study the processes and standards in other states for designating an erroneous conviction, determining a person's innocence, and compensating a person for imprisonment based on an erroneous conviction; and

(3) make recommendations on whether the State should create and implement a new process to designate an erroneous conviction and determine the innocence of a person erroneously convicted, including whether a specific agency should certify that a person is innocent.

(g) On or before December 15, 2017, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”;

in line 20, strike “2.” and substitute “3.”; and in line 21, after the period insert “Section 2 of this Act shall remain effective for a period of 1 year and, at the end of September 30, 2018, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1321 – Delegate Valentino–Smith**

AN ACT concerning

**Child Protection – Reporting Requirements – Threat of Harm**

**HB1321/172111/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1321

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Requirements”; strike beginning with “requiring” in line 3 down through “child” in line 10 and substitute “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; providing certain immunity to a person who participates in certain activities relating to a report made under this Act; making stylistic changes; and generally relating to child protection”; and in line 13, strike “5–704, 5–705.2(a), and 5–708” and substitute “5–704.1, 5–706.2, and 5–708”.

AMENDMENT NO. 2

On pages 1 through 3, strike beginning with “5–704” in line 19 on page 1 down through the period in line 12 on page 3, and substitute:

“5–704.1.

(a) An individual may notify the local department or the appropriate law enforcement agency if:

(1) the individual has reason to believe that a parent, guardian, or caregiver of a child allows the child to reside with or be in the regular presence of an individual, other than the child’s parent or guardian, who:

[(1)] (I) is registered under Title 11, Subtitle 7 of the Criminal Procedure Article based on the commission of an offense against a child; and

[(2)] (II) based on additional information, poses a substantial risk of sexual abuse to the child; OR

(2) THE INDIVIDUAL HAS REASON TO BELIEVE THAT:

(I) A VERBAL THREAT OF IMMINENT SEVERE BODILY HARM OR DEATH TO A CHILD HAS BEEN MADE BY THE CHILD’S PARENT OR OTHER PERSON WHO HAS PERMANENT OR TEMPORARY CARE OR CUSTODY OR RESPONSIBILITY FOR SUPERVISION OF THE CHILD; AND

(II) THE CHILD IS AT SUBSTANTIAL RISK OF ABUSE.

(b) (1) A report under subsection (a) of this section may be oral or in writing.

(2) If acting as a staff member of a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution, an individual who notifies the appropriate authorities under subsection (a) of this section immediately shall notify and give all of the information required by this section to the head of the institution or the designee of the head of the institution.



(c) To the extent reasonably possible, an individual who makes a report under this section shall include in the report the following information:

(1) the name, age, and home address of the child;

(2) the name and home address of the child's parent or other person who is responsible for the child's care;

(3) the whereabouts of the child;

(4) FOR A REPORT UNDER SUBSECTION (A)(1) OF THIS SECTION, the nature and extent of the substantial risk of sexual abuse of the child, including any evidence or information available to the reporter concerning possible previous instances of sexual abuse; [and]

(5) FOR A REPORT UNDER SUBSECTION (A)(2) OF THIS SECTION, THE NATURE AND EXTENT OF THE SUBSTANTIAL RISK OF ABUSE OF THE CHILD, INCLUDING ANY EVIDENCE OR INFORMATION AVAILABLE TO THE REPORTER CONCERNING POSSIBLE PREVIOUS INSTANCES OF ABUSE; AND

[(5)] (6) any other information that would help to determine:

(i) the cause of the substantial risk of sexual abuse UNDER SUBSECTION (A)(1) OF THIS SECTION OR THE SUBSTANTIAL RISK OF ABUSE UNDER SUBSECTION (A)(2) OF THIS SECTION; and

(ii) the identity of any individual responsible for the substantial risk of sexual abuse UNDER SUBSECTION (A)(1) OF THIS SECTION OR THE SUBSTANTIAL RISK OF ABUSE UNDER SUBSECTION (A)(2) OF THIS SECTION.

5-706.2.

(a) (1) A local department or a law enforcement agency may receive a report:

(I) under [§ 5-704.1] § 5-704.1(A)(1) of this subtitle that a child is at substantial risk of sexual abuse; OR

**(II) UNDER § 5-704.1(A)(2) OF THIS SUBTITLE THAT A CHILD IS AT SUBSTANTIAL RISK OF ABUSE.**

(2) If a law enforcement agency receives the report, the law enforcement agency shall immediately refer the report to the local department.

(3) The Secretary of Human Resources shall adopt regulations governing:

(i) how staff in a local department should elicit information when receiving a report under § 5-704.1 of this subtitle; and

(ii) the definition of substantial risk of sexual abuse OR SUBSTANTIAL RISK OF ABUSE as used in this subtitle.

(b) (1) Except as provided in paragraph (3) of this subsection, after confirming that the allegations in the report regarding the individual's history are accurate and that there is specific information that the child is at substantial risk of sexual abuse OR SUBSTANTIAL RISK OF ABUSE, the local department shall make a thorough investigation to protect the health, safety, and welfare of any child or children who may be at substantial risk of sexual abuse OR SUBSTANTIAL RISK OF ABUSE.

(2) The local department shall conduct the investigation jointly with an appropriate law enforcement agency.

(3) If a subsequent report is received [regarding an individual with a history of sexual abuse] that alleges substantially the same facts as a report UNDER § 5-104.1 OF THIS SUBTITLE that the local department has previously investigated, the local department may decline to make an investigation of the subsequent report.

(c) Within 5 days after receiving the report, the local department and the appropriate law enforcement agency shall:

(1) see the child in person;

(2) (I) FOR A REPORT UNDER § 5-704.1(A)(1) OF THIS SUBTITLE, attempt to have an on-site interview with the child's caregiver and the individual identified in the report as an individual registered under Title 11, Subtitle 7 of the Criminal Procedure Article based on the commission of an offense against a child; AND

(II) FOR A REPORT UNDER § 5-704.1(A)(2) OF THIS SUBTITLE, ATTEMPT TO HAVE AN ON-SITE INTERVIEW WITH THE INDIVIDUAL ALLEGED TO HAVE MADE THE THREAT OF HARM TO THE CHILD;

(3) decide on the safety OF and level of risk to the child, wherever the child is, and [of] other children in the household; and

(4) (I) FOR A REPORT UNDER § 5-704.1(A)(1) OF THIS SUBTITLE, decide on the safety OF and level of risk [of] TO other children in the care or custody of the individual identified in the report as an individual registered under Title 11, Subtitle 7 of the Criminal Procedure Article based on the commission of an offense against a child; AND

(II) FOR A REPORT UNDER § 5-704.1(A)(2) OF THIS SUBTITLE, DECIDE ON THE SAFETY OF AND LEVEL OF RISK TO OTHER CHILDREN IN THE CARE OR CUSTODY OF THE INDIVIDUAL ALLEGED TO HAVE MADE THE THREAT OF HARM TO THE CHILD.

(d) To the extent possible, an investigation under this section shall be completed as soon as practicable but not later than 30 days after receipt of the report.

(e) As part of the investigation, the local department shall:

(1) determine whether the child is safe;

(2) determine whether ABUSE OR sexual abuse of the child has occurred;

(3) if appropriate, offer services to the family; and

(4) immediately decide whether to file a petition alleging that the child is in need of assistance.”.

On page 3, in lines 14 and 15, strike “OR THREAT OF HARM”; and in line 16, after “abuse” insert “OR SUBSTANTIAL RISK OF ABUSE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 9

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

### House Bill 482 – Delegate Cullison

AN ACT concerning

### Maryland Nurse Practice Act – Revisions

**HB0482/216488/1**

BY: Health and Government Operations Committee

### AMENDMENT TO HOUSE BILL 482

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Cullison” and substitute “Delegates Cullison, Pendergrass, Bromwell, Angel, Hayes, Kelly, Kipke, Krebs, McDonough, Metzgar, Morales, Morgan, Pena–Melnik, Platt, Rosenberg, Sample–Hughes, West, and K. Young”.

On page 7, in lines 23 and 24, in each instance, strike “13” and substitute “14”; after line 25, insert:

**“(II) 1 SHALL BE A LICENSED NURSE WHO IS EITHER A LICENSED PRACTICAL NURSE, A REGISTERED NURSE, OR AN ADVANCED PRACTICE REGISTERED NURSE;”**;

and in line 26, strike “(ii)” and substitute “**(III)**”.

On page 8, in line 1, strike “(iii)” and substitute “**(IV)**”; and strike beginning with the comma in line 8 down through “PRACTITIONER” in line 9.

On page 9, in line 6, strike “Coalition of Nurse Practitioners” and substitute “**ACADEMY OF ADVANCED PRACTICE CLINICIANS**”.

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 522 – Delegates Barron, Cullison, Pena–Melnyk, and Rosenberg**

AN ACT concerning

**Food Service Facilities – Automated External Defibrillator Program  
(The Joe Sheya Act)**

**HB0522/416786/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 522

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rosenberg” and substitute “Rosenberg, Hill, Metzgar, McDonough, Angel, and Morales”; in line 2, strike “Food Service Facilities –” and substitute “Maryland Institute for Emergency Medical Services Systems –”; in the same line, strike “Defibrillator Program” and substitute “Defibrillators – Study”; strike beginning with “requiring” in line 4 down through “requirements,” in line 6; in lines 6 and 7, strike “the Department of Health and Mental Hygiene and”; in line 8, strike “jointly to adopt certain regulations” and substitute “to conduct a certain study regarding the location of automated external defibrillators; requiring the Maryland Institute for Emergency Medical Services Systems to compile certain information and provide a certain summary; requiring the Maryland Institute for Emergency Medical Services Systems to use certain data in conducting the study; requiring the Maryland Institute for Emergency Medical Services Systems to report its findings and recommendations to certain committees of the General Assembly on or before a certain date”; in the same line, strike “an” and substitute “a study regarding”; in line 9, strike “defibrillator program for food service facilities” and substitute “defibrillators”; and strike in their entirety lines 10 through 14, inclusive.

AMENDMENT NO. 2

On page 1, in line 16, strike “the Laws of Maryland read as follows”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 11 on page 2, inclusive, and substitute:

“(a) The Maryland Institute for Emergency Medical Services Systems shall:

(1) in consultation with interested stakeholders, study and make recommendations regarding locations where automated external defibrillators could be most beneficial;

(2) compile information on the cost of automated external defibrillators, including the cost of installation;

(3) compile information on the cost of training individuals to use automated external defibrillators; and

(4) provide a summary of the immunity from liability provisions in State law regarding the use of automated external defibrillators.

(b) In conducting the study required under subsection (a) of this section, the Maryland Institute for Emergency Medical Services Systems shall use any relevant data that is available for calendar years 2015, 2016, and 2017.

(c) On or before December 1, 2017, the Maryland Institute for Emergency Medical Services Systems shall report its findings and recommendations to the Senate Finance Committee and the House Health and Government Operations Committee in accordance with § 2–1246 of the State Government Article.”.

On page 2, in line 13, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 613 – Delegates Hettleman, Barron, Barkley, B. Barnes, Barve, Clippinger, Ebersole, Frick, Kelly, Korman, Kramer, Lierman, A. Miller, Moon, Morales, Patterson, Pena-Melnyk, Platt, Queen, Robinson,**

Rosenberg, Sanchez, Tarlau, Waldstreicher, M. Washington, K. Young,  
P. Young, and Lewis

AN ACT concerning

**Pharmacists – Contraceptives – Prescribing and Dispensing**

**HB0613/656882/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 613

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Lewis” and substitute “R. Lewis, Angel, and Cullison”; in line 5, after “Pharmacy” insert “, on or before a certain date and in consultation with the State Board of Physicians, the State Board of Nursing, and certain stakeholders.”; and strike beginning with “requiring” in line 10 down through “practitioner,” in line 13.

On page 2, strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 4, in line 6, strike “**THE**” and substitute “**ON OR BEFORE SEPTEMBER 1, 2018, THE**”; in the same line, after “**BOARD**” insert “**, IN CONSULTATION WITH THE STATE BOARD OF PHYSICIANS, THE STATE BOARD OF NURSING, THE MARYLAND CHAPTER OF THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNCOLOGISTS, THE MARYLAND CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS, THE MARYLAND PHARMACISTS ASSOCIATION, THE MARYLAND AFFILIATE OF THE AMERICAN COLLEGE OF NURSE-MIDWIVES, THE MARYLAND NURSES ASSOCIATION, PLANNED PARENTHOOD OF MARYLAND, AND OTHER INTERESTED HEALTH PROFESSIONAL ASSOCIATIONS AND STAKEHOLDERS,**”; in the same line, strike “**THE**” and substitute “**:**”

**(I) STANDARD PROCEDURES THAT A PHARMACIST MUST USE TO SELECT THE APPROPRIATE CONTRACEPTIVE TO PRESCRIBE FOR A PATIENT OR TO REFER THE PATIENT TO A PRIMARY CARE PRACTITIONER OR REPRODUCTIVE HEALTH CARE PRACTITIONER FOR TREATMENT; AND**

**(II) THE**;

in line 15, after “PATIENT;” insert:

**“(III) FOLLOW THE STANDARD PROCEDURES ESTABLISHED BY THE BOARD;**;

in line 16, strike “(III)” and substitute “(IV)”; in line 25, after “WITH” insert “:

**A.**”;

in the same line, strike “A” and substitute “**A**”; in line 26, after “DISPENSED” insert “**;** **AND**

**B. WRITTEN INFORMATION ABOUT THE IMPORTANCE OF SEEING THE PATIENT’S PRIMARY CARE PRACTITIONER OR REPRODUCTIVE HEALTH CARE PRACTITIONER TO OBTAIN RECOMMENDED TESTS AND SCREENINGS**”;

in the same line, strike “AND”; and in line 29, after “PHARMACIST” insert “**;** **AND**

**4. PROVIDE THE PATIENT WITH A COPY OF THE RECORD OF THE ENCOUNTER THAT INCLUDES THE PATIENT’S COMPLETED SELF-ASSESSMENT TOOL AND THE CONTRACEPTIVE PRESCRIBED AND DISPENSED OR THE BASIS FOR NOT PRESCRIBING AND DISPENSING A CONTRACEPTIVE**”.

#### AMENDMENT NO. 3

On page 5, strike in their entirety lines 3 through 19, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 912 – Delegates Morales, Cullison, Hayes, Hill, Kelly, Lam, Miele, Oaks, Pena–Melnik, and Platt**



AN ACT concerning

**State Board of Examiners of Psychologists – Criminal History Records Checks –  
Renewals and Reinstatements**

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 983 – Delegates Pena–Melnyk, Angel, Frush, and Tarlau**

AN ACT concerning

**Health Insurance – Telemedicine – Counseling for Substance Use Disorders**

**HB0983/626783/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 983

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Tarlau” and substitute “Tarlau, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pendergrass, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”; in line 2, strike “Telemedicine” and substitute “Health Care Services Delivered Through Telehealth”; in the same line, strike “Counseling for Substance Use Disorders” and substitute “Coverage”; in lines 3 and 6, in each instance, strike “telemedicine” and substitute “telehealth”; in line 4, after “disorders,” insert “altering a certain definition; making conforming changes;”; and in line 6, strike “counseling for substance use disorders” and substitute “health care services”.

AMENDMENT NO. 2

On page 1, in line 17, strike ““telemedicine”” and substitute ““**TELEHEALTH**””; in line 20, strike the first “site” and substitute “**LOCATION**”; in lines 20 and 21, strike “site at which the patient is located” and substitute “**LOCATION OF THE PATIENT**”; and in line 22, strike ““Telemedicine”” and substitute ““**TELEHEALTH**””.

On page 2, in lines 14, 16, 24, and 27, in each instance, strike “telemedicine” and substitute “TELEHEALTH”; and in line 19, strike “TELEMEDICINE” and substitute “TELEHEALTH”.

On page 3, in lines 3, 9, 13, 15, and 16, in each instance, strike “telemedicine” and substitute “TELEHEALTH”.

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 1031 – Delegates Pena–Melnyk, Angel, Hayes, Hill, Kelly, Miele, Morales, Oaks, Sample–Hughes, Szeliga, and K. Young**

AN ACT concerning

**State Board of Pharmacy – Registered Pharmacy Technicians – Exemption for Pharmacy Students**

**HB1031/426589/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1031

(First Reading File Bill)

On page 3, in lines 2 and 4, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively.

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 1054 – Delegates West, Carozza, Hill, Reznik, and Stein**

AN ACT concerning

**State Board of Physicians – Physician Licensure – Prohibition on Requiring  
Specialty Certification**

**HB1054/596580/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1054  
(First Reading File Bill)

On page 1, in the sponsor line, strike “and Stein” and substitute “Stein, Krebs, and Metzgar”; in line 12, strike “14–205(d)” and substitute “14–322”; in line 18, strike “14–205.” and substitute “14–322.”; and in line 19, strike “(D)”.

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 1127 – Delegate Kelly**

AN ACT concerning

**Health Insurance – Coverage Requirements for Behavioral Health Disorders –  
Modifications**

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 1147 – Delegates Morales, Pena–Melnik, Angel, Hill, Kelly, Kipke,  
Miele, Morgan, Platt, Rosenberg, Szeliga, West, and K. Young**

AN ACT concerning

**Health Insurance – Prescription Drugs – Dispensing Synchronization****HB1147/526685/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1147

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, Pendergrass, Bromwell, Cullison, Hayes, Krebs, McDonough, Metzgar, Saab, and Sample–Hughes”; and in line 13, after “Act;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 26, strike “AND”; after line 26, insert:

**“(2) THE PRESCRIPTION DRUG IS ANTICIPATED TO BE REQUIRED FOR MORE THAN 3 MONTHS;”**;

in line 27, strike “(2)” and substitute “(3)”; and in line 29, after “DRUGS” insert “;

**(4) THE PRESCRIPTION DRUG IS NOT A SCHEDULE II CONTROLLED DANGEROUS SUBSTANCE; AND**

**(5) THE SUPPLY AND DISPENSING OF THE PRESCRIPTION DRUG MEETS ALL PRIOR AUTHORIZATION AND UTILIZATION MANAGEMENT REQUIREMENTS SPECIFIC TO THE PRESCRIPTION DRUG AT THE TIME OF THE SYNCHRONIZED DISPENSING**”.

AMENDMENT NO. 3

On page 3, in line 6, strike “AN” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, AN”; and in lines 19 and 21, in each instance, strike “October 1, 2017” and substitute “January 1, 2019”.

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 1159 – Delegates Pena–Melnik, Morales, Angel, Hayes, Hill, Kelly, Kipke, Krebs, Miele, Morgan, Platt, Szeliga, West, and K. Young**

AN ACT concerning

**Pharmacists – Dispensing of Prescription Drugs – Single Dispensing of Dosage Units**

**HB1159/626688/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1159

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, Bromwell, Cullison, McDonough, Metzgar, Pendergrass, Rosenberg, Saab, and Sample–Hughes”; in line 4, after “authorizing” insert “, with a certain exception,”; and in line 8, after “substance” insert “, certain prescriptions that an authorized prescriber prescribes for a patient, or a certain supply of prescription contraceptives; defining a certain term”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

**“(A) IN THIS SECTION, “AUTHORIZED PRESCRIBER” HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.”;**

and in lines 19 and 21, strike “(A)” and “(B)”, respectively, and substitute “(B)” and “(C)”, respectively.

AMENDMENT NO. 3

On page 1, in line 19, strike “TO A” and substitute “TO:

**(1) A**”;

in line 20, after “ARTICLE” insert “;

**(2) THE FIRST PRESCRIPTION OR CHANGE IN A PRESCRIPTION FOR A DRUG THAT AN AUTHORIZED PRESCRIBER PRESCRIBES FOR A PATIENT; OR**

**(3) THE FIRST 2-MONTH SUPPLY OF PRESCRIPTION CONTRACEPTIVES DISPENSED UNDER:**

**(I) THE INITIAL PRESCRIPTION FOR THE CONTRACEPTIVES; OR**

**(II) ANY SUBSEQUENT PRESCRIPTION FOR A CONTRACEPTIVE THAT IS DIFFERENT THAN THE LAST CONTRACEPTIVE DISPENSED TO THE PATIENT”;**

and in line 21, strike “A” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A**”.

On page 2, after line 8, insert:

**“(D) A PHARMACIST MAY NOT DISPENSE, IN A SINGLE DOSE, A QUANTITY OF A PRESCRIPTION DRUG THAT EXCEEDS THE LIMIT PRESCRIBED BY A PRESCRIBER WHEN THE PRESCRIBER HAS INDICATED THAT THE PRESCRIPTION BE DISPENSED ONLY AS PRESCRIBED.”.**

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:

**House Bill 1172 – Delegates K. Young, Chang, Krimm, Lisanti, McComas, A. Miller, Moon, and Robinson**

AN ACT concerning

**Department of Health and Mental Hygiene – Biosafety Level 3 Laboratories**

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 1212 – Delegate Frick**

AN ACT concerning

**Health Insurance – Prior Authorization for Opioid Antagonists – Prohibition**

**HB1212/606889/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1212

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Frick” and substitute “Delegates Frick, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnyk, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”; in line 2, strike “Prohibition” and substitute “Authorization”; in line 3, strike “prohibiting” and substitute “authorizing”; in line 4, strike “from applying a preauthorization” and substitute “to apply a prior authorization”; and in line 5, after “products” insert “only under certain circumstances”.

AMENDMENT NO. 2

On page 2, strike beginning with “NOT” in line 13 down through “ANTAGONIST” in line 14 and substitute “ONLY APPLY A PRIOR AUTHORIZATION REQUIREMENT FOR AN OPIOID ANTAGONIST IF THE ENTITY PROVIDES COVERAGE FOR AT LEAST ONE FORMULATION OF THE OPIOID ANTAGONIST WITHOUT A PRIOR AUTHORIZATION REQUIREMENT”.

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 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**

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

AN ACT concerning

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

**HB1275/606582/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1275

(First Reading File Bill)

On page 1, in the sponsor line, strike “and P. Young” and substitute “P. Young, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnik, 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 1383 – Delegates Barron and Kipke**

AN ACT concerning

**Behavioral Health Administration – Outpatient Civil Commitment Pilot Program**

**HB1383/816085/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1383

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Kipke” and substitute “, Kipke, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Krebs, Metzgar, Miele, Morales, Morgan, Pena–Melnik, 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 1553 – Delegate Cullison**

**EMERGENCY BILL**

AN ACT concerning

**Nonprofit Health Entity – Acquisition – Waiver of Waiting Period**

**HB1553/446888/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1553

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Cullison” and substitute “Delegates Cullison, Pendergrass, Bromwell, Angel, Hayes, Hill, Kelly, Kipke, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnyk, Platt, Rosenberg, 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.

#### **WAYS AND MEANS COMMITTEE REPORT NO. 14**

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

**House Bill 83 – Delegates Luedtke, Afzali, D. Barnes, Buckel, Ebersole, Fennell, Glass, Hill, Hixson, Hornberger, C. Howard, Kaiser, Patterson, Reilly, Reznik, Rose, Sanchez, Shoemaker, Simonaire, Tarlau, Turner, A. Washington, and M. Washington**

AN ACT concerning

##### **Income Tax – Subtraction Modification – Discharged Student Loan Debt**

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 338 – Delegates Tarlau, Sydnor, Angel, Barkley, D. Barnes, Barron, Buckel, Ebersole, Fennell, Frush, Hettleman, Jackson, Kelly, Knotts, Korman, Lam, Lierman, Luedtke, Morales, Platt, Queen, Sanchez, Shoemaker, Sophocleus, Valderrama, and Lewis**

AN ACT concerning

##### **Property Tax – Renters’ Property Tax Relief Program – Assets**

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 762 – Delegates Platt, D. Barnes, Buckel, Ebersole, Hettleman, Hornberger, C. Howard, Luedtke, Moon, Patterson, Tarlau, Turner, Walker, A. Washington, and M. Washington

AN ACT concerning

**Income Tax – Earned Income Tax Credit – Eligibility Awareness Campaign**

**HB0762/415266/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 762

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Campaign” insert “Pilot Program”; in line 5, after “awareness” insert “pilot”; in the same line, after “program” insert “in Baltimore City and Somerset County”; and in line 29, after “Act,” insert “providing for the termination of this Act.”.

AMENDMENT NO. 2

On page 2, in line 3, strike “2–504” and substitute “2–505”.

On page 2 in line 30, on page 4 in line 1, and on page 5 in line 12, strike “**2–502.**”, “**2–503.**”, and “**2–504.**”, respectively, and substitute “2–503.”, “2–504.”, and “2–505.”, respectively.

On page 5, in line 18, strike “**2–502**” and substitute “2–503”.

AMENDMENT NO. 3

On page 2, after line 29, insert:

“2–502.

(A) THIS SUBTITLE APPLIES ONLY IN BALTIMORE CITY AND SOMERSET COUNTY.

(B) THE ELIGIBILITY AWARENESS CAMPAIGN REQUIRED UNDER THIS SUBTITLE SHALL TARGET ONLY THOSE INDIVIDUAL TAXPAYERS WHO RESIDE IN BALTIMORE CITY OR SOMERSET COUNTY.”.

AMENDMENT NO. 4

On page 3, in line 26, strike “\$100,000” and substitute “\$50,000”.

AMENDMENT NO. 5

On page 5, in line 26, after “THAT” insert “:

(I) 1. THE AUTHORIZATION TO DISCLOSE TAXPAYER INFORMATION APPLIES ONLY TO TAXPAYERS THAT RESIDE IN BALTIMORE CITY OR SOMERSET COUNTY; AND

2. THE INFORMATION PROVIDED IS INTENDED TO FACILITATE AN EARNED INCOME TAX CREDIT ELIGIBILITY AWARENESS CAMPAIGN PILOT PROGRAM; AND

(II)”.

AMENDMENT NO. 6

On page 6, in line 11, after “2016” insert “, but before January 1, 2020”; and in line 13, after the period 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 6 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 979 – Delegate Luedtke**

AN ACT concerning

**Property Tax Credit – Public Safety Officers**

**HB0979/105664/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 979

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Luedtke” and substitute “Delegates Luedtke, Rose, Simonaire, Hornberger, Ebersole, Afzali, Hixson, Buckel, Long, Reilly, Tarlau, Shoemaker, 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 1094 – Delegates Hixson, Haynes, Jameson, Kramer, Lierman, Moon, Pena–Melnik, Proctor, Sophocleus, Turner, Valderrama, and M. Washington**

AN ACT concerning

**Education – Libraries – Reorganization of Governance Structure**

**HB1094/825865/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1094

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and M. Washington” and substitute “M. Washington, and Rose”; in line 7, after “Board;” insert “making the appointment of the State Librarian subject to the advice and consent of the Senate;”; in line 17, after “Board;” insert “requiring the Governor to ensure geographic diversity when making appointments to the State Library Board;”; and in line 21, after “Library;” insert “requiring county public libraries, the State Library Resource Center, and regional resource centers to pay certain”

costs; requiring the State Library Board and the State Library Agency to collect certain costs;”.

AMENDMENT NO. 2

On page 4, in line 3, after “Board” insert “**WITH THE ADVICE AND CONSENT OF THE SENATE**”.

On page 7, in line 16, after “(3)” insert “**(I)**”; in lines 17, 18, and 19, strike “(i)”, “(ii)”, and “(iii)”, respectively, and substitute “**1.**”, “**2.**”, and “**3.**”, respectively; and after line 19, insert:

**“(II) THE GOVERNOR SHALL ENSURE GEOGRAPHIC DIVERSITY WHEN APPOINTING MEMBERS.”.**

AMENDMENT NO. 3

On page 29, after line 18, insert:

“(3) (i) Any onetime costs incurred to carry out the transfer of duties and responsibilities under subsection (a) of this section shall be paid by county public libraries, the State Library Resource Center, and regional resource centers.

(ii) The State Library Board and the State Library Agency shall collect any onetime costs from among the entities referenced in subparagraph (i) of this paragraph in proportion to the population in each service area.”.

The preceding 3 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 1234 – Delegates Wilkins, Kaiser, Hixson, Hornberger, Patterson, and Walker**

AN ACT concerning

**Property Tax – Credit for Retired Military Service Members – Eligibility**

**HB1234/135861/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1234

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Walker” and substitute “Walker, Rose, Simonaire, D. Barnes, Ebersole, Afzali, Turner, C. Howard, Luedtke, A. Washington, M. Washington, Buckel, Long, Reilly, Tarlau, Shoemaker, 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:

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

AN ACT concerning

**Property Tax – Credit for Revitalization Districts**

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 1394 – Delegates McMillan, Hornberger, Reilly, Simonaire, Tarlau, A. Washington, and M. Washington**

AN ACT concerning

**Property Tax – Reassessment After Appeal**

**HB1394/205565/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1394

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line strike “and M. Washington” and substitute “M. Washington, and Afzali”; and strike beginning with “prohibiting” in line 3 down through “assessment;” in line 8 and substitute “prohibiting the supervisor or the State Department of Assessments and Taxation from automatically eliminating a reduction in the assessment of a property that was granted by a property tax assessment appeal board or the Maryland Tax Court during a subsequent reassessment; authorizing the supervisor or the Department to eliminate a reduction in the assessment granted by a property tax assessment appeal board or the Maryland Tax Court if the specific reason for the reduction no longer applies;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 5, inclusive, and substitute:

“(1) MAY NOT AUTOMATICALLY ELIMINATE A REDUCTION IN THE ASSESSMENT OF THE PROPERTY THAT WAS GRANTED BY A PROPERTY TAX ASSESSMENT APPEAL BOARD OR THE MARYLAND TAX COURT; AND

(2) MAY ELIMINATE A REDUCTION IN THE ASSESSMENT OF THE PROPERTY GRANTED BY A PROPERTY TAX ASSESSMENT APPEAL BOARD OR THE MARYLAND TAX COURT IF THE SPECIFIC REASON FOR THE REDUCTION NO LONGER APPLIES.”.

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 1402 – Delegates McMillan, Hornberger, Reilly, Simonaire, Tarlau, and A. Washington**

AN ACT concerning

**Property Tax Appeals – Payment of Refunds – Deadline**

**HB1402/175066/1**

BY: Committee on Ways and Means



AMENDMENTS TO HOUSE BILL 1402

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and A. Washington” and substitute “A. Washington, and Afzali”; in line 4, after “after” insert “the State Department of Assessments and Taxation notifies the tax collector that”; and in the same line, strike “issues” and substitute “has issued”.

AMENDMENT NO. 2

On page 2, in line 3, strike “**21**” and substitute “**30**”; in the same line, after “**AFTER**” insert “**THE DEPARTMENT NOTIFIES THE TAX COLLECTOR TO WHOM PROPERTY TAX WAS PAID THAT**”; in the same line, strike “**ISSUES**” and substitute “**HAS ISSUED**”; and strike beginning with “**TO**” in line 4 down through “**PAID**” in line 5.

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. 60****House Bill 1349 – Delegate Robinson**

AN ACT concerning

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

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. 58**

**House Bill 898 – Delegates Ebersole, Lafferty, Lam, Lierman, Luedtke, McCray, Moon, Morales, Platt, Reznik, Tarlau, Turner, A. Washington, and M. Washington**

AN ACT concerning

**Election Law – Campaign Finance – Coordinated Expenditures**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR COMMITTEE AMENDMENT ADOPTED. FLOOR AMENDMENT BY DEL. MCDONOUGH PENDING.

FLOOR AMENDMENT

**HB0898/923829/1**

BY: Delegate McDonough

AMENDMENTS TO HOUSE BILL 898

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Campaign Finance –” and substitute “Eligibility for Candidacy and”; in the same line, after “Expenditures” insert “– Limitations”; in line 3, after “of” insert “prohibiting a secretary of a principal department or the Maryland Insurance Commissioner from filing a certificate of candidacy for a public office while the individual holds the position of secretary or Insurance Commissioner;”; in line 22, after “to” insert “limitations on eligibility for candidacy and”; and after line 27, insert:

“BY repealing and reenacting, without amendments,

Article – Election Law

Section 5–201 and 13–306(a)(6)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)”.

On page 2, in line 2, after “Section” insert “5–206 and”; and strike in their entirety lines 5 through 9, inclusive.

AMENDMENT NO. 2

On page 3, after line 2, insert:

“5–201.

An individual may become a candidate for a public or party office only if the individual satisfies the qualifications for that office established by law and, in the case of a party office, by party constitution or bylaws.

**5-206.**

**A SECRETARY OF A PRINCIPAL DEPARTMENT OR THE MARYLAND INSURANCE COMMISSIONER MAY NOT FILE A CERTIFICATE OF CANDIDACY FOR A PUBLIC OFFICE WHILE THE INDIVIDUAL HOLDS THE POSITION OF SECRETARY OR INSURANCE COMMISSIONER.”.**

The preceding 2 amendments were withdrawn.

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. 673)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 71**

**House Bill 1043 – Delegates Valentino-Smith, B. Wilson, Afzali, Anderton, Atterbeary, Beidle, Carozza, Folden, Ghrist, Jackson, Kipke, Krebs, Lisanti, McMillan, Otto, Parrott, Rose, Shoemaker, Sophocleus, Vallario, and Vogt**

AN ACT concerning

**~~Criminal Law~~ Vehicle Laws – Smoking Marijuana ~~in Public and in Vehicles~~ – Prohibition**

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

Affirmative – 112    Negative – 23    (See Roll Call No. 674)

The Bill was then sent to the Senate.

**House Bill 1093 – Delegates K. Young, Afzali, Barron, Ciliberti, Folden, Krimm, ~~and Vogt~~ Vogt, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly,**

**Kipke, Krebs, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and West**

AN ACT concerning

**Substance Use Treatment – Inpatient and Intensive Outpatient Programs –  
Consent by Minor**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 675)

The Bill was then sent to the Senate.

**House Bill 1110 – Delegate B. Barnes**

AN ACT concerning

**Law Enforcement Officers’ Pension System – Membership**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 676)

The Bill was then sent to the Senate.

**House Bill 1143 – Delegates Lierman, Barkley, Brooks, Clippinger, Davis, Fennell,  
Glenn, Valderrama, and Waldstreicher**

AN ACT concerning

**Maryland Pay Stub Transparency Act of 2017**

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

Affirmative – 90    Negative – 49    (See Roll Call No. 677)

The Bill was then sent to the Senate.

**House Bill 1309 – Delegates Frush ~~and Waldstreicher~~, Waldstreicher, and Carr**

AN ACT concerning

**Environment – Recycling – Special Events**

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

Affirmative – 122    Negative – 17    (See Roll Call No. 678)

The Bill was then sent to the Senate.

**House Bill 1411 – Delegates Dumais, Barron, Hayes, R. Lewis, Lierman, McCray, A. Miller, Moon, Pena–Melnik, Rosenberg, and M. Washington**

AN ACT concerning

**DNA Testing – Postconviction Review**

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

Affirmative – 97    Negative – 42    (See Roll Call No. 679)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 69**

**House Bill 523 – Delegates Jameson, Barron, Chang, Frick, Frush, Healey, Hixson, Jalisi, Kelly, Kramer, Krimm, Lafferty, Lam, Luedtke, Morales, Morhaim, Patterson, Rosenberg, Sanchez, Sophocleus, Stein, Valderrama, Valentino–Smith, ~~and Waldstreicher~~ Waldstreicher, Aumann, Barkley, Brooks, Fennell, Glenn, Lisanti, and C. Wilson**

AN ACT concerning

**Electronic Nicotine Delivery Systems and Vaping Liquid – Licensing**

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

Affirmative – 126    Negative – 11    (See Roll Call No. 680)

The Bill was then sent to the Senate.

**House Bill 694 – Delegates McIntosh and Barron**

AN ACT concerning

**Higher Education – Admissions Process – Criminal History  
(Maryland Fair Access to Education Act of 2017)**

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

Affirmative – 94    Negative – 45    (See Roll Call No. 681)

The Bill was then sent to the Senate.

**House Bill 774 – Delegates Kipke and Bromwell**

AN ACT concerning

**Insurance – ~~Surplus Lines~~ – Short-Term Medical Insurance – ~~Procurement~~  
~~From Nonadmitted Insurer~~ Study**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 682)

The Bill was then sent to the Senate.

**House Bill 1058 – ~~Delegate W. Miller~~ Delegates W. Miller and Adams**

AN ACT concerning

**Business Regulation – ~~Home Improvement Retailers~~ – Home Improvement  
Contracts**

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

Affirmative – 123    Negative – 17    (See Roll Call No. 683)

The Bill was then sent to the Senate.

**House Bill 1122 – Delegate B. Barnes (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Death Benefits**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 684)

The Bill was then sent to the Senate.

**House Bill 1154 – Delegates Hayes, Conaway, and Mosby**

AN ACT concerning

**Program Open Space – Baltimore City Grants – Use of Grant Funds**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 685)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 686)

The Bill was then sent to the Senate.

**House Bill 1526 – Delegates Angel and Vallario**

AN ACT concerning

**Criminal Procedure – Postsentencing – Victim Notification**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 687)

The Bill was then sent to the Senate.

## **ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 15**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 263 – Delegates Carr, Beidle, and Stein**

AN ACT concerning

**School Bus Monitoring Cameras – Exclusion of Vehicle Rental  
Companies – Repeal**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 263

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Repeal” insert “and Notification Requirement”; in line 7, after “cameras;” insert “requiring a law enforcement agency to provide a certain notice to a motor vehicle rental company before issuing a certain citation; prohibiting a law enforcement agency from mailing a motor vehicle rental company a certain citation if the motor vehicle rental company provides the law enforcement agency with certain information or pays a certain penalty; making conforming changes;”; and in line 11, after “21–706.1(a)(3)” insert “and (f)”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“(f) (1) Subject to the provisions of paragraphs (2) through [(4)] (5) of this subsection, a law enforcement agency shall mail to the owner liable under subsection (e) of this section a citation that shall include:

- (i) The name and address of the registered owner of the vehicle;
- (ii) The registration number of the motor vehicle involved in the violation;
- (iii) The violation charged;
- (iv) To the extent possible, the location of the violation;
- (v) The date and time of the violation;
- (vi) A copy of the recorded image;
- (vii) The amount of the civil penalty imposed and the date by which the civil penalty must be paid;



(viii) A signed statement by a technician employed by the law enforcement agency that, based on inspection of recorded images, the motor vehicle was being operated during the commission of a violation;

(ix) A statement that recorded images are evidence of a violation; and

(x) Information advising the person alleged to be liable under this section:

1. Of the manner and time in which liability as alleged in the citation may be contested in the District Court; and

2. That failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability and may result in refusal or suspension of the motor vehicle registration.

(2) The law enforcement agency may mail a warning notice in place of a citation to the owner liable under subsection (e) of this section.

(3) (I) BEFORE MAILING A CITATION TO A MOTOR VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION, A LAW ENFORCEMENT AGENCY SHALL MAIL A NOTICE TO THE MOTOR VEHICLE RENTAL COMPANY STATING THAT A CITATION WILL BE MAILED TO THE MOTOR VEHICLE RENTAL COMPANY UNLESS, WITHIN 45 DAYS OF RECEIVING THE NOTICE, THE MOTOR VEHICLE RENTAL COMPANY PROVIDES THE LAW ENFORCEMENT AGENCY WITH:

1. A STATEMENT MADE UNDER OATH THAT STATES THE NAME AND LAST KNOWN MAILING ADDRESS OF THE INDIVIDUAL DRIVING OR RENTING THE MOTOR VEHICLE WHEN THE VIOLATION OCCURRED;

2. A. A STATEMENT MADE UNDER OATH THAT STATES THAT THE MOTOR VEHICLE RENTAL COMPANY IS UNABLE TO DETERMINE WHO WAS DRIVING OR RENTING THE VEHICLE AT THE TIME THE VIOLATION OCCURRED BECAUSE THE MOTOR VEHICLE WAS STOLEN AT THE TIME OF THE VIOLATION; AND

B. A COPY OF THE POLICE REPORT ASSOCIATED WITH THE MOTOR VEHICLE THEFT CLAIMED UNDER ITEM A OF THIS ITEM; OR

3. PAYMENT FOR THE PENALTY ASSOCIATED WITH THE VIOLATION.

(II) A LAW ENFORCEMENT AGENCY MAY NOT MAIL A CITATION TO A MOTOR VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION IF THE MOTOR VEHICLE RENTAL COMPANY COMPLIES WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(4) Except as provided in PARAGRAPH (3) OF THIS SUBSECTION AND subsection (h)(5) of this section, a citation issued under this section shall be mailed no later than 2 weeks after the alleged violation.

[(4)] (5) A person who receives a citation under paragraph (1) of this subsection may:

(i) Pay the civil penalty, in accordance with instructions on the citation, directly to the county; or

(ii) Elect to stand trial for the alleged violation.”.

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 269 – Delegates Krimm, Brooks, Hettleman, Lierman, McKay, Patterson, and Valentino-Smith**

AN ACT concerning

**Housing Counselor and Aftercare Program**

**HB0269/630317/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 269

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, 17, and 21, in each instance, strike “Counselor” and substitute “Navigator”; in lines 3 and 4, strike “in the Department of Human Resources”; in line 6, after “for” insert “Program”; in line 8, strike “counselor” and substitute “navigator”; in line 12, strike “the Department” and substitute “a certain department”; in line 13, strike “specifying that the Program be funded by a certain fund;”; in line 15, after the second “year” insert “, subject to certain limitations”; strike beginning with “altering” in line 15 down through “Fund;” in line 16 and substitute “making certain provisions of this Act contingent on the taking effect of another Act;”; after line 23, insert:

“BY adding to

Article – Housing and Community Development

Section 4–2301 through 4–2307 to be under the new subtitle “Subtitle 23. Housing  
Navigator and Aftercare Program”

Annotated Code of Maryland

(2006 Volume and 2016 Supplement)”;

and strike in their entirety lines 24 through 28, inclusive.

AMENDMENT NO. 2

On page 2, in lines 4, 6, and 9, in each instance, strike “**COUNSELOR**” and substitute “**NAVIGATOR**”; in line 16, strike “**HOUSING COUNSELING AND AFTERCARE**” and substitute “**PROGRAM**”; and in line 20, strike “**COUNSELOR**” and substitute “**NAVIGATOR**”.

On page 3, in line 12, strike “**COUNSELORS**” and substitute “**NAVIGATORS**”.

On page 4, strike in their entirety lines 5 through 7, inclusive; and in line 9, strike “**BEGINNING**” and substitute “**SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, BEGINNING**”.

On pages 4 and 5, strike in their entirety the lines beginning with line 12 on page 4 through line 7 on page 5, inclusive.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 8 and 9 and substitute:

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

Article – Housing and Community Development

**SUBTITLE 23. HOUSING NAVIGATOR AND AFTERCARE PROGRAM.**

**4-2301.**

**IN THIS SUBTITLE, “PROGRAM” MEANS THE HOUSING NAVIGATOR AND AFTERCARE PROGRAM.**

**4-2302.**

**THERE IS A HOUSING NAVIGATOR AND AFTERCARE PROGRAM IN THE DEPARTMENT.**

**4-2303.**

**THE PURPOSE OF THE PROGRAM IS TO ASSIST FAMILIES AND INDIVIDUALS WHO ARE EXPERIENCING, OR WHO ARE IN IMMINENT DANGER OF, A HOUSING CRISIS IN OBTAINING AND MAINTAINING PERMANENT HOUSING.**

**4-2304.**

**A FAMILY MAY APPLY FOR PROGRAM SERVICES IF THE FAMILY IS THE RECIPIENT OF OR IS IN THE PROCESS OF APPLYING FOR TEMPORARY CASH ASSISTANCE, AS DEFINED IN § 5-301 OF THE HUMAN SERVICES ARTICLE.**

**4-2305.**

**A HOUSING NAVIGATOR SHALL ASSIST A FAMILY OR AN INDIVIDUAL CLIENT WITH SECURING AND MAINTAINING PERMANENT, AFFORDABLE HOUSING BY:**

(1) ASSISTING THE CLIENT WITH SEARCHING FOR AND OBTAINING PERMANENT, AFFORDABLE HOUSING;

(2) DEVELOPING A COMPREHENSIVE, CURRENT LIST OF HOUSING RESOURCES AND EXPANDING THE LIST OF HOUSING RESOURCES TO INCLUDE NEW RESOURCES;

(3) ESTABLISHING A WORKING RELATIONSHIP WITH THE CLIENT AND ADVOCATING FOR THE CLIENT WITH LANDLORDS, PROPERTY MANAGERS, REALTY COMPANIES, AND OTHER SOURCES OF LOW-INCOME HOUSING;

(4) WORKING WITH A CLIENT'S CASE MANAGER, WHEN APPLICABLE, TO COORDINATE SERVICES TO THE CLIENT;

(5) ASSISTING THE CLIENT, AS NEEDED, WITH ISSUES THAT CONTRIBUTE TO CHRONIC HOUSING PROBLEMS, SUCH AS BUDGETING AND HOUSEHOLD MANAGEMENT; AND

(6) PERFORMING OTHER DUTIES AS ASSIGNED BY THE DEPARTMENT.

4-2306.

(A) PROGRAM FUNDS MAY BE USED FOR:

(1) SALARY AND FICA FOR HOUSING NAVIGATORS AND AFTERCARE CASE MANAGERS;

(2) CLIENT-RELATED EXPENSES, INCLUDING:

(I) FIRST AND FINAL MONTHS' RENT;

(II) TRANSPORTATION FOR HOUSING SEARCHES;

(III) MOVING EXPENSES;

(IV) ESSENTIAL FURNISHINGS;

(V) STORAGE;

(VI) ARREARAGES;

(VII) CREDIT CHECKS AND HOUSING APPLICATION FEES;

(VIII) SECURITY DEPOSITS;

(IX) UTILITY DEPOSITS; AND

(X) OTHER IDENTIFIED NEEDS; AND

(3) OTHER ITEMS THAT THE DEPARTMENT DESIGNATES.

(B) A LOCAL ADMINISTRATIVE AGENCY SHALL BE DESIGNATED BY THE DEPARTMENT OR A LOCAL GOVERNMENT TO MANAGE THE PROGRAM IN A PARTICULAR SUBDIVISION, PROVIDE SERVICES, AND PROVIDE FUNDS FOR ADDITIONAL COSTS, INCLUDING OPERATING COSTS, RELATED TO THE PROGRAM.

4-2307.

SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, BEGINNING IN FISCAL YEAR 2019 AND FOR EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET AN APPROPRIATION FOR THE PROGRAM OF \$516,828.

SECTION 3. AND BE IT FURTHER ENACTED, That if Section 2 of this Act takes effect, Section 1 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2017, contingent on the taking effect of Chapter \_\_\_\_ (H.B. 134) of the Acts of the General Assembly of 2017, and if Chapter \_\_\_\_ (H.B. 134) does not take effect, Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions of Sections 3 and 4 of this Act, this Act shall take effect October 1, 2017.”.

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 406 – The Speaker (By Request – Administration) and Delegates Afzali, Anderton, Aumann, Beitzel, Carozza, Cassilly, Ciliberti, Clark, Cluster, Davis, Flanagan, Folden, Hornberger, S. Howard, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McKay, McMillan, Metzgar, Miele, Otto, Reilly, Simonaire, Szeliga, Vogt, West, B. Wilson, and Wivell**

AN ACT concerning

### **Clean Cars Act of 2017**

**HB0406/340912/1**

BY: Environment and Transportation Committee

#### AMENDMENTS TO HOUSE BILL 406

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, after “Delegates” insert “Fraser–Hidalgo.”; and in the same line, strike “and Wivell” and substitute “Wivell, Beidle, Jalisi, and McCray”.

#### AMENDMENT NO. 2

On page 5, in lines 3, 9, 13, and 19, in each instance, strike “**\$2,400,000**” and substitute “**\$3,000,000**

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 656 – Delegates Barve, Carr, Fraser–Hidalgo, Frush, Gilchrist, Krimm, Lafferty, McCray, McIntosh, Platt, Robinson, Stein, and Valentino–Smith**

AN ACT concerning

**Environment – Municipal Stormwater Charges – Property Subject to Charges**

**HB0656/710518/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 656

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Municipal” and substitute “Stormwater Remediation Fees and”; in the same line, after “to” insert “Fees and”; in line 4, after “county,” insert “exempting a public college or university or a local school system from being charged a stormwater remediation fee by a county or municipality, subject to a certain exception; repealing certain provisions of law authorizing a county or municipality to impose stormwater remediation fees and stormwater charges on property owned by the State or a unit of State government;”; in line 5, strike “providing” and substitute “establishing”; in line 6, after the first “a” insert “public”; in the same line, after “stormwater” insert “remediation fees and stormwater”; strike beginning with “imposed” in line 7 down through “located” in line 8; in line 9, strike “municipal” and substitute “stormwater remediation fees and”; in line 17, after “Section” insert “4–202.1(e)(2) and”; and after line 19, insert:

“BY repealing and reenacting, without amendments,

Article – Environment

Section 4–204(e)(1)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing

Article – Environment

Section 4–204(e)(3)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)



BY adding to

Article – Environment

Section 4–204(e)(3)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 1, strike “§ 4–204” and substitute “§§ 4–202.1 AND 4–204”; and after line 9, insert:

“4–202.1.

(e) (2) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, property owned by the State, a unit of State government, a county, a municipality, A PUBLIC COLLEGE OR UNIVERSITY, A LOCAL SCHOOL SYSTEM, a veterans’ organization that is exempt from taxation under § 501(c)(4) or (19) of the Internal Revenue Code, or a regularly organized volunteer fire department that is used for public purposes may not be charged a stormwater remediation fee under this section.

[(ii) 1. Except as provided in subsubparagraph 2 of this subparagraph, property owned by the State or a unit of State government may be charged a stormwater remediation fee by a county under this section if:

A. The State or a unit of State government and a county agree to the collection of an annual stormwater remediation fee from the State or a unit of State government that is based on the share of stormwater management services related to property of the State or a unit of State government located within the county;

B. The county agrees to appropriate into its own local watershed protection and restoration fund, on an annual basis, an amount of money that is based on the share of stormwater management services related to county property on an annual basis; and

C. The county demonstrates to the satisfaction of the State or a unit of State government that the fees collected under item A of this subparagraph and the money appropriated under item B of this subparagraph were deposited into the county’s local watershed protection and restoration fund.

2. A county or municipality may not charge a stormwater remediation fee to property specifically covered by a current national pollutant discharge elimination system Phase I municipal separate storm sewer system permit or industrial stormwater permit held by the State or a unit of State government.]

(II) PROPERTY OWNED BY THE STATE OR A UNIT OF STATE GOVERNMENT, A COUNTY, A MUNICIPALITY, A PUBLIC COLLEGE OR UNIVERSITY, OR A LOCAL SCHOOL SYSTEM IS SUBJECT TO A STORMWATER REMEDIATION FEE ADOPTED UNDER THIS SECTION BY THE COUNTY OR MUNICIPALITY WITHIN WHICH THE PROPERTY IS LOCATED IF:

1. THE PROPERTY IS SUBJECT TO A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT ISSUED TO THE COUNTY OR MUNICIPALITY IN WHICH THE PROPERTY IS LOCATED;

2. TO THE SAME EXTENT AS OTHER PROPERTY LOCATED IN THE COUNTY OR MUNICIPALITY, THE PROPERTY IS ELIGIBLE FOR ANY CREDIT THE COUNTY OR MUNICIPALITY PROVIDES AGAINST THE STORMWATER REMEDIATION FEES TO ACCOUNT FOR ON-SITE AND OFF-SITE SYSTEMS, FACILITIES, SERVICES, OR ACTIVITIES OWNED OR PROVIDED BY THE PROPERTY OWNER THAT REDUCE THE QUANTITY AND IMPROVE THE QUALITY OF STORMWATER DISCHARGED FROM THE PROPERTY FOR WHICH THE STORMWATER REMEDIATION FEES ARE IMPOSED OR FROM OTHER PROPERTY WITHIN THE COUNTY OR MUNICIPALITY; AND

3. THE COUNTY OR MUNICIPALITY AND THE PROPERTY OWNER HAVE NOT ENTERED INTO A MUTUALLY AGREED UPON ALTERNATIVE ARRANGEMENT IN LIEU OF THE IMPOSITION OF THE STORMWATER REMEDIATION FEE.

(iii) A county or municipality may charge a stormwater remediation fee to property owned by a veterans' organization that is exempt from taxation under § 501(c)(4) or (19) of the Internal Revenue Code or a regularly organized volunteer fire department if:

1. The county or municipality determines that the creation of a nondiscriminatory program for applying the stormwater remediation fee to federal

properties under the federal facilities pollution control section of the Clean Water Act is necessary in order for the county or municipality to receive federal funding for stormwater remediation; and

2. A veterans' organization that is exempt from taxation under § 501(c)(4) or (19) of the Internal Revenue Code and a regularly organized volunteer fire department that is used for public purposes are provided with the opportunity to apply for an alternate compliance plan established under subsection (k)(3) of this section instead of paying a stormwater remediation fee charged by a county or municipality under item 1 of this subparagraph.”.

#### AMENDMENT NO. 3

On page 3, in line 2, after “COUNTY,” insert “A MUNICIPALITY,”; in the same line, after the second “A” insert “PUBLIC”; in line 4, after “A” insert “COUNTY OR”; in line 6, after “THE” insert “COUNTY OR”; in line 7, strike “AND”; and strike beginning with “PROPERTY” in line 8 down through “CHARGES” in line 9, and substitute “THE PROPERTY IS SUBJECT TO A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT ISSUED TO THE COUNTY OR MUNICIPALITY IN WHICH THE PROPERTY IS LOCATED;”

(III) TO THE SAME EXTENT AS OTHER PROPERTY LOCATED IN THE COUNTY OR MUNICIPALITY, THE PROPERTY IS ELIGIBLE FOR ANY CREDIT THE COUNTY OR MUNICIPALITY PROVIDES AGAINST THE CHARGES TO ACCOUNT FOR ON-SITE AND OFF-SITE SYSTEMS, FACILITIES, SERVICES, OR ACTIVITIES OWNED OR PROVIDED BY THE PROPERTY OWNER THAT REDUCE THE QUANTITY AND IMPROVE THE QUALITY OF STORMWATER DISCHARGED FROM THE PROPERTY FOR WHICH THE CHARGES ARE IMPOSED OR FROM OTHER PROPERTY WITHIN THE COUNTY OR MUNICIPALITY; AND

(IV) THE COUNTY OR MUNICIPALITY AND THE PROPERTY OWNER HAVE NOT ENTERED INTO A MUTUALLY AGREED UPON ALTERNATIVE ARRANGEMENT IN LIEU OF THE IMPOSITION OF THE CHARGES”.

#### AMENDMENT NO. 4

On page 3, after line 13, insert:

“(e) (1) This subsection applies to a system of charges established by Montgomery County under subsection (d) of this section.

[(3) Property owned by the State or a unit of State government in the county may be charged under the system of charges adopted by the county under this section if:

(i) The State or a unit of State government and the county agree to the collection of the charge from the State or a unit of State government that is based on the share of stormwater management services related to property of the State or a unit of State government located within the county;

(ii) The county agrees to appropriate into its own local watershed protection and restoration fund, on an annual basis, an amount of money that is based on the share of stormwater management services related to county property on an annual basis; and

(iii) The county demonstrates to the satisfaction of the State or a unit of State government that the charge collected under item (i) of this paragraph and the money appropriated under item (ii) of this paragraph were deposited into the county's local watershed protection and restoration fund.]

**(3) PROPERTY OWNED BY THE STATE OR A UNIT OF STATE GOVERNMENT, A COUNTY, A MUNICIPALITY, A PUBLIC COLLEGE OR UNIVERSITY, OR A LOCAL SCHOOL SYSTEM IN THE COUNTY IS SUBJECT TO A STORMWATER CHARGE ADOPTED BY THE COUNTY UNDER THIS SECTION IF:**

**(I) THE COUNTY HAS ESTABLISHED A DEDICATED STORMWATER MANAGEMENT FUND;**

**(II) THE PROPERTY IS SUBJECT TO A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT ISSUED TO THE COUNTY;**

**(III) TO THE SAME EXTENT AS OTHER PROPERTY LOCATED IN THE COUNTY, THE PROPERTY IS ELIGIBLE FOR ANY CREDIT THE COUNTY PROVIDES AGAINST THE CHARGES TO ACCOUNT FOR ON-SITE AND OFF-SITE SYSTEMS, FACILITIES, SERVICES, OR ACTIVITIES OWNED OR PROVIDED BY THE PROPERTY OWNER THAT REDUCE THE QUANTITY AND IMPROVE THE QUALITY OF STORMWATER**

**DISCHARGED FROM THE PROPERTY FOR WHICH THE CHARGES ARE IMPOSED OR  
FROM OTHER PROPERTY WITHIN THE COUNTY; AND**

**(IV) THE COUNTY AND THE PROPERTY OWNER HAVE NOT  
ENTERED INTO A MUTUALLY AGREED UPON ALTERNATIVE ARRANGEMENT IN LIEU  
OF THE IMPOSITION OF THE CHARGES.”.**

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 with amendments:

**House Bill 830 – Delegates Healey and Frush**

AN ACT concerning

**Pollinator Habitat Plans – Plan Contents – Requirement and Prohibition**

**HB0830/530910/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 830**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 2, strike “Requirement” and substitute “Requirements”; in line 3, after “of” insert “requiring a certain pollinator habitat plan to include certain best management practices for the designation of certain habitat areas;”; in line 7, strike “, seeds, or plants”; in the same line, strike “the pollinator habitat plan” and substitute “a certain pollinator habitat area, subject to certain exceptions”; and in the same line, strike “a certain term” and substitute “certain terms”.

**AMENDMENT NO. 2**

On page 1, strike lines 18 and 19 in their entirety and substitute:

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

(2) “CERTIFIED APPLICATOR” HAS THE MEANING STATED IN § 5-201 OF THIS ARTICLE.

(3) “NEONICOTINOID PESTICIDE” HAS THE MEANING STATED IN § 5-2A-01 OF THIS ARTICLE.”.

AMENDMENT NO. 3

On page 2, in line 2, after “the” insert “DESIGNATION,”; in line 3, strike “habitats” and substitute “HABITAT AREAS”; and in line 11, after “IN” insert “AN AREA DESIGNATED OR CREATED AS A POLLINATOR HABITAT AREA IN ACCORDANCE WITH”.

AMENDMENT NO. 4

On page 2, in line 10, strike “MAY” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, MAY”; strike beginning with the comma in line 10 down through “PLANTS” in line 11; in line 12, after “PESTICIDES;” insert “OR”; strike beginning with the semicolon in line 14 down through “PESTICIDE” in line 16; after line 16, insert:

“(3) (I) PESTICIDES LABELED AS TOXIC TO BEES OR OTHER POLLINATORS MAY BE USED IN AN AREA DESIGNATED OR CREATED AS A POLLINATOR HABITAT AREA UNDER A POLLINATOR HABITAT PLAN IF:

1. THE SECRETARY OF HEALTH AND MENTAL HYGIENE, THE SECRETARY OF AGRICULTURE, OR THE SECRETARY OF NATURAL RESOURCES DETERMINES THAT THE USE IS NECESSARY TO RESPOND TO A SPECIFIC INSTANCE OF THREAT TO PUBLIC HEALTH OR TO CONTROL FOR INVASIVE SPECIES; AND

2. THE PESTICIDES ARE APPLIED BY A CERTIFIED APPLICATOR OR A PERSON WORKING UNDER THE SUPERVISION OF A CERTIFIED APPLICATOR.

(II) A POLLINATOR HABITAT PLAN REQUIRED UNDER THIS SUBSECTION MAY NOT RESTRICT A FARMER, OR A PERSON WORKING UNDER THE SUPERVISION OF A FARMER, FROM USING THE PESTICIDES SPECIFIED UNDER

PARAGRAPH (2)(V) OF THIS SUBSECTION FOR AGRICULTURAL PURPOSES, INCLUDING:

1. CROP PRODUCTION;
2. LIVESTOCK;
3. POULTRY;
4. EQUINE; AND
5. NONCROP AGRICULTURAL FIELDS.”;

and in line 24, strike “July” and substitute “June”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 874 – Delegates Cassilly and Szeliga**

AN ACT concerning

**Air Navigation Protection From Hazards Act of 2017**

**HB0874/540314/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 874

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “law” insert “relating to obstructions to air navigation”; and in line 5, after “circumstances;” insert “providing that the exemption does not apply to”

the cutting or clearing of trees to facilitate the expansion or extension of the boundaries of any airport or runway;”.

AMENDMENT NO. 2

On page 3, in line 7, before “§ 5-703” insert “SUBJECT TO SUBSECTION (C) OF THIS SECTION,”; in line 8, after “THAT” insert “, IF A DISPUTE ARISES REGARDING THE CUTTING OR CLEARING OF TREES,”; in lines 9 and 10, strike “HAS DETERMINED THAT THE TREES ARE A HAZARD TO AIR NAVIGATION” and substitute “MAKES THE FINAL DETERMINATION WHETHER THE TREES SHOULD BE CUT OR CLEARED”; and in line 18, after “(c)” insert “AN EXEMPTION UNDER SUBSECTION (B)(11)(II) OF THIS SECTION DOES NOT APPLY TO THE CUTTING OR CLEARING OF TREES TO FACILITATE THE EXPANSION OR EXTENSION OF THE BOUNDARIES OF ANY AIRPORT OR RUNWAY.

(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 with amendments:

**House Bill 1079 – Delegate McMillan**

AN ACT concerning

**Roadways – Crossing by Pedestrians of Roadways – Authority of Local Jurisdictions**

**HB1079/910211/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1079  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “operation” insert “and establish a certain civil penalty”.



AMENDMENT NO. 2

On page 3, in line 26, after “OPERATION” insert “AND ESTABLISHING A CIVIL PENALTY FOR A VIOLATION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1168 – Delegate Holmes**

AN ACT concerning

**Counties and Municipalities – Land Bank Authorities**

**HB1168/710314/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1168

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Holmes” and substitute “Delegates Holmes and Angel”.

AMENDMENT NO. 2

On page 2, in line 15, before “BE” insert “AND”; and strike beginning with “BY” in line 15 down through “MARYLAND” in line 16.

On page 9, in line 6, after “(C)” insert “(1)”; in the same line, strike “CLEAR” and substitute “QUIET”; in line 8, strike “(1)” and substitute “(I)”; in line 9, after the semicolon insert “AND”; strike in their entirety lines 10 through 27, inclusive, and substitute:

**“(II) FILING A COMPLAINT TO QUIET TITLE IN ACCORDANCE WITH TITLE 14, SUBTITLE 6 OF THE REAL PROPERTY ARTICLE.”;**

and in line 28, strike “(E)” 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 Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**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**

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 1253 – Delegate Long**

AN ACT concerning

**State Boat Act – Removal of Abandoned or Sunken Vessels**

**HB1253/380316/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1253

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “altering the definition of “abandoned vessel” to include a sunken vessel but exclude certain historic property or submerged archaeological historic property.”; and in line 8, after “Department” insert “, in consultation with the Director of the Maryland Historical Trust.”.

AMENDMENT NO. 2

On page 2, in line 10, after “(5)” insert “**(I)**”; and in line 12, after “hazard” insert “;  
**AND**

**(II) IS NOT:**

**1. HISTORIC PROPERTY AS DEFINED IN § 5A-301 OF THE  
STATE FINANCE AND PROCUREMENT ARTICLE; OR**

**2. SUBMERGED ARCHAEOLOGICAL HISTORIC PROPERTY  
AS DEFINED IN § 5A-333 OF THE STATE FINANCE AND PROCUREMENT ARTICLE”.**

On page 3, in line 30, after “DEPARTMENT” insert “**, IN CONSULTATION WITH THE  
DIRECTOR OF THE MARYLAND HISTORICAL TRUST,**”.

The preceding 2 amendments were read only.

Delegate Stein moved to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

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

AN ACT concerning

**Motor Vehicles – Passenger Seat Belt Requirement – Primary Offense**

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 1334 – Delegates A. Washington, Jalisi, McCray, Sanchez, Tarlau,  
Valderrama, and Valentino–Smith**

AN ACT concerning

**State Highway Administration – Traffic Control Devices – Decorative  
Treatments**

**HB1334/790414/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 1334

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Valentino–Smith” and substitute “Valentino–Smith, and Healey”.

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 1376 – Delegate Malone**

AN ACT concerning

**Real Property – Mortgages – Substitution of Surviving Spouse**

**HB1376/270318/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1376

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Malone” and substitute “Delegates Malone, Anderton, Beidle, Cassilly, Flanagan, Folden, Jacobs, and McMillan”; in line 2, strike “Real Property –”; in the same line, strike “Substitution of” and substitute “Access to Mortgage Records –”; and strike beginning with the first “a” in line 3 down through “term” in line 5 and substitute “the surviving spouse of a deceased mortgagor to be considered an interested party by a lender under certain circumstances; providing that a surviving spouse

who becomes an interested party under this Act is entitled to certain access to certain information regarding the mortgage”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 6 on page 2 and substitute:

**“(A) FOLLOWING THE DEATH OF A MORTGAGOR, A LENDER SHALL CONSIDER THE SURVIVING SPOUSE OF THE MORTGAGOR WHO ASSUMED SOLE OWNERSHIP OF THE PROPERTY ON THE DEATH OF THE MORTGAGOR, BUT WHO WAS NOT A NAMED PARTY TO THE MORTGAGE, AN INTERESTED PARTY TO THE MORTGAGE.**

**(B) A SURVIVING SPOUSE WHO BECOMES AN INTERESTED PARTY TO A MORTGAGE UNDER THIS SECTION SHALL BE ENTITLED TO THE SAME ACCESS TO MORTGAGE RECORDS AND INFORMATION AS WAS THE MORTGAGOR.”.**

Delegate Holmes moved the Bill be recommitted.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**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**

**HB1463/760315/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1463

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after “fighting;” insert “requiring the Board to adopt certain regulations;”.

AMENDMENT NO. 2

On page 3, in line 20, strike “(B)” and substitute “(A)”.

On page 4, after line 10, insert:

**“(D) THE BOARD SHALL ADOPT REGULATIONS ESTABLISHING:**

**(1) CONFIDENTIALITY PROCEDURES FOR PROTECTING THE IDENTITY OF THE VETERINARY PRACTITIONER MAKING A REPORT UNDER THIS SECTION;**

**(2) CONFIDENTIALITY PROCEDURES FOR PROTECTING THE SUBSTANCE OF A REPORT MADE UNDER THIS SECTION AND ANY RECORDS ASSOCIATED WITH THE REPORT; AND**

**(3) CONDITIONS UNDER WHICH THE SUBSTANCE OF A REPORT MAY BE DISCLOSED.”.**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **SPECIAL ORDERS**

#### **House Bill 1253 – Delegate Long**

AN ACT concerning

#### **State Boat Act – Removal of Abandoned or Sunken Vessels**

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

**HB1253/380316/1**

BY: Environment and Transportation Committee

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “altering the definition of “abandoned vessel” to include a sunken vessel but exclude certain historic property or submerged archaeological historic property;”; and in line 8, after “Department” insert “, in consultation with the Director of the Maryland Historical Trust,”.

AMENDMENT NO. 2

On page 2, in line 10, after “(5)” insert “(I)”; and in line 12, after “hazard” insert “;  
AND

(II) IS NOT:

1. HISTORIC PROPERTY AS DEFINED IN § 5A-301 OF THE  
STATE FINANCE AND PROCUREMENT ARTICLE; OR

2. SUBMERGED ARCHAEOLOGICAL HISTORIC PROPERTY  
AS DEFINED IN § 5A-333 OF THE STATE FINANCE AND PROCUREMENT ARTICLE”.

On page 3, in line 30, after “DEPARTMENT” insert “, IN CONSULTATION WITH THE  
DIRECTOR OF THE MARYLAND HISTORICAL TRUST,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**WAYS AND MEANS COMMITTEE REPORT NO. 15**

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

**House Bill 923 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Property Tax Credit – Allegany County Animal Shelter  
Management Foundation, Inc.**

**HB0923/755168/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 923

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “Allegany” in line 2 down through “Inc.” in line 3 and substitute “Community Organizations”; in line 6, after “on” insert “certain”; strike beginning with “the” in line 6 down through “Inc.,” in line 7 and substitute “certain organizations”; and in line 8, after “credits” insert “for certain organizations”.

AMENDMENT NO. 2

On page 2, in line 14, strike “AND”; strike in their entirety lines 15 through 18, inclusive, and substitute:

“(12) PROPERTY THAT IS OWNED BY THE FROSTBURG MUSEUM ASSOCIATION, INC.;

(13) PROPERTY THAT IS OWNED BY THE ALLEGANY COUNTY ANIMAL SHELTER MANAGEMENT FOUNDATION, INC.;

(14) PROPERTY THAT IS OWNED BY THE FAMILY JUNCTION, INC.; AND

(15) PROPERTY THAT IS OWNED BY THE LAVALE SWIM CLUB, INC.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect all taxable years beginning after June 30, 2016.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 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:

**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**

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 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**

**HB1578/355761/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1578

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Repeal” and substitute “Extension”; in line 5, strike “repealing” and substitute “extending”; in line 7, strike “repealing as obsolete” and substitute “altering a certain date of”; in line 15, after “repealing” insert “and reenacting with amendments.”; in line 17, after “2” insert “and 3”; and strike in their entirety lines 18 through 20, inclusive.

AMENDMENT NO. 2

On page 5 in lines 31 and 34, and on page 6 in lines 2 and 4, in each instance, strike the bracket.

On page 5, in line 32, strike “2016” and substitute “**2018**”.

On page 6, in line 2, strike “5” and substitute “**9**”; and in the same line, strike “2017” and substitute “**2021**”.

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:

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 10**

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

**House Bill 144 – Chair, Health and Government Operations Committee (By  
Request – Departmental – General Services)**

AN ACT concerning

**Procurement – Department of General Services – Exemption for Historic  
Structures**

**HB0144/846289/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 144

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 6, strike “built during certain centuries or”; and in line 7, after “Places” insert “, to the extent necessary to preserve the historic fabric of the structure, as determined by the Department in consultation with the Maryland Historic Trust”.

AMENDMENT NO. 2

On page 1, in line 20, strike “renovation” and substitute “**REHABILITATION**”; and in line 21, strike the colon.

On page 2, strike beginning with “1.” in line 1 down through “2.” in line 2; and in line 3, after “Places” insert “, **TO THE EXTENT THE PROCUREMENT IS NECESSARY TO PRESERVE THE HISTORIC FABRIC OF THE STRUCTURE IMPACTED BY THE REHABILITATION, AS DETERMINED BY THE DEPARTMENT OF GENERAL SERVICES IN CONSULTATION WITH THE MARYLAND HISTORIC TRUST**”.

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 426 – The Speaker (By Request – Administration) and Delegates  
Cassilly, Kipke, McConkey, and West**

AN ACT concerning

**Promoting Efficiencies in State Procurement**

**HB0426/496682/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 426

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and West” and substitute “West, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Krebs, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young”; in line 11, strike “requiring” and substitute “authorizing”; in line 13, after “goods;” insert “providing that, under certain circumstances, certain requirements for master contracts do not apply to master contracts for construction;”; in line 17, after “Services;” insert “increasing, to at least a certain percentage, the amount of payment security a contractor is required to provide before a public body is authorized to award a construction contract; authorizing the head of a public body to reduce the amount of payment security required for certain construction contracts if a certain determination is made;”; and in line 22, after “services;” insert “requiring the Maryland Higher Education Commission to conduct a certain study in consultation with certain associations and report to certain committees of the General Assembly on or before a certain date;”.

#### AMENDMENT NO. 2

On page 21, in line 8, strike “shall” and substitute “MAY”.

On page 22, after line 20, insert:

**“(F) THE REQUIREMENTS OF SUBSECTIONS (C)(2), (D), AND (E) OF THIS SECTION DO NOT APPLY TO A MASTER CONTRACT FOR CONSTRUCTION IF THE MASTER CONTRACT:**

**(1) IS AWARDED THROUGH A COMPETITIVE PROCESS IN ACCORDANCE WITH THIS SUBTITLE; AND**

**(2) STATES HOW TASK ORDERS WILL BE AWARDED AND THE MAXIMUM NUMBER OF QUALIFIED CONTRACTORS THAT WILL BE AWARDED A MASTER CONTRACT FOR CONSTRUCTION.”**

#### AMENDMENT NO. 3

On page 36, in line 10, strike “The” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE”; in line 13, strike “50%” and substitute “100%”; and after line 14, insert:

**“(3) BEFORE ISSUING AN INVITATION FOR BIDS FOR A CONSTRUCTION CONTRACT REQUIRING PAYMENT SECURITY, THE HEAD OF THE PUBLIC BODY MAY REDUCE THE AMOUNT OF PAYMENT SECURITY REQUIRED TO NOT LESS THAN 50%**

OF THE TOTAL AMOUNT PAYABLE UNDER THE CONTRACT IF A DETERMINATION IS MADE IN WRITING THAT INCLUDES:

(I) A STATEMENT THAT REDUCING THE AMOUNT IS IN THE BEST INTEREST OF THE STATE; AND

(II) INFORMATION ON:

1. THE VALUE AND NUMBER OF SUBCONTRACTS TO BE AWARDED BY THE CONTRACTOR; AND

2. THE VALUE OF THE CONTRACT.”.

AMENDMENT NO. 4

On page 40, after line 27, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2017, the Maryland Higher Education Commission, in consultation with the Maryland–Delaware–District of Columbia Press Association and the Maryland Association of Community Colleges, shall:

(1) study the use and cost of advertising for bids in at least one newspaper published in the county as required under § 16–311 of the Education Article; and

(2) report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the findings of the study conducted under item (1) of this section.”;

and in line 28, strike “2.” and substitute “3.”.

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 498 – Delegate Hettleman**

AN ACT concerning

**Health Care Decisions Act – Advance Directives and Surrogate Decision Making  
– Disqualified Individuals**

**HB0498/376288/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 498

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “circumstances;” insert “establishing a certain exception;”; and strike beginning with “who” in line 6 down through “decision;” in line 7 and substitute “under certain circumstances; requiring a person who obtains certain information that would prohibit an individual from serving as a health care agent or making health care decisions for a certain individual to provide the information to a certain health care provider or a certain health care facility;”.

AMENDMENT NO. 2

On page 2, in line 31, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE**”.

On page 3, after line 4, insert:

**“(III) AN INDIVIDUAL MAY SERVE AS A HEALTH CARE AGENT FOR A DECLARANT AFTER THE DATE OF THE EXECUTION OF A SEPARATION AGREEMENT OR THE FILING OF AN APPLICATION FOR DIVORCE IF THE DECLARANT:**

**1. IS ABLE TO MAKE A DECISION ABOUT THE INDIVIDUAL’S APPOINTMENT AS THE DECLARANT’S HEALTH CARE AGENT; OR**

**2. HAS OTHERWISE INDICATED AN INTENT TO HAVE THE INDIVIDUAL SERVE AS THE DECLARANT’S HEALTH CARE AGENT.”**

AMENDMENT NO. 3

On page 3, after line 7, insert:

“(5) A PERSON WHO OBTAINS NEW INFORMATION THAT WOULD PROHIBIT AN INDIVIDUAL FROM SERVING AS A DECLARANT’S HEALTH CARE AGENT UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION SHALL PROVIDE THE INFORMATION TO ANY HEALTH CARE PROVIDER OR HEALTH CARE FACILITY PROVIDING SERVICES TO THE DECLARANT.”.

On page 4, after line 27, insert:

“(6) A PERSON WHO OBTAINS NEW INFORMATION THAT WOULD PROHIBIT AN INDIVIDUAL FROM MAKING HEALTH CARE DECISIONS FOR A PATIENT UNDER PARAGRAPH (4) OF THIS SUBSECTION SHALL PROVIDE THE INFORMATION TO ANY HEALTH CARE PROVIDER OR HEALTH CARE FACILITY PROVIDING SERVICES TO THE PATIENT.”.

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 824 – Chair, Health and Government Operations Committee**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Sunset Extension and Program Evaluation**

**HB0824/536988/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 824

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “date;” insert “altering the circumstances under which a body of a decedent may be transported for preparation or storage to a facility that is not within the jurisdiction of the State, licensed by the Board, or permitted by the Office of

Cemetery Oversight;”; in line 11, after “Services” insert “and certain committees of the General Assembly”; strike beginning with the first “and” in line 13 down through “states” in line 14; and after line 15, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–513(g)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”.

#### AMENDMENT NO. 2

On page 1, after line 27, insert:

“Article – Health – General

5–513.

(g) (1) Except as provided in paragraph (2) of this subsection, while the body of a decedent is in the custody of a funeral establishment or crematory in the State, the body may not be transported for preparation or storage to a facility that is not within the jurisdiction of the State, licensed by the State Board of Morticians and Funeral Directors, or permitted by the Office of Cemetery Oversight.

(2) The body of a decedent may be transported for preparation or storage to a facility that is not within the jurisdiction of the State, licensed by the State Board of Morticians and Funeral Directors, or permitted by the Office of Cemetery Oversight if:

(i) [The facility has entered into a written agreement with the State Board of Morticians and Funeral Directors or the Office of Cemetery Oversight to allow the State to make unannounced inspections of the facility; and

(ii) The person authorized to arrange for the final disposition of the body under § 5–509 of this subtitle:

1. Has given written permission for the body to be transported to the facility; or

2. A. Has given oral permission for the body to be transported to the facility; and



B. Within 36 hours after giving oral permission, provides written verification of the oral permission; AND

(II) THE PERMISSION REQUIRED UNDER ITEM (I) OF THIS PARAGRAPH IS GIVEN TO THE FUNERAL HOME OR CREMATORY IN THE STATE THAT HAS CUSTODY OF THE BODY BEFORE THE BODY IS TRANSPORTED.”

AMENDMENT NO. 3

On page 2, in line 5, strike “2028” and substitute “2023”; and in line 12, strike “2026” and substitute “2021”.

AMENDMENT NO. 4

On page 2, strike in their entirety lines 13 through 20, inclusive; in line 21, strike “3.” and substitute “2.”; and in line 29, after “Services” insert “and, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee”.

On page 3, after line 4, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 1, 2019, the State Board of Morticians shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on Board efforts to:

(1) work with the Department of Health and Mental Hygiene to facilitate Board record keeping and improve the Board’s Web site;

(2) work to improve the negative perception of the Board by some licensees;  
and

(3) further enhance communications with the industry.”;

in lines 12 and 13, strike “: (i)”; and strike beginning with the semicolon in line 13 down through “industry” in line 18.

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 957 – Delegates Miele and Cluster**

AN ACT concerning

**Physicians – Licensure – Liability Coverage  
(Janet’s Law)**

**HB0957/236286/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 957

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Cluster” and substitute “, Cluster, and Bromwell”; strike line 2 in its entirety and substitute:

“State Board of Physicians – Medical Professional Liability Insurance Coverage –  
Verification, Publication, and Notification Requirements”;

strike beginning with “requiring” in line 4 down through “period;” in line 8; in line 8, before “physician” insert “certain”; in the same line, after “the” insert “State”; in the same line, after “Board” insert “of Physicians”; strike beginning with the first “on” in line 9 down through “Board;” in line 10 and substitute “within a certain number of days after the Board requests the verification or documentation;”; strike beginning with “authorizing” in line 10 down through “changes;” in line 14 and substitute “requiring the public individual profile of certain licensees of the Board to include certain information as reported to the Board, including information regarding whether the licensee maintains medical professional liability insurance; requiring certain licensees practicing medicine in the State to notify patients in writing, at each visit, of certain information relating to medical professional liability insurance coverage; requiring the notification to be signed by a patient at a certain time; requiring a licensee to retain the notification as part of certain records and, under certain circumstances, to post certain information in a certain location at the licensee’s

place of practice; requiring the State Board of Physicians to develop certain language for a certain required notification;"; in line 18, strike "14-205(b)(1), 14-309, 14-316(c), 14-317, and 14-404(a)(41) and (42)" and substitute "14-411.1(b)(6)"; and in line 23, strike "14-404(a)(43) and (44)" and substitute "14-508".

#### AMENDMENT NO. 2

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

On page 4, after line 4, insert "14-312.1."; in line 5, strike "(D) (1)"; in the same line, strike "A" and substitute "ON REQUEST OF THE BOARD, A"; in the same line, after "PHYSICIAN" insert "WHO REPORTS TO THE BOARD THAT THE PHYSICIAN MAINTAINS MEDICAL PROFESSIONAL LIABILITY INSURANCE FOR PURPOSES OF THE PUBLIC INDIVIDUAL PROFILE MAINTAINED BY THE BOARD UNDER § 14-411.1(B) OF THIS TITLE"; in line 6, strike "APPROVED BY THE BOARD"; and strike beginning with "OR" in line 7 down through "SECTION:" in line 8 and substitute "WITHIN 5 BUSINESS DAYS AFTER THE REQUEST IS MADE.".

On pages 4 through 6, strike in their entirety the lines beginning with line 9 on page 4 through line 29 on page 6, inclusive, and substitute:

"14-411.1.

(b) The Board shall create and maintain a public individual profile on each licensee that includes the following information:

(6) [Medical] AS REPORTED TO THE BOARD BY THE LICENSEE, education and practice information about the licensee including:

(i) The name of any medical school that the licensee attended and the date on which the licensee graduated from the school;

(ii) A description of any internship and residency training;

(iii) A description of any specialty board certification by a recognized board of the American Board of Medical Specialties or the American Osteopathic Association;

(iv) The name of any hospital where the licensee has medical privileges [as reported to the Board under § 14–413 of this subtitle];

(v) The location of the licensee’s primary practice setting; [and]

(vi) Whether the licensee participates in the Maryland Medical Assistance Program; AND

(VII) WHETHER THE LICENSEE MAINTAINS MEDICAL PROFESSIONAL LIABILITY INSURANCE.

14–508.

(A) EACH LICENSEE PRACTICING MEDICINE IN THE STATE SHALL NOTIFY A PATIENT IN WRITING, AT EACH VISIT, IF:

(1) THE LICENSEE DOES NOT MAINTAIN MEDICAL PROFESSIONAL LIABILITY INSURANCE COVERAGE; OR

(2) THE LICENSEE’S MEDICAL PROFESSIONAL LIABILITY INSURANCE COVERAGE HAS LAPSED FOR ANY PERIOD OF TIME AND THE LICENSEE’S COVERAGE HAS NOT BEEN RENEWED.

(B) THE WRITTEN NOTIFICATION PROVIDED TO THE PATIENT UNDER SUBSECTION (A) OF THIS SECTION MUST BE:

(1) SIGNED BY THE PATIENT AT THE TIME OF THE PATIENT’S VISIT; AND

(2) RETAINED BY THE LICENSEE AS PART OF THE LICENSEE’S PATIENT RECORDS.

(C) EACH LICENSEE PRACTICING MEDICINE IN THE STATE WHO DOES NOT MAINTAIN MEDICAL PROFESSIONAL LIABILITY INSURANCE COVERAGE SHALL POST THIS INFORMATION IN A CONSPICUOUS LOCATION IN THE LICENSEE’S PLACE OF PRACTICE.

SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Physicians shall develop appropriate language for the notification required under § 14-508 of the Health Occupations Article as enacted by Section 1 of this Act.”.

On page 6, in line 30, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Morhaim moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

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

### **House Bill 1022 – Delegate West**

AN ACT concerning

### **Health Occupations – Violations of the Maryland Dentistry Act – Penalties**

**HB1022/416881/1**

BY: Health and Government Operations Committee

### AMENDMENTS TO HOUSE BILL 1022

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, after “Penalties” insert “and Cease and Desist Orders”; in line 3, after “of” insert “authorizing the State Board of Dental Examiners to issue a cease and desist order for certain violations;”; in line 6, after “hygiene;” insert “authorizing the Board to levy certain civil fines for certain violations;”; in line 10, after “to” insert “cease and desist orders and”; and after line 10, insert:

“BY adding to

Article – Health Occupations

Section 4-321

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“4-321.

IN ADDITION TO ANY OTHER PENALTIES OR DISCIPLINARY ACTIONS AUTHORIZED UNDER THIS TITLE, THE BOARD MAY ISSUE A CEASE AND DESIST ORDER FOR CONDUCT THAT:

(1) IS IN VIOLATION OF § 4-601 OR § 4-602 OF THIS TITLE; OR

(2) VIOLATES ANY PROHIBITION IN SUBTITLE 4 OF THIS TITLE THAT RELATES TO DENTAL LABORATORY WORK.”.

On page 2, in line 1, strike “guilty” and substitute “:

(I) GUILTY”;

in lines 3 and 5, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and in line 6, after “YEARS” insert “;AND

(II) SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$50,000 TO BE LEVIED BY THE BOARD”.

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 1113 – Delegates Lam, Barve, Brooks, Hill, Jones, Krimm, Patterson, Turner, and K. Young**

AN ACT concerning

**Health Occupations – Maryland Community Health Worker Act**

**HB1113/856080/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1113

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, Pendergrass, Bromwell, Angel, Cullison, Hayes, Kelly, Kipke, Metzgar, Morales, Pena–Melnik, Platt, Rosenberg, Sample–Hughes, and West”; in line 28, strike “requiring, beginning on a certain date,” and substitute “authorizing”; in line 29, strike “before practicing” and substitute “to practice”; and in line 30, after “State;” insert “providing for the application of a certain provision of this Act;”.

On page 2, in line 13, after “check;” insert “requiring the Board to consider certain factors in determining whether to grant a certification on receipt of the criminal history record information; providing that a renewal applicant is not required to complete a criminal history records check under certain circumstances; authorizing the Board to waive certain qualifications for a certain certification for an applicant who pays a certain fee, holds a certain certification or similar credential in another state under certain circumstances, and submits to a criminal history records check;”; strike beginning with “providing” in line 15 down through “worker;” in line 16; strike beginning with “prohibiting” in line 39 down through “certificate;” in line 40; and in line 47, after “circumstances;” insert “requiring that the fee for an application for a certain initial certification be a certain amount for a certain period of time; requiring the Board to set a certain application fee on or after a certain date;”.

AMENDMENT NO. 2

On page 5, in lines 24 and 25, in each instance, strike “**11**” and substitute “**15**”; in line 26, strike “**1**” and substitute “**ONE**”; and in line 28, strike “**10**” and substitute “**14**”.

On page 6, in line 1, strike “**10**” and substitute “**14**”; in line 2, strike “**5**” and substitute “**SEVEN**”; after line 2, insert:

**“(II) ONE SHALL BE A REGISTERED NURSE WITH EXPERIENCE IN COMMUNITY HEALTH;**

**“(III) ONE SHALL BE A LICENSED SOCIAL WORKER;”**;

in lines 3, 5, 7, 9, and 11, strike “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(IV)”, “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively; and in the same lines, in each instance, strike “1” and substitute “ONE”.

On page 9, in line 28, strike “**BEGINNING OCTOBER 1, 2018, AN**” and substitute “AN”; and in the same line, strike “**SHALL**” and substitute “MAY”.

On page 10, in line 1, strike “**BEFORE THE INDIVIDUAL MAY**” and substitute “TO”; and in line 10, strike “**2018**” and substitute “2019”.

On page 11, in line 24, before “**TO**” insert “(A)”.

On page 12, after line 1, insert:

“(B) (1) ON RECEIPT OF THE CRIMINAL HISTORY RECORD INFORMATION OF AN APPLICANT FOR CERTIFICATION FORWARDED TO THE BOARD IN ACCORDANCE WITH § 3.5–303 OF THIS SUBTITLE, IN DETERMINING WHETHER TO GRANT A CERTIFICATION, THE BOARD SHALL CONSIDER:

(I) THE AGE AT WHICH THE CRIME WAS COMMITTED;

(II) THE NATURE OF THE CRIME;

(III) THE CIRCUMSTANCES SURROUNDING THE CRIME;

(IV) THE LENGTH OF TIME THAT HAS PASSED SINCE THE CRIME;

(V) SUBSEQUENT WORK HISTORY;

(VI) EMPLOYMENT AND CHARACTER REFERENCES; AND

(VII) ANY OTHER EVIDENCE THAT DEMONSTRATES WHETHER THE APPLICANT POSES A THREAT TO THE PUBLIC HEALTH OR SAFETY.

(2) UNLESS OTHERWISE REQUIRED, A RENEWAL APPLICANT WHO PREVIOUSLY HAS COMPLETED THE CRIMINAL HISTORY RECORDS CHECK AS REQUIRED FOR THE BOARD’S APPLICATION PROCESS DOES NOT HAVE TO SUBMIT



TO A SUBSEQUENT CRIMINAL HISTORY RECORDS CHECK FOR RENEWAL OF A CERTIFICATION.

3.5-305.

THE BOARD MAY WAIVE ANY OF THE QUALIFICATIONS FOR A CERTIFICATION TO PRACTICE AS A COMMUNITY HEALTH WORKER UNDER THIS TITLE FOR AN APPLICANT WHO:

(1) PAYS THE APPLICATION FEE REQUIRED BY THE BOARD UNDER § 3.5-206 OF THIS TITLE;

(2) HOLDS A CURRENT CERTIFICATION OR SIMILAR CREDENTIAL TO PRACTICE AS A COMMUNITY HEALTH WORKER IN ANOTHER STATE IF THE BOARD DETERMINES THAT THE STATE HAS REQUIREMENTS FOR CERTIFICATION OR A SIMILAR CREDENTIAL THAT ARE AT LEAST EQUIVALENT TO THE REQUIREMENTS OF THIS STATE AND MEET THE PRACTICE REQUIREMENTS ESTABLISHED UNDER REGULATIONS ADOPTED BY THE BOARD; AND

(3) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 3.5-303 OF THIS SUBTITLE.”;

in lines 2 and 14, strike “**3.5-305.**” and “**3.5-306.**”, respectively, and substitute “**3.5-306.**” and “**3.5-307.**”, respectively; and strike in their entirety lines 12 and 13.

On page 13, in line 20, strike “**3.5-307.**” and substitute “**3.5-308.**”.

On page 15, in lines 26 and 27, strike “**3.5-308.**” and “**3.5-309**”, respectively, and substitute “**3.5-309.**” and “**3.5-310**”, respectively.

On page 17, in lines 5, 7, and 26, strike “**3.5-309.**”, “**3.5-308**”, and “**3.5-310.**”, respectively, and substitute “**3.5-310.**”, “**3.5-309**”, and “**3.5-311.**”, respectively.

On page 18, in line 1, strike “**3.5-311.**” and substitute “**3.5-312.**”; strike in their entirety lines 6 through 9, inclusive; in line 10, strike “**3.5-402.**” and substitute “**3.5-401.**”; and strike beginning with “A” in line 12 down through “**BOTH**” in line 13 and substitute “:

(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$2,000 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS; OR

(2) FOR A SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING \$6,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR”.

On page 19, after line 21, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The fee for an application for an initial certification to practice as a community health worker shall be \$75 beginning on October 1, 2017, through December 31, 2019.

(b) On or after January 1, 2020, the State Board of Community Health Workers shall set the fee for an application for certification in accordance with § 3.5–206(b) of the Health Occupations Article as enacted by Section 2 of this Act.”;

and in line 22, strike “6.” and substitute “7.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1183 – Delegate West**

AN ACT concerning

**State Board of Social Work Examiners – Revisions**

**HB1183/416785/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1183

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “practice;” insert “authorizing the Board to reject a certain application and require certain additional supervision if the Board makes a certain determination;”; strike beginning with “submit” in line 23 down through “completed” in line 24 and substitute “attest that the licensee has submitted to”; in line 25, after “law;” insert “requiring the Board, in using information obtained from the Central Repository to determine whether to take disciplinary action against a certain licensee, to consider certain factors; authorizing the Board to renew a license only if a licensee attests that the licensee has submitted to a State and national criminal history records check;”; in line 30, strike “renew;”; and in line 31, strike “renewing;”.

On page 2, in line 14, after “circumstances;” insert “requiring the Board to adopt certain regulations on or before a certain date; providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 3, in line 17, strike “**SEPTEMBER 30, 2017**” and substitute “**DECEMBER 31, 2017**”; and in line 19, strike “**OCTOBER 1, 2017**” and substitute “**JANUARY 1, 2018**”.

On page 4, in lines 1, 12, and 24, in each instance, strike “**(1)**”; strike in their entirety lines 5 through 11, inclusive; strike in their entirety lines 16 through 23, inclusive; and in line 25, strike “**SEPTEMBER 31, 2017**” and substitute “**DECEMBER 31, 2017**”.

On page 5, strike in their entirety lines 1 through 7, inclusive; in line 8, strike “**(1)**”; in lines 10 and 14, strike “**(I)**” and “**(II)**”, respectively, and substitute “**(1)**” and “**(2)**”, respectively; and strike in their entirety lines 16 through 22, inclusive.

On page 6, in line 14, after the semicolon insert “**OR**”; strike lines 15 and 16 in their entirety; in line 17, strike “**(XV)**” and substitute “**(XIV)**”; in line 19, strike the bracket; in the same line, after “worker” insert “**ON OR BEFORE DECEMBER 31, 2017, OR AS A MASTER SOCIAL WORKER**”; in line 26, strike “mental disorders” and substitute “**BEHAVIORAL HEALTH DISORDERS, INCLUDING SUBSTANCE USE DISORDERS, ADDICTIVE DISORDERS, AND MENTAL DISORDERS,**”; and in line 27, strike “direct”.

On page 7, in line 4, strike “direct”; in lines 7 and 13, in each instance, strike “mental disorders” and substitute “**BEHAVIORAL HEALTH DISORDERS, INCLUDING SUBSTANCE USE DISORDERS, ADDICTIVE DISORDERS, AND MENTAL DISORDERS,**”; in line 17, strike the bracket; in line 18, strike “**(2)**” and substitute “**(5)**”; in line 23, strike “**IN**” and substitute “**:**”.

(1) IN;

and in line 24, after “REIMBURSEMENT” insert “; OR

(2) ON A PRO BONO BASIS AS DETERMINED IN REGULATIONS ADOPTED BY THE BOARD”.

AMENDMENT NO. 3

On page 11, in line 1, after “(1)” insert “(I)”; in lines 5, 7, and 8, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; after line 13, insert:

“(II) IF THE BOARD DETERMINES THAT A LICENSED BACHELOR SOCIAL WORKER OR A LICENSED MASTER SOCIAL WORKER WHO APPLIES TO THE BOARD TO ENGAGE IN THE PRACTICE OF INDEPENDENT PRACTICE HAS NOT COMPLETED THE SUPERVISED EXPERIENCE AS REQUIRED UNDER PARAGRAPH (1)(I)3 OF THIS SUBSECTION, THE BOARD MAY:

1. REJECT THE APPLICATION FOR INDEPENDENT PRACTICE; AND

2. REQUIRE THE LICENSED BACHELOR SOCIAL WORKER OR THE LICENSED MASTER SOCIAL WORKER TO CONTINUE TO WORK UNDER SUPERVISION AS REQUIRED BY THE BOARD FOR AN ADDITIONAL 1,500 HOURS BEFORE REAPPLYING.”;

in line 20, strike “OCTOBER 1, 2007” and substitute “JANUARY 1, 2008”; in line 23, after “HAS” insert “ACTIVELY”; in the same line, after “WORK,” insert “ACTIVELY”; and in line 24, after “OR” insert “ACTIVELY”.

On page 14, in line 21, strike “SEPTEMBER 30, 2019” and substitute “DECEMBER 31, 2019”; in line 24, strike “OCTOBER 1, 2019” and substitute “JANUARY 1, 2020”; and in line 28, strike “direct”.

AMENDMENT NO. 4

On page 15, in line 19, strike “and”; in line 21, strike the brackets; in line 24, strike “(III)” and substitute “(4)”; and strike beginning with “SATISFACTORY” in line 25 down

through “COMPLETED” in line 26 and substitute “ATTESTS THAT THE LICENSEE HAS SUBMITTED TO”.

On page 16, in lines 7 and 8, strike “TO RENEW A LICENSE” and substitute “DISCIPLINARY ACTION SHOULD BE TAKEN, BASED ON THE CRIMINAL RECORD INFORMATION, AGAINST A LICENSEE WHO RENEWED A LICENSE”; in line 17, strike “NOT”; strike beginning with “IF” in line 17 down through “REQUIRED” in line 18 and substitute “ONLY IF THE LICENSEE ATTESTS THAT THE LICENSEE HAS SUBMITTED TO A CRIMINAL HISTORY RECORDS CHECK”; and in line 19, strike “HAS NOT BEEN RECEIVED”.

#### AMENDMENT NO. 5

On page 21, in lines 21 and 25, in each instance, strike “September 30, 2017” and substitute “December 31, 2017”; after line 28, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2017, the State Board of Social Work Examiners shall adopt regulations to implement Section 1 of this Act.”

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect January 1, 2018.”;

in line 29, strike “3.” and substitute “5.”; and in the same line, after “That” insert “, except as provided in Section 4 of this Act.”.

The preceding 5 amendments were read and 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 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**

**HB1225/786086/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1225

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, strike “and” and substitute a comma; and in the same line, after “recommendations” insert “, and draft legislation”.

AMENDMENT NO. 2

On page 3, after line 13, insert:

“(7) the Secretary of Disabilities, or the Secretary’s designee;”;

in lines 14 and 16, strike “(7)” and “(8)”, respectively, and substitute “(8)” and “(9)”, respectively; in line 16, strike “and”; after line 16, insert:

“(10) the Deputy Secretary for Public Health Services, or the Deputy Secretary’s designee;

(11) the Deputy Secretary for Behavioral Health, or the Deputy Secretary’s designee; and”;

in line 17, strike “(9)” and substitute “(12)”; in line 21, strike “and”; and in line 22, after “Association” insert “;

(iv) one representative who has knowledge about and expertise in advocacy for consumers; and

(v) one representative who is a licensed dietitian–nutritionist”.

AMENDMENT NO. 3

On page 4, in line 5, strike “December 31, 2017” and substitute “January 31, 2018”; and in line 7, after “workgroup” insert “and any draft legislation necessary to carry out the recommendations”.

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 1468 – Delegates Valentino–Smith, Kelly, and West**

AN ACT concerning

**Medical Records – Disclosure of Directory Information and Medical Records –  
Mental Health Services**

**HB1468/296885/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1468

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and West” and substitute “West, and Morales”; in lines 2 and 3, strike “– Mental Health Services”; strike beginning with “to” in line 6 down through “interest” in line 7 and substitute “; 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”; in line 9, after “services,” insert “stating the intent of the General Assembly”; and in line 11, strike “relating to mental health services”.

AMENDMENT NO. 2

On page 2, in line 8, strike “A” and substitute “**(1) UNLESS THE PATIENT HAS RESTRICTED OR PROHIBITED THE DISCLOSURE OF DIRECTORY INFORMATION, A**”;

and strike beginning with “without” in line 9 down through “information” in line 10 and substitute “TO AN INDIVIDUAL WHO HAS ASKED FOR THE PATIENT BY NAME.”

**(2) A HEALTH CARE PROVIDER SHALL:**

**(I) INFORM A PATIENT OF THE HEALTH CARE INFORMATION THAT THE HEALTH CARE PROVIDER MAY INCLUDE IN A DIRECTORY AND THE PERSONS TO WHOM THE HEALTH CARE PROVIDER MAY DISCLOSE THE INFORMATION; AND**

**(II) AS SOON AS PRACTICABLE, PROVIDE THE PATIENT WITH THE OPPORTUNITY TO RESTRICT OR PROHIBIT DISCLOSURE OF DIRECTORY INFORMATION.**

**(3) IF PROVIDING AN OPPORTUNITY UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION TO RESTRICT OR PROHIBIT THE DISCLOSURE OF DIRECTORY INFORMATION IS NOT PRACTICABLE BECAUSE OF THE PATIENT’S INCAPACITY OR NEED FOR EMERGENCY CARE OR TREATMENT, A HEALTH CARE PROVIDER MAY DISCLOSE THE PATIENT’S DIRECTORY INFORMATION IF THE DISCLOSURE IS:**

**(I) CONSISTENT WITH A PRIOR EXPRESSED PREFERENCE OF THE PATIENT THAT IS KNOWN TO THE HEALTH CARE PROVIDER; AND**

**(II) DETERMINED TO BE, BASED ON THE HEALTH CARE PROVIDER’S PROFESSIONAL JUDGEMENT, IN THE PATIENT’S BEST INTEREST”.**

**AMENDMENT NO. 3**

On page 2, strike beginning with “Except” in line 14 down through “to” in line 16 and substitute “TO”; strike beginning with “if” in line 17 down through “practice;” in line 18 and substitute “PROVIDED THAT:

**(I) THE DISCLOSURE IS LIMITED TO INFORMATION THAT IS DIRECTLY RELEVANT TO THE INDIVIDUAL’S INVOLVEMENT IN THE PATIENT’S HEALTH CARE; AND**



(II) 1. IF THE PATIENT IS PRESENT OR OTHERWISE AVAILABLE BEFORE THE DISCLOSURE AND HAS THE CAPACITY TO MAKE HEALTH CARE DECISIONS:

A. THE PATIENT HAS BEEN PROVIDED WITH AN OPPORTUNITY TO OBJECT TO THE DISCLOSURE AND THE PATIENT HAS NOT OBJECTED; OR

B. THE HEALTH CARE PROVIDER REASONABLY INFERS FROM THE CIRCUMSTANCES THAT, BASED ON THE HEALTH CARE PROVIDER'S PROFESSIONAL JUDGMENT, THE PATIENT DOES NOT OBJECT TO THE DISCLOSURE; OR

2. IF THE PATIENT IS NOT PRESENT OR OTHERWISE AVAILABLE BEFORE THE DISCLOSURE IS MADE, OR PROVIDING THE PATIENT WITH AN OPPORTUNITY TO OBJECT TO THE DISCLOSURE IS NOT PRACTICABLE BECAUSE OF THE PATIENT'S INCAPACITY OR NEED FOR EMERGENCY CARE OR TREATMENT, THE HEALTH CARE PROVIDER DETERMINES, BASED ON THE HEALTH CARE PROVIDER'S PROFESSIONAL JUDGMENT, THAT THE DISCLOSURE IS IN THE BEST INTERESTS OF THE PATIENT;".

AMENDMENT NO. 4

On page 2, after line 18, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that Title 4, Subtitle 3 of the Health – General Article:

(1) may not to be interpreted to be more restrictive than the federal privacy regulations adopted under the federal Health Insurance Portability and Accountability Act;

(2) is not intended to be in conflict with the federal Health Insurance Portability and Accountability Act; and

(3) is to be interpreted in a way that is consistent with any federal regulations adopted under the federal Health Insurance Portability and Accountability Act, federal policy guidance on the federal Health Insurance Portability and Accountability Act, and any judicial decisions relating to the federal Health Insurance Portability and Accountability Act."

and in line 19, strike “2.” and substitute “3.”.

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 1632 – Delegates Kipke and Kelly**

**EMERGENCY BILL**

AN ACT concerning

**Public Health – Certificates of Birth – Births Outside an Institution**

**HB1632/776182/1**

BY: Health and Government Operations Committee

**AMENDMENT TO HOUSE BILL 1632**

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Kelly” and substitute “, Kelly, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, 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 1652 – Delegates Pena–Melnyk and West**

**EMERGENCY BILL**

AN ACT concerning

**Health Occupations – Certified Supervised Counselors–Alcohol and Drug –  
Qualifications**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

**House Bill 957 – Delegates Miele and Cluster**

AN ACT concerning

**Physicians – Licensure – Liability Coverage  
(Janet’s Law)**

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

Delegate Morhaim moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

**WAYS AND MEANS COMMITTEE REPORT NO. 13**

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

**House Bill 183 – Delegates Grammer, Afzali, Buckel, Cluster, Ebersole,  
Hornberger, Long, Metzgar, Miele, Rose, Shoemaker, Simonaire, and  
Tarlau**

AN ACT concerning

**Education – Career Exploration and Development Activities – Coffee  
(Java Act)**

**HB0183/525060/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 183

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegates Grammer, Afzali, Buckel, Cluster, Ebersole, Hornberger, Long, Metzgar, Miele, Rose, Shoemaker, Simonaire, and Tarlau” and substitute “Baltimore County Delegation”; and in line 4, after “of” insert “authorizing an Executive Branch agency to ban or regulate the sale of coffee in conjunction with a career exploration and development activity in a public high school in Baltimore County; providing a certain exception:”.

AMENDMENT NO. 2

On page 1, in line 22, strike “An” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, AN**”; in line 22, strike “not”; and after line 23, insert:

**“(C) AN EXECUTIVE BRANCH AGENCY MAY NOT BAN OR REGULATE THE SALE OF COFFEE IN CONJUNCTION WITH A CAREER EXPLORATION AND DEVELOPMENT ACTIVITY IN A PUBLIC HIGH SCHOOL THAT SOLD COFFEE ON OR BEFORE JUNE 30, 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 302 – Delegates Jacobs, Arentz, and Ghrist**

AN ACT concerning

**Kent County – Property Tax Credit – Commerce Zones**

**HB0302/515766/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 302

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “new” insert “, improved,”.

AMENDMENT NO. 2

On page 2, in line 1, after “NEW” insert “, IMPROVED,”; in lines 10 and 16, in each instance, after “NEW” insert “, IMPROVED,”; in line 11, after “BY” insert “:”;

(1)”;

in the same line, strike the comma and substitute “:”;

(2)”;

in line 12, strike “, OR” and substitute “:”;

(3)”;

and in the same line, after “CONSTRUCTED” insert “; OR”;

(4) IMPROVING EXISTING PREMISES FOR OCCUPATION BY THE BUSINESS ENTITY”.

AMENDMENT NO. 3

On page 2, after line 26, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect all taxable years beginning after June 30, 2015.”;

in line 27, strike “2.” and substitute “3.”; and in line 28, strike beginning with the second comma through the second “2017”.

The preceding 3 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 342 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Property Tax Credit for Qualified Enterprise Zone  
Property – Extension**

**MC 3–17**

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 with amendments:

**House Bill 346 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Property Tax Credit – Public Safety Officers**

**MC 1–17**

**HB0346/505667/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 346

(First Reading File Bill)

On page 2, strike beginning with “A” in line 5 down through “BY” in line 7; in line 8, before “THE” insert “A FIREFIGHTER OR AN EMERGENCY MEDICAL TECHNICIAN EMPLOYED FULL TIME BY”; in line 10, before “THE” insert “A LAW ENFORCEMENT OFFICER EMPLOYED FULL TIME BY”; in line 11, strike “; OR” and substitute “OR BY THE MONTGOMERY COUNTY SHERIFF’S OFFICE”; and in line 12, strike “THE MONTGOMERY COUNTY SHERIFF’S OFFICE.” and substitute “A CORRECTIONS OFFICER EMPLOYED FULL TIME BY THE MONTGOMERY COUNTY DEPARTMENT OF CORRECTION AND REHABILITATION; OR”

4. A FIREFIGHTER OR AN EMERGENCY MEDICAL  
TECHNICIAN VOLUNTEERING AT THE MONTGOMERY COUNTY FIRE AND RESCUE

**SERVICE WHO IS ELIGIBLE FOR AN ANNUAL STIPEND UNDER THE LENGTH OF SERVICE AWARD PROGRAM.”.**

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 566 – Howard County Delegation**

AN ACT concerning

**Howard County – Property Tax – Exemption for Personal Property of Business  
Located in Historic District**

**Ho. Co. 10–17**

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 with amendments:

**House Bill 649 – Charles County Delegation**

AN ACT concerning

**Charles County – Property Tax Credit – Commerce Zones**

**HB0649/285062/1**

BY: Committee on Ways and Means

**AMENDMENTS TO HOUSE BILL 649**

**(First Reading File Bill)**

**AMENDMENT NO. 1**

On page 1, in line 2, strike “Commerce Zones” and substitute “Priority Funding Areas”; and in lines 4 and 9, strike “commerce zone” and “commerce zones”, respectively, and substitute “area” and “areas”, respectively.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 21 through 23, inclusive.

On page 2, in line 1, strike “(III)” and substitute “(II)”; after line 4, insert:

**“(III) “PRIORITY FUNDING AREA” MEANS AN AREA IN CHARLES COUNTY DESIGNATED BY THE GOVERNING BODY OF CHARLES COUNTY AS A PRIORITY FUNDING AREA FOR THE PURPOSE OF THE PROPERTY TAX CREDIT UNDER THIS SUBSECTION.”;**

and in line 11, strike “COMMERCE ZONE” and substitute “PRIORITY FUNDING AREA”.

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 695 – Delegate Beidle (By Request – Anne Arundel County Administration) and Delegates Carey, Chang, Frush, S. Howard, Malone, McConkey, Pena-Melnyk, Saab, Simonaire, and Sophocleus**

AN ACT concerning

**Anne Arundel County – Property Tax – Payment in Lieu of Taxes Agreements – Economic Development Projects**

**HB0695/565969/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 695

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike beginning with “Delegate” down through “Sophocleus” and substitute “Anne Arundel County Delegation”; in line 4, after “County” insert “, on or before a certain date,”; and in line 9, after “provisions,” insert “authorizing”



the owner of the economic development project and the county to modify a certain payment in lieu of taxes agreement under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 6, strike “AN EXTRAORDINARY” and substitute “A UNIQUE”; in line 19, after “(2)” insert “ON OR BEFORE JUNE 30, 2020,”; and after line 32, insert:

“(C) THE OWNER OF THE ECONOMIC DEVELOPMENT PROJECT AND THE COUNTY MAY MODIFY ANY PAYMENT IN LIEU OF TAXES AGREEMENT ENTERED INTO ON OR BEFORE JUNE 30, 2020, IF THE MODIFICATION IS APPROVED BY ORDINANCE OF THE COUNTY COUNCIL.”.

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 750 – Delegates Long, Bromwell, Cluster, and Miele**

AN ACT concerning

**Baltimore County – Property Tax Credit – Fallen or Disabled Law Enforcement Officers and Rescue Workers – Acquisition of Dwelling**

**HB0750/105665/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 750

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegates Long, Bromwell, Cluster, and Miele” and substitute “Baltimore 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 1269 – Delegate Simonaire**

AN ACT concerning

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

**HB1269/545069/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1269

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Simonaire” 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:

**House Bill 1576 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Student Loan Refinancing Authority**

**PG 419–17**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**APPROPRIATIONS COMMITTEE REPORT NO. 10**

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

**House Bill 243 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Auditing Requirements – Repeal**

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 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**

**HB1579/714265/1**

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1579

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegates Sydnor and P. Young” and substitute “Baltimore County Delegation”.

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. 16**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 220 – Delegates Grammer, Aumann, Cluster, Impallaria, McDonough,  
Metzgar, Miele, Morhaim, Stein, Szeliga, West, and P. Young**

AN ACT concerning

**Foreclosures – Baltimore County – Certificate of Vacancy or Certificate of  
Property Unfit for Human Habitation**

**HB0220/860410/1**

BY: Environment and Transportation Committee

**AMENDMENT TO HOUSE BILL 220**

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegates Grammer, Aumann, Cluster, Impallaria, McDonough, Metzgar, Miele, Morhaim, Stein, Szeliga, West, and P. Young” and substitute “Baltimore 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 Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 320 – Montgomery County Delegation and Prince George’s County  
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Polybutylene Connection Pipe  
Replacement Loan Program**

**MC/PG 109–17**

**HB0320/760612/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 320**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in lines 2, 6, and 25, in each instance, strike “Polybutylene”; in the same lines, in each instance, after “Pipe” insert “Emergency”; in line 8, after “requirements;” insert “requiring the Program to include a requirement regarding notification or certification of an active leak;”; in line 10, strike “licensed”; in the same line, after “plumber” insert “licensed by the Commission”; in line 11, after “pipes;” insert “requiring the Program to provide loans on a first-come, first-served basis; prohibiting a loan made under the Program from exceeding a certain amount; prohibiting a customer from receiving more than one loan at a time under the Program;”; strike beginning with “prohibiting” in line 19 down through “consent;” in line 21; in line 25, after “loans” insert “or having more than a certain amount of outstanding loans; requiring the Commission to provide a certain amount of funding in the Commission’s budget for certain fiscal years”; in line 28, strike “a”; and in the same line, strike “term” and substitute “terms”.

On page 2, in line 1, strike “Polybutylene”; in the same line, after “Pipe” insert “Emergency”; and in line 2, after “Commission” insert “or the Commission’s designee”.

#### AMENDMENT NO. 2

On page 2, in line 12, after “(A)” insert “**(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

**(2) “FUND” MEANS THE CONNECTION PIPE EMERGENCY REPLACEMENT FUND.**

**(3) (I) “PIPE” MEANS A WATER SERVICE PIPE CONNECTION LOCATED ON A COMMISSION CUSTOMER’S PROPERTY THAT CONNECTS FROM THE COMMISSION’S SERVICE CONNECTION TO A CUSTOMER’S RESIDENCE.**

**(II) “PIPE” INCLUDES POLYBUTYLENE PIPES.**

**(4) “PROGRAM” MEANS THE CONNECTION PIPE EMERGENCY REPLACEMENT LOAN PROGRAM.**

**(B)**”;

in the same line, strike “**POLYBUTYLENE**”; in line 13, after “**PIPE**” insert “**EMERGENCY**”; in lines 14 and 19, strike “**(B)**” and “**(C)**”, respectively, and substitute “**(C)**” and “**(D)**”, respectively; in lines 16, 23, and 30, in each instance, strike “**POLYBUTYLENE**”; strike beginning with “**ON**” in line 16 down through “**RESIDENCES**” in line 18; in line 19, after

“SHALL” insert “INCLUDE”; in line 20, strike “PROVIDE FOR”; in line 22, after “(I)” insert “CUSTOMERS APPLYING TO RECEIVE A LOAN THROUGH THE PROGRAM;

(II)”;

strike beginning with “(II)” in line 24 down through “FOR” in line 26 and substitute “(III) THE TYPE OF MALFUNCTION AND PIPE REPLACEMENT EMERGENCY THAT QUALIFIES FOR THE PROGRAM;

(2) A REQUIREMENT THAT A CUSTOMER RECEIVE NOTIFICATION OR HAVE CERTIFICATION THAT THERE IS AN ACTIVE LEAK IN A PIPE;

(3)”;

strike beginning with “THAT” in line 27 down through “MADE” in line 28 and substitute “REPAYMENT SCHEDULE AND AN ADMINISTRATIVE PROCESSING FEE”; in line 29, strike “(3) REQUIRE” and substitute “(4) A REQUIREMENT”; in line 30, strike “LICENSED”; and in line 31, after “PLUMBER” insert “LICENSED BY THE COMMISSION”.

On page 3, in line 1, strike “(4) PROHIBIT” and substitute “(5) A PROHIBITION ON”; in the same line, strike “FROM”; in lines 2 and 18, in each instance, strike “POLYBUTYLENE”; after line 2, insert:

“(E) (1) THE PROGRAM SHALL PROVIDE LOANS TO CUSTOMERS ON A FIRST-COME, FIRST-SERVED BASIS.

(2) A LOAN MADE UNDER THE PROGRAM MAY NOT EXCEED \$5,000.

(3) A CUSTOMER MAY NOT RECEIVE MORE THAN ONE LOAN AT A TIME UNDER THE PROGRAM.”;

in line 3, strike “(D)” and substitute “(F)”; in line 16, strike “(E)” and substitute “(G)”; and in the same line, strike “PARAGRAPHS (4) AND (5)” and substitute “PARAGRAPH (4)”.

On page 4, strike in their entirety lines 1 through 6, inclusive; in lines 7 and 18, strike “(5)” and “(6)”, respectively, and substitute “(4)” and “(5)”, respectively; in line 18, after “PROVIDE” insert “, OR AT ANY TIME HAVE OUTSTANDING,”; after line 19, insert:

**“(H) THE COMMISSION SHALL INCLUDE \$100,000 ANNUALLY IN THE COMMISSION’S BUDGET FOR THE PROGRAM FOR FISCAL YEARS 2019 THROUGH 2028.”;**

in line 20, strike “(F)” and substitute “(I)”; strike beginning with “IN” in line 20 down through “(2)” in line 22; in line 22, strike “POLYBUTYLENE”; in the same line, after “PIPE” insert “EMERGENCY”; in line 25, strike “POLYBUTYLENE CONNECTION PIPE REPLACEMENT LOAN”; and in line 27, after “COMMISSION” insert “OR THE COMMISSION’S DESIGNEE”.

On page 5, in line 3, after “FOR” insert “:

**(I)**;

in line 4, after “PROGRAM” insert “;AND

**(II) THE ADMINISTRATION OF THE PROGRAM**;

in line 6, strike “October 1, 2017” and substitute “July 1, 2017”; in the same line, strike “10” and substitute “11”; and in line 7, strike “September 30, 2027” and substitute “June 30, 2028”.

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 321 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission and Maryland–National Capital Park and Planning Commission – Office of the Inspector General**

**HB0321/740916/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 321

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Washington Suburban Sanitary Commission and”; in line 3, after “Commission –” insert “Audit Committee and”; strike beginning with “establishing” in line 5 down through “Commission” in line 28 and substitute “establishing an Audit Committee in the Maryland–National Capital Park and Planning Commission; providing for the membership, terms, chair, and duties of the Audit Committee; providing for the appointment of certain members of the Audit Committee; requiring the Commission to adopt certain regulations regarding the Audit Committee; authorizing the Commission to adopt certain rules of procedure and delegate certain other functions to the Audit Committee; establishing an Office of the Inspector General in the Commission; providing for the appointment, qualifications, and term of the Inspector General; prohibiting the Inspector General from participating in a certain merit system but authorizing the Inspector General to participate in a certain employee benefits program under certain terms and conditions; authorizing the Commission to offer a certain supplemental employee benefits program to an Inspector General under certain circumstances; authorizing the Commission to remove an Inspector General under certain circumstances; prohibiting the Inspector General from holding secondary employment during the term as Inspector General; authorizing the Inspector General to select certain employees as subordinate staff of the Office subject to certain conditions; authorizing the Inspector General to dismiss certain subordinate staff for certain causes; authorizing the Inspector General, subject to certain conditions, to retain consultants; setting forth the duties of the Office; authorizing the Office to conduct certain investigations, analyses, audits, and reviews, provide management advisories, and utilize the assistance of certain other persons; requiring the Inspector General to comply with generally accepted government auditing standards under certain circumstances; requiring the Inspector General to submit certain written reports to the Audit Committee and the Commission for publication on the Commission’s Web site; prohibiting the Inspector General from disclosing certain information that is protected from disclosure; authorizing the Inspector General to make certain oral reports under certain circumstances; requiring the Inspector General to establish and follow procedures for safeguarding the identity of confidential sources and protecting confidential information; requiring the Commission to publish certain reports on its Web site; requiring the Inspector General to report certain allegations to certain persons under certain circumstances;”



requiring the Inspector General to coordinate with the Audit Committee to develop a certain work plan and establish certain goals and priorities for the Office; requiring the Inspector General to make the work plan available to the public, subject to certain laws; requiring the Inspector General to coordinate with certain persons for certain purposes under certain circumstances; requiring the Commission to include in its annual budget proposal certain amounts for the Office; requiring the Commission's general counsel to provide certain legal services to the Inspector General under certain circumstances; authorizing the Inspector General to employ and be represented by a special legal counsel without the consent of the general counsel under certain circumstances; requiring a Commission employee or official or a vendor of the Commission to promptly provide certain information to the Inspector General under certain circumstances; requiring the Inspector General to notify certain persons if a Commission employee or official fails to provide certain information; requiring the Commission chair, vice-chair, or executive director to take certain action under certain circumstances; requiring the Commission officers to take certain action under certain circumstances; providing that a Commission employee should report any fraud, waste, or abuse to the Office; prohibiting a Commission employee, vendor, or employee of a vendor from being retaliated against, penalized, or threatened with retaliation for certain actions; prohibiting the Inspector General from disclosing the identity of a certain person under certain circumstances; authorizing the Inspector General or a designated assistant Inspector General to administer an oath or affirmation or take an affidavit from any person under certain circumstances; authorizing the Commission to adopt certain regulations; authorizing the Inspector General or a staff member authorized by the Inspector General to administer oaths and take depositions and other testimony for certain purposes; authorizing the Inspector General to subpoena any person or evidence for a certain purpose; authorizing a court of competent jurisdiction to compel compliance with a certain order or subpoena or testimony or the production of evidence; exempting certain employees of the Commission from a certain merit system; setting the terms of the initial voting members of the Audit Committee; transferring the functions, powers, and duties of the Office of Internal Audit of the Commission to the Office of the Inspector General of the Commission on a certain date; providing that certain employees who are transferred to the Office of the Inspector General shall be transferred without any diminution of their rights; defining certain terms; and generally relating to the Audit Committee and the Office of the Inspector General in the Maryland–National Capital Park and Planning Commission”.

On page 2, in line 7, after “15–401” insert “through 15–405”; in lines 7 and 8, strike “Office of the Inspector General” and substitute “Audit Committee”; and 15–501 through 15–508 to be under the new subtitle “Subtitle 5. Office of the Inspector General”; and strike in their entirety lines 11 through 21, inclusive, and substitute:

“BY repealing and reenacting, with amendments,  
Article – Land Use  
Section 16–102 and 16–201(a)  
Annotated Code of Maryland  
(2012 Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 28 on page 2 through line 21 on page 4, inclusive, and substitute:

“SUBTITLE 4. AUDIT COMMITTEE.

15–401.

THERE IS AN AUDIT COMMITTEE IN THE COMMISSION.

15–402.

(A) THE AUDIT COMMITTEE CONSISTS OF FIVE MEMBERS.

(B) THE FOUR VOTING MEMBERS OF THE AUDIT COMMITTEE SHALL BE  
APPOINTED AS FOLLOWS:

(1) ONE COMMISSIONER WHO IS A MEMBER OF THE MONTGOMERY  
COUNTY PLANNING BOARD, APPOINTED BY THE CHAIR OF THE PLANNING BOARD;

(2) ONE COMMISSIONER WHO IS A MEMBER OF THE PRINCE  
GEORGE’S COUNTY PLANNING BOARD, APPOINTED BY THE CHAIR OF THE  
PLANNING BOARD;

(3) ONE MEMBER OF THE PUBLIC WHO IS QUALIFIED IN ACCORDANCE  
WITH SUBSECTION (E) OF THIS SECTION, APPOINTED BY THE MONTGOMERY  
COUNTY PLANNING BOARD; AND

(4) ONE MEMBER OF THE PUBLIC WHO IS QUALIFIED IN ACCORDANCE  
WITH SUBSECTION (E) OF THIS SECTION, APPOINTED BY THE PRINCE GEORGE’S  
COUNTY PLANNING BOARD.

(C) THE CHAIR OF THE COMMISSION SHALL SERVE AS AN EX OFFICIO NONVOTING MEMBER OF THE AUDIT COMMITTEE WHO MAY VOTE ONLY WHEN THERE IS A TIE VOTE AMONG THE VOTING MEMBERS.

(D) (1) THE TERM OF A VOTING MEMBER OF THE AUDIT COMMITTEE IS 2 YEARS.

(2) THE TERMS OF THE VOTING MEMBERS OF THE AUDIT COMMITTEE ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR THE AUDIT COMMITTEE ON OCTOBER 1, 2017.

(3) AT THE END OF A TERM, A VOTING MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) IF A VACANCY OCCURS AFTER A TERM HAS BEGUN, THE APPROPRIATE PLANNING BOARD SHALL APPOINT A SUCCESSOR.

(5) A VOTING MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(E) (1) A MEMBER OF THE AUDIT COMMITTEE WHO IS A MEMBER OF THE PUBLIC SHALL POSSESS:

(I) ADVANCED EDUCATION AND EXPERIENCE IN THE MANAGEMENT OF GOVERNMENTAL ENTITIES THAT ARE COMPARABLE TO THE COMMISSION IN SCOPE AND COMPLEXITY;

(II) DEMONSTRATED KNOWLEDGE AND EXPERIENCE IN THE APPLICATION OF:

1. GENERALLY ACCEPTED ACCOUNTING PRINCIPLES;
2. GENERALLY ACCEPTED GOVERNMENT AUDITING STANDARDS; AND

**3. INTERNAL CONTROL SYSTEMS; AND**

**(III) AN UNDERSTANDING OF THE APPROPRIATE FUNCTIONS OF AN AUDIT COMMITTEE.**

**(2) A MEMBER OF THE AUDIT COMMITTEE WHO IS A MEMBER OF THE PUBLIC MAY POSSESS DEMONSTRATED KNOWLEDGE AND EXPERIENCE IN THE APPLICATION OF:**

**(I) SUSTAINABLE FINANCIAL MANAGEMENT PRACTICES FOR PUBLIC ENTITIES; AND**

**(II) PUBLIC ACCOUNTABILITY.**

**(3) A MEMBER OF THE AUDIT COMMITTEE WHO IS A MEMBER OF THE PUBLIC MAY NOT HAVE ANY OTHER BUSINESS OR CLOSE PERSONAL RELATIONSHIPS WITH THE COMMISSION OR ITS OFFICERS, MANAGERS, OR EMPLOYEES.**

**(F) (1) BEFORE APPOINTING ANY MEMBER OF THE PUBLIC TO THE AUDIT COMMITTEE, THE APPROPRIATE PLANNING BOARD SHALL SUBMIT THE NAME AND QUALIFICATIONS OF THE PROPOSED NOMINEE FOR CONSIDERATION BY THE COUNTY COUNCIL OF THAT COUNTY.**

**(2) ON AND AFTER 30 DAYS AFTER A PLANNING BOARD NOTIFIES THE APPROPRIATE COUNTY COUNCIL OF A PROSPECTIVE NOMINEE TO THE AUDIT COMMITTEE UNDER THIS PARAGRAPH, THE PROPOSED NOMINEE SHALL BE ELIGIBLE FOR APPOINTMENT TO THE AUDIT COMMITTEE UNLESS THE COUNTY COUNCIL NOTIFIES THE PLANNING BOARD IN WRITING OF AN OBJECTION TO THE APPOINTMENT AND THE BASIS FOR THE OBJECTION.**

**(3) IF THE COUNTY COUNCIL NOTIFIES THE PLANNING BOARD OF AN OBJECTION TO THE APPOINTMENT OF A PROSPECTIVE NOMINEE UNDER THIS SUBSECTION, THE PLANNING BOARD SHALL SUBMIT THE NAME AND QUALIFICATIONS OF ANOTHER PROSPECTIVE NOMINEE FOR CONSIDERATION.**

(G) THE AUDIT COMMITTEE SHALL ELECT A VOTING MEMBER WHO IS ALSO A COMMISSIONER AS CHAIR.

15-403.

THE AUDIT COMMITTEE SHALL SELECT AND APPOINT:

(1) THE INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT REQUIRED TO AUDIT THE COMMISSION'S ANNUAL FINANCIAL REPORT UNDER § 15-115(A)(2) OF THIS TITLE; AND

(2) THE INSPECTOR GENERAL AS PROVIDED IN SUBTITLE 5 OF THIS TITLE.

15-404.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE NONVOTING MEMBER OF THE AUDIT COMMITTEE MAY VOTE ON A DECISION OF THE AUDIT COMMITTEE IN THE EVENT OF A TIE.

(B) THE APPOINTMENT OF THE INSPECTOR GENERAL MAY BE APPROVED ONLY THROUGH A MAJORITY OF THE VOTING MEMBERS OF THE AUDIT COMMITTEE.

15-405.

(A) THE COMMISSION SHALL ADOPT REGULATIONS TO ENSURE THAT THE AUDIT COMMITTEE OPERATES INDEPENDENTLY FROM THE MANAGEMENT OF THE COMMISSION.

(B) THE COMMISSION MAY:

(1) ADOPT RULES OF PROCEDURE; AND

(2) DELEGATE OTHER APPROPRIATE FUNCTIONS TO THE AUDIT COMMITTEE.

(C) THE REGULATIONS ADOPTED UNDER THIS SECTION MAY PROVIDE FOR A REASONABLE STIPEND TO COMPENSATE ONLY THE MEMBERS OF THE AUDIT COMMITTEE WHO ARE NOT ALSO COMMISSIONERS.

SUBTITLE 5. OFFICE OF THE INSPECTOR GENERAL.

15-501.

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

(B) (1) “ABUSE” MEANS AN EMPLOYEE’S INTENTIONAL MISCONDUCT OR MISUSE OF AUTHORITY OR POSITION:

(I) INVOLVING COMMISSION PROPERTY OR FUNDS THAT IS IMPROPER OR DEFICIENT WHEN COMPARED TO CONDUCT A PRUDENT PERSON WOULD CONSIDER REASONABLE UNDER THE SAME FACTS AND CIRCUMSTANCES; OR

(II) FOR THE PURPOSE OF FURTHERING IMPROPERLY THE PRIVATE INTERESTS OF THE EMPLOYEE, A FAMILY MEMBER, OR A CLOSE PERSONAL OR BUSINESS ASSOCIATE.

(2) “ABUSE” INCLUDES:

(I) THEFT OR MISAPPROPRIATION OF COMMISSION PROPERTY OR FUNDS; AND

(II) DESTRUCTION OR ALTERATION OF OFFICIAL RECORDS.

(C) (1) “FRAUD” MEANS AN INTENTIONAL ACT OR ATTEMPT TO OBTAIN SOMETHING OF VALUE FROM THE COMMISSION OR ANOTHER PERSON THROUGH WILLFUL MISREPRESENTATION.

(2) “FRAUD” INCLUDES A WILLFUL FALSE REPRESENTATION OF A MATERIAL FACT, WHETHER BY WORDS OR BY CONDUCT, BY FALSE OR MISLEADING ALLEGATIONS, OR BY CONCEALMENT OF THAT WHICH SHOULD HAVE BEEN

DISCLOSED, WHICH CAUSES THE COMMISSION TO ACT, OR FAIL TO ACT, TO THE DETRIMENT OF THE COMMISSION'S INTEREST.

(D) "OFFICE" MEANS THE OFFICE OF THE INSPECTOR GENERAL.

(E) "VENDOR" MEANS A PARTY OBLIGATED BY CONTRACT OR SUBCONTRACT TO PROVIDE GOODS, SERVICES, OR PROPERTY TO THE COMMISSION FOR CONSIDERATION, INCLUDING CONTRACTS AND SUBCONTRACTS FOR CONSTRUCTION AND PROFESSIONAL SERVICES RELATED TO CONSTRUCTION.

(F) (1) "WASTE" MEANS AN INAPPROPRIATE ACT OR OMISSION BY AN EMPLOYEE WITH CONTROL OVER, OR ACCESS TO, COMMISSION PROPERTY OR FUNDS THAT UNREASONABLY DEPRIVES THE COMMISSION OF VALUE.

(2) "WASTE" INCLUDES MISMANAGEMENT OR OTHER UNINTENTIONAL CONDUCT THAT IS DEFICIENT OR IMPROPER WHEN COMPARED TO CONDUCT A PRUDENT PERSON WOULD CONSIDER NECESSARY TO PRESERVE THE VALUE OF COMMISSION PROPERTY OR FUNDS UNDER THE SAME FACTS AND CIRCUMSTANCES.

15-502.

THERE IS AN OFFICE OF THE INSPECTOR GENERAL IN THE COMMISSION.

15-503.

(A) (1) THE AUDIT COMMITTEE OF THE COMMISSION SHALL APPOINT THE INSPECTOR GENERAL.

(2) (I) THE AUDIT COMMITTEE SHALL SELECT THE INSPECTOR GENERAL SOLELY ON THE BASIS OF PROFESSIONAL ABILITY AND PERSONAL INTEGRITY, WITHOUT REGARD TO POLITICAL AFFILIATION.

(II) THE INSPECTOR GENERAL SHALL BE QUALIFIED PROFESSIONALLY BY EXPERIENCE OR EDUCATION IN AUDITING, GOVERNMENT OPERATIONS, OR FINANCIAL MANAGEMENT.

(B) (1) THE TERM OF THE INSPECTOR GENERAL IS 4 YEARS BEGINNING ON THE DATE OF APPOINTMENT.

(2) AN INDIVIDUAL MAY NOT SERVE AS INSPECTOR GENERAL FOR MORE THAN THREE TERMS.

(3) THE INSPECTOR GENERAL MAY NOT PARTICIPATE IN THE MERIT SYSTEM ADOPTED BY THE COMMISSION UNDER TITLE 16, SUBTITLE 1 OF THIS ARTICLE, BUT:

(I) MAY PARTICIPATE IN ANY EMPLOYEE BENEFITS PROGRAM OFFERED BY THE COMMISSION ON THE SAME TERMS AND CONDITIONS AS IT IS OFFERED GENERALLY TO AN EMPLOYEE PARTICIPATING IN THE MERIT SYSTEM; AND

(II) THE COMMISSION MAY OFFER TO AN INDIVIDUAL APPOINTED AS INSPECTOR GENERAL ANY SUPPLEMENTAL EMPLOYEE BENEFIT PROGRAMS IT DETERMINES ARE NECESSARY TO RECRUIT AND RETAIN AN EMPLOYEE WHO DOES NOT PARTICIPATE IN THE MERIT SYSTEM.

(4) THE COMMISSION MAY REMOVE THE INSPECTOR GENERAL BY RESOLUTION ADOPTED BY THE AFFIRMATIVE VOTE OF NOT LESS THAN THREE OF ITS MEMBERS FROM EACH COUNTY FOR NEGLECT OF DUTY, MALFEASANCE, CONVICTION OF A FELONY, OR OTHER GOOD CAUSE.

(5) THE INSPECTOR GENERAL SHALL DISCHARGE THE DUTIES OF OFFICE ON A FULL-TIME BASIS AND WITH NO SECONDARY EMPLOYMENT OF ANY NATURE DURING THEIR TERM.

(C) (1) SUBJECT TO BUDGET AUTHORIZATION, APPLICABLE LAW, AND THE PERSONNEL REGULATIONS OF THE COMMISSION, THE INSPECTOR GENERAL MAY SELECT AS SUBORDINATE STAFF OF THE OFFICE ONE OR MORE:



(I) TEMPORARY TERM EMPLOYEES WHO DO NOT PARTICIPATE IN THE MERIT SYSTEM ADOPTED BY THE COMMISSION UNDER TITLE 16, SUBTITLE 1 OF THIS ARTICLE; AND

(II) OTHER EMPLOYEES WHO PARTICIPATE IN THE MERIT SYSTEM.

(2) NOTWITHSTANDING ANY PROVISION OF THE PERSONNEL REGULATIONS TO THE CONTRARY, AN AUDITOR, ACCOUNTANT, INVESTIGATOR, OR SIMILAR PROFESSIONAL EMPLOYEE APPOINTED AS SUBORDINATE STAFF OF THE OFFICE SHALL BE SUBJECT TO DISMISSAL BY THE INSPECTOR GENERAL ONLY FOR NEGLIGENCE OF DUTY, MALFEASANCE, CONVICTION OF A FELONY, OR OTHER GOOD CAUSE.

(D) SUBJECT TO BUDGET AUTHORIZATION AND THE APPLICABLE PROCUREMENT REGULATIONS, THE INSPECTOR GENERAL MAY RETAIN CONSULTANTS BY CONTRACT.

15-504.

(A) THE OFFICE SHALL:

(1) ASSIST THE COMMISSION BY PROVIDING INDEPENDENT EVALUATION AND RECOMMENDATIONS REGARDING OPPORTUNITIES TO:

(I) PRESERVE THE COMMISSION'S REPUTATION; AND

(II) IMPROVE THE EFFECTIVENESS, PRODUCTIVITY, OR EFFICIENCY OF COMMISSION PROGRAMS, POLICIES, PRACTICES, AND OPERATIONS;

(2) ENSURE PUBLIC ACCOUNTABILITY BY PREVENTING, INVESTIGATING, AND REPORTING INSTANCES OF FRAUD, WASTE, AND ABUSE OF COMMISSION PROPERTY OR FUNDS;

(3) EXAMINE, EVALUATE, AND REPORT ON THE ADEQUACY AND EFFECTIVENESS OF THE SYSTEMS OF INTERNAL CONTROLS AND THEIR RELATED ACCOUNTING, FINANCIAL, TECHNOLOGY, AND OPERATIONAL POLICIES; AND

(4) REPORT NONCOMPLIANCE WITH AND PROPOSE WAYS TO IMPROVE EMPLOYEE COMPLIANCE WITH APPLICABLE LAW, POLICY, AND ETHICAL STANDARDS OF CONDUCT.

(B) IN DEVELOPING RECOMMENDATIONS, THE OFFICE MAY:

(1) CONDUCT ADMINISTRATIVE INVESTIGATIONS, BUDGETARY ANALYSES, AND FINANCIAL, MANAGEMENT, OR PERFORMANCE AUDITS AND SIMILAR REVIEWS;

(2) PROVIDE MANAGEMENT ADVISORIES; AND

(3) UTILIZE THE ASSISTANCE FROM ANY OTHER GOVERNMENT AGENCY OR PRIVATE PARTY TO COMPLETE A PROJECT INITIATED BY THE OFFICE.

(C) WHEN APPLICABLE, THE INSPECTOR GENERAL SHALL COMPLY WITH GENERALLY ACCEPTED GOVERNMENT AUDITING STANDARDS.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE INSPECTOR GENERAL SHALL SUBMIT WRITTEN REPORTS TO THE AUDIT COMMITTEE AND TO THE COMMISSION FOR PUBLICATION ON THE COMMISSION'S WEB SITE.

(2) THE INSPECTOR GENERAL:

(I) MAY NOT DISCLOSE ANY RECORD, REPORT, OR RELATED INFORMATION THAT IS PROTECTED FROM DISCLOSURE UNDER THE PUBLIC INFORMATION ACT;

(II) MAY PROVIDE AN ORAL REPORT IF APPROPRIATE UNDER GENERALLY ACCEPTED GOVERNMENT AUDITING STANDARDS; AND

(III) SHALL ESTABLISH AND FOLLOW PROCEDURES FOR SAFEGUARDING THE IDENTITY OF CONFIDENTIAL SOURCES AND PROTECTING PRIVILEGED AND CONFIDENTIAL INFORMATION.

(3) THE COMMISSION SHALL PUBLISH WITH ANY REPORT SUBMITTED BY THE INSPECTOR GENERAL ANY OFFICIAL WRITTEN COMMENTS OR RESPONSES OFFERED BY THE COMMISSION'S MANAGEMENT.

(4) THE INSPECTOR GENERAL SHALL ALSO SUBMIT TO THE COMMISSION FOR PUBLICATION ON THE COMMISSION'S WEB SITE PERIODIC REPORTS THAT SUMMARIZE THE ACTIVITIES, FINDINGS, RECOMMENDATIONS, AND ACCOMPLISHMENTS OF THE OFFICE.

(E) IF REASONABLE GROUNDS EXIST TO BELIEVE THAT A SERIOUS VIOLATION OF FEDERAL, STATE, OR LOCAL LAW HAS OCCURRED, THE INSPECTOR GENERAL SHALL REPORT THE ALLEGATION TO:

(1) AN APPROPRIATE LAW ENFORCEMENT AGENCY;

(2) THE STATE ETHICS COMMISSION; OR

(3) ANY OTHER AGENCY WITH JURISDICTION TO ENFORCE THE LAW.

15-505.

(A) (1) THE INSPECTOR GENERAL SHALL COORDINATE WITH THE AUDIT COMMITTEE TO DEVELOP A WRITTEN WORK PLAN AND ESTABLISH PERIODIC GOALS AND PRIORITIES FOR THE OFFICE BASED ON AN ASSESSMENT OF RELATIVE RISKS.

(2) IN DEVELOPING THE WORK PLAN, THE INSPECTOR GENERAL SHALL TAKE INTO CONSIDERATION REQUESTS FROM THE PLANNING BOARDS, COMMISSIONERS, COMMISSION OFFICERS, MANAGERS, AND EMPLOYEES, ELECTED OFFICIALS, AND MEMBERS OF THE PUBLIC.

(3) THE INSPECTOR GENERAL SHALL MAKE THE WRITTEN WORK PLAN AVAILABLE TO THE PUBLIC, SUBJECT TO THE PUBLIC INFORMATION ACT.

(B) IN PERFORMING THE DUTIES AUTHORIZED UNDER THIS SUBTITLE, THE INSPECTOR GENERAL SHALL COORDINATE WITH THE PARK POLICE OR OTHER LAW ENFORCEMENT AGENCY, AGENCY PERSONNEL ADMINISTRATORS, THE STATE ETHICS COMMISSION, AND OTHER INTERNAL OFFICIALS OR EXTERNAL ENTITIES AS APPROPRIATE TO AVOID UNNECESSARY DISRUPTION OR DUPLICATION OF EFFORT IN CONDUCTING ANY AUDIT, ANALYSIS, OR ADMINISTRATIVE INVESTIGATION.

15-506.

(A) THE COMMISSION SHALL INCLUDE IN THE COMMISSION'S ANNUAL OPERATING BUDGET PROPOSAL THE AMOUNTS RECOMMENDED BY THE AUDIT COMMITTEE FOR THE OFFICE.

(B) SUBJECT TO BUDGET AUTHORIZATION AND ADEQUATE FUNDS:

(1) THE COMMISSION'S GENERAL COUNSEL SHALL PROVIDE LEGAL SERVICES TO THE INSPECTOR GENERAL AND MAY EMPLOY SPECIAL COUNSEL IF APPROPRIATE OR REQUIRED BY LAW; AND

(2) THE INSPECTOR GENERAL MAY EMPLOY AND BE REPRESENTED BY A SPECIAL LEGAL COUNSEL WITHOUT CONSENT OF THE GENERAL COUNSEL IF THE AUDIT COMMITTEE APPROVES OF A REQUEST AFTER CONSIDERING ANY RECOMMENDATION OR COMMENT OFFERED BY THE GENERAL COUNSEL RELATING TO THE REQUEST.

15-507.

(A) (1) ON REQUEST FROM THE INSPECTOR GENERAL, A COMMISSION EMPLOYEE OR OFFICIAL SHALL PROMPTLY PROVIDE TO THE INSPECTOR GENERAL ANY AVAILABLE DOCUMENT OR OTHER INFORMATION CONCERNING COMMISSION OPERATIONS, BUDGET, PROGRAMS, OR VENDOR CONTRACTS.

(2) (I) THE INSPECTOR GENERAL SHALL NOTIFY THE AUDIT COMMITTEE AND COMMISSION CHAIR, VICE-CHAIR, AND EXECUTIVE DIRECTOR IF ANY COMMISSION EMPLOYEE OR OFFICIAL FAILS TO PROVIDE ANY INFORMATION

OR DOCUMENT REQUESTED UNDER THIS SUBSECTION WITH REASONABLE PROMPTNESS.

(II) THE COMMISSION CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR SHALL TAKE ADMINISTRATIVE ACTION TO PRODUCE COMPLIANCE WITH A PENDING REQUEST FOR INFORMATION BY THE INSPECTOR GENERAL AS WARRANTED AND APPROPRIATE.

(B) (1) A VENDOR OF THE COMMISSION SHALL PROVIDE TO THE INSPECTOR GENERAL ANY AVAILABLE DOCUMENT OR OTHER INFORMATION CONCERNING ANY COMMISSION VENDOR CONTRACT, INCLUDING DOCUMENTS RELATED TO THE PROCUREMENT OF THE CONTRACT.

(2) (I) THE INSPECTOR GENERAL SHALL PROMPTLY NOTIFY THE AUDIT COMMITTEE AND COMMISSION OFFICERS IF ANY VENDOR FAILS TO PROVIDE ANY INFORMATION OR DOCUMENT REQUESTED UNDER THIS SUBSECTION WITH REASONABLE PROMPTNESS.

(II) THE COMMISSION OFFICERS SHALL TAKE APPROPRIATE ADMINISTRATIVE OR CIVIL ACTION TO PRODUCE VENDOR COMPLIANCE WITH A PENDING REQUEST FOR INFORMATION BY THE INSPECTOR GENERAL.

(C) (1) EACH COMMISSION EMPLOYEE SHOULD REPORT ANY FRAUD, WASTE, OR ABUSE TO THE OFFICE.

(2) A COMMISSION EMPLOYEE, VENDOR, OR EMPLOYEE OF ANY VENDOR MAY NOT BE RETALIATED AGAINST OR PENALIZED, OR THREATENED WITH RETALIATION OR PENALTY, FOR PROVIDING INFORMATION TO, COOPERATING WITH, OR IN ANY WAY ASSISTING THE INSPECTOR GENERAL AND STAFF OF THE OFFICE IN CONNECTION WITH ANY ACTIVITY AUTHORIZED UNDER THIS SUBTITLE.

(3) THE INSPECTOR GENERAL MAY NOT DISCLOSE THE IDENTITY OF A PERSON THAT REPORTS AN ALLEGATION OF FRAUD, WASTE, OR ABUSE UNLESS:

(I) THE REPORTING PERSON CONSENTS TO DISCLOSURE OF THE PERSON'S IDENTITY;

(II) DISCLOSURE IS REASONABLY NECESSARY TO COMPLETE AN AUDIT OR INVESTIGATION; OR

(III) ANOTHER PERSON IS LEGALLY ENTITLED TO DISCLOSURE OF THE IDENTITY OF THE REPORTING PERSON.

(D) THE INSPECTOR GENERAL OR A STAFF MEMBER AUTHORIZED BY THE INSPECTOR GENERAL MAY ADMINISTER AN OATH OR AFFIRMATION OR TAKE AN AFFIDAVIT FROM ANY PERSON IF NECESSARY TO PERFORM THE DUTIES UNDER THIS SUBTITLE.

(E) THE COMMISSION MAY ADOPT REGULATIONS TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.

15-508.

(A) THE INSPECTOR GENERAL, OR A STAFF MEMBER AUTHORIZED BY THE INSPECTOR GENERAL, MAY ADMINISTER OATHS AND TAKE DEPOSITIONS AND OTHER TESTIMONY FOR THE PURPOSE OF INVESTIGATING FRAUD, WASTE, OR ABUSE WITHIN THE COMMISSION.

(B) THE INSPECTOR GENERAL MAY SUBPOENA ANY PERSON OR EVIDENCE FOR THE PURPOSE OF INVESTIGATING FRAUD, WASTE, OR ABUSE WITHIN THE COMMISSION.

(C) IF A PERSON FAILS TO COMPLY WITH A LAWFUL ORDER OR SUBPOENA ISSUED UNDER THIS SECTION, ON PETITION OF THE INSPECTOR GENERAL, A COURT OF COMPETENT JURISDICTION MAY COMPEL:

(1) COMPLIANCE WITH THE ORDER OR SUBPOENA; OR

(2) TESTIMONY OR THE PRODUCTION OF EVIDENCE.

16-102.

(a) The Commission shall implement a merit system adopted under this subtitle.

(b) The merit system includes each employee of the Commission, except:

(1) the commissioners;

(2) the executive director, secretary–treasurer, and general counsel appointed by the Commission under § 15–109 of this article;

(3) **(I) THE INSPECTOR GENERAL; AND**

**(II) ANY TEMPORARY TERM EMPLOYEE OF THE OFFICE OF THE INSPECTOR GENERAL APPOINTED UNDER § 15–503 OF THIS ARTICLE;**

(4) a part–time or temporary employee under Subtitle 2 or Subtitle 5 of this title;

**[(4)] (5) in Montgomery County, each position excluded under § 20–204(b) of this article; and**

**[(5)] (6) in Prince George’s County:**

(i) the deputy chief of park police as provided in § 17–305 of this article; and

(ii) each director and deputy director as provided in § 20–204(c) of this article.

16–201.

(a) (1) (i) In this subsection the following words have the meanings indicated.

(ii) “Confidential employee” means an employee who acts in a confidential capacity with respect to an individual who formulates, determines, or implements management policies in the field of labor–management relations.

(iii) “Probationary employee” means a merit system employee during the employee’s initial probationary period following employment.

(2) The rights granted to Commission merit system employees under this subtitle do not apply to:

(i) attorneys in the General Counsel's office;

(ii) confidential employees;

(iii) employees who are at grade J or above;

(iv) park police officers;

(v) 1. THE INSPECTOR GENERAL; AND

2. ANY SUBORDINATE EMPLOYEE OF THE OFFICE OF THE INSPECTOR GENERAL APPOINTED UNDER § 15–503 OF THIS ARTICLE;

(VI) probationary employees; or

[(vi)] (VII) supervisors, as defined in § 2(11) of the National Labor Relations Act, 29 U.S.C. § 152(11).

SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial voting members of the Audit Committee in the Maryland–National Capital Park and Planning Commission created in Section 1 of this Act shall expire as follows:

(1) one voting member appointed by the Montgomery County Planning Board and one voting member appointed by the Prince George's County Planning Board in 2018; and

(2) one voting member appointed by the Montgomery County Planning Board and one voting member appointed by the Prince George's County Planning Board in 2019.

SECTION 3. AND BE IT FURTHER ENACTED, That the functions, powers, and duties of the Office of Internal Audit of the Maryland–National Capital Park and Planning Commission shall be transferred to the Office of the Inspector General of the Commission on the effective date of this Act.



SECTION 4. AND BE IT FURTHER ENACTED, That all employees who are transferred to the Office of the Inspector General of the Maryland–National Capital Park and Planning Commission as a result of this Act shall be transferred on the effective date of this Act without any diminution of their rights, including collective bargaining rights, benefits, or employment or retirement status.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect October 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 Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 335 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – System Development Charge – Exemptions**

**MC/PG 104–17**

**HB0335/530711/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 335**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in lines 10 and 11, strike “distilleries, breweries, and wineries” and substitute “properties that are primarily used for programs and services for developmentally disabled individuals”.

**AMENDMENT NO. 2**

On page 3, strike line 4 in its entirety and substitute:

**“(IV) PROPERTY USED PRIMARILY FOR PROGRAMS AND SERVICES FOR DEVELOPMENTALLY DISABLED INDIVIDUALS;”**.

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 386 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Economic Development – Business Improvement Districts**

**MC 12–17**

**HB0386/850411/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 386**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 4, in line 8, after the second “OF” insert “**AT LEAST**”; in the same line, after “MEMBERS” insert “**, BUT NO MORE THAN NINE MEMBERS,**”; in line 14, strike “THREE” and substitute “**A MAJORITY OF THE**”; and in line 16, strike “AT LEAST THREE” and substitute “**A MAJORITY OF THE**”.

**AMENDMENT NO. 2**

On page 2, after line 14, insert:

**“(D) “CONDOMINIUM” HAS THE MEANING STATED IN § 11–101 OF THE REAL PROPERTY ARTICLE.**

**“(E) “COOPERATIVE HOUSING CORPORATION” HAS THE MEANING STATED IN § 5–6B–01 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.”;**

in lines 15, 17, 19, and 21, strike “(D)”, “(E)”, “(F)”, and “(G)”, respectively, and substitute “(F)”, “(G)”, “(I)”, and “(J)”, respectively; after line 18, insert:

**“(H) ‘HOMEOWNERS ASSOCIATION’ HAS THE MEANING STATED IN § 11B-101 OF THE REAL PROPERTY ARTICLE.”;**

in line 23, strike “RESIDENTIAL”; and in the same line, strike “CO-OP” and substitute “COOPERATIVE HOUSING CORPORATION”.

On page 6, in lines 14 and 16, in each instance, after “PROPERTY” insert **“AND, SUBJECT TO SUBSECTION (C) OF THIS SECTION, A DESIGNATED BOARD MEMBER OF A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION”**.

On page 7, after line 4, insert:

**“(C) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION THAT IS LOCATED IN THE PROPOSED DISTRICT MAY PETITION TO JOIN THE DISTRICT CORPORATION.**

**(2) A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY PETITION TO JOIN THE DISTRICT ONLY IF:**

**(I) THE CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION IS GOVERNED BY A BOARD;**

**(II) THE BOARD VOTES TO JOIN THE DISTRICT CORPORATION;**  
**AND**

**(III) THE BOARD HAS A REPRESENTATIVE MEMBER OF THE BOARD SIGN THE APPROPRIATE DOCUMENTS REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION.**

**(3) FOR THE PURPOSES OF THE VOTES CAST UNDER SUBSECTION (B)(2) OF THIS SECTION:**

(I) A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION SHALL BE CONSIDERED A SINGLE PARCEL; AND

(II) THE DECISION REACHED BY THE BOARD SHALL CONSTITUTE THE VOTE OF THE CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION.”;

and in line 5, strike “(C)” and substitute “(D)”.

On page 8, in line 17, before “AN” insert “(A)”; in lines 21 and 24, in each instance, after “PROPERTY” insert “AND, SUBJECT TO SUBSECTION (B) OF THIS SECTION, A DESIGNATED BOARD MEMBER OF A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION”;

and after line 29, insert:

“(B) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION THAT IS LOCATED IN THE PROPOSED EXPANDED GEOGRAPHIC AREA OF THE DISTRICT MAY PETITION TO JOIN THE EXPANSION.

(2) A CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY PETITION TO JOIN THE EXPANSION ONLY IF:

(I) THE CONDOMINIUM OR COOPERATIVE HOUSING CORPORATION IS GOVERNED BY A BOARD;

(II) THE BOARD VOTES TO JOIN THE DISTRICT CORPORATION;  
AND

(III) THE BOARD HAS A REPRESENTATIVE MEMBER OF THE BOARD SIGN THE APPROPRIATE DOCUMENTS REQUIRED UNDER § 12-608 OF THIS SUBTITLE.

**(3) FOR THE PURPOSES OF THE VOTES CAST UNDER SUBSECTION  
(A)(1) OF THIS SECTION:**

**(I) A CONDOMINIUM OR COOPERATIVE HOUSING  
CORPORATION SHALL BE CONSIDERED A SINGLE PARCEL; AND**

**(II) THE DECISION REACHED BY THE BOARD SHALL  
CONSTITUTE THE VOTE OF THE CONDOMINIUM OR COOPERATIVE HOUSING  
CORPORATION.”.**

**AMENDMENT NO. 3**

On page 3, in line 13, strike “LEGISLATIVE” and substitute “GOVERNING”.

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 1300 – Charles County Delegation**

AN ACT concerning

**Charles County – Garbage Disposal Services – Provider Displacement**

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 1568 – Prince George’s County Delegation**

AN ACT concerning

**Workgroup on Transportation for Middle and High School Students in Prince  
George’s County**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 13**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

#### **House Bill 187 – St. Mary’s County Delegation**

AN ACT concerning

#### **St. Mary’s County – Foxes and Hounds – Repeal of Provisions**

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 310 – Montgomery County Delegation**

AN ACT concerning

#### **Montgomery County – Deer Hunting – Sundays**

**MC 21-17**

**HB0310/930316/1**

BY: Environment and Transportation Committee

#### **AMENDMENT TO HOUSE BILL 310**

(First Reading File Bill)

On page 4, in lines 11 and 12, strike “: **1. PRIVATE**” and substitute “**PRIVATE**”; in line 13, strike “**SUBTITLE; AND**” and substitute “**SUBTITLE.**”; strike lines 14 and 15 in their entirety; in line 21, strike “**TO A**” and substitute “:

**A. To A**”;

and in line 22, after “SUBTITLE” insert “;

**B. ON PRIVATE LAND ONLY ON ONE SUNDAY  
DESIGNATED BY THE DEPARTMENT DURING DEER BOW HUNTING SEASON; AND**

**C. ON PRIVATE LAND ONLY ON ONE SUNDAY  
DESIGNATED BY THE DEPARTMENT DURING THE FIREARMS SEASON”.**

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 313 – Montgomery County Delegation**

AN ACT concerning

#### **Montgomery County – Archery Hunting – Safety Zone**

**MC 10-17**

**HB0313/770817/1**

BY: Environment and Transportation Committee

#### **AMENDMENTS TO HOUSE BILL 313** (First Reading File Bill)

##### **AMENDMENT NO. 1**

On page 1, in line 6, after “circumstances;” insert “requiring archery hunters in Montgomery County to use a tree stand when hunting certain animals within a certain distance of certain buildings;”.

##### **AMENDMENT NO. 2**

On page 2, in line 12, after “County” insert “**OR MONTGOMERY COUNTY**”.

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 447 – Delegate Anderson (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Board of Municipal and Zoning Appeals – Appeals Authority**

**HB0447/870311/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 447

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “City;” insert “establishing that this Act does not alter or impair the right to appeal provided for under certain provisions of law;”.

AMENDMENT NO. 2

On page 2, after line 21, insert:

**“(D) THIS SECTION DOES NOT ALTER OR IMPAIR THE RIGHT TO APPEAL PROVIDED FOR UNDER THIS SUBTITLE.”;**

and in line 23, 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 Barve, Chair, for the Committee on Environment and Transportation reported favorably:

**House Bill 894 – Wicomico County Delegation**

AN ACT concerning



**Wicomico County – Deer Hunting – Sundays**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 688)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 72**

**House Bill 349 – Delegates Miele, Afzali, Angel, Aumann, Barkley, Brooks, Cassilly, Chang, Ciliberti, Cluster, Ebersole, Folden, Frush, Grammer, Hixson, Holmes, Hornberger, S. Howard, Jalisi, Krebs, Long, McConkey, Metzgar, Pena–Melnik, Queen, Rose, Saab, Shoemaker, Sophocleus, Szeliga, Turner, Valentino–Smith, C. Wilson, ~~and P. Young~~ P. Young, Ali, D. Barnes, Buckel, C. Howard, Kaiser, Luedtke, McMillan, Mosby, Patterson, Reilly, Simonaire, Tarlau, Walker, and Wilkins**

AN ACT concerning

**Income Tax Credit – Wages Paid to Qualified Veteran Employees  
(Hire Our Veterans Act of 2017)**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 689)

The Bill was then sent to the Senate.

**House Bill 453 – Delegates M. Washington, Anderson, Angel, D. Barnes, Barron, Brooks, Clippinger, Conaway, Cullison, Glass, Glenn, Hayes, Hettleman, Kelly, R. Lewis, Lierman, Luedtke, McIntosh, A. Miller, Morales, Patterson, Platt, ~~and Rosenberg~~ Rosenberg, Mosby, Tarlau, A. Washington, C. Howard, Walker, Ebersole, Hornberger, Wilkins, Ali, and Turner**

AN ACT concerning

**Tax Sales – Water Liens – Moratorium**

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

Affirmative – 125    Negative – 12    (See Roll Call No. 690)

The Bill was then sent to the Senate.

**House Bill 702 – ~~Delegate Holmes~~ Delegates Holmes, Parrott, Angel, Proctor, Anderton, Barve, Beidle, Cassilly, Clark, Flanagan, Folden, Fraser-Hidalgo, Frush, Healey, Jalisi, Lafferty, McCray, McMillan, Robinson, Stein, and Wivell**

AN ACT concerning

**Residential Property – Vacant and Abandoned Property – Expedited Foreclosure**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 691)

The Bill was then sent to the Senate.

**House Bill 880 – Delegates Morales, Carr, Angel, Cullison, Hill, Kelly, R. Lewis, Morgan, Mosby, Pena-Melnyk, Platt, Tarlau, and K. Young ~~and K. Young~~ K. Young, and Krebs**

AN ACT concerning

**Open Meetings Act – ~~Required Training for Members of Public Bodies~~ Annual Reporting Requirement, Web Site Postings, and Training**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 692)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 113    Negative – 23    (See Roll Call No. 693)

The Bill was then sent to the Senate.

**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~~ Accidental Personal Injury – Penalty**

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

Affirmative – 100    Negative – 39    (See Roll Call No. 694)

The Bill was then sent to the Senate.

**House Bill 1525 – Delegates J. Lewis, Sanchez, and Vallario**

AN ACT concerning

**Criminal Procedure – Victim Notification – Dissemination and National Standards**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 695)

The Bill was then sent to the Senate.

#### **CALENDAR OF THIRD READING HOUSE BILLS NO. 56**

**House Bill 404 – St. Mary's County Delegation**

AN ACT concerning

**St. Mary's County – Land Records – Repeal**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 696)

The Bill was then sent to the Senate.

**House Bill 431 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Tax Exemptions – Repeal of Local Provisions**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 697)

The Bill was then sent to the Senate.

**House Bill 629 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Orphans’ Court Judges – Travel Expense Allowance**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 698)

The Bill was then sent to the Senate.

**House Bill 655 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Hunting – Nongame Birds and Mammals**

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

Affirmative – 134    Negative – 4    (See Roll Call No. 699)

The Bill was then sent to the Senate.

**House Bill 679 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Metropolitan Commission – Personnel**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 700)

The Bill was then sent to the Senate.

**House Bill 682 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Sheriff, County Treasurer, and State’s Attorney – Salaries**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 701)

The Bill was then sent to the Senate.

**House Bill 1478 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Competitive Bidding Process**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 702)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 75**

**House Bill 545 – ~~Delegates Shoemaker, Aumann, Crammer, Malone, McComas,~~  
~~W. Miller, Reilly, and Rose~~ Carroll County Delegation**

AN ACT concerning

**Carroll County – Gaming – Home Games – Bingo**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 703)

The Bill was then sent to the Senate.

**House Bill 645 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Gaming Events – Sunday Hours of Operation**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 704)

The Bill was then sent to the Senate.

**House Bill 990 – Harford County Delegation**

AN ACT concerning

**Harford County – Bingo**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 705)

The Bill was then sent to the Senate.

**House Bill 1030 – Delegate Anderson**

AN ACT concerning

**Baltimore City – Hotel Room Tax – Convention Center Promotion and Operations**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 706)

The Bill was then sent to the Senate.

**House Bill 1138 – Delegates Ali, Oaks, and Rosenberg**

AN ACT concerning

**Baltimore City – Table Games Proceeds – Distribution and Recreational Facilities**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 707)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 76****House Bill 22 – Delegate Conaway**

AN ACT concerning

**Baltimore City Fire Department – Motorized Fire Equipment – Report**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 708)

The Bill was then sent to the Senate.

**House Bill 758 – Delegate Beitzel**

AN ACT concerning

**Garrett County – Payment to Rescue Squads – ~~Repeal~~**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 709)

The Bill was then sent to the Senate.

**House Bill 858 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Sheriff's Deputies – Salary and Duties**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 710)

The Bill was then sent to the Senate.

**House Bill 914 – St. Mary's County Delegation**

AN ACT concerning

**St. Mary's County – Metropolitan Commission – Authority to Borrow Money**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 711)

The Bill was then sent to the Senate.

**House Bill 1182 – Frederick County Delegation**

AN ACT concerning

**Frederick County – State’s Attorney – Annual Salary**

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

Affirmative – 137    Negative – 1    (See Roll Call No. 712)

The Bill was then sent to the Senate.

**House Bill 1440 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Solid Waste Disposal Contracts**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 713)

The Bill was then sent to the Senate.

**House Bill 1500 – Harford County Delegation**

AN ACT concerning

**Sheriff of Harford County – Salary**

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

Affirmative – 136    Negative – 3    (See Roll Call No. 714)

The Bill was then sent to the Senate.

**APPROPRIATIONS COMMITTEE REPORT NO. 13**

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

**House Bill 251 – Carroll County Delegation**



AN ACT concerning

**Carroll County – Public Facilities Bonds**

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 892 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Public Facility Bonds**

**HB0892/944061/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 892

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, strike “making this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 17 through 27, inclusive; in line 28, strike “11.” and substitute “10.”; and strike beginning with the second comma in line 28 down through the first comma in line 29.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1055 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary's County – Bonds and Other Evidences of Indebtedness – Limitations****HB1055/604260/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1055

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Limitations” insert “and Repayment”; strike beginning with “to” in line 3 down through “assessments;” in line 5; in line 7, after “limitation” insert “and requiring the responsibility for repayment to remain with the St. Mary's County Metropolitan Commission”; and in the same line, after “on” insert “and repayment of”.

AMENDMENT NO. 2

On page 2, in line 5, strike “**ONE AND EIGHT-TENTHS (1.8)**” and substitute “**TWO AND FIFTEEN HUNDREDTHS (2.15)**”; and in line 24, after the period insert “**RESPONSIBILITY FOR REPAYMENT SHALL REMAIN WITH THE ST. MARY'S COUNTY METROPOLITAN COMMISSION.**”.

The preceding 2 amendments were read and adopted.Favorable report, as amended, adopted.Read the second time and ordered prepared for Third Reading.

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

**House Bill 1439 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Bonding Authority**Favorable report adopted.Read the second time and ordered prepared for Third Reading.**SPECIAL ORDERS**

**House Bill 467 – Delegates McCray, Anderson, Barkley, B. Barnes, Barve, Carey, Chang, Clippinger, Conaway, Ebersole, Fennell, Frick, Glenn, Hayes, Haynes, Healey, Hettleman, Hill, Holmes, Hornberger, C. Howard, Jackson, Jalisi, Kelly, Lafferty, Lam, Lewis, Lierman, Lisanti, Luedtke, McIntosh, Moon, Morales, Patterson, Platt, Robinson, Rosenberg, Sanchez, Sophocleus, Tarlau, Turner, Valderrama, Waldstreicher, M. Washington, and P. Young**

AN ACT concerning

**Providing Our Workers Education and Readiness (POWER) – Apprenticeship Act**

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

FLOOR AMENDMENT

**HB0467/273527/1**

BY: Delegate Parrott

AMENDMENT TO HOUSE BILL 467

(First Reading File Bill)

On page 4, after line 8, insert:

**“(A) THIS SUBTITLE APPLIES TO A CONTRACTOR OR SUBCONTRACTOR WITH 25 OR MORE EMPLOYEES.”;**

in line 9, strike “(A)” and “(B)”, respectively, and substitute “(B)” and “(C)”, respectively; in line 20, strike “(B)” and substitute “(C)”; and in line 21, strike “(A)” and substitute “(B)”.

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

Affirmative – 46    Negative – 86    (See Roll Call No. 715)

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

**House Bill 957 – Delegates Miele and Cluster**

AN ACT concerning

**Physicians – Licensure – Liability Coverage  
(Janet’s Law)**

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. 52**

**House Bill 1427 – Delegates McMillan, Clark, Holmes, Jacobs, Jalisi, and Stein**

AN ACT concerning

**Natural Resources – Apprentice Hunting License – Establishment**

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 129 Members present.

(See Roll Call No. 716)

**ADJOURNMENT**

At 2:20 P.M. on motion of Delegate Frick the House adjourned until 11:00 A.M. on Legislative Day March 16, 2017, Calendar Day, Monday, March 20, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 16, 2017**  
**Calendar Day: Monday, March 20, 2017**  
**11:00 A.M. Session**

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The House met at 11:17 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 116 Members present.

(See Roll Call No. 717)

**EXCUSED:**

Del. Ciliberti – late – personal  
Del. Impallaria – death in family  
Del. Lam – late – business  
Del. McDonough – late – business  
Del. Patterson – late – business  
Del. Sample–Hughes – doctor’s appointment  
Del. M. Washington – late – business  
Del. C. Wilson – left briefly – medical

The Journal of March 18, 2017 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 124 Members present.

(See Roll Call No. 718)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 86**

**House Bill 874 – Delegates Cassilly and Szeliga**

AN ACT concerning

**Air Navigation Protection From Hazards Act of 2017**

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

Affirmative – 122    Negative – 0    (See Roll Call No. 719)

The Bill was then sent to the Senate.

**House Bill 979 – ~~Delegate Luedtke~~ Delegates Luedtke, Rose, Simonaire, Hornberger, Ebersole, Afzali, Hixson, Buckel, Long, Reilly, Tarlau, Shoemaker, and Mosby**

AN ACT concerning

**Property Tax Credit – Public Safety Officers**

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

Affirmative – 127    Negative – 0    (See Roll Call No. 720)

The Bill was then sent to the Senate.

**House Bill 983 – ~~Delegates Pena-Melnyk, Angel, Frush, and Tarlau~~ Tarlau, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pendergrass, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young**

AN ACT concerning

**Health Insurance – ~~Telemedicine~~ Health Care Services Delivered Through Telehealth – Counseling for Substance Use Disorders Coverage**

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

Affirmative – 126    Negative – 0    (See Roll Call No. 721)

The Bill was then sent to the Senate.

**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

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

Affirmative – 129    Negative – 0    (See Roll Call No. 722)

The Bill was then sent to the Senate.

**House Bill 1578 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Property Tax Exemption for Economic Development  
Projects – Sunset ~~Repeal~~ Extension**

**PG 407–17**

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

Affirmative – 126    Negative – 0    (See Roll Call No. 723)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 129    Negative – 0    (See Roll Call No. 724)

The Bill was then sent to the Senate.

**House Bill 1632 – Delegates ~~Kipke and Kelly~~, Kelly, Pendergrass, Bromwell,  
Angel, Cullison, Hayes, Hill, Krebs, Metzgar, Miele, Morales, Morgan,  
Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and  
K. Young**

**EMERGENCY BILL**

AN ACT concerning

**Public Health – Certificates of Birth – Births Outside an Institution**

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

Affirmative – 130    Negative – 0    (See Roll Call No. 725)

The Bill was then sent to the Senate.

### **CALENDAR OF THIRD READING HOUSE BILLS NO. 78**

#### **House Bill 151 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2017,  
and the Maryland Consolidated Capital Bond Loans of ~~2009~~, 2006, 2009, 2010,  
2012, 2013, 2014, 2015, and 2016**

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

Affirmative – 120    Negative – 12    (See Roll Call No. 726)

The Bill was then sent to the Senate.

#### **House Bill 153 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bonds**

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

Affirmative – 130    Negative – 0    (See Roll Call No. 727)

The Bill was then sent to the Senate.

#### **House Bill 717 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)**

AN ACT concerning

**Academic Facilities Bonding Authority**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 728)

The Bill was then sent to the Senate.



**CALENDAR OF THIRD READING HOUSE BILLS NO. 79**

**House Bill 251 – Carroll County Delegation**

AN ACT concerning

**Carroll County – Public Facilities Bonds**

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

Affirmative – 131    Negative – 0    (See Roll Call No. 729)

The Bill was then sent to the Senate.

**House Bill 892 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Public Facility Bonds**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 730)

The Bill was then sent to the Senate.

**House Bill 1055 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Bonds and Other Evidences of Indebtedness – Limitations  
and Repayment**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 731)

The Bill was then sent to the Senate.

**House Bill 1439 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Bonding Authority**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 732)

The Bill was then sent to the Senate.

### RECONSIDERATION

**House Bill 786 – Delegates Angel, Morales, Branch, Cullison, Davis, Glenn, C. Howard, Korman, A. Miller, Mosby, Pena–Melnik, Platt, Queen, Sanchez, A. Washington, and Wilkins**

AN ACT concerning

#### **Education – Individualized Counseling Services – Requirements**

Delegate Luedtke moved to reconsider the vote by which **House Bill 786** was ordered printed for Third Reading.

The motion was adopted.

### FLOOR AMENDMENT

**HB0786/983327/1**

BY: Delegate Cullison

#### AMENDMENTS TO HOUSE BILL 786, AS AMENDED

##### AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0786/745265/1), in line 7 of Amendment No. 1, after “a” insert “covered”.

##### AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments, in line 17 of Amendment No. 2, after the second “A” insert “COVERED”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

### CALENDAR OF THIRD READING HOUSE BILLS NO. 83

**House Bill 83 – Delegates Luedtke, Afzali, D. Barnes, Buckel, Ebersole, Fennell, Glass, Hill, Hixson, Hornberger, C. Howard, Kaiser, Patterson, Reilly,**

**Reznik, Rose, Sanchez, Shoemaker, Simonaire, Tarlau, Turner,  
A. Washington, and M. Washington**

AN ACT concerning

**Income Tax – Subtraction Modification – Discharged Student Loan Debt**

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

Affirmative – 130    Negative – 1    (See Roll Call No. 733)

The Bill was then sent to the Senate.

**House Bill 144 – Chair, Health and Government Operations Committee (By  
Request – Departmental – General Services)**

AN ACT concerning

**Procurement – Department of General Services – Exemption for Historic  
Structures**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 734)

The Bill was then sent to the Senate.

**House Bill 183 – ~~Delegates Grammer, Afzali, Buckel, Cluster, Ebersole,  
Hornberger, Long, Metzgar, Miele, Rose, Shoemaker, Simonaire, and  
Tarlau~~ Baltimore County Delegation**

AN ACT concerning

**Education – Career Exploration and Development Activities – Coffee  
(Java Act)**

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

Affirmative – 130    Negative – 3    (See Roll Call No. 735)

The Bill was then sent to the Senate.

**House Bill 220 – ~~Delegates Grammer, Aumann, Cluster, Impallaria, McDonough,  
Metzgar, Miele, Morhaim, Stein, Szeliga, West, and P. Young~~ Baltimore  
County Delegation**

AN ACT concerning

**Foreclosures – Baltimore County – Certificate of Vacancy or Certificate of  
Property Unfit for Human Habitation**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 736)

The Bill was then sent to the Senate.

**House Bill 243 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Auditing Requirements – Repeal**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 737)

The Bill was then sent to the Senate.

**House Bill 263 – Delegates Carr, Beidle, and Stein**

AN ACT concerning

**School Bus Monitoring Cameras – Exclusion of Vehicle Rental  
Companies – Repeal and Notification Requirement**

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

Affirmative – 130    Negative – 3    (See Roll Call No. 738)

The Bill was then sent to the Senate.

**House Bill 346 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Property Tax Credit – Public Safety Officers**

**MC 1-17**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 739)

The Bill was then sent to the Senate.

### CALENDAR OF THIRD READING HOUSE BILLS NO. 87

**House Bill 406 – The Speaker (By Request – Administration) and Delegates Fraser-Hidalgo, Afzali, Anderton, Aumann, Beitzel, Carozza, Cassilly, Ciliberti, Clark, Cluster, Davis, Flanagan, Folden, Hornberger, S. Howard, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McKay, McMillan, Metzgar, Miele, Otto, Reilly, Simonaire, Szeliga, Vogt, West, B. Wilson, and Wivell Wivell, Beidle, Jalisi, and McCray**

AN ACT concerning

#### **Clean Cars Act of 2017**

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

Affirmative – 123    Negative – 11    (See Roll Call No. 740)

The Bill was then sent to the Senate.

**House Bill 467 – Delegates McCray, Anderson, Barkley, B. Barnes, Barve, Carey, Chang, Clippinger, Conaway, Ebersole, Fennell, Frick, Glenn, Hayes, Haynes, Healey, Hettleman, Hill, Holmes, Hornberger, C. Howard, Jackson, Jalisi, Kelly, Lafferty, Lam, R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, Moon, Morales, Patterson, Platt, Robinson, Rosenberg, Sanchez, Sophocleus, Tarlau, Turner, Valderrama, Waldstreicher, M. Washington, and P. Young**

AN ACT concerning

#### **Providing Our Workers Education and Readiness (POWER) – Apprenticeship Act**

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

Affirmative – 87    Negative – 47    (See Roll Call No. 741)

The Bill was then sent to the Senate.

**House Bill 509 – Delegates Hettleman, Barron, Jones, Korman, Lierman, McIntosh, Rosenberg, Stein, M. Washington, ~~and P. Young~~ P. Young, Afzali, Ciliberti, and Vogt**

AN ACT concerning

**Higher Education – Student Loan Notification Letter**

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

Affirmative – 119    Negative – 12    (See Roll Call No. 742)

The Bill was then sent to the Senate.

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

AN ACT concerning

**Motor Vehicles – Passenger Seat Belt Requirement – Primary Offense**

Delegate Beidle moved the Bill be recommitted.

The motion was adopted.

**House Bill 1383 – Delegates Barron ~~and Kipke~~, Kipke, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Krebs, Metzgar, Miele, Morales, Morgan, Pena–Melnyk, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young**

AN ACT concerning

**Behavioral Health Administration – Outpatient Civil Commitment Pilot Program**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 743)

The Bill was then sent to the Senate.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 20**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 172 – Delegates Lafferty and McIntosh**

AN ACT concerning

**Home Act of 2017**

**HB0172/610419/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 172

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “income;” insert “requiring a certain public housing agency to develop and make available a certain list of certain zip codes; providing that certain provisions of law do not apply to the rental of a dwelling unit located in a certain zip code;”; in line 16, after “income;” insert “requiring the owner of an apartment complex to rent or make available for rent a certain percentage of the units to persons who receive certain low-income housing assistance; establishing that the rental of a certain percentage of units in an apartment complex to certain persons is an affirmative defense in a certain action for discrimination based on source of income; prohibiting a person from claiming a certain affirmative defense unless the person within a certain time period has filed a certain certificate indicating the percentage of units in an apartment complex that are rented or made available to certain persons; requiring the Department of Housing and Community Development to establish a form and procedures for completing a certain certificate; requiring the Department and all public housing agencies to maintain certain records;”; and in line 27, strike “a certain term” and substitute “certain terms; providing for the application of this Act”.

On page 2, after line 5, insert:

“BY adding to

Article – State Government

Section 20–704.1 and 20–705.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 3, after line 24, insert:

“(G) “HOUSING ASSISTANCE VOUCHER” MEANS A LOW-INCOME HOUSING ASSISTANCE VOUCHER OR CERTIFICATE ISSUED UNDER THE UNITED STATES HOUSING ACT OF 1937.”;

and in line 25, strike “(g)” and substitute “(H)”.

On page 4, in lines 5, 7, and 9, strike “(h)”, “(i)”, and “(J)”, respectively, and substitute “(I)”, “(J)”, and “(K)”, respectively.

On page 5, strike beginning with “IF” in line 18 down through “ASSISTANCE” in line 19.

On page 6, after line 18, insert:

“(D) (1) IN THIS SUBSECTION, “PUBLIC HOUSING AGENCY” MEANS A PUBLIC HOUSING AGENCY IN A JURISDICTION IN THE STATE THAT HAS MORE THAN 100,000 TENANT-OCCUPIED DWELLING UNITS BASED ON THE MOST RECENT AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATE PUBLISHED BY THE UNITED STATES CENSUS BUREAU.

(2) EACH PUBLIC HOUSING AGENCY SHALL DEVELOP ANNUALLY AND MAKE AVAILABLE UNDER THE PUBLIC INFORMATION ACT A LIST OF THE ZIP CODES IN THE JURISDICTION OF THE PUBLIC HOUSING AGENCY IN WHICH AT LEAST 6% OF THE TOTAL NUMBER OF HOUSING ASSISTANCE VOUCHERS ADMINISTERED BY THE PUBLIC HOUSING AGENCY ARE USED.

(3) THE PROVISIONS IN THIS SUBTITLE CONCERNING DISCRIMINATION ON THE BASIS OF SOURCE OF INCOME DO NOT APPLY TO THE RENTAL OF A DWELLING UNIT LOCATED IN A ZIP CODE THAT IS INCLUDED ON A LIST DEVELOPED BY A PUBLIC HOUSING AGENCY IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.”;

before line 19, insert:

“20-704.1.”;

and in line 19, strike “(D)”.

### AMENDMENT NO. 3

On page 7, after line 19, insert:

“20-705.1.



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

(2) "APARTMENT COMPLEX" MEANS:

(I) A DWELLING WITH SEVEN OR MORE UNITS; OR

(II) A GROUP OF CONTIGUOUS DWELLINGS THAT IS OWNED OR MANAGED BY THE SAME PERSON.

(3) "DEPARTMENT" MEANS THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

(B) THE OWNER OF AN APARTMENT COMPLEX SHALL RENT OR MAKE AVAILABLE FOR RENT 15% OF THE UNITS IN THE APARTMENT COMPLEX, ROUNDED DOWN TO THE NEAREST WHOLE NUMBER, TO PERSONS WHO RECEIVE HOUSING ASSISTANCE VOUCHERS.

(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IN AN ACTION BROUGHT UNDER § 20-705 OF THIS SUBTITLE FOR ALLEGED DISCRIMINATION BASED ON SOURCE OF INCOME IN THE RENTAL OF A UNIT IN AN APARTMENT COMPLEX, IT SHALL BE AN AFFIRMATIVE DEFENSE IF 15% OF THE UNITS IN THE APARTMENT COMPLEX, ROUNDED DOWN TO THE NEAREST WHOLE NUMBER, ARE RENTED TO PERSONS WHO RECEIVE HOUSING ASSISTANCE VOUCHERS.

(2) A PERSON MAY NOT CLAIM AN AFFIRMATIVE DEFENSE UNDER PARAGRAPH (1) OF THIS SUBSECTION UNLESS THE PERSON HAS FILED WITHIN THE IMMEDIATELY PRECEDING 12 MONTHS WITH THE PUBLIC HOUSING AGENCY FOR THE JURISDICTION IN WHICH THE APARTMENT COMPLEX IS LOCATED OR, IF APPROPRIATE, THE DEPARTMENT, A CERTIFICATE AS SPECIFIED UNDER SUBSECTION (D) OF THIS SECTION.

(D) THE DEPARTMENT SHALL ESTABLISH A FORM AND PROCEDURES FOR COMPLETING A CERTIFICATE THAT INDICATES THE PERCENTAGE OF UNITS IN AN APARTMENT COMPLEX THAT ARE RENTED OR MADE AVAILABLE FOR RENT TO PERSONS WHO RECEIVE HOUSING ASSISTANCE VOUCHERS.

**(E) THE DEPARTMENT AND ALL PUBLIC HOUSING AGENCIES SHALL MAINTAIN RECORDS OF CERTIFICATES FILED IN ACCORDANCE WITH THIS SECTION.**

**(F) THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING JURISDICTIONS AS LONG AS THE JURISDICTION DOES NOT WEAKEN THE PROTECTIONS AGAINST DISCRIMINATION BASED ON SOURCE OF INCOME IN THE RENTAL OF A DWELLING IN ITS LOCAL LAWS OR REGULATIONS AS THOSE LOCAL LAWS OR REGULATIONS EXIST ON OCTOBER 1, 2017:**

**(1) CITY OF ANNAPOLIS;**

**(2) CITY OF FREDERICK;**

**(3) FREDERICK COUNTY;**

**(4) HOWARD COUNTY; AND**

**(5) MONTGOMERY COUNTY.”.**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

### **JUDICIARY COMMITTEE REPORT NO. 8**

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

**House Bill 1208 – Delegates Morales, Sanchez, Cullison, Dumais, Glenn, Kelly, Lam, Lewis, Lierman, A. Miller, Moon, Proctor, Robinson, Sydnor, Tarlau, Valderrama, and M. Washington**

AN ACT concerning

**Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness**

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 1362 – Delegates Morales, Sanchez, Pena–Melnyk, 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**

**HB1362/282717/1**

BY: House Judiciary Committee

**AMENDMENTS TO HOUSE BILL 1362**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, strike line 2 in its entirety and substitute “Criminal Procedure – Immigration – Community Trust”; in line 3, after the first “of” insert “providing that a certain official is immune from criminal and civil liability for refusing to provide information to the federal government or another state that will be used for a certain purpose; authorizing the State to indemnify a certain official for certain costs or a certain judgment”; in the same line, strike “restore” and substitute “maintain”; in line 4, after “Maryland” insert “governmental operations and”; in the same line, strike “and government”; in the same line, after “of” insert “State and”; strike beginning with “prohibiting” in line 5 down through “purposes;” in line 6; strike beginning with “official” in line 7 down through “warrant;” in line 15 and substitute “agent from taking certain actions at a certain time under certain circumstances; prohibiting a State or local correctional agent or employee from taking certain actions under certain circumstances; prohibiting a”

certain officer or unit of State government from spending certain funds for a certain purpose; prohibiting the State from reimbursing certain expenditures; providing that the State is not obligated to appropriate money to pay a certain expenditure; providing that a certain employee or officer who makes a certain expenditure or receives certain funds is subject to certain disciplinary action under certain provisions of law;”; in line 16, strike “requiring” and substitute “authorizing”; in line 18, strike “State”; and in the same line, after “agent” insert “or employee”.

On pages 1 and 2, strike beginning with “establishing” in line 21 on page 1 down through “time;” in line 1 on page 2 and substitute “requiring certain memoranda of agreement to be initiated and evaluated in a certain manner;”.

On page 2, after line 3, insert:

“BY adding to

Article – Courts and Judicial Proceedings

Section 5–527

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)”;

and after line 8, insert:

“BY adding to

Article – State Finance and Procurement

Section 7–239

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”.

## AMENDMENT NO. 2

On page 2, after line 10, insert:

“Article – Courts and Judicial Proceedings

5–527.

(A) AN OFFICIAL OF STATE GOVERNMENT OR A LOCAL GOVERNMENT IS IMMUNE FROM CRIMINAL AND CIVIL 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 FOR THE PURPOSE OF

DISCRIMINATING AGAINST INDIVIDUALS ON THE BASIS OF RELIGION, RACE, GENDER, SEXUAL ORIENTATION, IMMIGRATION STATUS, OR NATIONAL OR ETHNIC ORIGIN.

(B) THE STATE MAY INDEMNIFY AN OFFICIAL OF STATE GOVERNMENT OR A LOCAL GOVERNMENT FOR ANY COSTS ASSOCIATED WITH OR ANY JUDGMENT IN AN ACTION OR SUIT FILED BASED ON THE OFFICIAL'S REFUSAL TO PROVIDE INFORMATION TO THE FEDERAL GOVERNMENT OR ANOTHER STATE THAT WILL BE USED FOR THE CREATION OR MAINTENANCE OF A REGISTRY FOR THE PURPOSE OF DISCRIMINATING AGAINST INDIVIDUALS ON THE BASIS OF RELIGION, RACE, GENDER, SEXUAL ORIENTATION, IMMIGRATION STATUS, OR NATIONAL OR ETHNIC ORIGIN."

AMENDMENT NO. 3

Strike in their entirety the lines beginning with line 15 on page 2 through line 10 on page 3, and substitute:

"(2) "ADMINISTRATIVE IMMIGRATION DETAINER" MEANS A DETAINER FOR A VIOLATION OF FEDERAL IMMIGRATION LAW THAT WAS NOT ISSUED BY A FEDERAL JUDGE OR FEDERAL MAGISTRATE JUDGE."

On page 3, in lines 11 and 15, strike "**(5)**" and "**(6)**", respectively, and substitute "**(3)**" and "**(4)**", respectively; in line 13, strike "**CIVIL**"; strike beginning with the first comma in line 13 down through "**CODE**" in line 14; strike in their entirety lines 19 and 20 and substitute:

"(5) "LAW ENFORCEMENT AGENT" INCLUDES:

(I) A LAW ENFORCEMENT OFFICER, AS DEFINED IN § 3-101 OF THE PUBLIC SAFETY ARTICLE;

(II) A CHIEF OF A LAW ENFORCEMENT AGENCY, AS DEFINED IN § 3-101 OF THE PUBLIC SAFETY ARTICLE; AND

(III) AN AGENT OR EMPLOYEE OF A STATE OR LOCAL LAW ENFORCEMENT AGENCY.

(6) “LOCAL CORRECTIONAL FACILITY” HAS THE MEANING STATED IN § 1–101 OF THE CORRECTIONAL SERVICES ARTICLE.

(7) “STATE CORRECTIONAL FACILITY” HAS THE MEANING STATED IN § 1–101 OF THE CORRECTIONAL SERVICES ARTICLE.

(8) (I) “STATE OR LOCAL CORRECTIONAL AGENT OR EMPLOYEE” MEANS AN AGENT OR EMPLOYEE OF A STATE CORRECTIONAL FACILITY OR LOCAL CORRECTIONAL FACILITY.

(II) “STATE OR LOCAL CORRECTIONAL AGENT OR EMPLOYEE” DOES NOT INCLUDE A SHERIFF OR AN AGENT OR EMPLOYEE OF A STATE CORRECTIONAL FACILITY OR A LOCAL CORRECTIONAL FACILITY IF THE SHERIFF, AGENT, OR EMPLOYEE IS AUTHORIZED, TRAINED, AND SWORN TO PERFORM THE FUNCTIONS OF AN IMMIGRATION OFFICER PURSUANT TO A MEMORANDUM OF AGREEMENT WITH THE OFFICE OF THE UNITED STATES ATTORNEY GENERAL.”;

in line 21, strike “RESTORE” and substitute “MAINTAIN”; and in line 22, strike “LAW ENFORCEMENT AND GOVERNMENT” and substitute “GOVERNMENTAL OPERATIONS AND LAW ENFORCEMENT”.

AMENDMENT NO. 4

On pages 3 through 5, strike in their entirety the lines beginning with line 25 on page 3 through line 19 on page 5, inclusive, and substitute:

“(C) A LAW ENFORCEMENT AGENT MAY NOT, DURING THE PERFORMANCE OF REGULAR POLICE FUNCTIONS:

(1) INQUIRE ABOUT AN INDIVIDUAL’S IMMIGRATION STATUS, CITIZENSHIP STATUS, OR PLACE OF BIRTH DURING A STOP, SEARCH, OR ARREST; OR

(2) TRANSFER AN INDIVIDUAL TO FEDERAL IMMIGRATION AUTHORITIES UNLESS REQUIRED BY FEDERAL LAW.

(D) WITHOUT A JUDICIAL WARRANT, A LAW ENFORCEMENT AGENT MAY NOT, PURSUANT TO A REQUEST BY FEDERAL IMMIGRATION AUTHORITIES MADE SOLELY FOR IMMIGRATION ENFORCEMENT PURPOSES:

(1) TRANSFER AN INDIVIDUAL TO FEDERAL IMMIGRATION AUTHORITIES FOR PURPOSES OF IMMIGRATION ENFORCEMENT;

(2) DETAIN AN INDIVIDUAL SOLELY FOR THE PURPOSE OF IMMIGRATION ENFORCEMENT; OR

(3) NOTIFY FEDERAL IMMIGRATION AUTHORITIES OF AN INDIVIDUAL'S LOCATION OR ADDRESS.

(E) WITHOUT A JUDICIAL WARRANT, A STATE OR LOCAL CORRECTIONAL AGENT OR EMPLOYEE MAY NOT:

(1) DETAIN AN INDIVIDUAL PURSUANT TO AN ADMINISTRATIVE IMMIGRATION DETAINER; OR

(2) DETAIN AN INDIVIDUAL BEYOND THE PERIOD PRESCRIBED BY APPLICABLE STATE OR LOCAL LAW."

On page 5, in line 20, strike "(I)" and substitute "(F)"; in the same line, strike "GOVERNMENT AGENT" and substitute "LAW ENFORCEMENT AGENT OR A STATE OR LOCAL CORRECTIONAL AGENT OR EMPLOYEE"; and strike beginning with "PURSUANT" in line 29 down through "CODE" in line 30 and substitute "IN ACCORDANCE WITH FEDERAL LAW".

AMENDMENT NO. 5

On page 5, after line 30, insert:

"Article – State Finance and Procurement

7-239.

(A) AN OFFICER OR UNIT OF STATE GOVERNMENT MAY NOT SPEND MONEY FROM AN APPROPRIATION, AND A PERSON THAT RECEIVES STATE FUNDS MAY NOT USE THE STATE FUNDS, TO:

(1) KNOWINGLY CREATE OR MAINTAIN A REGISTRY FOR THE PURPOSE OF DISCRIMINATING AGAINST INDIVIDUALS ON THE BASIS OF RELIGION, RACE, GENDER, SEXUAL ORIENTATION, IMMIGRATION STATUS, OR NATIONAL OR ETHNIC ORIGIN; OR

(2) KNOWINGLY PROVIDE INFORMATION TO THE FEDERAL GOVERNMENT OR ANOTHER STATE FOR THE CREATION OR MAINTENANCE OF A REGISTRY FOR THE PURPOSE OF DISCRIMINATING AGAINST INDIVIDUALS ON THE BASIS OF RELIGION, RACE, GENDER, SEXUAL ORIENTATION, IMMIGRATION STATUS, OR NATIONAL OR ETHNIC ORIGIN.

(B) (1) THE STATE MAY NOT REIMBURSE ANY EXPENDITURE TO THE EXTENT THAT THE EXPENDITURE VIOLATES SUBSECTION (A) OF THIS SECTION.

(2) THE STATE IS NOT OBLIGATED TO APPROPRIATE MONEY TO PAY AN EXPENDITURE THAT VIOLATES SUBSECTION (A) OF THIS SECTION.

(C) EACH EMPLOYEE OR OFFICER OF THE STATE GOVERNMENT WHO MAKES AN EXPENDITURE OR RECEIVES STATE FUNDS THAT VIOLATE SUBSECTION (A) OF THIS SECTION IS SUBJECT TO DISCIPLINARY ACTION, INCLUDING TERMINATION, UNDER THE APPLICABLE DISCIPLINARY AND GRIEVANCE PROCEDURES IN TITLES 11 AND 12 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Attorney General, in consultation with the appropriate stakeholders, shall develop guidelines to assist public schools, hospitals, and courthouses to draft policies that limit civil immigration enforcement activities on their premises in order to ensure these facilities remain safe and accessible to all, regardless of immigration status.

SECTION 3. AND BE IT FURTHER ENACTED, That public schools, hospitals, and courthouses may establish and publish policies that limit immigration enforcement on their premises to the fullest extent possible consistent with federal and State law based on the guidelines developed by the Attorney General.”.

AMENDMENT NO. 6



On page 6, in lines 1, 13, and 18, strike “2.”, “4.”, and “5.”, respectively, and substitute “4.”, “6.”, and “7.”, respectively; and strike in their entirety lines 9 through 12, inclusive, and substitute:

“SECTION 5. AND BE IT FURTHER ENACTED, That memoranda of agreement between the Office of the United States Attorney General and local jurisdictions seeking to support or assist in civil immigration enforcement operations pursuant to federal immigration law or any other formal or informal law, regulation, or policy, shall be initiated and periodically evaluated through a process that is transparent, subject to public comment, and provides reasonable advance notice to the public.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Kipke moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

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

### **House Bill 1418 – Delegate Dumais**

AN ACT concerning

### **Justice Reinvestment Act – Modifications**

**HB1418/872517/1**

BY: House Judiciary Committee

### AMENDMENTS TO HOUSE BILL 1418

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 4 down through “hearing;” in line 6; in line 7, strike “drug distribution or”; strike beginning with “repealing” in line 9 down through “parole;” in line 10; in line 13, after “circumstances,” insert “altering the membership of the Justice Reinvestment Oversight Board;”; in line 15, after “changes,” insert “making clarifying changes; making a certain technical correction;”; in the same line, after “date” insert “of certain provisions”; and in line 19, strike “5–601(e)(1), 5–609.1, and 14–101(f)” and substitute “5–601(e)(1) and 5–609.1”.

On page 2, after line 8, insert:

“BY repealing and reenacting, without amendments,

Article – State Government

Section 9–3202

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–3203(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 27–101(gg)

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, with amendments,

Article – Transportation

Section 16–303(k)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter (S.B. 165) of the Acts of the General Assembly of 2017)”;

and in line 9, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

## AMENDMENT NO. 2

On page 3, in line 2, strike “submitted to” and substitute **“FILED WITH”**; in line 4, after “application” insert **“FILED”**; strike in their entirety lines 8 and 9; in line 10, strike the first set of brackets; in the same line, strike **“(5)”**; in line 17, after **“BEFORE”** insert **“SEPTEMBER 30, 2017”**; in line 32, after **“APPLICATION”** insert **“UNDER”**; and in the same line, strike **“SUBMITTED TO”** and substitute **“FILED WITH”**.

On page 4, in line 1, after “APPLICATION” insert “**FILED**”; strike beginning with “**THE**” in line 5 down through “**(5)**” in line 7; and strike in their entirety lines 11 through 20, inclusive.

AMENDMENT NO. 3

On page 6, in lines 24 and 25, in each instance strike “two” and substitute “**THREE**”; and after line 27, insert:

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

Article – State Government

9–3202.

There is a Justice Reinvestment Oversight Board in the Governor’s Office of Crime Control and Prevention.

9–3203.

(a) The Board consists of the following members:

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

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

(3) the Executive Director, or the Executive Director’s designee;

(4) the Secretary of Public Safety and Correctional Services, or the Secretary’s designee;

(5) the chair of the Maryland Parole Commission, or the chair’s designee;

(6) the Secretary of State Police, or the Secretary’s designee;

(7) the Attorney General, or the Attorney General’s designee;

- (8) the Public Defender, or the Public Defender's designee;
- (9) the Secretary of Budget and Management, or the Secretary's designee;
- (10) the Secretary of Health and Mental Hygiene, or the Secretary's designee;
- (11) the chair of the Local Government Justice Reinvestment Commission, or the chair's designee;
- (12) two members appointed by the Chief Judge of the Court of Appeals;
- (13) the Secretary of Labor, Licensing, and Regulation, or the Secretary's designee;
- (14) one member appointed by the Maryland Chiefs and Sheriffs Association;
- (15) the president of the Maryland State's Attorneys' Association or the president's designee;
- (16) two members of the Maryland Correctional Administrators Association, appointed by the president of the Maryland Correctional Administrators Association, including one representative from a large correctional facility and one representative from a small correctional facility;
- (17) the president of the Maryland Association of Counties or the president's designee; [and]
- (18) ONE MEMBER REPRESENTING A COMMUNITY ADVOCACY ORGANIZATION, APPOINTED BY THE PRESIDENT OF THE SENATE;**
- (19) ONE MEMBER REPRESENTING A COMMUNITY ADVOCACY ORGANIZATION, APPOINTED BY THE SPEAKER OF THE HOUSE; AND**
- [(18)](20) the following individuals, appointed by the Governor:**
  - (i) one member representing victims of crime;

(ii) one member representing law enforcement;

(iii) two local health officers; and

(iv) one member with direct experience teaching inmates in academic programs intended to achieve the goal of a high school diploma or general educational development certification.”.

#### AMENDMENT NO. 4

On page 6, before line 28, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

#### Article – Transportation

27–101.

(gg) **(1)** A person who is [convicted of] CHARGED WITH 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)] (I) Must appear in court; and

[(3)] (II) May not prepay the fine.

**(2) A PERSON 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 IS SUBJECT TO A FINE NOT EXCEEDING \$500.**

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation16–303.

(k) (1) Except as provided in paragraph (2) of this subsection, a person convicted of a violation of this section is subject to:

(i) For a first offense, imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both; and

(ii) For a second or subsequent offense, imprisonment not exceeding 2 years or a fine not exceeding \$1,000 or both.

(2) (I) A person [convicted of] CHARGED WITH a violation of subsection (h) or (i) of this section:

[(i) Is subject to a fine not exceeding \$500;

[(ii)] 1. Must appear in court; and

[(iii)] 2. May not prepay the fine.

(II) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (H) OR (I) OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.”;

in line 28, strike “2.” and substitute “5.”; in the same line, after “That” insert “Sections 1 and 3”; in line 30, after the comma insert “Sections 1 and 3”; and after line 31, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect October 1, 2017, contingent on the taking effect of Chapter (S.B. 165) of the Acts of the General Assembly of 2017, and if Chapter (S.B. 165) does not become effective, Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 7. AND BE IT FURTHER ENACTED, That, if Section 4 of this Act takes effect, Section 3 of this Act shall be abrogated and of no further force and effect.

SECTION 8. AND BE IT FURTHER ENACTED, That, subject to the provisions of Sections 5 and 6 of this Act, this Act shall take effect October 1, 2017.”.

The preceding 4 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. 17**

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

**House Bill 965 – Delegates S. Howard, Arentz, Chang, Clark, Ghrist, Jacobs, Malone, McDonough, Metzgar, Saab, Sophocleus, and B. Wilson**

AN ACT concerning

#### **Maryland Personal Information Protection Act – Security Breach Notification Requirements – Modifications**

**HB0965/633593/1**

BY: Economic Matters Committee

#### AMENDMENTS TO HOUSE BILL 965 (First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 6, after “from” insert “charging a certain business a fee for providing information needed to provide a certain notification or”; in line 7, after “election;” insert “prohibiting a certain business from using certain information for certain purposes;”; and strike beginning with “altering” in line 7 down through “guidelines;” in line 10.

##### AMENDMENT NO. 2

On page 2, in line 9, strike the brackets; in the same line, strike “or” and substitute a comma; in the same line, after “licenses” insert “**, OR**”; and in line 14, strike “If” and substitute “**SUBJECT TO SUBSECTION (C)(4) OF THIS SECTION, AND IF**”.

On page 3, in line 1, after “(4)” insert “**(I)**”; in line 6, strike “(5)” and substitute “**(II)**”; in the same line, strike “THE” and substitute “**IF THE**”; in line 7, after “SYSTEM” insert “**IS**”.

NOT THE OWNER OR LICENSEE OF THE COMPUTERIZED DATA, THE BUSINESS"; in the same line, strike "REQUIRE" and substitute ":

1. CHARGE THE BUSINESS THAT OWNS OR LICENSES THE COMPUTERIZED DATA A FEE FOR PROVIDING INFORMATION NEEDED TO PROVIDE THE NOTIFICATION UNDER SUBSECTION (B)(2) OF THIS SECTION; OR

2. REQUIRE";

in line 8, strike "PARAGRAPH (4)" and substitute "SUBPARAGRAPH (I)"; in line 9, strike "SUBSECTION" and substitute "PARAGRAPH.

(III) IF A BUSINESS THAT OWNS OR LICENSES THE COMPUTERIZED DATA ELECTS TO PROVIDE NOTICE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BUSINESS MAY NOT USE INFORMATION RELATIVE TO THE BREACH OF THE SECURITY OF A SYSTEM FOR PURPOSES OTHER THAN PROVIDING THE NOTIFICATION OR PROTECTING OR SECURING PERSONAL INFORMATION";

in line 24, strike "§ 14-3503 OF"; and in lines 30 and 31, strike "§ 14-3503 OF".

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 974 – Delegates Carey and Lisanti**

AN ACT concerning

### **Maryland Personal Information Protection Act – Revisions**

**HB0974/443190/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 974

(First Reading File Bill)



AMENDMENT NO. 1

On page 1, in line 10, after “given,” insert “providing that a certain business and a certain affiliate that comply with a certain federal law shall be deemed to be in compliance with certain provisions of law;”; in the same line, strike “a”; in the same line, strike “term” and substitute “terms”; in line 11, after “definitions,” insert “providing for a delayed effective date;”; in line 16, strike “and”; in the same line, after “14–3506” insert “, and 14–3507”; and in line 21, strike “, 14–3507”.

AMENDMENT NO. 2

On page 2, in line 13, after “ADOPTED” insert “OR APPROVED”; after line 18, insert:

**“(D) “HEALTH INFORMATION” HAS THE MEANING STATED IN 45 C.F.R. § 160.103.”;**

in line 19, strike “(d)” and substitute “(E)”; and in line 31, strike “MEDICAL” and substitute “HEALTH”.

On page 3, in line 1, after “POLICY” insert “OR CERTIFICATE”; in line 3, after “INSURER” insert “OR AN EMPLOYER THAT IS SELF-INSURED”; in lines 3 and 6, in each instance, strike “WOULD PERMIT” and substitute “PERMITS”; in line 4, strike “MEDICAL” and substitute “HEALTH”; in line 7, strike “ONLINE” and substitute “E-MAIL”; in the same line, after “ACCOUNT” insert “OR FINANCIAL ACCOUNT”; in line 8, strike “ANY BIOMETRIC” and substitute “BIOMETRIC”; in the same line, after “INCLUDING” insert “DATA GENERATED BY AUTOMATIC MEASUREMENTS OF AN INDIVIDUAL’S BIOLOGICAL CHARACTERISTICS SUCH AS”; in line 9, strike the first “OR”; in the same line, after “IMAGE,” insert “OR OTHER UNIQUE BIOLOGICAL CHARACTERISTIC,”; in line 10, strike “IDENTIFY THE INDIVIDUAL” and substitute “UNIQUELY AUTHENTICATE THE INDIVIDUAL’S IDENTITY WHEN THE INDIVIDUAL ACCESSES A SYSTEM OR ACCOUNT”; in line 18, strike “(E)” and substitute “(F)”; in line 19, after “PRACTICES” insert “THAT:

**(1) ARE**”;

in the same line, after “FAITH” insert a semicolon; in the same line, strike “AND SET” and substitute:

**(2) ARE SET**”;

in line 20, after “POLICY” insert a semicolon; in lines 20 and 21, strike “THAT CLEARLY DEMONSTRATES THAT THE PROCEDURES AND PRACTICES:”; in lines 22, 23, 27, and 30, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, “(5)”, and “(6)”, respectively; in line 22, strike “COORDINATE” and substitute “DESIGNATE ONE OR MORE EMPLOYEES OR CONTRACTORS TO COORDINATE”; in line 26, strike “ANY” and substitute “EXISTING”; in the same line, after the second “THE” insert “IDENTIFIED”; in line 28, strike “CONTROL” and substitute “ADDRESS”; and in line 30, after “PROVIDER” insert “ENTERED INTO ON OR AFTER JANUARY 1, 2018”.

On page 4, in line 1, strike “(5)” and substitute “(7)”; in the same line, after “PROGRAM” insert “PERIODICALLY”; strike beginning with “THE” in line 3 down through “(II)” in line 5; in line 7, strike “(III)” and substitute “(II)”; in the same line, strike “CIRCUMSTANCES” and substitute “NEW CIRCUMSTANCES”; in lines 7 and 8, strike “HAS REASON TO KNOW” and substitute “SHOULD KNOW”; and in line 10, strike “(F)” and substitute “(G)”.

On page 5, in lines 12, 15, 22, and 25, in each instance, strike “ACCESSING OR”; in line 21, after “WHETHER” insert “THERE IS A REASONABLE LIKELIHOOD THAT”; strike beginning with the bracket in line 22 down through “misused” in line 23 and substitute “OCCURRED OR WILL OCCUR”; in line 23, strike “] OCCURRED”; and in line 30, strike “30” and substitute “45”.

On page 6, in line 4, strike “ACCESSING OR”; and in line 8, strike “30” and substitute “45”.

On page 8, in line 23, after “(c)(1)” insert “OR (D)(1)”.

On page 9, after line 6, insert:

**“(D) (1) A BUSINESS THAT IS SUBJECT TO AND IN COMPLIANCE WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 SHALL BE DEEMED TO BE IN COMPLIANCE WITH THIS SUBTITLE.**

**“(2) AN AFFILIATE THAT IS IN COMPLIANCE WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 SHALL BE DEEMED TO BE IN COMPLIANCE WITH THIS SUBTITLE.”;**

in line 14, strike “October” and substitute “January”; and in the same line, strike “2017” and substitute “2018”.

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 1415 – Delegate Anderson**

AN ACT concerning

**Commercial Law – Maryland Antitrust Act – Indirect Purchasers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 17**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 192 – Delegate Lafferty**

AN ACT concerning

**Task Force to Study Bicycle Safety on Maryland Highways**

**HB0192/910715/1**

BY: Environment and Transportation Committee

**AMENDMENT TO HOUSE BILL 192**

(First Reading File Bill)

On page 2, in line 9, strike “and”; and in line 10, after “Association” insert “;

(viii) a representative of the Maryland Sheriff’s Association;

(ix) a civil engineer with experience in the design of mixed-use development infrastructure; and

(x) a traffic engineer who is familiar with mixed-use development infrastructure and who has experience with the Maryland Manual on Uniform Traffic Control Devices”.

On page 3, in line 4, strike “and”; and in line 6, after “State” insert “;

(9) the effects of bike lanes, bike paths, and protected cycle tracks on street parking and pedestrian and vehicular traffic flow;

(10) the siting of utilities and other infrastructure along bike lanes, bike paths, and protected cycle tracks; and

(11) best practices for ensuring access to retail, residential, commercial, and other points of interest adjacent to bike lanes, bike paths, and protected cycle tracks”.

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 963 – Delegates Lisanti, Lewis, Lierman, McCray, and Moon**

AN ACT concerning

**Maryland Transportation Authority – Video Tolls – Collection**

**HB0963/420912/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 963

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “collection” in line 8 and substitute “clarifying that the Maryland Transportation Authority may refer certain unpaid video tolls and associated civil penalties to the Central Collection Unit for collection; authorizing the Authority to recall certain unpaid video tolls and associated civil penalties from the Central Collection Unit under certain circumstances; establishing that the Central Collection Unit may not collect certain unpaid video tolls and associated civil penalties under certain circumstances; authorizing the Authority to waive certain unpaid video tolls and associated civil penalties under certain circumstances; requiring the Authority 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 after line 9, insert:

“BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 3–302

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”.

#### AMENDMENT NO. 2

On page 1, after line 16, insert:

“Article – State Finance and Procurement

3–302.

(a) (1) Except as otherwise provided in subsection (b) of this section, paragraph (2)(ii) of this subsection, or in other law, the Central Collection Unit is responsible for the collection of each delinquent account or other debt that is owed to the State or any of its officials or units.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, an official or unit of the State government shall refer to the Central Collection Unit each debt for which the Central Collection Unit has collection responsibility under this subsection and may not settle the debt.

(ii) A public institution of higher education may not refer a delinquent student account or debt to the Central Collection Unit unless, in accordance with § 15–119 of the Education Article:

1. the delinquent account or debt has not been settled by the end of the late registration period of the semester after the student account became delinquent; or

2. the student has not entered into or made timely payments to satisfy an installment payment plan.

(3) For the purposes of this subtitle, a community college or board of trustees for a community college established or operating under Title 16 of the Education Article is a unit of the State.

(b) Unless, with the approval of the Secretary, a unit of the State government assigns the claim to the Central Collection Unit, the Central Collection Unit is not responsible for and may not collect:

(1) any taxes;

(2) any child support payment that is owed under § 5–308 of the Human Services Article;

(3) any unemployment insurance contribution or overpayment;

(4) any fine;

(5) any court costs;

(6) any forfeiture on bond;

(7) any money that is owed as a result of a default on a loan that the Department of Commerce or the Department of Housing and Community Development has made or insured; [or]

(8) any money that is owed under Title 9, Subtitles 2, 3, and 4 and Title 20 of the Insurance Article; OR

**(9) ANY MONEY THAT IS OWED UNDER A DELINQUENT ACCOUNT FOR UNPAID VIDEO TOLLS AND ASSOCIATED CIVIL PENALTIES AND IS RECALLED BY THE MARYLAND TRANSPORTATION AUTHORITY UNDER § 21–1414(H) OF THE TRANSPORTATION ARTICLE.**

(c) The Central Collection Unit shall be responsible for the collection of each delinquent account or other debt that is owed to a community college established or operating under Title 16 of the Education Article if the board of trustees for the community college:

(1) adopts a resolution appointing the Central Collection Unit as the collector of delinquent accounts or other debt; and

(2) submits the resolution to the Central Collection Unit.”.

#### AMENDMENT NO. 3

On page 3, in line 7, strike “(I)”; strike in their entirety lines 9 through 19, inclusive; strike beginning with “UNDER” in line 21 down through “SUBSECTION” in line 22; and strike in their entirety lines 30 and 31.

#### AMENDMENT NO. 4

On page 6, in lines 29 and 31, in each instance, strike the bracket; in line 29, after “(h)” insert “**(1) THE AUTHORITY MAY REFER A DELINQUENT ACCOUNT FOR UNPAID VIDEO TOLLS AND ASSOCIATED CIVIL PENALTIES TO THE CENTRAL COLLECTION UNIT FOR COLLECTION.**”

**(2) THE AUTHORITY MAY RECALL A DELINQUENT ACCOUNT FROM THE CENTRAL COLLECTION UNIT IF:**

**(I) THE DELINQUENT ACCOUNT EXCEEDS \$300 IN UNPAID VIDEO TOLLS AND ASSOCIATED CIVIL PENALTIES;**

**(II) THE VIDEO TOLLS IN QUESTION WERE ASSESSED WITHIN A 30-DAY PERIOD; AND**

**(III) MITIGATING FACTORS EXIST WITH RESPECT TO THE ASSESSMENT OF THE UNPAID VIDEO TOLLS AND ASSOCIATED CIVIL PENALTIES, AS DETERMINED BY THE AUTHORITY.**

**(3)”;**

in line 30, after “Unit” insert “OR AFTER THE AUTHORITY HAS RECALLED A DELINQUENT ACCOUNT FROM THE CENTRAL COLLECTION UNIT”; strike in their entirety lines 32 and 33; and in line 34, after “That” insert “, on or before December 1, 2019, the Maryland Transportation Authority shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on its progress in improving access to its customer service operations, including enhanced use of e-mails, text messaging, and other methods of wireless communications.”.

SECTION 3. AND BE IT FURTHER ENACTED, That”;

in line 35, strike “October” and substitute “June”; and in the same line, after “2017.” insert “It shall remain effective for a period of 3 years 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 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 with amendments:

**House Bill 1120 – Delegates Fraser–Hidalgo and Stein**

AN ACT concerning

**Vehicle Laws – Dealers – Performance Standards**

**HB1120/840813/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 1120

(First Reading File Bill)

On page 1, strike beginning with “repealing” in line 3 down through “dealers” in line 5 and substitute “establishing that certain provisions of State law governing performance standards for vehicle dealers apply to vehicle manufacturers notwithstanding certain other agreements”.



On page 2, in line 6, strike the brackets; in line 10, after “(1)” insert “**THE PROVISIONS OF THIS SUBSECTION APPLY NOTWITHSTANDING THE TERMS OF ANY FRANCHISE AGREEMENT OR AGREEMENT RELATED TO A FRANCHISE.**”

**(2)**”;

in the same line, strike the bracket; in line 14, strike “(2)】” and substitute “**(3)**”; and in line 25, strike “**BRAND**”.

On page 3, in line 1, strike “**BRAND**”; in line 8, after “**AREA,**” insert “**OR THE**”; and in line 11, strike “**(2)**” and substitute “**(4)**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Miele moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably:

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

AN ACT concerning

**Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement**

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 1447 – Delegates McMillan, Folden, Holmes, Jacobs, Jalisi, and Stein**

AN ACT concerning

**Motor Vehicle Administration – Registration Plates – Return and Expiration**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1447

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Expiration”; strike beginning with “providing” in line 4 down through “application;” in line 6; in lines 6 and 7, strike “and expiration”; and in line 15, strike “and (i)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 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 Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**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**

**HB1451/840415/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1451

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “two” and substitute “three”.

AMENDMENT NO. 2

On page 2, in line 8, strike “TWO” and substitute “**THREE**”; and in line 16, after “TURN” insert “**OR LEFT EXIT**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

## **ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 19**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 270 – Delegates Lafferty, Platt, Bromwell, Glenn, Hettleman, Lierman, McIntosh, Oaks, Rosenberg, and M. Washington**

AN ACT concerning

**Environment – Testing for Lead in Drinking Water – Public and Nonpublic Schools**

**HB0270/690012/1**

BY: Environment and Transportation Committee

### AMENDMENTS TO HOUSE BILL 270

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and M. Washington” and substitute “M. Washington, Hayes, Ali, Ebersole, Mosby, Turner, and Wilkins”; in line 5, after “Education,” insert “the Department of General Services, and Maryland Occupational Safety and Health”; in lines 5 and 6, strike “on or before a certain date” and substitute “under certain circumstances”; in line 7, after “building,” insert “requiring the Department of the Environment, before adopting certain regulations, to gather information about certain testing processes, protocols, and efforts to establish safe and lead-free school environments”; and in line 12, after “date,” insert “requiring the Department of the Environment to establish a certain stakeholder group to provide advice and make recommendations regarding the development of certain regulations”.

#### AMENDMENT NO. 2

On page 2, in line 5, strike “OR POTENTIALLY USED”; in line 27, after “(B)” insert “(1)”; in the same line, strike “ON OR BEFORE OCTOBER 1, 2017” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION”; and in line 28, after “EDUCATION” insert “, THE DEPARTMENT OF GENERAL SERVICES, AND MARYLAND OCCUPATIONAL SAFETY AND HEALTH”.

On page 3, after line 2, insert:

“(2) BEFORE ADOPTING THE REGULATIONS REQUIRED UNDER THIS SECTION, THE DEPARTMENT SHALL GATHER INFORMATION ABOUT THE TESTING PROCESSES, PROTOCOLS, AND EFFORTS BEING UNDERTAKEN BY EACH COUNTY SCHOOL SYSTEM AND PRIVATE SCHOOL TO ESTABLISH A SAFE AND LEAD-FREE ENVIRONMENT, INCLUDING WHETHER THE SCHOOL SYSTEM OR SCHOOL HAS A PLAN FOR TESTING AND, IF APPROPRIATE, REMEDIAL MEASURES.”;

in line 5, strike “JANUARY” and substitute “JULY”; after line 5, insert:

“(2) PHASE IN THE IMPLEMENTATION OF THE REQUIRED TESTING BEGINNING WITH:

(I) SCHOOL BUILDINGS CONSTRUCTED BEFORE 1988; AND

(II) SCHOOL BUILDINGS SERVING STUDENTS IN A PREKINDERGARTEN PROGRAM OR ANY GRADE FROM KINDERGARTEN THROUGH GRADE 5;”;

in lines 6, 8, 9, and 14, strike “(2)”, “(3)”, “(4)”, and “(6)”, respectively, and substitute “(3)”, “(4)”, “(6)”, and “(7)”, respectively; after line 8, insert:

“(5) ADDRESS BEST PRACTICES AND COST-EFFECTIVE TESTING;”;

in line 10, after “DEPARTMENT;” insert “AND”; and strike in their entirety lines 11 through 13, inclusive.

On page 4, in line 2, strike “AND” and substitute “OR”; in line 14, after “(1)” insert “(I)”; in line 17, strike “(2)” and substitute “(II)”; in line 18, after “BUILDING” insert “;

(2) (I) STUDENTS IN THE SCHOOL BUILDING DO NOT HAVE ACCESS TO ANY DRINKING WATER OUTLET; AND

(II) BOTTLED WATER IS THE ONLY SOURCE OF WATER FOR DRINKING OR FOOD PREPARATION IN THE SCHOOL BUILDING;

(3) A PLAN IS IN PLACE FOR TESTING THE DRINKING WATER OUTLETS AND ADDRESSING ANY ELEVATED LEVEL OF LEAD IN A DRINKING WATER OUTLET IN THE SCHOOL BUILDING IN A MANNER THAT SUBSTANTIALLY COMPLIES WITH THE REGULATIONS REQUIRED UNDER THIS SECTION; OR

(4) THE LOCAL SCHOOL SYSTEM HAS:

(I) COMPLETED COMPREHENSIVE LEAD TESTING OF THE DRINKING WATER FROM PLUMBING FIXTURES; AND

(II) A COMPREHENSIVE MONITORING PROGRAM TO ENSURE SAFE DRINKING WATER IN ITS SCHOOLS”;

after line 27, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of the Environment shall establish a stakeholder group to provide advice and make recommendations regarding the development of the regulations required under § 6–1502 of the Environment Article, as enacted by Section 1 of this Act.

(b) The stakeholder group established under subsection (a) of this section shall include representatives of:

(1) advocates;

(2) county school systems;

(3) private schools;

(4) the Maryland Association of Boards of Education;

(5) the Public School Superintendents of Maryland; and

(6) other State agencies.”;

and in line 28, 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 Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

### **House Bill 332 – Montgomery County Delegation**

AN ACT concerning

#### **Montgomery County – Maximum Speed Limits Outside Urban Districts**

**MC 23–17**

**HB0332/850714/1**

BY: Environment and Transportation Committee

#### **AMENDMENT TO HOUSE BILL 332**

**(First Reading File Bill)**

On page 2, in line 7, strike “**15**” and substitute “**20**”.

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 602 – Delegates Robinson, Lam, Anderson, Angel, Barkley, B. Barnes, Carr, Cullison, Ebersole, Fennell, Fraser-Hidalgo, Frush, Gilchrist, Gutierrez, Healey, Hettleman, Hill, Holmes, Kaiser, Kelly, Korman, Lafferty, Lewis, Luedtke, McIntosh, Moon, Morales, Morhaim, Pena-Melnyk, Platt,**

**Reznik, Sanchez, Tarlau, Turner, Valderrama, M. Washington, and K. Young**

AN ACT concerning

**Keep Antibiotics Effective Act of 2017**

**HB0602/380416/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 602

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 3 down through “conditions,” in line 7 and substitute “authorizing, on or after a certain date, the administration of certain antimicrobial drugs to certain cattle, swine, or poultry if, in the professional judgment of a licensed veterinarian, the administration is necessary for certain purposes;”; in line 8, strike “and” and substitute “or”; in the same line, after “poultry” insert “in a certain pattern or”; and strike beginning with “requiring” in line 10 down through “manner;” in line 13 and substitute “requiring the Department of Agriculture to collect certain publicly available data from certain federal agencies and other appropriate entities;”.

AMENDMENT NO. 2

On page 2, in line 10, strike “A BARN OR EQUIVALENT ANIMAL HOUSING UNIT” and substitute “:

**(1) A GROUP OF ANIMALS IN CONTACT WITH EACH OTHER; OR**

**(2) A BARN OR EQUIVALENT ANIMAL HOUSING UNIT.**

**(C) “DOCUMENTED” MEANS ACKNOWLEDGED AND RECORDED**”.

On page 2, in lines 11 and 20, strike “(C)” and “(D)”, respectively, and substitute “**(D)**” and “**(E)**”, respectively.

On page 3, in lines 1 and 9, strike “(E)” and “(F)”, respectively, and substitute “**(F)**” and “**(G)**”, respectively.

AMENDMENT NO. 3

On pages 3 through 5, strike in their entirety the lines beginning with line 27 on page 3 through line 16 on page 5, inclusive, and substitute:

“3-1003.

(A) (1) ON OR AFTER JANUARY 1, 2018, AND SUBJECT TO SUBSECTION (B) OF THIS SECTION, A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY BE ADMINISTERED TO CATTLE, SWINE, OR POULTRY IF, IN THE PROFESSIONAL JUDGMENT OF A LICENSED VETERINARIAN, THE MEDICALLY IMPORTANT ANTIMICROBIAL DRUG IS NECESSARY:

(I) TO TREAT A DISEASE OR INFECTION;

(II) TO CONTROL THE SPREAD OF A DISEASE OR INFECTION; OR

(III) FOR A SURGERY OR MEDICAL PROCEDURE.

(2) ON OR AFTER JANUARY 1, 2018, A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY BE ADMINISTERED TO CATTLE, SWINE, OR POULTRY IF, IN THE PROFESSIONAL JUDGMENT OF A LICENSED VETERINARIAN, THE MEDICALLY IMPORTANT ANTIMICROBIAL DRUG IS NECESSARY FOR PROPHYLAXIS TO ADDRESS AN ELEVATED RISK OF CONTRACTION OF A PARTICULAR DISEASE OR INFECTION.

(B) UNLESS ADMINISTRATION OF A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG IS CONSISTENT WITH SUBSECTION (A)(1) OF THIS SECTION, A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY NOT BE ADMINISTERED IN A REGULAR PATTERN TO CATTLE, SWINE, OR POULTRY.

(C) A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY NOT BE ADMINISTERED TO CATTLE, SWINE, OR POULTRY SOLELY FOR THE PURPOSE OF:

(1) PROMOTING WEIGHT GAIN; OR

(2) IMPROVING FEED EFFICIENCY.



3-1004.

(A) EACH YEAR THE DEPARTMENT SHALL COLLECT PUBLICLY AVAILABLE DATA ON THE USE IN THE STATE OF MEDICALLY IMPORTANT ANTIMICROBIAL DRUGS IN CATTLE, SWINE, AND POULTRY FROM:

(1) THE U.S. DEPARTMENT OF AGRICULTURE;

(2) THE CENTERS FOR DISEASE CONTROL AND PREVENTION;

(3) THE U.S. FOOD AND DRUG ADMINISTRATION; AND

(4) APPROPRIATE NATIONAL TRADE ASSOCIATIONS, ORGANIZATIONS, AND COUNCILS.”.

On page 5, in line 17, strike “(C)” and substitute “(B)”; and in line 20, strike “INFORMATION SUBMITTED” and substitute “DATA COLLECTED”.

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 1284 – Delegates Stein, Frush, Healey, Holmes, and Lafferty**

AN ACT concerning

**Natural Resources – Aquaculture Leases – National Register of Historic Places**

**HB1284/780012/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1284

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “National Register of Historic Places” and substitute “National Historic Landmarks”; in line 3, strike “prohibiting” and substitute “authorizing the Department of Natural Resources to authorize”; in line 4, strike “from being”; strike beginning with “listed” in line 5 down through “welfare” in line 7 and substitute “designated as a National Historic Landmark only under certain circumstances”; in line 15, after “4–11A–06(b)(2)” insert “and (3)”; in the same line, after “4–11A–07(c)(1)” insert “and (2)”; and in the same line, after “4–11A–08(c)(1)” insert “and (2)”.

#### AMENDMENT NO. 2

On page 2, in lines 1 and 19, in each instance, after “(2)” insert “(I)”; in lines 2, 5, 7, 9, 13, 15, 20, 22, 24, and 26, strike “(i)”, “(ii)”, “(iii)”, “(iv)”, “**(VI)**”, “**(VII)**”, “(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, “5.”, “6.”, “1.”, “2.”, “3.”, and “4.”, respectively; strike in their entirety lines 10 through 12, inclusive; after line 15, insert:

**“(II) THE DEPARTMENT MAY AUTHORIZE AN AQUACULTURE ENTERPRISE ZONE WITHIN 300 FEET OF THE MEAN HIGH WATERMARK OF THE SHORELINE OF PROPERTY DESIGNATED BY THE UNITED STATES SECRETARY OF THE INTERIOR AS A NATIONAL HISTORIC LANDMARK ONLY IF:**

**1. THE PROPERTY OWNER HAS BEEN NOTIFIED OF THE PROPOSED AQUACULTURE ENTERPRISE ZONE; AND**

**2. THE PROPERTY OWNER DOES NOT OBJECT TO THE PROPOSED AQUACULTURE ENTERPRISE ZONE.”;**

and strike in their entirety lines 28 through 30, inclusive.

On page 3, in lines 1, 3, 8, 10, 12, 14, 18, 20, 21, 26, and 28, strike “**(VI)**”, “**(VII)**”, “(i)”, “(ii)”, “(iii)”, “(iv)”, “**(VI)**”, “**(VII)**”, “**(VIII)**”, “(i)”, and “(ii)”, respectively, and substitute “5.”, “6.”, “1.”, “2.”, “3.”, “4.”, “5.”, “6.”, “7.”, “1.”, and “2.”, respectively; after line 3, insert:

**“(II) THE DEPARTMENT MAY AUTHORIZE A SUBMERGED LAND LEASE WITHIN 300 FEET OF THE MEAN HIGH WATERMARK OF THE SHORELINE OF PROPERTY DESIGNATED BY THE UNITED STATES SECRETARY OF THE INTERIOR AS A NATIONAL HISTORIC LANDMARK ONLY IF:**

**1. THE PROPERTY OWNER HAS BEEN NOTIFIED OF THE PROPOSED SUBMERGED LAND LEASE; AND**

**2. THE PROPERTY OWNER DOES NOT OBJECT TO THE PROPOSED SUBMERGED LAND LEASE.**

(3) Paragraph [(2)(v)] **(2)(I)5** of this subsection does not apply to a riparian owner or a lawful occupant of the riparian property.”;

in lines 7 and 25, in each instance, after “(1)” insert “**(I)**”; strike in their entirety lines 15 through 17, inclusive; and after line 22, insert:

**“(II) THE DEPARTMENT MAY AUTHORIZE A SUBMERGED LAND LEASE WITHIN 300 FEET OF THE MEAN HIGH WATERMARK OF THE SHORELINE OF PROPERTY DESIGNATED BY THE UNITED STATES SECRETARY OF THE INTERIOR AS A NATIONAL HISTORIC LANDMARK ONLY IF:**

**1. THE PROPERTY OWNER HAS BEEN NOTIFIED OF THE PROPOSED SUBMERGED LAND LEASE; AND**

**2. THE PROPERTY OWNER DOES NOT OBJECT TO THE PROPOSED SUBMERGED LAND LEASE.**

(2) Paragraph [(1)(v)] **(1)(I)5** of this subsection does not apply to a riparian owner or a lawful occupant of the riparian property.”.

On page 4, in lines 1, 3, 8, 10, 11, and 28, strike “(iii)”, “(iv)”, “**(VI)**”, “**(VII)**”, “**(VIII)**”, and “(1)”, respectively, and substitute “**3.**”, “**4.**”, “**5.**”, “**6.**”, “**7.**”, and “**(I)**”, respectively; strike in their entirety lines 5 through 7, inclusive; after line 12, insert:

**“(II) THE DEPARTMENT MAY AUTHORIZE A WATER COLUMN LEASE WITHIN 300 FEET OF THE MEAN HIGH WATERMARK OF THE SHORELINE OF PROPERTY DESIGNATED BY THE UNITED STATES SECRETARY OF THE INTERIOR AS A NATIONAL HISTORIC LANDMARK ONLY IF:**

**1. THE PROPERTY OWNER HAS BEEN NOTIFIED OF THE PROPOSED SUBMERGED LAND LEASE; AND**

**2. THE PROPERTY OWNER DOES NOT OBJECT TO THE PROPOSED SUBMERGED LAND LEASE.**

(2) The provisions of paragraph [(1)(v)] (1)(I)5 of this subsection do not apply to the riparian owner or a lawful occupant of the riparian property.”;

in line 22, strike “SHALL” and substitute “MAY”; and in line 27, after “(d)” insert “(1)”.

On page 5, in lines 1, 3, 5, 9, 11, and 12, strike “(2)”, “(3)”, “(4)”, “(6)”, “(7)”, and “(8)”, respectively, and substitute “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively; strike in their entirety lines 6 through 8, inclusive; and after line 13, insert:

**“(2) THE DEPARTMENT MAY AUTHORIZE THE PROPOSED LEASE WITHIN 300 FEET OF THE MEAN HIGH WATERMARK OF THE SHORELINE OF PROPERTY DESIGNATED BY THE UNITED STATES SECRETARY OF THE INTERIOR AS A NATIONAL HISTORIC LANDMARK ONLY IF:**

**1. THE PROPERTY OWNER HAS BEEN NOTIFIED OF THE PROPOSED LEASE; AND**

**2. THE PROPERTY OWNER DOES NOT OBJECT TO THE PROPOSED LEASE.”.**

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 1487 – Delegate Rosenberg**

AN ACT concerning

**Landlord and Tenant – Repossession for Failure to Pay Rent – Procedures**

**HB1487/620314/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1487

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “authorizing” and substitute “requiring”; in line 7, after the second “property” insert “under certain circumstances”; strike beginning with “authorizing” in line 13 down through the semicolon in line 14; and in line 17, after “time;” insert “providing that certain provisions relating to an action for repossession for failure to pay rent preempt certain public local laws or ordinances;”.

AMENDMENT NO. 2

On page 3, in line 12, strike “ANY” and substitute “A”; in the same line, strike “MAY” and substitute “SHALL”; and in line 14, after “SUBSECTION” insert “, UNLESS THE COURT ADJOURNS THE TRIAL ON THE COMPLAINT IN ACCORDANCE WITH SUBSECTION (C)(1) OF THIS SECTION”.

On page 8, in line 1, strike “(I)”; in line 4, strike the brackets; and strike in their entirety lines 6 and 7.

AMENDMENT NO. 3

On page 5, after line 8, insert:

**“(8) THIS SUBSECTION SHALL PREEMPT ANY PUBLIC LOCAL LAW OR ORDINANCE CONCERNING A COMPLAINT FOR FAILURE TO PAY RENT AND SERVICE OF THE COMPLAINT ON A RESPONDENT.”;**

in line 9, after “(1)” insert “(I)”; and after line 14, insert:

**“(II) THIS PARAGRAPH SHALL PREEMPT ANY SUBSTANTIALLY SIMILAR PUBLIC LOCAL LAW OR ORDINANCE CONCERNING THE ADJOURNMENT OF A TRIAL FOR REPOSSESSION FOR A FAILURE TO PAY RENT.”.**

On page 6, after line 16, insert:

**“(VI) THIS PARAGRAPH SHALL PREEMPT ANY SUBSTANTIALLY SIMILAR PUBLIC LOCAL LAW OR ORDINANCE.”.**

On page 8, after line 17, insert:

**“(3) THIS SUBSECTION SHALL PREEMPT ANY SUBSTANTIALLY SIMILAR PUBLIC LOCAL LAW OR ORDINANCE CONCERNING SIMILAR TIME LIMITATIONS FOR THE FILING OF A COMPLAINT FOR REPOSSESSION OF A RESIDENTIAL PROPERTY.”.**

**AMENDMENT NO. 4**

On page 3, in line 22, after “on” insert **“A DATE DETERMINED BY THE COURT THAT IS NO LATER THAN”**.

On page 4, in line 26, after “on” insert **“A DATE DETERMINED BY THE COURT THAT IS NO LATER THAN”**.

On page 5, in line 9, strike “14TH day indicated in” and substitute **“DATE DETERMINED BY THE COURT UNDER”**.

**AMENDMENT NO. 5**

On page 3 in line 28, and on page 4 in line 3, in each instance, strike “7” and substitute “4”.

**AMENDMENT NO. 6**

On page 8, in lines 13 and 15, in each instance, strike “CLAIM” and substitute **“RENTAL PERIOD”**.

**The preceding 6 amendments were read and adopted.**

**Favorable report, as amended, adopted.**

**Read the second time and ordered prepared for Third Reading.**

**WAYS AND MEANS COMMITTEE REPORT NO. 16**

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

**House Bill 469 – Delegate Sydnor**

AN ACT concerning

**Recordation and Transfer Tax – Principal Residence Surrendered in  
Bankruptcy – 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 592 – Delegate M. Washington**

AN ACT concerning

**Real Property Tax – Assessment Appeals Process**

**HB0592/405365/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 592

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “appeal;” and substitute “appeal, unless the property owner requests a postponement;”; strike beginning with “allowing” in line 6 down through “date;” in line 7; strike beginning with “allowing” in line 10 down through “classification;” in line 15; and in line 16, strike “appeal;” and substitute “appeal, unless the property owner requests a postponement;”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 29 on page 2 through line 4 on page 3, inclusive, and substitute:

**“(B) UNLESS THE PROPERTY OWNER REQUESTS A POSTPONEMENT UNDER § 1–402 OF THIS ARTICLE, THE HEARING SHALL OCCUR NO LATER THAN 120 DAYS AFTER THE DATE THAT THE DEPARTMENT RECEIVED THE APPEAL OF THE VALUE OR CLASSIFICATION.”**

AMENDMENT NO. 3

On page 3, in line 16, strike “**30**” and substitute “**60**”; and strike in their entirety lines 20 through 29, inclusive.

AMENDMENT NO. 4

On page 4, strike in their entirety lines 28 and 29, inclusive, and substitute:

**“(G) UNLESS THE PROPERTY OWNER REQUESTS A POSTPONEMENT UNDER § 1–402 OF THIS ARTICLE, THE PROPERTY TAX ASSESSMENT APPEAL BOARD SHALL HOLD A HEARING WITHIN 120 DAYS AFTER RECEIVING A REQUEST FOR AN APPEAL.”.**

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 644 – Delegates Luedtke, Barkley, Cullison, Ebersole, Fraser–Hidalgo, Gilchrist, Kelly, Korman, Kramer, Metzgar, Moon, Reznik, Robinson, Tarlau, A. Washington, and Wilkins**

AN ACT concerning

**Independent Living Tax Credit Act**

**HB0644/635861/1**

BY: Committee on Ways and Means

**AMENDMENTS TO HOUSE BILL 644**

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “or a corporation”; in line 4, strike “or construction”; in line 8, strike “or a corporation”; and strike line 19 in its entirety and substitute “(2016 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, strike beginning with “OR” in line 4 down through the first “HOME” in line 5; in line 9, after “(4)” insert “**“DISABILITY” HAS THE MEANING STATED IN § 7–101 OF THE HUMAN SERVICES ARTICLE.**”



(5)”;

in line 11, strike “(1)”; in line 12, strike “OR A CORPORATION”; in line 14, strike “OR CONSTRUCT A NEW HOME”; strike in their entirety lines 16 through 19, inclusive; and in line 31, strike “OR A CORPORATION”.

On page 3, in line 3, strike “\$2,000,000” and substitute “\$1,000,000”; in line 5, strike “AND CORPORATIONS”; in line 17, strike “OR CORPORATION”; strike beginning with “OR” in line 18 down through “CORPORATION” in line 19; and in line 21, strike “OR A CORPORATION”.

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 1286 – Delegate Lisanti**

AN ACT concerning

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

**HB1286/435869/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1286  
(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Lisanti” and substitute “Delegates Lisanti, Szeliga, and Impallaria”.

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 131 Members present.

(See Roll Call No. 744)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 84**

**House Bill 1054 – Delegates West, Carozza, Hill, Reznik, ~~and Stein~~ Stein, Krebs, and Metzgar**

AN ACT concerning

**State Board of Physicians – Physician Licensure – Prohibition on Requiring  
Specialty Certification**

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

Affirmative – 123    Negative – 0    (See Roll Call No. 745)

The Bill was then sent to the Senate.

**House Bill 1094 – Delegates Hixson, Haynes, Jameson, Kramer, Lierman, Moon,  
Pena-Melnyk, Proctor, Sophocleus, Turner, Valderrama, ~~and~~  
~~M. Washington~~ M. Washington, and Rose**

AN ACT concerning

**Education – Libraries – Reorganization of Governance Structure**

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

Affirmative – 128    Negative – 0    (See Roll Call No. 746)

The Bill was then sent to the Senate.

**House Bill 1183 – Delegate West**

AN ACT concerning

**State Board of Social Work Examiners – Revisions**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 747)

The Bill was then sent to the Senate.

**House Bill 1234 – Delegates Wilkins, Kaiser, Hixson, Hornberger, Patterson, ~~and Walker~~ Walker, Rose, Simonaire, D. Barnes, Ebersole, Afzali, Turner, C. Howard, Luedtke, A. Washington, M. Washington, Buckel, Long, Reilly, Tarlau, Shoemaker, and Mosby**

AN ACT concerning

**Property Tax – Credit for Retired Military Service Members – Eligibility**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 748)

The Bill was then sent to the Senate.

**House Bill 1269 – ~~Delegate Simonaire~~ Anne Arundel County Delegation**

AN ACT concerning

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

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

Affirmative – 132    Negative – 0    (See Roll Call No. 749)

The Bill was then sent to the Senate.

**House Bill 1300 – Charles County Delegation**

AN ACT concerning

**Charles County – Garbage Disposal Services – Provider Displacement**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 750)

The Bill was then sent to the Senate.

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

AN ACT concerning

**Property Tax – Credit for Revitalization Districts**

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

Affirmative – 130    Negative – 1    (See Roll Call No. 751)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 89****House Bill 386 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Economic Development – Business Improvement  
Districts**

**MC 12–17**

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

Affirmative – 130    Negative – 2    (See Roll Call No. 752)

The Bill was then sent to the Senate.

**House Bill 498 – Delegate Hettleman**

AN ACT concerning

**Health Care Decisions Act – Advance Directives and Surrogate Decision Making  
– Disqualified Individuals**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 753)

The Bill was then sent to the Senate.

**House Bill 656 – Delegates Barve, Carr, Fraser–Hidalgo, Frush, Gilchrist, Krimm,  
Lafferty, McCray, McIntosh, Platt, Robinson, Stein, and Valentino–Smith**

AN ACT concerning

**Environment – ~~Municipal~~ Stormwater Remediation Fees and Stormwater  
Charges – Property Subject to Fees and Charges**

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

Affirmative – 128    Negative – 5    (See Roll Call No. 754)

The Bill was then sent to the Senate.

**House Bill 824 – Chair, Health and Government Operations Committee**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Sunset Extension and  
Program Evaluation**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 755)

The Bill was then sent to the Senate.

**House Bill 898 – Delegates Ebersole, Lafferty, Lam, Lierman, Luedtke, McCray,  
Moon, Morales, Platt, Reznik, Tarlau, Turner, A. Washington, and  
M. Washington**

AN ACT concerning

**Election Law – Campaign Finance – Coordinated Expenditures**

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

Affirmative – 87    Negative – 46    (See Roll Call No. 756)

The Bill was then sent to the Senate.

**House Bill 923 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Property Tax Credit – ~~Allegany County Animal Shelter  
Management Foundation, Inc.~~ Community Organizations**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 757)

The Bill was then sent to the Senate.

**House Bill 1022 – Delegate West**

AN ACT concerning

**Health Occupations – Violations of the Maryland Dentistry Act – Penalties and  
Cease and Desist Orders**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 758)

The Bill was then sent to the Senate.

**SPECIAL ORDERS**

**House Bill 172 – Delegates Lafferty and McIntosh**

AN ACT concerning

**Home Act of 2017**

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

FLOOR AMENDMENT

**HB0172/583128/1**

BY: Delegate Szeliga

AMENDMENT TO HOUSE BILL 172

(First Reading File Bill)

On page 5, in line 16, strike “and”; and in line 24, after “residence” insert “;AND”

**(3) WITH RESPECT TO SOURCE OF INCOME, A JURISDICTION IN WHICH  
THE GOVERNING BODY HAS ACTED TO APPROVE OR REJECT LOCAL LEGISLATION  
ADDRESSING DISCRIMINATION ON THE BASIS OF SOURCE OF INCOME**”.

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

Affirmative – 47    Negative – 84    (See Roll Call No. 759)

FLOOR AMENDMENT

**HB0172/903326/1**

BY: Delegate Grammer

AMENDMENTS TO HOUSE BILL 172, AS AMENDEDAMENDMENT NO. 1

On page 1 of the Environment and Transportation Committee Amendments (HB0172/610419/1), in Amendment No. 1, strike beginning with “requiring” in line 4 down through “records;” in line 14; and in line 19, strike “and 20–705.1”.

AMENDMENT NO. 2

In the Environment and Transportation Committee Amendments, strike Amendment No. 3 in its entirety.

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

Affirmative – 46    Negative – 86    (See Roll Call No. 760)

## FLOOR AMENDMENT

**HB0172/433525/1**

BY: Delegate Grammer

AMENDMENT TO HOUSE BILL 172

(First Reading File Bill)

On page 6, in lines 25 and 26, strike “**INCOME DERIVED FROM ANY CRIMINAL ACTIVITY**” and substitute “**THE SOURCE OF INCOME OF AN INDIVIDUAL WHO HAS BEEN CONVICTED OF OR IS CURRENTLY CHARGED WITH A CRIME**”.

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

Affirmative – 42    Negative – 84    (See Roll Call No. 761)

## FLOOR AMENDMENT

**HB0172/313123/1**

BY: Delegate Grammer

AMENDMENT TO HOUSE BILL 172

(First Reading File Bill)

On page 5, after line 24, insert:

**“(A-1) THIS SUBTITLE APPLIES ONLY TO:**

**(1) VETERANS;**

**(2) ELDERLY INDIVIDUALS;**

**(3) DISABLED INDIVIDUALS; AND**

**(4) INDIVIDUALS ON FIXED INCOMES.”**

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

Affirmative – 44    Negative – 87    (See Roll Call No. 762)

Delegate Gilchrist moved the previous question.

The motion was adopted.

Read the second time and ordered prepared for Third Reading.

**House Bill 1362 – Delegates Morales, Sanchez, Pena-Melnyk, 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**

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

FLOOR AMENDMENT



HB1362/383428/1

BY: Delegate Kipke

AMENDMENT TO HOUSE BILL 1362, AS AMENDED

On page 5 of the House Judiciary Committee Amendments (HB1362/282717/1), in line 15 of Amendment No. 4, after “(E)” insert “(1) THIS SUBSECTION DOES NOT APPLY TO AN ADMINISTRATIVE IMMIGRATION DETAINER ISSUED BASED ON A FINDING THAT THE SUBJECT OF THE ADMINISTRATIVE IMMIGRATION DETAINER:

(I) HAS ENGAGED IN OR IS SUSPECTED OF TERRORISM OR ESPIONAGE, OR OTHERWISE POSES A DANGER TO NATIONAL SECURITY;

(II) HAS BEEN CONVICTED OF AN OFFENSE WHERE AN ELEMENT OF THE OFFENSE WAS ACTIVE PARTICIPATION IN A CRIMINAL STREET GANG AS DEFINED BY 18 U.S.C. § 521, OR IS AT LEAST 16 YEARS OF AGE AND INTENTIONALLY PARTICIPATED IN AN ORGANIZED CRIMINAL STREET GANG TO FURTHER ILLEGAL ACTIVITIES;

(III) HAS BEEN CONVICTED OF AN OFFENSE CLASSIFIED AS A FELONY, OTHER THAN A STATE OR LOCAL OFFENSE, FOR WHICH AN ESSENTIAL ELEMENT OF THE OFFENSE WAS THE SUBJECT’S IMMIGRATION STATUS; OR

(IV) HAS BEEN CONVICTED OF AN AGGRAVATED FELONY, AS DEFINED BY 8 U.S.C. § 1101.

(2)”;

and in lines 17 and 19, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively.

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

Affirmative – 52    Negative – 82    (See Roll Call No. 763)

Read the second time and ordered prepared for Third Reading.

House Bill 1120 – Delegates Fraser–Hidalgo and Stein

AN ACT concerning

**Vehicle Laws – Dealers – Performance Standards**

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. 57**

**House Bill 891 – Delegates Saab, Anderton, Beidle, Beitzel, Bromwell, Buckel, Carey, Chang, Clark, Glass, Hornberger, S. Howard, Kipke, Kittleman, Krebs, Lisanti, Malone, McComas, McConkey, McKay, Miele, W. Miller, Morgan, Oaks, Otto, Parrott, Reilly, Rose, Simonaire, Sophocleus, Szeliga, and B. Wilson**

AN ACT concerning

**Handgun Permits – Firearms Training Courses**

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

Delegate Vallario moved the Bill be recommitted.

The motion was adopted.

**ENVIRONMENT AND TRANSPORTATION COMMITTEE REPORT NO. 18**

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 677 – Howard County Delegation**

AN ACT concerning

**Howard County – Noise Control – Outdoor Concert Venues**

**Ho. Co. 18–17**

**HB0677/900919/1**

BY: Environment and Transportation Committee

AMENDMENT TO HOUSE BILL 677

(First Reading File Bill)

On page 4, in lines 6 and 11, in each instance, after “that” insert “, AT A RESIDENTIAL PROPERTY LINE,”; and in line 16, after “THAT” insert “, AT A RESIDENTIAL PROPERTY LINE,”.

On page 5, in line 18, strike “October” and substitute “June”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

### **House Bill 1320 – Charles County Delegation**

AN ACT concerning

### **Counties – Towing Companies – Authority to Regulate**

**HB1320/440119/1**

BY: Environment and Transportation Committee

### AMENDMENTS TO HOUSE BILL 1320

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, before “Counties” insert “Southern Maryland Code”; in line 3, strike “the governing body of a county” and substitute “the county commissioners of a code county in the Southern Maryland class”; in line 5, after “a” insert “certain”; in line 7, before “county” insert “certain”; in line 15, after “authority of” insert “Southern Maryland code”; in line 19, strike “13–1001 through 13–1007” and substitute “11–501 through 11–507”; and in the same line, strike “10.” and substitute “5.”.

#### AMENDMENT NO. 2

On page 1, in line 26, strike “**10.**” and substitute “5.”.

On page 2, in lines 1, 12, 14, and 27, strike “**13-1001.**”, “**13-1002.**”, “**13-1003.**”, and “**13-1004.**”, respectively, and substitute “**11-501.**”, “**11-502.**”, “**11-503.**”, and “**11-504.**”, respectively; in line 4, after “**(B)**” insert “**“NONCONSENSUAL TOWING” MEANS TOWING A MOTOR VEHICLE FROM PRIVATE PROPERTY WITHOUT THE CONSENT OF THE MOTOR VEHICLE’S OWNER OR OPERATOR.**”

**(C)**”;

in lines 6, 8, and 10, strike “**(C)**”, “**(D)**”, and “**(E)**”, respectively, and substitute “**(D)**”, “**(E)**”, and “**(F)**”, respectively; in line 13, strike “**TO ALL COUNTIES, INCLUDING BALTIMORE CITY**” and substitute “**ONLY IN CODE COUNTIES IN THE SOUTHERN MARYLAND CLASS, AS ESTABLISHED IN § 9-302 OF THIS ARTICLE**”; in line 15, strike “**GOVERNING BODY OF A COUNTY**” and substitute “**COUNTY COMMISSIONERS**”; strike in their entirety lines 18 through 22, inclusive, and substitute:

**“(1) PROMOTE TRANSPARENCY, ACCOUNTABILITY, AND UNIFORMITY REGARDING NONCONSENSUAL TOWING PRACTICES;”**;

and in lines 23, 24, and 25, strike “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “**(2)**”, “**(3)**”, and “**(4)**”, respectively.

On page 3, in lines 1 and 2, strike “**GOVERNING BODY OF A COUNTY**” and substitute “**COUNTY COMMISSIONERS**”; in lines 6, 16, and 22, strike “**13-1005.**”, “**13-1006.**”, and “**13-1007.**”, respectively, and substitute “**11-505.**”, “**11-506.**”, and “**11-507.**”, respectively; in lines 7 and 18, in each instance, strike “**13-1003**” and substitute “**11-503**”; in line 8, strike “**GOVERNING BODY OF A COUNTY**” and substitute “**COUNTY COMMISSIONERS**”; and in line 12, strike “**GOVERNING BODY OF THE COUNTY**” and substitute “**COUNTY COMMISSIONERS**”.

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 123 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Insurance Administration)**

AN ACT concerning

**Health Insurance – Required Conformity With Federal Law**

**HB0123/746788/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 123

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “altering the length of a policy term and the information provided in a certain notice for short-term medical insurance procured from a nonadmitted insurer;”; in line 7, after “market;” insert “authorizing the dependents of certain victims to enroll in a certain health plan, at a certain time, under certain circumstances; adding a definition of “short-term limited duration insurance” and”; in line 8, after “market;” insert “altering the scope of certain supplemental coverage under a group health plan; prohibiting a carrier, under certain circumstances, from canceling or refusing to renew an individual health benefit because an eligible individual is entitled to or enrolled in Medicare; requiring an entity that leases employees from certain organizations or coemployers to be treated as a small employer to the extent permitted by federal law; providing that a carrier will not be considered to have elected not to renew certain health benefit plans if the carrier complies with certain federal regulations on guaranteed renewability; altering certain definitions to conform to guaranteed renewability provisions in certain federal regulations;”; strike line 12 in its entirety and substitute:

“Section 3–306.2, 15–137.1, 15–1201(i), 15–1208.2(d), 15–1212(a), 15–1301(l) and (s), 15–1309(a), 15–1401(h), 15–1409(a), and 31–101(g) and (z)”;

and after line 14, insert:

“BY adding to

Article – Insurance

Section 15–1212(k), 15–1301(s), 15–1308(h), 15–1309(i), and 15–1409(g)

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

AMENDMENT NO. 2

On page 1, after line 17, insert:

“3–306.2.

(a) Subject to subsections (b) through (e) of this section, disability insurance and short-term medical insurance under § 3–302(c) of this subtitle may be procured from a nonadmitted insurer if the coverage procured is in excess of coverage available from, or is not available from, an admitted insurer that writes that particular kind and class of insurance in the State.

(b) Procurement of disability insurance under this section from a nonadmitted insurer is subject to:

(1) the diligent search requirements of §§ 3–306 and 3–306.1 of this subtitle; and

(2) all other requirements of this subtitle.

(c) Procurement of short-term medical insurance under this section from a nonadmitted insurer is subject to:

(1) a policy term that:

(i) [may not exceed 11] IS LESS THAN 3 months; and

(ii) may not be extended or renewed;

(2) the provision of written notice to the applicant, on a form approved by the Commissioner:

(i) stating that coverage may be available under the Affordable Care Act without medical underwriting;

(ii) providing contact information for the Maryland Health Benefit Exchange;

(iii) stating that the short-term medical insurance may be available from an admitted insurer;

(iv) stating that similar coverage may be available from an admitted insurer offering travel insurance, as defined in § 10-101 of this article; and

(v) [stating that:

1. the short-term medical insurance does not meet the requirements for minimum essential coverage under the Affordable Care Act; and

2. a purchaser of the short-term medical insurance may be subject to tax penalties for not having minimum essential coverage] **DISPLAYING PROMINENTLY IN THE CONTRACT AND IN ANY APPLICATION MATERIALS PROVIDED IN CONNECTION WITH ENROLLMENT IN THE COVERAGE IN AT LEAST 14 POINT TYPE THE FOLLOWING: “THIS IS NOT QUALIFYING HEALTH COVERAGE (“MINIMUM ESSENTIAL COVERAGE”) THAT SATISFIES THE HEALTH COVERAGE REQUIREMENTS OF THE AFFORDABLE CARE ACT. IF YOU DON’T HAVE MINIMUM ESSENTIAL COVERAGE, YOU MAY OWE AN ADDITIONAL PAYMENT WITH YOUR TAXES.”;**

(3) the diligent search requirements of §§ 3-306 and 3-306.1 of this subtitle; and

(4) all other requirements of this subtitle.

(d) Short-term medical insurance may not be procured from a nonadmitted insurer unless:

(1) the insurance is procured through a qualified surplus lines broker;

(2) if the insurance is offered on a Web site on the Internet, the Web site identifies the qualified surplus lines broker through whom the insurance may be procured; and

(3) the diligent search required under §§ 3-306 and 3-306.1 of this subtitle includes a search of the short-term medical insurance policies offered for sale by admitted insurers.

(e) A short-term medical insurance policy procured from a nonadmitted insurer may not include:

(1) a preexisting condition exclusion, unless the exclusion relates to a condition that was first manifested, treated, or diagnosed before the effective date of the policy; or

(2) a definition of sickness or illness that excludes any sickness or illness that began, existed, or had its origin before the effective date of the policy, unless the sickness or illness was first manifested, treated, or diagnosed before the effective date of the policy.

(f) The Commissioner shall develop and make available on the Administration's Web site a consumer guide on short-term medical insurance that includes information on:

(1) the availability of coverage from admitted insurers; and

(2) the types of coverage and provisions in short-term medical insurance policies that may be important to consumers.”.

### AMENDMENT NO. 3

On page 3, after line 4, insert:

“15-1201.

(i) (1) “Health benefit plan” means:

(i) a policy or certificate for hospital or medical benefits issued by an insurer;

(ii) a nonprofit health service plan contract; or

(iii) a health maintenance organization subscriber or group master contract.

(2) “Health benefit plan” includes a policy or certificate for hospital or medical benefits that covers residents of this State who are eligible employees and that is issued through:



(i) a multiple employer trust or association located in this State or another state; or

(ii) a professional employer organization, coemployer, or other organization located in this State or another state that engages in employee leasing.

(3) “Health benefit plan” does not include:

(i) accident-only insurance;

(ii) credit health insurance;

(iii) disability income insurance;

(iv) coverage issued as a supplement to liability insurance;

(v) workers’ compensation or similar insurance;

(vi) automobile medical payment insurance;

(vii) the following benefits, if the benefits are provided under a separate policy, certificate, or contract, or are not otherwise an integral part of a small employer health benefit plan:

1. dental benefits;

2. vision benefits; or

3. long-term care insurance as defined in § 18-101 of this article;

(viii) disease-specific insurance if:

1. the benefits are provided under a separate policy, certificate, or contract;

2. there is no coordination between the provision of the benefits and an exclusion of benefits under any group health plan maintained by the same employer; and

3. the benefits are paid with respect to an event, without regard to whether benefits are provided with respect to the event under any group health plan maintained by the same employer;

(ix) hospital indemnity or other fixed indemnity insurance if:

1. the benefits are provided under a separate policy, certificate, or contract;

2. there is no coordination between the provision of the benefits and an exclusion of benefits under any group health plan maintained by the same employer;

3. the benefits are paid with respect to an event, without regard to whether benefits are provided with respect to the event under any group health plan maintained by the same employer; and

4. the benefits are payable in a fixed dollar amount per period of time, [such as \$100 per day of hospitalization,] regardless of the amount of expenses incurred; or

(x) the following supplemental benefits, if the benefits are provided under a separate policy, certificate, or contract:

1. a Medicare supplement policy as defined in § 15–901 of this title;

2. coverage supplemental to the coverage provided under Chapter 55, Title 10 of the United States Code; and

3. similar supplemental coverage provided to coverage under a group health plan if:

A. the coverage is specifically designed to fill gaps in primary coverage, such as coinsurance or deductibles; and

B. the coverage is not supplemental solely because it becomes secondary or supplemental under a coordination of benefits clause] THE COVERAGE QUALIFIES FOR THE EXCEPTION DESCRIBED IN 45 C.F.R. § 146.145(B)(5)(I)(C).”.

AMENDMENT NO. 4

On page 4, in line 27, strike “or”; and after line 27, insert:

“3. AN ELIGIBLE EMPLOYEE OR DEPENDENT ADEQUATELY DEMONSTRATES TO THE EXCHANGE THAT A MATERIAL ERROR RELATED TO PLAN BENEFITS, SERVICE AREA, OR PREMIUM INFLUENCED THE ELIGIBLE EMPLOYEE’S OR DEPENDENT’S DECISION TO PURCHASE A QUALIFIED HEALTH PLAN THROUGH THE EXCHANGE; OR”.

AMENDMENT NO. 5

On page 4, strike beginning with “an” in line 28 down through “plan” in line 31 and substitute “AN ELIGIBLE EMPLOYEE OR DEPENDENT:

1. IS A VICTIM OF DOMESTIC ABUSE OR SPOUSAL ABANDONMENT, AS DEFINED BY 26 C.F.R. § 1.36B-2T;

2. IS ENROLLED IN MINIMUM ESSENTIAL COVERAGE;

AND

3. SEEKS TO ENROLL IN COVERAGE SEPARATE FROM THE PERPETRATOR OF THE ABUSE OR ABANDONMENT;

(VIII) AN ELIGIBLE EMPLOYEE OR DEPENDENT:

1. APPLIES FOR COVERAGE THROUGH THE INDIVIDUAL EXCHANGE DURING THE ANNUAL OPEN ENROLLMENT PERIOD OR A SPECIAL ENROLLMENT PERIOD;

2. IS ASSESSED BY THE INDIVIDUAL EXCHANGE AS POTENTIALLY ELIGIBLE FOR THE MARYLAND MEDICAL ASSISTANCE PROGRAM OR THE MARYLAND CHILDREN’S HEALTH PROGRAM; AND

3. IS DETERMINED INELIGIBLE FOR THE MARYLAND MEDICAL ASSISTANCE PROGRAM OR THE MARYLAND CHILDREN’S HEALTH PROGRAM BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE EITHER:

A. AFTER OPEN ENROLLMENT HAS ENDED; OR

B. MORE THAN 60 DAYS AFTER THE QUALIFYING EVENT;

OR

(IX) AN ELIGIBLE EMPLOYEE OR DEPENDENT:

1. APPLIES FOR COVERAGE THROUGH THE MARYLAND MEDICAL ASSISTANCE PROGRAM OR THE MARYLAND CHILDREN’S HEALTH PROGRAM DURING THE ANNUAL OPEN ENROLLMENT PERIOD; AND

2. IS DETERMINED INELIGIBLE FOR THE MARYLAND MEDICAL ASSISTANCE PROGRAM OR THE MARYLAND CHILDREN’S HEALTH PROGRAM AFTER OPEN ENROLLMENT HAS ENDED”.

AMENDMENT NO. 6

On page 5, in line 12, after “eligible employee” insert “AND A DEPENDENT”.

AMENDMENT NO. 7

On page 5, strike beginning with “A” in line 18 down through “plan” in line 20 and substitute “IF A VICTIM OF DOMESTIC ABUSE OR SPOUSAL ABANDONMENT MEETS THE REQUIREMENTS FOR THE TRIGGERING EVENT DESCRIBED IN PARAGRAPH (4)(VII) OF THIS SUBSECTION, THE VICTIM’S DEPENDENTS MAY ENROLL IN A QUALIFIED HEALTH PLAN AT THE SAME TIME AS THE VICTIM”.

AMENDMENT NO. 8

On page 5, after line 20, insert:

“15–1212.

(a) (1) In this section the following words have the meanings indicated.

(2) “Plan” means, with respect to [a carrier and] a product, the pairing of the health benefits under the product with a particular cost-sharing structure, provider network, and service area.

(3) (i) “Product” means a discrete package of health benefits that [a carrier offers] ARE OFFERED using a particular product network type within a geographic service area.

(ii) “Product” comprises all plans offered within the product.

(4) “Uniform modification of coverage” means a change to a small employer’s health benefit plan that[:

(i) 1. is made in accordance with a State or federal requirement;  
and

2. is effective uniformly among small employers with the same product; or

(ii) meets all of the following requirements:

1. the product is offered by the same carrier;

2. the product is offered as the same network type, such as preferred provider, exclusive provider, closed health maintenance organization plan, or health maintenance organization plan with point of service benefits;

3. the product continues to cover at least a majority of the same service area;

4. within the product, each plan has the same cost-sharing structure as before modification, except:

A. for any variation in cost sharing solely related to changes in cost and utilization of medical care; or

B. to maintain the same metal tier level described in § 1302(d) and (e) of the Affordable Care Act;

5. the product provides the same covered benefits, except for any changes in benefits that cumulatively impact the rate for any plan within the product within an allowable variation of plus or minus 2 percentage points; and

6. the modification is effective uniformly among small employers with the same product] MEETS THE CRITERIA STATED IN 45 C.F.R. § 147.106(E).

(K) A CARRIER WILL NOT BE CONSIDERED TO HAVE ELECTED NOT TO RENEW ALL HEALTH BENEFIT PLANS THAT ARE ISSUED TO SMALL EMPLOYERS IN THE STATE IF THE CARRIER COMPLIES WITH 45 C.F.R. § 147.106(D)(3)."

AMENDMENT NO. 9

On page 7, in line 24, strike "an employer sponsored plan" and substitute "A GROUP HEALTH PLAN IF THE COVERAGE QUALIFIES FOR THE EXCEPTION DESCRIBED IN 45 C.F.R. § 146.145(B)(5)(I)(C)".

AMENDMENT NO. 10

On page 7, after line 24, insert:

"(S) "SHORT-TERM LIMITED DURATION INSURANCE" HAS THE MEANING STATED IN 45 C.F.R. § 144.103.

[(s)] (T) "Waiting period" means the period of time that must pass before an individual is eligible to be covered for benefits under the terms of a group health benefit plan."

AMENDMENT NO. 11

On page 7, before line 25, insert:

"15-1308.

(H) A CARRIER WILL NOT BE CONSIDERED TO HAVE ELECTED NOT TO RENEW ALL INDIVIDUAL HEALTH BENEFIT PLANS IN THE STATE IF THE CARRIER COMPLIES WITH 45 C.F.R. § 147.106(D)(3).

15-1309.

(a) (1) In this section the following words have the meanings indicated.

(2) “Plan” means, with respect to [a carrier and] a product, the pairing of the health benefits under the product with a particular cost-sharing structure, provider network, and service area.

(3) (i) “Product” means a discrete package of health benefits that [a carrier offers] ARE OFFERED using a particular product network type within a geographic service area.

(ii) “Product” comprises all plans offered within the product.

(4) “Uniform modification of coverage” means a change to a health benefit plan that[:

(i) 1. is made in accordance with a State or federal requirement;  
and

2. is effective uniformly for all individuals with the same  
product; or

(ii) meets all of the following requirements:

1. the product is offered by the same carrier;

2. the product is offered as the same network type, such as preferred provider, exclusive provider, closed health maintenance organization plan, or health maintenance organization plan with point of service benefits;

3. the product continues to cover at least a majority of the  
same service area;

4. within the product, each plan has the same cost-sharing structure as before modification, except:

A. for any variation in cost sharing solely related to changes in cost and utilization of medical care; or

B. to maintain the same metal tier level described in § 1302(d) and (e) of the Affordable Care Act;

5. the product provides the same covered benefits, except for any changes in benefits that cumulatively impact the rate for any plan within the product within an allowable variation of plus or minus 2 percentage points; and

6. the modification is effective uniformly for all individuals with the same product] **MEETS THE CRITERIA STATED IN 45 C.F.R. § 147.106(E).**

**(I) A CARRIER MAY NOT CANCEL OR REFUSE TO RENEW AN INDIVIDUAL HEALTH BENEFIT PLAN BECAUSE AN ELIGIBLE INDIVIDUAL IS ENTITLED TO OR ENROLLED IN MEDICARE IF THE ELIGIBLE INDIVIDUAL IS RENEWING COVERAGE UNDER THE SAME POLICY OR CONTRACT OF INSURANCE.**

15-1401.

(h) (1) “Health benefit plan” means any:

(i) hospital or medical policy, including those issued under multiple employer trusts or associations located in Maryland or any other state covering Maryland residents;

(ii) policy or contract issued by a nonprofit health service plan that covers Maryland residents; or

(iii) health maintenance organization subscriber or group master contract.

(2) “Health benefit plan” does not include:

(i) one or more, or any combination of the following:

1. coverage only for accident or disability income insurance;

2. coverage issued as a supplement to liability insurance;

3. liability insurance, including general liability insurance and automobile liability insurance;



4. workers' compensation or similar insurance;

5. automobile medical payment insurance;

6. credit-only insurance;

7. coverage for on-site medical clinics; and

8. other similar insurance coverage, specified in federal regulations issued under the federal Health Insurance Portability and Accountability Act, under which benefits for medical care are secondary or incidental to other insurance benefits;

(ii) the following benefits if they are provided under a separate policy, certificate, or contract of insurance or are otherwise not an integral part of the plan:

1. limited scope dental or vision benefits;

2. benefits for long-term care, nursing home care, home health care, community-based care, or any combination of these benefits; and

3. such other similar, limited benefits as are specified in federal regulations issued under the federal Health Insurance Portability and Accountability Act;

(iii) the following benefits if offered as independent, noncoordinated benefits:

1. coverage only for a specified disease or illness; and

2. hospital indemnity or other fixed indemnity insurance, if the benefits are payable in a fixed dollar amount per period of time, [such as \$100 per day of hospitalization,] regardless of the amount of expenses incurred; or

(iv) the following benefits if offered as a separate insurance policy:

1. Medicare supplemental health insurance (as defined under § 1882(g)(1) of the Social Security Act);

2. coverage supplemental to the coverage provided under Chapter 55 of Title 10, United States Code; and

3. similar supplemental coverage provided to coverage under an employer sponsored plan if:

A. the coverage is specifically designed to fill gaps in primary coverage, such as coinsurance or deductibles; and

B. the coverage is not supplemental solely because it becomes secondary or supplemental under a coordination of benefits clause] **THE COVERAGE QUALIFIES FOR THE EXCEPTION DESCRIBED IN 45 C.F.R. § 146.145(B)(5)(I)(C).**

15–1409.

(a) In this section, “product” means a discrete package of health benefits that [a carrier offers] **ARE OFFERED** using a particular product network type within a geographic service area.

(G) **A CARRIER WILL NOT BE CONSIDERED TO HAVE ELECTED NOT TO RENEW ALL GROUP HEALTH BENEFIT PLANS IN THE STATE IF THE CARRIER COMPLIES WITH 45 C.F.R. § 147.106(D)(3).**

#### AMENDMENT NO. 12

On pages 9 and 10, strike beginning with the colon in line 36 on page 9 down through “clause” in line 2 on page 10 and substitute “**THE COVERAGE QUALIFIES FOR THE EXCEPTION DESCRIBED IN 45 C.F.R. § 146.145(B)(5)(I)(C)**”.

#### AMENDMENT NO. 13

On page 10, after line 2, insert:

“(z) (1) “Small employer” means an employer that, during the preceding calendar year, employed an average of not more than:

(i) 50 employees for plan years that begin before January 1, 2016; and

(ii) 100 employees for plan years that begin on or after January 1, 2016, or another number of employees or date as provided under federal law.

(2) For purposes of this subsection:

(i) all persons treated as a single employer under § 414(b), (c), [(m).] or (o) of the Internal Revenue Code shall be treated as a single employer;

(ii) an employer and any predecessor employer shall be treated as a single employer;

(iii) the number of employees of an employer shall be determined by adding:

1. the number of full-time employees; and

2. the number of full-time equivalent employees, which shall be calculated for a particular month by dividing the aggregate number of hours of service of employees who are not full-time employees for the month by 120;

(iv) if an employer was not in existence throughout the preceding calendar year, the determination of whether the employer is a small employer shall be based on the average number of employees that the employer is reasonably expected to employ on business days in the current calendar year; [and]

(v) an employer that makes enrollment in qualified health plans available to its employees through the SHOP Exchange, and would cease to be a small employer by reason of an increase in the number of its employees, shall continue to be treated as a small employer for purposes of this title as long as it continuously makes enrollment through the SHOP Exchange available to its employees; AND

**(VI) TO THE EXTENT PERMITTED BY FEDERAL LAW, AN ENTITY THAT LEASES EMPLOYEES FROM A PROFESSIONAL EMPLOYER ORGANIZATION, COEMPLOYER, OR OTHER ORGANIZATION ENGAGED IN EMPLOYEE LEASING AND THAT OTHERWISE MEETS THE DESCRIPTION IN THIS SECTION SHALL BE TREATED AS A SMALL EMPLOYER.”.**

The preceding 13 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 631 – The Speaker (By Request – Office of the Attorney General) and Delegates Bromwell, Anderson, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Beidle, Brooks, Carr, Chang, Clippinger, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jameson, Jones, Kelly, Knotts, Krimm, Lafferty, Lam, Lewis, Lierman, Lisanti, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Oaks, Patterson, Pena-Melnyk, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample-Hughes, Sanchez, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Vallario, Waldstreicher, Walker, A. Washington, M. Washington, C. Wilson, K. Young, and P. Young**

AN ACT concerning

**Public Health – Essential Generic Drugs – Price Gouging – Prohibition**

**HB0631/376789/1**

BY: Health and Government Operations Committee

**AMENDMENTS TO HOUSE BILL 631**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike “and P. Young” and substitute “P. Young, Pendergrass, Angel, Kipke, McDonough, Metzgar, Miele, Saab, West, Aumann, Carey, Mautz, and S. Howard”; in lines 2 and 20, in each instance, after “Essential” insert “Off-Patent or”; in lines 4, 6, 7, 9, and 16, in each instance, after “essential” insert “off-patent or”; in lines 5 and 6, strike “the manufacturer of an essential generic drug and”; in line 6, strike the third “the” and substitute “an”; and in line 13, after “penalty,” insert “making certain information subject to public inspection only to the extent permitted under certain provisions of law; providing that information included in a certain statement be considered confidential commercial information for certain purposes”.

**AMENDMENT NO. 2**

On page 2, in line 6, after “**ESSENTIAL**” insert “**OFF-PATENT OR**”; strike in their entirety lines 11 and 12; in lines 13, 26, and 28, strike “**(C)**”, “**(D)**”, and “**(E)**”, respectively, and substitute “**(B)**”, “**(C)**”, and “**(D)**”, respectively; in lines 13 and 23, in each instance, after “**ESSENTIAL**” insert “**OFF-PATENT OR**”; in line 14, strike “**ANY**” and substitute “**ALL**”; in the same line, after “**RIGHTS**” insert “**, IF ANY,**”; in line 15, strike “**FEDERAL LAW**” and substitute “**THE FEDERAL FOOD, DRUG, AND COSMETIC ACT, § 351 OF THE FEDERAL PUBLIC HEALTH SERVICE ACT, AND FEDERAL PATENT LAW**”; in line 24, strike “**AN ESSENTIAL GENERIC**” and substitute “**A**”; and in line 25, after “**DRUG**” insert “**FOR WHICH ALL EXCLUSIVE MARKETING RIGHTS, IF ANY, GRANTED UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT, § 351 OF THE FEDERAL PUBLIC HEALTH SERVICE ACT, AND FEDERAL PATENT LAW HAVE EXPIRED**”.

#### AMENDMENT NO. 3

On page 3, in lines 1, 3, and 14, strike “**(F)**”, “**(G)**”, and “**(H)**”, respectively, and substitute “**(E)**”, “**(F)**”, and “**(G)**”, respectively; in lines 18 and 22, in each instance, after “**ESSENTIAL**” insert “**OFF-PATENT OR**”; in line 21, strike “**MANUFACTURER OF AN ESSENTIAL GENERIC DRUG AND THE**”; in line 24, strike “**ESSENTIAL GENERIC**”; in line 25, strike “**AND**”; in line 29, strike “**AVERAGE MANUFACTURER PRICE OR**”; and in line 30, strike “**2-YEAR**” and substitute “**1-YEAR**”.

On page 4, in lines 3 and 11, in each instance, strike “**2-YEAR**” and substitute “**1-YEAR**”; in line 3, after “**PERIOD**” insert “**; AND**”

**(3) (I) A 30-DAY SUPPLY OF THE MAXIMUM RECOMMENDED DOSAGE OF THE DRUG FOR ANY INDICATION, ACCORDING TO THE LABEL FOR THE DRUG APPROVED UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT, WOULD COST MORE THAN \$80 AT THE DRUG’S WHOLESALE ACQUISITION COST;**

**(II) A FULL COURSE OF TREATMENT WITH THE DRUG, ACCORDING TO THE LABEL FOR THE DRUG APPROVED UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT, WOULD COST MORE THAN \$80 AT THE DRUG’S WHOLESALE ACQUISITION COST; OR**

**(III) IF THE DRUG IS MADE AVAILABLE TO CONSUMERS ONLY IN QUANTITIES THAT DO NOT CORRESPOND TO A 30-DAY SUPPLY, A FULL COURSE OF TREATMENT, OR A SINGLE DOSE, IT WOULD COST MORE THAN \$80 AT THE DRUG’S**

**WHOLESALE ACQUISITION COST TO OBTAIN A 30-DAY SUPPLY OR A FULL COURSE OF TREATMENT**;

strike beginning with “**WITHIN**” in line 4 down through “**SECTION**” in line 5 and substitute “**ON REQUEST OF THE ATTORNEY GENERAL**”; in line 5, after “**ESSENTIAL**” insert “**OFF-PATENT OR**”; in line 6, strike “**SHALL**” and substitute “**IDENTIFIED IN A NOTICE UNDER SUBSECTION (A) OF THIS SECTION, WITHIN 20 DAYS AFTER THE REQUEST, SHALL**”; in lines 8, 11, and 15, in each instance, strike “**ESSENTIAL GENERIC**”; in lines 21 and 26, in each instance, after “**MANUFACTURER**”, insert “**OR A WHOLESALE DISTRIBUTOR**”; in line 26, strike “**THE**” and substitute “**A**”; in lines 26 and 27, strike “**OF AN ESSENTIAL GENERIC DRUG**”; and in line 29, strike “**OR**” and substitute “**AND**”.

On page 5, in line 8, after “**ESSENTIAL**” insert “**OFF-PATENT OR**”; and in lines 8 and 9, strike “**ESSENTIAL GENERIC**”.

**AMENDMENT NO. 4**

On page 5, after line 15, insert:

**“(E) (1) ANY INFORMATION PROVIDED TO THE ATTORNEY GENERAL UNDER THIS SUBTITLE SHALL BE SUBJECT TO PUBLIC INSPECTION ONLY TO THE EXTENT PERMITTED UNDER TITLE 4 OF THE GENERAL PROVISIONS ARTICLE.**

**(2) THE INFORMATION INCLUDED IN THE STATEMENT PROVIDED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE CONSIDERED CONFIDENTIAL COMMERCIAL INFORMATION FOR PURPOSES OF § 4-335 OF THE GENERAL PROVISIONS ARTICLE.”;**

and in line 16, strike “**(E)**” and substitute “**(F)**”.

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 953 – Delegates Morales, Angel, Cullison, Hayes, Hill, Kelly, Korman, Kramer, Lewis, A. Miller, Oaks, Pena–Melnik, Platt, and K. Young**

AN ACT concerning

**Task Force on Long–Term Care Education and Planning**

**HB0953/976287/1**

BY: Health and Government Operations Committee

**AMENDMENT TO HOUSE BILL 953**

(First Reading File Bill)

On page 2, strike in their entirety lines 5 through 8, inclusive; in lines 9, 10, 12, and 14, strike “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “(1)”, “(2)”, “(3)”, and “(4)”, respectively; in line 23, strike “and”; in line 25, after “Schools” insert “; and

(vii) one representative of the Health Facilities Association of Maryland”;

and in line 27, strike “The Department of Aging” and substitute “United Seniors of Maryland”.

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 1053 – Delegates Pena–Melnik, Bromwell, Angel, Barron, Cullison, Hayes, Impallaria, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Oaks, Platt, Rose, Saab, and West**

AN ACT concerning

**Integrated Community Oncology Reporting Program**

**HB1053/566086/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1053

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after the first “certain” insert “application”; in the same line, after “fee,” insert “a certain participation fee.”; in line 13, after “Commission,” insert “that the proposed integrated community oncology center meets”; and in line 14, strike “qualifications;” and substitute “requirements; requiring that a certain number of certain applicants be approved before a certain program may begin; requiring that certain integrated community oncology centers be given a certain preference.”; and in line 22, after “care;” insert “prohibiting a certain health care practitioner from increasing the ordering of care beyond a certain volume and cost of services.”.

On page 2, in line 12, after “terms;” insert “requiring the Commission to include certain individuals in the composition of the clinical advisory workgroup; requiring the Commission to contract with a consultant to serve as the program review manager to perform certain duties.”.

AMENDMENT NO. 2

On page 6, in line 22, after “(H)” insert “(1)”; in lines 23 and 26, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 25, strike “OR”; and in line 27, after “DIAGNOSIS” insert “; OR

(III) BOARD-CERTIFIED OR BOARD-ELIGIBLE IN ANOTHER ONCOLOGY SPECIALTY RECOGNIZED BY THE AMERICAN BOARD OF MEDICAL SPECIALTIES.

(2) “ONCOLOGIST” DOES NOT INCLUDE A GENERAL UROLOGIST.”.

AMENDMENT NO. 3

On page 7, in line 18, strike “CASE MIX-ADJUSTED” and substitute “RISK-ADJUSTED”.

On page 8, in line 13, strike “; AND” and substitute “THAT PAYS FOR THE COST OF THE APPLICATION PROCESS AND IS SHARED EQUALLY BY ALL APPLICANTS WHO APPLY TO PARTICIPATE IN THE PROGRAM;



**(3) A PARTICIPATION FEE:**

**(I) THAT IS SHARED EQUALLY BY THE INTEGRATED COMMUNITY ONCOLOGY CENTERS THAT ARE APPROVED BY THE COMMISSION; AND**

**(II) THAT PAYS THE COST OF THE COLLECTION AND REPORTING OF INFORMATION, THE EVALUATIONS, THE STUDIES, AND THE REPORTS REQUIRED UNDER THIS SUBTITLE; AND**;

in line 14, strike “(3)” and substitute “(4)”; and in line 29, strike “APPLICANT” and substitute “**PROPOSED INTEGRATED COMMUNITY ONCOLOGY CENTER**”.

On page 9, in line 5, strike “A SHORTAGE OF” and substitute “**LIMITED ACCESS TO**”; in line 6, after “PRACTITIONERS” insert “**AS DEFINED BY THE CLINICAL ADVISORY WORKGROUP**”; and in line 23, strike “PHYSICIAN” and substitute “**PATIENT**”.

**AMENDMENT NO. 4**

On page 10, after line 3, insert:

**“(D) BEFORE THE PROGRAM MAY BEGIN, AT LEAST TWO APPLICANTS SHALL BE APPROVED TO PARTICIPATE IN THE PROGRAM AS FOLLOWS:**

**(1) AT LEAST ONE INTEGRATED COMMUNITY ONCOLOGY CENTER THAT IS OWNED WHOLLY BY AN ONCOLOGY GROUP PRACTICE; AND**

**(2) AT LEAST ONE INTEGRATED COMMUNITY ONCOLOGY CENTER THAT IS OWNED JOINTLY BY:**

**(I) AN ONCOLOGY GROUP PRACTICE THAT HAS AT LEAST A 50% OWNERSHIP INTEREST IN THE INTEGRATED COMMUNITY ONCOLOGY CENTER; AND**

**(II) A HOSPITAL, A HOSPITAL SYSTEM, OR AN ACADEMIC MEDICAL CENTER THAT HAS THE REMAINDER OF THE OWNERSHIP INTEREST IN THE INTEGRATED COMMUNITY ONCOLOGY CENTER.**

(E) WHEN APPROVING CENTERS TO PARTICIPATE IN THE PROGRAM, THE COMMISSION SHALL GIVE PREFERENCE TO PROPOSED INTEGRATED COMMUNITY ONCOLOGY CENTERS THAT DEMONSTRATE THE ABILITY TO SERVE PATIENTS IN:

(1) MARKETS WITH LIMITED CONSUMER CHOICES IN RADIATION THERAPY PROVIDERS;

(2) MEDICALLY UNDERSERVED AREAS; OR

(3) AREAS OF THE STATE WITH LIMITED ACCESS TO PRIMARY CARE HEALTH PRACTITIONERS AS DEFINED BY THE CLINICAL ADVISORY WORKGROUP.”.

AMENDMENT NO. 5

On page 11, in line 9, strike the second “OR”; and in line 11, after “NECESSARY” insert “;OR

(III) INCREASE THE ORDERING OF CARE BEYOND THE VOLUME AND COST OF SERVICES PROVIDED BY OTHER PROVIDERS OF SIMILAR SERVICES IN SIMILAR SETTINGS”.

On page 12, in line 9, strike the second “OR”; and in line 11, after “NECESSARY” insert “;OR

(III) THE INCREASE IN ORDERING OF CARE BEYOND THE VOLUME AND COST OF SERVICES PROVIDED BY OTHER PROVIDERS OF SIMILAR SERVICES IN SIMILAR SETTINGS”.

AMENDMENT NO. 6

On page 14, after line 4, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Health Care Commission shall include the following members in the clinical advisory workgroup established under § 1–3B–03(b) of the Health Occupations Article, as enacted by Section 1 of this Act:

(1) one representative of the Office of the Attorney General;

(2) one physician who is board-certified or board-eligible in an oncology specialty recognized by the American Board of Medical Specialties;

(3) one provider of oncology services in the State;

(4) one representative of a hospital in the State;

(5) one representative of the health insurance industry in the State;

(6) one representative of the Health Services Cost Review Commission; and

(7) any other members as determined by the Commission to be beneficial in carrying out the functions of the workgroup.

SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Health Care Commission shall select a consultant to serve as the program review manager to collect clinical, administrative, and patient satisfaction information and conduct the studies and reports using this information and other data as required by Section 1 of this Act.”;

and in line 5, strike “2.” and substitute “4.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **WAYS AND MEANS COMMITTEE REPORT NO. 17**

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

#### **House Bill 562 – Delegate Hayes (By Request – Baltimore City Administration)**

AN ACT concerning

#### **Baltimore City Board of School Commissioners – Members – Appointment and Removal**

**HB0562/925165/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 562

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “establishing the Baltimore City Public School Board Community Panel; providing for the purpose and composition of the panel; authorizing the Mayor of Baltimore City to request the panel to reconvene under certain circumstances; requiring the panel to reconvene for a certain purpose;”; and in line 6, after “Commissioners;” insert “requiring the Mayor to appoint certain members of the board and fill certain vacancies from a list of qualified individuals submitted by a certain panel;”.

AMENDMENT NO. 2

On page 1, strike line 17 in its entirety and substitute:

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

**(2) “BOARD” MEANS THE BALTIMORE CITY BOARD OF SCHOOL**”;

and after line 18, insert:

**“(3) “MAYOR” MEANS THE MAYOR OF BALTIMORE CITY.**

**(4) “PANEL” MEANS THE BALTIMORE CITY PUBLIC SCHOOL BOARD COMMUNITY PANEL.**

**(B) (1) THERE IS A BALTIMORE CITY PUBLIC SCHOOL BOARD COMMUNITY PANEL.**

**(2) THE PURPOSE OF THE PANEL IS TO SELECT NOMINEES TO BE RECOMMENDED TO THE MAYOR AS QUALIFIED CANDIDATES FOR APPOINTMENT TO THE BOARD.**

**(3) THE MAYOR SHALL CONVENE THE PANEL.**

(4) THE PANEL MAY INCLUDE A REPRESENTATIVE FROM EACH OF THE FOLLOWING ORGANIZATIONS, APPOINTED BY THE ORGANIZATION:

(I) THE BALTIMORE TEACHERS UNION;

(II) THE MAYOR'S OFFICE;

(III) THE BALTIMORE CITY COUNCIL EDUCATION AND YOUTH COMMITTEE;

(IV) THE BALTIMORE CITY PUBLIC SCHOOL ADMINISTRATORS AND SUPERVISORS ASSOCIATION;

(V) THE MARYLAND ALLIANCE OF PUBLIC CHARTER SCHOOLS;

(VI) THE DOWNTOWN BALTIMORE FAMILY ALLIANCE;

(VII) THE FUND FOR EDUCATIONAL EXCELLENCE;

(VIII) A PARENT MEMBER OF THE PTA COUNCIL OF BALTIMORE CITY;

(IX) THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME);

(X) THE ASSOCIATED STUDENT CONGRESS OF BALTIMORE CITY;

(XI) THE AMERICAN CIVIL LIBERTIES UNION;

(XII) THE PARENT AND COMMUNITY ADVISORY BOARD; AND

(XIII) DISABILITY RIGHTS MARYLAND.

**(5) THE MAYOR MAY RECONVENE THE PANEL IF THE MAYOR ELECTS NOT TO APPOINT A MEMBER FROM THE LIST SUBMITTED BY THE PANEL UNDER SUBSECTIONS (D)(1)(I) OR (I)(6) OF THIS SECTION.”;**

in lines 19 and 21, strike “(b)” and “(c)”, respectively, and substitute “**(C)**” and “**(D)(1)**”, respectively.

On page 2, in lines 7, 8, 10, 12, and 25, strike “(d)”, “(e)”, “(f)”, “(g)”, and “(h)”, respectively, and substitute “**(E)**”, “**(F)**”, “**(G)**”, “**(H)**”, and “**(I)**”, respectively; in line 1, strike “(1) Nine” and substitute “**(I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, NINE**”; strike beginning with “of” in line 1 down through “City” in line 2; in line 3, strike “State Board” and substitute “**PANEL**”; in lines 4 and 5, strike “(2)” and “(3)”, respectively, and substitute “**(II)**” and “**(III)**”, respectively; and after line 6, insert:

**“(2) IF THE MAYOR ELECTS NOT TO APPOINT A MEMBER FROM A LIST SUBMITTED BY THE PANEL UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE MAYOR SHALL RECONVENE THE PANEL TO SUBMIT ADDITIONAL NAMES OF QUALIFIED CANDIDATES;”.**

### AMENDMENT NO. 3

On page 3, in line 2, strike “To” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, TO**”; strike beginning with “of” in line 2 down through “City” in line 3; in line 5, strike “State Board” and substitute “**PANEL**”; after line 5, insert:

**“(II) IF THE MAYOR ELECTS NOT TO APPOINT A MEMBER FROM A LIST SUBMITTED BY THE PANEL UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE MAYOR SHALL RECONVENE THE PANEL TO SUBMIT ADDITIONAL NAMES OF QUALIFIED CANDIDATES.”;**

in lines 10, 18, 19, and 21, strike “(i)”, “(j)”, “(k)”, and “(l)”, respectively, and substitute “**(J)**”, “**(K)**”, “**(L)**”, and “**(M)**”, respectively; and in line 10, strike “of Baltimore City”.

On page 4, in line 9, strike “(m)” and substitute “**(N)**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### SPECIAL ORDERS

**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**

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

FLOOR AMENDMENT

**HB1451/133024/1**

BY: Delegate J. Lewis

#### AMENDMENTS TO HOUSE BILL 1451

(First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “providing that a person who commits a certain violation before a certain date is subject to a warning;”; and in line 7, after “Act;” insert “requiring the Department of State Police to report certain information to the General Assembly on or before a certain date;”.

##### AMENDMENT NO. 2

On page 2, in line 27, strike “A” and substitute “**(1) ON OR BEFORE MARCH 31, 2018, A PERSON WHO VIOLATES SUBSECTION (D)(2)(I) OF THIS SECTION IS SUBJECT TO A WARNING.**”

**(2) BEGINNING APRIL 1, 2018, A**;

and in lines 29, 30, and 31, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively.

On page 3, before line 1, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2018, the Department of State Police shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the number of citations issued and the amount of revenue collected by the Department under this Act.”;

and in line 1, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and rejected.

#### FLOOR AMENDMENT

**HB1451/273721/1**

BY: Delegate Kramer

#### AMENDMENTS TO HOUSE BILL 1451

(First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 5, after “vehicle” insert “or a series of vehicles”.

##### AMENDMENT NO. 2

On page 2, in line 11, in each instance, after “**VEHICLE**” insert “**OR A SERIES OF VEHICLES**”.

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

Affirmative – 42    Negative – 91    (See Roll Call No. 764)

#### FLOOR AMENDMENT

**HB1451/953628/1**

BY: Delegate Kramer

#### AMENDMENT TO HOUSE BILL 1451

(First Reading File Bill)

On page 2, in line 29, strike “**FINE OF \$75**” and substitute “**WARNING**”; in line 30, strike “**\$150**” and substitute “**\$75**”; and in line 31, strike “**\$250**” and substitute “**\$150**”.



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

Affirmative – 51    Negative – 83    (See Roll Call No. 765)

Delegate Kipke moved the previous question.

The motion was adopted.

Read the second time and ordered prepared for Third Reading.

### QUORUM CALL

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

(See Roll Call No. 766)

### CALENDAR OF THIRD READING HOUSE BILLS NO. 93

#### House Bill 342 – Montgomery County Delegation

AN ACT concerning

#### **Montgomery County – Property Tax Credit for Qualified Enterprise Zone Property – Extension**

MC 3-17

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

Affirmative – 138    Negative – 0    (See Roll Call No. 767)

The Bill was then sent to the Senate.

**House Bill 482 – ~~Delegate Cullison~~ Delegates Cullison, Pendergrass, Bromwell,  
Angel, Hayes, Kelly, Kipke, Krebs, McDonough, Metzgar, Morales, Morgan,  
Pena-Melnyk, Platt, Rosenberg, Sample-Hughes, West, and K. Young**

AN ACT concerning

#### **Maryland Nurse Practice Act – Revisions**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 768)

The Bill was then sent to the Senate.

**House Bill 912 – Delegates Morales, Cullison, Hayes, Hill, Kelly, Lam, Miele, Oaks, Pena–Melnyk, and Platt**

AN ACT concerning

**State Board of Examiners of Psychologists – Criminal History Records Checks – Renewals and Reinstatements**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 769)

The Bill was then sent to the Senate.

**House Bill 1468 – Delegates Valentino–Smith, Kelly, ~~and West~~ West, and Morales**

AN ACT concerning

**Medical Records – Disclosure of Directory Information and Medical Records – ~~Mental Health Services~~**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 770)

The Bill was then sent to the Senate.

**House Bill 1517 – Delegates Glenn and M. Washington**

AN ACT concerning

**Maryland Nonprofit Development Center Program and Fund – Bridge Loans**

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

Affirmative – 92    Negative – 47    (See Roll Call No. 771)

The Bill was then sent to the Senate.

**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

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

Affirmative – 139    Negative – 0    (See Roll Call No. 772)

The Bill was then sent to the Senate.

**House Bill 1579 – ~~Delegates Sydnor and P. Young~~ Baltimore County Delegation**

## EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2016 – Baltimore County –  
Morning Star Family Life Center**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 773)

The Bill was then sent to the Senate.

## CALENDAR OF THIRD READING HOUSE BILLS NO. 88

**House Bill 447 – Delegate Anderson (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Board of Municipal and Zoning Appeals – Appeals Authority**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 774)

The Bill was then sent to the Senate.

**House Bill 566 – Howard County Delegation**

AN ACT concerning

**Howard County – Property Tax – Exemption for Personal Property of Business  
Located in Historic District**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 775)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 134    Negative – 5    (See Roll Call No. 776)

The Bill was then sent to the Senate.

**House Bill 1576 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Student Loan Refinancing Authority**

**PG 419–17**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 777)

The Bill was then sent to the Senate.

**House Bill 1652 – Delegates Pena–Melnyk and West**

**EMERGENCY BILL**

AN ACT concerning

**Health Occupations – Certified Supervised Counselors–Alcohol and Drug –  
Qualifications**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 778)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 81**

**House Bill 302 – Delegates Jacobs, Arentz, and Ghrist**

AN ACT concerning

**Kent County – Property Tax Credit – Commerce Zones**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 779)

The Bill was then sent to the Senate.

**House Bill 310 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Deer Hunting – Sundays**

**MC 21–17**

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

Affirmative – 132    Negative – 6    (See Roll Call No. 780)

The Bill was then sent to the Senate.

**House Bill 313 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Archery Hunting – Safety Zone**

**MC 10–17**

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

Affirmative – 133    Negative – 5    (See Roll Call No. 781)

The Bill was then sent to the Senate.

**House Bill 320 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – ~~Polybutylene~~ Connection Pipe  
Emergency Replacement Loan Program**

**MC/PG 109–17**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 782)

The Bill was then sent to the Senate.

**House Bill 321 – Montgomery County Delegation and Prince George’s County  
Delegation**

AN ACT concerning

**~~Washington Suburban Sanitary Commission and~~ Maryland–National Capital  
Park and Planning Commission – Audit Committee and Office of the Inspector  
General**

**MC/PG 110–17**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 783)

The Bill was then sent to the Senate.

**House Bill 335 – Montgomery County Delegation and Prince George’s County  
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – System Development Charge –  
Exemptions**

**MC/PG 104–17**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 784)

The Bill was then sent to the Senate.

**House Bill 338 – Delegates Tarlau, Sydnor, Angel, Barkley, D. Barnes, Barron, Buckel, Ebersole, Fennell, Frush, Hettleman, Jackson, Kelly, Knotts, Korman, Lam, Lierman, Luedtke, Morales, Platt, Queen, Sanchez, Shoemaker, Sophocleus, Valderrama, and R. Lewis**

AN ACT concerning

**Property Tax – Renters’ Property Tax Relief Program – Assets**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 785)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 92**

**House Bill 379 – Delegates Moon, Gutierrez, Hettleman, Korman, Queen, Sanchez, and Sydnor**

AN ACT concerning

**Criminal Procedure – Expungement – Possession of Marijuana**

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

Affirmative – 96    Negative – 40    (See Roll Call No. 786)

The Bill was then sent to the Senate.

**House Bill 593 – Delegate Dumais**

AN ACT concerning

**State Compensation for Erroneous Conviction and Imprisonment –  
~~Gubernatorial Pardon Requirement – Repeal~~ Certification of Error**

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

Affirmative – 88    Negative – 47    (See Roll Call No. 787)

The Bill was then sent to the Senate.

**House Bill 1127 – Delegate Kelly**

AN ACT concerning

**Health Insurance – Coverage Requirements for Behavioral Health Disorders –  
Modifications**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 788)

The Bill was then sent to the Senate.

**House Bill 1172 – Delegates K. Young, Chang, Krimm, Lisanti, McComas, A. Miller,  
Moon, and Robinson**

AN ACT concerning

**Department of Health and Mental Hygiene – Biosafety Level 3 Laboratories**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 789)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 133    Negative – 5    (See Roll Call No. 790)

The Bill was then sent to the Senate.

**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**

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



Affirmative – 138    Negative – 0    (See Roll Call No. 791)

The Bill was then sent to the Senate.

**House Bill 1275 – Delegates Vogt, Brooks, Folden, C. Wilson, ~~and P. Young~~  
P. Young, Pendergrass, Bromwell, Angel, 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

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

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

Affirmative – 139    Negative – 0    (See Roll Call No. 792)

The Bill was then sent to the Senate.

#### **SPECIAL ORDER CALENDAR NO. 59**

**House Bill 1036 – Delegates Rey, Bromwell, Buckel, Carey, Clark, Cluster, Fisher,  
Glass, S. Howard, Malone, McConkey, Morgan, Parrott, Queen, Saab,  
Simonaire, B. Wilson, and C. Wilson**

AN ACT concerning

**Firearms – Handgun Permit – Preliminary Approval**

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 137 Members present.

(See Roll Call No. 793)

#### **ADJOURNMENT**

At 2:51 P.M. on motion of Delegate Frick the House adjourned until 6:00 P.M. on Legislative Day March 17, 2017, Calendar Day, Monday, March 20, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 17, 2017**  
**Calendar Day: Monday, March 20, 2017**  
**6:00 P.M. Session**

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The House met at 6:06 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Eric M. Bromwell of Baltimore County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 122 Members present.

(See Roll Call No. 794)

EXCUSED:

Del. Impallaria – late – death in family

Del. Lam – late – business

The Journal of March 20, 2017 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 795)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 90**

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

AN ACT concerning

**State Highway Administration – Traffic Control Devices – Decorative  
Treatments**

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

Affirmative – 126    Negative – 1    (See Roll Call No. 796)

The Bill was then sent to the Senate.

**House Bill 1349 – Delegate Robinson**

AN ACT concerning

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

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

Affirmative – 120    Negative – 8    (See Roll Call No. 797)

The Bill was then sent to the Senate.

**House Bill 1394 – Delegates McMillan, Hornberger, Reilly, Simonaire, Tarlau, A. Washington, ~~and M. Washington~~ M. Washington, and Afzali**

AN ACT concerning

**Property Tax – Reassessment After Appeal**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 798)

The Bill was then sent to the Senate.

**House Bill 1402 – Delegates McMillan, Hornberger, Reilly, Simonaire, Tarlau, ~~and A. Washington~~ A. Washington, and Afzali**

AN ACT concerning

**Property Tax Appeals – Payment of Refunds – Deadline**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 799)

The Bill was then sent to the Senate.

**House Bill 1427 – Delegates McMillan, Clark, Holmes, Jacobs, Jalisi, and Stein**

AN ACT concerning

**Natural Resources – Apprentice Hunting License – Establishment**

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

Affirmative – 134    Negative – 2    (See Roll Call No. 800)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 118    Negative – 15    (See Roll Call No. 801)

The Bill was then sent to the Senate.

**House Bill 1464 – Delegates Waldstreicher and Barkley**

AN ACT concerning

**Make Office Vacancies Extinct Program**

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

Affirmative – 125    Negative – 11    (See Roll Call No. 802)

The Bill was then sent to the Senate.

## **CALENDAR OF THIRD READING HOUSE BILLS NO. 96**

**House Bill 965 – Delegates S. Howard, Arentz, Chang, Clark, Ghrist, Jacobs, Malone, McDonough, Metzgar, Saab, Sophocleus, and B. Wilson**

AN ACT concerning

**Maryland Personal Information Protection Act – Security Breach Notification Requirements – Modifications**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 803)

The Bill was then sent to the Senate.

**House Bill 1208 – Delegates Morales, Sanchez, Cullison, Dumais, Glenn, Kelly, Lam, R. Lewis, Lierman, A. Miller, Moon, Proctor, Robinson, Sydnor, Tarlau, Valderrama, and M. Washington**

AN ACT concerning

**Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness**

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

Affirmative – 118    Negative – 18    (See Roll Call No. 804)

The Bill was then sent to the Senate.

**House Bill 1286 – ~~Delegate Lisanti~~ Delegates Lisanti, Szeliga, and Impallaria**

AN ACT concerning

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

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

Affirmative – 135    Negative – 3    (See Roll Call No. 805)

The Bill was then sent to the Senate.

**House Bill 1447 – Delegates McMillan, Folden, Holmes, Jacobs, Jalisi, and Stein**

AN ACT concerning

**Motor Vehicle Administration – Registration Plates – Return ~~and Expiration~~**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 806)

The Bill was then sent to the Senate.

**House Bill 1487 – Delegate Rosenberg**

AN ACT concerning

**Landlord and Tenant – Repossession for Failure to Pay Rent – Procedures**

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

Affirmative – 97    Negative – 42    (See Roll Call No. 807)

The Bill was then sent to the Senate.

### **CALENDAR OF THIRD READING HOUSE BILLS NO. 95**

**House Bill 270 – Delegates Lafferty, Platt, Bromwell, Glenn, Hettleman, Lierman, McIntosh, Oaks, Rosenberg, ~~and M. Washington~~ M. Washington, Hayes, Ali, Ebersole, Mosby, Turner, and Wilkins**

AN ACT concerning

**Environment – Testing for Lead in Drinking Water – Public and Nonpublic Schools**

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

Affirmative – 117    Negative – 23    (See Roll Call No. 808)

The Bill was then sent to the Senate.

**House Bill 332 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Maximum Speed Limits Outside Urban Districts**

**MC 23–17**

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

Affirmative – 101    Negative – 39    (See Roll Call No. 809)

The Bill was then sent to the Senate.

**House Bill 469 – Delegate Sydnor**

AN ACT concerning

**Recordation and Transfer Tax – Principal Residence Surrendered in  
Bankruptcy – Exemption**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 810)

The Bill was then sent to the Senate.

**House Bill 786 – Delegates Angel, Morales, Branch, Cullison, Davis, Glenn, C. Howard, Korman, A. Miller, Mosby, Pena–Melnyk, Platt, Queen, Sanchez, A. Washington, and Wilkins**

AN ACT concerning

**Education – Individualized or Group Behavioral Counseling Services –  
~~Requirements~~ Establishment**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 811)

The Bill was then sent to the Senate.

**House Bill 1418 – Delegate Dumais**

AN ACT concerning

**Justice Reinvestment Act – Modifications**

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

Affirmative – 117    Negative – 23    (See Roll Call No. 812)

The Bill was then sent to the Senate.

#### **CALENDAR OF THIRD READING HOUSE BILLS NO. 85**

**House Bill 613 – Delegates Hettleman, Barron, Barkley, B. Barnes, Barve, Clippinger, Ebersole, Frick, Kelly, Korman, Kramer, Lierman, A. Miller, Moon, Morales, Patterson, Pena–Melnyk, Platt, Queen, Robinson, Rosenberg, Sanchez, Tarlau, Waldstreicher, M. Washington, K. Young, P. Young, ~~and R. Lewis~~ R. Lewis, Angel, and Cullison**

AN ACT concerning

**Pharmacists – Contraceptives – Prescribing and Dispensing**

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

Affirmative – 125    Negative – 14    (See Roll Call No. 813)

The Bill was then sent to the Senate.

**House Bill 649 – Charles County Delegation**

AN ACT concerning

**Charles County – Property Tax Credit – ~~Commerce Zones~~ Priority Funding Areas**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 814)

The Bill was then sent to the Senate.

**House Bill 685 – ~~Delegate Conaway~~ Delegates Conaway, Ali, Anderson, Clippinger, Gibson, Glenn, Hayes, Haynes, R. Lewis, Lierman, McCray, McIntosh, Rosenberg, and M. Washington**

**EMERGENCY BILL**

AN ACT concerning

**~~Baltimore City Board of School Commissioners – Use of Funds~~  
Baltimore City – Public Schools and City Council – Logistical and Financial Assistance**

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

Affirmative – 139    Negative – 1    (See Roll Call No. 815)

The Bill was then sent to the Senate.

**House Bill 695 – ~~Delegate Beidle (By Request – Anne Arundel County Administration) and Delegates Carey, Chang, Frush, S. Howard, Malone, McConkey, Pena Melnyk, Saab, Simonaire, and Sophocleus~~ Anne Arundel County Delegation**

AN ACT concerning

**Anne Arundel County – Property Tax – Payment in Lieu of Taxes Agreements – Economic Development Projects**



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

Affirmative – 140    Negative – 0    (See Roll Call No. 816)

The Bill was then sent to the Senate.

**House Bill 750 – ~~Delegates Long, Bromwell, Cluster, and Miele~~ Baltimore County Delegation**

AN ACT concerning

**Baltimore County – Property Tax Credit – Fallen or Disabled Law Enforcement Officers and Rescue Workers – Acquisition of Dwelling**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 817)

The Bill was then sent to the Senate.

**House Bill 762 – Delegates Platt, D. Barnes, Buckel, Ebersole, Hettleman, Hornberger, C. Howard, Luedtke, Moon, Patterson, Tarlau, Turner, Walker, A. Washington, and M. Washington**

AN ACT concerning

**Income Tax – Earned Income Tax Credit – Eligibility Awareness Campaign Pilot Program**

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

Affirmative – 120    Negative – 19    (See Roll Call No. 818)

The Bill was then sent to the Senate.

**House Bill 830 – Delegates Healey and Frush**

AN ACT concerning

**Pollinator Habitat Plans – Plan Contents – ~~Requirement~~ Requirements and Prohibition**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 819)

The Bill was then sent to the Senate.

### CALENDAR OF THIRD READING HOUSE BILLS NO. 70

#### House Bill 364 – Delegate Conaway

AN ACT concerning

#### **Baltimore City – Public Art – ~~Verification of Location by Legislative Auditor~~ Report on Identification, Protection, and Maintenance**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 820)

The Bill was then sent to the Senate.

#### House Bill 433 – The Speaker (By Request – Administration) and Delegates Kipke, McConkey, and West

AN ACT concerning

#### **State Finance and Procurement – Small and Minority Business Participation**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 821)

The Bill was then sent to the Senate.

#### House Bill 504 – Delegates Robinson, Carr, Fraser-Hidalgo, Lafferty, Lam, and R. Lewis

AN ACT concerning

#### **Products That Contain Mercury – Prohibition on Sale of Electric Switches, Electric Relays, and Gas Valve Switches**

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

Affirmative – 128    Negative – 12    (See Roll Call No. 822)

The Bill was then sent to the Senate.

#### House Bill 584 – Delegates K. Young, Pena-Melnyk, Anderton, Frush, Grammer, Gutierrez, Hixson, Jalisi, Kaiser, Krebs, Lierman, Lisanti, McComas,

**McCray, McMillan, Metzgar, Rose, Turner, ~~and Vogt~~ Vogt, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Miele, Morales, Morgan, Pendergrass, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and West**

AN ACT concerning

**Investigational Drugs, Biological Products, and Devices – Right to Try Act**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 823)

The Bill was then sent to the Senate.

**House Bill 764 – ~~Delegate West~~ Delegates West, Hill, and Metzgar**

AN ACT concerning

**Requirements for Filial Support – Repeal**

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

Affirmative – 108    Negative – 30    (See Roll Call No. 824)

The Bill was then sent to the Senate.

**House Bill 799 – Delegates Atterbeary, Anderson, Cluster, Conaway, Dumais, Frick, Glass, Hettleman, Hill, Kaiser, Kelly, Kittleman, Lierman, Lisanti, Malone, McComas, McIntosh, Moon, Morhaim, Proctor, Rey, Reznik, Sanchez, Sydnor, Turner, Valderrama, B. Wilson, and C. Wilson**

AN ACT concerning

**Family Law – Marriage – Age Requirements**

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

Affirmative – 91    Negative – 46    (See Roll Call No. 825)

The Bill was then sent to the Senate.

**House Bill 877 – Delegates McComas, Carey, Cassilly, Glass, Hornberger, Impallaria, Krebs, Malone, McDonough, McKay, Parrott, Reilly, Rey, Saab, Sophocleus, B. Wilson, and C. Wilson**

AN ACT concerning

**Handgun Permits – Alternative Expiration Date – Private Detectives, Security Guards, and Special Police Officers**

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

Affirmative – 137    Negative – 1    (See Roll Call No. 826)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 91**

**House Bill 187 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Foxes and Hounds – Repeal of Provisions**

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

Affirmative – 137    Negative – 3    (See Roll Call No. 827)

The Bill was then sent to the Senate.

**House Bill 503 – Delegate McIntosh**

AN ACT concerning

**State Budget – Appropriations – Income Tax Revenue Estimate Cap and Revenue Stabilization Account**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 828)

The Bill was then sent to the Senate.

**House Bill 522 – Delegates Barron, Cullison, Pena-Melnyk, ~~and Rosenberg~~  
Rosenberg, Hill, Metzgar, McDonough, Angel, and Morales**

AN ACT concerning

~~**Food Service Facilities – Maryland Institute for Emergency Medical Services**~~  
**Systems – Automated External Defibrillator Program Defibrillators – Study**  
**(The Joe Sheya Act)**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 829)

The Bill was then sent to the Senate.

**House Bill 894 – Wicomico County Delegation**

AN ACT concerning

**Wicomico County – Deer Hunting – Sundays**

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

Affirmative – 133    Negative – 6    (See Roll Call No. 830)

The Bill was then sent to the Senate.

**House Bill 1079 – Delegate McMillan**

AN ACT concerning

**Roadways – Crossing by Pedestrians of Roadways – Authority of Local Jurisdictions**

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

Affirmative – 86    Negative – 53    (See Roll Call No. 831)

The Bill was then sent to the Senate.

**House Bill 1113 – Delegates Lam, Barve, Brooks, Hill, Jones, Krimm, Patterson, Turner, ~~and K. Young~~ K. Young, Pendergrass, Bromwell, Angel, Cullison, Hayes, Kelly, Kipke, Metzgar, Morales, Pena-Melnyk, Platt, Rosenberg, Sample-Hughes, and West**

AN ACT concerning

**Health Occupations – Maryland Community Health Worker Act**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 832)

The Bill was then sent to the Senate.

**House Bill 1144 – Delegates Jones, Haynes, Anderson, Anderton, Angel, Barkley, B. Barnes, D. Barnes, Branch, Buckel, Carr, Chang, Clippinger, Cullison, Dumais, Ebersole, Fennell, Frick, Glenn, Gutierrez, Healey, Hettleman, Hornberger, C. Howard, Jackson, Korman, Krimm, Lam, Lierman, Luedtke, McCray, A. Miller, Moon, Morales, Patterson, Pena–Melnik, Platt, Reznik, Rosenberg, Sophocleus, Sydnor, Tarlau, Turner, Valderrama, Valentino–Smith, Waldstreicher, K. Young, and P. Young**

AN ACT concerning

**Payroll Recovery Act**

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

Affirmative – 91    Negative – 48    (See Roll Call No. 833)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 94**

**House Bill 172 – Delegates Lafferty and McIntosh**

AN ACT concerning

**Home Act of 2017**

Delegate Ebersole moved the previous question.

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

Affirmative – 95    Negative – 46    (See Roll Call No. 834)

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

Affirmative – 88    Negative – 53    (See Roll Call No. 835)

The Bill was then sent to the Senate.

**House Bill 602 – Delegates Robinson, Lam, Anderson, Angel, Barkley, B. Barnes, Carr, Cullison, Ebersole, Fennell, Fraser–Hidalgo, Frush, Gilchrist, Gutierrez, Healey, Hettleman, Hill, Holmes, Kaiser, Kelly, Korman, Lafferty, R. Lewis, Luedtke, McIntosh, Moon, Morales, Morhaim, Pena–Melnik, Platt, Reznik, Sanchez, Tarlau, Turner, Valderrama, M. Washington, and K. Young**

AN ACT concerning

**Keep Antibiotics Effective Act of 2017**

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

Affirmative – 139    Negative – 1    (See Roll Call No. 836)

The Bill was then sent to the Senate.

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

AN ACT concerning

**Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement**

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

Affirmative – 111    Negative – 29    (See Roll Call No. 837)

The Bill was then sent to the Senate.

**House Bill 1362 – Delegates Morales, Sanchez, Pena-Melnyk, 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, R. 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**~~  
**Criminal Procedure – Immigration – Community Trust**

Delegate Gilchrist moved the previous question.

The motion was adopted.

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

Affirmative – 83    Negative – 55    (See Roll Call No. 838)

The Bill was then sent to the Senate.

**House Bill 1415 – Delegate Anderson**

AN ACT concerning

**Commercial Law – Maryland Antitrust Act – Indirect Purchasers**

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

Affirmative – 88    Negative – 48    (See Roll Call No. 839)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 97**

**House Bill 192 – Delegate Lafferty**

AN ACT concerning

**Task Force to Study Bicycle Safety on Maryland Highways**

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

Affirmative – 136    Negative – 3    (See Roll Call No. 840)

The Bill was then sent to the Senate.

**House Bill 592 – Delegate M. Washington**

AN ACT concerning

**Real Property Tax – Assessment Appeals Process**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 841)

The Bill was then sent to the Senate.

**House Bill 644 – Delegates Luedtke, Barkley, Cullison, Ebersole, Fraser-Hidalgo, Gilchrist, Kelly, Korman, Kramer, Metzgar, Moon, Reznik, Robinson, Tarlau, A. Washington, and Wilkins**

AN ACT concerning



**Independent Living Tax Credit Act**

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

Affirmative – 135    Negative – 1    (See Roll Call No. 842)

The Bill was then sent to the Senate.

**House Bill 953 – Delegates Morales, Angel, Cullison, Hayes, Hill, Kelly, Korman, Kramer, R. Lewis, A. Miller, Oaks, Pena–Melnik, Platt, and K. Young**

AN ACT concerning

**Task Force on Long–Term Care Education and Planning**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 843)

The Bill was then sent to the Senate.

**House Bill 974 – Delegates Carey and Lisanti**

AN ACT concerning

**Maryland Personal Information Protection Act – Revisions**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 844)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 98**

**House Bill 123 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Insurance Administration)**

AN ACT concerning

**Health Insurance – Required Conformity With Federal Law**

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

Affirmative – 134    Negative – 6    (See Roll Call No. 845)

The Bill was then sent to the Senate.

**House Bill 562 – Delegate Hayes (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City Board of School Commissioners – Members – Appointment and Removal**

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

Affirmative – 97    Negative – 42    (See Roll Call No. 846)

The Bill was then sent to the Senate.

**House Bill 631 – The Speaker (By Request – Office of the Attorney General) and Delegates Bromwell, Anderson, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Beidle, Brooks, Carr, Chang, Clippinger, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jameson, Jones, Kelly, Knotts, Krimm, Lafferty, Lam, R. Lewis, Lierman, Lisanti, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Oaks, Patterson, Pena-Melnyk, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample-Hughes, Sanchez, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Vallario, Waldstreicher, Walker, A. Washington, M. Washington, C. Wilson, K. Young, ~~and P. Young~~ P. Young, Pendergrass, Angel, Kipke, McDonough, Metzgar, Miele, Saab, West, Aumann, Carey, Mautz, and S. Howard**

AN ACT concerning

**Public Health – Essential Off-Patent or Generic Drugs – Price Gouging – Prohibition**

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

Affirmative – 137    Negative – 4    (See Roll Call No. 847)

The Bill was then sent to the Senate.

**House Bill 963 – Delegates Lisanti, R. Lewis, Lierman, McCray, and Moon**

AN ACT concerning

**Maryland Transportation Authority – Video Tolls – Collection**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 848)

The Bill was then sent to the Senate.

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

AN ACT concerning

**Natural Resources – Aquaculture Leases – ~~National Register of Historic Places~~  
National Historic Landmarks**

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

Affirmative – 139    Negative – 1    (See Roll Call No. 849)

The Bill was then sent to the Senate.

#### **CALENDAR OF THIRD READING HOUSE BILLS NO. 82**

**House Bill 269 – Delegates Krimm, Brooks, Hettleman, Lierman, McKay,  
Patterson, and Valentino-Smith**

AN ACT concerning

**Housing ~~Counselor~~ Navigator and Aftercare Program**

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

Affirmative – 139    Negative – 2    (See Roll Call No. 850)

The Bill was then sent to the Senate.

**House Bill 371 – The Speaker (By Request – Administration) and Delegates  
Adams, Afzali, Arentz, Aumann, Beitzel, Carozza, Cassilly, Ciliberti, Clark,  
Cluster, Flanagan, Folden, Ghrist, Grammer, Hornberger, Jacobs, Kipke,  
Kittleman, Krebs, Long, Malone, Mautz, McComas, McConkey, McKay,  
McMillan, Metzgar, Miele, Parrott, Reilly, Rey, Rose, Saab, Simonaire,  
Szeliga, Vogt, West, B. Wilson, and Wivell**

AN ACT concerning

**Vehicle Laws – Drunk and Drugged Driving – Subsequent Offenders – ~~Felonies~~  
(Repeat Drunk Driving Offenders Act of 2017)**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 851)

The Bill was then sent to the Senate.

**House Bill 1149 – Delegate Kramer**

AN ACT concerning

**Maryland Securities Act – Vulnerable Adults**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 852)

The Bill was then sent to the Senate.

**House Bill 1159 – Delegates Pena–Melnik, Morales, Angel, Hayes, Hill, Kelly, Kipke, Krebs, Miele, Morgan, Platt, Szeliga, West, ~~and K. Young~~ K. Young, Bromwell, Cullison, McDonough, Metzgar, Pendergrass, Rosenberg, Saab, and Sample–Hughes**

AN ACT concerning

**Pharmacists – Dispensing of Prescription Drugs – Single Dispensing of Dosage Units**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 853)

The Bill was then sent to the Senate.

**House Bill 1168 – ~~Delegate Holmes~~ Delegates Holmes and Angel**

AN ACT concerning

**Counties and Municipalities – Land Bank Authorities**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 854)

The Bill was then sent to the Senate.

**House Bill 1212 – ~~Delegate Frick~~ Delegates Frick, Pendergrass, Bromwell, Angel, 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

**Health Insurance – Prior Authorization for Opioid Antagonists – ~~Prohibition~~  
Authorization**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 855)

The Bill was then sent to the Senate.

**House Bill 1253 – Delegate Long**

AN ACT concerning

**State Boat Act – Removal of Abandoned or Sunken Vessels**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 856)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 80**

**House Bill 426 – The Speaker (By Request – Administration) and Delegates Cassilly, Kipke, McConkey, ~~and West~~ West, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Krebs, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young**

AN ACT concerning

**Promoting Efficiencies in State Procurement**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 857)

The Bill was then sent to the Senate.

**House Bill 957 – Delegates Miele ~~and Cluster~~, Cluster, and Bromwell**

AN ACT concerning

**~~Physicians – Licensure – Liability Coverage~~****State Board of Physicians – Medical Professional Liability Insurance Coverage –  
Verification, Publication, and Notification Requirements  
(Janet’s Law)**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 858)

The Bill was then sent to the Senate.

**House Bill 1031 – Delegates Pena–Melnik, Angel, Hayes, Hill, Kelly, Miele,  
Morales, Oaks, Sample–Hughes, Szeliga, and K. Young**

AN ACT concerning

**State Board of Pharmacy – Registered Pharmacy Technicians – Exemption for  
Pharmacy Students**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 859)

The Bill was then sent to the Senate.

**House Bill 1147 – Delegates Morales, Pena–Melnik, Angel, Hill, Kelly, Kipke,  
Miele, Morgan, Platt, Rosenberg, Szeliga, West, ~~and K. Young~~ K. Young,  
Pendergrass, Bromwell, Cullison, Hayes, Krebs, McDonough, Metzgar,  
Saab, and Sample–Hughes**

AN ACT concerning

**Health Insurance – Prescription Drugs – Dispensing Synchronization**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 860)

The Bill was then sent to the Senate.

**House Bill 1225 – Delegates R. 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**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 861)

The Bill was then sent to the Senate.

**House Bill 1321 – Delegate Valentino-Smith**

AN ACT concerning

**Child Protection – Reporting Requirements – Threat of Harm**

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

Affirmative – 135    Negative – 6    (See Roll Call No. 862)

The Bill was then sent to the Senate.

**House Bill 1553 – ~~Delegate Cullison~~ Delegates Cullison, Pendergrass, Bromwell,  
Angel, Hayes, Hill, Kelly, Kipke, McDonough, Metzgar, Miele, Morales,  
Morgan, Pena-Melnyk, Platt, Rosenberg, Sample-Hughes, Szeliga, West,  
and K. Young**

**EMERGENCY BILL**

AN ACT concerning

**Nonprofit Health Entity – Acquisition – Waiver of Waiting Period**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 863)

The Bill was then sent to the Senate.

**CALENDAR OF THIRD READING HOUSE BILLS NO. 99**

**House Bill 677 – Howard County Delegation**

AN ACT concerning

**Howard County – Noise Control – Outdoor Concert Venues****Ho. Co. 18-17**Read the third time and passed by yeas and nays as follows:

Affirmative – 139    Negative – 0    (See Roll Call No. 864)

The Bill was then sent to the Senate.**House Bill 1036 – Delegates Rey, Bromwell, Buckel, Carey, Clark, Cluster, Fisher, Glass, S. Howard, Malone, McConkey, Morgan, Parrott, Queen, Saab, Simonaire, B. Wilson, and C. Wilson**

AN ACT concerning

**Firearms – Handgun Permit – Preliminary Approval**Read the third time and passed by yeas and nays as follows:

Affirmative – 97    Negative – 41    (See Roll Call No. 865)

The Bill was then sent to the Senate.**House Bill 1053 – Delegates Pena-Melnyk, Bromwell, Angel, Barron, Cullison, Hayes, Impallaria, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Oaks, Platt, Rose, Saab, and West**

AN ACT concerning

**Integrated Community Oncology Reporting Program**Read the third time and passed by yeas and nays as follows:

Affirmative – 139    Negative – 0    (See Roll Call No. 866)

The Bill was then sent to the Senate.**House Bill 1120 – Delegates Fraser-Hidalgo and Stein**

AN ACT concerning

**Vehicle Laws – Dealers – Performance Standards**Read the third time and passed by yeas and nays as follows:



Affirmative – 126    Negative – 14    (See Roll Call No. 867)

The Bill was then sent to the Senate.

**House Bill 1320 – Charles County Delegation**

AN ACT concerning

**Southern Maryland Code Counties – Towing Companies – Authority to Regulate**

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

Affirmative – 140    Negative – 0    (See Roll Call No. 868)

The Bill was then sent to the Senate.

**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**

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

Affirmative – 73    Negative – 66    (See Roll Call No. 869)

The Bill was then sent to the Senate.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 870)

**ADJOURNMENT**

At 9:58 P.M. on motion of Delegate Frick the House adjourned until 11:30 A.M. on Legislative Day March 18, 2017, Calendar Day, Tuesday, March 21, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 18, 2017**  
**Calendar Day: Tuesday, March 21, 2017**  
**11:30 A.M. Session**

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The House met at 11:38 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Talmadge Branch of Baltimore City.

**QUORUM CALL**

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

(See Roll Call No. 871)

EXCUSED:

Del. Lam – personal

Del. Cullison – personal

The Journal of March 20, 2017 was read and approved.

**MESSAGE FROM THE SENATE**

**CONSENT CALENDAR OF INTRODUCTORY SENATE BILLS NO. 34**

**Senate Bill 178 – Senators Peters, Astle, ~~and Middleton~~ Middleton, Benson, Feldman, Hershey, Jennings, Klausmeier, Oaks, Reilly, and Rosapepe**

AN ACT concerning

**Horse Racing – ~~Bowie Race Course Training Center – State Purchase or~~  
~~Condemnation~~ Racetrack Facility Renewal Account – Eligibility and Capital  
Expenditures**

FOR the purpose of ~~authorizing the State to acquire, by purchase or condemnation for public use with just compensation, private property relating to the Bowie Race Course Training Center if the owner of the Bowie Race Course Training Center does not meet certain requirements; requiring that all proceedings for condemnation for public use or private property as authorized under this Act are to be in accordance with certain provisions of law and certain rules of procedure~~ altering certain conditions of eligibility for funding from the Racetrack Facility Renewal Account by specifying certain minimum amounts to be spent on capital maintenance and expenditures by certain race tracks; authorizing certain funding for the Bowie Race

Course Training Center from the Account under certain conditions; authorizing the Maryland Racing Commission to consider certain expenditures made by the owner of the Bowie Race Course Training Center as part of a certain matching fund requirement for funds from the Account; and generally relating to the authority of the State to purchase or condemn certain private property relating to the Bowie Race Course Training Center horse racing and the Racetrack Facility Renewal Account.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 11–519(a)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

~~BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–521  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–09(a)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–09(b) and 9–1A–29(d)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY adding to  
Article – State Government  
Section 9–1A–09(f)  
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 202 – Senators King, Benson, Currie, Feldman, Ferguson, Kagan, Kelley, Manno, Peters, Rosapepe, Smith, Young, and Zucker**

AN ACT concerning

**Higher Education – University System of Maryland – Quasi-Endowment Funds**

FOR the purpose of authorizing the Board of Regents of the University System of Maryland to transfer up to a certain amount of funds from the State-supported fund balance to a quasi-endowment fund; limiting the use of certain proceeds to certain purposes; and generally relating to quasi-endowment funds of the University System of Maryland.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 12-104(e)(2)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

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

**Senate Bill 224 – Senators Lee, Kelley, Muse, Ramirez, ~~Ready~~, Brochin, and Smith**

AN ACT concerning

**Public Safety – Regulated Firearms – Definition of Convicted of a Disqualifying Crime**

FOR the purpose of altering a certain definition of “convicted of a disqualifying crime” to include a case in which a person received probation before judgment for assault in the second degree that is a domestically related crime; and generally relating to regulated firearms.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5-101(b-1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2016 Supplement)

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

**Senate Bill 282 – Senators Ready, Bates, Eckardt, Edwards, Klausmeier, and Salling**

AN ACT concerning

**Property Tax Credit – Disabled or Fallen Law Enforcement Officers and Rescue Workers – ~~Acquisition of Dwelling Alterations~~**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant a certain property tax credit for certain residential real property owned by certain surviving spouses or certain cohabitants of certain fallen law enforcement officers and rescue workers; increasing the number of years within which a disabled law enforcement officer or

rescue worker or the surviving spouse or certain cohabitants of a fallen law enforcement officer or rescue worker must have acquired certain residential property in order to qualify for a certain property tax credit against the county or municipal corporation property tax imposed on the property; making conforming changes; providing for the application of this Act; and generally relating to a property tax credit for certain residential property in the State.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–210

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 290 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, Rosapepe, and Oaks**

AN ACT concerning

**~~Maryland Automobile Insurance Fund~~ – Motor Vehicle Liability Insurance Policies – ~~Eligibility and Producer Charge~~ Placement and Reinstatement**

FOR the purpose of ~~authorizing and requiring the Maryland Automobile Insurance Fund, under certain circumstances, to sell, issue, and deliver a motor vehicle liability insurance policy that provides a certain security to a person that is eligible for a policy under a certain provision of this Act and has a certain license; providing that a person that commutes to a full-time job in the State and resides in a state that is immediately adjacent to this State is eligible for a certain policy~~ authorizing a certain motor vehicle insurer and the Maryland Automobile Insurance Fund to reinstate a certain private passenger motor vehicle liability insurance policy in a certain manner under certain circumstances; requiring a policyholder to provide to a certain insurer and the Fund a certain certification in a certain form and manner and at a certain time; requiring a certain reinstatement to be implemented in accordance with certain guidelines; providing that a certain reinstatement is subject to certain provisions of law; providing that a premium finance company is not required to reinstate a policy under certain circumstances; increasing the maximum charge that a fund producer may charge and collect as actual expenses incurred in placing automobile insurance with the Fund; providing that a certain provision of law does not prohibit a certain insurer or the Fund from charging and collecting a certain fee for a certain reinstatement of a private passenger motor vehicle liability insurance policy; providing that a certain provision of law does not prohibit a licensed insurance producer or a fund producer from charging and collecting a certain fee for a certain reinstatement of a private passenger motor vehicle liability insurance policy; requiring the Maryland Insurance Commissioner to review certain expenses; authorizing the Commissioner to approve certain reinstatement fees; and generally

relating to the ~~Fund and~~ placement and reinstatement of motor vehicle liability insurance policies.

BY adding to

Article – Insurance

Section 19–519, 23–311, and 27–216(b)(4)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section ~~20–502(a) and (b)~~ and 27–216(b)(2)(iv)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section ~~20–502(d)~~ and 27–216(b)(1) and 27–501(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

**Senate Bill 295 – Senators Peters, Astle, Benson, Cassilly, Currie, DeGrange, Edwards, Guzzone, Kagan, Kelley, King, Klausmeier, Manno, Mathias, Middleton, Muse, Ready, Rosapepe, Simonaire, Smith, Young, ~~and Zucker~~ Zucker, Eckardt, Ferguson, Kasemeyer, Madaleno, McFadden, Norman, and Serafini Serafini, and Salling**

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.

**Senate Bill 422 – Senators Pinsky, ~~Nathan Pulliam~~, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Madaleno, Manno, Muse, ~~Nathan Pulliam~~, Ramirez, Robinson, Rosapepe, Smith, Young, and Zucker**  
**Zucker, and Astle**

AN ACT concerning

### **Keep Antibiotics Effective Act of 2017**

FOR the purpose of ~~prohibiting, on or after a certain date, a certain owner of cattle, swine, or poultry from administering, or authorizing an agent to administer, certain antimicrobial drugs in certain cattle, swine, and poultry without a certain antimicrobial drug prescription or veterinary feed directive issued by a licensed veterinarian in accordance with certain conditions;~~ authorizing, on or after a certain date, the administration of certain antimicrobial drugs to certain cattle, swine, or poultry if, in the professional judgment of a licensed veterinarian, the administration is necessary for certain purposes; prohibiting certain antimicrobial drugs from being administered to cattle, swine, ~~and or~~ poultry in a certain pattern or for certain purposes; requiring certain antimicrobial drugs to be administered in a certain manner; ~~requiring a certain owner veterinarian to submit to the State Department of Agriculture a copy of a certain antimicrobial drug prescription or veterinary feed directive in a certain manner, with a certain exception;~~ requiring the Department to collect certain publicly available data from certain federal agencies and other appropriate entities; requiring the Department to maintain certain information and make the information available for public review in a certain manner; requiring the Department to report to the General Assembly on or before a certain date each year, beginning on or before a certain date; authorizing the Secretary of Agriculture to impose a certain penalty; authorizing the Department to adopt certain regulations; providing for the application of this Act; defining certain terms; and generally relating to the use of antimicrobial drugs in cattle, swine, and poultry.

BY adding to

Article – Agriculture

Section 3–1001 through ~~3–1006~~ ~~3–1005~~ 3–1006 to be under the new subtitle “Subtitle 10. Use of Antimicrobial Drugs”

Annotated Code of Maryland  
(2016 Replacement Volume)

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

**Senate Bill 426 – Senator Klausmeier**

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.

**Senate Bill 487 – Senator McFadden (By Request – Baltimore City Administration) and Senators Conway, Ferguson, Nathan–Pulliam, and Robinson**

AN ACT concerning

**Baltimore City – Residential Ground Leases – Abandoned Property**

FOR the purpose of prohibiting a ground lease holder from taking certain actions to recover ground rent due and owing on certain abandoned property in Baltimore City before title was acquired by ~~Baltimore City~~ the owner of the leasehold interest under certain circumstances; making conforming changes; and generally relating to residential ground leases in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section ~~8–806(e)(1)~~ 8–806(c)  
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 501 – Senator Norman**

AN ACT concerning

**Real Property – Wrongful Detainer Actions – Trial by Jury**



FOR the purpose of authorizing a party to a certain wrongful detainer action brought in the District Court to ~~elect demand~~ a trial by jury in accordance with ~~the Maryland Rules~~ certain provisions of law, subject to a certain provision of law; ~~authorizing a certain party to appeal to the Court of Special Appeals no later than a certain number of days from the entry of judgment, if judgment was entered by the circuit court;~~ making certain provisions of law regarding jury demands applicable to wrongful detainer actions; providing for the application of this Act; and generally relating to wrongful detainer actions.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 8–118.1(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–601 and 14–132

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 540 – The President (By Request – Administration) and Senators Bates, Eckardt, Edwards, Hershey, Hough, Jennings, Ready, Salling, Serafini, and Simonaire**

AN ACT concerning

~~**State Retirement Choice for the 21st Century Workforce**~~  
**Study of Retirement Plan Alternatives**

FOR the purpose of ~~establishing the State Retirement Choice Plan; authorizing certain individuals who are employed by certain participating employers on or after a certain date to become members of the State Retirement Choice Plan; prohibiting certain individuals from participation in the State Retirement Choice Plan; requiring certain individuals to make a certain election between the Employees' Pension System and the State Retirement Choice Plan within a certain period of time and requiring notification of the election to be filed with the Board of Trustees for the State Retirement and Pension System; requiring certain individuals to be enrolled in the Employees' Pension System if a certain election is not made; requiring the Board of Trustees to administer the State Retirement Choice Plan; requiring the Board of Trustees to adopt certain regulations; providing that an election to participate in the State Retirement Choice Plan is a one time, irrevocable election; providing for the computation of certain benefits; prohibiting employees who are participating in the State Retirement Choice Plan from participation in the Employees' Pension System under certain circumstances; requiring employee contributions to the State~~

~~Retirement Choice Plan to be a certain amount; requiring certain employer contributions of a certain amount to the State Retirement Choice Plan; requiring contributions by participating employees and the State under the State Retirement Choice Plan to be made in a certain manner; providing the vesting requirements for contributions made by participating employees and the State and interest earned on the contributions under the State Retirement Choice Plan; requiring the Governor to include a certain amount in the annual budget bill for the State Retirement Choice Plan; authorizing certain retirees of the State Retirement Choice Plan and their surviving spouses and dependent children to participate in the State Employees and Retirees Health and Welfare Benefits Program under certain circumstances; defining certain terms; providing for a delayed effective date; and generally relating to the establishment of the State Retirement Choice Plan.~~ requiring the Department of Legislative Services to examine potential retirement plan options that may be offered to employees as an alternative to certain defined benefit pension plans; requiring the study to include certain elements; requiring the Department of Legislative Services to report its findings and recommendations to the Joint Committee on Pensions on or before a certain date; providing for the termination of this Act; and generally relating to a study of alternative retirement plans.

~~BY adding to~~

~~Article — State Personnel and Pensions~~

~~Section 2 — 509.2; and 33 — 101 through 33 — 206 to be under the new title “Title 33 — State Retirement Choice Plan”~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2016 Supplement)~~

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

~~Article — State Personnel and Pensions~~

~~Section 23 — 201~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2016 Supplement)~~

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

**Senate Bill 571 – Senators Middleton, Rosapepe, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Miller, Muse, Nathan-Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, Zirkin, ~~and Zucker~~ Zucker, and Oaks**

AN ACT concerning

### **Maryland Health Insurance Coverage Protection Act**

FOR the purpose of establishing the Maryland Health Insurance Coverage Protection Commission; providing for the composition, ~~chair~~ cochairs, 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~~ monitor and assess the impact of certain changes to certain laws and programs and make recommendations regarding certain matters; requiring the duties of the Commission to include a certain study; authorizing the Commission to hold public meetings across the State for a certain purpose; authorizing the Commission to convene certain workgroups; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date each year; providing for the termination of this Act; defining a certain term; and generally relating to the Maryland Health Insurance Coverage Protection Commission.

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

**Senate Bill 587 – Senators King, Benson, Currie, Eckardt, Edwards, Feldman, Jennings, Kagan, Klausmeier, Lee, Madaleno, Manno, Mathias, Middleton, Muse, Norman, Peters, Ready, Serafini, Waugh, ~~and Zucker~~ Zucker, and Ferguson**

AN ACT concerning

### **Education – Libraries – Reorganization of Governance Structure**

FOR the purpose of establishing the Maryland State Library Agency and the Maryland State Library Board; transferring the duties and responsibilities of the Division of Library Development and Services in the State Department of Education to the State Library Agency; transferring the duties and responsibilities of the State Board of Education pertaining to libraries to the State Library Board; making the appointment of the State Librarian subject to the advice and consent of the Senate; providing that the Maryland State Library Agency is the central State library agency; providing that the head of the State Library Agency is the State Librarian; providing for the appointment, term, qualifications, and salary of the State Librarian; authorizing the State Library Agency to employ certain individuals; requiring the State Library Agency to be funded annually in the State budget; requiring certain employees of the State Library Agency to join the Teachers' Pension System of the State of Maryland or the Employees' Pension System of the State of Maryland; requiring the State Library Agency to provide certain professional and technical advice to certain higher education and special library officials; transferring the duties and responsibilities of the Maryland Advisory Council on Libraries to the State Library Board; requiring the Governor to ensure geographic diversity when making appointments to the State Library Board; requiring the State Library Board to meet a certain number of times each year; authorizing the State Library Board to be funded within the budget of the State Library Agency; authorizing the State Library Board to include in its budget operating funds for the Deaf Culture Digital Library; providing for the transfer of certain services, appropriations, funding, and grants on a certain date; providing for the transfer of certain property, records, fixtures, appropriations, credits, assets, liabilities, obligations, rights, and privileges; abolishing the Division of Library

Development and Services in the State Department of Education and providing that the State Library Agency and the State Library Board shall be the successors to the Division; providing that the State Library Board shall be the successor to the Maryland Advisory Council on Libraries; providing that certain employees transferred to the State Library Agency and State Library Board as a result of this Act shall be transferred without diminution of certain rights, benefits, or employment or retirement status; 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, forms, plans, memberships, contracts, property, investigations, and administrative and judicial responsibilities; providing that this Act may not affect the terms of certain members of the Maryland Advisory Council on Libraries; 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 the provisions of this Act severable; defining certain terms; making certain technical changes; making certain conforming changes; and generally relating to a reorganization of the library governance structure in Maryland.

BY adding to

Article – Education

Section 23–101

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 23–101 through 23–108, 23–202 through 23–205, 23–302, 23–402(a)(4),  
23–405, 23–406, 23–504, 23–506, 23–506.1, 23–507, 23–509, 23–510, and  
25–302

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 23–201, 23–206, and 23–301(a) and (c)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing

Article – Education

Section 23–508

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 3A-606  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 597 – Senators Guzzone ~~and Peters~~, Peters, DeGrange, Kasemeyer, King, Madaleno, and McFadden**

AN ACT concerning

**Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel**

FOR the purpose of providing a subtraction modification under the Maryland income tax under certain circumstances for certain retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel; defining a certain term; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel.

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.

**Senate Bill 650 – Senators Guzzone, DeGrange, Kasemeyer, King, Madaleno, Manno, ~~and Zucker~~ Zucker, Ferguson, and Peters**

AN ACT concerning

**Correctional Officers' Retirement System – Membership**

FOR the purpose of altering the membership of the Correctional Officers' Retirement System to include certain individuals serving in certain positions in the Department of Public Safety and Correctional Services ~~and the Department of Juvenile Services~~; providing that certain members of the Correctional Officers' Retirement System who meet certain criteria may receive a normal service retirement allowance that is based on certain creditable service; requiring the State Retirement Agency, on or before a certain date, to notify certain individuals affected by this Act of their rights to transfer certain service credit to the Correctional Officers' Retirement System; and generally relating to membership in the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 25–201 and 25–401  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 664 – Senators Edwards ~~and Serafini~~, Serafini, Manno, and McFadden**

AN ACT concerning

**Correctional Officers' Retirement System – Membership**

FOR the purpose of altering the membership of the Correctional Officers' Retirement System to include certain individuals serving in certain positions in the Department of Public Safety and Correctional Services; providing that certain members of the Correctional Officers' Retirement System who meet certain criteria may receive a normal service retirement allowance that is based on certain creditable service; requiring the State Retirement Agency, on or before a certain date, to notify certain individuals affected by this Act of their right to transfer certain service credit to the Correctional Officers' Retirement System; and generally relating to membership in the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 25–201 and 25–401  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 666 – Senators Hough, Zucker, and Smith**

AN ACT concerning

**Disclosure of Medical Records – Guardian Ad Litem – Victims of Crime or  
Delinquent Acts**

FOR the purpose of requiring a health care provider to disclose a medical record without certain authorization to a guardian ad litem appointed by a court to protect certain interests of a minor or a disabled or elderly individual who is a victim of a crime or certain act, for a certain purpose and use; authorizing a certain guardian ad litem to redisclose a certain record under certain circumstances; prohibiting a health care provider from charging a certain fee to a certain guardian ad litem; and generally relating to the disclosure and redisclosure of medical records.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 4–302(d), 4–304(c)(5), and 4–306(b)(10) and (11)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

BY adding to  
Article – Health – General  
Section 4–306(b)(12)  
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 737 – Senator Waugh**

SECOND PRINTING

AN ACT concerning

**St. Mary’s County – Bonds and Other Evidences of Indebtedness  
– Limitations and Repayment**

FOR the purpose of altering certain limits on debt in St. Mary’s County ~~to reflect the changes in the computation of assessments as a result of the transition to full value assessments~~; subjecting certain bonds and other evidences of indebtedness issued under the authority of the St. Mary’s County Sanitary Commission Act to a certain limitation and requiring the responsibility for repayment to remain with the St. Mary’s County Metropolitan Commission; and generally relating to limitations on and repayment of debt issued under the approval of the County Commissioners of St. Mary’s County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of St. Mary’s County  
Section 27–11  
Article 19 – Public Local Laws of Maryland  
(2007 Edition and October 2014 Supplement, as amended)

BY repealing and reenacting, with amendments,  
The Public Local Laws of St. Mary’s County  
Section 113–6  
Article 19 – Public Local Laws of Maryland  
(2007 Edition and October 2014 Supplement, as amended)  
(As enacted by Chapter 284 of the Acts of the General Assembly of 2016)

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

**Senate Bill 772 – Senators Madaleno, Benson, Feldman, Guzzone, ~~and Manne~~  
Manno, Astle, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks,  
Reilly, and Rosapepe**

AN ACT concerning

**Department of Health and Mental Hygiene – Employees – Job Titles, Position  
Descriptions, and Compensation Levels**

FOR the purpose of requiring the Director of the Behavioral Health Administration to compensate certain employees of the Clifton T. Perkins Hospital Center who are required to attend a certain correctional training school at a certain pay rate; authorizing the Director to develop a certain plan to carry out a certain pay rate increase for certain employees of the Clifton T. Perkins Hospital Center; requiring the Secretary of Health and Mental Hygiene to review certain positions filled by certain State employees who are required to work with certain individuals; specifying the content of a certain review; requiring the Secretary to report certain findings to the General Assembly on or before a certain date; and generally relating to the compensation of employees of the Department of Health and Mental Hygiene.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 7.5–202 and 7.5–204(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health – General

Section 7.5–204(e)

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 792 – Senator Smith**

AN ACT concerning

**Maryland Trust Act – Notice and Reporting Requirements – Exemptions**

FOR the purpose of exempting certain persons from certain requirements under the Maryland Trust Act to provide certain notice and certain information to themselves; and generally relating to notice and reporting requirements under the Maryland Trust Act.



BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 14.5–109 and 14.5–813  
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 793 – Senator Smith**

AN ACT concerning

**Maryland Trust Act – Representatives of Beneficiaries**

FOR the purpose of authorizing a settlor of a trust to designate certain persons to serve as a representative or successor representative of a certain beneficiary of the trust, to designate certain persons who may in turn designate a representative or successor representative of a beneficiary of the trust, and to specify the order of priority among those persons; prohibiting a trustee from serving as a representative of a certain beneficiary except under certain circumstances; providing that a certain representative may be held liable to the beneficiary on whose behalf the representative acts only under certain circumstances; altering a certain provision of the Maryland Trust Act so as to prohibit the terms of a trust from prevailing over the prohibition under this Act; and generally relating to trusts.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 14.5–105  
Annotated Code of Maryland  
(2011 Replacement Volume and 2016 Supplement)

BY adding to  
Article – Estates and Trusts  
Section 14.5–306  
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 799 – Senators Muse, Currie, Smith, and Young**

AN ACT concerning

**Driver's Driver Improvement Program and Failure to Pay Child Support –  
Driver's License Suspensions – Penalties and Assessment of Points**

FOR the purpose of ~~repealing the term of imprisonment for a person convicted of driving a vehicle on a highway or certain property while the person's driver's license or privilege to drive is suspended in the State; reducing the number of points assessed to a person convicted of driving a vehicle on a highway or certain property while the person's driver's license or privilege to drive is suspended in the State; repealing the term of imprisonment for a person convicted of driving a vehicle on a highway or certain property while the person's driver's license issued by another state is suspended under the laws of the State or the traffic laws or regulations of another state under certain circumstances; reducing the number of points assessed to a person convicted of driving a vehicle on a highway or certain property while the person's driver's license issued by another state is suspended under the laws of the State or the traffic laws or regulations of another state under certain circumstances; 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; making conforming changes; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to penalties for driver's license suspensions for failure to attend a certain driver improvement program or make certain child support payments.~~

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)

BY repealing and reenacting, with amendments,

Article – Transportation

~~Section 16–303, 16–402(a)(14) and (34), 27–101(e)(12) through (26) and (h), and 27–111(e)(1) and (3)(i)~~

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

Article – Transportation

Section 27–101(gg)

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, with amendments,~~

~~Article – Transportation~~

~~Section 16–303(k)~~

~~Annotated Code of Maryland~~

~~(2012 Replacement Volume and 2016 Supplement)~~

~~(As enacted by Chapter (S.B. 165) of the Acts of the General Assembly of 2017)~~

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

**Senate Bill 809 – Senators Muse, Currie, Lee, Manno, Miller, Ramirez, Rosapepe, and Young**

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 or, under certain circumstances, the developer to provide a certain notice before the sale of any common element in the condominium; requiring the governing body of a homeowners association or, under certain circumstances, the declarant 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~~ of a certain condominium or homeowners association or, under certain circumstances, a certain developer or declarant 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.

**Senate Bill 818 – Senator Hershey**

AN ACT concerning

**Maryland Occupational Safety and Health Act – Voluntary Protection Program**

FOR the purpose of establishing a certain Voluntary Protection Program in the Division of Labor and Industry; requiring the Commissioner of Labor and Industry to recognize certain employers under the Program; specifying the purpose of the Program; requiring an employer who wishes to participate in the Program to submit a certain application; requiring the Commissioner to establish the contents of the application form as well as certain other documentation; authorizing the Commissioner to conduct certain evaluations for certain purposes; providing that an employer's continued participation in the Program is contingent on certain factors; exempting a place of employment that participates in the Program from certain inspections to the extent allowed under certain provisions of law, except under certain circumstances; requiring the Commissioner to adopt certain regulations to implement the Program; authorizing a certain place of employment to continue participation in the Program under certain circumstances; defining a certain term; and generally relating to a Voluntary Protection Program under the Maryland Occupational Safety and Health Act.

BY adding to

Article – Labor and Employment

Section 5–1001 through 5–1004 to be under the new subtitle “Subtitle 10. Voluntary Protection Program”

Annotated Code of Maryland

(2016 Replacement Volume)

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

**Senate Bill 858 – ~~Senator Smith~~ Senators Smith, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe**

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.

**Senate Bill 867 – Senators Klausmeier, Benson, Middleton, and Robinson**

AN ACT concerning

**Workers’ Compensation – Failure to Report Accident or Action to Deter or Dissuade From Filing a Claim – Penalties** **Accidental Personal Injury – Penalty**

FOR the purpose of altering a certain violation relating to an employer failing to report an accidental personal injury within a certain time required under the workers’ compensation law to require the violation to be a knowing violation; increasing the ~~penalties~~ penalty imposed on an employer who fails to report an accidental personal injury within the time required under the workers’ compensation law for a certain violation; 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.

**Senate Bill 884 – Senators Rosapepe, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, Zirkin, ~~and Zucker~~ Zucker, Mathias, and Oaks**

AN ACT concerning

**Maryland Financial Consumer Protection Commission**

FOR the purpose of establishing the Maryland Financial Consumer Protection Commission; 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; authorizing the Commission to ~~hold public meetings across the State and~~ provide certain reports to the Governor, the General Assembly, and the Maryland Congressional Delegation under certain circumstances; requiring the Commission to report its findings and

recommendations to the Governor and the General Assembly on or before a certain ~~date~~ dates; providing for the termination of this Act; and generally relating to the Maryland Financial Consumer Protection Commission.

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

## **Senate Bill 909 – Charles County Senators (By Request)**

AN ACT concerning

### **Charles County – Collective Bargaining for Public Safety Officials**

FOR the purpose of altering the definition of “employer” to include Charles County for the purpose of certain provisions of law; authorizing certain fire, emergency medical service, paramedic, and rescue employees of Charles County to collectively bargain with the County Commissioners of Charles County with respect to certain matters ~~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; providing that certain employees who are not a member of the exclusive representative’s organization may be required to pay a certain fee to the exclusive representative for certain purposes; prohibiting the County Commissioners from recognizing an exclusive representative except under certain circumstances; providing for the selection and decertification of an exclusive representative; specifying the maximum number of individuals that the County Commissioners and the exclusive representative may designate to represent the County Commissioners and the exclusive representative in collective bargaining; providing for meetings of parties to a collective bargaining agreement; requiring negotiations for the collective bargaining agreement to begin on or before a certain date; specifying the time period during which an exclusive bargaining agreement may be valid; requiring an agreement, or a modification of that agreement, to be signed and ratified by the County Commissioners and a majority of the votes cast by the employees in the bargaining unit in order to be effective or valid; providing that certain provisions of this Act do not authorize an eligible employee to engage in a certain strike; authorizing any party to collective bargaining to seek mediation under certain circumstances; requiring the party seeking mediation to provide certain notice to certain persons; authorizing any party to a collective bargaining agreement to declare a bargaining impasse under certain circumstances; establishing procedures and timelines for the mediation and arbitration of collective bargaining disputes; providing that certain recommendations of the arbitrator are not binding; authorizing the County Commissioners to adopt or reject certain recommendations under certain circumstances; authorizing the parties to reach a voluntary settlement on unresolved issues at any time; providing for the construction of certain provisions of this Act; altering a certain definition; making a conforming change; providing for the application of certain provisions of this Act;~~ and generally relating to collective

bargaining between ~~the County Commissioners of~~ Charles County and fire, emergency medical service, paramedic, and rescue employees.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 4–501, 4–504, and 4–505  
Annotated Code of Maryland  
(2016 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 4–502 and 4–503  
Annotated Code of Maryland  
(2016 Replacement Volume)

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

## **Senate Bill 910 – Senator Middleton**

AN ACT concerning

### **Maryland Automobile Insurance Fund – Operations**

FOR the purpose of repealing ~~an exception for~~ a provision of law ~~subjecting the Maryland Automobile Insurance Fund from certain provisions of law governing~~ to 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 had a motor vehicle liability insurance policy but 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~~ requiring the Maryland Insurance Commissioner to require the Fund to file certain reports with the Commissioner on or before certain dates; requiring the Commissioner to review the Fund's reports and make certain determinations; requiring the Commissioner to report the Commissioner's findings to certain committees of the General Assembly on or before certain dates; providing for the

effective dates of this Act; providing for the termination of certain provisions of this Act; 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~~ and 20–514

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

### **Senate Bill 913 – Senator Guzzone (Chair, Joint Committee on Pensions)**

AN ACT concerning

#### **State Retirement and Pension System – Death Benefits**

FOR the purpose of allowing a certain surviving dependent parent of a member of the Correctional Officers' Retirement System to participate in the State Employee and Retiree Health and Welfare Benefits Program if the surviving dependent parent receives a certain allowance; altering the requirements for a certain surviving minor child to participate in the State Employee and Retiree Health and Welfare Benefits Program if the surviving child receives a certain allowance; altering the distribution of certain survivor benefits to surviving children of certain members of the State Retirement and Pension System; requiring a surviving disabled child to receive certain survivor benefits; allowing a certain death benefit to be paid if certain special death benefits are waived by certain individuals; altering the distribution of certain special death benefits to certain surviving children of certain members of the State Retirement and Pension System; requiring a surviving disabled child to receive certain special death benefits; providing for the distribution of certain special death benefits to surviving children; requiring a surviving dependent parent to receive certain special death benefits; requiring certain death benefits to be paid if the payment of certain special death benefits are waived by certain individuals; making conforming changes; providing for the application of this Act; and generally relating to death benefits in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–507, 24–403, 26–402, 27–403, 29–202, 29–203, 29–204, 29–204.1, and  
29–204.2

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions



Section 29–201  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 924 – Senator Serafini**

AN ACT concerning

**Commissioner of Financial Regulation and State Collection Agency Licensing  
Board – Surety Bond Requirements for Licensees and Registrants**

FOR the purpose of altering and establishing certain surety bond requirements for certain persons licensed or registered by the Commissioner of Financial Regulation and certain persons licensed by the State Collection Agency Licensing Board; requiring a certain applicant for a new license to file, with the application, a surety bond with the Board; requiring the bond to run to the Board, as obligee, for the benefit of the State and certain persons; altering the requirements that a bond filed with the Board must meet; altering and establishing the liability of a surety under certain bonds; authorizing the cancellation of certain bonds under certain circumstances; authorizing the Board, the Commissioner, and certain claimants to file a claim against certain bonds; requiring, under certain circumstances, a surety to pay the amount of a bond to the Board or the Commissioner; requiring certain licensees and registrants to file a new or an additional bond or deposit in lieu of a bond under certain circumstances; authorizing certain penalties to be collected and paid from the proceeds of certain bonds or deposits in lieu of a bond; requiring certain bonds to run to the Commissioner, as obligee, for the benefit of the State and certain persons; altering and establishing the requirements that a bond filed with the Commissioner must meet; repealing a requirement that certain licensees file a bond on renewal of a license; providing that the aggregate principal amount of certain mortgage loans that must be reported in a certain sworn statement by certain mortgage lenders includes loans serviced by the mortgage lenders; authorizing a certain receiver or the Commissioner, under certain circumstances, to reduce a certain bond or a deposit in lieu of a bond to cash and use the cash for a certain purpose; requiring a certain deposit in lieu of a surety to be in a certain amount; requiring the Commissioner to consider certain factors in setting the amount of a certain deposit in lieu of a surety bond; authorizing the Commissioner to require evidence of an additional deposit in lieu of a surety bond to be filed by a certain licensee under certain circumstances; repealing certain obsolete provisions of law; making certain stylistic, clarifying, and conforming changes; and generally relating to surety bond requirements for licensees and registrants of the Commissioner of Financial Regulation and licensees of the State Collection Agency Licensing Board.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 7–304

Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 11–206, 11–508, 11–511, 12–412, 12–914, and 12–1014  
Annotated Code of Maryland  
(2011 Replacement Volume and 2016 Supplement)

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

**Senate Bill 925 – Senators Madaleno, King, ~~and Manno~~ Manno, Astle, Benson,  
Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly,  
and Rosapepe**

AN ACT concerning

**Vehicle Laws – Bicycles, Play Vehicles, and Unicycles – Operation on Sidewalks  
and in Crosswalks**

FOR the purpose of providing that, subject to certain provisions of law, a person has certain rights and is subject to certain restrictions applicable to pedestrians while the person is lawfully operating a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area or in or through a crosswalk; providing that, at an intersection, a person operating a bicycle, play vehicle, or unicycle is subject to certain traffic control signals; providing that a certain provision of law does not apply to a person operating a bicycle, play vehicle, or unicycle; altering a certain definition; and generally relating to the operation of bicycles, play vehicles, and unicycles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–101(a), (i), (o), and (w) and 21–506  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–101(m) and 21–1202  
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 929 – Senator Astle**

AN ACT concerning

**Commercial Law – Consumer Protection – Door-to-Door Sales**

FOR the purpose of recodifying, in part, the definition of “door-to-door sale” as provisions that establish the application of the Maryland Door-to-Door Sales Act; altering the transactions to which the Maryland Door-to-Door Sales Act applies; making stylistic and clarifying changes; and generally relating to the Maryland Door-to-Door Sales Act.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–301  
Annotated Code of Maryland  
(2013 Replacement Volume and 2016 Supplement)

BY adding to  
Article – Commercial Law  
Section 14–301.1  
Annotated Code of Maryland  
(2013 Replacement Volume and 2016 Supplement)

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

**Senate Bill 951 – ~~Senator Smith~~ Senators Smith, Kelley, and Lee**

AN ACT concerning

**Maryland Securities Act – Vulnerable Adults**

FOR the purpose of establishing the Securities Act Registration Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Securities Commissioner of the Division of Securities 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; altering the authority of the Commissioner to define by rule certain unlawful practices; altering a requirement that a certain person must have certain knowledge in order for certain statements to be unlawful; providing that it is unlawful for a person engaged in certain businesses to engage in dishonest or unethical practices; requiring, under certain circumstances, that certain individuals who believe that certain eligible adults are being subjected to financial exploitation to notify certain entities and individuals; requiring that a certain notification be given within a certain time period or, under certain circumstances, immediately; providing for the construction of certain provisions of this Act; prohibiting certain individuals, under certain circumstances, from notifying certain individuals; authorizing, under certain circumstances, certain broker-dealers or investment advisers to delay disbursements from the accounts of certain eligible adults; requiring a broker-dealer or an investment adviser that delays a certain disbursement to provide certain

notices and continue a certain review; requiring a broker–dealer or an investment adviser to provide, ~~within a certain number of days after a disbursement request, on request, a status report of~~ a certain internal review to the Securities Commissioner of the Division of Securities and a certain local department; providing that a delay of a certain disbursement request will continue for a certain period of time; providing certain qualified individuals, broker–dealers, and investment advisers certain immunity from liability; requiring a broker–dealer or an investment adviser, under certain circumstances, to provide certain records to certain entities; providing that certain records may not be considered public records; providing that certain federal exempt broker–dealers are not required to register as broker–dealers; providing that a federal exempt broker–dealer is not subject to certain prohibitions and requirements that apply to certain broker–dealers; providing that it is unlawful for certain broker–dealers and certain issuers to employ or associate with certain individuals; requiring a person, before acting as a certain private fund adviser, to file certain documents and pay a certain fee; authorizing the Commissioner to publish a certain announcement in a certain manner; increasing and imposing certain fees; providing for the distribution of a certain fee; authorizing the Commissioner to perform a certain audit or inspection in a certain manner; authorizing the Commissioner to deny, suspend, or revoke a certain individual’s registration if the individual is the subject of certain orders, barred by certain entities, subject to certain requests, or refuses to allow or impedes certain actions of the Commissioner; altering a certain limitation on the time within which the Commissioner may institute a certain suspension or revocation; repealing a requirement that the Commissioner provide the State Department of Assessments and Taxation with a certain list; authorizing a certain issuer that fails to timely file certain items to file the items late and pay a certain late fee; providing that an issuer that complies with certain provisions will terminate certain rights and liabilities; establishing certain late fees; altering the types of securities that are exempt from certain provisions of the Maryland Securities Act; authorizing the Commissioner to take certain action against a certain person the Commissioner determines is in violation of certain laws; providing that an action for certain remedies is not subject to a certain statute of limitations; defining certain terms; altering certain definitions; and generally relating to vulnerable adults and the Maryland Securities Act.

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 11–101, 11–302(a) and (c), 11–401(a) and (d), 11–402(a) and (c), 11–405(c) through (f), 11–407(a) and (b), 11–411(f), 11–412(a)(6), (10), and (11) and (b), 11–503.1, 11–506(b), 11–510.1, 11–601(11), 11–701.1, and 11–702

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Corporations and Associations

Section 11–208, 11–306, 11–307, 11–401(d), 11–402(c), 11–405(c), and 11–412(a)(12), (13), and (14)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 11–411(a)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY repealing  
Article – Corporations and Associations  
Section 11–418  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 14–101(a) and (q), 14–201, 14–302(c), and 14–309  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 14–101(j)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

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

**Senate Bill 1009 – Senators Jennings, Astle, Eckardt, Edwards, Feldman, Guzzone, Hershey, King, Klausmeier, Manno, Ramirez, Ready, Rosapepe, Salling, Smith, and Zucker**

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; providing for a delayed effective date; 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.

**Senate Bill 1042 – ~~Senator Feldman~~ Senators Feldman, Astle, Benson, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe**

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.

**Senate Bill 1057 – Senator Lee**

AN ACT concerning

**Public Information Act – Denials of Inspection – Explanation Regarding Redaction**

FOR the purpose of requiring, under certain circumstances, a custodian of a public record to include in a certain written statement an explanation of why redacting information would not address the reasons for denying inspection of a public record; and generally relating to the denials of inspection of public records.

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 4–203

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

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

**Senate Bill 1075 – Senator Middleton**

**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 Health and Government Operations.

**Senate Bill 1080 – Senator Simonaire**

AN ACT concerning

**State Boat Act – Privilege to Operate a Vessel – Suspension Authority**

FOR the purpose of authorizing the Department of Natural Resources, in addition to certain other applicable penalties, to suspend for up to a certain period of time the privilege to operate a vessel on the waters of the State of a person who is convicted of a certain violation; prohibiting a person from operating a vessel on the waters of the State during a period of suspension of the privilege to operate a vessel on the waters of the State; establishing certain timing and hearing requirements before the suspension of the privilege to operate a vessel on the waters of the State; authorizing the Department to suspend the privilege to operate a vessel on the waters of the State without a hearing under certain circumstances; requiring the Department to adopt certain regulations; providing for the application of this Act; making this Act subject to a certain contingency; and generally relating to the suspension of a privilege to operate 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 Environment and Transportation.

**Senate Bill 1084 – Senator Waugh**

AN ACT concerning

~~State Finance and Procurement – Veteran-Owned Small Business Enterprises –  
Definitions~~

**Task Force on Veteran-Owned Small Business Enterprise Participation in  
Procurement**

FOR the purpose of ~~defining “small business” and “veteran” for the purposes of certain provisions of law relating to procurement from veteran-owned small business enterprises; altering the definition of “veteran-owned small business enterprise”; and generally relating to veteran-owned small business enterprises~~ establishing the Task Force on Veteran-Owned Small Business Enterprise Participation in Procurement; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; establishing the duties of the Task Force; requiring the Task Force to report its findings and recommendations to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on Veteran-Owned Small Business Enterprise Participation in Procurement.

~~BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14-601  
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 1085 – Senator Conway**

AN ACT concerning

**Morgan State University – Designation as the State’s Preeminent Public Urban  
Research Institution**

FOR the purpose of designating Morgan State University as the State’s preeminent public urban research ~~institution~~ university; requiring Morgan State University to be dedicated to the development and delivery of certain programs and services and to serve certain people in a certain manner; and generally relating to the designation of Morgan State University as the State’s preeminent public urban research ~~institution~~ university.



BY repealing and reenacting, with amendments,  
Article – Education  
Section 11–105(b)(5)(iii), 14–101(b), and 14–104(n)(1)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

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

**Senate Bill 1086 – Senator Conway**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Residency and Registered Voter Requirements**

FOR the purpose of exempting certain individuals who apply for alcoholic beverages licenses for the use of a partnership, corporation, club, or limited liability company in Baltimore City from certain residency and registered voter requirements; establishing certain requirements for the issuance of an alcoholic beverages license to a partnership, corporation, or club in Baltimore City; and generally relating to applications for 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 repealing and reenacting, with amendments,  
Article – Alcoholic Beverages  
Section 12–1401  
Annotated Code of Maryland  
(2016 Volume and 2016 Supplement)

BY repealing  
Article – Alcoholic Beverages  
Section 12–1402  
Annotated Code of Maryland  
(2016 Volume and 2016 Supplement)

BY adding to  
Article – Alcoholic Beverages  
Section 12–1401.1 and 12–1402  
Annotated Code of Maryland  
(2016 Volume and 2016 Supplement)

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

**Senate Bill 1088 – Senator Astle**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Class B Beer, Wine, and Liquor  
Licenses — ~~Fees~~**

FOR the purpose of altering the ~~annual fee~~ requirements for a Class B beer, wine, and liquor license in Anne Arundel County to authorize the license to be issued for use by a certain restaurant that regularly prepares, sells, and serves certain meals and has certain equipment and employees rather than to the owner of a certain hotel; 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 11–902

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

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

**Senate Bill 1102 – Senator Mathias**

AN ACT concerning

**Worcester County – Ocean City Convention Center – Beer and Wine Tasting  
License**

FOR the purpose of establishing in Worcester County a 1–day beer and wine tasting license; authorizing the Board of License Commissioners to issue a license to an organization representing local governments in the State for a certain purpose; prohibiting the Board from issuing more than a certain number of licenses per year; providing that an organization may apply for not more than one license per year; authorizing the holder of a license to allow the on–premises consumption, for tasting, of beer or wine on the premises of the Ocean City Convention Center under certain circumstances; providing that the license holder may serve beer and wine only in certain quantities for each offering; requiring that a certain individual who serves beer and wine have a certificate of completion of a certain alcohol awareness program; requiring an organization to apply for a license at least a certain time before the license is issued;

setting the fee for a license; and generally relating to a beer and wine tasting license in Worcester County.

BY repealing and reenacting, without amendments,  
Article – Alcoholic Beverages  
Section 33–102  
Annotated Code of Maryland  
(2016 Volume and 2016 Supplement)

BY adding to  
Article – Alcoholic Beverages  
Section 33–1305  
Annotated Code of Maryland  
(2016 Volume and 2016 Supplement)

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

**Senate Bill 1138 – Senator Zucker**

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 Economic Matters.

**Senate Bill 1144 – Senator Robinson**

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, remanufactured, or assembled by the Blind Industries and Services of Maryland;

~~providing for the application of a certain provision of law; providing for a delayed effective date;~~ 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.

### **APPROPRIATIONS COMMITTEE REPORT NO. 15**

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

**House Bill 1209 – Delegates A. Miller, Anderson, Atterbeary, B. Barnes, Chang, Dumais, Gaines, Gutierrez, Haynes, Hettleman, C. Howard, Jackson, Jones, Kelly, Knotts, Korman, Lafferty, Lam, Lierman, Morales, Pena–Melnik, Queen, Reznik, Sanchez, Valderrama, Valentino–Smith, C. Wilson, and K. Young**

AN ACT concerning

### **Sexual Assault Victims Resources Act of 2017**

**HB1209/244560/1**

BY: Appropriations Committee

#### AMENDMENTS TO HOUSE BILL 1209

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, after “budget;” insert “authorizing the Governor, under certain circumstances, to reduce a certain appropriation;”.

#### AMENDMENT NO. 2

On page 3, in line 29, after “(4)” insert “(I) IF A FEDERALLY RECOGNIZED STATE SEXUAL ASSAULT COALITION AND SEXUAL ASSAULT CRISIS PROGRAM RECEIVE A NEW AWARD OF FUNDS UNDER THE FEDERAL VICTIMS OF CRIME ACT FOR A PURPOSE FOR WHICH FUNDS ARE APPROPRIATED UNDER PARAGRAPHS (2)”.

AND (3) OF THIS SUBSECTION, THE GOVERNOR MAY REDUCE THE APPROPRIATION REQUIRED UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION BY THE AMOUNT RECEIVED UNDER THE FEDERAL VICTIMS OF CRIME ACT.

(II) THE REDUCTION AUTHORIZED UNDER THIS PARAGRAPH MAY NOT EXCEED 40% OF THE APPROPRIATION REQUIRED UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION.

(III) THE GOVERNOR MAY NOT REDUCE THE APPROPRIATION UNDER THIS PARAGRAPH IF THE FUNDS RECEIVED UNDER THE FEDERAL VICTIMS OF CRIME ACT HAVE BEEN AWARDED ON OR BEFORE JUNE 1, 2017, OR ARE AWARDED FOR CONTINUATION OF SERVICES PREVIOUSLY FUNDED BY THE FEDERAL VICTIMS OF CRIME ACT.

(5)".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB1209/563228/1**

BY: Delegate Buckel

AMENDMENT TO HOUSE BILL 1209

(First Reading File Bill)

On pages 9 and 10, strike beginning with "IN" in line 26 on page 9 down through "(I)" in line 4 on page 10.

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

Affirmative – 49    Negative – 86    (See Roll Call No. 872)

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 879 – The Speaker (By Request – Administration)**

AN ACT concerning

**Public Integrity Act of 2017**

**HB0879/730510/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 879

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 6 down through “definition” in line 30 and substitute “altering the definition of “legislative action” as it applies to certain provisions of the Maryland Public Ethics Law to include testimony and other advocacy in an official capacity before a unit of State or local government; prohibiting certain former regulated lobbyists from participating in a case, contract, or other matter as a public official or employee for a certain time period under certain circumstances; requiring the State Ethics Commission to make certain information freely available on the Internet; prohibiting certain former State officials from representing or assisting certain parties for compensation in certain matters for a certain period of time, subject to a certain exception; prohibiting an official or an employee from intentionally using the prestige of office or public position to influence, except under certain circumstances, the award of certain contracts; prohibiting an official from directly or indirectly initiating a solicitation for a person to retain the services of a particular regulated lobbyist or lobbying firm; prohibiting a public official or employee from using public resources or the title of the public official or employee to solicit certain political contributions; altering the definition of “close economic association” as it applies to provisions of the Public Ethics Law governing conflicts of interest; altering the reporting requirements for outside income that a legislator is required to make to the Joint Ethics Committee; repealing a certain requirement that the Ethics Commission develop and implement procedures for granting exemptions to electronic filing requirements for financial disclosure forms; requiring a governmental unit to provide certain employees with a list of entities that did business with the unit during a certain time period; prohibiting certain former regulated lobbyists from participating in certain cases, contracts, or matters for a certain time period under certain circumstances; requiring the Ethics Commission to make freely available on the Internet in a certain manner certain

financial disclosure statements for certain officials and candidates, subject to certain redaction; altering the debt schedule of a financial disclosure statement to require disclosure of debt owed to entities doing business with or regulated by the individual's governmental unit; altering the employment schedule of a financial disclosure statement to require certain reporting if the individual's spouse is a regulated lobbyist; repealing a requirement that the Ethics Commission hold a public hearing under certain circumstances; requiring that certain Ethics Commission regulations require certain regulated lobbyists to file certain statements of recusal under certain circumstances; altering the definition of "interest" as it applies to the Maryland Public Ethics Law to exclude exchange-traded funds; making certain technical corrections".

#### AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 29, inclusive, and substitute:

"BY repealing and reenacting, without amendments,

Article – General Provisions

Section 5–101(a), 5–501(a), and 5–513

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 5–101(t) and (v), 5–502, 5–504(d), 5–506, 5–512, 5–514(b)(1), 5–602(d),  
5–606, 5–607(g) and (i), and 5–704(f)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY adding to

Article – General Provisions

Section 5–501(a–1) and 5–602(f)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)".

#### AMENDMENT NO. 3

On page 2, after line 33, insert:

"(a) In this title the following words have the meanings indicated unless:

(1) the context clearly requires a different meaning; or

- (2) a different definition is adopted for a particular provision.”.

AMENDMENT NO. 4

On pages 2 and 3, strike in their entirety the lines beginning with line 34 on page 2 down through line 4 on page 3 and substitute:

“(t) (1) “Interest” means a legal or equitable economic interest that is owned or held wholly or partly, jointly or severally, or directly or indirectly, whether or not the economic interest is subject to an encumbrance or condition.

- (2) “Interest” does not include:

(i) an interest held in the capacity of agent, custodian, fiduciary, personal representative, or trustee, unless the holder has an equitable interest in the subject matter;

- (ii) an interest in a time or demand deposit in a financial institution;

(iii) an interest in an insurance policy, endowment policy, or annuity contract under which an insurer promises to pay a fixed amount of money in a lump sum or periodically for life or a specified period;

(iv) a common trust fund or a trust that forms part of a pension or a profit-sharing plan that:

1. has more than 25 participants; and

2. is determined by the Internal Revenue Service to be a qualified trust under the Internal Revenue Code or a qualified tuition plan established pursuant to Section 529 of the Internal Revenue Code; or

(v) a mutual fund **OR EXCHANGE-TRADED FUND** that is publicly traded on a national scale unless the mutual fund **OR EXCHANGE-TRADED FUND** is composed primarily of holdings of stocks and interests in a specific sector or area that is regulated by the individual’s governmental unit.”.

AMENDMENT NO. 5



On page 3, in line 5, in each instance, strike the bracket; in the same line, strike “(U)”; in line 9, strike “or”; and in line 10, after “veto” insert “; OR”

**(III) TESTIMONY OR OTHER ADVOCACY IN AN OFFICIAL CAPACITY BEFORE A UNIT OF STATE OR LOCAL GOVERNMENT**”.

**AMENDMENT NO. 6**

On pages 3 through 7, strike in their entirety the lines beginning with line 21 on page 3 through line 4 on page 7, inclusive, and substitute:

“5–501.

(a) Except as otherwise provided in subsection (c) of this section, an official or employee may not participate in a matter if:

(1) the official or employee or a qualifying relative of the official or employee has an interest in the matter and the official or employee knows of the interest;  
or

(2) any of the following is a party to the matter:

(i) a business entity in which the official or employee has a direct financial interest of which the official or employee reasonably may be expected to know;

(ii) a business entity, including a limited liability company or a limited liability partnership, of which any of the following is an officer, a director, a trustee, a partner, or an employee:

1. the official or employee; or

2. if known to the official or employee, a qualifying relative of the official or employee;

(iii) a business entity with which any of the following has applied for a position, is negotiating employment, or has arranged prospective employment:

1. the official or employee; or

2. if known to the official or employee, a qualifying relative of the official or employee;

(iv) if the contract reasonably could be expected to result in a conflict between the private interest and the official State duties of the official or employee, a business entity that is a party to a contract with:

1. the official or employee; or

2. if known to the official or employee, a qualifying relative of the official or employee;

(v) a business entity, either engaged in a transaction with the State or subject to regulation by the official's or employee's governmental unit, in which a direct financial interest is owned by another business entity if the official or employee:

1. has a direct financial interest in the other business entity;

and

2. reasonably may be expected to know of both financial interests; or

(vi) a business entity that:

1. the official or employee knows is a creditor or an obligee of the official or employee, or of a qualifying relative of the official or employee, with respect to a thing of economic value; and

2. as a creditor or an obligee, is in a position to affect directly and substantially the interest of the official, employee, or qualifying relative.

**(A-1) A FORMER REGULATED LOBBYIST WHO IS OR BECOMES SUBJECT TO REGULATION UNDER THIS TITLE AS A PUBLIC OFFICIAL OR EMPLOYEE MAY NOT PARTICIPATE IN A CASE, CONTRACT, OR OTHER SPECIFIC MATTER AS A PUBLIC OFFICIAL OR EMPLOYEE FOR 1 CALENDAR YEAR AFTER THE TERMINATION OF THE REGISTRATION OF THE FORMER REGULATED LOBBYIST IF THE FORMER REGULATED LOBBYIST PREVIOUSLY ASSISTED OR REPRESENTED ANOTHER PARTY IN THE MATTER.**

5-502.

(a) This section does not apply to members of the General Assembly.

(b) Except as provided in subsections (c) and (d) of this section, an official or employee may not:

(1) be employed by or have a financial interest in:

(i) an entity subject to the authority of that official or employee or of the governmental unit with which the official or employee is affiliated; or

(ii) an entity that is negotiating or has entered a contract with that governmental unit or an entity that is a subcontractor on a contract with that governmental unit; or

(2) hold any other employment relationship that would impair the impartiality and independent judgment of the official or employee.

(c) The prohibitions of subsection (b) of this section do not apply:

(1) to employment or a financial interest allowed by regulation of the Ethics Commission if:

(i) the employment does not create a conflict of interest or the appearance of a conflict of interest; or

(ii) the financial interest is disclosed;

(2) to a public official who is appointed to a regulatory or licensing unit in accordance with a statutory requirement that entities subject to the jurisdiction of the unit be represented in appointments to it;

(3) as allowed by regulations adopted by the Ethics Commission, to an employee whose government duties are ministerial, if the private employment or financial interest does not create a conflict of interest or the appearance of a conflict of interest; or

(4) to a member of a board who holds the employment or financial interest when appointed if the employment or financial interest is disclosed publicly to the

appointing authority, the Ethics Commission, and, if applicable, the Senate of Maryland before Senate confirmation.

(d) (1) Subject to paragraph (2) of this subsection, the Ethics Commission may exempt a public official of an executive unit or an employee of an executive unit from the prohibitions of subsection (b) of this section if the Ethics Commission determines that:

(i) failure to grant the exemption would limit the ability of the State to:

1. recruit and hire highly qualified or uniquely qualified professionals for public service; or

2. assure the availability of competent services to the public;  
and

(ii) the number of exemptions granted under this subsection has not eroded the purposes of subsection (b) of this section or other provisions of this title.

(2) (i) The Ethics Commission may grant an exemption under paragraph (1) of this subsection only:

1. in extraordinary situations; and

2. on the recommendation of the Governor, at the request of the executive unit involved.

(ii) The Ethics Commission shall apply this subsection as consistently as possible under similar facts and circumstances.

**(E) THE ETHICS COMMISSION SHALL MAKE FREELY AVAILABLE ON THE INTERNET DOCUMENTATION OF A DISCLOSURE REQUIRED UNDER SUBSECTION (C)(4) OF THIS SECTION.”.**

#### AMENDMENT NO. 7

On page 7, in lines 6 and 7, strike “OR A FORMER OFFICIAL OR EMPLOYEE OF THE LEGISLATIVE BRANCH OR EXECUTIVE BRANCH”; in line 14, after “(i)” insert “**IN THIS PARAGRAPH, “LEGISLATIVE ACTION” DOES NOT INCLUDE TESTIMONY OR**

OTHER ADVOCACY IN AN OFFICIAL CAPACITY BEFORE A UNIT OF STATE OR LOCAL GOVERNMENT;

(II)”;

in the same line, strike “(ii)” and substitute “(III)”; strike beginning with “OFFICIAL” in line 19 down through the second “BRANCH” in line 20 and substitute “GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, OR STATE TREASURER”; in line 22, strike “OR EMPLOYEE”; strike beginning with “EMPLOYMENT” in line 23 down through “BRANCH” in line 24 and substitute “STATE OFFICE”; in line 25, strike “(ii)” and substitute “(III)”; in the same line, strike “(i)” and substitute “(II)”; strike beginning with “OFFICIAL” in line 26 down through the second “BRANCH” in line 27 and substitute “GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, OR STATE TREASURER”; in line 32, after “position” insert “:

(I)”;

and in the same line, after “another” insert “;OR

(II) TO INFLUENCE, EXCEPT AS PART OF THE OFFICIAL DUTIES OF THE OFFICIAL OR EMPLOYEE OR AS A USUAL AND CUSTOMARY CONSTITUENT SERVICE WITHOUT ADDITIONAL COMPENSATION, THE AWARD OF A STATE OR LOCAL CONTRACT TO A SPECIFIC PERSON”.

AMENDMENT NO. 8

On page 8, in line 2, after “THE” insert “COMPENSATED”; and after line 5, insert:

“(C) A PUBLIC OFFICIAL OR EMPLOYEE MAY NOT USE PUBLIC RESOURCES OR THE TITLE OF THE PUBLIC OFFICIAL OR EMPLOYEE TO SOLICIT A POLITICAL CONTRIBUTION THAT IS REGULATED IN ACCORDANCE WITH THE ELECTION LAW ARTICLE.”.

AMENDMENT NO. 9

On pages 8 through 23, strike in their entirety the lines beginning with line 6 on page 8 through line 26 on page 23, inclusive, and substitute:

“5-512.

(a) (1) In this section, “close economic association” means the association between a legislator and:

(i) the legislator’s:

1. employer;

2. employee; or

3. partner in a business or professional enterprise;

(ii) a partnership, limited liability partnership, or limited liability company in which the legislator has invested capital or owns an interest;

(iii) a corporation in which the legislator owns the lesser of:

1. 10% or more of the outstanding capital stock; or

2. capital stock with a cumulative value of ~~[\$25,000]~~  
\$35,000 or more; [and]

(iv) a corporation in which the legislator is an officer, a director, or an agent; AND

(V) AN ENTITY WITH WHICH THE LEGISLATOR IS NEGOTIATING EMPLOYMENT OR HAS ARRANGED PROSPECTIVE EMPLOYMENT.

(2) “Close economic association” does not include a legislator’s ownership of stock directly through a mutual fund, AN EXCHANGE–TRADED FUND, a retirement plan, or any other similar commingled investment vehicle the individual investments of which the legislator does not control or manage.

(b) (1) An interest of a member of the General Assembly conflicts with the public interest if the legislator’s interest tends to impair the legislator’s independence of judgment.

(2) The conflict disqualifies the legislator from participating in any legislative action, or otherwise attempting to influence any legislation, to which the conflict relates.

(c) It is presumed that an interest disqualifies a legislator from participating in legislative action whenever the legislator:

(1) has or acquires a direct interest in an enterprise that would be affected by the legislator's vote on proposed legislation, unless the interest is common to all members of:

(i) a profession or occupation of which the legislator is a member; or

(ii) the general public or a large class of the general public;

(2) benefits financially from a close economic association with a person whom the legislator knows has a direct interest in an enterprise or interest that would be affected by the legislator's participation in legislative action, differently from other like enterprises or interests;

(3) benefits financially from a close economic association with a person who is lobbying for the purpose of influencing legislative action; or

(4) solicits, accepts, or agrees to accept a loan, other than a loan from a commercial lender in the normal course of business, from a person who would be affected by or has an interest in an enterprise that would be affected by the legislator's participation in legislative action.

5-513.

(a) (1) Except as provided in paragraph (2) of this subsection, the disqualification arising under § 5-512 of this subtitle is suspended if a legislator with an apparent or presumed conflict files with the Joint Ethics Committee a sworn statement that:

(i) describes the circumstances of the apparent or presumed conflict and the legislation or class of legislation to which it relates; and

(ii) asserts that the legislator is able to participate in legislative action relating to the legislation fairly, objectively, and in the public interest.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, the disqualification arising under § 5–512 of this subtitle may not be suspended if the conflict is direct and personal to:

1. the legislator;
2. a member of the legislator’s immediate family; or
3. the legislator’s employer.

(ii) This paragraph does not apply to a vote on:

1. the annual operating budget bill, in its entirety; or
2. the annual capital budget bill, in its entirety.

(b) (1) Whenever a legislator files a statement described in subsection (a)(1) of this section, the Joint Ethics Committee on its own motion may issue a statement concerning the propriety of the legislator’s participation in the particular legislative action, with reference to the applicable ethical standards.

(2) The suspension of the disqualification by the filing of the statement is subject to further action by the Joint Ethics Committee if the question of conflict comes before the Committee as to the same circumstances and the same legislator.

(c) A member who is disqualified from participating in legislative action under subsection (a)(2)(i) of this section, or who chooses to be excused from participating in legislative action on a bill or class of bills because of the appearance or presumption of a conflict, shall file in a timely manner a statement with the Joint Ethics Committee that describes the circumstances of the apparent or presumed conflict.

(d) All statements filed under this section shall be:

(1) filed electronically on a form required by the Joint Ethics Committee;  
and



(2) maintained as a matter of public record as required in subsection (e) of this section.

(e) (1) The Department of Legislative Services shall:

(i) compile the statements filed under this section;

(ii) make the statements available for public inspection as provided in the Public Information Act; and

(iii) as to statements filed on or after January 1, 2013, make the statements freely available to the public on the Internet through an online registration program.

(2) As to each statement, the Internet posting shall indicate:

(i) whether the Joint Ethics Committee has made a determination under subsection (b) of this section;

(ii) the determination made, if any; and

(iii) the date, if any, on which the determination was made.

5-514.

(b) (1) A legislator shall report the following information in writing to the Joint Ethics Committee at the times and in the manner required by the Joint Ethics Committee:

(i) subject to paragraph (2) of this subsection, if representing a person for compensation before a State or local government agency, except in a judicial proceeding or in a quasi-judicial proceeding, the name of the person represented, the services performed, and the consideration;

(ii) if representing a State or local government agency for compensation, the name of the agency, the services performed, and the consideration;

(iii) the name of any business enterprise subject to regulation by a State agency in which the legislator and a member of the legislator's immediate family (spouse and children living with the legislator), together or separately, have:

1. the lesser of:

A. 10% or more of the capital stock of any corporation; or

B. capital stock of any corporation with a cumulative value of [\$25,000] **\$35,000** or more; and

2. any interest in a partnership, limited liability partnership, or limited liability company;

(iv) details of any contractual relationship with a governmental entity of the State or a local government in the State, including the subject matter and the consideration;

(v) details of any transaction with a governmental entity of the State or a local government in the State involving a monetary consideration; [and]

(vi) [any primary employment or business interest and the employer of the legislator or the spouse of the legislator,] except for employment as a legislator, **THE NAME OF ANY:**

1. **PRIMARY EMPLOYER OF THE LEGISLATOR;**

2. **PRIMARY EMPLOYER OF THE LEGISLATOR'S SPOUSE;**

**AND**

3. **BUSINESS FROM WHICH THE LEGISLATOR OR THE LEGISLATOR'S SPOUSE RECEIVES EARNED INCOME AS A RESULT OF AN OWNERSHIP INTEREST IN THE BUSINESS;**

(VII) **EXCEPT IN A JUDICIAL OR QUASI-JUDICIAL PROCEEDING, THE NAME OF ANY CLIENT OF THE LEGISLATOR OR A BUSINESS ENTITY IN WHICH THE LEGISLATOR HAS OWNERSHIP INTEREST IF THE LEGISLATOR:**

1. IS ASSISTING THE CLIENT OR BUSINESS ENTITY IN SEEKING A STATE OR LOCAL GOVERNMENT CONTRACT, LICENSE, OR OTHER COMPETITIVE AWARD; AND

2. WILL RECEIVE OR EXPECTS TO RECEIVE A DIRECT FINANCIAL BENEFIT AS A RESULT OF THE AWARD OF THE CONTRACT, LICENSE, OR OTHER COMPETITIVE AWARD TO THE CLIENT OR BUSINESS ENTITY; AND

(VIII) IF THE LEGISLATOR'S SPOUSE IS AN INDIVIDUAL REGULATED LOBBYIST, THE NAME OF EACH ENTITY THAT HAS ENGAGED THE LOBBYIST FOR LOBBYING PURPOSES.

5-602.

(d) (1) The Ethics Commission shall develop and implement procedures[:

(i) for the electronic filing of a statement under this subtitle[: and

(ii) for the Ethics Commission to grant an exemption to the requirement under subsection (a)(1) of this section].

(2) (i) To comply with the requirement of paragraph (1) of this subsection, the Ethics Commission may adopt regulations to modify the format for disclosure of information required under § 5-607 of this subtitle.

(ii) The regulations adopted under this paragraph shall be consistent with the intent of this title.

(F) ON OR BEFORE JANUARY 15 OF EACH YEAR, A GOVERNMENTAL UNIT SHALL PROVIDE AN INDIVIDUAL WHO IS EMPLOYED BY THE GOVERNMENTAL UNIT AND WHO IS REQUIRED TO FILE A STATEMENT UNDER THIS SUBTITLE A LIST OF ENTITIES THAT DID BUSINESS WITH THE GOVERNMENTAL UNIT DURING THE PRECEDING CALENDAR YEAR.

5-606.

(a) (1) (I) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE Ethics Commission and the Joint Ethics Committee shall maintain the

statements submitted under this subtitle and, during normal office hours, make the statements available to the public for examination and copying.

[(2)] (II) The Ethics Commission and the Joint Ethics Committee may charge a reasonable fee and adopt administrative procedures for the examination and copying of a statement.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, FOR STATEMENTS SUBMITTED ON OR AFTER JANUARY 1, 2019, THE ETHICS COMMISSION SHALL MAKE FREELY AVAILABLE TO THE PUBLIC ON THE INTERNET, THROUGH AN ONLINE REGISTRATION PROGRAM, A FINANCIAL DISCLOSURE STATEMENT REQUIRED UNDER § 5–601(A) OF THIS SUBTITLE AND A PRELIMINARY DISCLOSURE REQUIRED UNDER § 5–602(C) OF THIS SUBTITLE THAT IS FILED BY:

(I) A STATE OFFICIAL;

(II) A CANDIDATE FOR OFFICE AS A STATE OFFICIAL; OR

(III) A SECRETARY OF A PRINCIPAL DEPARTMENT IN THE EXECUTIVE BRANCH.

(3) (I) THE ETHICS COMMISSION AND THE JOINT ETHICS COMMITTEE MAY NOT PROVIDE PUBLIC ACCESS TO A PORTION OF A STATEMENT THAT INCLUDES AN INDIVIDUAL’S HOME ADDRESS.

(II) THE ETHICS COMMISSION, IN CONSULTATION WITH THE JOINT ETHICS COMMITTEE, SHALL ADOPT REGULATIONS TO PREVENT PUBLIC DISCLOSURE OF THE HOME ADDRESS OF AN INDIVIDUAL.

(b) (1) The Ethics Commission and the Joint Ethics Committee shall maintain a record of:

(i) the name and home address of each individual who examines or copies a statement under this section; and

(ii) the name of the individual whose statement was examined or copied.

(2) On the request of the individual whose statement was examined or copied, the Ethics Commission or the Joint Ethics Committee shall forward to that individual a copy of the record specified in paragraph (1) of this subsection.

5-607.

(g) (1) The statement shall include a schedule, to the extent the individual may reasonably be expected to know, of each debt, excluding retail credit accounts, owed at any time during the applicable period to entities doing business with [the State] OR REGULATED BY THE INDIVIDUAL'S GOVERNMENTAL UNIT:

(i) by the individual; and

(ii) if the individual was involved in the transaction giving rise to the debt, by any member of the immediate family of the individual.

(2) For each debt, the schedule shall include:

(i) the identity of the entity to which the debt was owed;

(ii) the date it was incurred;

(iii) the amount owed at the end of the applicable period;

(iv) the terms of payment;

(v) the extent to which the principal was increased or decreased during the applicable period; and

(vi) any security given.

(i) (1) Except as provided in paragraph (2) of this subsection, the statement shall include a schedule listing the name and address of each:

(i) place of salaried employment, including secondary employment, of the individual or a member of the individual's immediate family at any time during the applicable period; [and]

(ii) business entity of which the individual or a member of the individual's immediate family was a sole or partial owner, and from which the individual or family member received earned income, at any time during the applicable period; AND

**(III) IF THE INDIVIDUAL'S SPOUSE IS A REGULATED LOBBYIST, ENTITY THAT HAS ENGAGED THE SPOUSE FOR LOBBYING PURPOSES.**

(2) The statement may not include a listing of a minor child's employment or business entities of which the child is sole or partial owner, unless the place of employment or the business entity:

(i) is subject to the regulation or authority of the agency that employs the individual; or

(ii) has contracts in excess of \$10,000 with the agency that employs the individual.

5–704.

(f) (1) Except as provided in paragraph (2) of this subsection, each registration shall terminate on the earlier of:

(i) the October 31 following the filing of the registration; or

(ii) an earlier termination date specified in the certification filed with respect to that registration under § 5–703 of this subtitle.

(2) A regulated lobbyist may terminate the registration before the date specified in paragraph (1) of this subsection by:

(i) ceasing all activity that requires registration; and

(ii) after ceasing activity in accordance with item (i) of this paragraph:

1. filing a notice of termination with the Ethics Commission;  
and

2. filing all reports required by this subtitle within 30 days after the filing of the notice of termination.

(3) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, if a regulated lobbyist is or becomes subject to regulation under this title as an official or employee, the regulated lobbyist shall immediately terminate the registration in accordance with paragraph (2) of this subsection.

(ii) [After holding a public hearing, the] **THE** Ethics Commission shall adopt regulations establishing criteria under which a regulated lobbyist may serve on a State board or commission.

(iii) The regulations adopted under subparagraph (ii) of this paragraph shall:

1. establish a classification of State boards or commissions on which regulated lobbyists may serve;

2. at a minimum authorize a regulated lobbyist to serve as an appointed member of an advisory governmental body of limited duration; [and]

3. as to a regulated lobbyist who serves on a State board or commission, establish disclosure requirements that are substantially similar to disclosure requirements [for members of the General Assembly] **UNDER § 5-514 OF THIS TITLE; AND**

**4. REQUIRE A REGULATED LOBBYIST WHO SERVES ON A BOARD OR COMMISSION AND IS DISQUALIFIED FROM PARTICIPATING IN A SPECIFIC MATTER BECAUSE OF A CONFLICT OF INTEREST TO FILE A STATEMENT OF RECUSAL DESCRIBING THE CIRCUMSTANCES OF THE CONFLICT TO BE INCLUDED IN THE MINUTES OF THE MEETING.”.**

#### AMENDMENT NO. 10

On page 23, in line 27, strike “3.” and substitute “2.”.

The preceding 10 amendments were read and adopted.

Favorable report, as amended, adopted.

## FLOOR AMENDMENT

**HB0879/433929/1**

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 879, AS AMENDEDAMENDMENT NO. 1

On page 2 of the Environment and Transportation Committee Amendments (HB0879/730510/1), in line 9 of Amendment No. 1, after “funds;” insert “establishing the Citizens’ Advisory Board for Legislative Ethics; providing for the composition of the Board; specifying the qualifications that a member of the public must meet to be appointed to the Board; requiring the Board to meet regularly with the Committee to offer certain advice, comments, and suggestions; defining a certain term;”.

On page 2 of the Environment and Transportation Committee Amendments, in line 17 of Amendment No. 2, after “Supplement)” insert:

“BY adding to

Article – State Government

Section 2–710

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 22 of the Environment and Transportation Committee Amendments, in line 18 of Amendment No. 9, after “MEETING.” insert:

“Article – State Government

2–710.

**(A) IN THIS SECTION, “BOARD” MEANS THE CITIZENS’ ADVISORY BOARD FOR LEGISLATIVE ETHICS ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.**

**(B) (1) THERE IS A CITIZENS’ ADVISORY BOARD FOR LEGISLATIVE ETHICS.**

**(2) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:**



(I) TWO MEMBERS OF THE PUBLIC, APPOINTED BY THE PRESIDENT OF THE SENATE;

(II) TWO MEMBERS OF THE PUBLIC, APPOINTED BY THE SPEAKER OF THE HOUSE;

(III) ONE MEMBER OF THE PUBLIC, APPOINTED BY THE MINORITY LEADER OF THE SENATE OF MARYLAND; AND

(IV) ONE MEMBER OF THE PUBLIC, APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF DELEGATES.

(3) TO BE APPOINTED TO THE BOARD, A MEMBER OF THE PUBLIC:

(I) MUST BE AN ADULT WHO IS A RESIDENT OF THE STATE; AND

(II) MAY NOT BE:

1. A FORMER MEMBER OF THE GENERAL ASSEMBLY; OR

2. A STATE OR LOCAL ELECTED OFFICIAL.

(C) THE BOARD SHALL MEET REGULARLY WITH THE COMMITTEE TO OFFER ADVICE, COMMENTS, AND SUGGESTIONS REGARDING POLICIES, PROCEDURES, PROCESSES, AND OTHER NONADJUDICATORY MATTERS.”.

The preceding 2 amendments were read only.

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

The motion was adopted.

Delegate Barve, Chair, for the Committee on Environment and Transportation reported favorably with amendments:

**House Bill 1133 – Delegates Wivell and McKay**

AN ACT concerning

**Washington County – State Highway Rights-of-Way – Tree Planting and Signs****HB1133/300615/1**

BY: Environment and Transportation Committee

**AMENDMENTS TO HOUSE BILL 1133**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike “and McKay” and substitute “, McKay, Beidle, Cassilly, Folden, Jacobs, and Otto”; in lines 3 and 6, in each instance, after “a” insert “certain”; in line 16, after “Act,” insert “requiring the Administration to coordinate with certain individuals and entities to minimize the fiscal impact on the Transportation Trust Fund”; in line 17, after “terms,” insert “providing for the application of this Act”; and in the same line, after “in” insert “certain”.

**AMENDMENT NO. 2**

On page 2, in line 15, after “(3)” insert ““HIGHWAY” HAS THE MEANING STATED IN § 8–101 OF THE TRANSPORTATION ARTICLE.

(4)”;

in line 20, strike “IN” and substitute “TO THE PORTION OF THE FOLLOWING HIGHWAYS IN”; and in the same line, after “COUNTY” insert “:

(1) STATE ROUTE 64;

(2) STATE ROUTE 67;

(3) STATE ROUTE 418; AND

(4) U.S. ROUTE 40 ALTERNATE”.

On page 3, in line 3, strike “OWNER” and substitute “UTILITY”.

On page 4, in line 10, strike “IN” and substitute “:

(I) IN”;

in lines 13, 14, 15, 16, 17, and 18, strike “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, “5.”, and “6.”, respectively; and in line 18, after “(A)” insert “;AND

(II) TO THE PORTION OF THE FOLLOWING HIGHWAYS IN WASHINGTON COUNTY:

1. STATE ROUTE 64;
2. STATE ROUTE 67;
3. STATE ROUTE 418; AND
4. U.S. ROUTE 40 ALTERNATE”.

On page 5, in line 9, after “(V)” insert “IN ORDER TO MINIMIZE THE FINANCIAL IMPACT ON THE TRANSPORTATION TRUST FUND, THE STATE HIGHWAY ADMINISTRATION SHALL COORDINATE WITH THE FOLLOWING:

1. THE MARYLAND DEPARTMENT OF THE ENVIRONMENT;
2. THE APPROPRIATE SOIL CONSERVATION DISTRICT;
3. THE APPROPRIATE COUNTY GOVERNMENT; AND
4. THE APPROPRIATE PRIVATE LANDOWNER.

(VI)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 873)

**ADJOURNMENT**

At 12:18 P.M. on motion of Delegate Frick the House adjourned in memory of former Delegate William Delany until 10:00 A.M. on Legislative Day March 19, 2017, Calendar Day, Wednesday, March 22, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 19, 2017**  
**Calendar Day: Wednesday, March 22, 2017**  
**10:00 A.M. Session**

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The House met at 10:22 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate William Folden of Frederick County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 874)

**EXCUSED:**

Del. Anderton – business – Board of Public Works meeting

Del. Barkley – late – business

Del. Carr – personal

Del. Holmes – illness

Del. Reznik – late – business

Del. Robinson – late – business

The Journal of March 21, 2017 was read and approved.

**MESSAGE FROM THE SENATE**

**INTRODUCTORY SENATE BILLS NO. 35**

**Senate Bill 355 – Senators Serafini and Astle**

AN ACT concerning

**Gas Companies – Rate Regulation – Environmental Remediation Costs**

FOR the purpose of authorizing the Public Service Commission, when determining certain expenses while setting a just and reasonable rate for a gas company, to include certain costs incurred by the gas company for performing certain environmental remediation of certain real property; authorizing that certain environmental remediation costs be included in a gas company's certain expenses regardless of certain circumstances; prohibiting inclusion of certain environmental remediation costs in a gas company's certain expenses if a court of competent jurisdiction makes a certain determination; requiring the Commission to balance certain interests when

setting a certain recovery schedule; requiring certain financial benefits accruing to a gas company to be credited to certain customers under a certain circumstance and in a certain manner; defining a certain term; and generally relating to natural gas rate regulations and environmental remediation.

BY adding to

Article – Public Utilities

Section 4–211

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

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

**Senate Bill 522 – Senators King, DeGrange, Feldman, Ferguson, Guzzone, Manno, Mathias, Peters, Rosapepe, and Smith**

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 prohibiting~~ the carryforward of the credit; requiring the Department to adopt certain regulations; requiring the Comptroller, in consultation with the Department, to report to the General Assembly on or before a certain date; defining certain terms; providing for the application and termination 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~~ (2016 Replacement Volume ~~and 2016 Supplement)~~

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

**Senate Bill 622 – Senators Eckardt, Bates, Cassilly, Edwards, Hershey, Hough, Jennings, Klausmeier, Middleton, Muse, Ready, Salling, Serafini, Simonaire, Waugh, and Young**

AN ACT concerning

**Sales and Use Tax – Tax-Free Period for Back-to-School Shopping – Sale of Backpacks and Bookbags**

FOR the purpose of altering a certain sales and use tax exemption to include certain backpacks and bookbags, subject to certain limitations; and generally relating to the designation of a certain annual sales tax-free period in the State.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11-228

Annotated Code of Maryland

(2016 Replacement Volume)

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

**Senate Bill 641 – Senator Manno**

AN ACT concerning

**Income Tax Credit – Endow Maryland – Credit Amounts**

FOR the purpose of altering the total amount of State income tax credits the Department of Housing and Community Development is authorized to issue in a taxable year for donations to certain qualified permanent endowment funds at certain community foundations; providing for the application of this Act; and generally relating to a State income tax credit for certain donations to certain endowment funds.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10-736

Annotated Code of Maryland

(2016 Replacement Volume)

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

**Senate Bill 823 – ~~Senator Eckardt~~ Senators Eckardt and Ferguson**

AN ACT concerning

**Task Force to Study Tax Sales in Maryland**

FOR the purpose of establishing the Task Force to Study Tax Sales in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its

findings and recommendations to 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 Tax Sales in Maryland.

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

**Senate Bill 853 – Senators Madaleno, Benson, Currie, Ferguson, Kagan, Kelley, Manno, McFadden, Nathan–Pulliam, and Smith**

AN ACT concerning

**Transitional Supports for Ex–Offenders – Repeal of Restrictions  
(Maryland Equal Access to Food Act of 2017)**

FOR the purpose of repealing certain provisions of law subjecting certain individuals convicted of certain felonies involving a controlled dangerous substance who apply for temporary cash assistance or food stamps to certain testing and treatment requirements and sanctions; altering the criminal violations that make certain recipients ineligible for temporary cash assistance or food stamps for a certain period of time after a certain date and subject to certain testing and treatment requirements and sanctions; and generally relating to participation in the temporary cash assistance and food stamp programs.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 5–601

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

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

**Senate Bill 873 – Senator Madaleno (By Request – Tax Credit Evaluation Committee) and Senators Kasemeyer, Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, King, Manno, McFadden, Peters, and Serafini**

AN ACT concerning

**Economic Development – Job Creation Tax Credit – Alteration**

FOR the purpose of altering the definitions of “qualified position” and “State priority funding area” for purposes of the job creation tax credit program; altering a requirement related to the number of positions a person is required to create in order to be eligible for the tax credit; authorizing the Department of Commerce to require that certain information be verified by the Department of Labor, Licensing, and Regulation rather than by an independent auditor; requiring the Department of Commerce to certify the amount of the tax credit for which a qualified business entity is eligible; altering the calculation of the credits earned under the program;



prohibiting the Department of Commerce from certifying tax credits in a taxable year in excess of a certain amount; altering the manner in which the tax credit shall be claimed; repealing an authorization allowing the Department of Commerce to require that certain information be verified by a certain independent auditor; altering the contents of a certain report that the Department of Commerce is required to submit; requiring the Maryland Insurance Commissioner to submit a certain report; making a conforming change; providing for the application of this Act; and generally relating to the job creation tax credit program.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 6–301(a)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 6–301(d)(1) and (f), 6–303(b) and (e), 6–304, 6–305(c), 6–307, and 6–309

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

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

### **Senate Bill 971 – Senator Kagan**

AN ACT concerning

#### **Procurement – Nondiscrimination Clauses and State Policy Prohibiting Discrimination**

FOR the purpose of altering the requirements for a certain nondiscrimination clause that prohibits certain discrimination by a contractor against an employee or applicant for employment; ~~requiring a certain contract for procurement to include a certain nondiscrimination clause that prohibits certain discrimination by a contractor in the formation or composition of a certain board of directors; providing that it is the policy of the State not to enter into a contract with a certain business entity that has discriminated in the formation or composition of a board of directors on the basis of certain characteristics;~~ requiring the Maryland Commission on Civil Rights, in conjunction with the Department of Commerce, to conduct a certain study and report to the General Assembly on or before a certain date; and generally relating to nondiscrimination clauses and policies prohibiting discrimination in procurement.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 13–219 and ~~19–101~~ 19–102

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 995 – Senator Rosapepe**

AN ACT concerning

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

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 certain food that exceed the average daily receipts from the sale of alcoholic beverages; establishing an investment requirement for a license applicant if the movie theater is located in a certain area; establishing the hours for sale under the Class BLX movie theater license; providing that the holder of a Class BLX movie theater license may serve only certain customers; 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 26–1606, 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 Rules and Executive Nominations.

**Senate Bill 1099 – Senator Nathan–Pulliam**

**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.

**Senate Bill 1106 – Senator Zucker**

AN ACT concerning

**Health Care Practitioners – Use of Teletherapy**

FOR the purpose of authorizing certain health care practitioners to use teletherapy for a certain patient under certain circumstances; ~~establishing certain requirements for the technology a health care practitioner uses for teletherapy; requiring a health care practitioner to make a certain identification and establish certain safety protocols before a certain teletherapy session; requiring a health care practitioner and a patient to execute an informed consent agreement that includes certain information and establish certain protocols to be used under certain circumstances before a certain teletherapy session; prohibiting a health occupations board from refusing to issue a certain license or certificate to a certain individual who intends to provide certain services to a certain patient only by using teletherapy if the individual satisfies certain requirements; requiring certain health occupations boards to adopt certain regulations on or before a certain date; defining certain terms; providing for a delayed effective date for certain provisions of this Act; and generally relating to the use of teletherapy by health care practitioners.~~

BY adding to

Article – Health Occupations

Section 1-901 through ~~1-905~~ 1-903 to be under the new subtitle “Subtitle 9.  
Teletherapy”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

**Senate Bill 1171 – Harford County Senators**

AN ACT concerning

**Harford County – Alcoholic Beverages – Waiver From School Distance  
Restrictions**

FOR the purpose of altering the circumstances under which the Board of License Commissioners for Harford County may issue a waiver from certain school distance

restrictions for certain alcoholic beverages licenses; 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 22–1602  
Annotated Code of Maryland  
(2016 Volume and 2016 Supplement)

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

### **ECONOMIC MATTERS COMMITTEE REPORT NO. 18**

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

#### **Senate Bill 488 – Prince George’s County Senators**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Prince George’s County – Alcoholic Beverages Regulation Reform Act of 2017**

**SB0488/763094/1**

BY: Economic Matters Committee

#### AMENDMENTS TO SENATE BILL 488

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, strike “after a certain” and substitute “subject to confirmation by the Prince George’s County Council; requiring a confirmation”; strike beginning with the second “;” in line 5 down through “member” in line 8 and substitute “before the Prince George’s County Council to be held within a certain time; requiring members”; strike beginning with “provisions” in line 9 down through “appointment” in line 11 and substitute “certain appointment procedures for members of the Board”; strike beginning with

“transmitting” in line 13 down through “Board” in line 14 and substitute “receiving certain benefits; prohibiting certain individuals from soliciting or receiving certain benefits from certain individuals; prohibiting a member of the Board from being appointed to more than a certain number of terms”; in line 14, after “Executive” insert “, rather than the Governor,”; and in line 15, after “circumstances;” insert “providing that a vacancy appointment is subject to a certain confirmation hearing;”.

On pages 1 and 2, strike beginning with “requiring” in line 17 on page 1 down through “inspector” in line 6 on page 2 and substitute “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; requiring the Board to appoint a director, rather than an administrator; altering certain provisions relating to the salary and expenses of certain members and employees of the Board; altering the number of full-time and part-time inspectors of the Board; authorizing, except under certain circumstances, certain individuals to hold certain employment; providing that a member of the Board is subject to the same restrictions on earned income as certain individuals are under a certain provision of law”.

On page 2, in line 6, after “providing” insert “that”; in line 10, after “filed;” insert “requiring that the Office of Legislative Audits conduct a certain audit of the Board and focus on certain matters; authorizing the employees and authorized representatives of the Office of Legislative Audits to have access to certain records for a certain purpose; exempting certain audit reports from the requirement that the Legislative Auditor send copies of audit reports to certain individuals; requiring that certain audit reports be sent to certain persons;”; in line 12, after “Act;” insert “requiring the County Executive to employ an outside professional consultant to review certain standard operating procedures, make a certain comparison, and recommend certain changes;”; in line 13, after “changes;” insert “defining a certain term; altering a certain definition;”; strike beginning with “the” in line 13 down through the second “of” in line 14; in line 23, strike “, 26–205, and” and substitute “through”; in line 28, after “Section” insert “26–206.1 and”; and after line 30, insert:

“BY repealing and reenacting, without amendments,

Article – General Provisions

Section 5–809(a)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 5–809(b)  
Annotated Code of Maryland  
(2014 Volume and 2016 Supplement)

BY adding to  
Article – State Government  
Section 2–1220(g)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–1223(a) and 2–1224(a), (d), and (e)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 2–1224(b) and (c)  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)”.

#### AMENDMENT NO. 2

On page 2, in line 38, after “Board” insert “**SUBJECT TO CONFIRMATION BY THE COUNTY COUNCIL**”.

On page 3, strike beginning with “The” in line 1 down through “VACANT” in line 12 and substitute:

**“(I) WITHIN 60 DAYS AFTER NOMINATION BY THE COUNTY EXECUTIVE, AND NOT LESS THAN 7 DAYS BEFORE A CONFIRMATION VOTE ON A NOMINEE IS SCHEDULED, THE COUNTY COUNCIL SHALL HOLD A PUBLIC CONFIRMATION HEARING FOR AN INDIVIDUAL NOMINATED TO THE BOARD.**

**“(II) IF THE COUNTY COUNCIL DOES NOT HOLD A PUBLIC HEARING AS REQUIRED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE NOMINEE SHALL BECOME A MEMBER OF THE BOARD”.**

On pages 3 and 4, strike beginning with “(1)” in line 13 on page 3 down through “(3)” in line 10 on page 4 and substitute “(1)”.

On page 4, after line 13, insert:

**“(2) EACH MEMBER OF THE BOARD SHALL HAVE:**

**(I) LEGAL EXPERIENCE;**

**(II) PUBLIC SAFETY EXPERIENCE;**

**(III) REGULATORY EXPERIENCE; OR**

**(IV) BUSINESS MANAGEMENT EXPERIENCE.**

**(3) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE BOARD, THE COUNTY EXECUTIVE SHALL CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, AND GENDER DIVERSITY ON THE BOARD.”;**

in line 25, strike “or”; and in line 29, after “holder” insert “;

**(V) SOLICIT OR RECEIVE, DIRECTLY OR INDIRECTLY OR ON BEHALF OF ANOTHER PERSON, A COMMISSION, POLITICAL CONTRIBUTION, REMUNERATION, OR GIFT FROM A PERSON ENGAGED IN THE MANUFACTURE, DISTRIBUTION, OR SALE OF ALCOHOLIC BEVERAGES OR AN AGENT OR EMPLOYEE OF THE PERSON; OR**

**(VI) SOLICIT OR RECEIVE, DIRECTLY OR INDIRECTLY, A COMMISSION, REMUNERATION, OR GIFT FROM A LICENSE HOLDER”.**

On page 5, in line 6, strike the brackets; strike beginning with the semicolon in line 7 down through “**BOARD**” in line 8; after line 11, insert:

**“(3) A MEMBER MAY NOT BE APPOINTED TO MORE THAN THREE TERMS.”;**

after line 16, insert:

“(3) AN APPOINTMENT MADE TO FILL A VACANCY IS SUBJECT TO A CONFIRMATION HEARING BY THE COUNTY COUNCIL UNDER SUBSECTION (A) OF THIS SECTION.”;

in line 23, strike the brackets; in the same line, strike “COUNTY ATTORNEY”; and in line 24, after the closing bracket insert “COUNTY EXECUTIVE’S”.

On page 6, after line 5, insert:

“26–203.

In making the appointments, the [Governor] COUNTY EXECUTIVE shall designate a chair from among the members of the Board.

26–204.

(a) The Board shall meet at least twice each month.

(b) (1) (i) The chair of the Board shall receive a salary of \$22,000 annually.

(ii) Each other member of the Board shall receive a salary of \$20,000 annually.

(2) The chair and each other member of the Board are eligible for:

(i) all county health benefits; and

(ii) membership in and retirement benefits of the State Retirement and Pension System.

(3) The health benefits under paragraph (2)(i) of this subsection include hospitalization, vision care, prescriptions, dental care, life insurance, and expense reimbursement.

[(4) The County Executive and County Council may not adopt through public local law a policy contrary to paragraph (2) of this subsection.];



in line 7, strike “Board” and substitute “DIRECTOR”; in line 14, strike “an” and substitute “A”; in lines 14, 15, 17, and 20, in each instance, strike “EXECUTIVE”; in line 17, strike “SHALL” and substitute “MAY”; in line 19, strike “SET FORTH” and substitute “PROVIDED”; after line 23, insert:

“(5) THE DIRECTOR SHALL FOLLOW THE REQUIREMENTS OF SUBTITLE 16 OF THE PRINCE GEORGE’S COUNTY CODE WHILE HIRING ANY EMPLOYEES UNDER SUBSECTION (A) OF THIS SECTION.”;

and in line 25, strike “IN AN AMOUNT”.

On page 8, in line 16, strike “Board” and substitute “DIRECTOR”; and in the same line, strike “its” and substitute “THE BOARD’S”.

On page 9, in line 13, strike “UP TO”; and after line 20, insert:

“26-206.1.

(A) IN THIS SECTION, “DIRECT OR INDIRECT INTEREST” MEANS AN INTEREST THAT IS:

(1) PROPRIETARY;

(2) OBTAINED BY A LOAN, MORTGAGE, OR LIEN OR IN ANY OTHER MANNER; OR

(3) BENEFICIALLY OWNED THROUGH AN INVESTMENT VEHICLE, ESTATE, TRUST, OR OTHER INTERMEDIARY WHEN THE BENEFICIARY DOES NOT CONTROL THE INTERMEDIARY OR MAY SUPERVISE OR PARTICIPATE IN THE INTERMEDIARY’S INVESTMENT DECISIONS.

(B) (1) A MEMBER OF THE BOARD IS SUBJECT TO THE RESTRICTIONS ON EARNED INCOME THAT A FILED CANDIDATE FOR ELECTION TO THE GENERAL ASSEMBLY, A MEMBER-ELECT OF THE GENERAL ASSEMBLY, AND A MEMBER OF THE GENERAL ASSEMBLY ARE SUBJECT TO UNDER § 5-514(A)(1) OF THE GENERAL PROVISIONS ARTICLE.

(2) THE PRINCE GEORGE’S COUNTY BOARD OF ETHICS MAY EXEMPT A MEMBER OF THE BOARD FROM THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION IN THE SAME MANNER THAT THE JOINT ETHICS COMMITTEE MAY EXEMPT AN INDIVIDUAL FROM § 5-514(A)(1) OF THE GENERAL PROVISIONS ARTICLE.

(C) AN ACTION OF A MEMBER, AN INSPECTOR, OR AN EMPLOYEE OF THE BOARD IS SUBJECT TO STATE REQUIREMENTS OF THE PUBLIC INFORMATION ACT UNDER TITLE 3 OF THE GENERAL PROVISIONS ARTICLE.”.

On page 10, after line 5, insert:

“Article – General Provisions

5–809.

(a) In this section, “local official” includes an individual who is designated as a local official and whose position is funded wholly or partly by the State.

(b) (1) Except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this subsection and subsection (c) of this section, the financial disclosure provisions enacted by a county or municipal corporation under § 5–807 of this subtitle:

(i) shall be similar to the provisions of Subtitle 6 of this title; but

(ii) in accordance with regulations adopted by the Ethics Commission and consistent with the intent of this title, may be modified to the extent necessary to make the provisions relevant to the prevention of conflicts of interest in that jurisdiction.

(2) The financial disclosure provisions for elected local officials enacted by a county or municipal corporation under § 5–807 of this subtitle:

(i) shall be equivalent to or exceed the requirements of Subtitle 6 of this title; but

(ii) in accordance with regulations adopted by the Ethics Commission and consistent with the intent of this title, may be modified to the extent

necessary to make the provisions relevant to the prevention of conflicts of interest in that jurisdiction.

**(3) THE FINANCIAL DISCLOSURE PROVISIONS FOR MEMBERS OF THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY ENACTED BY PRINCE GEORGE'S COUNTY UNDER § 5-807 OF THIS SUBTITLE SHALL BE EQUIVALENT TO OR EXCEED THE REQUIREMENTS OF SUBTITLE 6 OF THIS TITLE.**

Article – State Government

2-1220.

**(G) (1) BEGINNING ON JULY 1, 2017, AND AT LEAST ONCE EVERY 3 YEARS THEREAFTER, THE OFFICE OF LEGISLATIVE AUDITS SHALL CONDUCT A PERFORMANCE AUDIT OF THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY TO EVALUATE THE EFFECTIVENESS AND EFFICIENCY OF THE MANAGEMENT PRACTICES OF THE BOARD AND OF THE ECONOMY WITH WHICH THE BOARD USES RESOURCES.**

**(2) THE PERFORMANCE AUDIT SHALL FOCUS ON OPERATIONS RELATING TO LIQUOR INSPECTIONS, LICENSING, DISCIPLINARY PROCEDURES, AND MANAGEMENT OVERSIGHT.**

2-1223.

**(a) (1) Except as prohibited by the federal Internal Revenue Code, during an examination, the employees or authorized representatives of the Office of Legislative Audits shall have access to and may inspect the records, including those that are confidential by law, of any unit of the State government or of a person or other body receiving State funds, with respect to any matter under the jurisdiction of the Office of Legislative Audits.**

**(2) In conjunction with an examination authorized under this subtitle, the access required by paragraph (1) of this subsection shall include the records of contractors and subcontractors that perform work under State contracts.**

(3) The employees or authorized representatives of the Office of Legislative Audits shall have access to and may inspect the records, including those that are confidential by law, of:

(i) any local school system to perform the audits authorized under § 2–1220 of this subtitle or in accordance with a request for information as provided in § 5–114(d) of the Education Article; [and]

(ii) the Board of Liquor License Commissioners for Baltimore City to perform the audits authorized under § 2–1220(f) of this subtitle; AND

**(III) THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE’S COUNTY TO PERFORM THE AUDITS AUTHORIZED UNDER § 2–1220(G) OF THIS SUBTITLE.**

2–1224.

(a) In this section, “unit” includes:

**(1) the Board of Liquor License Commissioners for Baltimore City; AND**

**(2) THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE’S COUNTY.**

(b) Except with the written approval of the Legislative Auditor, an employee or authorized representative of the Office of Legislative Audits shall submit any report of findings only to the Legislative Auditor.

(c) (1) On the completion of each examination, the Legislative Auditor shall submit a full and detailed report to the Joint Audit Committee.

(2) A report shall include:

(i) the findings;

(ii) any appropriate recommendations for changes in record keeping or in other conduct of the unit or body that is the subject of the report; and

(iii) any response of that unit or body, subject to procedures approved by the Joint Audit Committee.

(d) The Legislative Auditor shall send a copy of the report to:

(1) the President of the Senate and the Speaker of the House of Delegates;

(2) the Chairmen of the Senate Budget and Taxation and House Appropriations Committees;

(3) members of the General Assembly, subject to § 2-1246 of this subtitle;

(4) the Governor, unless the report is of the Board of Liquor License Commissioners for Baltimore City OR THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY;

(5) the Comptroller;

(6) the State Treasurer, unless the report is of the Board of Liquor License Commissioners for Baltimore City OR THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY;

(7) the Attorney General, unless the report is of the Board of Liquor License Commissioners for Baltimore City OR THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY;

(8) the unit or body that is the subject of the report;

(9) the Secretary of Budget and Management, unless the report is of the Board of Liquor License Commissioners for Baltimore City OR THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE'S COUNTY;

(10) the Executive Director; and

(11) any other person whom the Joint Audit Committee specifies.

(e) In addition to the requirements of subsection (d) of this section, each report of:

(1) a local school system shall be distributed to the chair of the House Ways and Means Committee and the cochairs of the Joint Committee on the Management of Public Funds; [and]

(2) the Board of Liquor License Commissioners for Baltimore City shall be distributed to the chair of the Baltimore City delegation and the chair of the Baltimore City senators; AND

(3) THE BOARD OF LICENSE COMMISSIONERS FOR PRINCE GEORGE’S COUNTY SHALL BE DISTRIBUTED TO:

(I) THE PRINCE GEORGE’S COUNTY COUNCIL;

(II) THE PRINCE GEORGE’S COUNTY EXECUTIVE;

(III) THE CHAIR OF THE PRINCE GEORGE’S COUNTY HOUSE DELEGATION TO THE GENERAL ASSEMBLY; AND

(IV) THE CHAIR OF THE PRINCE GEORGE’S COUNTY SENATE DELEGATION TO THE GENERAL ASSEMBLY.”;

in line 6, strike “the terms” and substitute “:

(a) The term”;

after line 9, insert:

“(b) A member whose term is terminated under subsection (a) of this section shall continue to serve until a successor is appointed.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The County Executive shall hire an outside professional consultant on or before September 1, 2017, to review the standard operating procedures of the Board.

(b) In conducting the review, the consultant shall:

(1) compare the standard operating procedures to best practices in the area as well as to the standard operating procedures of other boards of license commissioners throughout the State; and

(2) recommend changes to improve the operation and efficiency of the Board.

(c) The consultant shall submit a report detailing the findings and recommendations to the Prince George's County Executive, the Prince George's County Council, the Prince George's County House Delegation to the General Assembly, and the Prince George's County Senate Delegation to the General Assembly.”;

and in line 10, strike “3.” and substitute “4.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 649 – ~~Senator Middleton~~ Senators Middleton, Benson, and Oaks**

AN ACT concerning

**Public Utilities – Telephone Lifeline Service – Revisions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 875)

**CALENDAR OF THIRD READING HOUSE BILLS NO. 100**

**House Bill 1133 – Delegates Wivell ~~and McKay~~, McKay, Beidle, Cassilly, Folden, Jacobs, and Otto**

AN ACT concerning

**Washington County – State Highway Rights-of-Way – Tree Planting and Signs**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 876)

The Bill was then sent to the Senate.

**House Bill 1209 – Delegates A. Miller, Anderson, Atterbeary, B. Barnes, Chang, Dumais, Gaines, Gutierrez, Haynes, Hettleman, C. Howard, Jackson, Jones, Kelly, Knotts, Korman, Lafferty, Lam, Lierman, Morales, Pena-Melnyk, Queen, Reznik, Sanchez, Valderrama, Valentino-Smith, C. Wilson, and K. Young**

AN ACT concerning

**Sexual Assault Victims Resources Act of 2017**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 877)

The Bill was then sent to the Senate.

**LETTERS OF REASSIGNMENT**

March 22, 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:

Bill/Resolution No.  
SB 818

Reassignment  
ECM



Read and ordered journalized.

March 22, 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>
SB 1080	JUD

Read and ordered journalized.

TRIBUTE TO FALLEN HEROES BY DELEGATE C.T. WILSON OF CHARLES COUNTY.

**QUORUM CALL**

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

(See Roll Call No. 878)

**ADJOURNMENT**

At 10:52 A.M. on motion of Delegate Frick the House adjourned until 10:00 A.M. on Legislative Day March 20, 2017, Calendar Day, Thursday, March 23, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 20, 2017**  
**Calendar Day: Thursday, March 23, 2017**  
**10:00 A.M. Session**

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The House met at 10:14 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. 879)

The Journal of March 22, 2017 was read and approved.

**MESSAGE FROM THE SENATE**

**INTRODUCTORY SENATE BILLS NO. 36**

**Senate Bill 260 – Senators Bates, Eckardt, Edwards, Guzzone, Hershey, Jennings, Kasemeyer, Klausmeier, Middleton, Norman, Ready, Salling, Serafini, Simonaire, and Waugh**

AN ACT concerning

**Tax Overpayment – Interest on Refunds**

FOR the purpose of altering the day on which interest begins to accrue on certain taxpayer refunds of certain tax payments; requiring a tax collector to pay interest on certain taxpayer refunds beginning on a certain date if the overpayment is attributable to an error or a mistake of a certain entity; repealing a prohibition on a tax collector paying interest on certain refunds; and generally relating to interest on certain tax refunds.

BY repealing

Article – Tax – General

Section 13–603

Annotated Code of Maryland

(2016 Replacement Volume)

BY adding to

Article – Tax – General

Section 13–603

Annotated Code of Maryland

(2016 Replacement Volume)

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

**Senate Bill 651 – Senators Smith, Astle, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Nathan–Pulliam, Norman, Peters, Ramirez, Robinson, Salling, Young, and Zucker**

AN ACT concerning

**Public Schools – Suspensions and Expulsions**

FOR the purpose of prohibiting the suspension or expulsion of prekindergarten, kindergarten, first grade, or second grade students from public schools with certain exceptions for an expulsion required by federal law or a suspension for not more than a certain number of days under certain circumstances; requiring the principal or school administration to contact a student’s parent or guardian under certain circumstances; ~~authorizing the suspension or expulsion of students in kindergarten, first grade, or second grade under certain circumstances; requiring the school to return a suspended student to school under a certain manner;~~ requiring the school to provide certain supports to address the student’s behavior; requiring the school system to remedy the impact of the student’s behavior through certain intervention methods; requiring the State Department of Education to adopt certain regulations on or before a certain date; defining certain terms; and generally relating to the suspension and expulsion of students in public schools.

BY repealing and reenacting, with amendments,

Article – Education

Section 4–319(d) and 7–305

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 7–305.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

**Senate Bill 760 – Senators Guzzone, Benson, Feldman, King, Madaleno, Manno, Mathias, Middleton, Ramirez, Young, and Zucker**

AN ACT concerning

**Education – Grounds for Discipline**

FOR the purpose of altering certain procedures for suspending or dismissing certain public school personnel; authorizing certain public school personnel to request arbitration under certain circumstances; specifying the procedures for arbitration; assigning responsibility for certain costs; providing that an arbitrator's award is final and binding on the parties, subject to review by a circuit court; and generally relating to procedures for suspending or dismissing certain public school personnel.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–202  
Annotated Code of Maryland  
(2014 Replacement Volume and 2016 Supplement)

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

**Senate Bill 839 – Senator Serafini**

AN ACT concerning

~~State Budget – Appropriations – Funding Priorities~~  
**Workgroup on Categories for Funding Priorities in the Annual State Budget**

FOR the purpose of ~~requiring the Governor, in each proposed budget, to designate the funding priority for each General Fund appropriation; providing that certain appropriations with a certain designation may not be reduced; providing that certain appropriations with a certain designation may receive funding only under certain circumstances; requiring that certain appropriations with a certain designation be reduced under certain circumstances; and generally relating to the reduction of certain appropriations in the annual budget bill~~ establishing a Workgroup on Categories for Funding Priorities in the Annual State Budget; establishing the membership of the Workgroup; specifying the purpose of the Workgroup; requiring the Workgroup to make findings and recommendations and submit a 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 Workgroup on Categories for Funding Priorities in the Annual State Budget.

~~BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7–105 and 7–213  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)~~

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

## Senate Bill 983 – Senator Muse

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 requiring a judicial officer to make a certain determination regarding release or detention of a defendant before trial; requiring a judicial officer who makes a certain determination to impose certain pretrial conditions for certain reasons; prohibiting a judicial officer from giving preference to certain conditions; requiring a judicial officer to consider certain information; prohibiting a judicial officer from setting financial conditions of release for certain reasons; prohibiting a judicial officer from imposing certain financial conditions of release on a defendant for a certain reason; requiring a judicial officer to consider certain resources when making a certain determination; establishing the Pretrial Services Workgroup; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of a certain provision of this Act; providing for an abnormal effective date; and generally relating to pretrial release.~~

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 5–101 and 5–201  
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 Rules and Executive Nominations.

**House Bill 879 – The Speaker (By Request – Administration)**

AN ACT concerning

**Public Integrity Act of 2017**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. SZELIGA PENDING.

FLOOR AMENDMENT

**HB0879/433929/1**

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 879, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Environment and Transportation Committee Amendments (HB0879/730510/1), in line 9 of Amendment No. 1, after “funds;” insert “establishing the Citizens’ Advisory Board for Legislative Ethics; providing for the composition of the Board; specifying the qualifications that a member of the public must meet to be appointed to the Board; requiring the Board to meet regularly with the Committee to offer certain advice, comments, and suggestions; defining a certain term;”.

On page 2 of the Environment and Transportation Committee Amendments, in line 17 of Amendment No. 2, after “Supplement)” insert:

“BY adding to

Article – State Government

Section 2–710

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 22 of the Environment and Transportation Committee Amendments, in line 18 of Amendment No. 9, after “MEETING.” insert:

“Article – State Government

2–710.

(A) IN THIS SECTION, “BOARD” MEANS THE CITIZENS’ ADVISORY BOARD FOR LEGISLATIVE ETHICS ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

(B) (1) THERE IS A CITIZENS’ ADVISORY BOARD FOR LEGISLATIVE ETHICS.

(2) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:

(I) TWO MEMBERS OF THE PUBLIC, APPOINTED BY THE PRESIDENT OF THE SENATE;

(II) TWO MEMBERS OF THE PUBLIC, APPOINTED BY THE SPEAKER OF THE HOUSE;

(III) ONE MEMBER OF THE PUBLIC, APPOINTED BY THE MINORITY LEADER OF THE SENATE OF MARYLAND; AND

(IV) ONE MEMBER OF THE PUBLIC, APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF DELEGATES.

(3) TO BE APPOINTED TO THE BOARD, A MEMBER OF THE PUBLIC:

(I) MUST BE AN ADULT WHO IS A RESIDENT OF THE STATE; AND

(II) MAY NOT BE:

1. A FORMER MEMBER OF THE GENERAL ASSEMBLY; OR

2. A STATE OR LOCAL ELECTED OFFICIAL.

(C) THE BOARD SHALL MEET REGULARLY WITH THE COMMITTEE TO OFFER ADVICE, COMMENTS, AND SUGGESTIONS REGARDING POLICIES, PROCEDURES, PROCESSES, AND OTHER NONADJUDICATORY MATTERS.”.

The preceding 2 amendments were withdrawn.



## FLOOR AMENDMENT

**HB0879/393224/1**

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 879, AS AMENDEDAMENDMENT NO. 1

On page 2 of the Environment and Transportation Committee Amendments (HB0879/730510/1), in line 9 of Amendment No. 1, after “funds;” insert “establishing the Citizens’ Advisory Board for Legislative Ethics; providing for the composition of the Board; establishing certain standards and qualifications for Board membership; requiring the Board to regularly offer recommendations to the Committee and the presiding officers regarding changes to the Public Ethics Law, the policies and procedures of the Committee, and public advisory opinions of the Committee; defining a certain term;”.

On page 2 of the Environment and Transportation Committee Amendments, in line 17 of Amendment No. 2, after “Supplement)” insert:

“BY adding to

Article – State Government

Section 2–710

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 22 of the Environment and Transportation Committee Amendments, in line 18 of Amendment No. 9, after “MEETING.” insert:

“Article – State Government

2–710.

(A) IN THIS SECTION, “BOARD” MEANS THE CITIZENS’ ADVISORY BOARD FOR LEGISLATIVE ETHICS ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

(B) (1) THERE IS A CITIZENS’ ADVISORY BOARD FOR LEGISLATIVE ETHICS.

(2) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:

(I) A MEMBER OF THE PUBLIC WHO SHALL SERVE AS THE CHAIR, APPOINTED JOINTLY BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE;

(II) TWO MEMBERS OF THE PUBLIC, APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(III) TWO MEMBERS OF THE PUBLIC, APPOINTED BY THE SPEAKER OF THE HOUSE.

(3) (I) A MEMBER OF THE BOARD:

1. SHALL BE A RESIDENT OF THE STATE;

2. MAY NOT BE A STATE OR LOCAL ELECTED OFFICIAL;

AND

3. MAY NOT BE A REGULATED LOBBYIST.

(II) NO MORE THAN TWO MEMBERS OF THE BOARD AT ANY ONE TIME MAY BE FORMER MEMBERS OF THE GENERAL ASSEMBLY.

(III) THE MEMBERS OF THE BOARD SHALL BE CHOSEN SO THAT EACH POLITICAL PARTY IS REPRESENTED IN APPROXIMATELY THE SAME PROPORTION AS THE PARTY IS REPRESENTED IN THE GENERAL ASSEMBLY.

(IV) IN APPOINTING MEMBERS OF THE BOARD, THE PRESIDING OFFICERS SHALL SEEK INDIVIDUALS WITH A KNOWLEDGE OF OR BACKGROUND IN PUBLIC ETHICS.

(C) THE BOARD SHALL REGULARLY OFFER RECOMMENDATIONS TO THE COMMITTEE AND THE PRESIDING OFFICERS REGARDING CHANGES TO THE PUBLIC ETHICS LAW, THE POLICIES AND PROCEDURES OF THE COMMITTEE, AND PUBLIC ADVISORY OPINIONS OF THE COMMITTEE.”.

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 141 Members present.

(See Roll Call No. 880)

### CALENDAR OF THIRD READING SENATE BILLS NO. 3

**Senate Bill 488 – Prince George’s County Senators**

#### EMERGENCY BILL

AN ACT concerning

**Prince George’s County – Alcoholic Beverages Regulation Reform Act of 2017**

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

Affirmative – 100    Negative – 39    (See Roll Call No. 881)

The Bill was then returned to the Senate.

**Senate Bill 649 – ~~Senator Middleton~~ Senators Middleton, Benson, and Oaks**

AN ACT concerning

#### **Public Utilities – Telephone Lifeline Service – Revisions**

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

Affirmative – 141    Negative – 0    (See Roll Call No. 882)

The Bill was then returned to the Senate.

### JUDICIARY COMMITTEE REPORT NO. 9

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 24 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – State Police)**

AN ACT concerning

**Public Safety – Eyewitness Identification Policies – Repeal of Submission  
Requirement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 37 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Office of Crime Control and Prevention)**

AN ACT concerning

**Funds – Obsolete Provisions – Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 106 – Senator Ready**

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:

**Senate Bill 165 – The President (By Request – Department of Legislative Services  
– Code Revision)**

AN ACT concerning

**Code Revision – Maryland Vehicle Law – Penalties**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 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**

**SB0166/952116/1**

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 166

(Third Reading File Bill)

On page 1, strike beginning with “certain” in line 4 down through “complaint” in line 5 and substitute “a certain time limit on the filing of a certain complaint”; and in line 5, after “Board;” insert “repealing a requirement that a certain complaint be witnessed by a notary public; requiring a certain complaint to be sworn to, under penalty of perjury, by the complainant;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 372 – Carroll County Senators**

AN ACT concerning

**Carroll County – Detention Center – Polygraph Testing**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 141 Members present.

(See Roll Call No. 883)

**ADJOURNMENT**

At 10:49 A.M. on motion of Delegate Frick the House adjourned until 11:00 A.M. on Legislative Day March 21, 2017, Calendar Day, Friday, March 24, 2017.

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**Annapolis, Maryland**  
**Legislative Day: March 21, 2017**  
**Calendar Day: Friday, March 24, 2017**  
**11:00 A.M. Session**

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The House met at 11:03 A.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 137 Members present.

(See Roll Call No. 884)

EXCUSED:

Del. Beidle – funeral

Del. Healey – illness

The Journal of March 23, 2017 was read and approved.

**AMENDED IN THE SENATE**

**House Bill 150 – The Speaker (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2018)**

Delegate McIntosh moved that the House not concur in the Senate amendments.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE TO THE  
MARYLAND SENATE - 2017 SESSION - RECOMMENDATIONS, REDUCTIONS,  
AND SUMMARY OF ACTION PERTAINING TO HOUSE BILL 150 - THE BUDGET BILL

(See Exhibit Q of Appendix II)

SENATE BUDGET AND TAXATION COMMITTEE SUMMARY REPORT ON  
HOUSE BILL 150 - THE BUDGET BILL  
HOUSE BILL 152 - THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit R of Appendix II)

SENATE BUDGET AND TAXATION COMMITTEE REPRINT TO  
HOUSE BILL 150 - THE BUDGET BILL

(See Exhibit S of Appendix II)

**HB0150/399938/1**

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 150

(Third Reading File Bill – Committee Reprint)

On page 126, under:

Heading: AID TO EDUCATION

Program: R00A02.13

Entitled: Innovative Programs

In line 6 strike “21,847,000” and substitute “21,857,000”; and in line 9 strike “24,119,509” and substitute “24,129,509”.

The preceding amendment was read and not concurred in.

**HB0150/103827/1**

BY: Senator Kelley

AMENDMENT TO HOUSE BILL 150

(Third Reading File Bill – Committee Reprint)

On page 96, under:

Heading: LOCAL DEPARTMENT OPERATIONS

Program: N00G00.08

Entitled: Assistance Payments

Strike beginning with “, *provided*” in line 19 down through “*Fund*” in line 28 and substitute “, provided that \$3,500,000 of this appropriation made for the purpose of the”



Temporary Disability Assistance Program (TDAP) may be used only to increase the TDAP benefit by \$17 per month per recipient. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund. Further provided that \$500,000 of this appropriation made for the purpose of TDAP may not be expended for that purpose but instead may be transferred by budget amendment to the Department of Aging, Program D26A07.03 (Community Services) to be used only for home delivered meals. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund”.

The preceding amendment was read and not concurred in.

### MESSAGE TO THE SENATE

BILL: **HB0150**  
SPONSOR: Speaker  
SUBJECT: Budget Bill (Fiscal Year 2018)

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate McIntosh, Chair  
Delegate Gaines  
Delegate Jones  
Delegate Reznik  
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Haynes, B. Barnes and A. Miller.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**AMENDED IN THE SENATE**

**House Bill 152 – The Speaker (By Request – Administration)**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2017**

Delegate McIntosh moved that the House not concur in the Senate amendments.

**HB0152/129234/1**

BY: Budget and Taxation Committee

**AMENDMENTS TO HOUSE BILL 152**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, strike beginning with “repealing” in line 7 down through “Fund;” in line 10; in line 23, strike “for a certain fiscal year;” and substitute “and altering the maximum amount of certain fees assessed by the Commission;”; and in line 25, strike “for a certain fiscal year;” and substitute “and altering the maximum amount of certain fees assessed by the Commission;”.

On page 2, strike beginning with “information” in line 15 down through “books” in line 16 and substitute “personnel detail and strategic plan information”; strike beginning with “altering” in line 19 down through “race;” in line 21 and substitute “prohibiting the Consolidated Transportation Program from including certain capital transportation grants beyond a certain period except as authorized by law; requiring a certain financial forecast for a certain period to maximize the use of certain funds; prohibiting a certain financial forecast for a certain period from withholding or reserving certain funds for a certain purpose except as authorized by law;”; in line 24, after “year;” insert “clarifying that certain funds distributed to the Maryland State Arts Council from certain revenue distributed from the State admissions and amusement tax on electronic bingo and electronic tip jars are in addition to a certain base amount for purposes of a certain calculation;”; in line 30, after “met;” insert “requiring the Department of Health and Mental Hygiene and the Department of Human Resources to establish a certain group of stakeholders to collaborate on changes to, or redesign of, certain programs under certain circumstances; stating the intent of the General Assembly that certain actions may not be taken after a certain fiscal”.

year;"; in line 35, after "dates;" insert "requiring the State Secretary of Transportation to engage certain entities and seek agreement on certain matters; requiring the Secretary to report to and consult with, at least a certain number of times a year, the chairs of certain committees;"; in line 39, strike "certain terms" and substitute "a certain term"; in the same line, after "definition;" insert "stating certain findings of the General Assembly; repealing a certain contingency provision; extending the termination date of a certain provision of law;"; and strike in their entirety lines 42 through 46, inclusive, and substitute:

"BY repealing and reenacting, with amendments,

Article – Economic Development

Section 4–512(a) and 4–801(f)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 4–801(a)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)".

On page 3, in line 3, after "6–117.1(a)(1) and (3)" insert ", 7–123(a)(1),"; in line 9, after "6–117.1(e)(1)" insert ", 7–123(c),"; in line 14, after "6–117.1(e)(1)" insert ", 7–123(c),"; in line 19, after "6–306(b)" insert "and (c)"; in line 24, after "19–201(b)," insert "19–213(a) and (b),"; and in line 29, after "19–208(b)," insert "19–213(c),".

On page 4, after line 4, insert:

"BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–2401

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 13 of the Acts of the General Assembly of 2016)";

after line 34, insert:

"BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 11–1302(a)

Annotated Code of Maryland  
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 11–1302(e)  
Annotated Code of Maryland  
(2016 Replacement Volume)”;

and after line 39, insert:

“BY repealing and reenacting, with amendments,

Article – Local Government  
Section 16–501(e)  
Annotated Code of Maryland  
(2013 Volume and 2016 Supplement)”.

On page 5, in line 29, strike “9–117(a)(1), 9–120(b), and 9–1A–28(f)” and substitute “9–120(b)”.

On page 6, after line 1, insert:

“BY repealing and reenacting, without amendments,

Article – Transportation  
Section 2–103.1(c)(1)(i)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation  
Section 2–103.1(c)(9)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)”;

in line 4, after “Section” insert “2–103.1(m)(2) and”; and after line 15, insert:

“BY repealing

Chapter 13 of the Acts of the General Assembly of 2016  
Section 3

BY repealing and reenacting, with amendments,

Chapter 13 of the Acts of the General Assembly of 2016

Section 5

BY repealing and reenacting, with amendments,

Chapter 145 of the Acts of the General Assembly of 2016

Section 2”.

On page 40, in line 1, strike “16.” and substitute “14.”.

On page 41, in lines 1, 18, and 31, strike “17.”, “18.”, and “19.”, respectively, and substitute “15.”, “16.”, and “17.”, respectively.

On page 42, in lines 19, 24, 31, and 35, strike “20.”, “21.”, “22.”, and “23.”, respectively, and substitute “19.”, “20.”, “21.”, and “22.”, respectively; and in lines 31 and 33, in each instance, strike “17” and substitute “15”.

On page 43, in line 1, strike “22” and substitute “21”.

#### AMENDMENT NO. 2

On pages 6 through 8, strike in their entirety the lines beginning with line 18 on page 6 through line 17 on page 8, inclusive.

On page 32, in line 11, strike “AND”; in lines 12 and 18, in each instance, strike the bracket; in line 15, strike “\$1,000,000 in each fiscal year; and” and substitute “**\$500,000;**

**(V) AFTER JUNE 30, 2017, AND BEFORE JULY 1, 2019, INTO THE RACING SPECIAL FUND ESTABLISHED UNDER § 11-401 OF THE BUSINESS REGULATION ARTICLE FROM MONEY THAT REMAINS IN THE STATE LOTTERY FUND AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND ITEMS (I), (II), (III), AND (IV) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO \$1,000,000 IN EACH FISCAL YEAR; AND**”;

in line 16, strike “(v)]” and substitute “**(VI)**”; in line 18, strike “AND”; in the same line, strike “and (iv)” and substitute “**(IV), AND (V)**”; and strike in its entirety line 21.

On page 33, strike in their entirety lines 7 through 13, inclusive.

AMENDMENT NO. 3

On page 8, after line 17, insert:

“Article – Economic Development

4–512.

(a) The Council is entitled to:

(1) revenue distributed under [§ 2–202(a)(1)(ii)2] § 2–202(A)(1)(II)1A of the Tax – General Article; and

(2) funding in accordance with the State budget.

4–801.

(a) In this section, “Fund” means the Special Fund for Preservation of Cultural Arts in Maryland.

(f) The Fund consists of:

(1) revenue distributed to the Fund under [§ 2–202(a)(1)(ii)1] § 2–202(A)(1)(II)1B AND 2 of the Tax – General Article; and

(2) any other money from any other source accepted for the benefit of the Fund.”.

On page 33, in line 23, after “Article;” insert “AND”; in line 26, after “(ii)” insert “1. FOR FISCAL YEARS 2019 THROUGH 2021,”; strike beginning with “1.” in line 27 down through “2.” in line 30 and substitute “A.”; in line 30, strike “the remainder”; in line 31, after “Article” insert “, \$1,000,000 IN EACH FISCAL YEAR”; and after line 31, insert:

“B. THE REMAINDER TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4–801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

**2. IN FISCAL YEAR 2022 AND IN EACH FISCAL YEAR THEREAFTER, THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 5% TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4-801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND”.**

On page 38, before line 8, insert:

“Chapter 145 of the Acts of 2016

SECTION 2. AND BE IT FURTHER ENACTED, That any funds distributed to the Maryland State Arts Council in accordance with § 2-202 of the Tax – General Article as enacted in this Act shall be included in the Maryland State Arts Council’s prior fiscal year appropriation IN ADDITION TO THE AMOUNT OF THE GENERAL FUND APPROPRIATION FOR THE PRIOR FISCAL YEAR AND THE SUM SHALL BE USED for purposes of calculating the required appropriation under § 7-325 of the State Finance and Procurement Article.”.

AMENDMENT NO. 4

On page 10, after line 23, insert:

“(c) (1) This subsection applies only in Anne Arundel County.

(2) In this subsection, “county grant for teaching in an economically disadvantaged school” means an annual grant distributed to a teacher who teaches in an economically disadvantaged school established:

(i) Outside of the collective bargaining process; or

(ii) As part of a collective bargaining agreement with the local employee representative.

(3) For fiscal years 2017 through 2019, the Governor shall include in the State operating budget funding for the stipends provided in this subsection.

(4) (I) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A classroom teacher shall receive a stipend from the State in an amount equal to the county grant for teaching in an economically disadvantaged school, up to a maximum of \$1,500 if the teacher:

[(i)] 1. Teaches in a public middle or high school in which at least 30% of the students as a percentage of full-time equivalent students as defined in § 5–202 of this article qualify for free and reduced price meals under the National School Lunch Program;

[(ii)] 2. Holds a standard or advanced professional certificate; and

[(iii)] 3. Is employed by the county board.

(II) FOR FISCAL YEAR 2018, THE MAXIMUM STIPEND A TEACHER MAY RECEIVE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS \$750.”.

#### AMENDMENT NO. 5

On page 10, after line 30, insert:

“7–123.

(a) (1) There is a Robotics Grant Program in the State.

[(c) The Governor shall include in the State budget an annual appropriation of at least \$250,000 to the Program.]

(C) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE PROGRAM.”.

#### AMENDMENT NO. 6

On page 11, in line 7, strike “\$5,000,000” and substitute “\$500,000”.

#### AMENDMENT NO. 7

On page 16, in line 10, strike “\$12,000,000” and substitute “\$16,000,000”; in line 16, strike “1.”; in the same line, strike the brackets; strike beginning with “EXCEPT” in line 16 down through “THE” in line 17; in line 18, strike “18%” and substitute “30.5%”; and strike in their entirety lines 21 through 23, inclusive.

On page 17, in line 7, strike “(I)”; in the same line, strike the brackets; strike beginning with “EXCEPT” in line 7 down through “THE” in line 8; in line 9, strike “18%”



and substitute “30.5%”; and strike in their entirety lines 12 through 14, inclusive, and substitute:

“19–213.

(a) (1) In this section the following words have the meanings indicated.

(2) “Facilities” means hospitals and related institutions whose rates have been approved by the Commission.

(b) The Commission shall assess and collect user fees on facilities as defined in this section.

(c) (1) The total fees assessed by the Commission may not exceed [\$12,000,000] **\$16,000,000**.

(2) The total user fees assessed by the Commission may not exceed the Special Fund appropriation for the Commission by more than 20%.

(3) The user fees assessed by the Commission shall be used exclusively to cover the actual documented direct costs of fulfilling the statutory and regulatory duties of the Commission in accordance with the provisions of this subtitle and any administrative costs for services to the Commission provided by the Department.

(4) The Commission shall pay all funds collected from fees assessed in accordance with this section into the Health Services Cost Review Commission Fund.

(5) The user fees assessed by the Commission may be expended only for purposes authorized by the provisions of this subtitle.

(6) The amount specified in paragraph (1) of this subsection limits only the total user fees the Commission may assess in a fiscal year.”.

#### AMENDMENT NO. 8

On page 18, in line 9, strike “**\$4,000,000**” and substitute “**\$5,750,000**”.

#### AMENDMENT NO. 9

On page 18, after line 33, insert:

“19–2401.

(a) THE GENERAL ASSEMBLY FINDS THAT:

(1) THE FINANCIAL VIABILITY OF THE PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER AND THE STATE’S INVESTMENT IN THE CENTER IS CONTINGENT ON HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE GEORGE’S HOSPITAL CENTER AND THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER;

(2) THE ABILITY OF THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM TO DEVELOP AND MAINTAIN HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE GEORGE’S HOSPITAL CENTER AND TO TRANSITION TO THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER IS CONTINGENT ON STATE OPERATING AND CAPITAL FUNDING IN SPECIFIC YEARS;

(3) THE ABILITY TO PROTECT THE STATE’S INVESTMENT IN THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER IS JEOPARDIZED BY THE PROVISIONS OF THE BUDGET RECONCILIATION AND FINANCING ACT OF 2017, AS INTRODUCED, THAT ALTER BOTH THE OPERATING AND CAPITAL OBLIGATIONS MANDATED BY CHAPTER 13 OF THE ACTS OF 2016; AND

(4) THE CHANGED CIRCUMSTANCES AND THE NEED TO PROTECT THE STATE’S INVESTMENT REQUIRE ADDITIONAL SUPPORT IN FUTURE YEARS TO ENSURE THE FINANCIAL VIABILITY OF THE PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER AND ULTIMATELY THE ABILITY OF THE STATE TO END STATE SUPPORT FOR THE CENTER.

(B) (1) Subject to subsection [(b)] (C) of this section, for the purpose of providing an operating grant to ensure and assist in the transition of a new Prince George’s County Regional Medical System to the University of Maryland Medical System Corporation:

(i) For fiscal year 2018, the Governor shall include in the budget bill an appropriation of[:

1. \$15,000,000; or

2. \$30,000,000, if a grant of \$15,000,000 is not provided in a fiscal 2016 deficiency appropriation to the University of Maryland Medical System Corporation on or before June 30, 2016] \$28,000,000;

(ii) For fiscal year 2019, the Governor shall include in the budget bill an appropriation of [\$15,000,000] \$27,000,000; [and]

(iii) For fiscal years 2020 and 2021, the Governor shall include in the budget bill an appropriation of [\$5,000,000] \$15,000,000; AND

**(IV) FOR FISCAL YEARS 2022 THROUGH 2028, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF \$10,000,000.**

(2) Subject to subsection [(b)] (C) of this section, Prince George's County shall provide a combination of matching funds and other financial assistance to the University of Maryland Medical System Corporation that constitutes total financial assistance as follows:

(i) \$15,000,000 annually for fiscal year 2017 through fiscal year 2019; and

(ii) \$5,000,000 annually for fiscal years 2020 and 2021.

**[(b)] (C)** The State and county funds described in subsection [(a)] (B) of this section:

(1) Shall be used to support the transition of the Prince George's County Regional Medical Center from operation under the Dimensions Health Care System to operation as a participating institution of the University of Maryland Medical System Corporation; and

(2) May be used only for:

(i) Providing increased access to critical health care services for the region served by the Prince George's County Regional Medical Center and improving the quality of the services provided; and

(ii) Facilitating cost containment measures to prevent additional operating losses for the Prince George’s County Regional Medical Center and its affiliated institutions.

**[(c)] (D)** (1) The Governor shall include in the capital or operating budget bill the following amounts that are equal to the capital funds committed by Prince George’s County to be used for the construction of the Prince George’s County Regional Medical Center:

(i) [\$67,500,000] **\$11,300,000** for fiscal year 2018; [and]

(ii) \$48,000,000 for fiscal year 2019; AND

**(III) \$56,200,000 FOR FISCAL YEAR 2020.**

(2) Prince George’s County shall provide matching funds of \$208,000,000 for the capital construction of the Prince George’s County Regional Medical Center.”.

On page 38, after line 7, insert:

“Chapter 13 of the Acts of 2016

[SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect contingent on the University of Maryland Medical System Corporation becoming the sole corporate member of Dimensions Health Care Corporation and the University of Maryland Medical System Corporation assuming responsibility of the governance structure of the entity.]

SECTION 5. AND BE IT FURTHER ENACTED, That[, subject to Section 3 of this Act,] this Act shall take effect June 1, 2016. It shall remain effective for a period of [5] **12** years and 1 month and, at the end of June 30, [2021] **2028**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

#### AMENDMENT NO. 10

On page 20, after line 15, insert:

“Article – Labor and Employment

11-1302.

(a) There is a Construction Education and Innovation Fund.

(e) For fiscal year [2018] 2019 and each fiscal year thereafter, the Governor [shall] MAY include in the annual State budget an appropriation to the Fund [of \$250,000] to support the operation of the Center.”.

AMENDMENT NO. 11

On page 21, after line 7, insert:

“Article – Local Government

16-501.

(e) (1) Except as provided in paragraph (2) of this subsection, for fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (i) If a county or Baltimore City has a county income tax rate of at least 2.8% but less than 3%, the county or Baltimore City may receive a minimum of 20% of the amount determined under subsection (c)(3) of this section.

(ii) If a county or Baltimore City has a county income tax rate of at least 3% but less than 3.2%, the county or Baltimore City may receive a minimum of 40% of the amount determined under subsection (c)(3) of this section.

(iii) If a county or Baltimore City has a county income tax rate of at least 3.2%:

1. on or before June 30, 2017, the county or Baltimore City may receive a minimum of 60% of the amount determined under subsection (c)(3) of this section; and

2. in fiscal years 2018 and 2019, the county or Baltimore City may receive a minimum of [67.5%] 63.75% of the amount determined under subsection (c)(3) of this section.”.

AMENDMENT NO. 12

On page 24, in line 23, after “IN” insert “SUBSECTIONS (C) AND (F) OF”.

On page 25, in lines 8 and 29, in each instance, strike “BUDGET BOOKS” and substitute “SUPPORTING MATERIALS”.

On page 26, strike in their entirety lines 17 and 18; in lines 19, 25, and 29, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(A)”, “(B)”, and “(C)”, respectively; and in line 25, strike “§ 7-115” and substitute “§ 7-115(D) AND (E)”.

AMENDMENT NO. 13

On page 31, strike in their entirety lines 25 through 27, inclusive.

AMENDMENT NO. 14

On page 36, after line 1, insert:

“2-103.1.

(c) (1) The Consolidated Transportation Program shall:

(i) Be revised annually; and

**(9) EXCEPT AS AUTHORIZED BY LAW, THE CONSOLIDATED TRANSPORTATION PROGRAM MAY NOT INCLUDE CAPITAL TRANSPORTATION GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS FOR ANY PERIOD BEYOND THE BUDGET REQUEST YEAR.**

(m) (2) (i) The financial forecast supporting the Consolidated Transportation Program to be submitted to the General Assembly under paragraph (1) of this subsection shall include the following components:

1. A schedule of operating expenses for each specific modal administration;

2. A schedule of revenues, including tax and fee revenues, deductions from revenues for other agencies, Department program and fees, Motor Vehicle Administration cost recovery, deductions for highway user revenues, operating revenues by modal administration, and miscellaneous revenues; and

3. A summary schedule for the Transportation Trust Fund that includes the opening and closing Fund balance, revenues, transfers, bond sales, bond premiums, any other revenues, expenditures for debt service, operating expenses, amounts available for capital expenses, bond interest rates, bond coverage ratios, total bonds outstanding, federal capital aid, and the total amount for the Transportation Capital Program.

(ii) The financial forecast shall include, for each of the components specified in subparagraph (i) of this paragraph:

1. Actual information for the last full fiscal year; and

2. Forecasts of the information for each of the six subsequent fiscal years, including the current fiscal year, the fiscal year for the proposed budget, and the next four subsequent fiscal years.

(iii) FOR THE PERIOD BEYOND THE BUDGET REQUEST YEAR, THE FINANCIAL FORECAST:

1. SHALL MAXIMIZE THE USE OF FUNDS FOR THE CAPITAL PROGRAM; AND

2. EXCEPT AS AUTHORIZED BY LAW, MAY NOT WITHHOLD OR RESERVE FUNDS FOR CAPITAL TRANSPORTATION GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS.

(IV) The Department shall incorporate in the financial forecast the most recent estimates by the Board of Revenue Estimates of the revenues from:

1. The corporate income tax and the sales and use tax for each of the six subsequent years, including the current fiscal year and the fiscal year for the proposed budget; and

2. Motor fuel taxes and motor vehicle titling taxes for the current fiscal year and the fiscal year for the proposed budget.”.

On page 37, in line 18, strike “\$359,825,000” and substitute “\$364,825,000”.

AMENDMENT NO. 16

On page 39, in line 27, strike “\$2,561,757” and substitute “\$15,688,068”.

AMENDMENT NO. 17

On page 39, strike in their entirety lines 29 through 38, inclusive.

AMENDMENT NO. 18

On page 40, in lines 9, 13, and 15, in each instance, strike “\$11,000,000” and substitute “\$12,000,000”.

AMENDMENT NO. 19

On page 41, after line 17, insert:

“(c) In developing any changes or redesign to the Medical Assistance Program or the Supplemental Nutrition Assistance Program, the Department of Health and Mental Hygiene and the Department of Human Resources shall establish a group of interested stakeholders to collaborate on any changes or program redesign.”.

AMENDMENT NO. 20

On page 41, in line 18, strike “, notwithstanding” and substitute “:”

(a) Notwithstanding”;

in line 28, strike “Section” and substitute “§”; and after line 30, insert:

“(b) It is the intent of the General Assembly that the actions taken in accordance with subsection (a) of this section may not be taken in any fiscal year after fiscal year 2018.”.

AMENDMENT NO. 21

On page 41, in line 32, strike “November 1, 2018, and” and substitute “and quarterly until”.

AMENDMENT NO. 22

On page 42, after line 18, insert:

“SECTION 18. AND BE IT FURTHER ENACTED, That:



(a) The State Secretary of Transportation, in coordination with the Montgomery County and Prince George's County Departments of Transportation, shall engage the Secretary's counterparts in Virginia and Washington, D.C., and the appropriate officials in the federal government for the purpose of revising the Washington Metropolitan Area Transit Authority Compact of 1966 and implementing other reforms necessary to ensure the near-term and long-term viability of the Washington Metropolitan Area Transit Authority (WMATA). In doing so, the Secretary shall develop, propose, and seek agreement on reforms related to the following:

- (1) the legal and organizational structure of WMATA;
- (2) the composition and qualifications of the WMATA Board of Directors and the length of terms of its members;
- (3) labor costs and labor relations;
- (4) measures necessary to resolve WMATA's unfunded pension liability and other postemployment benefits;
- (5) measures necessary to better ensure the safety of ridership and employees, including safety in the event of a homeland security emergency in the national capital area; and
- (6) financial and operational improvements necessary to ensure that WMATA's performance is at least as efficient as its closest comparable transit systems in the United States.

(b) The Secretary shall report to and consult quarterly beginning June 30, 2017, with the Chairs of the Senate Budget and Taxation Committee, House Appropriations Committee, and House Environment and Transportation Committee."

The preceding 22 amendments were read and not concurred in.

### MESSAGE TO THE SENATE

BILL: **HB0152**  
SPONSOR: Speaker  
SUBJECT: Budget Reconciliation and Financing Act of 2017

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate McIntosh, Chair  
Delegate Gaines  
Delegate Jones  
Delegate Reznik  
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Haynes, B. Barnes and A. Miller.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

## MESSAGE FROM THE SENATE

### INTRODUCTORY SENATE BILLS NO. 37

**Senate Bill 957 – ~~Senator Eckardt~~ Senators Eckardt, DeGrange, Ferguson, Madaleno, and McFadden**

AN ACT concerning

### **Counties and Municipalities – Land Bank Authorities**

FOR the purpose of altering certain provisions of law concerning the authority of a municipality to establish a land bank authority; making certain provisions of law concerning the establishment of a land bank authority applicable to a municipality or county; authorizing two or more local governments to enter into a certain intergovernmental cooperation agreement; providing for the continued operation of an authority under certain circumstances; establishing certain powers of an authority; authorizing an authority to enforce a water and sewer lien under certain circumstances; providing for the tax treatment of property sold by an authority to a nonprofit organization under certain circumstances; exempting property held by an

authority from a certain requirement to sell; authorizing ~~the Mayor and City Council of Baltimore City~~ a governing body of a county or other taxing authority to transfer certain interest in property to an authority under certain circumstances; exempting property held by an authority from certain taxes under certain circumstances; altering and defining certain terms; making certain conforming changes; and generally relating to land bank authorities.

BY renumbering

Article – Local Government

Section 5–401 through 5–431, respectively, and the subtitle “Subtitle 4. Establishment of Land Bank Authorities by Municipalities”  
to be Section 1–1401 through 1–1431, respectively, and the subtitle “Subtitle 14. Establishment of Land Bank Authorities by Municipalities”

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Local Government

Section 1–1401, 1–1403, 1–1405, 1–1406, 1–1408, 1–1409, 1–1410, 1–1412, 1–1413, 1–1414, 1–1415, 1–1419, and 1–1426(a)(1) to be under the amended subtitle  
“Subtitle 14. Establishment of Land Bank Authorities”

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–808(a), 14–824, 14–826, and 14–831

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 1023 – Senators Zucker, Conway, Astle, Benson, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, King, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, and Zirkin**

AN ACT concerning

**Independent Congressional Redistricting Commission – Mid–Atlantic States  
Regional Districting Process**

FOR the purpose of requiring the Department of Legislative Services to obtain certain census data, adjust the census data for certain purposes, and provide the adjusted census data to a temporary redistricting commission within a certain time period; creating a temporary redistricting commission in the State; providing for the

membership of the commission and the qualifications of its members; providing that individuals cease to be members of the commission under certain circumstances; providing that a member may be removed from the commission under certain circumstances and in a certain manner; providing that the commission is subject to certain laws governing open meetings and access to public records; requiring the commission to hold certain hearings to receive public testimony at certain times, in certain places, and in certain geographic areas to accommodate the public and to reflect certain demographics and characteristics of the population of the State; requiring the Department to staff and provide certain support for the commission; requiring the commission to use certain census data to prepare and adopt a districting plan for congressional districting within a certain time period; specifying that a certain districting plan is the plan for the State; requiring that a certain districting plan be filed with the Secretary of State within a certain time period; providing for the effectiveness of a certain districting plan; specifying certain criteria for the formation of the districts; providing for the application of this Act; making this Act contingent on the enactment of a similar independent redistricting process by certain states; defining certain terms; directing the Secretary of State to send copies of this Act to the presiding officers of both Houses of the legislature of certain states with a request that each of the states join Maryland in the enactment of a certain congressional redistricting process; and generally relating to the establishment of districts in Maryland for the election of members of Congress and a mid-Atlantic states regional compact.

BY adding to

Article – Election Law

Section 8-6A-01 through ~~8-6A-06~~ 8-6A-09 to be under the new subtitle “Subtitle 6A. Congressional Districting Process”

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

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

## **APPROPRIATIONS COMMITTEE REPORT NO. 16**

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

FLOOR AMENDMENT

**SB0291/213820/2**

BY: Delegate Adams

AMENDMENTS TO SENATE BILL 291

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after the semicolon insert “requiring the Governor to include certain funding in the State budget;”.

AMENDMENT NO. 2

On page 3, in line 18, after “(8)” insert “(I)”; and after line 26, insert:

“(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, IN THE FISCAL YEAR FOLLOWING A FISCAL YEAR IN WHICH A COLLECTIVE BARGAINING AGREEMENT IS EXECUTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, AND IN EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL SUBMITTED TO THE GENERAL ASSEMBLY A GENERAL FUND APPROPRIATION FOR THE SERVICE IN AN AMOUNT NOT LESS THAN \$14,271,000.

“(III) AN APPROPRIATION MADE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL BE INCREASED IN A FISCAL YEAR FOLLOWING A FISCAL YEAR IN WHICH A SUBSEQUENT COLLECTIVE BARGAINING AGREEMENT IS EXECUTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, AND IN EACH FISCAL YEAR THEREAFTER, BY NOT LESS THAN THE AMOUNT BY WHICH SERVICE EXPENDITURES INCREASE AS THE RESULT OF THE SUBSEQUENT COLLECTIVE BARGAINING AGREEMENT.”;

after line 30, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That in fiscal year 2019, the Governor shall include in the annual budget bill submitted to the General Assembly a General Fund appropriation for the Maryland Environmental Service in an amount not less than \$20,000,000.”;

and in line 31, strike “2.” and substitute “3.”.

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

Affirmative – 42    Negative – 94    (See Roll Call No. 885)

FLOOR AMENDMENT

SB0291/223326/3

BY: Delegate Adams

AMENDMENT TO SENATE BILL 291

(Third Reading File Bill)

On page 3, in lines 19 and 20, in each instance, strike the bracket; in line 22, after the closing bracket insert “:

(I) MAY”;

strike beginning with “SHALL” in line 22 down through “AND” in line 25; in line 26, after “Service” insert “;AND

(II) CONSISTENT WITH THE PROVISIONS OF TITLE 3 OF THE STATE PERSONNEL AND PENSIONS ARTICLE, SHALL RECOGNIZE AND DEAL WITH AN EMPLOYEE ORGANIZATION ONCE ELECTED AS AN EXCLUSIVE REPRESENTATIVE, COLLECTIVELY BARGAIN, AND ENTER INTO THE SAME TYPE OF AGREEMENTS FOR EMPLOYEES OF THE SERVICE WHO:

1. ARE EMPLOYED BY THE SERVICE AT THE HARFORD WASTE DISPOSAL CENTER IN HARFORD COUNTY AND HAD THE RIGHT TO COLLECTIVELY BARGAIN AS EMPLOYEES OF THE HARFORD WASTE DISPOSAL CENTER ON OR BEFORE SEPTEMBER 1, 2015; OR

2. ARE EMPLOYED BY THE SERVICE AT A FACILITY ACQUIRED BY THE SERVICE ON OR AFTER OCTOBER 1, 2017, AND HAD THE RIGHT TO COLLECTIVELY BARGAIN AS EMPLOYEES OF THAT FACILITY PRIOR TO THE SERVICE’S ACQUISITION OF THE FACILITY”;

and in line 28, strike “§ 3–103.1(C)(8)” and substitute “§ 3–103.1(C)(8)(II)”.

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

Affirmative – 49    Negative – 89    (See Roll Call No. 886)

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 382 – Senator McFadden**

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:

**Senate Bill 399 – Senator Guzzone (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:

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 473 – Calvert County Senators**

AN ACT concerning

**Calvert County – Bonding Authority**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 782 – Senator Salling**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2014 – Baltimore County –  
Chesapeake High Stadium**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**ECONOMIC MATTERS COMMITTEE REPORT NO. 19**

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

House Bill 1024 – Delegates Mautz, Adams, Barkley, Buckel, Jacobs, McComas,  
Otto, Rose, and B. Wilson

AN ACT concerning

**Alcoholic Beverages – Auxiliary Winery Permit**

**HB1024/873992/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1024

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “a” insert “holder of a”; in the same line, after “winery” insert “permit”; in the same line, after the second “a” insert “single”; and in line 5, after “State” insert “subject to certain restrictions; imposing certain limits on the number of permits that the Comptroller may issue throughout the State and on the number of permits that each license holder may be issued”.

AMENDMENT NO. 2

On page 2, in line 1, strike “**THE**” and substitute “**(1) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE**”; in line 2, after “A” insert “**SINGLE**”; and after line 3, insert:

**“(2) (I) THE COMPTROLLER MAY ISSUE NOT MORE THAN 25 PERMITS THROUGHOUT THE STATE.**

**(II) EACH LICENSE HOLDER MAY BE ISSUED NOT MORE THAN ONE PERMIT.**

**(3) A PERMIT MAY BE GRANTED ONLY FOR A LOCATION THAT COMPLIES WITH ANY RELEVANT RESTRICTIONS THAT APPLY TO THE ISSUANCE OF A LOCAL RETAIL LICENSE IN THE JURISDICTION UNDER § 1-202 OF THIS ARTICLE.”.**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 94 – Senator Reilly**

AN ACT concerning

**Insurance Premiums – Payment by Credit Card – Reimbursement for Expenses**

**SB0094/713399/1**

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 94  
(Third Reading File Bill)

On page 3, in line 21, strike “SUBSECTION” and substitute “PARAGRAPH”.

On page 5, in line 6, after “(7)” insert “(I)”; in the same line, strike “A” and substitute “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A”; and after line 10, insert:

**“(II) ANY POINT OF SERVICE CREDIT CARD EXPENSES MAY NOT BE CONSIDERED PREMIUM FOR ANY PURPOSE UNDER THIS PARAGRAPH.”**

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT NO. 12

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

**House Bill 909 – Delegates Pena–Melnyk, Anderson, Angel, Arentz, Atterbeary, Aumann, Barkley, B. Barnes, D. Barnes, Barron, Barve, Beidle, Branch, Bromwell, Brooks, Busch, Carey, Carr, Chang, Clippinger, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jameson, Jones, Kaiser, Kelly, Knotts, Korman, Kramer, Krimm, Lafferty, Lam, Lewis, Lierman, Lisanti, Luedtke, McCray, McIntosh, Metzgar, Miele, A. Miller, W. Miller, Moon, Morales, Morhaim, Mosby, Oaks, Patterson, Pendergrass, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample–Hughes, Sanchez, Sophocleus, Stein, Sydnor, Szeliga, Tarlau, Turner, Valderrama, Valentino–Smith, Vallario, Waldstreicher, Walker, A. Washington, M. Washington, West, Wilkins, C. Wilson, K. Young, and P. Young**

AN ACT concerning

### Maryland Health Insurance Coverage Protection Act

**HB0909/676788/1**

BY: Health and Government Operations Committee

#### AMENDMENTS TO HOUSE BILL 909

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Arentz,”; in the same line, strike “Aumann,”; in the same line, strike “Metzgar, Miele,”; in the same line, strike “W. Miller,”; in the same line, strike “Szeliga,”; in the same line, strike “West,”; in line 4, strike “chair” and substitute “cochairs”; in line 7, strike “study” and substitute “monitor and assess the impact of certain changes to certain laws and programs”; in the same line, after “matters,” insert “requiring the duties of the Commission to include a certain study”; in line 8, after “purpose,” insert “requiring the Commission to convene certain workgroups”; and in line 10, after “date” insert “each year”.

On page 2, in line 15, strike “would” and substitute “could”; and in line 17, strike “hundreds of”.

AMENDMENT NO. 2

On page 2, in line 32, strike “two” and substitute “three”.

On page 3, in line 1, strike “two” and substitute “three”; in line 3, after “Hygiene” insert “, or the Secretary’s designee”; in line 4, after “Commissioner” insert “, or the Commissioner’s designee”; in the same line, strike “and”; after line 4, insert:

“(5) the Attorney General, or the Attorney General’s designee; and”;

in line 5, strike “(5)” and substitute “(6)”; in the same line, strike “five” and substitute “the following”; strike beginning with the first “of” in line 5 down through “House” in line 6 and substitute “:

(i) one representative of the Maryland Hospital Association;

(ii) one representative of a managed care organization, appointed jointly by the President of the Senate and the Speaker of the House;

(iii) one consumer of health care services, appointed jointly by the President of the Senate and the Speaker of the House;

(iv) one representative of a nonprofit health service plan that has offered plans in all jurisdictions and in all fully-insured markets in the State both before and after the enactment of the ACA, appointed by the Governor;

(v) one representative who is an employer, appointed by the Governor;

(vi) one representative of the nursing home industry, appointed by the Governor; and

(vii) two members of the public:

1. one of whom shall be appointed jointly by the President of the Senate and the Speaker of the House; and

2. one of whom shall be appointed by the Governor".

#### AMENDMENT NO. 3

On page 3, in line 7, strike "chair of the Commission shall be designated jointly by the"; in line 8, after "House" insert "of Delegates shall designate a member who is a Senator and a member who is a Delegate, respectively, to serve as cochairs of the Commission"; and in line 9, after "Services" insert ", the Department of Health and Mental Hygiene, and the Maryland Insurance Administration jointly".

#### AMENDMENT NO. 4

On page 3, after line 15, insert:

"(i) monitor potential and actual federal changes to the ACA, Medicaid, the Maryland Children's Health Program, Medicare, and the Maryland All-Payer Model;"

in lines 16 and 18, strike "(i)" and "(ii)", respectively, and substitute "(ii)" and "(iii)", respectively; in line 16, strike "conduct a study to"; in the same line, after "potential" insert "and actual"; in lines 17, 24, 26, and 29, in each instance, after "Medicaid," insert "the Maryland Children's Health Program,"; in line 17, strike "and"; in the same line, after "Medicare" insert ", and the Maryland All-Payer Contract"; in line 20, strike "study conducted" and substitute "duties of the Commission"; in line 21, after "include" insert "a study that includes"; in lines 24, 26, and 29, in each instance, strike "a repeal or weakening of" and substitute "changes to"; and in the same lines, in each instance, strike "or Medicare" and substitute "Medicare, or the Maryland All-Payer Model".

On page 4, in line 3, strike "a repeal or weakening of" and substitute "changes to"; in the same line, after "Medicaid," insert "the Maryland Children's Health Program,"; and in the same line, strike "or Medicare" and substitute "Medicare, or the Maryland All-Payer Model".

#### AMENDMENT NO. 5

On page 4, in line 6, strike "may" and substitute ":

- (1) may";

and strike beginning with "conduct" in line 6 down through "study" in line 7 and substitute "carry out the duties of the Commission; and

(2) shall convene workgroups to solicit input from stakeholders".

AMENDMENT NO. 6

On page 4, in line 8, strike ", 2017" and substitute "each year"; in line 12, strike "1 year" and substitute "3 years"; and in line 13, strike "2018" and substitute "2020".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**HB0909/103726/1**

BY: Delegate W. Miller

AMENDMENT TO HOUSE BILL 909, AS AMENDED

(First Reading File Bill)

On page 1 of the Health and Government Operations Committee Amendments (HB0909/676788/1), in line 9 of Amendment No. 1, strike "could".

On pages 1 and 2 of the bill, strike in their entirety the lines beginning with line 13 on page 1 through line 25 on page 2, inclusive.

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

Affirmative – 50    Negative – 88    (See Roll Call No. 887)

FLOOR COMMITTEE AMENDMENT

**HB0909/276784/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 909, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Health and Government Operations Committee Amendments (HB0909/676788/1), in lines 7 and 8 of Amendment No. 1, strike "requiring the Commission to convene certain workgroups;".



AMENDMENT NO. 2

On page 2 of the Health and Government Operations Committee Amendments, in Amendment No. 2, strike beginning with “nonprofit” in line 5 down through “Governor” in line 7 and substitute “health insurance carrier, appointed jointly by the President of the Senate and the Speaker of the House”; in line 11, strike “and”; after line 11, insert:

“(vii) one representative of MedChi;

(viii) one representative of behavioral health providers, appointed jointly by the President of the Senate and the Speaker of the House; and”;

and in line 12, strike “(vii)” and substitute “(ix)”.

AMENDMENT NO. 3

On page 3 of the Health and Government Operations Committee Amendments, in line 1 of Amendment No. 5, strike “;” and substitute “may:”; in line 2, strike “may”; and in line 5, strike “shall”.

The preceding 3 amendments were read and 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 1165 – Delegates Saab, Angel, Barkley, Barron, Beidle, Beitzel, Bromwell, Brooks, Buckel, Carey, Chang, Clark, Cullison, Ebersole, Folden, Glass, Glenn, Hayes, Hornberger, S. Howard, Jacobs, Jameson, Kipke, Korman, Kramer, Krebs, Malone, McComas, McConkey, McCray, McDonough, McKay, Miele, Morgan, Morhaim, Oaks, Pena–Melnik, Platt, Reilly, Rey, Robinson, Rose, Sample–Hughes, Shoemaker, Simonaire, Sophocleus, Szeliga, Tarlau, Waldstreicher, West, Wivell, and K. Young**

AN ACT concerning

**Estates – Duties of Guardian of the Person – Notice and Visitation by Family**

**HB1165/216286/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1165

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Notice and Visitation by Family” and substitute “Fostering and Preserving Family Relationships”; in line 4, after the first “to” insert “foster and preserve family relationships including assisting to arrange certain visitation and communication; and generally relating to the duties of the guardian of the person.”; and strike beginning with “enforce” in line 4 down through “and” in line 25.

On page 2, strike in their entirety lines 1 through 13, inclusive; and strike in their entirety lines 24 through 33, inclusive.

AMENDMENT NO. 2

On page 3, in line 19, strike “**THE**” and substitute “**IF IT IS IN THE BEST INTEREST OF THE DISABLED PERSON, THE**”; and strike beginning with “**ENFORCE**” in line 19 down through “**VISITORS,**” in line 20 and substitute “**FOSTER AND PRESERVE FAMILY RELATIONSHIPS INCLUDING, AS APPROPRIATE, ASSISTING TO ARRANGE VISITATION AND COMMUNICATION BY**”.

On pages 4 through 10, strike in their entirety the lines beginning with line 21 on page 4 through line 24 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 Pendergrass, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 38 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Department of Health and Mental Hygiene – Updating Advisory Boards and Councils**

**SB0038/696080/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 38  
(Third Reading File Bill)

On page 5, in line 2, strike “33” and substitute “34”.

On page 6, in line 11, strike “DIATETICS” and substitute “DIETETICS”; in line 12, strike “AND” and substitute “(10) ONE REPRESENTATIVE OF THE MARYLAND CHAPTER OF THE AMERICAN COLLEGE OF EMERGENCY PHYSICIANS, NOMINATED BY THE PRESIDENT OF THE CHAPTER; AND”; and in line 13, strike “(10)” and substitute “(11)”.

On page 7, in line 23, strike “BE ASSIGNED TO” and substitute “SERVE ON”.

On page 12, in line 4, strike “nine” and substitute “ten”.

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:

**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**

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:

**Senate Bill 73 – Senator Reilly**

AN ACT concerning

**Estates and Trusts – Share of Intestate Estate Inherited by Surviving Spouse**

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:

**Senate Bill 82 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe**

AN ACT concerning

**Department of Health and Mental Hygiene – Renaming**

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:

**Senate Bill 109 – Senator Conway**

AN ACT concerning

**Procurement – Prohibitions on Participation**

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:

**Senate Bill 110 – Senator Conway**

AN ACT concerning

**Public Health – Expedited Partner Therapy – Pharmacist Dispensing**

**SB0110/306887/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 110  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Therapy —” insert “Trichomoniasis and”; in line 3, after the first “of” insert “authorizing, notwithstanding any other provision of law, certain health care providers to prescribe, dispense, or otherwise provide antibiotic therapy to a certain partner of a patient diagnosed with trichomoniasis without making a certain physical assessment;”; and strike beginning with the second “and” in line 6 down through “pharmacist” in line 7.

AMENDMENT NO. 2

On page 2, in line 5, strike “or” and substitute a comma; and in the same line, after “gonorrhea” insert “, OR TRICHOMONIASIS”.

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:

**Senate Bill 128 – Senator Simonaire**

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:

**Senate Bill 137 – Senators Lee, Feldman, and Smith**

AN ACT concerning

**State Government – Maryland Uniform Electronic Legal Materials Act**

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:

**Senate Bill 185 – Senator Feldman**

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:

**Senate Bill 211 – Cecil County Senators**

AN ACT concerning

**Cecil County – Orphans’ Court Judges – Travel Expense Allowance**

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:

**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**

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:

**Senate Bill 344 – Senators Feldman and Zucker**

AN ACT concerning

**Maryland Achieving a Better Life Experience (ABLE) Program – Account Clarifications**

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:

**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**

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:

**Senate Bill 380 – ~~Senators Feldman and Hershey~~ Senators Feldman, Hershey, Benson, Oaks, and Rosapepe**

AN ACT concerning

**~~Insurance – Surplus Lines – Short-Term Medical Insurance – Procurement~~  
From Nonadmitted Insurer Study**

**SB0380/776584/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 380

(Third Reading File Bill)

On page 5, in line 21, strike “1” and substitute “31”.

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:

**Senate Bill 516 – Senators Zucker ~~and Simonaire~~, Simonaire, and Bates**

AN ACT concerning

**State Government – Maryland Manual – Revisions  
(Maryland Manual Modernization Act)**

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:

**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**

**SB0548/116289/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 548

(Third Reading File Bill)



AMENDMENT NO. 1

On page 1, in line 9, after “date,” insert “altering the circumstances under which a body of a decedent may be transported for preparation or storage to a facility that is not within the jurisdiction of the State, licensed by the Board, or permitted by the Office of Cemetery Oversight;”; in line 11, after “Services” insert “and certain committees of the General Assembly”; strike beginning with the first “and” in line 13 down through “states” in line 14; and after line 15, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–513(g)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 4, insert:

“Article – Health – General

5–513.

(g) (1) Except as provided in paragraph (2) of this subsection, while the body of a decedent is in the custody of a funeral establishment or crematory in the State, the body may not be transported for preparation or storage to a facility that is not within the jurisdiction of the State, licensed by the State Board of Morticians and Funeral Directors, or permitted by the Office of Cemetery Oversight.

(2) The body of a decedent may be transported for preparation or storage to a facility that is not within the jurisdiction of the State, licensed by the State Board of Morticians and Funeral Directors, or permitted by the Office of Cemetery Oversight if:

(i) [The facility has entered into a written agreement with the State Board of Morticians and Funeral Directors or the Office of Cemetery Oversight to allow the State to make unannounced inspections of the facility; and

(ii) The person authorized to arrange for the final disposition of the body under § 5–509 of this subtitle;

1. Has given written permission for the body to be transported to the facility; or

2. A. Has given oral permission for the body to be transported to the facility; and

B. Within 36 hours after giving oral permission, provides written verification of the oral permission; AND

**(II) THE PERMISSION REQUIRED UNDER ITEM (I) OF THIS PARAGRAPH IS GIVEN TO THE FUNERAL HOME OR CREMATORY IN THE STATE THAT HAS CUSTODY OF THE BODY BEFORE THE BODY IS TRANSPORTED.”;**

AMENDMENT NO. 3

On page 2, in line 9, strike “2028” and substitute “2023”; and in line 16, strike “2026” and substitute “2021”.

AMENDMENT NO. 4

On page 2, strike in their entirety lines 17 through 24, inclusive; in line 25, strike “3.” and substitute “2.”; and in line 33, after “Services” insert “and, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee”.

On page 3, after line 7, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 1, 2019, the State Board of Morticians shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on Board efforts to:

(1) work with the Department of Health and Mental Hygiene to facilitate Board record keeping and improve the Board’s Web site;

(2) work to improve the negative perception of the Board by some licensees;  
and

(3) further enhance communications with the industry.”;

in lines 15 and 16, strike “: (i)”; and strike beginning with the semicolon in line 16 down through “industry” in line 21.

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:

**Senate Bill 571 – Senators Middleton, Rosapepe, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, Zirkin, ~~and Zucker~~ Zucker, and Oaks**

AN ACT concerning

**Maryland Health Insurance Coverage Protection Act**

**SB0571/436189/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 571

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 10 and 11, and substitute:

“(i) one representative of the Maryland Hospital Association;” and strike in their entirety lines 16 and 17, and substitute:

“(iv) one representative of a nonprofit health service plan that has continuously offered plans in all jurisdictions and in all fully–insured markets in the State both before and after the enactment of the ACA, appointed by the Governor;”.

AMENDMENT NO. 3

On page 4, in line 10, strike “and Medicare” and substitute “Medicare, and the Maryland All-Payer Model”; in line 12, strike “and”; in line 13, strike “Medicare” and substitute “Medicare, and the Maryland All-Payer Model”; in lines 21, 24, 27, and 32, in each instance, strike “or”; and in the same lines, after “Medicare” insert “, or the Maryland All-Payer Model”.

AMENDMENT NO. 4

On page 5, in line 3, strike “may”; in line 4, after “(1)” insert “may”; and in line 6, after “(2)” insert “shall”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

## FLOOR COMMITTEE AMENDMENT

**SB0571/466780/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 571, AS AMENDED  
(Third Reading File Bill)

AMENDMENT NO. 1

In the Health and Government Operations Committee Amendments (SB0571/436189/1), strike in their entirety Amendments No. 1 and No. 4.

AMENDMENT NO. 2

In Amendment No. 2 of the Health and Government Operations Committee Amendments, strike beginning with “nonprofit” in line 4 down through “Governor” in line 6 and substitute “health insurance carrier, appointed jointly by the President of the Senate and the Speaker of the House”;

AMENDMENT NO. 3

On page 3 of the bill, in line 21, strike “and”; after line 21, insert:

“(vii) one representative of MedChi;

“(viii) one representative of behavioral health providers, appointed jointly by the President of the Senate and the Speaker of the House; and”;

and in line 22, strike “(vii)” and substitute “(ix)”.

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

**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**

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:

**Senate Bill 815 – ~~Senator Rosapepe~~ Senators Rosapepe and Middleton**

AN ACT concerning

**State Board of Pharmacy – Registered Pharmacy Technicians – Exemption for Pharmacy Students**

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:

**Senate Bill 857 – Senators Smith and Waugh**

AN ACT concerning

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

**SB0857/796886/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 857

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “certain”; in the same line, strike “assign a full-time” and substitute “designate an”; in line 9, strike “making the Act applicable to certain units of State government;” and in line 11, after “information,” insert “requiring the Department to coordinate certain meetings and submit a certain report;”.

AMENDMENT NO. 2

On page 3, in line 7, strike “A FULL-TIME EMPLOYEE OF” and substitute “AN EMPLOYEE DESIGNATED BY”; strike in their entirety lines 11 through 17, inclusive; in line 18, strike “(C)” and substitute “(B)”; in the same line, after “EACH” insert “GOVERNMENTAL”; in the same line, strike “SUBJECT TO THIS SECTION”; in line 19, strike “ASSIGN A FULL-TIME EMPLOYEE” and substitute “DESIGNATE AN EMPLOYEE OF THE UNIT”.

On page 4, in lines 4 and 9, strike “(D)” and “(E)”, respectively, and substitute “(C)” and “(D)”, respectively; and after line 12, insert:

“(E) THE DEPARTMENT SHALL:

(1) COORDINATE A MEETING EACH QUARTER, OR AS OTHERWISE NECESSARY, WITH GOVERNMENTAL UNITS TO DISCUSS AND RECEIVE INFORMATION CONCERNING THE IMPLEMENTATION OF THE REQUIREMENTS OF THIS SECTION; AND

(2) ON OR BEFORE JANUARY 15 EACH YEAR, REPORT ON THE IMPLEMENTATION OF THE REQUIREMENTS OF THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 919 – ~~Senator Mathias~~ Senators Mathias, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Middleton, Oaks, Reilly, and Rosapepe**

AN ACT concerning

**President Jimmy Carter Cancer Treatment Access Act**

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:

**Senate Bill 968 – ~~Senator Klausmeier~~ Senators Klausmeier, Astle, Benson, Feldman, Hershey, Jennings, Mathias, Middleton, Oaks, Reilly, and Rosapepe**

AN ACT concerning

**Health Insurance – Coverage Requirements for Behavioral Health Disorders –  
Modifications**

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:

**Senate Bill 997 – Senator Conway**

AN ACT concerning

**Pharmacists – Substitution and Dispensing of Biological Products**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**APPROPRIATIONS COMMITTEE REPORT NO. 17**

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

**Senate Bill 1001 – Senators Guzzone, DeGrange, Kasemeyer, King, Madaleno, McFadden, Miller, and Peters**

AN ACT concerning

**Teachers' Retirement and Pension Systems – County Boards of Education  
Payments**

**SB1001/634860/1**

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 1001

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “education;” insert “providing that, for a certain fiscal year, certain county boards of education shall be relieved of paying a certain amount of the county board’s contribution for certain local employees of the Teachers’ Retirement and Pension Systems;”; in line 8, strike “a certain fiscal year” and substitute “certain fiscal years”; and in line 9, strike “a certain condition is” and substitute “certain conditions are”.

AMENDMENT NO. 2

On page 2, in line 6, strike “(c)” and substitute “(3)”; in line 11, strike “subsection (b) of this section” and substitute “paragraph (1) of this subsection”; and after line 12, insert:

“(c) (1) Notwithstanding the provisions of § 21–304(b)(4)(iii) of the State Personnel and Pensions Article, for fiscal year 2018, the following county boards of education shall be relieved of their obligation to pay the following amounts of their local share equal to the normal contribution rate required under § 21–304(b)(4)(iii) of the State Personnel and Pensions Article:

<u>Allegany</u>	<u>793,464</u>
<u>Baltimore City</u>	<u>23,722,028</u>
<u>Calvert</u>	<u>239,361</u>



<u>Carroll</u>	<u>1,605,675</u>
<u>Cecil</u>	<u>190,544</u>
<u>Garrett</u>	<u>456,940</u>
<u>Harford</u>	<u>355,878</u>
<u>Kent</u>	<u>215,697</u>
<u>Queen Anne's</u>	<u>21,515</u>
<u>Somerset</u>	<u>454,660</u>
<u>Talbot</u>	<u>133,202</u>

(2) If the Governor does not release the funds restricted in the fiscal year 2018 budget bill (H.B. 150) under R00A02.03 for the fiscal year 2018 appropriation for Aid for Local Employee Fringe Benefits for the purpose of paying into the appropriate accumulation funds of the State Retirement and Pension System the amount of money county boards of education are relieved of paying under paragraph (1) of this subsection, the Governor shall provide \$28,188,964 in fiscal year 2019 for this 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 moved to put **Senate Bill 1001** on Third Reading on the same day in compliance with the Constitution.

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

Affirmative – 119    Negative – 14    (See Roll Call No. 888)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 1001** was placed on Third Reading.

**Senate Bill 1001 – Senators Guzzone, DeGrange, Kasemeyer, King, Madaleno, McFadden, Miller, and Peters**

AN ACT concerning

**Teachers' Retirement and Pension Systems – County Boards of Education  
Payments**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 136    Negative – 2    (See Roll Call No. 889)

The Bill was then returned to the Senate.

**MESSAGE TO THE HOUSE OF DELEGATES**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL:                    **HB0150**  
SPONSOR:            Speaker  
SUBJECT:              Budget Bill (Fiscal Year 2018)

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate McIntosh, Chairman  
Delegate Gaines  
Delegate Jones  
Delegate Reznik  
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Haynes, B. Barnes and A. Miller.

The Senate appoints:

Senator Kasemeyer, Chair  
Senator DeGrange  
Senator Madaleno  
Senator King  
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden, Ferguson and Serafini.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.  
Secretary

Read and ordered journalized.

### MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL:               **HB0152**  
SPONSOR:       Speaker  
SUBJECT:        Budget Reconciliation and Financing Act of 2017

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate McIntosh, Chairman  
Delegate Gaines  
Delegate Jones  
Delegate Reznik  
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Haynes, B. Barnes and A. Miller.

The Senate appoints:

Senator Kasemeyer, Chair  
Senator DeGrange  
Senator Madaleno  
Senator King  
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden, Ferguson and Serafini.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.  
Secretary

Read and ordered journalized.

### **QUORUM CALL**

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

(See Roll Call No. 890)

### **CALENDAR OF THIRD READING HOUSE BILLS NO. 101**

#### **House Bill 879 – The Speaker (By Request – Administration)**

AN ACT concerning

#### **Public Integrity Act of 2017**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 891)

The Bill was then sent to the Senate.

### **CALENDAR OF THIRD READING SENATE BILLS NO. 4**

#### **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**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 892)

The Bill was then returned to the Senate.

**Senate Bill 24 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – State Police)**

AN ACT concerning

**Public Safety – Eyewitness Identification Policies – Repeal of Submission  
Requirement**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 893)

The Bill was then returned to the Senate.

**Senate Bill 37 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Office of Crime Control and Prevention)**

AN ACT concerning

**Funds – Obsolete Provisions – Repeal**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 894)

The Bill was then returned to the Senate.

**Senate Bill 106 – Senator Ready**

AN ACT concerning

**Carroll County – Local Government Tort Claims Act**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 895)

The Bill was then returned to the Senate.

**Senate Bill 165 – The President (By Request – Department of Legislative Services  
– Code Revision)**

AN ACT concerning

**Code Revision – Maryland Vehicle Law – Penalties**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 896)

The Bill was then returned to the Senate.

**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**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 897)

The Bill was then returned to the Senate.

**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**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 898)

The Bill was then returned to the Senate.

**Senate Bill 372 – Carroll County Senators**

AN ACT concerning

**Carroll County – Detention Center – Polygraph Testing**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 899)

The Bill was then returned to the Senate.

## MESSAGE FROM THE SENATE

### INTRODUCTORY SENATE BILLS NO. 38

#### Senate Bill 103 – Senator Waugh

AN ACT concerning

#### **St. Mary's County – Foxes and Hounds – Repeal of Provisions**

FOR the purpose of repealing certain provisions of law that relate to trapping or shooting certain foxes or shooting or molesting certain hounds in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County  
Section 54–1 and 54–2 and the chapter “Chapter 54. Foxes”  
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 Rules and Executive Nominations.

#### Senate Bill 363 – Senator Conway

AN ACT concerning

#### **Pharmacists – Contraceptives – Prescribing and Dispensing**

FOR the purpose of authorizing a pharmacist who meets the requirements of certain regulations to prescribe and dispense certain contraceptives; requiring the State Board of Pharmacy, on or before a certain date and in consultation with the State Board of Physicians, the State Board of Nursing, and certain stakeholders, to adopt regulations for pharmacists to prescribe and dispense certain contraceptives; establishing certain requirements for the regulations; requiring the Maryland Medical Assistance Program and the Maryland Children's Health Program to provide coverage for certain contraceptive services rendered by a licensed pharmacist to the same extent as the contraceptive services rendered by any other licensed health care practitioner; ~~requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain contraceptive services rendered by a licensed pharmacist to the same extent as the contraceptive services rendered by any other licensed health care practitioner;~~ altering and adding certain definitions; ~~providing for a delayed effective date;~~ and generally relating to the prescribing and dispensing of contraceptives by pharmacists.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 15–101(a), (b), and (h)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health – General

Section 15–148(c)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapters 436 and 437 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–101(u)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 12–511

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

~~BY adding to~~

~~Article – Insurance~~

~~Section 15–716~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2016 Supplement)~~

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

**Senate Bill 459 – ~~Senator Feldman~~ Senators Feldman, Middleton, Astle, Benson, Hershey, Jennings, Klausmeier, Mathias, Reilly, Rosapepe, and Oaks**

AN ACT concerning

**Bail Bond – Installment Contract – Form and Confessed Judgment Prohibition**

FOR the purpose of requiring an agreement to accept payment for the premium charged for a bail bond in installments to be in a form approved by the Maryland Insurance Commissioner; prohibiting the agreement from including a confessed judgment clause that waives a consumer's right to assert a certain defense; prohibiting a bail bondsman from including a certain confessed judgment clause that waives a consumer's right to assert a certain defense in a certain an 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 to include~~  
~~a the confession of judgment clause in a certain in an~~ agreement to accept payment  
for the premium charged for a bail bond in installments; defining a certain term; 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 Rules and Executive Nominations.

### **Senate Bill 736 – Senator Waugh**

AN ACT concerning

#### **St. Mary’s County – Public Facility Bonds**

FOR the purpose of authorizing and empowering the County Commissioners of St. Mary’s County, from time to time, to borrow not more than \$26,300,000 in order to finance the construction, improvement, or development of certain public facilities in St. Mary’s 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; ~~making this Act subject to a certain contingency;~~  
and generally relating to the issuance and sale of such bonds.

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

**Senate Bill 745 – Senator Zirkin**

AN ACT concerning

**Disclosure of Medical Records – Compulsory Process – Timeline**

FOR the purpose of requiring a health care provider to disclose a certain medical record in accordance with compulsory process no later than a certain number of days after receiving certain documentation; and generally relating to the disclosure of medical records by health care providers.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 4–306(a) and (b)(6)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

BY adding to  
Article – Health – General  
Section 4–306(d)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2016 Supplement)

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

**Senate Bill 898 – Senators Astle, Jennings, Klausmeier, ~~and Mathias~~ Mathias, Benson, Feldman, Hershey, Middleton, Oaks, Reilly, and Rosapepe**

AN ACT concerning

**Health Insurance – Prescription Drugs – Dispensing Synchronization**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to allow and apply a certain prorated copayment or coinsurance amount for a partial supply of a prescription drug dispensed by a certain pharmacy under certain circumstances; prohibiting a certain insurer, nonprofit health service plan, and health maintenance organization from denying payment of benefits to a certain pharmacy for a covered prescription drug solely on a certain basis and from using a certain payment structure; requiring a certain insurer, nonprofit health service plan, and health maintenance organization to allow a certain pharmacy to override certain codes and pay a certain pharmacy a certain dispensing fee for a certain purpose; defining certain terms; providing for the

application of this Act; providing for a delayed effective date; and generally relating to payment for a partial supply of a prescription drug under health insurance.

BY adding to

Article – Insurance

Section 15–850

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

**Senate Bill 946 – Senators Smith, Madaleno, Benson, Currie, Guzzone, Kagan, King, Lee, McFadden, Nathan–Pulliam, Robinson, Rosapepe, and Zucker**

AN ACT concerning

**Weapon-Free Gun-Free Higher Education Zones**

FOR the purpose of ~~prohibiting the carrying or possession of a firearm on the property of a public institution of higher education; providing for certain exceptions to the prohibition; establishing a certain penalty~~ altering a certain exception relating to law enforcement officers to the prohibition on carrying or possessing certain weapons on school property; prohibiting the carrying or possession of certain firearms on the property of public institutions of higher education; providing for certain exceptions to the prohibition on carrying or possessing a firearm on the property of an institution of higher education; providing that a certain violation is a civil offense punishable by a certain fine; requiring a law enforcement officer to issue a citation to a person who commits a certain violation; requiring a citation to contain certain information; prohibiting a certain person from prepaying a certain fine; requiring a certain case to be scheduled for trial; establishing certain procedures for a certain Code violation proceeding; authorizing the court to impose a certain fine and costs against a certain person and find the person is guilty of a Code violation; authorizing a defendant to appeal or file a certain motion; authorizing the State's Attorney to prosecute a certain violation in a certain manner; providing that a person under a certain age who commits a certain violation is subject to certain procedures and dispositions; requiring the Board of Regents for the University System of Maryland to incorporate the current weapons practice on their campuses into their bylaws, policies, and procedures; and generally relating to the carrying or possession of firearms on the property of a public institution of higher education.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4–102

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Criminal Law

Section 4–102.1

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 1013 – Senator Conway**

AN ACT concerning

**Health Occupations – Dental Therapists – Licensure**  
**Department of Health and Mental Hygiene and Maryland Higher Education**  
**Commission – Workgroup to Examine the Need for Dental Therapy**

~~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)~~

FOR the purpose of requiring the Department of Health and Mental Hygiene and the Maryland Higher Education Commission to jointly convene a workgroup to examine the need for dental therapy in the State; requiring the workgroup to include certain stakeholders; requiring the workgroup to report its findings and recommendations

to certain committees of the General Assembly on or before a certain date; and generally relating to a workgroup to examine the need for dental therapy in the State.

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

**Senate Bill 1027 – Senator Manno**

AN ACT concerning

**Courts – Action for Violation of Collective Bargaining Agreement or Breach of Duty of Fair Representation – Limitations Period**

FOR the purpose of establishing a certain limitations period on an action for injunctive relief or damages for a violation of a collective bargaining agreement covering employees of the State or a political subdivision of the State or a breach by an exclusive representative of the duty of fair representation ~~or~~ owed to employees of the State or a political subdivision of the State; providing for the application of this Act; and generally relating to periods of limitations on actions arising from collective bargaining agreements.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–120

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

**Senate Bill 1148 – ~~Senator Ferguson~~ Senators Ferguson, Astle, Feldman, Hershey, Jennings, Mathias, Reilly, and Rosapepe**

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.

**Senate Joint Resolution 7 – Senators Conway, Astle, Benson, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, and Zucker**

A Senate Joint Resolution concerning

### **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 CHIEF EXECUTIVE

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2018

(See Exhibit T of Appendix II)

Read and referred to the Committee on Appropriations.

**QUORUM CALL**

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

(See Roll Call No. 900)

**ADJOURNMENT**

At 12:40 P.M. on motion of Delegate Frick the House adjourned until 8:00 P.M. on Legislative Day March 22, 2017, Calendar Day, Monday, March 27, 2017.