

Journal *of* Proceedings
of the
Senate
of
Maryland

2017 Regular Session

Volume II

Compiled and edited by:

Donald G. Hopkins
Journal Clerk

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

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Annapolis, Maryland
Tuesday, February 7, 2017
10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by the Honorable Senator Bates.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 144)

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

The Journal of February 6, 2017 was read and approved.

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 4

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

Senate Bill 81 – Senator Simonaire

AN ACT concerning

Interstate Boating Violator Compact

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 116 – Senators Edwards and Middleton

AN ACT concerning

**Program Open Space – Attainment of Acquisition Goals – Local Government
Apportionment and Use of Funds**

SB0116/234132/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 116
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “a” insert “certain”; in line 5, strike “attained” and substitute “exceeded”; and in line 6, after “funds” insert “for a certain local government; requiring the Joint Subcommittee on Program Open Space and Agricultural Land Preservation to review a certain standard, make a certain determination, and report to certain committees of the General Assembly on or before a certain date”.

AMENDMENT NO. 2

On page 1, in line 22, after “(ii)” insert “1”; and in the same line, strike “If” and substitute “EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, IF”.

On page 2, in lines 1, 2, and 4, in each instance, strike the bracket; in line 1, strike “100”; in line 4, strike “AND”; and after line 4, insert:

“2. IF THE DEPARTMENT AND THE DEPARTMENT OF PLANNING CERTIFY THAT ACQUISITION GOALS SET FORTH IN THE CURRENT, APPROVED LOCAL LAND PRESERVATION AND RECREATION PLAN HAVE BEEN EXCEEDED AND THAT THE ACREAGE ATTAINMENT EXCEEDS THE MINIMUM RECOMMENDED ACREAGE GOALS DEVELOPED FOR THAT JURISDICTION UNDER THE MARYLAND LAND PRESERVATION AND RECREATION PLAN, THE LOCAL GOVERNING BODY OF A JURISDICTION THAT HAS MORE THAN 65,000 ACRES OF LAND WITHIN THE JURISDICTION CONSISTING OF STATE FORESTS, STATE PARKS, OR WILDLIFE MANAGEMENT AREAS MAY USE UP TO 100 PERCENT OF ITS FUTURE ANNUAL APPORTIONMENT FOR DEVELOPMENT PROJECTS AND CAPITAL RENEWAL.”

AMENDMENT NO. 3

On page 2, after line 13, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Joint Subcommittee on Program Open Space and Agricultural Land Preservation shall:

(1) review the State’s standard for land acquisition of 30 acres per 1,000 people to determine whether adjustments may be made to the standard to encourage the additional acquisition of land under Program Open Space; and

(2) on or before October 1, 2018, report its findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee.”;

and in line 14, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 124 – Senator Waugh

AN ACT concerning

St. Mary’s County – Vocational Training Facility – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 158 – Senator Conway

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 162 – Senator Waugh

AN ACT concerning

St. Mary’s County – Mobile Home Parks – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 201 – Senators King, Benson, Currie, Feldman, Kagan, Manno, Peters, Smith, Young, and Zucker

AN ACT concerning

Education – Fire Drill Requirements – State Fire Prevention Code

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 234 – Senator Waugh

AN ACT concerning

St. Mary’s County – Land Records – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 268 – Senators Young, Benson, Guzzone, and Pinsky

AN ACT concerning

Cownose Bay Fishing Tournaments – Prohibition

Senator Miller moved to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

INTRODUCTION OF RESOLUTIONS**Senate Resolution No. 139 – The President and All Members:**

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Athanasia (Sia) Kyriakakos
in recognition of
being selected as the 2016–2017 Maryland Teacher of the Year. We applaud your
outstanding contributions to enhancing the education of Maryland students.
Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of February 2017.

Senate Resolution No. 115 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Tania R. Pressman
Cresaptown Elementary School
in recognition of
being selected as the 2016–2017 Teacher of the Year for Allegany County. We applaud
your outstanding contributions to enhancing the education of Maryland students.
Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of February 2017.

Senate Resolution No. 116 – The President and All Members:

Be it hereby known to all that

The Senate of Maryland
offers its sincerest congratulations to
Katrina Griffin
North County High School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Anne Arundel County. We
applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of February 2017.

Senate Resolution No. 117 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Corey Carter
Northeast Academy of Health Sciences
in recognition of

being selected as the 2016–2017 Teacher of the Year for Baltimore County. We applaud
your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of February 2017.

Senate Resolution No. 118 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Donna M. Miller
Windy Hill Middle School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Calvert County. We applaud your
outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of February 2017.

Senate Resolution No. 119 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to

Marcia R. Porter
Lockerman Middle School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Caroline County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 120 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Brendan Gallagher

Carroll County Career & Technology Center
in recognition of

being selected as the 2016–2017 Teacher of the Year for Carroll County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 121 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Anne Highfield

Cecilton Elementary School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Cecil County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 122 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Jillian M. Durr
Dr. James Craik Elementary School

in recognition of
being selected as the 2016–2017 Teacher of the Year for Charles County. We applaud
your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of February 2017.

Senate Resolution No. 123 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Jennifer Wingate
South Dorchester School

in recognition of
being selected as the 2016–2017 Teacher of the Year for Dorchester County. We applaud
your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of February 2017.

Senate Resolution No. 124 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Scott T. Strait
Brunswick Middle School

in recognition of
being selected as the 2016–2017 Teacher of the Year for Frederick County. We applaud
your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of February 2017.

Senate Resolution No. 125 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Lorie W. Burdock
Northern Middle School

in recognition of

being selected as the 2016–2017 Teacher of the Year for Garrett County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 126 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Sharalyn R. Heinly
North Harford Middle School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Harford County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 127 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Shalonda Holt
Centennial High School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Howard County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 128 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Rebecca Bigelow
Worton Elementary School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Kent County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 129 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Michael V. Williams
John F. Kennedy High School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Montgomery County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 130 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Amanda Espina
Benjamin D. Foulis Creative & Performing Arts Academy
in recognition of

being selected as the 2016–2017 Teacher of the Year for Prince George’s County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 131 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Tamara M. Forte
Church Hill Elementary School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Queen Anne’s County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 132 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Alison Sayers
Fairlead Academy I
in recognition of

being selected as the 2016–2017 Teacher of the Year for St. Mary’s County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 133 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Kolby Noble
Deal Island Elementary School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Somerset County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 134 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Annie J. Mewborn
Easton Middle School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Talbot County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 135 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Kyle Dingle
Maugansville Elementary School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Washington County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 136 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Christy Briggs
Bennett Middle School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Wicomico County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

Senate Resolution No. 137 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Kristina L. Belcher
Stephen Decatur High School
in recognition of

being selected as the 2016–2017 Teacher of the Year for Worcester County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7th day of February 2017.

The preceding 24 resolutions were read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 145)

FINANCE COMMITTEE REPORT NO. 7

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

Senate Bill 61 – Senator Mathias

EMERGENCY BILL

AN ACT concerning

Health Insurance – Coverage for Digital Tomosynthesis

SB0061/887675/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 61

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Mathias” and substitute “Senators Mathias, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Middleton, Reilly, and Rosapepe”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 125 – Senator Feldman

AN ACT concerning

Woodrow Wilson Bridge and Tunnel Compact – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance 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.

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

Senate Bill 169 – Senators Middleton and Kasemeyer

AN ACT concerning

**Maryland Medical Assistance Program – Cost of Emergency Room Visits to
Treat Dental Conditions – Study**

SB0169/227279/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 169

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Kasemeyer” and substitute “, Kasemeyer, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe”; in line 2, strike “Maryland Medical Assistance Program” and substitute “Health”; in line 4, strike “requiring” and substitute “authorizing”; in the same line, strike “Department of Health and Mental Hygiene” and substitute “Maryland Dental Action Coalition”; in line 6, strike “adult enrollees in the Maryland Medical Assistance Program” and substitute

“certain adults”; in the same line, strike “requiring” and substitute “authorizing”; in line 7, strike “Department” and substitute “Coalition”; in line 8, after the first “the” insert “Department of Health and Mental Hygiene and the”; and in line 10, strike “the Maryland Medical Assistance Program and” and substitute “a study of the cost of”.

AMENDMENT NO. 2

On page 1, in line 14, strike “Department of Health and Mental Hygiene shall” and substitute “Maryland Dental Action Coalition may”; strike beginning with “adult” in line 15 down through “Program” in line 16 and substitute “:

- (1) adult enrollees in the Maryland Medical Assistance Program;
- (2) adults who have private health insurance coverage; and
- (3) adults who are uninsured”;

in line 17, strike “required” and substitute “authorized”; in line 18, strike “Department shall” and substitute “Coalition may”; and in line 20, strike “adult Medical Assistance enrollees” and substitute “the categories of individuals specified in subsection (a) of this section”.

On page 2, in lines 6 and 9, in each instance, strike “Department shall” and substitute “Coalition may”; in line 7, strike “General Assembly, in accordance with § 2–1246 of the State Government Article,” and substitute “Department of Health and Mental Hygiene and the General Assembly”; and strike beginning with “for” in line 11 down through “Program” in line 12.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 189 – The President (By Request – Department of Legislative Services)

AN ACT concerning

**Maryland Insurance Administration – Sunset Review – Required Reports and
Repeal of Preliminary Evaluation Requirement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 190 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Elevator Safety Review Board – Sunset Extension, Program Evaluation, and Reporting Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 216 – Senators Kelley, Astle, Benson, King, Klausmeier, Lee, Manno, Mathias, Middleton, Nathan–Pulliam, Robinson, and Rosapepe

AN ACT concerning

Maryland Caregivers Support Coordinating Council – Renaming and Altering Membership and Duties

SB0216/387179/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 216

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Rosapepe” and substitute “Rosapepe, Feldman, Hershey, Jennings, and Reilly”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 240 – Senators Robinson, Conway, Klausmeier, Muse, and Nathan–Pulliam

AN ACT concerning

**Department of Health and Mental Hygiene – Abuser Registry Workgroup
Recommendations – Report****SB0240/207378/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 240

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Nathan–Pulliam” and substitute “Nathan–Pulliam, Astle, Benson, Feldman, Hershey, Jennings, Mathias, Middleton, Reilly, and Rosapepe”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 9**SENATE RULES COMMITTEE REPORT NO. 17–R01 (CONSENT)**

| REPORT | SPONSOR | CONTENT |
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FAVORABLE

| | | |
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| FAV | Rules Committee | Senate Rule Amendment (SR 0039/983923/1) |
| FAV | Rules Committee | Senate Rule Amendment (SR 0049/183624/1) |

FAV

Rules Committee

Senate Rule Amendment (SR 0097/233126/1)

SR0017/513820/1

BY: Committee on Rules

AMENDMENT TO SENATE RULE 17

ORDERED by the Senate of Maryland, that Senate Rule 17(d), as adopted by the Senate for the 2017 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

“17.

(d) [(1)] The President [shall] MAY appoint a ranking Member of the majority party and THE MINORITY LEADER MAY APPOINT a ranking Member of the minority party to each standing committee [on the basis of seniority in the Senate].

[(2)] The provisions of paragraph (1) of this subsection do not apply to the chairman and vice-chairman of each standing committee designated by the President.

(3) For purposes of appointments based on Senate seniority under paragraph (1) of this subsection, if two or more Members of the majority party or two or more Members of the minority party each began serving in the Senate on the same day and year:

(i) The majority leader shall determine which of those Members who are affiliated with the majority party shall be appointed as the ranking majority Member; and

(ii) The minority leader shall determine which of those Members who are affiliated with the minority party shall be appointed as the ranking minority Member.]”.

SR0032/843327/1

BY: Committee on Rules

AMENDMENT TO SENATE RULE 32

ORDERED by the Senate of Maryland, that Senate Rule 32, as adopted by the Senate for the 2017 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

“32.

(a) Pursuant to the provisions of Article III, Section 27 of the Constitution, a Senate bill or joint resolution may not be introduced in the Senate during the last thirty–five calendar days of a regular session unless two–thirds of the elected Members so determine by yeas and nays.

(b) Notwithstanding other provisions of these Rules, a Senate bill or joint resolution introduced after the [twenty–fourth] 27TH calendar day of a regular session:

(1) Shall be referred by the President to the Committee on Rules;

(2) May not be required to be returned to the floor except upon the affirmative votes of at least two–thirds of all the Members elected; and

(3) May not be petitioned from the Committee.

(c) (1) A House bill or House joint resolution that is received by the Senate after the 69th day of a regular session:

(i) Shall be referred by the President to the Committee on Rules;

(ii) May not be required to be returned to the floor except upon the affirmative votes of at least two–thirds of all the Members elected; and

(iii) May not be petitioned from the Committee.

(2) This subsection does not apply to the Annual Budget Bill nor to any bills authorizing creation of State general obligation debt or those amending prior State authorizations.

(d) (1) Notwithstanding other provisions of these Rules, a Senate bill or joint resolution introduced on behalf of the Administration after the [10th] 13TH calendar day of a regular session:

(i) Shall be referred by the President to the Committee on Rules;

(ii) May not be required to be returned to the floor except upon the affirmative votes of at least two-thirds of all the Members elected; and

(iii) May not be petitioned from the Committee.

(2) The provisions of this subsection do not apply to the Annual Budget Bill and its supplements.

(e) Notwithstanding other provisions of these Rules, a Senate or House bill or joint resolution introduced on behalf of an executive department or other unit of the Executive Branch of State Government that has not been prefiled:

(1) Shall be referred by the President to the Committee on Rules upon introduction in the Senate or after it is received from the House;

(2) May not be required to be returned to the floor except upon the affirmative votes of at least two-thirds of all the Members elected; and

(3) May not be petitioned from the Committee.

[(f) (1) In this subsection “county” includes Baltimore City.

(2) Notwithstanding other provisions of these Rules, a Senate bill or joint resolution introduced on behalf of the government of one county or of two counties that is introduced in the Senate after the prefile bill deadline that precedes the regular session:

(i) Shall be referred by the President to the Committee on Rules;

(ii) May not be required to be returned to the floor except upon the affirmative votes of at least two-thirds of all the Members elected; and

(iii) May not be petitioned from the Committee.]”.

SR0039/983923/1

BY: Committee on Rules

AMENDMENT TO SENATE RULE 39

ORDERED by the Senate of Maryland, that Senate Rule 39(b), as adopted by the Senate for the 2017 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

“39.

(b) [The chairman of the committee shall attach to each bill or resolution reported to the floor, a copy of each amendment adopted by the committee] FOR EACH BILL OR RESOLUTION FOR WHICH A COMMITTEE HAS ADOPTED AN AMENDMENT, THE AMENDMENT SHALL BE DELIVERED TO THE OFFICE OF THE SECRETARY OF THE SENATE WHO SHALL INCLUDE IT WITH THE REPORT OF THE COMMITTEE AND HAVE IT DISTRIBUTED ON THE SENATE FLOOR OR MADE AVAILABLE ELECTRONICALLY TO THE MEMBERS.”.

SR0049/183624/1

BY: Committee on Rules

AMENDMENT TO SENATE RULE 49

ORDERED by the Senate of Maryland, that Senate Rule 49, as adopted by the Senate for the 2017 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

“49.

Amendments proposed to a bill or resolution, whether included with the report of a committee or offered from the floor, shall be [typewritten or printed on sheets that contain amendments to only] DISTRIBUTED ON PAPER OR IN ELECTRONIC FORM AND MAY ONLY PERTAIN TO that bill or resolution and shall be stamped by the Department of Legislative Services as approved for form and codification.”.

SR0097/233126/1

BY: Committee on Rules

AMENDMENT TO ADD SENATE RULE 97A

ORDERED by the Senate of Maryland, that the Senate Rules, as adopted by the Senate for the 2017 Session be, and they are hereby, amended to add new Senate Rule 97A, to read as follows:

“97A. VOTING – MAJORITY REQUIREMENTS.

(A) ON FINAL PASSAGE, A BILL, RESOLUTION, OR GROUP OF BILLS MAY NOT BE CONSIDERED PASSED UNLESS PASSED BY A MAJORITY OF THE MEMBERS ELECTED TO THE SENATE AS REQUIRED BY ARTICLE III, SECTION 28 OF THE MARYLAND CONSTITUTION.

(B) FINAL CONSENT BY THE SENATE OF A NOMINEE OR GROUP OF NOMINEES REQUIRING THE ADVICE AND CONSENT OF THE SENATE REQUIRES THE FAVORABLE VOTE FOR THE NOMINEE OR GROUP OF NOMINEES BY A MAJORITY OF MEMBERS ELECTED TO THE SENATE.”.

QUESTION IS ON THE ADOPTION OF THE AMENDMENTS TO THE SENATE RULES.

The amendments to the Senate rules were adopted by roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 146)

SPECIAL ORDER CALENDAR NO. 10

Senate Rule 116. Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

(1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and

(2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

QUESTION IS ON THE ADOPTION OF RULE 116.

Senator Klausmeier moved to adopt Senate Rule 116.

Senate rule 116 was adopted by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 147)

SPECIAL ORDERS

Senate Bill 268 – Senators Young, Benson, Guzzone, and Pinsky

AN ACT concerning

Cownose Ray Fishing Tournaments – Prohibition

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

Senator Hershey moved to make the Bill and Report a Special Order for February 8, 2017.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 148)

ADJOURNMENT

At 11:19 A.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Wednesday, February 8, 2017.

Annapolis, Maryland
Wednesday, February 8, 2017
10:00 A.M. Session

The Senate met at 10:08 A.M.

Prayer by The Right Honorable Reverend Eugene Taylor Sutton, Bishop of the Episcopal Diocese of Maryland, guest of Senator Reilly.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 150)

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

The Journal of February 7, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 178 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Right Reverend Eugene Taylor Sutton
Bishop of the Episcopal Diocese of Maryland
in recognition of the Fourth Annual Episcopal Advocacy Day in Annapolis and for his
promoting legislative initiatives and involvement among Maryland Episcopalians.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 8th day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 151)

Senate Resolution No. 147 – Senator Steve Waugh:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Lily Flaherty
in recognition of
being named the 2016 Maryland State Jousting Champion. Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 8th day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 152)

INTRODUCTORY SENATE BILLS NO. 34

Senate Bill 1019 – Senators Cassilly, Astle, and Jennings

AN ACT concerning

Department of Commerce – Employment in the State’s Defense Industry – Army Alliance Study

FOR the purpose of requiring the Department of Commerce, in conjunction with the Department of Veterans Affairs and the Department of Labor, Licensing, and Regulation, to conduct a study on employment in the State’s defense industry; specifying the minimum requirements of the study; requiring the Department of Commerce to consult with certain entities; requiring the Department of Commerce to report, on or before a certain date, to the General Assembly on the findings of the study; providing for the termination of this Act; and generally relating to a study on employment in the State’s defense industry.

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

Senate Bill 1020 – Senator Middleton

AN ACT concerning

Maryland Health Care Regulatory Reform Act of 2017

FOR the purpose of reorganizing the Maryland Health Care Commission and the Health Services Cost Review Commission to be the Maryland Health Care and Cost Review Commission; providing for the membership of the Commission; specifying the terms, appointment, qualifications, and compensation of members of the Commission; requiring each appointee to the Commission to take a certain oath before taking office; specifying the appointment and term of the chair of the Commission;

specifying the appointment and term of the executive director of the Commission; requiring the Attorney General to be legal counsel to the Commission; authorizing the Commission to hire certain experts and delegate certain authority to a member or the staff of the Commission; repealing the Health Services Cost Review Commission, the Health Services Cost Review Commission Fund, and related provisions of law rendered obsolete by this Act; repealing provisions of law that relate to the Maryland Health Care Commission administration of the small group insurance market; transferring certain responsibilities relating to the Maryland Health Care Commission and the Health Services Cost Review Commission to the Commission; altering the limit on the total fees that may be assessed by the Commission on certain entities; renaming the Maryland Health Care Commission Fund to be the Maryland Health Care and Cost Review Commission Fund; requiring the Commission to submit a certain proposal to the Governor and the General Assembly by a certain date; providing for the transfer of the functions, powers, and duties of the Maryland Health Care Commission and the Health Services Cost Review Commission on a certain date; specifying the terms of the initial members of the Commission; providing for the transfer of certain employees to the Commission without diminution of certain rights, benefits, or employment or retirement status; providing for the termination of the terms of certain officials; providing for the transfer of certain records, credits, assets, liabilities, obligations, rights, privileges, and appropriations to the Commission on a certain date; providing for the continuity of the status of certain laws, regulations, standards, guidelines, policies, orders, directives, forms, plans, memberships, contracts, property, investigations, rights, duties, and responsibilities; 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; making conforming changes; defining certain terms; altering certain definitions; and generally relating to the regulation of health care and health care facilities in the State.

BY repealing

Article – Health – General

Section 19–108.1; 19–201 through 19–208 and the part “Part I. Definitions; General Provisions”; and 19–213 and the subtitle “Subtitle 2. Health Services Cost Review Commission”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY renumbering

Article – Health – General

Section 19–211, 19–212, 19–214, 19–214.1, 19–214.2, 19–214.3, and 19–215 through 19–227, respectively, and the part “Part II. Health Care Facility Rate Setting” to be Section 19–150 through 19–168, respectively, and the part “Part VI. Health Care Facility Rate Setting”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–101, 19–103 through 19–108, 19–109(b), 19–111, 19–130, 19–143(a) and (e), 19–144, 19–303(a) and (c), 19–325(a), (b), and (c), 19–326, 19–3A–03, 19–3A–07(c), 19–3A–08, 19–3B–04(b), 19–3B–05(e), 19–710.1(b), (h), and (k), 19–710.2(b), 19–711.3, 19–720, 19–906(c), and 19–1808(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–102

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health – General

Section 19–109(e) and (f)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–155, 19–159, 19–161, and 19–163

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Section 2 of this Act)

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

Senate Bill 1021 – Senators Zucker, Ferguson, Benson, Conway, Currie, DeGrange, Feldman, Guzzone, Kagan, Kasemeyer, King, Klausmeier, Lee, Manno, McFadden, Middleton, Miller, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, and Zirkin

AN ACT concerning

**Enterprise Zone and Regional Institution Strategic Enterprise Zone Programs –
Small Business Entities**

FOR the purpose of allowing a credit against the State income tax for certain small business entities located in an enterprise zone or a Regional Institution Strategic Enterprise (RISE) zone; allowing a small business entity to claim the credit notwithstanding certain limitations and if the small business hired or retained a certain number of new employees under certain circumstances; allowing a small business entity to claim the credit as a credit for the payment to the Comptroller of certain taxes;

providing for the calculation of the credit; providing that the credit may not be claimed for more than a certain number of years; providing that the amount of the credit may not exceed the State income tax for that taxable year; authorizing a small business entity to apply any excess amount of the credit against the State income tax for succeeding taxable years; altering the definition of “qualified property” for purposes of a certain property tax credit on a certain assessment of certain property located in a RISE zone so as to include certain personal property; defining certain terms; providing for the effective dates of this Act; providing for the application of this Act; and generally relating to the Enterprise Zone Program and the Regional Institution Strategic Enterprise Zone Program.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–707(a), (c), and (d)(1) and 5–1406(a) and (d)
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 5–1406(c)
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

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

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–103.1(a)(1) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–103.1(a)(6)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1022 – Senator Mathias

AN ACT concerning

Real Property – Vacant and Abandoned Property – Expedited Foreclosure

FOR the purpose of authorizing a secured party to petition the circuit court for leave to immediately commence an action to foreclose the mortgage or deed of trust on certain vacant and abandoned property; authorizing a county, municipal corporation, homeowners association, or condominium to notify a certain secured party of certain vacant and abandoned property located in the county, municipal corporation, homeowners association, or condominium in a certain manner; specifying the contents of a certain notice; requiring a secured party to petition the circuit court for leave to immediately commence an action to foreclose the mortgage or deed of trust on certain vacant and abandoned property and to assume certain maintenance responsibilities with respect to certain vacant and abandoned property no later than a certain number of days after receiving a certain notice; requiring a certain order or complaint to be filed and to be served on a mortgagor or grantor no later than a certain number of days after the circuit court grants a certain petition; requiring a secured party to schedule a foreclosure sale no later than a certain number of days after a certain service of process; authorizing a secured party to peaceably enter, or cause others to peaceably enter, a certain vacant and abandoned property for a certain purpose; providing that an action for trespass may not lie against a certain person for peaceably entering a certain vacant and abandoned property; authorizing certain persons to seek certain injunctive or other equitable relief under certain circumstances; authorizing the Commissioner of Financial Regulation to adopt regulations necessary to carry out this Act; defining certain terms; and generally relating to expedited foreclosure proceedings for vacant and abandoned property.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–105.1(b)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Real Property

Section 7–105.14

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

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; 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; 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 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.

Senate Bill 1024 – Senators McFadden and Ready

AN ACT concerning

Education – Grant for Declining Education Aid

FOR the purpose of establishing the criteria for a county board of education to be eligible to receive a certain State grant in a certain fiscal year; specifying the calculation of a certain amount in a certain year for a certain purpose; and generally relating to State education aid.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(i)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

BUDGET AND TAXATION COMMITTEE REPORT NO. 1

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

**Senate Bill 34 – Chair, Budget and Taxation Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

Motor Vehicles – Leased Vehicles – Inspections, Insurance, and Excise Tax

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 101 – Senator Waugh

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.

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

Senate Bill 111 – Senator McFadden

AN ACT concerning

**Recordation and Transfer Taxes – Exemptions – Property Conveyed From Sole
Proprietorship to Limited Liability Company**

SB0111/679137/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 111

(First Reading File Bill)

On page 1, in line 10, after “circumstances;” insert “defining a certain term;”; and in line 14, after “12–117(a)(6)(i)” insert “and (c)(1)”.

On page 2, after line 19, insert:

“(IV) “SOLE PROPRIETORSHIP” INCLUDES AN INDIVIDUAL WHO OWNS AN INTEREST IN REAL PROPERTY IN THE INDIVIDUAL’S NAME.”.

On page 3, after line 17, insert:

“(c) (1) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE transfer of a controlling interest in a real property entity is not subject to recordation tax if the transfer of the real property owned by the real property entity between the same transferor and transferee of the controlling interest and under the same circumstances would have been exempt under § 12–108 of this title.

(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY TO TRANSACTIONS UNDER § 12–108(Y)(2)(I)3 OF THIS SUBTITLE.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 138 – Senators Manno and Miller

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

**Senate Bill 356 – Senators Serafini, Cassilly, Edwards, Hershey, Jennings, Ready,
Salling, and Simonaire**

AN ACT concerning

Workgroup to Study the Optional Retirement Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 2

Senator Zirkin, Chair, for the Committee on Judicial Proceedings 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.

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

**Senate Bill 35 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Juvenile Services)**

AN ACT concerning

Juvenile Law – Informal Adjustment – Mental Health Program

SB0035/908279/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 35

(First Reading File Bill)

On page 1, in line 5, strike “complete” and substitute “participate in a certain substance-related disorder treatment program or”; and in the same line, after “program;” insert “making a technical change”.

On page 2, in line 2, strike “complete a substance abuse treatment **OR**” and substitute “**PARTICIPATE IN A SUBSTANCE-RELATED DISORDER TREATMENT PROGRAM OR A**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 77 – Senator Simonaire

AN ACT concerning

Anne Arundel County and Harford County – Courthouse Dog and Child Witness Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 143 – Senator Zirkin

AN ACT concerning

Injury to or Death of Pet – Damages

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 182 – Senators Middleton, Peters, and Miller

AN ACT concerning

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

SB0182/838378/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 182

(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.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings 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.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 372 – Carroll County Senators

AN ACT concerning

Carroll County – Detention Center – Polygraph Testing

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

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 3

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

Senate Bill 12 – Senator Ramirez

AN ACT concerning

Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement

SB0012/548273/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 12

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Ramirez” and substitute “Senators Ramirez, Brochin, Lee, Muse, and Smith”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 45 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Administration – Driving Instructors – Criminal History Records
Checks**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 78 – Senator Rosapepe

AN ACT concerning

Vehicle Laws – School Crossing Guards – Authority to Direct Traffic

SB0078/408274/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 78

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 6 down through “Act;” in line 7.

AMENDMENT NO. 2

On page 2, in line 1, strike “**EXCEPT IN BALTIMORE CITY, VEHICLES**” and substitute “**VEHICLES**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 86 – Senator Norman

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.

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

Senate Bill 136 – Senators Lee and Smith

AN ACT concerning

Vehicle Laws – Parking Violations – Authority of Political Subdivisions

SB0136/628570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 136

(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, in line 16, strike “October 1, 2017” and substitute “July 1, 2018”.

The preceding 2 amendments were read only.

Senator Ferguson moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 154 – Senators King, Feldman, Guzzone, Kagan, Lee, Madaleno, Manno, Peters, Smith, Young, and Zucker

AN ACT concerning

Vehicle Laws – School Bus Monitoring Cameras – Civil Penalty

SB0154/778678/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 154

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 5 down through “penalty,” in line 6.

AMENDMENT NO. 2

On page 2, in lines 15, 16, 17, and 19, in each instance, strike the brackets; in line 15, strike “**THE**”; in the same line, strike “**IS \$250**” and substitute “**\$500**”; in line 17, strike “**PRESCRIBE A**”; and strike beginning with “**INDICATE**” in line 19 down through “**PENALTY**” in line 20.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0154/863125/1

BY: Senator Simonaire

AMENDMENT TO SENATE BILL 154

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, and Simonaire”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings 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.

SPECIAL ORDER CALENDAR NO. 11

Senate Bill 268 – Senators Young, Benson, Guzzone, and Pinsky

AN ACT concerning

Cownose Bay Fishing Tournaments – Prohibition

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

Favorable report adopted.

FLOOR AMENDMENT

SB0268/103824/1

BY: Senator Hershey

AMENDMENTS TO SENATE BILL 268

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 2, strike “Fishing Tournaments – Prohibition” and substitute “Fishery Management Plan and Moratorium on Tournaments”; strike beginning with “prohibiting” in line 3 down through “tournaments” in line 6 and substitute “requiring the Department of Natural Resources to prepare a certain fishery management plan for the cownose ray species on or before a certain date; prohibiting a person from organizing, sponsoring, promoting, conducting, or participating in a certain cownose ray fishing tournament in State waters until a certain date; making this Act an emergency measure; and generally relating to the cownose ray fishery”; 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 2 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, 2017, the Department of Natural Resources 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 tournament” means any tournament contest, competition, 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, 2018, a person may not organize, sponsor, promote, conduct, or participate in a cownose ray fishing tournament in State waters.”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 3 and 4, 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 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.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 153)

ADJOURNMENT

At 11:13 A.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Thursday, February 9, 2017.

**Annapolis, Maryland
Thursday, February 9, 2017
10:00 A.M. Session**

The Senate met at 10:12 A.M.

Prayer by Monsignor Bruce Jarboe, St. Ann Roman Catholic Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 156)

The Journal of February 8, 2017 was read and approved.

BUDGET AND TAXATION COMMITTEE REPORT NO. 2

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

Senate Joint Resolution 5 – Senators Kasemeyer, Madaleno, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Manno, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

A Senate Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

Senator Miller moved to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

BUDGET AND TAXATION COMMITTEE REPORT NO. 3

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

Senate Bill 261 – Senators Bates, Edwards, Ready, and Young

AN ACT concerning

Property Tax Credit – Residential Property Damaged by Natural Disaster**SB0261/469038/1**

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 261

(First Reading File Bill)

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

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 276 – Senator Madaleno

AN ACT concerning

Inheritance Tax – Exemption – Evidence of Domestic Partnership**SB0276/759532/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 276

(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 only.

Senator Simonaire moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 323 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTORY SENATE BILLS NO. 35

Senate Bill 1025 – Senator Lee

AN ACT concerning

Criminal Procedure – Victim Notification – Dissemination and National Standards

FOR the purpose of altering a certain definition of “disseminate” to exclude providing information to victims of crime or their representatives; altering the purposes of certain provisions of law relating to the Criminal Justice Information System; requiring the Department of Information Technology to conduct a certain study relating to interfaces used for automated victim notification and to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; and generally relating to victim notification.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–201(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–201(g) and 10–203
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

Senate Bill 1026 – Senator Conway

AN ACT concerning

Public Ethics Law – Conflicts of Interest and Financial Disclosure Statements

FOR the purpose of altering the definition of “legislative action” in the Public Ethics Law to include certain testimony or advocacy; prohibiting an official or employee from using the prestige of office to influence the award of a State or local government contract to a specific person; altering the definition of “close economic association” to include associations between a legislator and an entity with which employment is negotiated or prearranged; increasing a certain threshold amount of capital stock in a corporation above which a close economic association is presumed and the legislator must report to the Joint Committee on Legislative Ethics; requiring a legislator to report to the Committee the names of certain clients of the legislator or of a business entity in which the legislator has an ownership interest under certain circumstances; requiring the State Ethics Commission to post promptly on the Internet certain financial disclosure statements and preliminary disclosures filed on or after a certain date; limiting a certain requirement to disclose certain debts owed to entities doing business with or regulated by an individual’s governmental unit; making clarifying changes; and generally relating to conflicts of interest, financial disclosure statements, and public ethics.

BY repealing and reenacting, without amendments,
Article – General Provisions
Section 5–101(a), 5–513(a), 5–601(a), 5–602(c), and 5–607(a)
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–101(v), 5–506, 5–512, 5–514(b)(1), 5–606, and 5–607(g)
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

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

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 of the duty of fair representation of 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.

Senate Bill 1028 – Senator Astle

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Harambee House Community
Outreach Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$54,000, the proceeds to be used as a grant to the Board of Directors of the Mount Olive Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1029 – Senator Nathan–Pulliam

AN ACT concerning

Creation of a State Debt – Baltimore City – Shake and Bake Family Fun Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$350,000, the proceeds to be used as a grant to the Board of Directors of the Shake and Bake

Community Development Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1030 – Senators Young, Benson, Conway, Currie, Feldman, Guzzone, Lee, Madaleno, Manno, McFadden, Middleton, Nathan–Pulliam, Peters, Robinson, Rosapepe, and Zucker

AN ACT concerning

State Board of Cosmetologists – Licensing and License Renewal – Domestic Violence and Sexual Assault Awareness Course

FOR the purpose of requiring certain applicants and licensees to complete a certain domestic violence and sexual assault awareness course to qualify for certain licenses or the renewal of a license by the State Board of Cosmetologists beginning on a certain date; requiring the Board to adopt certain regulations; requiring the Board to waive a certain course requirement under certain circumstances; providing immunity from civil or criminal liability for certain licensees under certain circumstances; and generally relating to a licensing and license renewal requirement for cosmetologists.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 5–201
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 5–205, 5–304, 5–305, and 5–311
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to
Article – Business Occupations and Professions
Section 5–611
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

Senate Bill 1031 – Senators Benson, Astle, Conway, 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, Zirkin, and Zucker

AN ACT concerning

Payroll Recovery Act

FOR the purpose of requiring the Central Payroll Bureau of the Office of the State Comptroller to establish certain pay periods and pay certain employees within certain periods of time; requiring the Bureau to provide each employee a notice of certain information and a statement, each pay period, that includes certain information; requiring the Bureau to provide notice of at least a certain number of pay periods before making certain changes; authorizing an employee or the employee's exclusive representative to initiate a certain grievance procedure if the Bureau does not pay the employee in a certain manner; authorizing the grievance to be initiated up to a certain number of years after the failure to pay occurs; establishing the damages the Bureau is required to pay under certain circumstances; providing that certain employees eligible to file a grievance under this Act that are barred by a certain time limitation may file the grievance on or before a certain date; and generally relating to the payment of certain wages.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–402 and 12–402
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 2–406 and 2–407
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

LAID OVER CALENDAR NO. 2

Senate Bill 136 – Senators Lee and Smith

AN ACT concerning

Vehicle Laws – Parking Violations – Authority of Political Subdivisions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0136/628570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 136

(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, in line 16, strike “October 1, 2017” and substitute “July 1, 2018”.

The preceding 2 amendments were read only.

Senator Lee moved to make the Bill and Amendments a Special Order for February 15, 2017.

The motion was adopted.

MOTION

Senator Ferguson moved that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 2

Senator Ferguson, Chair, for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 2
February 9, 2017

Appeals, Court of

1. Joseph M. Getty District 5

Judge of the Court of Appeals of Maryland; appointed to serve a term of ten years from June 27, 2016

District Court, Harford County (District 9)

2. Victor K. Butanis District 7

Judge of the District Court of Maryland, District 9, Harford County; reappointed to serve a term of ten years from August 30, 2016

District Court, Montgomery County (District 6)

3. Rand L. Gelber District 17

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years from February 9, 2017

Special Appeals, Court of

4. Donald E. Beachley District 2

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from June 20, 2016

5. Melanie M. Shaw Geter District 22

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from June 20, 2016

African American History and Culture, Commission on

6. Gregory Holmes District 23
13601 Mackernut Court
Upper Marlboro, MD 20774

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2013

Arts Council, Maryland State

7. Carla Du Pree District 12
10391 May Wind Court
Columbia, MD 21044

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2014

8. Anne Winter West District 42
7808 Overbrook Road
Baltimore, MD 21204

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2016

Aviation Commission, Maryland

9. T. Chineta K. Davis District 9
7101 Altford Court
Elkridge, MD 21075

Member of the Maryland Aviation Commission; appointed to serve a term of three years from October 1, 2015

10. David L. Winstead, Esq. District 18
5505 Kirkside Drive
Chevy Chase, MD 20815

Member of the Maryland Aviation Commission; appointed to serve remainder of a term of three years from October 1, 2014

Blind Industries and Services of Maryland, Board of Trustees of

11. Norman H. Conway District 38
1312 Whittier Drive
Salisbury, MD 21801

Member of the Board of Trustees of Blind Industries and Services of Maryland; appointed to serve remainder of a term of three years from July 1, 2014

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

12. James W. Lewis District 36
25019 Harrington Road
Greensboro, MD 21639

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of four years from July 1, 2014

Clean Energy Center, Board of Directors for the Maryland

13. Geoffrey F. Oxnam District 37
7076 Edmond Avenue
Easton, MD 21601

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve a term of four years from July 1, 2014

14. Andrea K. Pelletier District 12
4005 Macalpine Road
Ellicott City, MD 21042

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve a term of four years from July 1, 2016

15. Debra Herring Risher District 33
1730 Tarleton Way
Crofton, MD 21114

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve a term of four years from July 1, 2016

Community Health Resources Commission, Maryland

16. Surina A. Jordan, Ph.D. District 41
111 Hamlet Hill Road, Unit 606
Baltimore, MD 21210

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2016

17. Carol I. Simmons, Ph.D. District 23
7103 Antock Place
Upper Marlboro, MD 20772

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2016

18. Anthony C. Winsiewski, Esq. District 9
2481 Mullinix Mill Road
Mt. Airy, MD 21771

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2014

Elevator Safety Review Board

19. Dawn O. Adekoya District 14
3028 Schubert Drive
Silver Spring, MD 20904

Member of the Elevator Safety Review Board; appointed to serve a term of three years from October 1, 2013, and a term of three years from October 1, 2016

Health Benefit Exchange Board, Maryland

20. Sastry V. Dhara District 15
14200 Glen Mill Road
Rockville, MD 20850

Member of the Maryland Health Benefit Exchange Board; appointed to serve a term of four years from June 1, 2015

Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of

21. Jack Wilson, Sr. District 33
111 Cresston Road
Arnold, MD 21012

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2016

Higher Education Commission, Maryland

22. Russell V. Kelley, Ph.D. District 10
9437 Joleon Road
Randallstown, MD 21133

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2012

Maryland Environmental Service, Board of Directors of

23. Roy C. McGrath District 28
P.O. Box 1334
Waldorf, MD 20604–1334

Director of the Board of Directors of Maryland Environmental Service; appointed to serve at the pleasure of the Governor

24. John P. Smith, Jr. District 5
2426 Old New Windsor Pike
New Windsor, MD 21776

Member of the Board of Directors of Maryland Environmental Service; appointed to serve a term of four years from July 1, 2015

Master Electricians, State Board of

25. John R. Woodall District 42
1804 Eastridge Road
Timonium, MD 21093

Member of the State Board of Master Electricians; appointed to serve a term of three years from July 1, 2016

Physicians, State Board of

26. Jacek L. Mostwin, M.D. District 11
6505 Darnall Road
Baltimore, MD 21204

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2014

Racing Commission, State

27. Michael J. Algeo, Ret. District 17
124 Ellington Boulevard, #309
Gaithersburg, MD 20878

Chair of the State Racing Commission; appointed to serve a term of four years from July 1, 2016

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Assistive Technology Loan Program Board of Directors

- S-1. Golnaz Balakhani District 41
6807 Park Heights Avenue, Apt. T2
Baltimore, MD 21215

Member of the Assistive Technology Loan Program Board of Directors; appointed to serve a term of four years from October 1, 2015

Aviation Commission, Maryland

- S-2. Raymond C. Nichols District 38
11810 Porfin Drive
Berlin, MD 21811

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2016

Blind Industries and Services of Maryland, Board of Trustees of

- S-3. James R. Berens District 13
12920 Wexford Park
Clarksville, MD 21029

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2016

- S-4. Walter A. Brown, Ed.D. District 40
2156 Mt. Royal Terrace
Baltimore, MD 21217

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2016

Boiler Rules, Board of

- S-5. John Dunnock District 99
20 Baugher Drive
Hanover, PA 17331

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2017

- S-6. Kevin J. Mulvey District 31
8236 Silver Run Court
Pasadena, MD 21122

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2017

Canal Place Preservation and Development Authority

- S-7. Jeremy F. Bender District 1
14413 Service Master Lane, SE
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2014

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

- S-8. Virginia P. Clagett District 30
1387 Cumberstone Road, Box 1
West River, MD 20778

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2016

- S–9. Christopher J. Trumbauer District 30
65 Decatur Avenue
Annapolis, MD 21403

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2016

Chiropractic Examiners, State Board of

- S–10. Robert G. Frieman, D.C. District 10
2602 Chestnut Woods Court
Reisterstown, MD 21136

Member of the State Board of Chiropractic Examiners; reappointed to serve a term of four years from July 1, 2016

- S–11. Michael N. Moskowitz, D.C. District 15
14115 Forest Ridge Drive
North Potomac, MD 20878

Member of the State Board of Chiropractic Examiners; reappointed to serve a term of four years from July 1, 2016

Clean Energy Center, Board of Directors for the Maryland

- S–12. Michele N. Peterson District 31
8932 Sahalee Court
Pasadena, MD 21122

Member of the Board of Directors for the Maryland Clean Energy Center; reappointed to serve a term of four years from July 1, 2015

- S–13. Eric D. Wachsman, Ph.D. District 9
9469 Lovat Road
Fulton, MD 20759

Member of the Board of Directors for the Maryland Clean Energy Center; reappointed to serve a term of four years from July 1, 2015

Community Health Resources Commission, Maryland

S-14. Barry P. Ronan District 1
15119 Trailridge Road
Cumberland, MD 21502

Member of the Maryland Community Health Resources Commission; reappointed to serve a term of four years from July 1, 2016

Consumer Council

S-15. Candes A.W. Daniels, Esq. District 9
11090 Resort Road, Unit 402
Ellicott City, MD 21042

Member of the Consumer Council; appointed to serve a term of six years from July 1, 2016

Dental Examiners, State Board of

S-16. David A. Williams, D.D.S. District 10
10809 Stansfield Road
Randallstown, MD 21133

Member of the State Board of Dental Examiners; appointed to serve remainder of a term of four years from June 1, 2016

Dietetic Practice, State Board of

S-17. Chimene Castor, Ed.D. District 13
6218 Black Cherry Circle
Columbia, MD 21045

Member of the State Board of Dietetic Practice; appointed to serve a term of four years from July 1, 2016

Elevator Safety Review Board

S-18. Edward M. Hord District 11
1220 Copper Hill Road
Baltimore, MD 21209

Chair of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2016

Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of

S-19. Charles E. Smith District 4
1420 Brentland Road
Knoxville, MD 21758

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; reappointed to serve a term of three years from January 1, 2016

Maryland Environmental Service, Board of Directors of

S-20. Kevin Hedge District 10
809 Champions Court
Reisterstown, MD 21136

Member of the Board of Directors of Maryland Environmental Service; reappointed to serve a term of four years from July 1, 2014

Maryland School for the Blind, Board of Directors of the

S-21. Nancy S. Grasmick District 7
4310 Green Glade Road
Phoenix, MD 21131

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

S-22. Guy Guzzone District 13
9702 Deep Smoke
Columbia, MD 21046

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

S-23. Brian M. Ropp District 4
8543 Pete Wiles Road
Middletown, MD 21769

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

S-24. Paul W. Schroeder
2722 Cassedy Street
Silver Spring, MD 20910

District 18

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

S-25. Mary L. Washington
6 Bladen Street, Room 429
Annapolis, MD 21401

District 43

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

Senator Ferguson moved to make the Report a Special Order for February 10, 2017.

QUORUM CALL

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

(See Roll Call No. 157)

SENATE THIRD READING CALENDAR NO. 10 (GENERAL SENATE BILLS)

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 158)

The Bill was then sent to the House of Delegates.

Senate Bill 81 – Senator Simonaire

AN ACT concerning

Interstate Boating Violator Compact

Senator Simonaire moved to make the Bill a Special Order for February 14, 2017.

The motion was adopted.

Senate Bill 116 – Senators Edwards and Middleton

AN ACT concerning

**Program Open Space – Attainment of Acquisition Goals – Local Government
Apportionment and Use of Funds**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 159)

The Bill was then sent to the House of Delegates.

Senate Bill 124 – Senator Waugh

AN ACT concerning

St. Mary’s County – Vocational Training Facility – Repeal

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

Affirmative – 46 Negative – 0 (See Roll Call No. 160)

The Bill was then sent to the House of Delegates.

Senate Bill 125 – Senator Feldman

AN ACT concerning

Woodrow Wilson Bridge and Tunnel Compact – Repeal

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

Affirmative – 46 Negative – 0 (See Roll Call No. 161)

The Bill was then sent to the House of Delegates.

Senate Bill 128 – Senator Simonaire

AN ACT concerning

Public Health – Required Temperatures for Sale of Crab Meat – Repeal

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

Affirmative – 44 Negative – 0 (See Roll Call No. 162)

The Bill was then sent to the House of Delegates.

Senate Bill 158 – Senator Conway

AN ACT concerning

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

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

Affirmative – 45 Negative – 1 (See Roll Call No. 163)

The Bill was then sent to the House of Delegates.

Senate Bill 162 – Senator Waugh

AN ACT concerning

St. Mary's County – Mobile Home Parks – Repeal

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

Affirmative – 46 Negative – 0 (See Roll Call No. 164)

The Bill was then sent to the House of Delegates.

**Senate Bill 169 – Senators Middleton and Kasemeyer, ~~Kasemeyer~~, Astle, Benson,
Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe**

AN ACT concerning

**~~Maryland Medical Assistance Program~~ Health – Cost of Emergency Room Visits
to Treat Dental Conditions – Study**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 165)

The Bill was then sent to the House of Delegates.

Senate Bill 189 – The President (By Request – Department of Legislative Services)

AN ACT concerning

**Maryland Insurance Administration – Sunset Review – Required Reports and
Repeal of Preliminary Evaluation Requirement**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 166)

The Bill was then sent to the House of Delegates.

Senate Bill 190 – The President (By Request – Department of Legislative Services)

AN ACT concerning

**Elevator Safety Review Board – Sunset Extension, Program Evaluation, and
Reporting Requirement**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 167)

The Bill was then sent to the House of Delegates.

**Senate Bill 201 – Senators King, Benson, Currie, Feldman, Kagan, Manno, Peters,
Smith, Young, and Zucker**

AN ACT concerning

Education – Fire Drill Requirements – State Fire Prevention Code

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

Affirmative – 45 Negative – 0 (See Roll Call No. 168)

The Bill was then sent to the House of Delegates.

**Senate Bill 216 – Senators Kelley, Astle, Benson, King, Klausmeier, Lee, Manno,
Mathias, Middleton, Nathan–Pulliam, Robinson, ~~and Rosapepe~~ Rosapepe,
Feldman, Hershey, Jennings, and Reilly**

AN ACT concerning

**Maryland Caregivers Support Coordinating Council – Renaming and Altering
Membership and Duties**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 169)

The Bill was then sent to the House of Delegates.

Senate Bill 234 – Senator Waugh

AN ACT concerning

St. Mary's County – Land Records – Repeal

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

Affirmative – 46 Negative – 0 (See Roll Call No. 170)

The Bill was then sent to the House of Delegates.

Senate Bill 240 – Senators Robinson, Conway, Klausmeier, Muse, ~~and Nathan Pulliam~~ Nathan Pulliam, Astle, Benson, Feldman, Hershey, Jennings, Mathias, Middleton, Reilly, and Rosapepe

AN ACT concerning

**Department of Health and Mental Hygiene – Abuser Registry Workgroup
Recommendations – Report**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 171)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

Senate Joint Resolution 5 – Senators Kasemeyer, Madaleno, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Manno, McFadden, Middleton, Miller, Muse, Nathan Pulliam, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

A Senate Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

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

Senator Jennings moved to make the Bill and Report a Special Order for February 10, 2017.

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

Affirmative – 18 Negative – 28 (See Roll Call No. 172)

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 36 Members present.

(See Roll Call No. 173)

QUORUM CALL

The presiding officer announced a quorum call, showing 37 Members present.

(See Roll Call No. 174)

ADJOURNMENT

At 11:43 A.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Friday, February 10, 2017 in Honor of Senior Deputy Patrick Dailey and Deputy Mark Logsdon and all our Police.

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

The Senate met at 10:13 A.M.

Prayer by Nick Garrett, guest of Senator Miller.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 177)

On motion of Senator Peters it was ordered that Senators Norman and Ramirez be excused from today's session.

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

QUORUM CALL

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 178)

SENATE THIRD READING CALENDAR NO. 13 (GENERAL SENATE BILLS)

Senate Joint Resolution 5 – Senators Kasemeyer, Madaleno, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Manno, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

A Senate Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

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

Affirmative – 29 Negative – 17 (See Roll Call No. 179)

The Bill was then sent to the House of Delegates.

RECESS

At 12:24 P.M. on motion of Senator Peters the Senate recessed until 12:30 P.M. on Friday, February 10, 2017.

**AFTER RECESS
Annapolis, Maryland
Friday, February 10, 2017**

At 12:41 P.M. the Senate resumed its session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 180)

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

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

February 10, 2017

In accordance with Rule 33(d), the following legislation has been reassigned as indicated below:

| | |
|--------|---|
| SB 961 | Senator Klausmeier |
| | Vehicle Laws – Rental Vehicles – Security |
| | Reassigned to Finance |

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

February 10, 2017

In accordance with Rule 33(d), the following legislation has been reassigned as indicated below:

SB 967 Senator Klausmeier

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

Reassigned to Finance and Education, Health, and Environmental Affairs

Read and ordered journalized.

INTRODUCTORY SENATE BILLS NO. 36

Senate Bill 1032 – Senator Robinson

AN ACT concerning

Family Law – Grandparent Visitation

FOR the purpose of altering the circumstances under which an equity court may grant visitation rights to a grandparent of a child; and generally relating to visitation.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 9–102

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1033 – Senator Eckardt

AN ACT concerning

Residential Property – Vacant and Abandoned Property – Expedited Foreclosure

FOR the purpose of authorizing a secured party to petition a circuit court for leave to immediately commence an action to foreclose a mortgage or deed of trust on a residential property if the property is vacant and abandoned under certain circumstances; requiring a court to rule on a certain foreclosure petition promptly after the petition is filed; providing that a residential property is vacant and abandoned if certain criteria apply to the property; requiring a court to order the appropriate official of the county or municipal corporation in which a residential property is located to verify that the property is vacant and abandoned under certain circumstances; requiring a court to order a residential property to be offered for sale not later than a certain period of time after issuance of a certain final judgment; authorizing a secured party to enter and secure a residential property after the

property is found to be vacant and abandoned under certain circumstances; making stylistic changes; defining a certain term; providing for the application of this Act; and generally relating to the foreclosure of vacant and abandoned residential property.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 7–105.1(a)(12)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.1(b)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Real Property
Section 7–105.14
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

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; 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 Rules.

Senate Bill 1035 – Senator Ferguson

AN ACT concerning

Baltimore City – 46th District Alcoholic Beverages Act of 2017

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

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 12–102, 12–1102(a), and 12–1604(b)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–1604(c) and (g)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

Senate Bill 1036 – Senator Young

AN ACT concerning

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

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

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

Senate Bill 1037 – Senator Ramirez

AN ACT concerning

**Health Care Malpractice Qualified Expert – Limitation on Testimony in
Personal Injury Claims – Repeal**

FOR the purpose of repealing the requirement that a health care provider who attests in a certificate of a qualified expert or who testifies in relation to a proceeding before an arbitration panel or a court concerning compliance with or departure from standards of care devote no more than a certain percentage of the provider's professional activities to activities that directly involve testimony in personal injury claims; and generally relating to qualified experts in health care malpractice claims.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3-2A-04(b)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

Senate Bill 1038 – Senators Serafini and Ready

EMERGENCY BILL

AN ACT concerning

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

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

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

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

Senate Bill 1039 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Hotel and Motel Licenses

FOR the purpose of altering the privileges of Class B beer, wine, and liquor hotel and restaurant licenses issued in Washington County so that the privileges may be exercised for on- and off-premises consumption for certain licenses and for on-premises consumption only for all other licenses; making certain conforming changes; and generally relating to alcoholic beverages licenses in Washington County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 31–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–903
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

INTRODUCTORY SENATE BILLS NO. 37

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.

SPECIAL ORDER CALENDAR NO. 12**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 2**

Senator Ferguson, Chair, for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 2
February 9, 2017

Appeals, Court of

1. Joseph M. Getty District 5

Judge of the Court of Appeals of Maryland; appointed to serve a term of ten years from June 27, 2016

District Court, Harford County (District 9)

2. Victor K. Butanis District 7

Judge of the District Court of Maryland, District 9, Harford County; reappointed to serve a term of ten years from August 30, 2016

District Court, Montgomery County (District 6)

3. Rand L. Gelber District 17

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years from February 9, 2017

Special Appeals, Court of

4. Donald E. Beachley District 2

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from June 20, 2016
5. Melanie M. Shaw Geter District 22

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from June 20, 2016

African American History and Culture, Commission on

6. Gregory Holmes District 23
13601 Mackernut Court
Upper Marlboro, MD 20774

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2013

Arts Council, Maryland State

7. Carla Du Pree District 12
10391 May Wind Court
Columbia, MD 21044

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2014

8. Anne Winter West District 42
7808 Overbrook Road
Baltimore, MD 21204

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2016

Aviation Commission, Maryland

9. T. Chineta K. Davis District 9
7101 Altford Court
Elkridge, MD 21075

Member of the Maryland Aviation Commission; appointed to serve a term of three years from October 1, 2015

10. David L. Winstead, Esq. District 18
5505 Kirkside Drive
Chevy Chase, MD 20815

Member of the Maryland Aviation Commission; appointed to serve remainder of a term of three years from October 1, 2014

Blind Industries and Services of Maryland, Board of Trustees of

11. Norman H. Conway District 38
1312 Whittier Drive
Salisbury, MD 21801

Member of the Board of Trustees of Blind Industries and Services of Maryland; appointed to serve remainder of a term of three years from July 1, 2014

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

12. James W. Lewis District 36
25019 Harrington Road
Greensboro, MD 21639

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of four years from July 1, 2014

Clean Energy Center, Board of Directors for the Maryland

13. Geoffrey F. Oxnam District 37
7076 Edmond Avenue
Easton, MD 21601

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve a term of four years from July 1, 2014

14. Andrea K. Pelletier District 12
4005 Macalpine Road
Ellicott City, MD 21042

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve a term of four years from July 1, 2016

15. Debra Herring Risher District 33
1730 Tarleton Way
Crofton, MD 21114

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve a term of four years from July 1, 2016

Community Health Resources Commission, Maryland

16. Surina A. Jordan, Ph.D. District 41
111 Hamlet Hill Road, Unit 606
Baltimore, MD 21210

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2016

17. Carol I. Simmons, Ph.D. District 23
7103 Antock Place
Upper Marlboro, MD 20772

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2016

18. Anthony C. Winsiewski, Esq. District 9
2481 Mullinix Mill Road
Mt. Airy, MD 21771

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2014

Elevator Safety Review Board

19. Dawn O. Adekoya District 14
3028 Schubert Drive
Silver Spring, MD 20904

Member of the Elevator Safety Review Board; appointed to serve a term of three years from October 1, 2013, and a term of three years from October 1, 2016

Health Benefit Exchange Board, Maryland

20. Sastry V. Dhara District 15
14200 Glen Mill Road
Rockville, MD 20850

Member of the Maryland Health Benefit Exchange Board; appointed to serve a term of four years from June 1, 2015

Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of

21. Jack Wilson, Sr. District 33
111 Cresston Road
Arnold, MD 21012

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2016

Higher Education Commission, Maryland

22. Russell V. Kelley, Ph.D. District 10
9437 Joleon Road
Randallstown, MD 21133

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2012

Maryland Environmental Service, Board of Directors of

23. Roy C. McGrath District 28
P.O. Box 1334
Waldorf, MD 20604-1334

Director of the Board of Directors of Maryland Environmental Service; appointed to serve at the pleasure of the Governor

24. John P. Smith, Jr. District 5
2426 Old New Windsor Pike
New Windsor, MD 21776

Member of the Board of Directors of Maryland Environmental Service; appointed to serve a term of four years from July 1, 2015

Master Electricians, State Board of

25. John R. Woodall District 42
1804 Eastridge Road
Timonium, MD 21093

Member of the State Board of Master Electricians; appointed to serve a term of three years from July 1, 2016

Physicians, State Board of

26. Jacek L. Mostwin, M.D. District 11
6505 Darnall Road
Baltimore, MD 21204

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2014

Racing Commission, State

27. Michael J. Algeo, Ret. District 17
124 Ellington Boulevard, #309
Gaithersburg, MD 20878

Chair of the State Racing Commission; appointed to serve a term of four years from July 1, 2016

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Assistive Technology Loan Program Board of Directors

- S-1. Golnaz Balakhani District 41
6807 Park Heights Avenue, Apt. T2
Baltimore, MD 21215

Member of the Assistive Technology Loan Program Board of Directors; appointed to serve a term of four years from October 1, 2015

Aviation Commission, Maryland

- S-2. Raymond C. Nichols District 38
11810 Porfin Drive
Berlin, MD 21811

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2016

Blind Industries and Services of Maryland, Board of Trustees of

- S-3. James R. Berens District 13
12920 Wexford Park
Clarksville, MD 21029

Member of the Board of Trustees of Blind Industries and Services of Maryland;
reappointed to serve a term of three years from July 1, 2016

- S-4. Walter A. Brown, Ed.D. District 40
2156 Mt. Royal Terrace
Baltimore, MD 21217

Member of the Board of Trustees of Blind Industries and Services of Maryland;
reappointed to serve a term of three years from July 1, 2016

Boiler Rules, Board of

- S-5. John Dunnock District 99
20 Baugher Drive
Hanover, PA 17331

Member of the Board of Boiler Rules; reappointed to serve a term of four years from
January 1, 2017

- S-6. Kevin J. Mulvey District 31
8236 Silver Run Court
Pasadena, MD 21122

Member of the Board of Boiler Rules; reappointed to serve a term of four years from
January 1, 2017

Canal Place Preservation and Development Authority

- S-7. Jeremy F. Bender District 1
14413 Service Master Lane, SE
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to
serve remainder of a term of four years from June 1, 2014

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

- S–8. Virginia P. Clagett District 30
1387 Cumberstone Road, Box 1
West River, MD 20778

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2016

- S–9. Christopher J. Trumbauer District 30
65 Decatur Avenue
Annapolis, MD 21403

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2016

Chiropractic Examiners, State Board of

- S–10. Robert G. Frieman, D.C. District 10
2602 Chestnut Woods Court
Reisterstown, MD 21136

Member of the State Board of Chiropractic Examiners; reappointed to serve a term of four years from July 1, 2016

- S–11. Michael N. Moskowitz, D.C. District 15
14115 Forest Ridge Drive
North Potomac, MD 20878

Member of the State Board of Chiropractic Examiners; reappointed to serve a term of four years from July 1, 2016

Clean Energy Center, Board of Directors for the Maryland

- S–12. Michele N. Peterson District 31
8932 Sahalee Court
Pasadena, MD 21122

Member of the Board of Directors for the Maryland Clean Energy Center; reappointed to serve a term of four years from July 1, 2015

S-13. Eric D. Wachsman, Ph.D. District 9
9469 Lovat Road
Fulton, MD 20759

Member of the Board of Directors for the Maryland Clean Energy Center;
reappointed to serve a term of four years from July 1, 2015

Community Health Resources Commission, Maryland

S-14. Barry P. Ronan District 1
15119 Trailridge Road
Cumberland, MD 21502

Member of the Maryland Community Health Resources Commission; reappointed to
serve a term of four years from July 1, 2016

Consumer Council

S-15. Candes A.W. Daniels, Esq. District 9
11090 Resort Road, Unit 402
Ellicott City, MD 21042

Member of the Consumer Council; appointed to serve a term of six years from July
1, 2016

Dental Examiners, State Board of

S-16. David A. Williams, D.D.S. District 10
10809 Stansfield Road
Randallstown, MD 21133

Member of the State Board of Dental Examiners; appointed to serve remainder of a
term of four years from June 1, 2016

Dietetic Practice, State Board of

S-17. Chimene Castor, Ed.D. District 13
6218 Black Cherry Circle
Columbia, MD 21045

Member of the State Board of Dietetic Practice; appointed to serve a term of four
years from July 1, 2016

Elevator Safety Review Board

- S–18. Edward M. Hord District 11
1220 Copper Hill Road
Baltimore, MD 21209

Chair of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2016

Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of

- S–19. Charles E. Smith District 4
1420 Brentland Road
Knoxville, MD 21758

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; reappointed to serve a term of three years from January 1, 2016

Maryland Environmental Service, Board of Directors of

- S–20. Kevin Hedge District 10
809 Champions Court
Reisterstown, MD 21136

Member of the Board of Directors of Maryland Environmental Service; reappointed to serve a term of four years from July 1, 2014

Maryland School for the Blind, Board of Directors of the

- S–21. Nancy S. Grasmick District 7
4310 Green Glade Road
Phoenix, MD 21131

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

- S–22. Guy Guzzone District 13
9702 Deep Smoke
Columbia, MD 21046

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

S-23. Brian M. Ropp District 4
8543 Pete Wiles Road
Middletown, MD 21769

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

S-24. Paul W. Schroeder District 18
2722 Cassedy Street
Silver Spring, MD 20910

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

S-25. Mary L. Washington District 43
6 Bladen Street, Room 429
Annapolis, MD 21401

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

The President of the Senate put the following question: "With the exception of nominee no. 1, 22, and S-23, will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive, with the exception of nominee no. 1, 22, and S-23, were all confirmed by roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 181)

Nominee No. S-23 –

Brian M. Ropp District 4

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016

Senator Ferguson moved to make Nominee No. S-23 a Special Order for February 24, 2017.

The motion was adopted.

Nominee No. 1. –

Joseph M. Getty

District 5

Judge of the Court of Appeals of Maryland; appointed to serve a term of ten years from June 27, 2016

The President of the Senate put the following question: “Will the Senate advise and consent to the above nomination of the Executive?”

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 182)

Nominee No. 22 –

Russell V. Kelley, Ph.D.

District 10

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2012

The President of the Senate put the following question: “Will the Senate advise and consent to the above nomination of the Executive?”

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 183)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 184)

ADJOURNMENT

At 12:57 P.M. on motion of Senator Peters the Senate adjourned until 8:00 P.M. on Monday, February 13, 2017.

Annapolis, Maryland
Monday, February 13, 2017
8:00 P.M. Session

The Senate met at 8:12 P.M.

Prayer by Chaplain Christian Jensen, International Fellowship Foundation, guest of Senator Serafini.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 187)

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

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 220 – Senator John C. Astle:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Midshipman 3rd Class Jonathan Dennler
in recognition of
receiving the Navy and Marine Corp Medal, the Navy's highest non-combat medal for
heroism for rescuing a Boy Scout troop in July 2016.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 13th day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 188)

LINCOLN DAY ADDRESS GIVEN BY SENATOR SERAFINI

Lincoln Speech

1. Hermeneutics

- a. We are separated from Abraham Lincoln by culture, customs, language, situation and the vast expanse of time
- b. We need to take steps to avoid the challenges presented by this separation and answer the following questions:
 - i. How did the tremendous trials and losses of his life affect him?
 - ii. How did his struggle with faith mold him?
 - iii. How did he view his place in history?
 - iv. How should this impact not only how we view Lincoln but how we act as elected officials?

c. Custom and Cultural meanings

i. Michelangelo's David Statue in Florence –

1. *I will draw heavily on the eight volume work edited by Roy P. Basler called "The Collected Works of Abraham Lincoln." These are the text of speeches, personal letters, to associates, ministers and the general public. I will also rely on the book by Philip Ostergard "The Inspired Wisdom of Abraham Lincoln."*
2. *Please understand these are not my words but from Abraham Lincoln himself.*

A religious history of our nation from years ago

The Great Awakening took place in the late 1600's and early to mid-1700's. It had a dramatic and positive impact on individual lives, families, and on early American society as a whole. This national hunger for spiritual freedom and wise moral leadership led to the widespread desire to be a nation free from religious, economic, and political tyranny imposed by King George the third. The great awakening thus created the moral climate for the Declaration of Independence and the founding of a new country, conceived in liberty which would truly become a light to the nations.

In the 1770s until the late 1820s per capital consumption of alcohol in America rose dramatically, to about four or five times what it is today.

This gave birth to what is called the Second Great Awakening. It was not just white Americans who were coming to faith and filling the churches, African-Americans were coming to Christ in unprecedented numbers during this special time as well as women. It is on this backdrop that the country came to throw off the acceptance of slavery and into which Abraham Lincoln stepped into the limelight.

The Early Years for Abraham Lincoln

He was born in the back woods of Kentucky and then Illinois. All told Lincoln probably received only a few months of formal education. His one room school house only had one book, the Bible, and classmates would form a line and take turns reading one paragraph at a time. His family had come from Quakers originally and the church and faith were a large part of his early childhood.

Early Hardships of Abraham Lincoln

*In addition to growing up in the harsh climate of the frontier, he endured a number of losses in his narrow family circle. His younger brother died at birth, an aunt, and an uncle all died of milk sickness before his mother succumbed to the same. He accompanied his father to the nearby woods to cut the wood to make her casket. He once again joined his father to dig the grave for his mother in the same woods. Not many years later his older sister passed away in childbirth.

A questioning faith

About the age of 22 he moved to the larger more developed town of new Salem, he associated with those of intellectual interest, some of whom had attended college before moving to the frontier village. Many of Lincoln's new friends dismissed the Bible as archaic and of the backwoods.

Lincoln was a doubter at this time, and some of his friends from his early days called him a skeptic.

Lincoln's Early interest in Politics

*In 1846 Lincoln was attempting to run for office and many were questioning his faith. He had to reply to the charges of infidelity which meant a skeptic or scoffer of Christianity. He published in July 31, 1846 a handbill replying to the charges of infidelity

"Fellow citizens:

A charge having got into circulation in some of the neighborhoods of this district, in substance that I am an open scoffer at Christianity. That I am not a member of any Christian church, is true; but have never denied the truth of the Scriptures; and I have never spoken with intentional disrespect of religion in general, or of any denomination of Christians in particular.

Loss of a son and a father

The year 1850 was particularly difficult for Abraham and Mary Lincoln. In February, their second son died after being ill for nearly 2 months. Mary Lincoln arranged for Dr. James Smith of the First Presbyterian Church in Springfield to hold a memorial service for her young son. Dr. Smith had written a book, The Christian's Defense, that had a profound effect on Lincoln. Before long Lincoln rented a pew, which was a common practice in those days, and occasionally attended services with Mary, who joined the church. He often attended the Wednesday services but sat in the pastors study so he would not be a distraction.

Lincoln also wrote to his stepbrother regarding his father's ill health just before his father passed away on January 12, 1851

"I sincerely hope father may yet recover his health; but tell him to remember to call upon, and confide in, our great, and good, and merciful maker; he will not turn away from him in any extremity. He notes the fall of the sparrow, and numbers the hairs of our heads; and he will not forget the dying man, who puts his trust in Him."

Lincoln had other family issues.

Even as he moved away from the homestead he continued to help and support his extended family. He had a step-brother that was described as a "shiftless" person, who always needed money, but lacked ambition to work. In this correspondence we find that Lincoln, like the Vice Chair of B&T, was an advocate for an early version of the Earned Income Tax Credit.

Lincoln wrote to him in December of 1948

"Dear Johnston,

Your request for eighty dollars, I do not think it best, to comply with now. At various times when I have helped you a little, you have said to me, "We can get along very well now" but in a very short time, I find you in a same difficulty again looking for somebody who will give you money for it.. I now promise you, that for every dollar you will, between this and the first of next May, get for your own labor, either in money, or in your own indebtedness, I will then give you one other dollar. By this, if you hire yourself at ten dollars a month, from me you will get ten more, making twenty dollars a month for your work... Now if you will do this, you will soon be out of debt, and what is better, you will have a habit that will keep you from getting in debt again.

The Lincoln–Douglas Debates

In the debates between Lincoln and Douglas several themes developed. Lincoln gave a speech in August 1858 in Lewiston, Illinois. It was here that Lincoln first expressed and confirmed what had been stated in the declaration of independence.

"We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness." This was their majestic interpretation of the economy of the universe. This is their lofty, and wise, and noble understanding of the justice of the creator to his creatures. Yes, gentlemen, to all His creatures, to the whole great family of man. In their enlightened belief, nothing stamped with the Divine image and likeness was sent into the world to be trodden on, integrated, and inbruted by its fellows. Wise statesmen as they were, they knew the tendency of prosperity to breed tyrants, and so they established these great self-evident truths, ... So, that truth, and justice, and mercy, and all the humane and Christian virtues might not be distinguished from the land."

In another debate, Lincoln fiercely defended the concept that the founding fathers had meant to include the black man in the phrase "all men are created equal." They had allowed slavery in the union only because the alternative would have been two separate nations, one with and one without slavery. Lincoln had also argued that the founding fathers had designed to put slavery on the path to extinction.

Lincoln argued that though the founders allowed slavery in the Constitution out of necessity, at the same time they disallowed slavery in the ordinance of 1787 for the Northwest Territories, which included states north of the Ohio River. Lincoln concluded by saying that twenty-three of the thirty-nine signers believed the federal government had the power to regulate slavery's arguments were solid and convincing, supported by incontestable facts.

Lincoln as an Instrument of the Almighty

As time progressed Lincoln came to believe that God was involved in specific events and stated the following to the New Jersey Senate February 21, 1861

"And I shall be most happy indeed if I shall be a humble instrument in the hands of the Almighty, and of this, His almost chosen people, for perpetuating the object of that great struggle."

Lincoln as President

Lincoln was elected president on November 6, 1860 with 39% of the popular vote. The country was already being torn apart. Before his inauguration he boarded the train in Springfield headed for Washington. He gave an address before he departed.

February 11, 1861 Farewell Address at Springfield, Illinois

*"I now leave, not knowing when, or whether ever, I may return, with the task before me greater than that which rested upon Washington. **Without the assistance of the divine being, who always attended him, I cannot succeed. With that assistance, I cannot fail.** Trusting in Him, let us confidently hope that all will be well. To His care commanding you, as I hope in your prayers you will command me, I bid you an affectionate farewell."*

Baltimore Sun quote

It is hard for us to understand the ridicule that Lincoln was forced to endure as he entered political office as we look back at so great a man today. As he travelled his life was in jeopardy even in Northern cities. It is possible that all of you have felt the sting of the media, particularly of the Baltimore Sun. I want to read to you from an editorial that was published shortly after his first election, before his train reached Washington.

"Had we any respect for Mr. Lincoln, official or personal, as a man, or as President elect of the United States, his career and speeches on his way to the seat of government would have cruelly impaired it.

We do not believe the presidency can ever be more degraded by any of his successors, then it has been by him, even before his inauguration."

March 4, 1861–First Inaugural Address: While he hates slavery Lincoln tries to calm the South

During his first inaugural address the new president wanted to assuage the fears of the Southern states and explained that he was constrained by the law.

"I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so.

Intelligence, patriotism, Christianity, and a firm reliance on Him, who has never yet forsaken this favored land, are still competent to adjust, in the best way, all our present difficulty.

In your hands, my dissatisfied fellow countrymen, and not in mine, is the momentous issue of civil war. The government will not assail you. You can have no conflict, without being yourselves the aggressors. You have no oath registered in Heaven to destroy the government, while I shall have the most solemn one to "preserve, protect and defend" it..."

December 3, 1861–Annual message to Congress – Maryland is mentioned prominently

"Fellow citizens of the Senate and House of Representatives:

In the midst of unprecedented political troubles, we have cause of great gratitude to God for unusual good health, and most abundant harvest...."

Having spoken briefly on all these topics and more Lincoln turned to the issue of civil unrest. First, he spoke of the improved situation in Maryland.

"Maryland was made to seem against the union. Our soldiers were assaulted, bridges were burned, and railroads torn up, within her limits; and we were many days, at one time, without the ability to bridge a single regiment over her soil to the capital. Now, her bridges and railroads are repaired and open to the government, she already gives seven regiments to the cause of the union and none to the enemy..."

These three states of Maryland, Kentucky, and Missouri, neither of which would promise a single soldier at first, have now an aggregate of not less than 40,000 in the field..."

The Divine Will

As a young man, Lincoln, did struggle with the loss of his mother and then later of so many family members and now that he was governing in a time of war. It is said that the greatest question of all times is, “How can a good God allow bad things to happen to good people, and what is His will?”

Over the years, we see Lincoln’s faith growing and by the time he reached the presidency it seemed to be very real in his life. On February 20, 1862 Lincoln’s third son, William died. Only Lincoln could comfort Mary as she also dealt with the loss of a brother, a brother-in-law, and other members of the Todd family as they died wearing uniforms of gray.

In the quiet of the night Lincoln sat at his desk. As he pondered all that was going on—his grief over the death of his son, the struggle over how to handle the Emancipation Proclamation and the infighting of generals that was causing disastrous defeats—Lincoln faced the great question directly: What is the will of God? It was then that he wrote the following;

September 1862–Meditation on the Divine Will

“The will of God prevails. In great contests, each party claims to act in accordance with the will of God. Both may be, and one must be wrong. God cannot be for, and against the same thing at the same time. In the present Civil War, it is quite possible that God’s purpose is something different from the purpose of either party—and yet the human instrumentalities, working just as they do, are of the best adaptation to affect His purpose. I am almost ready to say this is probably true—that God wills this contest, and wills that it shall not end yet. By his mere quiet power, on the minds of the now contestants, He could have either saved or destroyed the Union without a human contest. Yet the contest began. And having begun He could give the final victory to either side any day. Yet the contest proceeds.”

The Emancipation Proclamation

after the struggle to assure passage of the Emancipation Proclamation, Lincoln must have been particularly gratified by the response of many African-Americans. On the 4th of July, an unprecedented event was witnessed in Washington. By special consent of the president, the White House grounds were granted to the colored people of the city for a grand Sunday school Festival,

The Baltimore guests presented the president with an elegant copy of the holy Bible. It was inscribed “To Abraham Lincoln, President of the United States, the friend of universal freedom. From the loyal colored people of Baltimore, as a token of respect and gratitude. Baltimore, July 4, 1864.

Lincoln’s written response was as follows

September 7, 1864–Reply to the Loyal Colored People of Baltimore upon Presentation of a Bible

“In regard to this Great Book, I have but to say it is the best gift God has given to man. All the good the Savior gave to the world was communicated through this book. But for it we could not know right from wrong. All things most desirable for man’s welfare, here and hereafter are to be found portrayed in it. To you I return my most sincere thanks for the very elegant copy of the great Book of God which you present.”

March 30, 1863–Proclamation Appointing a National Fast Day by the President of the United States of America

“Whereas the Senate of the United States, devoutly recognizing the Supreme Authority and just Government of Almighty God and all the affairs of men and of nations, has, by

resolution, requested the President to designate and set apart a day for National prayer and humiliation;

And whereas it is the duty of nations as well as of men, who own their dependence upon the overruling power of God, to confess their sins and transgressions, in humble sorrow, yet with assured hope that genuine repentance will lead to mercy and pardon; and to recognize the sublime truth, announced in the Holy Scriptures and proven by all history, that those nations only are blessed whose God is the Lord.”

November 1863 – Gettysburg

While visiting Gettysburg Lincoln surveyed the field of battle and stated, “When I went to Gettysburg and looked upon the graves of our dead heroes who had fallen in the defense of their country, I then and there consecrated myself to Jesus Christ.”

March 4, 1865–Second Inaugural Address

“neither party expected for the war, the magnitude, or the duration, which it has already attained. Both read the same Bible, and prayed to the same God; and each invokes His aid against the other. It may seem strange that any man should dare to ask a just God’s assistance in ringing their bread from the sweat of the other men’s face; but let us judge not that we be not judged. The prayers of both could not be answered; that of neither has been answered fully. The Almighty has his own purposes.

Fondly do we hope—fervently do we pray—that his mighty scourge of war may speedily pass away. Yet, if God wills that it continues, until all the wealth piled by the bond man’s 250 years of un-requited toil shall be sunk, and until every drop of blood drawn with the lash, shall be paid by another drawn with the sword, as was said 3000 years ago, so still it must be said “the judgments of the Lord, are true and righteous altogether.”

With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation’s wounds; to care for him who should have borne the battles, and for his widow, and his orphan—to do all which may achieve and cherish a just, and lasting peace, among ourselves, and with all nations.”

As President Lincoln concluded the inaugural address for his second term, he bent low and kissed the Bible upon which he had taken his presidential oath

*After the conclusion of the war in early April President Lincoln made his last public address.

April 11, 1865–Last Public Address

“We meet this evening, not in sorrow, but in gladness of heart. The evacuation of Petersburg and Richmond, and the surrender of the principal insurgent army, give hope of a righteous and speedy peace our joyous expression cannot be restrained. In the midst of this, however, He, from whom all blessings flow, must not be forgotten. A call for a national Thanksgiving is being prepared, and will be duly promulgated.”

From a White House porch, the serenading crowd asked the president “what music would you like?” His answer: “Dixie.”

Conclusion – I would like to ask all of us to consider some questions as I conclude

- a. Let us first consider the question from the Declaration of Independence on Creation
 - ii. Are we in fact created and if so are we created equal?

- iii. Clearly, Lincoln believed that we were; not only created but also created for a purpose.
- iv. We can see from recent history what happens when the concept of equality is removed. The results are devastating.
- v. Nietzsche stated, “Equality is a lie concocted by inferior people who arrange themselves in herds to overpower those who are naturally superior to them. The morality of ‘equal rights’ is a herd morality, and because it opposes the cultivation of superior individuals, it leads to the corruption of the human species”
- vi. What happens when a society removes God
 - 1. Germany 6 mill, Russia 50 mill, China 45 million
 - 2. Victor Frankl—”The gas chambers of Auschwitz were the ultimate consequence of the theory that man is nothing but the product of heredity and environment—or, as the Nazis liked to say, ‘of blood and soil.’ I am absolutely convinced that the gas chambers of Auschwitz and Treblinka, were ultimately prepared not in some ministry or other in Berlin, but rather at the desks and in lecture halls of nihilistic scientists and philosophers.”
 - 3. The Civil War was a struggle for this foundational principle on which our country was built that valued all of God’s children.

2. Summary

- a. Lincoln experienced tremendous amounts of personal pain and loss.
 - b. While he did experience a time of doubt; his words overwhelmingly point to a steadfast faith. He wrestled understanding whether there was a God and if so did he intervene in the affairs of men. Ultimately, he believed that He did and in fact that Lincoln was an instrument in God’s hands.
 - c. Lincoln hated slavery, yet was constrained by the same truth that the chairman of B&T stated from the floor the other day. We are a country of laws.
 - d. I know that each of us has experienced some level of pain in our lives. How have you been impacted by it?
 - e. What conclusion have you come to regarding the possibility of a God who created us and is actively involved in our world? One of the great freedoms of this country is that you can completely reject this or any religious principle but are still wholly protected in that right.
 - f. We currently live in a very divided country as did Lincoln.
 - g. We are tempted to only see our side of the disagreements and sometimes act while neglecting to consider the consequences. Certainly, Lincoln struggled with this idea.
 - h. How now will we respond when once again some would say the Union is threatened. As Lincoln stated not from outside but internally?
 - i. Are we willing to face criticism, hatred and even risk our lives, as Lincoln did, to preserve this Union, to do what we know is best for all?
-

- j. Can we stand strong enough for what is right verses what is expedient as Lincoln did?
- k. Do we understand the that world is watching and hoping for principled leader to emerge as Lincoln did?
- l. David McCulloch once said, “Exceptional presidents are exceptional, they don’t come along very often.”
- m. Can we strive together to give the people of this great State exceptional leaders in the likeness of Lincoln?”
- n. Have you considered that you are an instrument in God’s hands?

INTRODUCTORY SENATE BILLS NO. 38

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 Rules.

Senate Bill 1041 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Chesapeake Region Accessible Boating Project

FOR the purpose of authorizing the creation of a State Debt in the amount of \$75,000, the proceeds to be used as a grant to the Board of Directors of Chesapeake Region Accessible Boating, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee

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

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

Senate Bill 1042 – Senator Feldman

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 Rules.

Senate Bill 1043 – Senators Feldman, Manno, Rosapepe, and Zucker

AN ACT concerning

Renewable Energy Portfolio Standard Requirements – Standard Offer Service

FOR the purpose of requiring an electric company to contract for certain renewable energy credits and electricity generated from certain Tier 1 renewable sources to meet a certain portion of the renewable energy portfolio standard for electricity that the electric company provides to certain customers beginning on a certain date; requiring an electric company to solicit bids for a certain contract from certain renewable energy facilities; requiring an electric company to use a competitive procurement process to award a certain contract; requiring that a term for a certain contract be for a certain minimum and maximum duration; authorizing an electric company to recover certain costs associated with this Act; providing for the application of this Act; and generally relating to the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–701(a) and (r)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to
Article – Public Utilities
Section 7–703.1
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

Senate Bill 1044 – Senator Lee

AN ACT concerning

**Creation of a State Debt – Montgomery County – Interfaith Watershed
Restoration and Outreach Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$60,000, the proceeds to be used as a grant to the Board of Directors of the Beth Sholom Congregation and Talmud Torah for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1045 – Senator Ferguson

AN ACT concerning

Creation of a State Debt – Baltimore City – Port Discovery Children’s Museum

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of The Baltimore Children’s Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1046 – Senator Simonaire

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Tick Neck Park Athletic Fields

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

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

Senate Bill 1047 – Senator Young

AN ACT concerning

Distribution of Marriage Ceremony Fees

FOR the purpose of making the fee for the performance of a marriage ceremony by a clerk or deputy clerk of the circuit court for a county nonrefundable and payable before a certain license is issued; reducing, in a certain county, the fee for the performance of a marriage ceremony; altering a requirement that the clerks retain and distribute certain fees in a certain manner; requiring that the clerks pay certain fees to the State Comptroller; requiring the State Comptroller to distribute certain fees in a certain manner; requiring the recipient of certain fees to use the fees in a certain manner and report annually on the use of the fees; authorizing the State Comptroller and the Maryland Historical Trust to request certain financial statements or an audit of certain financial records; repealing certain reporting requirements; requiring the State Comptroller, under certain circumstances, to withhold the payment of certain fees; making technical corrections; and generally relating to the distribution of fees for the performance of a marriage ceremony.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–410
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1048 – Senator Muse

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Camp Springs Elks Lodge
No. 2332**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of the Camp Springs Lodge No. 2332, Benevolent and Protective Order of Elks of the United States of America, Incorporated for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1049 – Senator Muse

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Accokeek First Church of
God Center of Excellence**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Trustees of the Accokeek First Church of God for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1050 – Senator Jennings

AN ACT concerning

Motor Vehicles – Dump Trucks – Gross Vehicle Weight Limits

FOR the purpose of allowing dump trucks registered in the State to exceed the motor vehicle’s maximum gross vehicle weight by a certain amount; and generally relating to gross vehicle weight limits.

BY repealing and reenacting, without amendments,
Article – Transportation

Section 13–919(c)(2)(ii)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–919(h)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1051 – Senator Jennings

AN ACT concerning

Creation of a State Debt – Baltimore County – Camp Puh'tok

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

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

Senate Bill 1052 – Senator Mathias

AN ACT concerning

State Designations – State Waterfowl – Canvasback Duck

FOR the purpose of designating the canvasback duck as the State waterfowl; and generally relating to a State waterfowl.

BY adding to
Article – General Provisions
Section 7–311
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

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

Senate Bill 1053 – Senator Mathias

AN ACT concerning

**Creation of a State Debt – Worcester County – Lower Eastern Shore
Conservation and Heritage Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Lower Shore Land Trust, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1054 – Senators Mathias and Klausmeier

AN ACT concerning

Health Insurance – Freedom of Choice of Pharmacy Act

FOR the purpose of prohibiting certain carriers from prohibiting an enrollee from selecting, or limiting the ability of an enrollee to select, a certain pharmacy for the receipt of certain services under certain circumstances; prohibiting certain carriers, under certain circumstances, from denying a pharmacy a certain right or imposing on an enrollee certain payments, fees, reimbursement amounts, limitations, and conditions for certain services; prohibiting certain carriers from imposing certain advantages and penalties under a health benefit plan or reducing certain reimbursement to an enrollee for certain services for a certain reason; prohibiting certain carriers from requiring an enrollee to purchase certain services in a certain manner under certain circumstances; prohibiting a pharmacy from waiving, discounting, rebating, or modifying certain copayments, coinsurance requirements, and reimbursement; requiring a pharmacy to offer a certain pharmacy service to certain enrollees under certain circumstances; requiring certain carriers to provide a certain notice and extend a certain offer to certain pharmacies on or before a certain date; requiring that certain pharmacies be eligible to participate in certain health benefit plans under certain terms and conditions; requiring certain carriers to inform certain enrollees of the names and locations of certain pharmacies on a certain basis; authorizing a pharmacy to inform certain customers of certain information; repealing a certain prohibition on the imposition of certain copayments, deductibles, and conditions under certain circumstances; repealing a requirement that a certain nonprofit health service plan allow a subscriber, member, or beneficiary to fill a prescription at a certain pharmacy; repealing certain provisions of law authorizing certain carriers to require that certain drugs be obtained through certain pharmacies or certain sources under certain conditions; repealing a certain authorization for a certain pharmacy to apply to be a certain designated pharmacy for a certain purpose, under certain conditions; repealing a certain prohibition on certain carriers

unreasonably withholding a certain approval; defining certain terms; providing for the application of this Act; providing for a delayed effective date; and generally relating to health insurance and pharmacy services.

BY renumbering

Article – Insurance

Section 15–847(f) and (g), respectively
to be Section 15–847(d) and (e), respectively

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing

Article – Insurance

Section 15–805(d), 15–806, and 15–847(d) and (e)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – Insurance

Section 15–2001 through 15–2005 to be under the new subtitle “Subtitle 20. Freedom
of Choice of Pharmacy Act”

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

Senate Bill 1055 – Senators Mathias and Klausmeier

AN ACT concerning

**Health Insurance and Pharmacy Benefits Managers – Reimbursement for and
Provision of Pharmacy Services**

FOR the purpose of authorizing a pharmacist or a pharmacy to decline to dispense a prescription drug or provide a pharmacy service to a certain member if the amount reimbursed by a certain insurer, nonprofit health service plan, or health maintenance organization is less than a certain acquisition cost; prohibiting a pharmacy benefits manager from reimbursing a pharmacy or pharmacist for a product or a pharmacy service in an amount less than a certain amount; providing for the application of this Act; and generally relating to reimbursement for pharmacy services by insurers and pharmacy benefits managers and provision of pharmacy services.

BY adding to

Article – Insurance

Section 15–1012 and 15–1632

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

Senate Bill 1056 – Senators Mathias and Smith

AN ACT concerning

Vehicle Laws – Personal Motor Vehicle Rentals

FOR the purpose of establishing provisions of law governing the rental of personal motor vehicles to other persons in a certain manner; establishing that certain persons may rent only certain classes of personal motor vehicles to other persons; prohibiting a renter of a personal motor vehicle from using the motor vehicle for certain purposes; prohibiting a person from renting a personal motor vehicle to another person unless the motor vehicle is covered by certain security; requiring the Motor Vehicle Administration to suspend the registration of a personal motor vehicle used for rentals if the owner fails to maintain the required security; prohibiting certain persons from renting a personal motor vehicle to another person who does not meet certain driver's licensing standards; requiring a certain person that rents or facilitates the rental of a personal motor vehicle to keep certain records; authorizing the Administration or any police officer to inspect certain records; prohibiting under certain circumstances certain persons from renting to another person a personal motor vehicle for which any charge is based on the miles traveled; establishing certain provisions governing rental rates and rental agreements for rented personal motor vehicles; providing for the application of certain provisions of law governing for-rent vehicles and personal motor vehicle rentals; establishing that certain violations of this Act are unfair or deceptive trade practices subject to certain enforcement actions; defining certain terms; and generally relating to personal motor vehicle rentals.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 13–301(14)(xiii)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation

Section 18–101.1; and 18–201 through 18–206 to be under the new subtitle “Subtitle
2. Personal Motor Vehicle Rentals”

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

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 Rules.

Senate Bill 1058 – Senators Brochin and Zirkin

AN ACT concerning

Aggressive Drunk Driving – Punitive Damages

FOR the purpose of 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; defining a certain term; providing for the application of this Act; and generally relating to liability for punitive damages under certain circumstances when a person causes personal injury or wrongful death while operating or attempting to operate a motor vehicle.

BY adding to
Article – Courts and Judicial Proceedings
Section 10–913.1
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

Senate Bill 1059 – Senator Muse

AN ACT concerning

Creation of a State Debt – Prince George’s County – Southern Market Place

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Southern Avenue Associates Limited Partnership for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1060 – Senator Miller

AN ACT concerning

**Heroin and Opioid Education and Community Action Act of 2017
(Start Talking Maryland Act)**

FOR the purpose of requiring the State Court Administrator of the Administrative Office of the Courts to assess certain drug court programs to make certain determinations; requiring the Governor to appropriate certain funds to certain agencies in a certain fiscal year for certain purposes; requiring certain agencies to disburse certain grants based on certain factors; altering the name of a certain program; requiring the State Board of Education to establish certain standards for an altered training requirement; requiring the drug addiction and prevention education program to include certain instruction related to heroin and opioid addiction and prevention; requiring the instruction to be delivered in certain grade bands and as a certain unit; requiring certain county boards of education and certain institutions of higher education to establish certain policies; requiring a certain policy to authorize certain school nurses to administer naloxone or certain other medications to a student who is determined to be suffering from a certain condition; requiring certain policies to include certain training, procedures, and provisions; prohibiting certain nurses, campus police, and health personnel from being held personally liable under certain circumstances; requiring certain county boards of education to hire certain officials; requiring certain county boards to coordinate with certain counties to hire certain officials; requiring certain officials to perform certain duties; requiring certain public schools to submit certain reports to the State Department of Education under certain circumstances; requiring the Department to develop and disseminate a certain form; requiring certain policies to require certain students to participate in certain

training and to require certain institutions to obtain and store naloxone or certain other medications to be used under certain circumstances; providing for the application of certain provisions of this Act; and generally relating to policies that address heroin and opioid addiction and prevention.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 13–101(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 13–101.1
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–411
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 7–426.5; and 11–1201 through 11–1203 to be under the new subtitle
“Subtitle 12. Heroin and Opioid Addiction and Prevention”
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

Senate Bill 1061 – Senator Smith

AN ACT concerning

Creation of a State Debt – Montgomery County – Gandhi Brigade Media Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Gandhi Brigade Incorporated for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 2

House Bill 74 – Delegate Grammer

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2014 – Baltimore County –
Chesapeake High Stadium**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2014 to remove the matching fund requirement for certain grants; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2014.

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA02(AC) and Item ZA03(AA)

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

**House Bill 76 – Delegates McCray, Anderson, Clippinger, Conaway, Glenn, Hayes,
Haynes, Lierman, Oaks, Rosenberg, M. Washington, ~~and Lewis~~ Lewis, and
McIntosh**

AN ACT concerning

Baltimore City Public Schools – Capital Project Scoring System

FOR the purpose of requiring the Baltimore City Board of School Commissioners, on or before a certain date, to develop and implement a scoring system for evaluating certain projects; requiring the board, on or before certain dates, to apply the scoring system to projects for certain public school facilities, publish the project scores on the Baltimore City Public School System's Web site, and report the project scores to certain members of the General Assembly; requiring the board, on or before certain dates, to use a certain scoring system to update certain project evaluations and publish and report certain scores; and generally relating to public school facilities in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Education

Section 4–301(a), (b), (f), and (g)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 4–320
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

LAID OVER CALENDAR NO. 3

Senate Bill 276 – Senator Madaleno

AN ACT concerning

Inheritance Tax – Exemption – Evidence of Domestic Partnership

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0276/759532/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 276

(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.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 5**

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

Senate Bill 163 – Senator Waugh

AN ACT concerning

St. Mary’s County – Electricians and Board of Electrical Examiners – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 183 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Mold Remediation Services Providers – Licensure and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 324 – Carroll County Senators

AN ACT concerning

**Carroll County – Mechanical Musical Devices – Licensing Requirements –
Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 6**

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

Senate Bill 1 – Senator Conway

AN ACT concerning

Education – Specialized Intervention Services – Reports

SB0001/734736/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway, Madaleno, Lee, Zucker, and Smith”; and in line 6, after “year;” insert “requiring the State Department of Education to establish certain guidelines;”.

AMENDMENT NO. 2

On page 1, in line 19, strike “**12**” and substitute “**3**”.

AMENDMENT NO. 3

On page 2, after line 19, insert:

“(C) THE DEPARTMENT SHALL ESTABLISH GUIDELINES FOR THE REPORT THAT EACH COUNTY BOARD IS REQUIRED TO SUBMIT UNDER SUBSECTION (B) OF THIS SECTION.”;

and in lines 20 and 22, strike “(C)” and “(D)”, respectively, and substitute “(D)” and “(E)”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 110 – Senator Conway

AN ACT concerning

Public Health – Expedited Partner Therapy – Pharmacist Dispensing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 117 – Senators Edwards and Serafini

AN ACT concerning

Community Colleges – Out-of-State Fee – Waiver for Border State Residents

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 232 – Senators Manno, Benson, Conway, Feldman, Kelley, King, Lee, Madaleno, Muse, Nathan–Pulliam, Robinson, Smith, and Zucker

AN ACT concerning

Education – Pregnant and Parenting Students – Attendance Policy

SB0232/804934/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 232

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “that” in line 5 down through “missed” in line 10.

AMENDMENT NO. 2

On page 1, in line 22, strike “AS PROVIDED UNDER” and substitute “**IF TAKEN IN ACCORDANCE WITH A POLICY ADOPTED BY A COUNTY BOARD UNDER SUBSECTION (B) OF**”.

On page 2, strike beginning with “THAT” in line 2 down through “SECTION” in line 3.

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 7 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.

FINANCE COMMITTEE REPORT NO. 8

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

Senate Bill 265 – Senators Feldman, Kagan, Kelley, King, Lee, Madaleno, Manno, Pinsky, Rosapepe, Smith, and Zucker

AN ACT concerning

Washington Metrorail Safety Commission Membership Act

Favorable report adopted.

Senator Kagan moved to make the Bill a Special Order for February 14, 2017.

The motion was adopted.

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

Senate Bill 279 – Senator Middleton

AN ACT concerning

Homeowner's Insurance – Notices

SB0279/367173/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 279

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 289 – Senator Middleton

AN ACT concerning

**Maryland Insurance Commissioner – Rate Making for Automobile Insurance –
Reports**

SB0289/957173/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 289
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe”; in line 2, strike “Commissioner” and substitute “Administration”; in the same line, after “Automobile” insert “and Homeowner’s”; in lines 2 and 3, strike “– Reports”; in line 10, after “Fund,” insert “requiring the Maryland Insurance Administration to continue to collect and analyze data relating to the competitiveness of certain insurance markets and notify the Governor and the General Assembly if there are certain changes; requiring the Administration to continue to review and analyze certain information regarding the use of a certain factor in establishing certain rates and notify the Governor and the General Assembly if there are certain changes; requiring the Administration, on request, to make certain information available in accordance with certain provisions of law;”; and strike beginning with “reports” in line 10 down through “Commissioner” in line 11 and substitute “rate making for private passenger automobile and homeowner’s insurance”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance Administration shall:

(1) continue to collect and analyze data relating to the competitiveness of the private passenger automobile insurance and homeowner’s insurance markets in the State and notify the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly if there are any notable changes;

(2) continue to review and analyze the information provided by private passenger automobile insurance carriers under § 11–216 of the Insurance Article regarding the use of territory as a factor in establishing rates for private passenger automobile

insurance and notify the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly if there are any notable changes; and

(3) on request, make information gathered under items (1) and (2) of this section available in accordance with applicable provisions of the Insurance Article and the Public Information Act.”;

and in line 13, 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.

QUORUM CALL

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

(See Roll Call No. 189)

SENATE THIRD READING CALENDAR NO. 11 (GENERAL SENATE BILLS)

Senate Bill 12 – ~~Senator Ramirez~~ Senators Ramirez, Brochin, Lee, Muse, and Smith

AN ACT concerning

Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement

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

Affirmative – 46 Negative – 0 (See Roll Call No. 190)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 191)

The Bill was then sent to the House of Delegates.

**Senate Bill 35 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Juvenile Services)**

AN ACT concerning

Juvenile Law – Informal Adjustment – Mental Health Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 192)

The Bill was then sent to the House of Delegates.

**Senate Bill 45 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Administration – Driving Instructors – Criminal History Records
Checks**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 193)

The Bill was then sent to the House of Delegates.

Senate Bill 77 – Senator Simonaire

AN ACT concerning

**Anne Arundel County and Harford County – Courthouse Dog and Child Witness
Pilot Program**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 194)

The Bill was then sent to the House of Delegates.

Senate Bill 78 – Senator Rosapepe

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 – 46 Negative – 0 (See Roll Call No. 195)

The Bill was then sent to the House of Delegates.

Senate Bill 86 – Senator Norman

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 – 46 Negative – 0 (See Roll Call No. 196)

The Bill was then sent to the House of Delegates.

Senate Bill 143 – Senator Zirkin

AN ACT concerning

Injury to or Death of Pet – Damages

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

Affirmative – 39 Negative – 7 (See Roll Call No. 197)

The Bill was then sent to the House of Delegates.

Senate Bill 154 – Senators King, Feldman, Guzzone, Kagan, Lee, Madaleno, Manno, Peters, Smith, Young, ~~and Zucker~~ Zucker, and Simonaire

AN ACT concerning

Vehicle Laws – School Bus Monitoring Cameras – Civil Penalty

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

Affirmative – 46 Negative – 0 (See Roll Call No. 198)

The Bill was then sent to the House of Delegates.

**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 – 46 Negative – 0 (See Roll Call No. 199)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 200)

The Bill was then sent to the House of Delegates.

Senate Bill 211 – Cecil County Senators

AN ACT concerning

Cecil County – Orphans’ Court Judges – Travel Expense Allowance

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

Affirmative – 45 Negative – 0 (See Roll Call No. 201)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 12 (GENERAL SENATE BILLS)

**Senate Bill 34 – Chair, Budget and Taxation Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

Motor Vehicles – Leased Vehicles – Inspections, Insurance, and Excise Tax

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

Affirmative – 46 Negative – 0 (See Roll Call No. 202)

The Bill was then sent to the House of Delegates.

Senate Bill 101 – Senator Waugh

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 – 46 Negative – 0 (See Roll Call No. 203)

The Bill was then sent to the House of Delegates.

Senate Bill 111 – Senator McFadden

AN ACT concerning

**Recordation and Transfer Taxes – Exemptions – Property Conveyed From Sole
Proprietorship to Limited Liability Company**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 204)

The Bill was then sent to the House of Delegates.

Senate Bill 138 – Senators Manno and Miller

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs – Extension

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

Affirmative – 46 Negative – 0 (See Roll Call No. 205)

The Bill was then sent to the House of Delegates.

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**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 206)

The Bill was then sent to the House of Delegates.

Senate Bill 268 – Senators Young, Benson, Guzzone, and Pinsky

EMERGENCY BILL

AN ACT concerning

**Cownose Ray ~~Fishing Tournaments – Prohibition~~ Fishery Management Plan
and Moratorium on Tournaments**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 207)

The Bill was then sent to the House of Delegates.

**Senate Bill 356 – Senators Serafini, Cassilly, Edwards, Hershey, Jennings, Ready,
Salling, and Simonaire**

AN ACT concerning

Workgroup to Study the Optional Retirement Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 208)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 209)

ADJOURNMENT

At 9:43 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Tuesday, February 14, 2017.

Annapolis, Maryland
Tuesday, February 14, 2017
10:00 A.M. Session

The Senate met at 10:09 A.M.

Prayer by Reverend Vivian McCarthy, Reisterstown United Methodist Church, guest of Senator Kelley.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 211)

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

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 148 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Maryland Library Community
in recognition of
the 2017 Maryland Library Day, which acknowledges the innovative services provided by
all Maryland libraries and the broad-based community support they enjoy.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 14th day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 212)

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 4

Senator Zirkin, Chair, for the Committee on Judicial Proceedings 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.

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

Senate Bill 246 – Senator Mathias

AN ACT concerning

Somerset County – State’s Attorney – Annual Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 213)

SENATE THIRD READING CALENDAR NO. 14 (GENERAL SENATE BILLS)**Senate Bill 261 – Senators Bates, Edwards, Ready, ~~and Young~~ Young, Guzzone, and Kasemeyer**

AN ACT concerning

Property Tax Credit – Residential Property Damaged by Natural Disaster

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

Affirmative – 46 Negative – 0 (See Roll Call No. 214)

The Bill was then sent to the House of Delegates.

Senate Bill 323 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

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

Affirmative – 46 Negative – 0 (See Roll Call No. 215)

The Bill was then sent to the House of Delegates.

INTRODUCTORY SENATE BILLS NO. 39

Senate Bill 1062 – Senator Nathan–Pulliam

AN ACT concerning

Creation of a State Debt – Baltimore City – My Brother’s Keeper

FOR the purpose of authorizing the creation of a State Debt in the amount of \$280,000, the proceeds to be used as a grant to the Board of Trustees of the Irvington My Brother’s Keeper, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1063 – Senator Ramirez

AN ACT concerning

Creation of a State Debt – Prince George’s County – St. Ann’s Center for Children, Youth and Families

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of St. Ann’s Center for Children, Youth and Families for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the

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

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

Senate Bill 1064 – Senator Waugh

AN ACT concerning

Creation of a State Debt – St. Mary’s County – St. Mary’s Nursing Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Trustees of St. Mary’s Nursing Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1065 – Senators Manno, Feldman, King, Lee, Madaleno, Smith, and Young

AN ACT concerning

Transportation – I-270/US 15 Multi-Modal Corridor Study and West Side Mobility Study – Review and Update

FOR the purpose of requiring certain Maryland Department of Transportation business units to review and update the I-270/US 15 Multi-Modal Corridor Study and the West Side Mobility Study in order to ensure compliance with federal and State project development process requirements for the approval and funding of major public transportation projects; requiring that a certain report be submitted to certain committees until the completion of the review and update; and generally relating to the review and update of the I-270/US 15 Multi-Modal Corridor Study and the West Side Mobility Study.

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

Senate Bill 1066 – Senator Simonaire

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Modification of Sentences

FOR the purpose of authorizing the State to appeal a certain sentence modification to a certain review panel; authorizing a certain review panel to review a certain sentence modification; prohibiting a certain review panel from increasing a certain sentence in a certain manner; requiring that the court provide notice to the State if a certain review panel changes a certain sentence in a certain manner; providing for the application of this Act; making this Act an emergency measure; and generally relating to modification of sentences.

BY adding to

Article – Criminal Procedure
Section 6–234
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 8–105
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

SPECIAL ORDER CALENDAR NO. 13

Senate Bill 81 – Senator Simonaire

AN ACT concerning

Interstate Boating Violator Compact

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 216)

The Bill was then sent to the House of Delegates.

Senate Bill 265 – Senators Feldman, Kagan, Kelley, King, Lee, Madaleno, Manno, Pinsky, Rosapepe, Smith, and Zucker

AN ACT concerning

Washington Metrorail Safety Commission Membership Act

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Senator Feldman moved to suspend Rule 46(a).

The motion was adopted.

FLOOR AMENDMENT

SB0265/513320/1

BY: Senator Feldman

AMENDMENTS TO SENATE BILL 265

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 10, strike “making this Act contingent on the taking effect of another Act;” and substitute “establishing the Washington Metrorail Safety Commission; establishing the Metrorail Safety Commission Interstate Compact; granting the Commission safety, regulatory, and enforcement authority over the Washington Metropolitan Area Transit Authority Rail System and the power to act as the State safety oversight authority for WMATA; specifying the membership, powers, organization, and duties of the Commission; making the Compact contingent on the adoption of the Compact by certain other jurisdictions; making this Act an emergency measure;”; in line 11, strike “the membership of”; and in line 15, after “7–709” insert “and 10–208”.

AMENDMENT NO. 2

On page 2, after line 9, insert:

“10–208.

PREAMBLE

WHEREAS, THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY, A PARTNERSHIP BETWEEN THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF VIRGINIA, AND THE STATE OF MARYLAND, PROVIDES TRANSPORTATION SERVICES TO MILLIONS OF PEOPLE EACH YEAR AND THE SAFETY OF ITS SYSTEM IS PARAMOUNT; AND

WHEREAS, AN EFFECTIVE AND SAFE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY SYSTEM IS ESSENTIAL TO THE COMMERCE AND PROSPERITY OF THE NATIONAL CAPITAL REGION; AND

WHEREAS, THE TRI-STATE OVERSIGHT COMMITTEE, CREATED BY A MEMORANDUM OF UNDERSTANDING AMONGST THESE THREE JURISDICTIONS, HAS PROVIDED SAFETY OVERSIGHT OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY; AND

WHEREAS, AN AMENDMENT TO 49 U.S.C. 5329 REQUIRES THE CREATION OF A LEGALLY AND FINANCIALLY INDEPENDENT STATE AUTHORITY FOR SAFETY OVERSIGHT OF ALL FIXED RAIL TRANSIT FACILITIES; AND

WHEREAS, THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF VIRGINIA, AND THE STATE OF MARYLAND WANT TO CREATE A WASHINGTON METRORAIL SAFETY COMMISSION TO ACT AS THE STATE SAFETY OVERSIGHT AUTHORITY FOR THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY SYSTEM UNDER 49 U.S.C. 5329; AND

WHEREAS, THIS ACT IS CREATED FOR THE BENEFIT OF THE PEOPLE OF THE DISTRICT OF COLUMBIA, THE COMMONWEALTH OF VIRGINIA, AND THE STATE OF MARYLAND AND FOR THE INCREASE OF THEIR SAFETY, COMMERCE, AND PROSPERITY;

NOW, THEREFORE, THE STATE OF MARYLAND, THE COMMONWEALTH OF VIRGINIA, AND THE DISTRICT OF COLUMBIA, HEREAFTER REFERRED TO AS THE SIGNATORIES, COVENANT AND AGREE AS FOLLOWS:

ARTICLE I.

DEFINITIONS

1. AS USED IN THIS TITLE, THE FOLLOWING WORDS AND TERMS SHALL HAVE THE MEANINGS SET FORTH BELOW, UNLESS THE CONTEXT CLEARLY REQUIRES A DIFFERENT MEANING. CAPITALIZED TERMS USED HEREIN, BUT NOT OTHERWISE DEFINED IN THIS ACT, SHALL HAVE THE DEFINITIONS SET FORTH IN

REGULATIONS ISSUED UNDER 49 U.S.C. 5329, AS THEY MAY BE REVISED FROM TIME TO TIME.

(A) “ALTERNATE MEMBER” MEANS AN ALTERNATE MEMBER OF THE BOARD.

(B) “BOARD” MEANS THE BOARD OF DIRECTORS OF THE COMMISSION.

(C) “COMMISSION” MEANS THE WASHINGTON METRORAIL SAFETY COMMISSION.

(D) “MEMBER” MEANS A MEMBER OF THE BOARD.

(E) “MSC COMPACT” MEANS THE METRORAIL SAFETY COMMISSION INTERSTATE COMPACT CREATED BY THIS ACT.

(F) “PUBLIC TRANSPORTATION AGENCY SAFETY PLAN” MEANS THE COMPREHENSIVE AGENCY SAFETY PLAN FOR A RAIL TRANSIT AGENCY REQUIRED UNDER 49 U.S.C. 5329.

(G) “PUBLIC TRANSPORTATION SAFETY CERTIFICATION TRAINING PROGRAM” MEANS THE FEDERAL CERTIFICATION TRAINING PROGRAM FOR FEDERAL AND STATE EMPLOYEES, OR OTHER DESIGNATED PERSONNEL, WHO CONDUCT SAFETY AUDITS AND EXAMINATIONS OF PUBLIC TRANSPORTATION SYSTEMS, AND EMPLOYEES OF PUBLIC TRANSPORTATION AGENCIES DIRECTLY RESPONSIBLE FOR SAFETY OVERSIGHT AS ESTABLISHED AND AMENDED FROM TIME AND TIME BY APPLICABLE FEDERAL LAWS AND REGULATIONS.

(H) “SAFETY SENSITIVE POSITION” MEANS ANY POSITION HELD BY A WMATA EMPLOYEE OR CONTRACTOR DESIGNATED IN THE PUBLIC TRANSPORTATION AGENCY SAFETY PLAN FOR THE WMATA RAIL SYSTEM AS DIRECTLY AFFECTING THE SAFETY OF THE PASSENGERS OR EMPLOYEES OF THE WMATA RAIL SYSTEM.

(I) “SIGNATORY” MEANS THE STATE OF MARYLAND, THE COMMONWEALTH OF VIRGINIA, AND THE DISTRICT OF COLUMBIA.

(J) “STATE”, “STATE”, “JURISDICTION”, AND “JURISDICTION” INCLUDE THE DISTRICT OF COLUMBIA, THE STATE OF MARYLAND, AND THE COMMONWEALTH OF VIRGINIA.

(K) “WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY” OR “WMATA” IS THE ENTITY CREATED BY THE WMATA COMPACT, WHICH IS RESPONSIBLE FOR PROVIDING CERTAIN RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEM SERVICES.

(L) “WMATA COMPACT” MEANS THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY COMPACT (PUBLIC LAW 89–774; 80 STAT. 1324).

(M) (1) “WMATA RAIL SYSTEM” MEANS THE RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEM AND ALL OTHER REAL AND PERSONAL PROPERTY OWNED, LEASED, OPERATED, OR OTHERWISE USED BY WMATA RAIL SERVICES.

(2) “WMATA RAIL SYSTEM” INCLUDES THE METRORAIL CAPITAL PROJECTS UNDER DESIGN OR CONSTRUCTION BY OWNERS OTHER THAN WMATA, INCLUDING THE DULLES CORRIDOR METRORAIL PROJECT MANAGED BY THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY.

ARTICLE II.

PURPOSE AND FUNCTIONS

2. THE SIGNATORIES TO THE WMATA COMPACT HEREBY ADOPT THIS MSC COMPACT PURSUANT TO 49 U.S.C. 5329. THE COMMISSION CREATED UNDER THIS SECTION SHALL HAVE SAFETY, REGULATORY, AND ENFORCEMENT AUTHORITY OVER THE WMATA RAIL SYSTEM AND SHALL ACT AS THE STATE SAFETY OVERSIGHT AUTHORITY FOR WMATA. WMATA SHALL BE SUBJECT TO THE COMMISSION’S RULES, REGULATIONS, ACTIONS, AND ORDERS.

3. THE PURPOSE OF THIS MSC COMPACT IS TO CREATE A STATE SAFETY OVERSIGHT AUTHORITY FOR THE WMATA RAIL SYSTEM, PURSUANT TO THE MANDATE OF FEDERAL LAW, AS A COMMON AGENCY OF EACH SIGNATORY, EMPOWERED IN THE MANNER HEREINAFTER SET FORTH TO REVIEW, APPROVE, OVERSEE, AND ENFORCE THE SAFETY OF THE WMATA RAIL SYSTEM, INCLUDING, WITHOUT LIMITATION, TO: (I) HAVE SAFETY OVERSIGHT RESPONSIBILITY OVER THE WMATA RAIL SYSTEM; (II) DEVELOP AND ADOPT A WRITTEN STATE SAFETY OVERSIGHT PROGRAM STANDARD; (III) REVIEW AND APPROVE THE WMATA PUBLIC TRANSPORTATION AGENCY SAFETY PLAN; (IV) INVESTIGATE HAZARDS, INCIDENTS, AND ACCIDENTS ON THE WMATA RAIL SYSTEM; (V) REVIEW, APPROVE, AND ENFORCE CORRECTIVE ACTION PLANS; AND (VI) MEET OTHER REQUIREMENTS OF FEDERAL AND STATE LAW RELATING TO SAFETY OVERSIGHT OF THE WMATA RAIL SYSTEM.

ARTICLE III.

ESTABLISHMENT AND ORGANIZATION

A. WASHINGTON METRORAIL SAFETY COMMISSION.

4. THERE IS HEREBY CREATED THE WASHINGTON METRORAIL SAFETY COMMISSION, AN INSTRUMENTALITY OF EACH SIGNATORY, WHICH SHALL BE A PUBLIC BODY CORPORATE AND POLITIC, AND WHICH SHALL HAVE THE POWERS AND DUTIES SET FORTH IN THIS MSC COMPACT AND SUCH ADDITIONAL POWERS AND DUTIES AS MAY BE CONFERRED UPON IT PURSUANT TO LAW.

5. THE COMMISSION SHALL BE FINANCIALLY AND LEGALLY INDEPENDENT FROM WMATA.

B. BOARD OF DIRECTORS.

6. THE COMMISSION SHALL BE GOVERNED BY A BOARD OF SIX MEMBERS APPOINTED AS FOLLOWS:

(A) TWO MEMBERS SHALL BE APPOINTED BY THE GOVERNOR OF VIRGINIA;

(B) TWO MEMBERS SHALL BE APPOINTED BY THE GOVERNOR OF MARYLAND; AND

(C) TWO MEMBERS SHALL BE APPOINTED BY THE MAYOR OF THE DISTRICT OF COLUMBIA.

7. THE GOVERNOR OF VIRGINIA, GOVERNOR OF MARYLAND, AND MAYOR OF THE DISTRICT OF COLUMBIA SHALL EACH ALSO APPOINT ONE ALTERNATE MEMBER.

8. AN ALTERNATE MEMBER SHALL PARTICIPATE AND TAKE ACTION AS A MEMBER ONLY IN THE ABSENCE OF ONE OR BOTH MEMBERS FROM THE SAME JURISDICTION AS THE ALTERNATE MEMBER'S APPOINTING JURISDICTION AND, IN SUCH INSTANCES, SHALL CAST A SINGLE VOTE.

9. MEMBERS AND ALTERNATE MEMBERS SHALL HAVE BACKGROUNDS IN TRANSPORTATION, TRANSIT, SAFETY, PUBLIC FINANCE, OR ENGINEERING.

10. NO MEMBER OR ALTERNATE MEMBER SHALL SIMULTANEOUSLY HOLD OTHER ELECTIVE OR APPOINTIVE PUBLIC OFFICE.

11. EACH MEMBER AND ALTERNATE MEMBER SHALL SERVE A FOUR-YEAR TERM; EXCEPT THAT, EACH SIGNATORY SHALL MAKE ITS INITIAL APPOINTMENTS AS FOLLOWS:

(A) ONE MEMBER SHALL BE APPOINTED FOR A FOUR-YEAR TERM;

(B) ONE MEMBER SHALL BE APPOINTED FOR A TWO-YEAR TERM; AND

(C) THE ALTERNATE MEMBER SHALL BE APPOINTED FOR A THREE-YEAR TERM.

12. ANY PERSON APPOINTED TO FILL A VACANCY SHALL SERVE FOR THE UNEXPIRED TERM.

13. MEMBERS AND ALTERNATE MEMBERS SHALL BE ENTITLED TO REIMBURSEMENT FOR REASONABLE AND NECESSARY EXPENSES AND SHALL BE COMPENSATED FOR EACH DAY SPENT ON THE BUSINESS OF THE COMMISSION AT A PER DIEM RATE OF \$200 PER DAY, OR AS MAY BE ADJUSTED BY APPROPRIATIONS APPROVED BY ALL OF THE SIGNATORIES.

14. A MEMBER OR AN ALTERNATE MEMBER MAY BE REMOVED OR SUSPENDED FROM OFFICE ONLY FOR CAUSE IN ACCORDANCE WITH THE LAWS OF THE MEMBER'S OR ALTERNATE MEMBER'S APPOINTING JURISDICTION.

C. QUORUM AND ACTIONS OF THE BOARD.

15. FOUR MEMBERS SHALL CONSTITUTE A QUORUM, AND THE AFFIRMATIVE VOTE OF FOUR MEMBERS IS REQUIRED FOR ACTION OF THE BOARD. QUORUM AND VOTING REQUIREMENTS UNDER THIS SECTION MAY BE MET WITH ONE OR MORE ALTERNATE MEMBERS PURSUANT TO § 8 OF THIS ARTICLE III.

16. COMMISSION ACTION SHALL BECOME EFFECTIVE UPON ENACTMENT UNLESS OTHERWISE PROVIDED FOR BY THE COMMISSION.

D. OATH OF OFFICE.

17. BEFORE ENTERING OFFICE, EACH MEMBER AND ALTERNATE MEMBER SHALL TAKE AND SUBSCRIBE TO THE FOLLOWING OATH (OR AFFIRMATION) OF OFFICE OR ANY SUCH OTHER OATH OR AFFIRMATION AS THE CONSTITUTION OR LAWS OF THE SIGNATORY THE MEMBER REPRESENTS SHALL PROVIDE:

“I, _____, HEREBY SOLEMNLY SWEAR (OR AFFIRM) THAT I WILL SUPPORT AND DEFEND THE CONSTITUTION AND THE LAWS OF THE UNITED STATES AS A MEMBER (OR ALTERNATE MEMBER) OF THE BOARD OF THE WASHINGTON METRORAIL SAFETY COMMISSION AND WILL FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE UPON WHICH I AM ABOUT TO ENTER.”

E. ORGANIZATION AND PROCEDURE.

18. THE BOARD SHALL PROVIDE FOR ITS OWN ORGANIZATION AND PROCEDURE. MEETINGS OF THE BOARD SHALL BE HELD AS FREQUENTLY AS THE BOARD DETERMINES. THE BOARD SHALL KEEP MINUTES OF ITS MEETINGS AND ADOPT RULES AND REGULATIONS GOVERNING ITS TRANSACTIONS AND INTERNAL AFFAIRS, INCLUDING POLICIES REGARDING RECORDS RETENTION THAT ARE NOT IN CONFLICT WITH APPLICABLE FEDERAL LAW.

19. THE COMMISSION SHALL KEEP COMMERCIALY REASONABLE RECORDS OF ITS FINANCIAL TRANSACTIONS.

20. THE COMMISSION SHALL ESTABLISH AN OFFICE FOR THE CONDUCT OF ITS AFFAIRS AT A LOCATION TO BE DETERMINED BY THE COMMISSION.

21. MEETINGS OF THE BOARD SHALL BE OPEN TO THE PUBLIC UNLESS CLOSED PURSUANT TO ADOPTED BOARD POLICY, AND COMMISSION DOCUMENTS SHALL BE AVAILABLE TO THE PUBLIC UNLESS DEEMED CONFIDENTIAL PURSUANT TO ADOPTED COMMISSION POLICY. THE COMMISSION SHALL ADOPT OPEN MEETING AND FREEDOM OF INFORMATION POLICIES BASED ON THE PRINCIPLES OF TRANSPARENCY AND PUBLIC ACCESS CONTAINED IN THE FEDERAL FREEDOM OF INFORMATION ACT, 5 U.S.C. 552(A)–(C), AND, THEREFORE, SHALL NOT BE SUBJECT TO THE SOMETIMES CONFLICTING OPEN MEETING AND FREEDOM OF INFORMATION LAWS OF ANY INDIVIDUAL SIGNATORY.

22. REPORTS OF INVESTIGATIONS OR INQUIRIES ADOPTED BY THE BOARD SHALL BE MADE PUBLICLY AVAILABLE. THE COMMISSION SHALL DEVELOP APPROPRIATE POLICIES TO PROTECT THE INTEGRITY OF ITS INVESTIGATIONS AND THE SECURITY OF THE WMATA RAIL SYSTEM. THE COMMISSION’S POLICY SHALL ENSURE THAT THE MAYOR OF THE DISTRICT OF COLUMBIA AND THE GOVERNORS OF MARYLAND AND VIRGINIA AND THEIR DESIGNEES HAVE PROMPT AND FULL ACCESS TO ANY AND ALL RECORDS HELD BY THE COMMISSION. INVESTIGATIVE REPORTS PREPARED PURSUANT TO 49 C.F.R. 674 MAY NOT BE ADMITTED AS EVIDENCE OR USED IN A CIVIL ACTION FOR DAMAGES RESULTING FROM A MATTER MENTIONED IN THE REPORT.

23. THE COMMISSION SHALL ADOPT A POLICY ON CONFLICT OF INTEREST, WHICH SHALL BE CONSISTENT WITH THE REGULATIONS ISSUED UNDER 49 U.S.C.

5329, AS THEY MAY BE REVISED FROM TIME TO TIME, WHICH, AMONG OTHER THINGS, PLACES APPROPRIATE SEPARATION BETWEEN MEMBERS, OFFICERS, EMPLOYEES, CONTRACTORS, AND AGENTS OF THE COMMISSION AND WMATA.

24. THE COMMISSION SHALL ADOPT AND UTILIZE ITS OWN ADMINISTRATIVE PROCEDURE AND PROCUREMENT POLICIES IN CONFORMANCE WITH APPLICABLE FEDERAL REGULATIONS AND SHALL NOT BE SUBJECT TO THE ADMINISTRATIVE PROCEDURE OR PROCUREMENT LAWS OF ANY SIGNATORY.

F. OFFICERS AND EMPLOYEES.

25. THE BOARD SHALL ELECT A CHAIRMAN AND A VICE CHAIRMAN FROM AMONG ITS MEMBERS FOR A TWO-YEAR TERM AND SHALL ELECT, OR APPOINT FROM COMMISSION STAFF, A SECRETARY AND TREASURER, AND PRESCRIBE THEIR POWERS AND DUTIES.

26. THE BOARD SHALL APPOINT AND FIX THE COMPENSATION AND BENEFITS OF A CHIEF EXECUTIVE OFFICER WHO SHALL BE THE CHIEF ADMINISTRATIVE OFFICER OF THE COMMISSION AND WHO SHALL HAVE A BACKGROUND IN TRANSPORTATION SAFETY AND ONE OR MORE INDUSTRY RECOGNIZED TRANSPORTATION SAFETY CERTIFICATIONS.

27. CONSISTENT WITH 49 U.S.C. 5329, AS AMENDED, THE COMMISSION MAY EMPLOY, UNDER THE DIRECTION OF THE CHIEF EXECUTIVE OFFICER, SUCH OTHER TECHNICAL, LEGAL, CLERICAL, AND OTHER EMPLOYEES ON A REGULAR, PART-TIME, OR AS-NEEDED BASIS AS IN ITS JUDGMENT MAY BE NECESSARY OR DESIRABLE FOR THE DISCHARGE OF ITS DUTIES.

28. THE COMMISSION SHALL NOT BE BOUND BY ANY STATUTE OR REGULATION OF ANY SIGNATORY IN THE EMPLOYMENT OR DISCHARGE OF ANY OFFICER OR EMPLOYEE OF THE COMMISSION.

29. THE BOARD MAY FIX AND PROVIDE POLICIES FOR THE QUALIFICATIONS, APPOINTMENT, REMOVAL, TERM, TENURE, COMPENSATION, PENSION, AND RETIREMENT RIGHTS OF ITS EMPLOYEES AND MAY ESTABLISH, IN ITS DISCRETION, A PERSONNEL SYSTEM BASED ON MERIT AND FITNESS AND, SUBJECT

TO ELIGIBILITY, PARTICIPATE IN THE PENSION AND RETIREMENT PLANS OF ANY SIGNATORY, OR POLITICAL SUBDIVISION OR AGENCY THEREOF.

ARTICLE IV.

POWERS

A. SAFETY OVERSIGHT POWERS.

30. IN CARRYING OUT ITS PURPOSES, THE COMMISSION, THROUGH ITS BOARD OR DESIGNATED EMPLOYEES OR AGENTS, SHALL, CONSISTENT WITH 49 U.S.C. 5329, AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED THEREUNDER:

(A) ADOPT, REVISE, AND DISTRIBUTE A WRITTEN STATE SAFETY OVERSIGHT PROGRAM;

(B) REVIEW, APPROVE, OVERSEE, AND ENFORCE THE ADOPTION AND IMPLEMENTATION OF THE WMATA PUBLIC TRANSPORTATION AGENCY SAFETY PLAN;

(C) REQUIRE, REVIEW, APPROVE, OVERSEE, AND ENFORCE THE ADOPTION AND IMPLEMENTATION OF ANY CORRECTIVE ACTION PLANS THE COMMISSION DEEMS APPROPRIATE;

(D) IMPLEMENT AND ENFORCE RELEVANT FEDERAL AND STATE LAWS AND REGULATIONS RELATING TO SAFETY OF THE WMATA RAIL SYSTEM; AND

(E) AUDIT EVERY THREE YEARS THE COMPLIANCE OF WMATA WITH THE PUBLIC TRANSPORTATION AGENCY SAFETY PLAN OR CONDUCT SUCH AN AUDIT ON AN ONGOING BASIS OVER A THREE-YEAR TIME FRAME.

31. IN PERFORMING ITS DUTIES, THE COMMISSION, THROUGH ITS BOARD OR DESIGNATED EMPLOYEES OR AGENTS, MAY:

(A) CONDUCT, OR CAUSE TO BE CONDUCTED, INSPECTIONS, INVESTIGATIONS, EXAMINATIONS, AND TESTING OF THE PROPERTY, EQUIPMENT, FACILITIES, ROLLING STOCK, AND OPERATIONS OF THE WMATA RAIL SYSTEM, INCLUDING ELECTRONIC INFORMATION AND DATABASES;

(B) ENTER UPON THE WMATA RAIL SYSTEM AND, UPON REASONABLE NOTICE AND A FINDING BY THE CHIEF EXECUTIVE OFFICER THAT A NEED EXISTS, UPON ANY LANDS, WATERS, AND PREMISES ADJACENT TO THE WMATA RAIL SYSTEM FOR THE PURPOSE OF CONDUCTING INSPECTIONS, INVESTIGATIONS, EXAMINATIONS, AND TESTING AS THE COMMISSION MAY DEEM NECESSARY TO CARRY OUT THE PURPOSES OF THIS MSC COMPACT, AND THE ENTRY SHALL NOT BE DEEMED A TRESPASS. THE COMMISSION SHALL MAKE REASONABLE REIMBURSEMENT FOR ANY ACTUAL DAMAGE RESULTING TO THE ADJACENT LANDS, WATERS, AND PREMISES AS A RESULT OF SUCH ACTIVITIES;

(C) COMPEL COMPLIANCE BY WMATA WITH ANY CORRECTIVE ACTION PLAN OR ORDER OF THE COMMISSION BY MEANS THE COMMISSION DEEMS APPROPRIATE, INCLUDING:

(1) ISSUING SUBPOENAS;

(2) TAKING LEGAL ACTION IN A COURT OF COMPETENT JURISDICTION;

(3) ISSUING CITATIONS OR FINES;

(4) DIRECTING WMATA TO PRIORITIZE SPENDING ON SAFETY-CRITICAL ITEMS;

(5) REMOVING A SPECIFIC VEHICLE, INFRASTRUCTURE ELEMENT, OR HAZARD FROM THE WMATA RAIL SYSTEM; AND

(6) RESTRICTING, SUSPENDING, OR PROHIBITING RAIL SERVICE, WITH APPROPRIATE NOTICE, ON ALL OR PART OF THE WMATA RAIL SYSTEM;

(D) DIRECT WMATA TO SUSPEND OR DISQUALIFY FROM PERFORMING IN A SAFETY SENSITIVE POSITION AN INDIVIDUAL WHO HAS VIOLATED SAFETY RULES, REGULATIONS, POLICIES, OR LAWS IN A MANNER THAT THE COMMISSION DETERMINES MAKES THAT INDIVIDUAL UNFIT FOR THE PERFORMANCE IN THE POSITION; AND

(E) TAKE ANY OTHER ACTIONS THAT THE COMMISSION DEEMS APPROPRIATE, CONSISTENT WITH ITS PURPOSES AND POWERS.

32. THE COMMISSION SHALL COORDINATE ITS ENFORCEMENT ACTIVITIES WITH APPROPRIATE FEDERAL AND STATE GOVERNMENTAL AUTHORITIES.

B. GENERAL POWERS.

33. IN ADDITION TO THE POWERS AND DUTIES SET FORTH ABOVE, THE COMMISSION MAY:

(A) SUE AND BE SUED;

(B) ADOPT, AMEND, AND REPEAL RULES AND REGULATIONS RESPECTING THE EXERCISE OF THE POWERS CONFERRED BY THIS MSC COMPACT;

(C) CREATE AND ABOLISH OFFICES, EMPLOYMENTS, AND POSITIONS (OTHER THAN THOSE SPECIFICALLY PROVIDED FOR IN THIS MSC COMPACT) AS IT DEEMS NECESSARY OR DESIRABLE FOR THE PURPOSES OF THE COMMISSION;

(D) DETERMINE A STAFFING LEVEL FOR THE COMMISSION THAT IS COMMENSURATE WITH THE SIZE AND COMPLEXITY OF THE WMATA RAIL SYSTEM, AND REQUIRE THAT EMPLOYEES AND OTHER DESIGNATED PERSONNEL OF THE COMMISSION, WHO ARE RESPONSIBLE FOR SAFETY OVERSIGHT, BE QUALIFIED TO PERFORM SUCH FUNCTIONS THROUGH APPROPRIATE TRAINING, INCLUDING SUCCESSFUL COMPLETION OF THE PUBLIC TRANSPORTATION SAFETY CERTIFICATION TRAINING PROGRAM;

(E) CONTRACT FOR OR EMPLOY CONSULTING ATTORNEYS, INSPECTORS, ENGINEERS, AND OTHER EXPERTS THAT ARE DEEMED NECESSARY OR

DESIRABLE AND WITHIN THE LIMITATIONS PRESCRIBED IN THIS MSC COMPACT, PRESCRIBE THEIR POWERS AND DUTIES, AND FIX THEIR COMPENSATION;

(F) ENTER INTO AND PERFORM CONTRACTS, LEASES, AND AGREEMENTS AS MAY BE NECESSARY OR DESIRABLE FOR THE PERFORMANCE OF ITS DUTIES AND IN THE EXECUTION OF THE POWERS GRANTED UNDER THIS MSC COMPACT;

(G) APPLY FOR, RECEIVE, AND ACCEPT PAYMENTS, APPROPRIATIONS, GRANTS, GIFTS, LOANS, ADVANCES, AND OTHER FUNDS, PROPERTIES, AND SERVICES THAT ARE TRANSFERRED OR MADE AVAILABLE TO IT BY THE UNITED STATES GOVERNMENT OR ANY OTHER PUBLIC OR PRIVATE ENTITY OR INDIVIDUAL, SUBJECT TO THE LIMITATIONS SPECIFIED IN § 42 OF ARTICLE V;

(H) ADOPT AN OFFICIAL SEAL AND ALTER THE SEAL AT ITS PLEASURE;

(I) ADOPT AND AMEND BYLAWS, POLICIES, AND PROCEDURES GOVERNING THE REGULATION OF ITS AFFAIRS;

(J) APPOINT ONE OR MORE ADVISORY COMMITTEES; AND

(K) DO ALL ACTS AND THINGS NECESSARY OR DESIRABLE TO THE PERFORMANCE OF ITS DUTIES AND THE EXECUTION OF ITS POWERS UNDER THIS MSC COMPACT.

34. CONSISTENT WITH § 24 OF ARTICLE III OF THIS MSC COMPACT, THE COMMISSION SHALL PROMULGATE RULES AND REGULATIONS TO CARRY OUT THE PURPOSES OF THIS MSC COMPACT.

ARTICLE V.

GENERAL PROVISIONS

A. ANNUAL SAFETY REPORT.

35. THE COMMISSION SHALL MAKE AND PUBLISH ANNUALLY A STATUS REPORT ON THE SAFETY OF THE WMATA RAIL SYSTEM. A COPY OF EACH REPORT SHALL BE PROVIDED TO THE ADMINISTRATOR OF THE FEDERAL TRANSIT ADMINISTRATION, THE GOVERNOR OF VIRGINIA, THE GOVERNOR OF MARYLAND, THE MAYOR OF THE DISTRICT OF COLUMBIA, AND THE GENERAL MANAGER AND EACH MEMBER OF THE BOARD OF DIRECTORS OF WMATA.

36. THE COMMISSION MAY PREPARE, PUBLISH, AND DISTRIBUTE ANY OTHER SAFETY REPORTS THAT IT DEEMS NECESSARY OR DESIRABLE.

B. ANNUAL PROGRAMS, OPERATIONS, AND FINANCES REPORT AND OTHER REPORTS.

37. THE COMMISSION SHALL MAKE AND PUBLISH AN ANNUAL REPORT ON ITS PROGRAMS, OPERATIONS, AND FINANCES, WHICH SHALL BE DISTRIBUTED IN THE SAME MANNER PROVIDED BY § 35 OF THIS ARTICLE V FOR THE ANNUAL SAFETY REPORT.

38. THE COMMISSION MAY ALSO PREPARE, PUBLISH, AND DISTRIBUTE ANY OTHER PUBLIC REPORTS AND INFORMATIONAL MATERIALS THAT IT DEEMS NECESSARY OR DESIRABLE.

C. ANNUAL AUDIT.

39. AN INDEPENDENT ANNUAL AUDIT SHALL BE MADE OF THE FINANCIAL ACCOUNTS OF THE COMMISSION. THE AUDIT SHALL BE MADE BY QUALIFIED CERTIFIED PUBLIC ACCOUNTANTS SELECTED BY THE BOARD, WHO SHALL HAVE NO PERSONAL INTEREST, DIRECT OR INDIRECT, IN THE FINANCIAL AFFAIRS OF THE COMMISSION OR ANY OF ITS OFFICERS OR EMPLOYEES. THE REPORT OF AUDIT SHALL BE PREPARED IN ACCORDANCE WITH GENERALLY ACCEPTED AUDITING PRINCIPLES AND SHALL BE DISTRIBUTED IN THE SAME MANNER PROVIDED BY § 35 OF THIS ARTICLE V FOR THE ANNUAL SAFETY REPORT. MEMBERS, EMPLOYEES, AGENTS, AND CONTRACTORS OF THE COMMISSION SHALL PROVIDE ACCESS TO INFORMATION NECESSARY OR DESIRABLE FOR THE CONDUCT OF THE ANNUAL AUDIT.

D. FUNDING.

40. COMMISSION OPERATIONS SHALL BE FUNDED, INDEPENDENTLY OF WMATA, BY THE SIGNATORY JURISDICTIONS AND, WHEN AVAILABLE, BY FEDERAL FUNDS.

41. THE SIGNATORY JURISDICTIONS SHALL UNANIMOUSLY AGREE ON ADEQUATE FUNDING LEVELS FOR THE COMMISSION AND MAKE EQUAL FUNDING CONTRIBUTIONS, SUBJECT TO ANNUAL APPROPRIATION, TO COVER THE PORTION OF COMMISSION OPERATIONS NOT FUNDED BY FEDERAL FUNDS.

42. THE COMMISSION MAY BORROW IN ANTICIPATION OF RECEIPTS, FROM ANY LAWFUL LENDING INSTITUTION FOR ANY PURPOSE OF THIS COMPACT, INCLUDING ADMINISTRATIVE EXPENSES. THE LOANS SHALL BE FOR A TERM NOT TO EXCEED TWO YEARS, OR A LONGER TERM APPROVED BY EACH JURISDICTION PURSUANT TO THEIR LAWS AS EVIDENCED BY THE WRITTEN AUTHORIZATION OF THE MAYOR OF THE DISTRICT OF COLUMBIA AND THE GOVERNORS OF MARYLAND AND VIRGINIA AND AT THE RATES OF INTEREST THAT ARE ACCEPTABLE TO THE COMMISSION.

43. WITH RESPECT TO THE DISTRICT OF COLUMBIA, THE COMMITMENT OR OBLIGATION TO RENDER FINANCIAL ASSISTANCE TO THE COMMISSION SHALL BE CREATED, FOR EACH FISCAL PERIOD, BY APPROPRIATION OR IN SUCH OTHER MANNER, OR BY SUCH OTHER LEGISLATION, AS THE DISTRICT OF COLUMBIA SHALL DETERMINE, PROVIDED THAT ANY COMMITMENT MUST BE APPROVED BY THE FEDERAL GOVERNMENT PURSUANT TO SECTION 603 OF THE DISTRICT OF COLUMBIA HOME RULE ACT, APPROVED DECEMBER 24, 1973, 87 STAT. 790, PUB. L. 93-198, D.C. OFFICIAL CODE § 1-206.03 (2012 REPL.).

44. PURSUANT TO THE PROVISIONS OF (I) THE FEDERAL ANTI-DEFICIENCY ACT, 31 U.S.C. §§ 1341, 1342, 1349-1351, AND 1511-1519 (2008) (THE "FEDERAL ADA"), AND D.C. OFFICIAL CODE §§ 1-206.03(E) AND 47-105; (II) THE DISTRICT OF COLUMBIA ANTI-DEFICIENCY ACT, D.C. OFFICIAL CODE §§ 47-355.01 - 355.08 (THE "D.C. ADA" AND (I) AND (II) COLLECTIVELY, AS AMENDED FROM TIME TO TIME, THE "ANTI-DEFICIENCY ACTS"); AND (III) SECTION 446 OF THE DISTRICT OF COLUMBIA HOME RULE ACT, D.C. OFFICIAL CODE § 1-204.46, THE DISTRICT OF

COLUMBIA CANNOT OBLIGATE ITSELF TO ANY FINANCIAL COMMITMENT IN ANY PRESENT OR FUTURE YEAR UNLESS THE NECESSARY FUNDS TO PAY THAT COMMITMENT HAVE BEEN APPROPRIATED BY THE CONGRESS OF THE UNITED STATES (THE “CONGRESS”) AND ARE LAWFULLY AVAILABLE FOR THE PURPOSE COMMITTED. THUS, PURSUANT TO THE ANTI-DEFICIENCY ACTS, NOTHING IN THIS MSC COMPACT CREATES AN OBLIGATION OF THE DISTRICT OF COLUMBIA IN ANTICIPATION OF AN APPROPRIATION BY CONGRESS FOR SUCH PURPOSE, AND THE DISTRICT OF COLUMBIA’S LEGAL LIABILITY FOR THE PAYMENT OF ANY AMOUNT UNDER THIS MSC COMPACT DOES NOT AND MAY NOT ARISE OR OBTAIN IN ADVANCE OF THE LAWFUL AVAILABILITY OF APPROPRIATED FUNDS FOR THE APPLICABLE FISCAL YEAR AS APPROVED BY CONGRESS.

IF, PRIOR TO SUCH COMMITMENT BEING MADE BY OR ON BEHALF OF THE DISTRICT OF COLUMBIA, LEGISLATION IS ENACTED BY THE CONGRESS GRANTING THE GOVERNING BODY OF THE DISTRICT OF COLUMBIA PLENARY POWER TO CREATE OBLIGATIONS, THE COMMITMENT BY THE DISTRICT OF COLUMBIA SHALL BE BY CONTRACT OR AGREEMENT BETWEEN THE GOVERNING BODY OF THE DISTRICT OF COLUMBIA AND THE COMMISSION TO UNDERTAKE ITS ROLE IN SAFETY OVERSIGHT.

E. EXERCISE OF POWERS.

45. THE EXERCISE OF THE POWERS GRANTED BY THIS MSC COMPACT SHALL IN ALL RESPECTS BE FOR THE BENEFIT OF THE PEOPLE OF THE DISTRICT OF COLUMBIA, COMMONWEALTH OF VIRGINIA, AND STATE OF MARYLAND AND FOR THE INCREASE OF THEIR SAFETY, COMMERCE, AND PROSPERITY, AND AS THE ACTIVITIES ASSOCIATED WITH THIS MSC COMPACT SHALL CONSTITUTE THE PERFORMANCE OF ESSENTIAL GOVERNMENTAL FUNCTIONS, THE COMMISSION SHALL NOT BE REQUIRED TO PAY ANY TAXES OR ASSESSMENTS UPON THE SERVICES OR ANY PROPERTY ACQUIRED OR USED BY THE COMMISSION UNDER THE PROVISIONS OF THIS MSC COMPACT OR UPON THE INCOME THEREFROM, AND SHALL AT ALL TIMES BE FREE FROM TAXATION WITHIN THE DISTRICT OF COLUMBIA, COMMONWEALTH OF VIRGINIA, AND STATE OF MARYLAND.

F. WMATA RIGHT TO PETITION COMMISSION.

46. WMATA SHALL HAVE THE RIGHT TO PETITION THE COMMISSION FOR RECONSIDERATION OF AN ORDER BASED ON RULES AND PROCEDURES DEVELOPED BY THE COMMISSION.

47. CONSISTENT WITH § 16 OF ARTICLE III, THE FILING OF A PETITION FOR RECONSIDERATION SHALL NOT ACT AS A STAY UPON THE EXECUTION OF A COMMISSION ORDER, OR ANY PART OF IT, UNLESS THE COMMISSION ORDERS OTHERWISE.

G. COURTS OF JURISDICTION.

48. THE UNITED STATES DISTRICT COURTS FOR THE EASTERN DISTRICT OF VIRGINIA, ALEXANDRIA DIVISION, UNITED STATES DISTRICT COURTS FOR MARYLAND, SOUTHERN DIVISION, AND UNITED STATES DISTRICT COURTS FOR THE DISTRICT OF COLUMBIA SHALL HAVE EXCLUSIVE AND ORIGINAL JURISDICTION OVER ALL ACTIONS BROUGHT BY OR AGAINST THE COMMISSION AND TO ENFORCE SUBPOENAS UNDER THIS MSC COMPACT.

49. THE COMMENCEMENT OF A JUDICIAL PROCEEDING SHALL NOT OPERATE AS A STAY OF A COMMISSION ORDER UNLESS SPECIFICALLY ORDERED BY THE COURT.

H. LIABILITY OF COMMISSION AND ITS MEMBERS, OFFICERS, AGENTS, EMPLOYEES, OR REPRESENTATIVES.

50. THE COMMISSION AND ITS MEMBERS, ALTERNATE MEMBERS, OFFICERS, AGENTS, EMPLOYEES, OR REPRESENTATIVES SHALL NOT BE LIABLE FOR SUIT OR ACTION OR FOR ANY JUDGMENT OR DECREE FOR DAMAGES, LOSS, OR INJURY RESULTING FROM ACTION TAKEN WITHIN THE SCOPE OF THEIR EMPLOYMENT OR DUTIES UNDER THIS MSC COMPACT, NOR REQUIRED IN ANY CASE ARISING OR ANY APPEAL TAKEN UNDER THIS MSC COMPACT TO GIVE A SUPERSEDEAS BOND OR SECURITY FOR DAMAGES. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO PROTECT A PERSON FROM SUIT OR LIABILITY FOR DAMAGE, LOSS, INJURY, OR LIABILITY CAUSED BY THE INTENTIONAL OR WILLFUL AND WANTON MISCONDUCT OF THE PERSON.

51. THE COMMISSION SHALL BE LIABLE FOR ITS CONTRACTS AND FOR ITS TORTS AND THOSE OF ITS MEMBERS, ALTERNATE MEMBERS, OFFICERS, AGENTS, EMPLOYEES, AND REPRESENTATIVES COMMITTED IN THE CONDUCT OF ANY PROPRIETARY FUNCTION, IN ACCORDANCE WITH THE LAW OF THE APPLICABLE SIGNATORY (INCLUDING, WITHOUT LIMITATION, RULES ON CONFLICT OF LAWS) BUT SHALL NOT BE LIABLE FOR ANY TORTS OCCURRING IN THE PERFORMANCE OF A GOVERNMENTAL FUNCTION. THE EXCLUSIVE REMEDY FOR A BREACH OF CONTRACT OR TORT FOR WHICH THE COMMISSION SHALL BE LIABLE, AS HEREIN PROVIDED, SHALL BE BY SUIT AGAINST THE COMMISSION. NOTHING CONTAINED IN THIS MSC COMPACT SHALL BE CONSTRUED AS A WAIVER BY THE DISTRICT OF COLUMBIA, MARYLAND, OR VIRGINIA OF ANY IMMUNITY FROM SUIT.

I. PLEDGE OF FAITHFUL COOPERATION BY SIGNATORIES.

52. EACH OF THE SIGNATORIES PLEDGES TO EACH OTHER FAITHFUL COOPERATION IN PROVIDING SAFETY OVERSIGHT FOR THE WMATA RAIL SYSTEM, AND, TO EFFECT SUCH PURPOSES, AGREES TO CONSIDER IN GOOD FAITH AND REQUEST ANY NECESSARY LEGISLATION TO ACHIEVE THE OBJECTIVES OF THIS MSC COMPACT.

J. AMENDMENTS AND SUPPLEMENTS TO COMPACT.

53. AMENDMENTS AND SUPPLEMENTS TO THIS MSC COMPACT SHALL BE ADOPTED BY LEGISLATIVE ACTION OF EACH OF THE SIGNATORIES AND THE CONSENT OF CONGRESS. WHEN ONE SIGNATORY ADOPTS AN AMENDMENT OR SUPPLEMENT TO AN EXISTING SECTION OF THIS MSC COMPACT, THAT AMENDMENT OR SUPPLEMENT SHALL NOT BE IMMEDIATELY EFFECTIVE, AND THE PREVIOUSLY ENACTED PROVISION OR PROVISIONS SHALL REMAIN IN EFFECT IN EACH JURISDICTION UNTIL THE AMENDMENT OR SUPPLEMENT IS APPROVED BY THE OTHER SIGNATORIES AND IS CONSENTED TO BY CONGRESS.

K. WITHDRAWAL FROM COMPACT BY SIGNATORY.

54. ANY SIGNATORY MAY WITHDRAW FROM THIS MSC COMPACT, WHICH ACTION SHALL CONSTITUTE A TERMINATION OF THIS MSC COMPACT.

55. WITHDRAWAL FROM THIS MSC COMPACT SHALL BE BY THE ENACTMENT OF LEGISLATION REPEALING THE STATUTORY AUTHORITY FOR THIS MSC COMPACT, BUT THE REPEAL MAY NOT TAKE EFFECT UNTIL ONE YEAR AFTER THE EFFECTIVE DATE OF THE LEGISLATION AND UNTIL WRITTEN NOTICE OF THE WITHDRAWAL HAS BEEN GIVEN BY THE WITHDRAWING STATE TO THE EXECUTIVE OF EACH OTHER MEMBER JURISDICTION. IN THE EVENT OF A WITHDRAWAL OF ONE OF THE SIGNATORIES FROM THE WMATA COMPACT, THIS MSC COMPACT SHALL BE TERMINATED AS OF THE SAME DATE.

56. PRIOR TO TERMINATION OF THIS MSC COMPACT, THE COMMISSION SHALL PROVIDE EACH SIGNATORY:

(A) A MECHANISM FOR CONCLUDING THE OPERATIONS OF THE COMMISSION;

(B) A PROPOSAL TO MAINTAIN STATE SAFETY OVERSIGHT OF THE WMATA RAIL SYSTEM; AND

(C) A PLAN TO RETURN SURPLUS FUNDS THAT MAY EXIST UPON THE TERMINATION OF THIS MSC COMPACT AFTER THE PAYMENT OF, AND THE RESERVATION OF FUNDS FOR PAYMENT OF, ALL OF ITS DEBTS AND OBLIGATIONS.

L. LIBERAL CONSTRUCTION.

57. THIS MSC COMPACT SHALL BE LIBERALLY CONSTRUED TO EFFECTUATE THE PURPOSES FOR WHICH IT IS CREATED.

58. IF ANY PART OR PROVISION OF THIS MSC COMPACT OR ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCES IS ADJUDGED INVALID BY ANY COURT OF COMPETENT JURISDICTION, THE JUDGMENT SHALL BE CONFINED IN ITS OPERATION TO THE PART, PROVISION, OR APPLICATION DIRECTLY INVOLVED IN THE CONTROVERSY IN WHICH THE JUDGMENT SHALL HAVE BEEN RENDERED AND SHALL NOT AFFECT OR IMPAIR THE VALIDITY OF THE REMAINDER OF THIS MSC COMPACT OR ITS APPLICATION TO OTHER PERSONS OR CIRCUMSTANCES, AND THE SIGNATORIES HEREBY DECLARE THAT THEY WOULD HAVE ENTERED INTO THIS MSC

COMPACT OR THE REMAINDER OF THE COMPACT HAD THE INVALIDITY OF THE PROVISION OR ITS APPLICATION BEEN APPARENT.

M. MANNER OF ADOPTION OF COMPACT.

59. THIS MSC COMPACT SHALL BE ADOPTED BY THE SIGNATORIES IN THE MANNER PROVIDED BY LAW THEREFOR AND SHALL BE SIGNED AND SEALED IN FOUR DUPLICATE ORIGINAL COPIES. ONE COPY SHALL BE FILED WITH THE SECRETARY OF STATE OF THE STATE OF MARYLAND, ONE COPY WITH THE SECRETARY OF THE COMMONWEALTH OF VIRGINIA, AND ONE COPY WITH THE SECRETARY OF THE DISTRICT OF COLUMBIA IN ACCORDANCE WITH THE LAWS OF EACH JURISDICTION. ONE COPY SHALL BE FILED AND RETAINED IN THE ARCHIVES OF THE COMMISSION UPON ITS ORGANIZATION. THIS MSC COMPACT SHALL BECOME EFFECTIVE UPON THE ENACTMENT OF CONCURRING LEGISLATION BY THE DISTRICT OF COLUMBIA, MARYLAND, AND VIRGINIA, AND CONSENT BY THE CONGRESS OF THE UNITED STATES AND WHEN ALL OTHER ACTS OR ACTIONS HAVE BEEN TAKEN, INCLUDING, WITHOUT LIMITATION, THE SIGNING AND EXECUTION OF THIS MSC COMPACT BY THE GOVERNORS OF MARYLAND AND VIRGINIA AND THE MAYOR OF THE DISTRICT OF COLUMBIA.

N. CONFLICT OF LAWS.

60. ANY CONFLICT BETWEEN ANY AUTHORITY GRANTED HEREIN, OR THE EXERCISE OF THE AUTHORITY, AND THE PROVISIONS OF THE WMATA COMPACT SHALL BE RESOLVED IN FAVOR OF THE EXERCISE OF THE AUTHORITY BY THE COMMISSION.

61. ALL OTHER GENERAL OR SPECIAL LAWS INCONSISTENT WITH THIS MSC COMPACT ARE HEREBY DECLARED TO BE INAPPLICABLE TO THE COMMISSION OR ITS ACTIVITIES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not take effect until a similar Act is enacted by the Commonwealth of Virginia and by the District of Columbia; that the Commonwealth of Virginia and the District of Columbia each is requested to concur in this Act of the General Assembly of Maryland by the enactment of a similar Act; that the Department of Legislative Services shall notify the appropriate officials of the Commonwealth of Virginia, the District of Columbia, and the United States

Congress of the enactment of this Act; and that upon the concurrence in this Act by the Commonwealth of Virginia and by the District of Columbia and approval by the United States Congress, the Governor of the State of Maryland shall issue a proclamation declaring this Act valid and effective and shall forward a copy of the proclamation to the Director of the Department of Legislative Services.”;

in line 10, strike “2.” and substitute “3.”; in the same line, after “That” insert “, subject to Section 2 of this Act,”; and strike beginning with “shall” in line 10 down through “Assembly” in line 14 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 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE REPORT NO. 7

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

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

Senate Bill 130 – Senator Simonaire

AN ACT concerning

Election Law – Ballot Issues – Contributions or Donations by Foreign Principals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 343 – Senators Eckardt, Ready, Serafini, and Waugh

AN ACT concerning

Bay Restoration Fund – Eligible Costs – Expansion

SB0343/704134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 343

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Waugh” and substitute “Waugh, and Simonaire”; and in line 6, after “Environment;” insert “making conforming changes”.

AMENDMENT NO. 2

On page 2, in line 17, strike “an” and substitute “THE ELIGIBLE COSTS TO”; in the same line, strike “of”; and in line 20, strike “for” and substitute “THE ELIGIBLE COSTS OF”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 9

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

Senate Bill 231 – Senators Manno, Feldman, Klausmeier, Middleton, Peters, and Smith

AN ACT concerning

**Labor and Employment – Hiring and Promotion Preferences – Veterans of
Commissioned Corps**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 375 – Senator Jennings

AN ACT concerning

Insurance – Bail Bondsmen – Continuing Education Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance 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.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 5

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

Senate Bill 16 – Senators Hough and Ready

AN ACT concerning

Public Safety – Firearm Application

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 26 – Senators Kagan, Young, King, and Peters

AN ACT concerning

Maryland False Claims Act – Municipal Corporations

SB0026/168375/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 26

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Act;” insert “requiring the attorney for each municipal corporation to report annually to the General Assembly certain information relating to the Maryland False Claims Act;”; and in line 9, after “8–101(e)” insert “and 8–110(a)”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“8–110.

(a) Beginning October 1, 2016, the Office of the Attorney General, [and] the attorney for each county, AND THE ATTORNEY FOR EACH MUNICIPAL CORPORATION shall report annually to the General Assembly, in accordance with § 2–1246 of the State Government Article, the following information for the previous fiscal year:

(1) the number of civil actions filed under this title;

(2) the number of civil actions under this title in which a judgment was entered, whether by settlement or adjudication; and

(3) the number of claims made by the governmental entity based on alleged violations of § 8–102 of this title that are settled without the filing of a civil action under this title.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 49 – Senators Cassilly and Jennings

AN ACT concerning

Landlord and Tenant – Military Personnel – Limitation on Liability for Rent

SB0049/268777/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 49

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances,” insert “clarifying the liability of a person on active duty or the spouse of a person on active duty for rent under a lease under certain circumstances.”

AMENDMENT NO. 2

On page 2, in line 14, before “30” insert “ANY RENT OR LAWFUL CHARGES THEN DUE AND PAYABLE PLUS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 73 – Senator Reilly

AN ACT concerning

Estates and Trusts – Share of Intestate Estate Inherited by Surviving Spouse**SB0073/388774/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 73

(First Reading File Bill)

On page 1, in lines 18 and 20, in each instance, strike “\$100,000” and substitute “\$40,000”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 207 – Senator Feldman

AN ACT concerning

Criminal Procedure – Charges Against Correctional Officer – Review by State’s Attorney**SB0207/938976/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 207

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “a” in line 6 down through “officer” in line 7 and substitute “certain other law enforcement officers”.

AMENDMENT NO. 2

On page 2, in line 20, strike “a” and substitute “:

(I) A”;

in line 21, strike “, A” and substitute “;

(II) THE POLICE COMMISSIONER OF BALTIMORE CITY;

(III) AN INDIVIDUAL WHO SERVES AT THE PLEASURE OF THE
POLICE COMMISSIONER OF BALTIMORE CITY;

(IV) THE POLICE CHIEF OF A COUNTY LAW ENFORCEMENT
AGENCY;

(V) THE POLICE CHIEF OF A MUNICIPAL CORPORATION;

(VI) THE POLICE CHIEF OR SUPERINTENDENT OF A STATE LAW
ENFORCEMENT AGENCY;

(VII) THE SHERIFF OF A COUNTY;

(VIII) AN OFFICER WHO IS ON PROBATIONARY STATUS ON INITIAL
ENTRY INTO A LAW ENFORCEMENT AGENCY;

(IX) A”;

and in line 22, strike “, or any” and substitute “;OR

(X) ANY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 272 – Senators Kelley, Benson, Guzzone, Jennings, King, Lee, Madaleno, Manno, Muse, Peters, Pinsky, Ramirez, Ready, Smith, Young, and Zucker

AN ACT concerning

Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court

SB0272/588277/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 272

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Benson,” insert “Brochin.”; in the same line, after “Muse,” insert “Norman.”; and in the same line, after “Young,” insert “Zirkin.”

AMENDMENT NO. 2

On page 4, in line 7, after “UNDER” insert “§ 3–819(C)(3) OR”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 299 – Senator Waugh

AN ACT concerning

Motor Vehicle Registration – Exception for Golf Carts – Golden Beach Patuxent Knolls

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 217)

ADJOURNMENT

At 11:12 A.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Wednesday, February 15, 2017.

Annapolis, Maryland
Wednesday, February 15, 2017
10:00 A.M. Session

The Senate met at 10:10 A.M.

Prayer by Pastor Greg St. Cyr, Bay Area Community Church, guest of Senator Miller.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 219)

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

The Journal of February 14, 2017 was read and approved.

INTRODUCTORY SENATE BILLS NO. 40

Senate Bill 1067 – Senator Astle

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Chesapeake Children's
Museum**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Chesapeake Children's Museum, Inc. and the Mayor and City Council of the City of Annapolis for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1068 – Senator Edwards

AN ACT concerning

**Creation of a State Debt – Garrett County – Believe in Tomorrow Children’s
House at Deep Creek Lake**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Believe in Tomorrow National Children’s Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1069 – Senators Ferguson, Currie, Madaleno, Young, and Zucker

AN ACT concerning

Maryland Historic Trust Grant Fund Improvement Act

FOR the purpose of authorizing the Maryland Historic Trust Grant Fund to be used to pay for certain reasonable and necessary administrative costs, not to exceed a certain amount; requiring the Governor, beginning in a certain fiscal year, to include a certain appropriation to the Fund in the annual State budget bill; limiting the amount of grants from the Fund that may be awarded to historic properties owned by the Maryland Historic Trust; requiring the Trust to include certain information in a certain annual report; and generally relating to the Maryland Historic Grant Fund.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–328
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1070 – Senator Ferguson

AN ACT concerning

**Creation of a State Debt – Baltimore City – Baltimore Regional Education and
Training Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of CASA de Maryland, Inc.

for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1071 – Senator Muse

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Hard Bargain Farm
Environmental Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Alice Ferguson Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1072 – Senator Pinsky

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Hyattsville Veteran’s
Memorial**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$30,000, the proceeds to be used as a grant to the Board of Directors of the Hyattsville Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1073 – Senator Waugh

AN ACT concerning

Sales and Use Tax – Exemption – Utilities for Operation of Restaurants

FOR the purpose of providing that the sales and use tax does not apply to the sale of certain electricity, fuel, and other utilities used to operate a restaurant; and generally relating to a sales and use tax exemption for certain energy consumption at restaurants.

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

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

Senate Bill 1074 – Senator Nathan–Pulliam

AN ACT concerning

Creation of a State Debt – Baltimore City – The SEED School of Maryland

FOR the purpose of authorizing the creation of a State Debt in the amount of \$1,200,000, the proceeds to be used as a grant to the Board of Trustees of The SEED School of Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

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 Rules.

Senate Bill 1076 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Most Worshipful Prince Hall Grand Lodge

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Trustees of The Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons of Maryland and Its Jurisdiction, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1077 – Senator Ramirez

AN ACT concerning

Statute of Limitations – Residential Leases Signed Under Seal

FOR the purpose of clarifying the time period within which a civil action on a residential lease that has been signed under seal must be filed; declaring the intent of the General Assembly; and generally relating to the statute of limitations for residential leases signed under seal.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 5–101
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–102
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

Senate Bill 1078 – Senator Reilly

AN ACT concerning

Creation of a State Debt – Lutheran Mission Society Compassion Centers

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Lutheran Mission Society of Maryland for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1079 – Senator Bates

AN ACT concerning

State Board of Physicians – Athletic Trainers – Scope of Practice

FOR the purpose of altering the definition of “practice athletic training” to allow athletic trainers to apply, under the supervision of a licensed physician, certain principles and methods for managing athletic injuries suffered by individuals in good overall health who are employed in professions specified by the State Board of Physicians in regulations; requiring the Board to adopt regulations that specify the professions that involve athletic activities and may result in an individual who is employed in the profession suffering a certain injury; altering the definition of “athletic activity” to include other activities that meet certain requirements; making stylistic changes; and generally relating to the scope of practice of athletic trainers.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5D–01

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 14–5D–06(c)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–5D–07(a) and 14–5D–10
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

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; 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 Rules.

Senate Bill 1081 – Senators Madaleno, Astle, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Mathias, McFadden, Middleton, Nathan–Pulliam, Oaks, Pinsky, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

AN ACT concerning

Health – Family Planning Services – Continuity of Care

FOR the purpose of establishing the Family Planning Program in the Department of Health and Mental Hygiene; providing for the purpose of the Program; requiring the Program to provide family planning services to certain individuals through certain providers; authorizing the Department to adopt certain regulations; requiring that

funding used to support family planning services under the Program shall be in addition to certain funding; requiring the Maryland Medical Assistance Program to ensure access to and the continuity of services provided by certain family planning providers in a certain manner; defining certain terms; and generally relating to family planning services.

BY adding to

Article – Health – General

Section 13–3401 and 13–3402 to be under the new subtitle “Subtitle 34. Family Planning Program”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 15–101(a) and (h)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 15–102.1(b)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1082 – Senator Rosapepe

AN ACT concerning

Gas and Electric Companies – Deposit Charges

FOR the purpose of prohibiting a gas company or an electric company from imposing a certain deposit requirement on certain customers; prohibiting a gas company or an electric company from terminating certain service for failure to pay all or part of a deposit under certain circumstances; providing for the application of this Act; and generally relating to electric utilities and customer billing.

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–305

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–307
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 3

House Bill 78 – ~~Delegate Korman~~ Delegates Korman, Pendergrass, Bromwell, Angel, Barron, Hayes, Hill, Kelly, Kipke, Metzgar, Miele, Morales, Morgan, Oaks, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

AN ACT concerning

State Government – Maryland Manual – Revisions (Maryland Manual Modernization Act)

FOR the purpose of altering certain provisions of law to require the State Archives to compile, edit, and publish an online Maryland Manual; altering the content of the Maryland Manual; requiring, as provided in the State budget, the State Archives to update the Maryland Manual as necessary to maintain the accuracy of the information and to annually preserve each a version that is published contains certain changes; ~~providing that the Maryland Manual constitutes the historical record of government in the State~~; requiring the State Archivist, to the extent practicable, to provide certain outreach to certain persons; repealing certain provisions of law relating to the provision and distribution of the Maryland Manual by the State Archivist; and generally relating to the Maryland Manual.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1026
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing
Article – State Government
Section 9–1027
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 115 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Mold Remediation Services Providers – Licensure and Program Evaluation

FOR the purpose of extending to a certain date the date by which companies or firms providing mold remediation services must be licensed; repealing the requirement that a certain evaluation of mold remediation licensing, regulation, and services be performed on or before a certain date in accordance with the Maryland Program Evaluation Act (sunset law); and generally relating to mold remediation services providers.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 8–707(a) and 8–718
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing
Article – State Government
Section 8–403(b)(37)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 537 of the Acts of the General Assembly of 2008, as amended by Chapter
333 of the Acts of the General Assembly of 2011
Section 3

BY renumbering
Article – State Government
Section 8–403(b)(38) through (58), respectively
to be Section 8–403(b)(37) through (57), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 117 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Elevator Safety Review Board – Sunset Extension, Program Evaluation, and Reporting Requirement

FOR the purpose of continuing the Elevator Safety Review Board in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that govern the Board be performed on or before a certain date; requiring the Board to study and make recommendations regarding certain matters; requiring the Board to report its findings and recommendations to the Department of Legislative Services, the Senate Finance Committee, and the House Economic Matters Committee on or before a certain date; and generally relating to the Elevator Safety Review Board.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–842
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(17)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 140 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors – Supervision of Appraiser Trainees

FOR the purpose of altering the qualifications for a real estate appraisal license and for a certificate for residential or general real estate appraisal to require that the

applicant provide real estate appraiser services as a trainee under the supervision of only a certified appraiser; and generally relating to real estate appraisers.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 16–302(a), (b), (c), and (d)(1) and 16–503(a) and (b)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 16–302(d)(2) and 16–503(b)(2)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

**House Bill 148 – Chair, Health and Government Operations Committee (By
Request – Departmental – Maryland State Archives)**

AN ACT concerning

State Archives – Care of Fine Art or Decorative Art – Procurement Exemption

FOR the purpose of exempting the preservation, conservation, proper care, restoration, and transportation of certain art by the State Archives from certain provisions of State procurement law; and generally relating to exemptions from the procurement law.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–203(a)(1)(xvii) and (xviii)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Finance and Procurement
Section 11–203(a)(1)(xix)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

**House Bill 159 – Delegates B. Barnes, D. Barnes, Anderson, Busch, Conaway,
Ebersole, Fennell, Frick, Frush, Gilchrist, Hill, Hixson, C. Howard, Jackson,
Kelly, Korman, Krimm, Lafferty, Luedtke, McCray, McIntosh, A. Miller,**

Moon, Morales, Pena–Melnik, Platt, Reznik, Robinson, Sanchez, Tarlau, Valderrama, Waldstreicher, A. Washington, M. Washington, and P. Young

AN ACT concerning

Weapon–Free Higher Education Zones

FOR the purpose of altering a certain exception relating to law enforcement officers to the prohibition on carrying certain weapons on public 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; requiring a public institution of higher education to post certain signs at certain locations; requiring the Board of Regents for the University System of Maryland to incorporate into their bylaws, policies, and procedures, the current weapons practice on their campuses; and generally relating to the carrying or possession of firearms at public institutions 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 – Education

Section 15–121

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 180 – Delegates Morhaim, Kipke, Oaks, ~~and West~~ West, Pendergrass, Bromwell, Angel, Barron, Hayes, Hill, Kelly, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

AN ACT concerning

Department of Health and Mental Hygiene – Renaming

FOR the purpose of renaming the Department of Health and Mental Hygiene to be the Maryland Department of Health; renaming the Secretary of Health and Mental Hygiene to be the Secretary of Health; providing that the Maryland Department of Health is the successor of the Department of Health and Mental Hygiene; providing that certain names and titles of a certain unit and officials in laws and other documents mean the names and titles of the successor unit and officials; providing for the continuity of certain matters and persons; providing that letterhead, business

cards, and other documents reflecting the renaming of the Department may not be used until all letterhead, business cards, and other documents already in print and reflecting the name of the Department before the effective date of this Act are used; requiring the publisher of the Annotated Code, in consultation with the Department of Legislative Services, to correct cross-references and terminology in the Code that are rendered incorrect by this Act; and generally relating to the renaming of the Department of Health and Mental Hygiene and the Secretary of Health and Mental Hygiene.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 1–101(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 1–101(c) and (k); and 2–101 and 2–102(a) to be under the amended title “Title 2. Maryland Department of Health”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–201(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–201(b)(8)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 198 – Charles County Delegation

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Cell Tower Batteries – Required Record

FOR the purpose of altering the definition of junk or scrap metal to include cell tower batteries; requiring a junk dealer or scrap metal processor to keep a certain record of each purchase of a cell tower battery in the State; and generally relating to

required records for the purchase of cell tower batteries by junk dealers and scrap metal processors.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1001(a) and 17–1011(b)(1)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 17–1001(e)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 207 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Local Plumbing Code – Repeal

FOR the purpose of repealing a certain provision of law related to the adoption of a plumbing code in St. Mary’s County; and generally relating to the repeal of a provision of law that relates to the adoption of a plumbing code in St. Mary’s County.

BY repealing
The Public Local Laws of St. Mary’s County
Section 92–1 and the chapter “Chapter 92. Plumbing Code”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2015 Supplement, as amended)

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

House Bill 208 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Electricians and Board of Electrical Examiners – Repeal

FOR the purpose of repealing certain provisions of law that relate to the Board of Electrical Examiners and the licensing and regulation of electricians in St. Mary’s County; and generally relating to the repeal of certain provisions of law that relate to electricians and the Board of Electrical Examiners in St. Mary’s County.

BY repealing

The Public Local Laws of St. Mary's County

Section 38–1 through 38–10 and 38–12 through 38–22 and the chapter “Chapter 38.
Electrical Examiners”

Article 19 – Public Local Laws of Maryland

(2007 Edition and March 2015 Supplement, as amended)

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

House Bill 291 – Delegate Davis

AN ACT concerning

Homeowner's Insurance – Notices

FOR the purpose of authorizing certain offers, notices, statements, and disclosures relating to homeowner's insurance to be delivered by electronic means if the insurer complies with certain requirements; authorizing insurers to comply with certain renewal notice requirements relating to homeowner's insurance by sending a certain notice; requiring the Maryland Insurance Commissioner to adopt by regulation a certain notice to be provided to insureds or policyholders at each renewal that contains certain information; providing for the form and contents of a certain renewal notice; providing that a certain renewal notice does not create a private right of action; authorizing insurers to comply with certain renewal notice requirements by sending a certain notice; and generally relating to notices under homeowner's insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–202, 19–205, 19–206, 19–206.1, 19–207, 19–209.1, 19–210, 19–214,
19–215, and 27–501(n)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – Insurance

Section 19–216

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 27–601.2

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

SPECIAL ORDER CALENDAR NO. 14

Senate Bill 136 – Senators Lee and Smith

AN ACT concerning

Vehicle Laws – Parking Violations – Authority of Political Subdivisions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0136/628570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 136

(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, in line 16, strike “October 1, 2017” and substitute “July 1, 2018”.

Senator Lee moved the Bill be recommitted.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 220)

SENATE THIRD READING CALENDAR NO. 15 (GENERAL SENATE BILLS)

Senate Bill 1 – ~~Senator Conway~~ Senators Conway, Madaleno, Lee, Zucker, and Smith

AN ACT concerning

Education – Specialized Intervention Services – Reports

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

Affirmative – 46 Negative – 0 (See Roll Call No. 221)

The Bill was then sent to the House of Delegates.

Senate Bill 110 – Senator Conway

AN ACT concerning

Public Health – Expedited Partner Therapy – Pharmacist Dispensing

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

Affirmative – 39 Negative – 7 (See Roll Call No. 222)

The Bill was then sent to the House of Delegates.

Senate Bill 117 – Senators Edwards and Serafini

AN ACT concerning

Community Colleges – Out-of-State Fee – Waiver for Border State Residents

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

Affirmative – 46 Negative – 0 (See Roll Call No. 223)

The Bill was then sent to the House of Delegates.

Senate Bill 163 – Senator Waugh

AN ACT concerning

St. Mary’s County – Electricians and Board of Electrical Examiners – Repeal

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

Affirmative – 44 Negative – 0 (See Roll Call No. 224)

The Bill was then sent to the House of Delegates.

Senate Bill 183 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Mold Remediation Services Providers – Licensure and Program Evaluation

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

Affirmative – 46 Negative – 0 (See Roll Call No. 225)

The Bill was then sent to the House of Delegates.

Senate Bill 185 – Senator Feldman

AN ACT concerning

**Public Health – Repeal of AIDS Education Program for Persons Convicted of
Drug- or Sex-Related Crimes**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 226)

The Bill was then sent to the House of Delegates.

**Senate Bill 232 – Senators Manno, Benson, Conway, Feldman, Kelley, King, Lee,
Madaleno, Muse, Nathan–Pulliam, Robinson, Smith, and Zucker**

AN ACT concerning

Education – Pregnant and Parenting Students – Attendance Policy

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

Affirmative – 46 Negative – 0 (See Roll Call No. 227)

The Bill was then sent to the House of Delegates.

Senate Bill 276 – Senator Madaleno

AN ACT concerning

Inheritance Tax – Exemption – Evidence of Domestic Partnership

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

Affirmative – 45 Negative – 1 (See Roll Call No. 228)

The Bill was then sent to the House of Delegates.

Senate Bill 279 – ~~Senator Middleton~~ Senators Middleton, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe

AN ACT concerning

Homeowner's Insurance – Notices

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

Affirmative – 46 Negative – 0 (See Roll Call No. 229)

The Bill was then sent to the House of Delegates.

Senate Bill 289 – ~~Senator Middleton~~ Senators Middleton, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe

AN ACT concerning

Maryland Insurance Commissioner Administration – Rate Making for Automobile and Homeowner's Insurance – ~~Reports~~

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

Affirmative – 46 Negative – 0 (See Roll Call No. 230)

The Bill was then sent to the House of Delegates.

Senate Bill 324 – Carroll County Senators

AN ACT concerning

Carroll County – Mechanical Musical Devices – Licensing Requirements – Repeal

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

Affirmative – 46 Negative – 0 (See Roll Call No. 231)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 16 (GENERAL SENATE BILLS)

Senate Bill 265 – Senators Feldman, Kagan, Kelley, King, Lee, Madaleno, Manno, Pinsky, Rosapepe, Smith, and Zucker

SECOND PRINTING

EMERGENCY BILL

AN ACT concerning

Washington Metrorail Safety Commission Membership Act

Senator Jennings moved to make the Bill a Special Order for February 16, 2017.

The motion was adopted.**SENATE RULES COMMITTEE REPORT NO. 1**

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

Senate Bill 493 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative BillFavorable report adopted.Read the second time and ordered prepared for Third Reading.

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

Senate Bill 494 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective BillFavorable report adopted.Read the second time and ordered prepared for Third Reading.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

**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

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

**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

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 683 – The President (By Request – Administration)

AN ACT concerning

Public Integrity Act of 2017

The Bill was re-referred to the Committee on Education, Health, and Environmental
Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 684 – The President (By Request – Administration)

AN ACT concerning

Liquor Board Reform Act of 2017

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 704 – The President (By Request – Administration) and Senators Bates, Eckardt, Hershey, Hough, Jennings, Ready, Salling, and Serafini

AN ACT concerning

Public Charter School Act of 2017

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1019 – Senators Cassilly, Astle, and Jennings

AN ACT concerning

Department of Commerce – Employment in the State’s Defense Industry – Army Alliance Study

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1020 – Senator Middleton

AN ACT concerning

Maryland Health Care Regulatory Reform Act of 2017

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1021 – Senators Zucker, Ferguson, Benson, Conway, Currie, DeGrange, Feldman, Guzzone, Kagan, Kasemeyer, King, Klausmeier, Lee, Manno, McFadden, Middleton, Miller, Nathan-Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, and Zirkin

AN ACT concerning

**Enterprise Zone and Regional Institution Strategic Enterprise Zone Programs –
Small Business Entities**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1022 – Senator Mathias

AN ACT concerning

Real Property – Vacant and Abandoned Property – Expedited Foreclosure

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**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**

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1024 – Senators McFadden and Ready

AN ACT concerning

Education – Grant for Declining Education Aid

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1025 – Senator Lee

AN ACT concerning

Criminal Procedure – Victim Notification – Dissemination and National Standards

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1026 – Senator Conway

AN ACT concerning

Public Ethics Law – Conflicts of Interest and Financial Disclosure Statements

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

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

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1028 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Harambee House Community Outreach Center

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1029 – Senator Nathan–Pulliam

AN ACT concerning

Creation of a State Debt – Baltimore City – Shake and Bake Family Fun Center

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1030 – Senators Young, Benson, Conway, Currie, Feldman, Guzzone, Lee, Madaleno, Manno, McFadden, Middleton, Nathan–Pulliam, Peters, Robinson, Rosapepe, and Zucker

AN ACT concerning

State Board of Cosmetologists – Licensing and License Renewal – Domestic Violence and Sexual Assault Awareness Course

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1031 – Senators Benson, Astle, Conway, 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, Zirkin, and Zucker

AN ACT concerning

Payroll Recovery Act

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1032 – Senator Robinson

AN ACT concerning

Family Law – Grandparent Visitation

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

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**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1035 – Senator Ferguson

AN ACT concerning

Baltimore City – 46th District Alcoholic Beverages Act of 2017

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1036 – Senator Young

AN ACT concerning

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

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1038 – Senators Serafini and Ready

EMERGENCY BILL

AN ACT concerning

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

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1039 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Hotel and Motel Licenses

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1040 – Senators Ready, Bates, Eckardt, Edwards, and Salling

AN ACT concerning

Environment – Water and Sewer Plan Approval

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1041 – Senator Astle

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Chesapeake Region
Accessible Boating Project**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1042 – Senator Feldman

AN ACT concerning

Behavioral Health Administration – Outpatient Civil Commitment Pilot Program

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1043 – Senators Feldman, Manno, Rosapepe, and Zucker

AN ACT concerning

Renewable Energy Portfolio Standard Requirements – Standard Offer Service

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1044 – Senator Lee

AN ACT concerning

Creation of a State Debt – Montgomery County – Interfaith Watershed Restoration and Outreach Project

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1045 – Senator Ferguson

AN ACT concerning

Creation of a State Debt – Baltimore City – Port Discovery Children’s Museum

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1046 – Senator Simonaire

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Tick Neck Park Athletic Fields

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1047 – Senator Young

AN ACT concerning

Distribution of Marriage Ceremony Fees

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1048 – Senator Muse

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Camp Springs Elks Lodge
No. 2332**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1049 – Senator Muse

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Accokeek First Church of
God Center of Excellence**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1050 – Senator Jennings

AN ACT concerning

Motor Vehicles – Dump Trucks – Gross Vehicle Weight Limits

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1051 – Senator Jennings

AN ACT concerning

Creation of a State Debt – Baltimore County – Camp Puh'tok

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1052 – Senator Mathias

AN ACT concerning

State Designations – State Waterfowl – Canvasback Duck

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1053 – Senator Mathias

AN ACT concerning

**Creation of a State Debt – Worcester County – Lower Eastern Shore
Conservation and Heritage Center**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1054 – Senators Mathias and Klausmeier

AN ACT concerning

Health Insurance – Freedom of Choice of Pharmacy Act

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1055 – Senators Mathias and Klausmeier

AN ACT concerning

Health Insurance and Pharmacy Benefits Managers – Reimbursement for and Provision of Pharmacy Services

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1056 – Senators Mathias and Smith

AN ACT concerning

Vehicle Laws – Personal Motor Vehicle Rentals

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1058 – Senators Brochin and Zirkin

AN ACT concerning

Aggressive Drunk Driving – Punitive Damages

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1060 – Senator Miller

AN ACT concerning

**Heroin and Opioid Education and Community Action Act of 2017
(Start Talking Maryland Act)**

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

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

The Joint Resolution was re-referred to the Committee on Finance.

QUORUM CALL

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

(See Roll Call No. 232)

ADJOURNMENT

At 10:38 A.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Thursday, February 16, 2017.

Annapolis, Maryland
Thursday, February 16, 2017
10:00 A.M. Session

The Senate met at 10:16 A.M.

Prayer by Reverend Herb Townsend, Grandview Church, guest of Senator Jennings.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 234)

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

The Journal of February 15, 2017 was read and approved.

INTRODUCTORY SENATE BILLS NO. 41

Senate Bill 1083 – Senator Waugh

AN ACT concerning

Creation of a State Debt – St. Mary's County – St. Clement's Island North Pier

FOR the purpose of authorizing the creation of a State Debt in the amount of \$100,000, the proceeds to be used as a grant to the Board of Directors of St. Clements Hundred, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1084 – Senator Waugh

AN ACT concerning

**State Finance and Procurement – Veteran–Owned Small Business Enterprises –
Definitions**

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.

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 Rules.

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; 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.

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 Rules.

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; 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 Rules.

Senate Bill 1087 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Protest of License Renewal

FOR the purpose of authorizing the Baltimore City Board of License Commissioners to require a certain mediation when a protest against renewing an alcoholic beverages license is filed a certain number of days before the license expires; authorizing the withdrawal or dismissal of a protest and the Board's approval or denial of a license renewal without a certain hearing if a required mediation results in a certain agreement; requiring the Board to hold a certain hearing if a required mediation does not result in a certain agreement; and generally relating to renewals of alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 4–406, 12–102, and 12–1801(c)(2)

Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–1805
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

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 for a Class B beer, wine, and liquor license in Anne Arundel County; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 11–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 11–902
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

Senate Bill 1089 – Senators Hershey, Brochin, and Lee

AN ACT concerning

**Primary and Secondary Education – Health and Safety Guidelines and
Procedures – Digital Devices**

FOR the purpose of requiring the Department of Health and Mental Hygiene, in consultation with the State Department of Education, to develop health and safety guidelines and procedures for the use of digital devices in public school classrooms; requiring each county board of education to implement certain health and safety

guidelines and procedures for the use of digital devices in public school classrooms beginning in a certain school year; and generally relating to health and safety guidelines and procedures for the use of digital devices in public school classrooms.

BY adding to

Article – Education

Section 4–111.4

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

Senate Bill 1090 – Senators Hershey and Norman

AN ACT concerning

**Maryland Transportation Authority – John F. Kennedy Memorial Highway –
Toll Plazas**

FOR the purpose of prohibiting the Maryland Transportation Authority from making any capital investment in the John F. Kennedy Memorial Highway toll plaza; requiring the Authority to remove the John F. Kennedy Memorial Highway toll plaza when it becomes functionally obsolete and establish a new toll plaza for the John F. Kennedy Memorial Highway at a certain location; defining certain terms; and generally relating to toll plazas on the John F. Kennedy Memorial Highway.

BY adding to

Article – Transportation

Section 4–406

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1091 – Senator Hough

AN ACT concerning

**Public Safety – Permit to Wear, Carry, or Transport a Handgun – Expiration
and Renewal**

FOR the purpose of altering the time period in which a permit to wear, carry, or transport a handgun expires; altering the time period for renewal of a permit to wear, carry, or transport a handgun; and generally relating to a permit to wear, carry, or transport a handgun.

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 5–309
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

Senate Bill 1092 – Senator Jennings

AN ACT concerning

Public Assistance Fraud Prevention Act

FOR the purpose of requiring, with certain exceptions, each newly issued or reissued electronic benefits transfer card to contain a photograph of the recipient of the benefits; requiring an electronic benefits transfer card to contain a certain written statement instead of a photograph in certain circumstances; requiring the Family Investment Administration in the Department of Human Resources to establish certain procedures that relate to the issuance and use of certain electronic benefits transfer cards; prohibiting an establishment that accepts electronic benefits transfer cards from requiring a cardholder to show a certain photograph unless certain other customers are required to show certain photographic identification; and generally relating to benefits under public assistance programs.

BY adding to
Article – Human Services
Section 5–609
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

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

Senate Bill 1093 – Senator Klausmeier

AN ACT concerning

Creation of a State Debt – Baltimore County – Double Rock Park

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

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

MESSAGE FROM THE HOUSE

YEAS AND NAYS NO. 1

| BILL NO. | SPONSOR | CONTENT |
|----------|----------------|--|
| SJ 5 | Sen. Kasemeyer | Attorney General – Powers – Maryland Defense Act of 2017 |

By Order,
William B. C. Addison, Jr., Secretary

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

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 4

House Joint Resolution 3 – Delegates Rosenberg, Barve, Busch, Davis, Frick, Jones, Kaiser, McIntosh, Pendergrass, and Vallario

A House Joint Resolution concerning

Attorney General – Powers – Maryland Defense Act of 2017

FOR the purpose of directing the Attorney General to take certain actions regarding civil and criminal suits and actions that are based on the federal government's action or inaction that threatens the public interest and welfare of the residents of the State; requiring the Attorney General, except under certain circumstances, to provide the Governor with certain notice and an opportunity to review and comment on certain suits and actions before commencing certain suits and actions; requiring the Governor, under certain circumstances, to provide in writing reasons for certain objections to the Attorney General within a certain time period; requiring the Attorney General, except under certain circumstances, to consider the Governor's objections before commencing a certain suit or action; and generally relating to the powers of the Attorney General.

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

BUDGET AND TAXATION COMMITTEE REPORT NO. 4

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

Senate Bill 36 – Senator Mathias

AN ACT concerning

Tax Credits – Electronic Filing Requirements – Waiver

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 54 – Senators Young and Waugh

AN ACT concerning

Motor Fuel Tax – Aviation Gasoline – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MOTION

Senator Ferguson moved that the Senate receive in Open Session the following Report for the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 3

Senator Ferguson, Chair, for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee

Report No. 3

February 16, 2017

Affordable Housing Trust Board of Trustees, Maryland

1. Shirley D. Butler–Walker District 25
7909 Hastings Lane
Clinton, MD 20735

Member of the Maryland Affordable Housing Trust Board of Trustees; appointed to serve a term of four years from October 1, 2016

Civil Rights, Commission on

2. Dominique S. Moore, Esq. District 40
3225 Powhatan Avenue
Baltimore, MD 21216

Member of the Commission on Civil Rights; appointed to serve a term of six years from July 1, 2015

College of Southern Maryland, Board of Trustees of the

3. Bradley O. Bates District 29
14611 C Way
Scotland, MD 20687

Member of the Board of Trustees of the College of Southern Maryland; appointed to serve a term of five years from July 1, 2015

4. Theodore L. Harwood District 29
26415 Jones Wharf Road
Hollywood, MD 20636

Member of the Board of Trustees of the College of Southern Maryland; reappointed to serve a term of five years from July 1, 2015

5. Jay W. Webster District 27
3540 Loyola Court
Dunkirk, MD 20754

Member of the Board of Trustees of the College of Southern Maryland; appointed to serve a term of five years from July 1, 2015

Community Health Resources Commission, Maryland

6. Julia A. Wagner District 9
1514 Grooms Lane
Woodstock, MD 21163

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2015

Higher Education Commission, Maryland

7. Peri J. Kelsey District 35
195 Old Bayview Road
North East, MD 21901

Student Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2016

Historical Trust, Board of Trustees of the Maryland

8. O. James Lighthizer, Esq. District 37
5850 Puckum Road
Rhodesdale, MD 21659

Member of the Board of Trustees of the Maryland Historical Trust; reappointed to serve a term of four years from July 1, 2016

Industrial Development Financing Authority, Maryland

9. Bohdan Denysyk, Ph.D. District 31
8203 Ventnor Road
Pasadena, MD 21122

Member of the Maryland Industrial Development Financing Authority; appointed to serve a term of five years from July 1, 2014

10. Bernard L. Jennings District 12
5126 Northern Fences Lane
Columbia, MD 21044–5705

Member of the Maryland Industrial Development Financing Authority; appointed to serve remainder of a term of five years from July 1, 2012

11. Deborah A. Morgan District 33
3455 Constellation Drive
Davidsonville, MD 21035

Member of the Maryland Industrial Development Financing Authority; reappointed to serve a term of five years from July 1, 2012

Morgan State University Board of Regents

12. Matthew Reeds District 45
6410 Eastern Parkway
Baltimore, MD 21214

Student Member of the Morgan State University Board of Regents; appointed to serve a term of one year from July 1, 2016

Nursing Home Administrators, State Board of Examiners of

13. Belinda B. Strayhorn District 32
110 Bunker Hill Lane
Odenton, MD 21113

Member of the State Board of Examiners of Nursing Home Administrators; reappointed to serve a term of four years from April 22, 2016

Physical Therapy Examiners, State Board of

14. Donna M. Richmond District 47
6003 Euclid Street
Cheverly, MD 20785

Member of the State Board of Physical Therapy Examiners; appointed to serve a term of four years from June 1, 2016

Plumbing, State Board of

15. Richard J. Small District 40
3029 Hanlon Avenue
Baltimore, MD 21216

Member of the State Board of Plumbing; appointed to serve a term of three years from May 1, 2014

Police Training and Standards Commission, Maryland

16. Matthew G. Alonsozana District 9
5342 Grovemont Drive
Elkridge, MD 21075
- Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2017
17. Troy D. Berry District 28
6915 Crain Highway
La Plata, MD 20646
- Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2017
18. William M. Crabbs District 34
45 S. Main Street
Bel Air, MD 21015
- Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2017
19. Miguel Dennis District 10
7400 Lesada Drive, Apt. 2D
Windsor Mill, MD 21244
- Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2018
20. Allison M. Ehart District 9
5339 Briar Oak Court
Ellicott City, MD 21043
- Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2018
21. Michael B. Finegan, Ph.D. District 37
104 West Market Street
Salisbury, MD 21801
- Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2019

22. Marcus E. Pollock District 43
721 E. Belvedere Avenue
Baltimore, MD 21212

Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2018

Potomac River Fisheries Commission

23. Dennis C. Fleming District 29
40344 Morgan Brothers Road
Mechanicsville, MD 20659

Member of the Potomac River Fisheries Commission; reappointed to serve a term of four years from January 1, 2015

24. William Leonard Rice, Sr. District 28
11400 Tucker Farm Place
Faulkner, MD 20632

Member of the Potomac River Fisheries Commission; reappointed to serve a term of four years from January 1, 2017

Procurement Advisory Council

25. Mary Jo Childs, Esq. District 27
1156 Regency Drive
Saint Leonard, MD 20685

Member of the Procurement Advisory Council; appointed to serve a term of two years from May 6, 2015

26. Phillip C. Martien District 5
3150 Lawndale Road
Finksburg, MD 21048

Member of the Procurement Advisory Council; reappointed to serve a term of two years from May 6, 2015

27. Juan Leo Salazar District 12
6208 Bright Plume
Columbia, MD 21044

Member of the Procurement Advisory Council; appointed to serve a term of two years from May 6, 2015

Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors, State Commission of

28. John M. Hamilton District 9
11820 Homewood Road
Ellicott City, MD 21042

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve remainder of a term of three years from January 1, 2014, and a term of three years from January 1, 2017

Rural Legacy Board, Advisory Committee to the

29. Elizabeth E. Zucker District 37
32360 Mill Ridge Road
Cordova, MD 21625

Member of the Advisory Committee to the Rural Legacy Board; appointed to serve a term of three years from July 1, 2016

Tourism Development Board, Maryland

30. G. Hale Harrison District 38
6427 Heritage Road
Berlin, MD 21811

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2016

31. Casey Jenkins District 43
1015 Andover Road
Baltimore, MD 21218

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2014

32. Cara Hergan Joyce District 32
110 Sweetser Road
Linthicum Heights, MD 21090

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2014

33. Candace Osunsade District 10
100 Dandbury Road
Reisterstown, MD 21136

Member of the Maryland Tourism Development Board; appointed to serve remainder of a term of three years from July 1, 2015

34. Alexandra L. Von Paris District 42
518 Hampton Lane
Towson, MD 21286

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2014

Uninsured Employers Fund Board

35. Martin E. Lewis District 31
256 Moreau Lane
Severna Park, MD 21146

Member of the Uninsured Employers Fund Board; appointed to serve a term of four years from July 1, 2015

36. Amy L. Thompson District 29
37380 River Springs Road
Avenue, MD 20609

Member of the Uninsured Employers Fund Board; appointed to serve a term of four years from July 1, 2015

37. Doncella Wilson District 36
223 Brairwood Circle
Denton, MD 21629

Member of the Uninsured Employers Fund Board; appointed to serve a term of four years from July 1, 2015

Women, Maryland Commission for

38. Tamara D. Wilson District 41
4501 Scarlet Oak Lane
Baltimore, MD 21229

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2016

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

College of Southern Maryland, Board of Trustees of the

- S–1. Samuel C. Jones District 27
11928 Lyons Glen Court
Dunkirk, MD 20754

Member of the Board of Trustees of the College of Southern Maryland; reappointed to serve a term of five years from July 1, 2015

Environmental Health Specialists, State Board of

- S–2. Naomi Renee Howell District 36
10444 Worton Road
Worton, MD 21678

Member of the State Board of Environmental Health Specialists; appointed to serve remainder of a term of four years from July 1, 2013

- S–3. Michael S. Pugh District 35
1304 Heaps Road
Whiteford, MD 21160

Member of the State Board of Environmental Health Specialists; appointed to serve a term of four years from July 1, 2016

Fire–Rescue Education and Training Commission

- S–4. Jennifer L. Aubert–Utz District 8
8321 Old Harford Road
Towson, MD 21234

Member of the Fire–Rescue Education and Training Commission; appointed to serve remainder of a term of four years from July 1, 2015

- S–5. Barbara A. Knippenburg District 1
17608 Old Dans Rock Road, SW
Frostburg, MD 21532

Member of the Fire–Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2016

Food Center Authority, Maryland

- S-6. Irina Falletta District 42
719 Weil Mandel Way
Cockeysville, MD 21030

Member of the Maryland Food Center Authority; appointed to serve a term of five years from July 1, 2016

- S-7. Timothy T. Raver District 13
10526 Twin Cedar Court
Laurel, MD 20723

Member of the Maryland Food Center Authority; appointed to serve a term of five years from July 1, 2016

Foresters, State Board of

- S-8. John P. Markovich District 28
11552 Timberbrook Drive
Waldorf, MD 20601

Member of the State Board of Foresters; reappointed to serve a term of five years from July 1, 2016

Heritage Areas Authority, Maryland

- S-9. Thomas Bradshaw District 37
5106 Rhodesdale Vienna Road
Rhodesdale, MD 21659

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2014

- S-10. Robert David Campbell District 20
9510 Garwood Street
Silver Spring, MD 20901

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2016

- S–11. Natalie K. Chabot District 37
13 Manito Drive
Cambridge, MD 21613

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2012, and a term of four years from October 1, 2016

- S–12. Pete Leshner District 37
215 S. Hanson Street
Easton, MD 21601

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2016

- S–13. J. Matthew Neitzey District 22
6100 Westchester Park Drive, Unit 913
College Park, MD 20740

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2014

- S–14. Donna Marie Ware District 30
16 Eastern Avenue
Annapolis, MD 21403

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2016

Infants and Toddlers, Interagency Coordinating Council for

- S–15. Linnette D. Rivera District 19
4313 Haverford Drive
Rockville, MD 20853

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve remainder of a term of three years from July 1, 2016

- S–16. FloJean Speck District 14
17807 Buehler Road
Olney, MD 20832

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2016

Landscape Architects, Board of Examiners of

S-17. Suzanne T. Grefsheim District 18
P.O. Box 175
Garrett Park, MD 20896

Member of the Board of Examiners of Landscape Architects; reappointed to serve a term of three years from July 1, 2016

S-18. Christopher L. Schein District 30
15 Thompson Street
Annapolis, MD 21401

Member of the Board of Examiners of Landscape Architects; reappointed to serve a term of three years from July 1, 2016

Maryland Legal Services Corporation Board of Directors

S-19. Violet M. Apple District 11
9050 Iron Horse Lane, Apt. 330
Pikesville, MD 21208

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a term of three years from July 1, 2014

S-20. Martha F. Rasin District 30
1904 Sands Drive
Annapolis, MD 21409

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a term of three years from July 1, 2016

Massage Therapy Examiners, State Board of

S-21. Gloria Boddie-Epps District 47
914 Cox Avenue
Hyattsville, MD 20783

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2019

S–22. David A. Cox District 19
12502 Plaza Place
Rockville, MD 20853

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2021

S–23. Gwenda M. Harrison District 27
15313 Livingston Road
Accokeek, MD 20607

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2020

S–24. Margaret A. Hayes District 11
1325 Bedford Avenue, #5740
Pikesville, MD 21282

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2021

S–25. Paula K. Jilanis District 1
12 S. Lee Street
Cumberland, MD 21502

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2019

S–26. J. Paige Szymanski District 31
7809 Winborne Drive, Apt. J
Glen Burnie, MD 21060

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2021

S–27. Caitlin M. Thompson District 46
3900 Fait Avenue
Baltimore, MD 21224

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2020

Nursing, State Board of

S–28. Lois V. Rosedom–Boyd District 10
6760 Real Princess Lane
Baltimore, MD 21207

Member of the State Board of Nursing; reappointed to serve a term of four years from July 1, 2016

Plumbing, State Board of

S–29. Joseph A. Radtka District 33
3 Severndale Road
Severna Park, MD 21146

Member of the State Board of Plumbing; reappointed to serve a term of three years from May 1, 2016

S–30. Gregory S. Schott District 35
4723 Clermont Mill Road
Pylesville, MD 21132

Member of the State Board of Plumbing; reappointed to serve a term of three years from May 1, 2016

Police Training and Standards Commission, Maryland

S–31. Barbara L. Duncan District 38
699 West Salisbury Parkway
Salisbury, MD 21801

Member of the Maryland Police Training and Standards Commission; reappointed to serve a term to expire May 31, 2019

Potomac River Fisheries Commission

S–32. Phil L. Langley District 29
50126 Dove Cove Road
Dameron, MD 20628

Member of the Potomac River Fisheries Commission; reappointed to serve a term of four years from January 1, 2017

Professional Engineers, State Board for

- S–33. Steven A. Arndt, Ph.D. District 14
24418 Galeano Way
Damascus, MD 20872

Member of the State Board for Professional Engineers; reappointed to serve a term of five years from July 1, 2016

Professional Land Surveyors, State Board for

- S–34. Tammy Moore District 11
32 Latimore Way
Owings Mills, MD 21117

Member of the State Board for Professional Land Surveyors; appointed to serve a term of five years from July 1, 2014

Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors, State Commission of

- S–35. Terry R. Dunkin District 42
801 Bacon Hall Road
Sparks, MD 21152

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; reappointed to serve a term of three years from January 1, 2017

- S–36. Helen Won District 11
7 Yellow Barn Court
Pikesville, MD 21208

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; reappointed to serve a term of three years from January 1, 2017

Seafood Marketing Advisory Commission

- S–37. Joseph N. Brooks District 37
703 Radiance Drive
Cambridge, MD 21613

Member of the Seafood Marketing Advisory Commission; reappointed to serve a term of four years from July 1, 2016

S-38. William R. Fitzhugh, Jr. District 37
303 Sandy Hill Road
Cambridge, MD 21613

Member of the Seafood Marketing Advisory Commission; reappointed to serve a term of four years from July 1, 2015

S-39. David S. Gjerde District 41
8 Elmwood Road
Baltimore, MD 21210

Member of the Seafood Marketing Advisory Commission; reappointed to serve a term of four years from July 1, 2015

S-40. Aubrey M. Vincent District 37
2010 Church Creek Road
Cambridge, MD 21613

Member of the Seafood Marketing Advisory Commission; reappointed to serve a term of four years from July 1, 2016

Social Work Examiners, State Board of

S-41. Mary L. Sayres District 30
1 Fairhope Court
Annapolis, MD 21403

Member of the State Board of Social Work Examiners; appointed to serve a term of four years from July 1, 2015

S-42. Wrenn Skidmore District 9
3025 Brookwood Road
Ellicott City, MD 21042

Member of the State Board of Social Work Examiners; appointed to serve a term of four years from July 1, 2016

St. Mary's College of Maryland, Board of Trustees of

S-43. Gary A. Jobson District 30
10 Thompson Street
Annapolis, MD 21401

Member of the Board of Trustees of St. Mary's College of Maryland; reappointed to serve a term of six years from June 1, 2016

Stationary Engineers, State Board of

- S–44. Gregory J. Denevan District 30
3330 Locust Street
Edgewater, MD 21037

Member of the State Board of Stationary Engineers; reappointed to serve a term of three years from July 1, 2016

Technology Development Corporation Board of Directors, Maryland

- S–45. John C. Brandenburg District 7
3713 Meadowhill Court
Phoenix, MD 21131

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2016

- S–46. Charles E. Knudsen, III District 11
11740 Mayfair Field Drive
Timonium, MD 21093

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2016

- S–47. Martin Roesch District 9
4853 Castlebridge Road
Ellicott City, MD 21042

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2016

Tourism Development Board, Maryland

- S–48. Judy Long Bixler District 37
5011 Reed Road
Oxford, MD 21654

Member of the Maryland Tourism Development Board; reappointed to serve a term of three years from July 1, 2014

Senator Ferguson moved to make the Report a Special Order for February 17, 2017.

The motion was adopted.

SPECIAL ORDER CALENDAR NO. 15

Senate Bill 265 – Senators Feldman, Kagan, Kelley, King, Lee, Madaleno, Manno, Pinsky, Rosapepe, Smith, and Zucker

EMERGENCY BILL

SECOND PRINTING

AN ACT concerning

Washington Metrorail Safety Commission Membership Act

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

Senator Jennings moved to place **Senate Bill 265** back on second reading for the purpose of adding amendments.

The motion was adopted.

Senate Bill 265 – Senators Feldman, Kagan, Kelley, King, Lee, Madaleno, Manno, Pinsky, Rosapepe, Smith, and Zucker

AN ACT concerning

Washington Metrorail Safety Commission Membership Act

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0265/143828/1

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 265

(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 4, in line 7, strike the first “AND” and substitute “TO”; in line 10, after “SYSTEM” insert “AND APPROVED BY THE COMMISSION”; in line 11, after “DIRECTLY” insert “OR INDIRECTLY”; in line 16, strike “INCLUDE” and substitute “MEAN”; in line 24, strike “MEANS” and substitute “AND “METRORAIL” MEAN”; in line 28, strike “INCLUDES” and substitute “AND “METRORAIL” INCLUDE”; in lines 28 and 29, strike “METRORAIL”

CAPITAL” and substitute “WMATA RAIL”; and strike beginning with the comma in line 30 down through “AUTHORITY” in line 31.

AMENDMENT NO. 2

On page 5, in line 12, after “HAVE” insert “EXCLUSIVE”; in the same line, after “OVERSIGHT” insert “AUTHORITY AND”; in line 13, after “SYSTEM” insert “, INCLUDING THE POWER TO RESTRICT, SUSPEND, OR PROHIBIT RAIL SERVICE ON ALL OR PART OF THE WMATA RAIL SYSTEM AS SET FORTH IN THIS COMPACT”; in line 16, after “(V)” insert “REQUIRE,”; in the same line, after “APPROVE,” insert “OVERSEE,”; in line 17, after “PLANS” insert “DEVELOPED BY WMATA”; and in line 32, after “APPOINTED” insert “OR REAPPOINTED, INCLUDING TO FILL AN UNEXPIRED TERM, ACCORDING TO EACH SIGNATORY’S APPLICABLE LAWS,”.

AMENDMENT NO. 3

On page 6, in line 6, after “APPOINT” insert “OR REAPPOINT, INCLUDING TO FILL AN UNEXPIRED TERM, ACCORDING TO EACH SIGNATORY’S APPLICABLE LAWS,”; in line 11, strike “SHALL” and substitute “MAY”; in line 13, strike “ENGINEERING” and substitute “RELEVANT ENGINEERING DISCIPLINES”; in line 15, strike “OR APPOINTIVE”; in the same line, after “OFFICE” insert “, SERVE ON THE WMATA BOARD OF DIRECTORS, BE EMPLOYED BY WMATA, OR BE A CONTRACTOR TO WMATA”; in line 17, after “TERM” insert “AND MAY BE REAPPOINTED FOR ADDITIONAL TERMS”; in line 27, after “SPENT” insert “MEETING”; and in line 28, strike “PER DIEM”.

AMENDMENT NO. 4

On page 7, in line 3, after “BOARD” insert “, OTHER THAN AS PROVIDED IN SECTION 32”; in line 21, after “DETERMINES” insert “, BUT IN NO EVENT LESS THAN QUARTERLY”; in line 26, after “TRANSACTIONS” insert “IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES”; and strike beginning with “MEETINGS” in line 29 down through the period in line 32.

AMENDMENT NO. 5

On page 8, in line 2, strike “552(A)–(C)” and substitute “552(A)–(D) AND (G)”; strike beginning with “THE” in line 6 down through the period in line 14; in line 25, strike “AND A VICE CHAIRMAN” and substitute “, VICE CHAIRMAN, SECRETARY, AND TREASURER”; in line 26, strike “A”; in the same line, strike “TERM” and substitute “TERMS”; strike beginning with “AND” in line 26 down through “TREASURER,” in line 27; and in lines 31 and 32, strike “A BACKGROUND” and substitute “EXPERTISE”.

AMENDMENT NO. 6

On page 9, in line 5, after “COMMISSION” insert “, BUT SHALL DEVELOP ITS OWN POLICIES IN COMPLIANCE WITH FEDERAL LAW. THE MSC SHALL, HOWEVER, CONSIDER THE LAWS OF THE SIGNATORIES IN DEVISING ITS EMPLOYMENT AND DISCHARGE POLICIES, AND WHEN IT DETERMINES IT IS PRACTICAL TO DO SO, DEVISE POLICIES CONSISTENT WITH THE LAWS OF THE SIGNATORIES”; in line 7, after “COMPENSATION,” insert “BENEFITS, WORKERS’ COMPENSATION,”; in line 8, after “EMPLOYEES” insert “SUBJECT TO FEDERAL LAW”; and in line 10, strike “AND RETIREMENT” and substitute “, RETIREMENT, OR WORKERS’ COMPENSATION”.

AMENDMENT NO. 7

On page 10, in line 4, strike “THE” and substitute “WMATA PERSONNEL AND CONTRACTORS,”; in line 6, after “DATABASES” insert “, THROUGH REASONABLE MEANS, WHICH MAY INCLUDE THE ISSUANCE OF SUBPOENAS”; in line 10, after “SYSTEM” insert “, INCLUDING PROPERTY OWNED OR OCCUPIED BY THE FEDERAL GOVERNMENT,”; strike beginning with “ISSUING” in line 19 down through “(2)” in line 20; in lines 22, 23, 25, and 27, strike “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “(2)”, “(3)”, “(4)”, and “(5)”, respectively; in line 22, after “FINES” insert “, WITH FUNDS DEPOSITED INTO AN ESCROW ACCOUNT FOR USE BY WMATA ON COMMISSION-DIRECTED SAFETY MEASURES”; in line 32, after “VIOLATED” insert “OR IS ALLEGED TO HAVE VIOLATED”; strike beginning with “IN” in line 32 down through “POSITION” in line 34; and in line 34, strike “AND”.

AMENDMENT NO. 8

On page 11, in line 1, after “(E)” insert “COMPEL WMATA’S OFFICE OF THE INSPECTOR GENERAL OR ANY SUCCESSOR OFFICE TO CONDUCT SAFETY-RELATED AUDITS OR INVESTIGATIONS AND TO PROVIDE ITS FINDINGS TO THE COMMISSION;
AND

(F)”;

and in line 3, before “THE” insert “ACTION BY THE BOARD UNDER SECTION 31(C)(5) SHALL REQUIRE THE UNANIMOUS VOTE OF ALL MEMBERS PRESENT AND VOTING.”.

AMENDMENT NO. 9

On page 12, in line 8, strike “§ 24 OF ARTICLE III OF”.

AMENDMENT NO. 10

On page 12, in line 15, after “SYSTEM” insert “THAT SHALL INCLUDE STATUS UPDATES OF OUTSTANDING CORRECTIVE ACTION PLANS, COMMISSION DIRECTIVES, AND ONGOING INVESTIGATIONS”; and in line 18, after “COLUMBIA,” insert “THE CHAIR OF THE DISTRICT OF COLUMBIA CITY COUNCIL, THE PRESIDENT OF THE MARYLAND SENATE AND THE SPEAKER OF THE MARYLAND HOUSE OF DELEGATES, THE PRESIDENT OF THE VIRGINIA SENATE AND THE SPEAKER OF THE VIRGINIA HOUSE OF DELEGATES,”.

AMENDMENT NO. 11

On page 13, in line 16, after “FUNDS.” insert “THE COMMISSION SHALL HAVE NO AUTHORITY TO LEVY TAXES.”; in line 21, after “BORROW” insert “UP TO 5% OF ITS LAST APPROPRIATIONS BUDGET”; in the same line, after the comma insert “OR AS OTHERWISE SET FORTH IN THE APPROPRIATIONS BUDGET APPROVED BY ALL OF THE SIGNATORIES,”; in line 31, strike “, FOR EACH FISCAL PERIOD,”; in line 33, after “COMMITMENT” insert “OR OBLIGATION”; and strike beginning with “THE” in line 33 down through “REPL.)” in line 36 and substitute “CONGRESS”.

AMENDMENT NO. 12

On page 14, in line 3, strike “§§ 1-206.03(E) AND” and substitute “§”; strike beginning with “BY” in line 10 down through “AND” in line 11 and substitute “AND”; in line 14, strike “BY CONGRESS”; in line 18, strike “AS APPROVED BY CONGRESS”; and strike in their entirety lines 19 through 25, inclusive.

On page 15, in line 7, after the period insert “WMATA MAY APPEAL ANY ADVERSE ACTION ON A PETITION FOR RECONSIDERATION AS SET FORTH IN SECTION 48.”.

AMENDMENT NO. 13

On page 16, in line 24, strike “ONE YEAR” and substitute “TWO YEARS”; in line 25, strike “UNTIL”; in line 26, strike “STATE” and substitute “SIGNATORY”; and strike beginning with “IN” in line 27 down through the period in line 29.

On page 17, in line 2, after “SYSTEM” insert “IN COMPLIANCE WITH APPLICABLE FEDERAL LAW”; in the same line, strike “AND”; and strike beginning with “RETURN” in line 3 down through “OBLIGATIONS” in line 5 and substitute “HOLD SURPLUS FUNDS IN”.

**A TRUST FOR A SUCCESSOR REGULATORY ENTITY FOR FOUR YEARS AFTER THE
TERMINATION OF THIS MSC COMPACT; AND**

**(D) A PLAN TO RETURN ANY SURPLUS FUNDS THAT REMAIN 4 YEARS
AFTER THE CREATION OF THE TRUST”.**

The preceding 13 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 46 Members present.

(See Roll Call No. 235)

SENATE THIRD READING CALENDAR NO. 17 (GENERAL SENATE BILLS)

Senate Bill 16 – Senators Hough and Ready

AN ACT concerning

Public Safety – Firearm Application

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

Affirmative – 46 Negative – 0 (See Roll Call No. 236)

The Bill was then sent to the House of Delegates.

Senate Bill 26 – Senators Kagan, Young, King, and Peters

AN ACT concerning

Maryland False Claims Act – Municipal Corporations

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

Affirmative – 45 Negative – 0 (See Roll Call No. 237)

The Bill was then sent to the House of Delegates.

Senate Bill 49 – Senators Cassilly and Jennings

AN ACT concerning

Landlord and Tenant – Military Personnel – Limitation on Liability for Rent

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

Affirmative – 46 Negative – 0 (See Roll Call No. 238)

The Bill was then sent to the House of Delegates.

Senate Bill 73 – Senator Reilly

AN ACT concerning

Estates and Trusts – Share of Intestate Estate Inherited by Surviving Spouse

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

Affirmative – 46 Negative – 0 (See Roll Call No. 239)

The Bill was then sent to the House of Delegates.

Senate Bill 207 – Senator Feldman

AN ACT concerning

Criminal Procedure – Charges Against Correctional Officer – Review by State’s Attorney

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

Affirmative – 46 Negative – 0 (See Roll Call No. 240)

The Bill was then sent to the House of Delegates.

Senate Bill 272 – Senators Kelley, Benson, Brochin, Guzzone, Jennings, King, Lee, Madaleno, Manno, Muse, Norman, Peters, Pinsky, Ramirez, Ready, Smith, Young, Zirkin, and Zucker

AN ACT concerning

Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court

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

Affirmative – 46 Negative – 0 (See Roll Call No. 241)

The Bill was then sent to the House of Delegates.

Senate Bill 299 – Senator Waugh

AN ACT concerning

**Motor Vehicle Registration – Exception for Golf Carts – Golden Beach Patuxent
Knolls**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 242)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 18 (GENERAL SENATE BILLS)

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 – 44 Negative – 2 (See Roll Call No. 243)

The Bill was then sent to the House of Delegates.

Senate Bill 109 – Senator Conway

AN ACT concerning

Procurement – Prohibitions on Participation

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

Affirmative – 44 Negative – 0 (See Roll Call No. 244)

The Bill was then sent to the House of Delegates.

Senate Bill 130 – Senator Simonaire

AN ACT concerning

Election Law – Ballot Issues – Contributions or Donations by Foreign Principals

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

Affirmative – 46 Negative – 0 (See Roll Call No. 245)

The Bill was then sent to the House of Delegates.

Senate Bill 231 – Senators Manno, Feldman, Klausmeier, Middleton, Peters, and Smith

AN ACT concerning

Labor and Employment – Hiring and Promotion Preferences – Veterans of Commissioned Corps

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

Affirmative – 46 Negative – 0 (See Roll Call No. 246)

The Bill was then sent to the House of Delegates.

Senate Bill 246 – Senator Mathias

AN ACT concerning

Somerset County – State’s Attorney – Annual Salary

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

Affirmative – 46 Negative – 0 (See Roll Call No. 247)

The Bill was then sent to the House of Delegates.

Senate Bill 343 – Senators Eckardt, Ready, Serafini, ~~and Waugh~~ Waugh, and Simonaire

AN ACT concerning

Bay Restoration Fund – Eligible Costs – Expansion

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

Affirmative – 46 Negative – 0 (See Roll Call No. 248)

The Bill was then sent to the House of Delegates.

Senate Bill 375 – Senator Jennings

AN ACT concerning

Insurance – Bail Bondsmen – Continuing Education Requirements

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

Affirmative – 46 Negative – 0 (See Roll Call No. 249)

The Bill was then sent to the House of Delegates.

Senate Bill 382 – Senator McFadden

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 – 46 Negative – 0 (See Roll Call No. 250)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 251)

ADJOURNMENT

At 10:53 A.M. on motion of Senator Peters the Senate adjourned until 11:00 A.M. on Friday, February 17, 2017 in memory of Senator Leonard Teitelbaum.

Annapolis, Maryland
Friday, February 17, 2017
11:00 A.M. Session

The Senate met at 11:08 A.M.

Prayer by Reverend Dr. George Gately Jr., Church of the Nazarene, guest of Senator Hough.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 254)

On motion of Senator Peters it was ordered that Senators Conway and Kagan be excused from today's session.

The Journal of February 16, 2017 was read and approved.

INTRODUCTORY SENATE BILLS NO. 42

Senate Bill 1094 – Senator Smith

AN ACT concerning

**Criminal Procedure – Statewide Sexual Assault Evidence Collection Kit
Tracking System – Requirements**

FOR the purpose of requiring the Department of State Police to create and operate a certain statewide sexual assault evidence collection kit tracking system; authorizing the State Police to contract with certain entities for the creation, operation, and maintenance of a certain system; providing requirements for a certain tracking system; authorizing the State Police to use a certain implementation process and to submit certain reports on certain dates; requiring a certain kit to be assigned to a certain jurisdiction; providing certain persons immunity from civil damages in certain circumstances; requiring certain local law enforcement agencies, the State Police Crime Laboratory, certain hospitals, and the State's Attorney in each county to participate in a certain tracking system in a certain manner; providing that certain records and information are exempt from public inspection and copying; defining certain terms; and generally relating to sexual assault evidence.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–926
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY adding to
Article – Criminal Procedure
Section 11–927
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

Senate Bill 1095 – Senator Muse

AN ACT concerning

Family Law – Child Support – Custody and Visitation

FOR the purpose of requiring the court, in any case in which the court determines child support, if there is no court order awarding custody and visitation of the child, to refer the parties to certain resources available to assist them in establishing custody and visitation; requiring the Child Support Enforcement Administration to refer certain parties to certain resources available to assist them in establishing custody and visitation under certain circumstances; and generally relating to child support and custody and visitation determinations.

BY adding to
Article – Family Law
Section 9–109
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1096 – Senator Peters

AN ACT concerning

Corporate Income Tax – Single Sales Factor Apportionment

FOR the purpose of altering the formula used to apportion certain income to the State for corporations that carry on a trade or business in and out of the State; repealing obsolete provisions; providing for the application of this Act; and generally relating to the apportionment formula under the Maryland income tax for corporations.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–402
Annotated Code of Maryland
(2016 Replacement Volume)

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

Senate Bill 1097 – Senator Bates

AN ACT concerning

Vehicle Registration – Exception for Municipal RTV Utility Vehicles – Town of Sykesville

FOR the purpose of creating an exception from motor vehicle registration requirements under certain circumstances for municipal RTV utility vehicles on local highways in the Town of Sykesville, Carroll County; providing that a person who operates a municipal RTV utility vehicle on a local highway in the Town of Sykesville, Carroll County, may operate the municipal RTV utility vehicle only on certain local roads at certain times and only if the municipal RTV utility vehicle is equipped with certain lighting devices; requiring a person who operates a municipal RTV utility vehicle on a local highway in the Town of Sykesville to keep as far to the right of the roadway as feasible and possess a valid driver's license; authorizing the Carroll County Department of Public Works, in consultation with the State Highway Administration, to designate the local highways in the Town of Sykesville on which a person may operate a municipal RTV utility vehicle; and generally relating to an exception to motor vehicle registration requirements for municipal RTV utility vehicles in the Town of Sykesville, Carroll County.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–402(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–402(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 21–104.3
Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1098 – Senator Reilly

AN ACT concerning

Commercial Law – Credit Card Processors – Service Agreements

FOR the purpose of prohibiting a certain services agreement between a credit card processor and a business entity from including a certain provision authorizing liquidated damages or specifying a certain fee for the termination of a services agreement; prohibiting a credit card processor who has received a certain termination notice from debiting or accessing the bank account of a certain business entity after a certain period of time; authorizing the Commissioner of Financial Regulation to take certain actions; establishing certain civil penalties for a violation of this Act; defining certain terms; and generally relating to credit card processors and service agreements.

BY adding to

Article – Commercial Law

Section 12–1401 through 12–1404 to be under the new subtitle “Subtitle 14. Credit Card Processors”

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

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.

Senate Bill 1100 – Senators Brochin and Kagan

AN ACT concerning

Intestate Estates – Inheritance by Surviving Parent – Repeal

FOR the purpose of repealing a certain provision of law allowing a surviving parent to inherit certain intestate property if there is a surviving spouse but no surviving issue; and generally relating to intestate property inherited by a surviving spouse.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 3–102
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

Senate Bill 1101 – Senator Ready

AN ACT concerning

Reverse Mortgages – Property Tax and Insurance Payments – Notice

FOR the purpose of authorizing a borrower under a reverse mortgage loan to designate a person to whom certain notice must be sent by a reverse mortgage lender; requiring a reverse mortgage lender to send a copy of a certain notice to a certain person designated by a reverse mortgage borrower; requiring a reverse mortgage lender to send a certain notice to a reverse mortgage borrower and a certain person designated by the borrower after the lender makes a payment for certain taxes or insurance; requiring the notice to be sent in a certain manner and within a certain time period and to contain certain information; providing for the application of this Act; and generally relating to reverse mortgages.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–1206
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

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 Rules.

Senate Bill 1103 – Senator Mathias

AN ACT concerning

Home Sprinkler and Fire Safety Assistance Fund

FOR the purpose of establishing the Home Sprinkler and Fire Safety Assistance Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in, and expenditures from, the Fund; defining a certain term; and generally relating to the Home Sprinkler and Fire Safety Assistance Fund.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–103
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

BY adding to
Article – Housing and Community Development
Section 4–1501 to be under the new subtitle “Subtitle 15. Home Sprinkler and Fire
Safety Assistance Fund”
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

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

Senate Bill 1104 – Senator Edwards

AN ACT concerning

Income Tax Credit – Volunteer Fire, Rescue, and Emergency Services Personnel

FOR the purpose of authorizing a credit against the State income tax for certain volunteer members of certain fire, rescue, or emergency services organizations under certain circumstances; providing that the credit may not exceed the lesser of a certain amount or the State income tax for that taxable year and that any unused credit may not be carried over to any other taxable year; authorizing an individual to claim the credit in addition to a certain subtraction modification; providing for the application of this Act; and generally relating to a State income tax credit for certain volunteer fire, rescue, or emergency services personnel.

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

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

Senate Bill 1105 – Senator Edwards

AN ACT concerning

Correctional Facilities – Unmanned Aircraft Systems – Proximity

FOR the purpose of prohibiting, except under certain circumstances, a person from using a certain unmanned aircraft system within a certain distance of a correctional facility;

establishing certain penalties for a violation of this Act; defining a certain term; and generally relating to unmanned aircraft systems.

BY adding to

Article – Correctional Services

Section 10–802

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

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

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; and generally relating to the use of teletherapy by health care practitioners.

BY adding to

Article – Health Occupations

Section 1–901 through 1–905 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.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 5

House Bill 11 – Delegates Lam, Barve, Hill, Ebersole, Lafferty, Pendergrass, Fraser–Hidalgo, Tarlau, Robinson, and Ciliberti

AN ACT concerning

**Vehicle Laws – Causing Diesel Emissions to Discharge Onto Another –
Prohibition**

FOR the purpose of prohibiting a person from causing a diesel-powered motor vehicle to emit certain clearly visible emissions onto another person or motor vehicle; providing for the application of this Act; and generally relating to a prohibition on the discharge of excess diesel-powered motor vehicle emissions.

BY adding to

Article – Transportation

Section 21–1130

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 23 – ~~Delegate Lam~~ Delegates Lam and Beitzel

AN ACT concerning

Vehicle Laws – School Vehicles – Definition

FOR the purpose of altering the definition of “school vehicle” to include certain vehicles that meet certain standards and requirements, were originally titled in another state and used to transport children, students, and teachers in that state, and are used only for transporting children to and from a certain program; and generally relating to school vehicles.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–154

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–173 and 11–174

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 26 – Delegate Holmes

AN ACT concerning

Real Property – Notices of Foreclosure Sale and Postponement or Cancellation of Foreclosure Sale

FOR the purpose of requiring the person authorized to make a foreclosure sale to give written notice of the proposed sale to a certain condominium or homeowners association at a certain time and in a certain manner; requiring the trustee, within a certain time after the postponement or cancellation of a foreclosure sale, to send a notice that the sale was postponed or canceled to the record owner of the property and a certain condominium or homeowners association in a certain manner; providing for the application of this Act; and generally relating to notice of a foreclosure sale.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.2
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 34 – Delegate Holmes

AN ACT concerning

Real Property – Homeowners Associations – Resale of Lot – Inspection Fees

FOR the purpose of authorizing a homeowners association to charge a certain maximum fee for an inspection of a lot owner's lot under certain circumstances; and generally relating to inspection fees and homeowners associations.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11B–106
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 44 – Delegate McCray

AN ACT concerning

Residential Property – Ground Lease Registration ~~Form~~ Forms – Contact Information Option

FOR the purpose of requiring the ground lease registration form required by the State Department of Assessments and Taxation to include a section that provides the ground lease holder the option to provide certain contact information; requiring the reporting form for changes or corrections required by the State Department of Assessments and Taxation to include a section that provides the ground lease holder the option to provide certain contact information; and generally relating to the registration of ground leases.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–704
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 51 – Delegate Lam

AN ACT concerning

Vehicle Laws – Electric Personal Assistive Mobility Device – Definition

FOR the purpose of altering the definition of “electric personal assistive mobility device” to require that the device have a certain steering mechanism and a certain platform on which the rider stands; and generally relating to electric personal assistive mobility devices.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–101(a), 21–501.1(a), and 21–1201(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–101(j)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 62 – Delegate McConkey

AN ACT concerning

State Retirement and Pension System – Disability Retirement – ~~Alterations~~ Reemployment Earnings Limitation

FOR the purpose of ~~authorizing the Board of Trustees for the State Retirement and Pension System to require certain retirees receiving a disability retirement allowance to undergo a medical examination under certain circumstances; authorizing the Board of Trustees to suspend a disability retirement allowance under certain circumstances and until a certain condition is met; authorizing the Board of Trustees to adopt certain regulations that include certain conditions; altering the amount used in a calculation to determine whether retirees receiving an ordinary disability retirement allowance from the State Retirement and Pension System are subject to a certain reemployment earnings limitation; and generally relating to alterations to the disability retirement process~~ the reemployment earnings limitation for disability retirees in the State Retirement and Pension System.

~~BY adding to~~

~~Article – State Personnel and Pensions~~

~~Section 29–115.1~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 29–116

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

**House Bill 126 – Chair, Environment and Transportation Committee (By Request
– Departmental – Natural Resources)**

AN ACT concerning

Natural Resources – Wildlife and Hunting

FOR the purpose of clarifying the authorized uses of the State Wildlife Management and Protection Fund; repealing certain provisions of law requiring the Department of Natural Resources to use certain funds from certain hunting license sales for certain purposes; repealing certain reporting requirements for killed deer; requiring a person who harvests a game bird or mammal to report the harvest in accordance with certain regulations; prohibiting a person from removing any part of a deer or cutting deer meat into parts until the person has obtained a certain confirmation number from the Department; repealing certain requirements related to the possession of a deer killed by a collision with a motor vehicle; requiring a person who possesses a game bird or mammal killed by means other than hunting to report the possession in accordance with certain regulations; repealing a provision of law exempting a person hunting wildlife on the person's property from certain outerwear requirements; repealing a provision of law prohibiting a nonresident from hunting

or trapping a beaver or otter in the State; making a technical correction; and generally relating to wildlife and hunting in the State.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–209(a), (b), (c), and (f) and 10–418(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–209(g), 10–415(e), and 10–418(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing
Article – Natural Resources
Section 10–308, 10–415(b) and (f), and 10–503
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Natural Resources
Section 10–415(b) and (f)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 201 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ and Teachers’ Pension Systems – Reformed Contributory Pension
Benefit – Service Credit Purchase Clarification**

FOR the purpose of clarifying that a member of the Employees’ Pension System or the Teachers’ Pension System who is subject to the Reformed Contributory Pension Benefit is eligible to purchase service credit for a certain period of employment under certain circumstances; and generally relating to the purchase of service credit for a member of the Employees’ Pension System or the Teachers’ Pension System who is subject to the Reformed Contributory Pension Benefit.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–306.2

Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 202 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement ~~Agency~~ and Pension System – Authority to Arrange Custody of Investments and Procurement Exemption

FOR the purpose of exempting from certain procurement law expenditures made by the ~~State Retirement Agency~~ Board of Trustees for the State Retirement and Pension System for the safe custody of investments of the State Retirement and Pension System; transferring the authority to arrange for the safe custody of investments from the State Treasurer to the ~~Chief Investment Officer of the Investment Division in the Agency~~ Board of Trustees; providing for the application of this Act; and generally relating to the custody of investments of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11-203(d)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

~~BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 21-122(a)(1)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section ~~21-122(d)~~ 21-123 and 21-124
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 212 – Delegates Waldstreicher, Angel, Barkley, Carr, Clippinger, Conaway, Cullison, Fraser-Hidalgo, Frush, Glenn, Gutierrez, Haynes, Healey, Hettleman, Hill, Holmes, Jackson, Jalisi, Kaiser, Kramer, Lafferty, Lam, Lierman, Lisanti, McCray, A. Miller, Morales, Pena-Melnyk, Platt, Proctor, Queen, Robinson, Rosenberg, Sanchez, Sydnor, Turner, Valderrama, C. Wilson, K. Young, and R. Lewis

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, 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 Finance.

**House Bill 258 – Delegates Morales, Anderson, Atterbeary, Conaway, Dumais,
Moon, Queen, Sanchez, Sydnor, and Valentino-Smith**

AN ACT concerning

**Adult Entertainment Establishments – National Human Trafficking Resource
Center Hotline Information – Sign Posting Requirements**

FOR the purpose of requiring the owner of a certain adult entertainment establishment to post a certain information sign in each restroom of the adult entertainment establishment in a certain manner; requiring a certain agency that determines a certain violation has occurred to notify the owner of the adult entertainment establishment or the owner's agent of the violation; providing that the owner is subject to a certain civil penalty if the owner does not post certain signs within a certain period of time after receiving a certain notice; defining certain terms; and generally relating to posting signs with information about the National Human Trafficking Resource Center Hotline in adult entertainment establishments.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 15–207(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 19–103
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 261 – Delegates Jackson, Angel, Knotts, Krimm, and Tarlau

AN ACT concerning

**Public Utilities – Termination of Service to Multifamily Dwelling
Unit – Notification to Property Owner or Property Manager**

FOR the purpose of requiring a public service company that is going to terminate, because of nonpayment, electric or gas service to a certain customer to notify a certain property owner or property manager before terminating service if the property owner or property manager has enrolled in a certain notification program; requiring a public service company to provide the notice only to certain persons under certain circumstances; requiring a certain property owner or property manager to obtain certain consent from a customer in order to enroll in a certain termination program; providing for the construction of this Act; ~~requiring~~ authorizing the Public Service Commission to adopt certain regulations; and generally relating to termination of electric or gas service.

BY adding to

Article – Public Utilities

Section 7–307.3

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

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

House Bill 451 – Delegate Cluster

AN ACT concerning

Insurance – Bail Bondsmen – Continuing Education Requirements

FOR the purpose of requiring certain insurance producers who sell, solicit, or negotiate bail bonds to receive continuing education that directly relates to bail bond insurance; and generally relating to continuing education for insurance producers.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 10–116

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

House Bill 511 – Delegates Jameson, Arentz, Barkley, Branch, Clippinger, Davis, Impallaria, Mautz, and W. Miller

AN ACT concerning

Public Utilities – Water Companies and Sewage Disposal Companies – Rate Cases and Proceedings

FOR the purpose of authorizing the technical staff of the Public Service Commission to assist a water company or a sewage disposal company in establishing a proposed just and reasonable rate; authorizing the technical staff to seek information from certain companies under certain circumstances; requiring the Commission to restrict the availability of certain staff-assisted rate cases based on a certain threshold; requiring the Commission to adopt certain regulations; providing that a section of law that requires the institution of certain proceedings under certain circumstances to determine if certain revenues are required to allow a company to earn a certain fair rate of return applies to a water company or a sewage disposal company; and generally relating to rate cases and proceedings for water companies and sewage disposal companies.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 4–203 and 4–207
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

February 17, 2017

In accordance with Rule 33(d), the following legislation has been reassigned as indicated below:

SB 1056 Senators Mathias and Smith

Vehicle Laws – Personal Motor Vehicle Rentals

Reassigned to Finance

Read and ordered journalized.

MESSAGE FROM THE CHIEF EXECUTIVE

GREEN BAG APPOINTMENTS

February 17, 2017

The Honorable Thomas V. Mike Miller, Jr.
President
Maryland State Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, §13 of the Constitution of Maryland, I am pleased to submit the following appointment nominations for confirmation by the Maryland State Senate. These individuals bring exceptional knowledge and ability to the offices for which they have been nominated. I am confident they will provide the strength of experience and leadership to instill confidence among our citizens and ensure we succeed in our goals for Marylanders.

I look forward to your favorable approval of these nominees. Thank you for your assistance and support.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

**GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS
REQUIRING CONFIRMATION
2017 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

| AGRICULTURAL AND RESOURCE-BASED INDUSTRY DEVELOPMENT CORPORATION (MARBIDCO) BOARD OF DIRECTORS OF MARYLAND | |
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| Douglas Lipton 316 Kimblewick Drive Silver Spring, Maryland 20904 Montgomery/14 | Reappointment Aquaculture Term of 4 years from July 1, 2017 |
| Wayne Richard 102 Burton Air Drive Centreville, Maryland 21617 Queen Anne's/36 | Appointment Commercial Lending Term of 4 years from July 1, 2017 |
| AIRPORT ZONING APPEALS, BOARD OF | |
| Wayne A. Dixon 7677 Ridge Chapel Road Hanover, Maryland 21076 Anne Arundel/32 | Reappointment Anne Arundel County Term of 4 years from July 1, 2014 |
| J. Michael Collins, Sr. 115 Sunnymeadow Lane Reisterstown, Maryland 21136 Baltimore County/10 | Appointment Baltimore County Term of 4 years from July 1, 2017 |
| AMUSEMENT RIDE SAFETY ADVISORY BOARD, STATE | |
| Karen Y. Bond 1509 Lakeside Avenue Baltimore, Maryland 21218 Baltimore City/43 | Appointment Consumer Remainder of a term of 4 years from July 1, 2016 |
| APPRENTICESHIP AND TRAINING COUNCIL | |
| Grant B. Shmelzer 4977 Battery Lane, Apt. 1019N Bethesda, Maryland 20814 Montgomery/16 | Reappointment Employer Representative Term of 4 years from July 1, 2017 |

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| William C. Taylor 6218 Dimrill Court Fort Washington, Maryland 20744 Prince George's/26 | Reappointment General Public Term of 4 years from July 1, 2017 |
| ARCHAEOLOGY, ADVISORY COMMITTEE ON | |
| Richard J. Dent, Ph.D. P.O. Box 415 Great Cacapon, West Virginia 25422 Nonresident | Reappointment Member Term of 3 years from July 1, 2017 |
| ARTS COUNCIL, MARYLAND STATE | |
| Lily Bengfort 5356 High Tor Hill Columbia, Maryland 21045 Howard/12 | Appointment Member Remainder of a term of 3 years from July 1, 2015 |
| AUDIOLOGISTS, HEARING AID DISPENSERS AND SPEECH-LANGUAGE PATHOLOGISTS, STATE BOARD OF EXAMINERS FOR | |
| John J. Rouse 781 Kimberly Court West Gaithersburg, Maryland 20878 Montgomery/17 | Reappointment Consumer, Hearing Impaired Term of 4 years from July 1, 2017 |
| AUTOMOBILE INSURANCE FUND, BOARD OF TRUSTEES OF THE MARYLAND | |
| Larry E. Hinton, Esq. 14801 Dunwood Valley Drive Bowie, Maryland 20721 Prince George's/23 | Appointment Insurance Industry Expertise Term of 5 years from October 1, 2017 |
| Audrey E. Scott 217 Hickory Ridge Drive Queenstown, Maryland 21658 Queen Anne's/36 | Reappointment Financial Management Expertise Term of 5 years from October 1, 2017 |
| AVIATION COMMISSION, MARYLAND | |
| David L. Winstead, Esq. 5505 Kirkside Drive Chevy Chase, Maryland 20815 Montgomery/18 | Reappointment Member Term of 3 years from October 1, 2017 |
| Enrique M. Melendez 2314 Annapolis Ridge Court Annapolis, Maryland 21401 Anne Arundel/30 | Reappointment Member Term of 3 years from October 1, 2017 |
| BOILER RULES, BOARD OF | |

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| Richard C. Ludlow 7782A West Shore Road Pasadena, Maryland 21122 Anne Arundel/31 | Reappointment Owner/User of Power Boilers Term of 4 years from January 1, 2017 |
| Brian M. Wodka 808 Walker Station Court Parkton, Maryland 21120 Baltimore County/42 | Reappointment Stationary Engineer Term of 4 years from January 1, 2018 |
| CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY | |
| Stuart C. Czapski 609 Thompson Avenue Cumberland, Maryland 21502 Allegany/01 | Appointment Member Term of 4 years from July 1, 2017 |
| CHESAPEAKE EMPLOYERS' INSURANCE COMPANY, BOARD FOR THE | |
| Leonard G. Schuler, Jr. 3 Old Garrett Court White Hall, MD 21161 Baltimore County/05 | Reappointment Member Term to expire May 31, 2021 |
| CHILD CARE PROGRAM PROFESSIONALS, STATE BOARD FOR CERTIFICATION OF RESIDENTIAL | |
| Krystal Holland 12714 Gladys Retreat Circle Bowie, Maryland 20720 Prince George's/24 | Appointment Program Administrator Term of 4 years from July 1, 2017 |
| Mark Jews 9007 Waltham Woods Parkville, Maryland 21234 Baltimore County/08 | Reappointment Residential Child/Youth Care Practitioner Term of 4 years from July 1, 2017 |
| CORRECTIONAL STANDARDS, COMMISSION ON | |
| Dayena M. Corcoran 7624 Ashton Valley Way Catonsville, Maryland 21228 Baltimore County/10 | Appointment State Official Term of 3 years from July 1, 2017 |
| Michael Resnick 3415 Baring Street Philadelphia, Pennsylvania 19104 Nonresident | Appointment State Official Remainder of a term of 3 years from July 1, 2014 and a term of 3 years from July 1, 2017 |
| Montrell Spence 3701 Twin Lakes Court Windsor Mills, Maryland 21244 Baltimore County/10 | Appointment Citizen Unrelated Field Term of 3 years from July 1, 2016 |

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| Robert L. Green 10905 Honeyfield Road Williamsport, Maryland 21795 Washington/02 | Reappointment Local Correctional Term of 3 years from July 1, 2015 |
| CORRECTIONAL TRAINING COMMISSION | |
| Wallis Q. Norman 10 Cascade Range Court Owings Mills, Maryland 21117 Baltimore County/10 | Reappointment Correctional Official – DJS Term of 3 years from July 1, 2017 |
| Deborah J. Richardson 115 Baldsmere Drive York, Pennsylvania 17403 Nonresident | Reappointment Correctional Official Term of 3 years from July 1, 2016 |
| Patricia P. Schupple 4354 Stonecrest Drive Ellicott City, Maryland 21043 Howard/09 | Reappointment Correctional Official Term of 3 years from July 1, 2017 |
| CRIMINAL INJURIES COMPENSATION BOARD | |
| Karen M. Hartz 1799 William Road Millersville, Maryland 21108 Anne Arundel/33 | Appointment Member – Democrat Term of 5 years from July 1, 2016 |
| Jasper R. Clay, Jr. 4964 Moonfall Way Columbia, Maryland 21044 Howard/12 | Appointment Member – Democrat Term of 5 years from July 1, 2015 |
| Karin V. Green, Esq. 2208 Clove Terrace Baltimore, Maryland 21209 Baltimore City/41 | Reappointment Member and Chair – Democrat Term of 5 years from July 1, 2017 |
| DEAF AND HARD OF HEARING, MARYLAND ADVISORY COUNCIL ON THE | |
| Vikki L. Porter 518 Kerwin Road Silver Spring, Maryland 20901 Montgomery/19 | Appointment Citizen with Hearing Loss Remainder of a term of 3 years from October 1, 2014 and a term of 3 years from October 1, 2017 |
| Lawrence L. Gray 4105 Byers Street Capitol Heights, Maryland 20743 Prince George's/24 | Appointment Citizen with Hearing Loss Term of 3 years from October 1, 2015 |

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| Eddy F. Laird 6713 Coldstream Drive New Market, Maryland 21774 Frederick/04 | Appointment Citizen with Hearing Loss Term of 3 years from October 1, 2016 |
| Dakota Burgess 3605 W. Saratoga Street Baltimore, Maryland 21229 Baltimore City/41 | Reappointment Aging Term of 3 years from October 1, 2017 |
| Gordon M. Outlaw 2214 Southland Road Gwynn Oak, Maryland 21207 Baltimore County/44 | Appointment DHCD Term of 3 years from October 1, 2016 |
| Jason Corning 1415 Duckens Street Odenton, Maryland 21113 Anne Arundel/32 | Reappointment Knowledge/Expertise – Deafblind Individuals Term of 3 years from October 1, 2017 |
| DEAF, BOARD OF TRUSTEES OF THE MARYLAND SCHOOL FOR THE | |
| Katherine Hoheusle–Wenger 5147 McLauren Lane Frederick, Maryland 21703 Frederick/03 | Appointment Member – Deaf Term of 6 years from October 1, 2014 |
| DENTAL EXAMINERS, STATE BOARD OF | |
| Hari K. Razdan 325 Chamborley Drive Reisterstown, Maryland 21136 Baltimore County/10 | Appointment Consumer Term of 4 years from June 1, 2017 |
| Allan J. Kroopnick 1305 Saint Albans Road Baltimore, Maryland 21208 Baltimore County/42 | Appointment Consumer Term of 4 years from June 1, 2017 |
| Arthur Chen–Shu Jee, D.M.D. 5425 Moorland Lane Bethesda, Maryland 20814 Montgomery/16 | Reappointment Dentist Term of 4 years from June 1, 2017 |
| Roslyn L. Chester 1319 Winston Avenue Baltimore, Maryland 21239 Baltimore City/43 | Reappointment Dental Hygienist Term of 4 years from June 1, 2017 |
| Margaret A. Kern 940 Astern Way, #110 Annapolis, Maryland 21401 Anne Arundel/30 | Reappointment Dental Hygienist Term of 4 years from June 1, 2017 |

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| DIETETIC PRACTICE, STATE BOARD OF | |
| Laura C. Davis 15208 Priceville Road Sparks Glencoe, Maryland 21152 Baltimore County/42 | Appointment Dietitian or Nutritionist – Clinical Term of 4 years from July 1, 2017 |
| Lauren I. Mirkin 2520 Willow Glen Drive Baltimore, Maryland 21209 Baltimore County/11 | Reappointment Nutritionist Only Term of 4 years from July 1, 2017 |
| William A. Hamilton 114 Persimmon Circle Reisterstown, Maryland 21136 Baltimore County/10 | Appointment Consumer Term of 4 years from July 1, 2017 |
| ECONOMIC DEVELOPMENT COMMISSION, MARYLAND | |
| Julian Blacklock Wills, Jr. 8450 Potobac Shores Road Port Tobacco, Maryland 20677 Charles/28 | Reappointment Southern Maryland Term of 3 years from July 1, 2017 |
| Brenda A. Smith 716 Hill Top Drive Cumberland, Maryland 21502 Allegany/01 | Reappointment Allegany and Garrett Counties Term of 3 years from July 1, 2017 |
| Howard Blackwell Bowen 9651 Old National Pike Hagerstown, Maryland 21740 Washington/02 | Reappointment Carroll, Frederick and Washington Counties Term of 3 years from July 1, 2017 |
| James T. Brady 5625 Broadmoor Terrace North Ijamsville, Maryland 21754 Frederick/04 | Reappointment Member Term of 3 years from July 1, 2017 |
| Raymond J. Briscuso, Jr. 7709 Barnum Road Bethesda, Maryland 20817 Montgomery/18 | Reappointment Member Term of 3 years from July 1, 2017 |
| Brian C. Rogers 1708 Ruxton Road Towson, Maryland 21204 Baltimore County/11 | Reappointment Member Term of 3 years from July 1, 2017 |
| Martin P. Brunk, C.P.A. 2008 Cranbourne Road Lutherville, Maryland 21093 Baltimore County/11 | Reappointment Member Term of 3 years from July 1, 2017 |

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| Anirban Basu 1 Devon Hill Road Baltimore, Maryland 21210 Baltimore County/11 | Reappointment Chair Term of 3 years from July 1, 2017 |
| Robert L. Wallace 6360 Guilford Road Clarksville, Maryland 21029 Howard/13 | Reappointment Member Term of 3 years from July 1, 2017 |
| Kai K. Hirabayashi 20 Eastmoor Drive Silver Spring, Maryland 20901 Montgomery/20 | Appointment Member Term of 3 years from July 1, 2016 |
| Jeanette Glose Partlow, Esq. 204 Southway Baltimore, Maryland 21218 Baltimore City/43 | Appointment Member Term of 3 years from July 1, 2016 |
| ECONOMIC DEVELOPMENT CORPORATION (MEDCO) BOARD OF DIRECTORS, MARYLAND | |
| Nicole Alt–Myers 1908 Bedford Street Cumberland, Maryland 21502 Allegany/01 | Appointment Local Government Term of 4 years from July 1, 2016 |
| EDUCATION, STATE BOARD OF | |
| Brandon F. Cooper 3838 Regency Parkway Suitland, Maryland 20746 Prince George's/25 | Appointment Member Remainder of a term of 4 years from July 1, 2016 |
| Rose Maria Li, Ph.D. 9501 Wadsworth Drive Bethesda, Maryland 20817 Montgomery/16 | Reappointment Member Term of 4 years from July 1, 2017 |
| EMERGENCY NUMBER SYSTEMS BOARD | |
| E. Colton O'Donoghue 1406 Lowman Street Baltimore, Maryland 21230 Baltimore City/46 | Reappointment Telephone Utility Term of 4 years from July 1, 2015 |
| Richard D. Berg 8288 Elvaton Road Millersville, Maryland 21108 Anne Arundel/32 | Reappointment MIEMSS Term of 4 years from July 1, 2015 |

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| Colleen M. O'Neill 4049 Rinehart Road Westminster, Maryland 21158 Carroll/05 | Reappointment Career Fire Service Term of 4 years from July 1, 2013 and a term of 4 years from July 1, 2017 |
| John E. Markey 7113 Flint Court Middletown, Maryland 21769 Frederick/04 | Reappointment EM Services Term of 4 years from July 1, 2016 |
| William A. Frazier 29 Willow Lane La Plata, Maryland 20646 Charles/28 | Reappointment MD Chapter of National Emergency Numbers Assn. Term of 4 years from July 1, 2014 |
| Julia M. Fischer 6590 Dovecote Drive Columbia, Maryland 21044 Howard/12 | Appointment GIS Term of 4 years from July 1, 2016 |
| Stephen H. Souder 804 Bayside Drive Stevensville, Maryland 21666 Queen Anne's/36 | Appointment Public Term of 4 years from July 1, 2015 |
| Scott Laurence Brillman 1221 N. Calvert Street Baltimore, Maryland 21202 Baltimore City/45 | Reappointment EM Services Term of 4 years from July 1, 2014 |
| ENGINEERS, STATE BOARD OF STATIONARY | |
| Brian M. Wodka 808 Walker Station Court Parkton, Maryland 21120 Baltimore County/05 | Reappointment Boiler Manufacturing/Design Term of 3 years from July 1, 2017 |
| ENVIRONMENTAL HEALTH SPECIALISTS, STATE BOARD OF | |
| Naomi Renee Howell 10444 Worton Road Worton, Maryland 21678 Kent/36 | Reappointment Health Specialist – MDE Term of 4 years from July 1, 2017 |
| FOOD CENTER AUTHORITY, MARYLAND | |
| Matthew S. Helminiak 65 Gina Court Sykesville, Maryland 21784 Carroll/09 | Appointment Member Term of 5 years from July 1, 2017 |
| FORESTERS, STATE BOARD OF | |

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| Michael J. Huneke 2035 Whiteford Road Whiteford, Maryland 21160 Harford/35 | Reappointment Forester Term of 5 years from July 1, 2017 |
| HANDGUN PERMIT REVIEW BOARD | |
| Shari Lynn Judah 17217 Pinebrook Drive Silver Spring, Maryland 20905 Montgomery/14 | Reappointment Member Term of 3 years from March 27, 2017 |
| Charles D. Hollman, Esq. 4090 Utz Road Hampstead, Maryland 21074 Carroll/05 | Reappointment Member Term of 3 years from March 27, 2017 |
| Patricia S. West 623 Braeside Road Baltimore, Maryland 21229 Baltimore City/44 | Reappointment Member Term of 3 years from March 27, 2017 |
| HEALTH RESOURCES COMMISSION, MARYLAND COMMUNITY | |
| Scott Rifkin, M.D. 11 Aston Court Owings Mills, Maryland 21117 Baltimore County/11 | Appointment Expertise Term of 4 years from July 1, 2017 |
| Elizabeth L. Chung 5924 White Flint Drive Frederick, Maryland 21702 Frederick/04 | Reappointment Expertise Term of 4 years from July 1, 2017 |
| HIGHER EDUCATION COMMISSION, MARYLAND | |
| Russell V. Kelley, Ph.D. 9437 Joleon Road Randallstown, Maryland 21133 Baltimore County/10 | Reappointment Member Term of 5 years from July 1, 2017 |
| John W. Yaeger, Ed.D. 53 College Avenue Annapolis, Maryland 21401 Anne Arundel/30 | Reappointment Member Term of 5 years from July 1, 2016 |
| Vera R. Jackson, D.S.W. 2104 Woodvale Lane Bowie, Maryland 20721 Prince George's/24 | Appointment Member Term of 5 years from July 1, 2016 |
| HIGHER EDUCATION LABOR RELATIONS BOARD, STATE | |

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| Milton Lawler, Ph.D. 5106 Boulder Drive Oxon Hill, Maryland 20745 Prince George's/26 | Appointment Higher Education Expertise Term of 6 years from July 1, 2016 |
| Aurora M. Carmichael 519 Broad Creek Drive Fort Washington, Maryland 20744 Prince George's/26 | Reappointment Higher Education Expertise Term of 6 years from July 1, 2017 |
| HISTORICAL TRUST BOARD OF TRUSTEES, MARYLAND | |
| James P. Delgado, Ph.D. 218 Dale Drive Silver Spring, Maryland 20910 Montgomery/20 | Reappointment Submerged Archaeology Term of 4 years from July 1, 2017 |
| Albert Louis Feldstein 21 Richard Way LaVale, Maryland 21502 Allegany/01 | Reappointment Member Term of 4 years from July 1, 2017 |
| Sakinah Linder 3037 Barclay Street Baltimore, Maryland 21218 Baltimore City/43 | Appointment Member Term of 4 years from July 1, 2017 |
| HUMAN RESOURCES, SECRETARY OF | |
| Lourdes R. Padilla 1630 Whetstone Way, Apt. 307 Baltimore, Maryland 21230 Baltimore City/46 | Appointment Secretary Serves at the pleasure of the Governor |
| INTERIOR DESIGNERS, STATE BOARD OF CERTIFIED | |
| Cheryl P. Duvall 704 South Cherry Grove Avenue Annapolis, Maryland 21401 Anne Arundel/30 | Appointment Interior Designer Term of 3 years from July 1, 2017 |
| Carmen Parsons 9215 Whitney Street Silver Spring, Maryland 20901 Montgomery/20 | Appointment Interior Designer Term of 3 years from July 1, 2017 |
| JUDICIAL DISABILITIES, COMMISSION ON | |
| Marissa A. Trasatti, Esq. 1457 Fallston Road Fallston, Maryland 21047 Harford/07 | Reappointment Attorney Term of 4 years from January 1, 2017 |

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| Virginia Lee Fogle 5312 Wye Creek Drive Frederick, Maryland 21703 Frederick/03 | Reappointment Public Term of 4 years from January 1, 2017 |
| LAND SURVEYORS, STATE BOARD FOR PROFESSIONAL | |
| Thomas L. Frazier, Jr. 6650 Coldstream Drive New Market, Maryland 21774 Frederick/04 | Appointment Land Surveyor Remainder of a term of 5 years from July 1, 2012 and a term of 5 years from July 1, 2017 |
| LEGAL SERVICES CORPORATION BOARD OF DIRECTORS, MARYLAND | |
| Sidney A. Butcher, Esq. 7564B Stoney Run Drive Hanover, Maryland 21076 Anne Arundel/32 | Reappointment Attorney Term of 3 years from July 1, 2017 |
| Violet M. Apple 9050 Iron Horse Lane Pikesville, Maryland 21208 Baltimore County/11 | Reappointment Nonlawyer Term of 3 years from July 1, 2017 |
| LONGITUDINAL DATA SYSTEM CENTER GOVERNING BOARD, MARYLAND | |
| Dr. Jack R. Smith 124 Ellington Boulevard, Apt. 332 Gaithersburg, Maryland 20878 Montgomery/17 | Appointment Local Superintendent Remainder of a term of 3 years from July 1, 2016 |
| MORTICIANS AND FUNERAL DIRECTORS, STATE BOARD OF | |
| Ahmed A. Elzaree, M.D. 9145 Lanham Severn Road Lanham, Maryland 20706 Prince George's/24 | Reappointment Consumer Term of 4 years from July 1, 2017 |
| Michele P. Kutta 561 Bay Dale Court Arnold, Maryland 21012 Anne Arundel/30 | Appointment Mortician Term of 4 years from July 1, 2017 |
| Kathy M. Blue, Esq. 1809 Thornton Ridge Road Towson, Maryland 21204 Baltimore County/11 | Appointment Consumer Remainder of a term of 4 years from July 1, 2014 |
| OCCUPATIONAL THERAPY PRACTICE, STATE BOARD OF | |
| Capt. Edward J. Quinn 276 Cape Saint John Road Annapolis, Maryland 21401 Anne Arundel/30 | Appointment Consumer Term of 4 years from July 1, 2017 |

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| OPEN MEETINGS LAW COMPLIANCE BOARD, STATE | |
| April Caso Ishak, Esq. 1708 Mount Pleasant Court Havre de Grace, Maryland 21078 Harford/34 | Reappointment Member Term of 3 years from July 1, 2017 |
| PATUXENT INSTITUTION BOARD OF REVIEW | |
| Wayne S. Price, Sr. 7212 Hawthorne Street Landover, Maryland 20785 Prince George's/47 | Reappointment Public/Victim Rights Org. – Chair Term of 4 years from March 21, 2016 |
| Margaret Ruth Doxzen 2807 Chauncey Hill Drive Manchester, Maryland 21102 Carroll/05 | Reappointment Public Term of 4 years from March 21, 2015 |
| PATUXENT RIVER COMMISSION | |
| Lisa K. White 6655 Horseshoe Drive La Plata, Maryland 20646 Charles/28 | Appointment Environmental/Citizen Remainder of a term of 4 years from October 1, 2013 and a term of 4 years from October 1, 2017 |
| Thomas J. Miller, Ph.D. 520 Swaggers Point Road Solomons, Maryland 20688 Calvert/29 | Reappointment Academic Term of 4 years from October 1, 2017 |
| PHARMACY, STATE BOARD OF | |
| Brenda L. Oliver 10540 Chester Way Woodstock, Maryland 21163 Howard/09 | Appointment Consumer Term of 4 years from July 1, 2016 |
| PHYSICIANS, STATE BOARD OF | |
| Dalila Harvey–Granger, M.D. 736 Bleak Hill Place Upper Marlboro, Maryland 20774 Prince George's/23 | Appointment Physician Term of 4 years from July 1, 2016 |
| Ann Marie Stephenson, D.O. 7701 Woodmont Avenue, Unit 1107 Bethesda, Maryland 20814 Montgomery/16 | Appointment Physician Term of 4 years from July 1, 2016 |

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| Day R. Gardner, Ph.D. P.O. Box 2273 Bowie, Maryland 20718 Prince George's/23 | Appointment Consumer Term of 4 years from July 1, 2016 |
| Mark D. Olszyk, M.D. 2707 Farm View Drive Fallston, Maryland 21047 Harford/07 | Reappointment Physician Term of 4 years from July 1, 2017 |
| Maxine E. Turnipseed 6061 Ivy League Drive Catonsville, Maryland 21228 Baltimore County/12 | Appointment Consumer Term of 4 years from July 1, 2017 |
| PLUMBING, STATE BOARD OF | |
| Michael J. Kastner, Jr. 13556 Argo Drive Dayton, Maryland 21036 Howard/13 | Reappointment Plumber – Carroll/Howard Counties – Chair Term of 3 years from May 1, 2017 |
| Michael J. Bowersox 8305 Glen Heather Drive Frederick, Maryland 21702 Frederick/03 | Appointment Plumber – Western Maryland Term of 3 years from May 1, 2017 |
| PODIATRIC MEDICAL EXAMINERS, STATE BOARD OF | |
| Sharon Bunch 2105 Woodbourne Avenue Baltimore, Maryland 21214 Baltimore City/43 | Appointment Consumer Term of 4 years from July 1, 2017 |
| PORT COMMISSION, MARYLAND | |
| David M. Richardson 204 Wagner Road Bel Air, Maryland 21015 Harford/35 | Reappointment Member Term of 3 years from July 1, 2017 |
| John A. Lunn, Sr. 1100 Scotts Hill Drive Pikesville, Maryland 21208 Baltimore County/10 | Reappointment Member Term of 3 years from July 1, 2017 |
| PROCUREMENT ADVISORY COUNCIL | |
| Mary Jo Childs, Esq. 1156 Regency Drive Saint Leonard, Maryland 20685 Calvert/27 | Reappointment Local Government with Expertise in Local Procurement Term of 2 years from May 6, 2017 |

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| Juan Leo Salazar 6208 Bright Plume Columbia, Maryland 21044 Howard/12 | Reappointment Public Term of 2 years from May 6, 2017 |
| Phillip C. Martien 3150 Lawndale Road Finksburg, Maryland 21048 Carroll/05 | Reappointment Public with Expertise in State Procurement Term of 2 years from May 6, 2017 |
| PROFESSIONAL ENGINEERS, STATE BOARD FOR | |
| Justin A. Williams, Esq. 1304 Baylis Street Baltimore, Maryland 21224 Baltimore City/46 | Reappointment Consumer Term of 5 years from July 1, 2017 |
| Sallye E. Perrin 225 West Lanvale Street Baltimore, Maryland 21217 Baltimore City/40 | Reappointment Civil Engineer Term of 5 years from July 1, 2017 |
| Karl J. Rickert 936 Beaverbank Circle Towson, Maryland 21286 Baltimore County/42 | Reappointment Engineer Term of 5 years from July 1, 2017 |
| PSYCHOLOGISTS, STATE BOARD OF | |
| Neal R. Morris, Ph.D. 4615 Chestnut Street Bethesda, Maryland 20814 Montgomery/16 | Reappointment Psychologist – Services Term of 4 years from July 1, 2017 |
| Christopher L. Bishop, Psy.D. 13803 Resin Court Bowie, Maryland 20720 Prince George's/23 | Reappointment Psychologist – Services Term of 4 years from July 1, 2017 |
| James Gormally, Ph.D. 1111 Noyes Drive Silver Spring, Maryland 20910 Montgomery/20 | Reappointment Psychologist – ETR Term of 4 years from July 1, 2017 |
| RACING COMMISSION, STATE | |
| Clarissa A. Coughlin 213 Shea Road Lothian, Maryland 20711 Anne Arundel/30 | Appointment Harness Racing Remainder of a term of 4 years from July 1, 2015 |
| REAL ESTATE APPRAISERS, APPRAISAL MANAGEMENT COMPANIES AND HOME INSPECTORS, STATE COMMISSION OF | |

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| Anatol L. Polillo 3706 Ednor Road Baltimore, Maryland 21218 Baltimore City/43 | Reappointment Home Inspector Term of 3 years from January 1, 2018 |
| REAL ESTATE COMMISSION, STATE | |
| James F. Jeff Wright, II 316 South 2nd Street P.O. Box 482 Denton, Maryland 21629 Caroline/36 | Reappointment Realtor – Eastern Shore Term of 4 years from June 1, 2017 |
| John N. D'Ambrosia 6334 Grant Chapman Drive La Plata, Maryland 20646 Charles/28 | Reappointment Realtor – Southern Maryland Term of 4 years from June 1, 2017 |
| Owen Taylor, Esq. 1304 Harmony Lane Annapolis, Maryland 21409 Anne Arundel/33 | Appointment Consumer Term of 4 years from June 1, 2016 |
| Demetria C. Scott 1827 Eutaw Place Baltimore, Maryland 21217 Baltimore City/44 | Appointment Realtor – Baltimore City Remainder of a term of 4 years from June 1, 2015 |
| Kambon R. Williams, Esq. 7404 Monita Road Pikesville, Maryland 21208 Baltimore County/44 | Appointment Consumer Remainder of a term of 4 years from June 1, 2016 |
| RURAL LEGACY BOARD, ADVISORY COMMITTEE TO THE | |
| Michael Calkins 1626 Daisy Road Woodbine, Maryland 21797 Carroll/09 | Appointment MALPF Term of 3 years from July 1, 2015 |
| David Albert Foltz 6400 Sharpsburg Pike Sharpsburg, Maryland 21782 Washington/02 | Appointment Private Land Owner Term of 3 years from July 1, 2014 and a term of 3 years from July 1, 2017 |
| Kyle Landon Murray 1618 Hilltop Road Edgewater, Maryland 21037 Anne Arundel/30 | Reappointment Mineral Resources Industry Term of 3 years from July 1, 2017 |
| ST. MARY'S CITY COMMISSION, HISTORIC | |

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| Monica Diana Harley Penny 4840 Pisgah Marbury Road Marbury, Maryland 20658 Charles/28 | Appointment General Public Term of 4 years from July 1, 2017 |
| M. Margaret McFarland, Esq. 7404 Flower Avenue Takoma Park, Maryland 20912 Montgomery/20 | Appointment General Public Term of 4 years from July 1, 2014 |
| Laura J. Cripps, Ph.D. 2309 Westchester Avenue Catonsville, Maryland 21228 Baltimore County/44 | Reappointment Distinguished Scholar – Archaeologist Term of 4 years from July 1, 2017 |
| Danielle E. Troyan 146 Ingle Place Alexandria, Virginia 22304 Nonresident | Reappointment Distinguished Scholar – Educator Term of 4 years from July 1, 2017 |
| Michael J. Dougherty 23585 Town Creek Drive Lexington Park, Maryland 20653 St. Mary's/29 | Appointment General Public – St. Mary's Term of 4 years from July 1, 2014 |
| Kelsey Roderic Moffatt Bush, Esq. 22585 Joan Drive California, Maryland 20619 St. Mary's/29 | Reappointment Historical Museum Term of 4 years from July 1, 2017 |
| Andrea Steele 16606 Pleasant Colony Drive Upper Marlboro, Maryland 20772 Prince George's/23 | Appointment General Public Term of 4 years from July 1, 2016 |
| ST. MARY'S COLLEGE OF MARYLAND, BOARD OF TRUSTEES OF | |
| Glen R. Ives 23785 Kingston Creek Road California, Maryland 20619 St. Mary's 29 | Reappointment Member Term of 6 years from June 1, 2017 |
| Gail Harmon, Esq. 46502 Glen Mary Farm Road Park Hall, Maryland 20667 St. Mary's/29 | Reappointment Member Term of 6 years from June 1, 2017 |
| Peter J. Bruns, Ph.D. 5100 Dorset Avenue, Apt. 404 Chevy Chase, Maryland 20815 Montgomery/16 | Reappointment Member Term of 6 years from June 1, 2017 |

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| Cynthia L. Broyles 18419 Herring Creek Road P.O. Box 131 Tall Timbers, Maryland 20690 St. Mary's/29 | Reappointment Member Term of 6 years from June 1, 2017 |
| John Chambers Wobensmith 88 Leonard Street New York, New York 10013 Nonresident | Reappointment Member Term of 6 years from June 1, 2017 |
| Lawrence E. Leak, Ph.D. 6505 Burgundy Lane Clarksville, Maryland 21029 Howard/13 | Reappointment Member Term of 6 years from June 1, 2017 |
| Anirban Basu 1 Devon Hill Road Baltimore, Maryland 21210 Baltimore County/11 | Appointment Member Remainder of a term of 6 years from June 1, 2015 |
| John J. Bell 105 Duane Street New York, New York 10007 Nonresident | Appointment Member Term of 6 years from June 1, 2015 |
| Hon. John Bullock, Ph.D. 1405 Hollins Street Baltimore, Maryland 21223 Baltimore City/40 | Appointment Member Remainder of a term of 6 years from June 1, 2013 |
| Bonnie L. Glick 9404 Corsica Drive Bethesda, Maryland 20814 Montgomery/16 | Appointment Member Term of 6 years from June 1, 2017 |
| SOCIAL WORK EXAMINERS, STATE BOARD OF | |
| Sherryl L. Silberman 12312 Timber Grove Road Owings Mills, Maryland 21117 Baltimore County/10 | Reappointment LCSW – Clinical Term of 4 years from July 1, 2017 |
| Nicholette Smith–Bligen 9401 Pine View Lane Clinton, Maryland 20735 Prince George's/27 | Appointment LSW – DHR Term of 4 years from July 1, 2017 |
| Gerald M. Farrell 1728 Woodlore Road Annapolis, Maryland 21401 Anne Arundel/30 | Appointment Consumer Term of 4 years from July 1, 2017 |

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| STADIUM AUTHORITY, MARYLAND | |
| Leonard J. Attman 16 Talton Court Baltimore, Maryland 21208 Baltimore County/11 | Reappointment Member Term of 4 years from July 1, 2017 |
| Tisha S. Edwards, Esq. 3415 Woodberry Avenue Baltimore, Maryland 21215 Baltimore City/40 | Appointment Appointed by Mayor of Baltimore City Term of 4 years from July 1, 2016 |
| Manervia W. Riddick 801 Othman Drive Fort Washington, Maryland 20744 Prince George's/26 | Reappointment Member Term of 4 years from July 1, 2017 |
| TEACHER EDUCATION BOARD, PROFESSIONAL STANDARDS AND | |
| Maleeta Kitchen 5639 Harpers Farms Road, Unit D Columbia, Maryland 21044 Howard/12 | Reappointment Statewide Teachers' Org. with Majority Rep. Term of 3 years from July 1, 2017 |
| Christopher W. Lloyd 12260 Weller Road Monrovia, Maryland 21770 Frederick/04 | Reappointment Statewide Teachers' Org. with Majority Rep. Term of 3 years from July 1, 2017 |
| Kelli Midgley 8315 Saddle Ridge Terrace Ellicott City, Maryland 21043 Howard/12 | Appointment Statewide Teachers' Org. with Majority Rep. Term of 3 years from July 1, 2017 |
| Darren Ray Hornbeck 5423 El Camino Columbia, Maryland 21044 Howard/12 | Reappointment Statewide Teachers' Org. with Majority Rep. Term of 3 years from July 1, 2017 |
| TECHNOLOGY DEVELOPMENT CORPORATION (TEDCO) BOARD OF DIRECTORS | |
| Jennifer H. Elisseeff, Ph.D. 3007 Saint Paul Street Baltimore, Maryland 21218 Baltimore City/43 | Appointment Nonprofit Research Term of 4 years from July 1, 2016 |
| John L. Shetrone, Jr. 341 Eagle Hill Road Pasadena, Maryland 21122 Anne Arundel/31 | Reappointment Tech-based Business Term of 4 years from July 1, 2017 |

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| Amita Shukla 7111 Woodmont Avenue, Apt. 503 Bethesda, Maryland 20815 Montgomery/16 | Reappointment Venture Cap. Financing Term of 4 years from July 1, 2017 |
| Murray K. Hoy, Ed.D. 3589 Union Church Road Salisbury, Maryland 21804 Wicomico/38 | Reappointment College or University Term of 4 years from July 1, 2017 |
| TOURISM DEVELOPMENT BOARD, MARYLAND | |
| Cara Hergan Joyce 110 Sweetser Road Linthicum Heights, Maryland 21090 Anne Arundel/32 | Reappointment Attractions Term of 3 years from July 1, 2017 |
| Ruth Umbel 1002 Mosser Road McHenry, Maryland 21541 Garrett/01 | Reappointment Lodging Term of 3 years from July 1, 2017 |
| Casey Jenkins 1015 Andover Road Baltimore, Maryland 21218 Baltimore City/43 | Reappointment Food Service Term of 3 years from July 1, 2017 |
| Alexandra Lyn Von Paris 518 Hampton Lane Towson, Maryland 21286 Baltimore County/42 | Reappointment Retail Term of 3 years from July 1, 2017 |
| Judy Long Bixler 5011 Reed Road Oxford, Maryland 21654 Talbot/37 | Reappointment Transportation Term of 3 years from July 1, 2017 |
| UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS | |
| Wes Moore 3901 St. Paul Street Baltimore, Maryland 21218 Baltimore City/43 | Appointment Member Term of 5 years from July 1, 2017 |
| Michelle A. Gourdine, M.D. 9 Nearock Court Owings Mills, Maryland 21117 Baltimore County/11 | Reappointment Member Term of 5 years from July 1, 2017 |
| James T. Brady 5625 Broadmoor Terrace North Ijamsville, Maryland 21754 Frederick/04 | Reappointment Member Term of 5 years from July 1, 2017 |

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| VETERINARY MEDICAL EXAMINERS, STATE BOARD OF | |
| Lynne E. Chaput 309 Blue Cedar Court Millersville, Maryland 21108 Anne Arundel/33 | Reappointment Consumer Term of 5 years from June 1, 2017 |
| WELLMOBILE PROGRAM ADVISORY BOARD, GOVERNOR'S | |
| Dottie Tiejun Li 3000 Parkway Cheverly, Maryland 20785 Prince George's/47 | Reappointment Media/Marketing Term of 3 years from October 1, 2017 |
| Jennifer C. Baldwin 13345 Query Mill Road North Potomac, Maryland 20878 Montgomery/15 | Appointment Health Term of 3 years from October 1, 2015 |
| WOMEN, MARYLAND COMMISSION FOR | |
| Marylou N. Yam, Ph.D. 100 St. Albans Way Baltimore, Maryland 21212 Baltimore City/43 | Reappointment Member Term of 4 years from July 1, 2017 |
| Nicole Stacy Alicia Ingram 23219 Stringtown Road, #131 Clarksburg, Maryland 20871 Montgomery/15 | Reappointment Member Term of 4 years from July 1, 2017 |
| WORKERS' COMPENSATION COMMISSION, ADVISORY COMMITTEE ON THE BUDGET OF THE | |
| Lisa Y. Settles, Esq. 2 Stillway Court Cockeysville, Maryland 21030 Baltimore County/42 | Appointment Member Term of 3 years from July 1, 2016 |
| WORKERS' COMPENSATION COMMISSION, STATE | |
| R. Karl Aumann, Esq. 500 Wyngate Road Timonium, Maryland 21093 Baltimore County/42 | Reappointment Chair Term of 12 years from February 1, 2017 |
| YOUTH CAMP SAFETY, ADVISORY COUNCIL ON | |
| Anita D. Anderson 13433 Burnt Woods Place Germantown, Maryland 20874 Montgomery/15 | Appointment Camp Owner/Manager – Nonprofit Term of 3 years from July 1, 2017 |

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| Jolanda Josephina Campbell 584 Bafford Road Lusby, Maryland 20657 Calvert/29 | Appointment Camp Owner/Manager Term of 3 years from July 1, 2017 |
| Carla L. DeWitt 432 Penwood Drive Edgewater, Maryland 21037 Anne Arundel/30 | Reappointment Public Term of 3 years from July 1, 2017 |

**GUBERNATORIAL APPOINTMENTS TO LOCAL BOARDS
REQUIRING CONFIRMATION
2017 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

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| BALTIMORE COUNTY, COMMUNITY COLLEGE TRUSTEES FOR | |
| J.D. Urbach, II 107 Commodore Drive Baltimore, Maryland 21221 Baltimore County/06 | Appointment 6th Councilmanic District Term of 5 years from July 1, 2017 |
| FREDERICK COMMUNITY COLLEGE BOARD OF TRUSTEES | |
| John K. Molesworth, D.O. 8573 Indian Springs Road Frederick, Maryland 21702 Frederick/04 | Appointment Member Term of 5 years from July 1, 2017 |
| HOWARD COMMUNITY COLLEGE BOARD OF TRUSTEES | |
| Christopher G. Marasco 5237 Lightfoot Path Columbia, Maryland 21044 Howard/12 | Appointment Member Term of 6 years from July 1, 2017 |
| MONTGOMERY COLLEGE BOARD OF TRUSTEES | |
| Michael A. Brintnall, Ph.D. 1 Ericsson Road Cabin John, Maryland 20818 Montgomery/16 | Appointment Member Term of 6 years from July 1, 2017 |
| Kenneth Jay Hoffman, M.D. 1511 Auburn Avenue Rockville, Maryland 20850 Montgomery/17 | Reappointment Member Term of 6 years from July 1, 2017 |
| SOUTHERN MARYLAND BOARD OF TRUSTEES, COLLEGE OF | |
| James F. Di Misa 1033 Wiltshire Drive La Plata, Maryland 20646 Charles/28 | Appointment Member Term of 5 years from July 1, 2017 |

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

SPECIAL ORDER CALENDAR NO. 16

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 3

Senator Ferguson, Chair, for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 3
February 16, 2017

Affordable Housing Trust Board of Trustees, Maryland

1. Shirley D. Butler–Walker District 25
7909 Hastings Lane
Clinton, MD 20735

Member of the Maryland Affordable Housing Trust Board of Trustees; appointed to serve a term of four years from October 1, 2016

Civil Rights, Commission on

2. Dominique S. Moore, Esq. District 40
3225 Powhatan Avenue
Baltimore, MD 21216

Member of the Commission on Civil Rights; appointed to serve a term of six years from July 1, 2015

College of Southern Maryland, Board of Trustees of the

3. Bradley O. Bates District 29
14611 C Way
Scotland, MD 20687

Member of the Board of Trustees of the College of Southern Maryland; appointed to serve a term of five years from July 1, 2015

4. Theodore L. Harwood District 29
26415 Jones Wharf Road
Hollywood, MD 20636

Member of the Board of Trustees of the College of Southern Maryland; reappointed to serve a term of five years from July 1, 2015

5. Jay W. Webster District 27
3540 Loyola Court
Dunkirk, MD 20754

Member of the Board of Trustees of the College of Southern Maryland; appointed to serve a term of five years from July 1, 2015

Community Health Resources Commission, Maryland

6. Julia A. Wagner District 9
1514 Grooms Lane
Woodstock, MD 21163

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2015

Higher Education Commission, Maryland

7. Peri J. Kelsey District 35
195 Old Bayview Road
North East, MD 21901

Student Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2016

Historical Trust, Board of Trustees of the Maryland

8. O. James Lighthizer, Esq. District 37
5850 Puckum Road
Rhodesdale, MD 21659

Member of the Board of Trustees of the Maryland Historical Trust; reappointed to serve a term of four years from July 1, 2016

Industrial Development Financing Authority, Maryland

9. Bohdan Denysyk, Ph.D. District 31
8203 Ventnor Road
Pasadena, MD 21122

Member of the Maryland Industrial Development Financing Authority; appointed to serve a term of five years from July 1, 2014

10. Bernard L. Jennings District 12
5126 Northern Fences Lane
Columbia, MD 21044-5705

Member of the Maryland Industrial Development Financing Authority; appointed to serve remainder of a term of five years from July 1, 2012

11. Deborah A. Morgan District 33
3455 Constellation Drive
Davidsonville, MD 21035

Member of the Maryland Industrial Development Financing Authority; reappointed to serve a term of five years from July 1, 2012

Morgan State University Board of Regents

12. Matthew Reeds District 45
6410 Eastern Parkway
Baltimore, MD 21214

Student Member of the Morgan State University Board of Regents; appointed to serve a term of one year from July 1, 2016

Nursing Home Administrators, State Board of Examiners of

13. Belinda B. Strayhorn District 32
110 Bunker Hill Lane
Odenton, MD 21113

Member of the State Board of Examiners of Nursing Home Administrators; reappointed to serve a term of four years from April 22, 2016

Physical Therapy Examiners, State Board of

14. Donna M. Richmond District 47
6003 Euclid Street
Cheverly, MD 20785

Member of the State Board of Physical Therapy Examiners; appointed to serve a term of four years from June 1, 2016

Plumbing, State Board of

15. Richard J. Small District 40
3029 Hanlon Avenue
Baltimore, MD 21216

Member of the State Board of Plumbing; appointed to serve a term of three years from May 1, 2014

Police Training and Standards Commission, Maryland

16. Matthew G. Alonsozana District 9
5342 Grovemont Drive
Elkridge, MD 21075

Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2017

17. Troy D. Berry District 28
6915 Crain Highway
La Plata, MD 20646

Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2017

18. William M. Crabbs District 34
45 S. Main Street
Bel Air, MD 21015

Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2017

19. Miguel Dennis District 10
7400 Lesada Drive, Apt. 2D
Windsor Mill, MD 21244

Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2018

20. Allison M. Ehart District 9
5339 Briar Oak Court
Ellicott City, MD 21043

Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2018

21. Michael B. Finegan, Ph.D. District 37
104 West Market Street
Salisbury, MD 21801

Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2019

22. Marcus E. Pollock District 43
721 E. Belvedere Avenue
Baltimore, MD 21212

Member of the Maryland Police Training and Standards Commission; appointed to serve a term to expire May 31, 2018

Potomac River Fisheries Commission

23. Dennis C. Fleming District 29
40344 Morgan Brothers Road
Mechanicsville, MD 20659

Member of the Potomac River Fisheries Commission; reappointed to serve a term of four years from January 1, 2015

24. William Leonard Rice, Sr. District 28
11400 Tucker Farm Place
Faulkner, MD 20632

Member of the Potomac River Fisheries Commission; reappointed to serve a term of four years from January 1, 2017

Procurement Advisory Council

25. Mary Jo Childs, Esq. District 27
1156 Regency Drive
Saint Leonard, MD 20685

Member of the Procurement Advisory Council; appointed to serve a term of two years from May 6, 2015

26. Phillip C. Martien District 5
3150 Lawndale Road
Finksburg, MD 21048

Member of the Procurement Advisory Council; reappointed to serve a term of two years from May 6, 2015

27. Juan Leo Salazar District 12
6208 Bright Plume
Columbia, MD 21044

Member of the Procurement Advisory Council; appointed to serve a term of two years from May 6, 2015

Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors, State Commission of

28. John M. Hamilton District 9
11820 Homewood Road
Ellicott City, MD 21042

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve remainder of a term of three years from January 1, 2014, and a term of three years from January 1, 2017

Rural Legacy Board, Advisory Committee to the

29. Elizabeth E. Zucker District 37
32360 Mill Ridge Road
Cordova, MD 21625

Member of the Advisory Committee to the Rural Legacy Board; appointed to serve a term of three years from July 1, 2016

Tourism Development Board, Maryland

30. G. Hale Harrison District 38
6427 Heritage Road
Berlin, MD 21811

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2016

31. Casey Jenkins District 43
1015 Andover Road
Baltimore, MD 21218

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2014

32. Cara Hergan Joyce District 32
110 Sweetser Road
Linthicum Heights, MD 21090

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2014

33. Candace Osunsade District 10
100 Dandbury Road
Reisterstown, MD 21136

Member of the Maryland Tourism Development Board; appointed to serve remainder of a term of three years from July 1, 2015

34. Alexandra L. Von Paris District 42
518 Hampton Lane
Towson, MD 21286

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2014

Uninsured Employers Fund Board

35. Martin E. Lewis District 31
256 Moreau Lane
Severna Park, MD 21146

Member of the Uninsured Employers Fund Board; appointed to serve a term of four years from July 1, 2015

36. Amy L. Thompson District 29
37380 River Springs Road
Avenue, MD 20609

Member of the Uninsured Employers Fund Board; appointed to serve a term of four years from July 1, 2015

37. Doncella Wilson District 36
223 Brairwood Circle
Denton, MD 21629

Member of the Uninsured Employers Fund Board; appointed to serve a term of four years from July 1, 2015

Women, Maryland Commission for

38. Tamara D. Wilson District 41
4501 Scarlet Oak Lane
Baltimore, MD 21229

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2016

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

College of Southern Maryland, Board of Trustees of the

- S-1. Samuel C. Jones District 27
11928 Lyons Glen Court
Dunkirk, MD 20754

Member of the Board of Trustees of the College of Southern Maryland; reappointed to serve a term of five years from July 1, 2015

Environmental Health Specialists, State Board of

- S-2. Naomi Renee Howell District 36
10444 Worton Road
Worton, MD 21678

Member of the State Board of Environmental Health Specialists; appointed to serve remainder of a term of four years from July 1, 2013

- S-3. Michael S. Pugh District 35
1304 Heaps Road
Whiteford, MD 21160

Member of the State Board of Environmental Health Specialists; appointed to serve a term of four years from July 1, 2016

Fire-Rescue Education and Training Commission

- S-4. Jennifer L. Aubert-Utz District 8
8321 Old Harford Road
Towson, MD 21234

Member of the Fire-Rescue Education and Training Commission; appointed to serve remainder of a term of four years from July 1, 2015

- S-5. Barbara A. Knippenburg District 1
17608 Old Dans Rock Road, SW
Frostburg, MD 21532

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2016

Food Center Authority, Maryland

- S-6. Irina Falletta District 42
719 Weil Mandel Way
Cockeysville, MD 21030

Member of the Maryland Food Center Authority; appointed to serve a term of five years from July 1, 2016

- S–7. Timothy T. Raver District 13
10526 Twin Cedar Court
Laurel, MD 20723

Member of the Maryland Food Center Authority; appointed to serve a term of five years from July 1, 2016

Foresters, State Board of

- S–8. John P. Markovich District 28
11552 Timberbrook Drive
Waldorf, MD 20601

Member of the State Board of Foresters; reappointed to serve a term of five years from July 1, 2016

Heritage Areas Authority, Maryland

- S–9. Thomas Bradshaw District 37
5106 Rhodesdale Vienna Road
Rhodesdale, MD 21659

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2014

- S–10. Robert David Campbell District 20
9510 Garwood Street
Silver Spring, MD 20901

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2016

- S–11. Natalie K. Chabot District 37
13 Manito Drive
Cambridge, MD 21613

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2012, and a term of four years from October 1, 2016

- S–12. Pete Leshner District 37
215 S. Hanson Street
Easton, MD 21601

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2016

S-13. J. Matthew Neitzey District 22
6100 Westchester Park Drive, Unit 913
College Park, MD 20740

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2014

S-14. Donna Marie Ware District 30
16 Eastern Avenue
Annapolis, MD 21403

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2016

Infants and Toddlers, Interagency Coordinating Council for

S-15. Linnette D. Rivera District 19
4313 Haverford Drive
Rockville, MD 20853

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve remainder of a term of three years from July 1, 2016

S-16. FloJean Speck District 14
17807 Buehler Road
Olney, MD 20832

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2016

Landscape Architects, Board of Examiners

S-17. Suzanne T. Grefsheim District 18
P.O. Box 175
Garrett Park, MD 20896

Member of the Board of Examiners of Landscape Architects; reappointed to serve a term of three years from July 1, 2016

S-18. Christopher L. Schein District 30
15 Thompson Street
Annapolis, MD 21401

Member of the Board of Examiners of Landscape Architects; reappointed to serve a term of three years from July 1, 2016

Maryland Legal Services Corporation Board of Directors

- S–19. Violet M. Apple District 11
9050 Iron Horse Lane, Apt. 330
Pikesville, MD 21208

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a term of three years from July 1, 2014

- S–20. Martha F. Rasin District 30
1904 Sands Drive
Annapolis, MD 21409

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a term of three years from July 1, 2016

Massage Therapy Examiners, State Board of

- S–21. Gloria Boddie–Epps District 47
914 Cox Avenue
Hyattsville, MD 20783

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2019

- S–22. David A. Cox District 19
12502 Plaza Place
Rockville, MD 20853

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2021

- S–23. Gwenda M. Harrison District 27
15313 Livingston Road
Accokeek, MD 20607

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2020

- S–24. Margaret A. Hayes District 11
1325 Bedford Avenue, #5740
Pikesville, MD 21282

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2021

S–25. Paula K. Jilanis District 1
12 S. Lee Street
Cumberland, MD 21502

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2019

S–26. J. Paige Szymanski District 31
7809 Winborne Drive, Apt. J
Glen Burnie, MD 21060

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2021

S–27. Caitlin M. Thompson District 46
3900 Fait Avenue
Baltimore, MD 21224

Member of the State Board of Massage Therapy Examiners; appointed to serve a term to expire September 30, 2020

Nursing, State Board of

S–28. Lois V. Rosedom–Boyd District 10
6760 Real Princess Lane
Baltimore, MD 21207

Member of the State Board of Nursing; reappointed to serve a term of four years from July 1, 2016

Plumbing, State Board of

S–29. Joseph A. Radtka District 33
3 Severndale Road
Severna Park, MD 21146

Member of the State Board of Plumbing; reappointed to serve a term of three years from May 1, 2016

S–30. Gregory S. Schott District 35
4723 Clermont Mill Road
Pylesville, MD 21132

Member of the State Board of Plumbing; reappointed to serve a term of three years from May 1, 2016

Police Training and Standards Commission, Maryland

S–31. Barbara L. Duncan District 38
699 West Salisbury Parkway
Salisbury, MD 21801

Member of the Maryland Police Training and Standards Commission; reappointed to serve a term to expire May 31, 2019

Potomac River Fisheries Commission

S–32. Phil L. Langley District 29
50126 Dove Cove Road
Dameron, MD 20628

Member of the Potomac River Fisheries Commission; reappointed to serve a term of four years from January 1, 2017

Professional Engineers, State Board for

S–33. Steven A. Arndt, Ph.D. District 14
24418 Galeano Way
Damascus, MD 20872

Member of the State Board for Professional Engineers; reappointed to serve a term of five years from July 1, 2016

Professional Land Surveyors, State Board for

S–34. Tammy Moore District 11
32 Latimore Way
Owings Mills, MD 21117

Member of the State Board for Professional Land Surveyors; appointed to serve a term of five years from July 1, 2014

Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors, State Commission of

S–35. Terry R. Dunkin District 42
801 Bacon Hall Road
Sparks, MD 21152

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; reappointed to serve a term of three years from January 1, 2017

S-36. Helen Won District 11
7 Yellow Barn Court
Pikesville, MD 21208

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; reappointed to serve a term of three years from January 1, 2017

Seafood Marketing Advisory Commission

S-37. Joseph N. Brooks District 37
703 Radiance Drive
Cambridge, MD 21613

Member of the Seafood Marketing Advisory Commission; reappointed to serve a term of four years from July 1, 2016

S-38. William R. Fitzhugh, Jr. District 37
303 Sandy Hill Road
Cambridge, MD 21613

Member of the Seafood Marketing Advisory Commission; reappointed to serve a term of four years from July 1, 2015

S-39. David S. Gjerde District 41
8 Elmwood Road
Baltimore, MD 21210

Member of the Seafood Marketing Advisory Commission; reappointed to serve a term of four years from July 1, 2015

S-40. Aubrey M. Vincent District 37
2010 Church Creek Road
Cambridge, MD 21613

Member of the Seafood Marketing Advisory Commission; reappointed to serve a term of four years from July 1, 2016

Social Work Examiners, State Board of

S-41. Mary L. Sayres District 30
1 Fairhope Court
Annapolis, MD 21403

Member of the State Board of Social Work Examiners; appointed to serve a term of four years from July 1, 2015

- S–42. Wrenn Skidmore District 9
3025 Brookwood Road
Ellicott City, MD 21042

Member of the State Board of Social Work Examiners; appointed to serve a term of four years from July 1, 2016

St. Mary's College of Maryland, Board of Trustees

- S–43. Gary A. Jobson District 30
10 Thompson Street
Annapolis, MD 21401

Member of the Board of Trustees of St. Mary's College of Maryland; reappointed to serve a term of six years from June 1, 2016

Stationary Engineers, State Board of

- S–44. Gregory J. Denevan District 30
3330 Locust Street
Edgewater, MD 21037

Member of the State Board of Stationary Engineers; reappointed to serve a term of three years from July 1, 2016

Technology Development Corporation Board of Directors, Maryland

- S–45. John C. Brandenburg District 7
3713 Meadowhill Court
Phoenix, MD 21131

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2016

- S–46. Charles E. Knudsen, III District 11
11740 Mayfair Field Drive
Timonium, MD 21093

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2016

S-47. Martin Roesch
4853 Castlebridge Road
Ellicott City, MD 21042

District 9

Member of the Maryland Technology Development Corporation Board of Directors;
reappointed to serve a term of four years from July 1, 2016

Tourism Development Board, Maryland

S-48. Judy Long Bixler
5011 Reed Road
Oxford, MD 21654

District 37

Member of the Maryland Tourism Development Board; reappointed to serve a term
of three years from July 1, 2014

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 255)

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 256)

SENATE THIRD READING CALENDAR NO. 19 (GENERAL SENATE BILLS)

Senate Bill 493 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

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

Affirmative – 45 Negative – 0 (See Roll Call No. 257)

The Bill was then sent to the House of Delegates.

Senate Bill 494 – The President (By Request – Department of Legislative Services)**EMERGENCY BILL**

AN ACT concerning

Annual Corrective Bill

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

Affirmative – 45 Negative – 0 (See Roll Call No. 258)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 20 (GENERAL SENATE BILLS)

Senate Bill 265 – Senators Feldman, Kagan, Kelley, King, Lee, Madaleno, Manno, Pinsky, Rosapepe, Smith, and Zucker

EMERGENCY BILL

SECOND PRINTING

AN ACT concerning

Washington Metrorail Safety Commission Membership Act

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

Affirmative – 45 Negative – 0 (See Roll Call No. 259)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 260)

ADJOURNMENT

At 11:35 A.M. on motion of Senator Peters the Senate adjourned until 8:00 P.M. on Monday, February 20, 2017.

Annapolis, Maryland
Monday, February 20, 2017
8:00 P.M. Session

The Senate met at 8:07 P.M.

Prayer by Reverend Abbi Janamanchi, Cedar Lane Unitarian Universalist Church, guest of Senator Madaleno.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 264)

On motion of Senator Peters it was ordered that Senators Hough and Nathan–Pulliam be excused from today’s session.

The Journal of February 17, 2017 was read and approved.

INTRODUCTORY SENATE BILLS NO. 43

Senate Bill 1107 – Senator Muse

AN ACT concerning

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

FOR the purpose of altering the maximum number of medical cannabis grower licenses that the Natalie M. LaPrade Medical Cannabis Commission may issue before a certain date; and generally relating to medical cannabis grower licenses.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 13–3306(a)(1)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General

Section 13–3306(a)(2)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1108 – Senator Eckardt

AN ACT concerning

**Foreclosures – Dorchester County – Certificate of Vacancy or Certificate of
Property Unfit for Human Habitation**

FOR the purpose of requiring Dorchester County to issue a certificate of vacancy or a certificate of property unfit for human habitation under certain circumstances; requiring a certificate of vacancy or a certificate of property unfit for human habitation to be issued or denied in Dorchester County within a certain period of time; providing for a delayed effective date; and generally relating to the issuance of a certificate of vacancy or a certificate of property unfit for human habitation in Dorchester County.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.11
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1109 – Senator Madaleno

AN ACT concerning

Nursing Homes – Partial Payment for Services Provided

FOR the purpose of requiring the Department of Health and Mental Hygiene to make a certain advance payment to a nursing home at the request of the nursing home under certain circumstances; providing that the advance payment may not exceed a certain amount; requiring the Department to pay the balance due to a nursing home under certain circumstances; requiring the Department to recover certain advance payments in a certain manner under certain circumstances; defining a certain term; and generally relating to the Maryland Medical Assistance Program and advance payments to nursing homes.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–101(a) and (h)

Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Health – General
Section 15–149
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1110 – Senator Pinsky

AN ACT concerning

Creation of a State Debt – Prince George’s County – Maryland Multicultural Youth Centers

FOR the purpose of authorizing the creation of a State Debt not to exceed \$75,000, the proceeds to be used as a grant to the Board of Directors of the Latin American Youth Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1111 – Senator Muse

AN ACT concerning

Creation of a State Debt – Prince George’s County – My Sister’s Keeper

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Trustees of the Carolina Missionary Baptist Church, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1112 – Senator Robinson

AN ACT concerning

Creation of a State Debt – Baltimore City – Center Stage

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Trustees of the Center Stage Associates, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1113 – Senator Nathan–Pulliam

AN ACT concerning

Creation of a State Debt – Baltimore City – Hopework CDC Youth and Family Service Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of the Hopework, Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1114 – Senator Ready

AN ACT concerning

Criminal Law – Life–Threatening Injury Involving a Vehicle or Vessel – Criminal Negligence

FOR the purpose of prohibiting a person from engaging in certain conduct that results in a life–threatening injury to another; exempting certain conduct that results in a life–threatening injury to another; establishing penalties for a violation of this Act; requiring prior violations of certain other offenses to be considered as prior violations of the prohibition established by this Act for the purpose of imposing penalties for second and subsequent violations of this Act; defining certain terms; and generally relating to life–threatening injuries involving a vehicle or vessel.

BY adding to

Article – Criminal Law
Section 3–211.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1115 – Senator Benson

AN ACT concerning

**Maryland Homeowners Association Act – Payment Plan for Fees or Charges –
Written Policy**

FOR the purpose of requiring a certain homeowners association to develop a written policy regarding a payment plan for certain fees or charges; requiring the written policy to include certain qualifications and disclose certain terms and conditions; requiring the homeowners association to send by mail or electronic transmission a copy of the written policy to each lot owner within a certain time period; providing for the application of this Act; and generally relating to the Maryland Homeowners Association Act and payment plans for fees and charges.

BY adding to

Article – Real Property
Section 11B–114.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1116 – Senators Benson, Currie, Lee, and Pinsky

AN ACT concerning

Maryland Fair Scheduling, Wages, and Benefits Act

FOR the purpose of requiring a certain employer to provide certain employees with certain estimates and work schedules within certain time periods and notify employees of certain changes to certain schedules; requiring an employer to conspicuously post at a certain location at each work site or transmit by certain electronic means certain information; authorizing an employer to make certain changes to a scheduled shift within a certain period of time; requiring an employer, except under certain circumstances, to pay certain predictability pay under certain circumstances; providing that predictability pay is in addition to certain other pay; providing that a shift trade includes when the employer transmits the shift trade offer under certain circumstances; authorizing an employee to request a change in certain terms and conditions of employment; requiring an employer to engage in a certain interactive

process with the employee with respect to the requested changes; authorizing an employer to grant or deny the request except under certain circumstances; requiring an employer, under certain circumstances, to state the reason for a certain denial; requiring an employer to offer additional hours of work to current employees before hiring new employees or subcontractors; providing for the application of certain provisions of this Act; requiring that certain information be posted for certain periods of time; authorizing an employer to post a certain notice concurrently to certain job candidates; requiring an employer, except under certain circumstances, to assign additional hours of work to certain current employees and distribute additional hours of work among certain employees; authorizing an employer to limit the distribution of hours in a certain manner; authorizing an employer to hire new employees and subcontractors under certain circumstances; requiring an employer to make certain efforts to offer employees certain training opportunities; requiring an employer to document compliance with a certain provision of this Act under certain circumstances; requiring that certain documentation be maintained by an employer for a certain period of time; establishing certain rebuttable presumptions; providing that certain employees must be paid the same hourly wage, have the same eligibility to accrue certain benefits, and be provided certain opportunities and conditions of employment; requiring each employer to record certain wages in a certain statement of earnings and specify in the statement certain predictability pay; authorizing the Commissioner of Labor and Industry, under certain circumstances, to require an employer to include certain information in a certain statement and use additional means to notify the employer's employees of certain information; requiring an employer to give employees notice of certain rights in a certain manner; requiring employers to keep certain records for a certain minimum period of time and make the records available for inspection by certain individuals; providing that each day an employer violates a certain provision of this Act is a separate violation; prohibiting certain persons from taking certain actions; providing that certain protections apply to certain employees; providing for the enforcement of this Act; requiring the Commissioner to keep a certain identity confidential, except under certain circumstances, and to notify a certain person before a certain disclosure is made; requiring the Commissioner to post certain information on a certain Web site on or before a certain date each year; authorizing the Commissioner to conduct a certain investigation under certain circumstances; requiring the Commissioner to enforce this Act; authorizing the Commissioner to adopt certain regulations; providing for the construction of this Act; providing for a delayed effective date; defining certain terms; and generally relating to fair scheduling, wages, and benefits.

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 2–106(b) and 3–102(a)
Annotated Code of Maryland
(2016 Replacement Volume)

BY adding to

Article – Labor and Employment

Section 3–103(k); and 3–1301 through 3–1314 to be under the new subtitle “Subtitle 13. Fair Scheduling, Wages, and Benefits”
Annotated Code of Maryland
(2016 Replacement Volume)

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

Senate Bill 1117 – Senator DeGrange

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Resiliency and Education
Center at Kuhn Hall**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of the Fort Meade Alliance (FMA) Foundation, Inc. and the Department of the Army for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1118 – Senator Reilly

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Southern High School
Athletic Facilities**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$120,000, the proceeds to be used as a grant to the Board of Education of Anne Arundel County for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1119 – Senator Muse

AN ACT concerning

Correctional Services – Inmates – Labor

FOR the purpose of requiring the Commissioner of Correction to include in a certain report certain statistics related to inmate employment and wages at certain facilities; requiring the Division of Correction to include in a certain report regarding Maryland Correctional Enterprises certain statistics regarding inmate employment and wages; establishing the Task Force on Inmate Labor; 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 public findings regarding certain matters; 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 certain provisions of this Act; and generally relating to inmates.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–207 and 3–509
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

Senate Bill 1120 – Senator Feldman

AN ACT concerning

Creation of a State Debt – Montgomery County – Madison Fields Therapeutic Equestrian Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Madison House Autism Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 6

House Bill 128 – Chair, Health and Government Operations Committee (By Request – Departmental – Disabilities)

AN ACT concerning

State Disabilities Plan and Interagency Disabilities Board – Revisions

FOR the purpose of altering the date by which the Secretary of Disabilities must submit an annual analysis of the State's progress in implementing the State Disabilities Plan and related performance objectives to the Governor and the General Assembly; altering the membership of the Interagency Disabilities Board; altering the required elements of the State Disabilities Plan; and generally relating to the State Disabilities Plan and the Interagency Disabilities Board.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 7–113(f), 7–128, and 7–132
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

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

House Bill 132 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

Long–Term Care Ombudsman Program – Regulations

FOR the purpose of requiring the Secretary of Aging to consult with the State Long–Term Care Ombudsman when adopting certain regulations that relate to the Long–Term Care Ombudsman Program, including certain annual reviews, resident councils and family councils in long–term care facilities, training and designating ombudsmen, conflicts of interest, and confidentiality of certain information and documents; and generally relating to the Long–Term Care Ombudsman Program.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–902, 10–904, and 10–906
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

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

House Bill 146 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

Secretary of Aging – Administration of Commodity Supplemental Food Program and Regulatory Authority

FOR the purpose of requiring the Secretary of Aging to administer the federal Commodity Supplemental Food Program using certain funds and resources received under a certain federal law; authorizing the Secretary to adopt certain regulations; and generally relating to the Secretary of Aging.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–204
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

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

House Bill 147 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

Healthy Aging Program

FOR the purpose of authorizing the Department of Aging to accept and use grant funds to benefit Maryland's older adults under certain circumstances; establishing the Healthy Aging Program in the Department of Aging; specifying the purposes of the Program; providing for funding for the Program; authorizing the Secretary of Aging to adopt certain regulations; and generally relating to the Healthy Aging Program.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–205
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

BY adding to
Article – Human Services
Section 10–1101 and 10–1102 to be under the new subtitle “Subtitle 11. Healthy Aging Program”
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

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

House Bill 165 – Delegates Barron and Pena–Melnik

AN ACT concerning

State Government – Maryland Uniform Electronic Legal Materials Act

FOR the purpose of requiring an official publisher that publishes legal material in an electronic record to designate the electronic record as official, under certain circumstances, and authenticate the electronic record in a certain manner; providing that certain legal material in an electronic record is presumed to be an accurate copy of the legal material; providing that certain legal material of another state in an electronic record is presumed to be an accurate copy of the legal material under certain circumstances; providing that a party contesting the authenticity of certain legal material in an electronic record has a certain burden of proof; requiring an official publisher of certain legal material in an electronic record to provide for the preservation and security of the record, take certain actions regarding an electronic record preserved under a certain provision of this Act, and ensure that the legal material is reasonably available for use by the public on a permanent basis; requiring an official publisher to consider certain factors in implementing this Act; requiring that certain factors be considered in applying and construing this Act; providing that this Act modifies, limits, and supersedes a certain federal law except as provided in a certain provision of this Act; establishing a certain short title; providing for the application of this Act; defining certain terms; and generally relating to the Maryland Uniform Electronic Legal Materials Act.

BY adding to

Article – State Government

Section 10–1601 through 10–1611 to be under the new subtitle “Subtitle 16.
Maryland Uniform Electronic Legal Materials Act”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

FINANCE COMMITTEE REPORT NO. 10

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

Senate Bill 262 – Senators Bates, Edwards, Klausmeier, Norman, Ready, and Young

EMERGENCY BILL

AN ACT concerning

**Public Health – Mobile Food Service Facilities – Licensing and Inspection by
County Health Departments**

SB0262/117272/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 262

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Astle, Benson, Feldman, Hershey, Jennings, Mathias, Middleton, Oaks, Reilly, and Rosapepe”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 347 – Charles County Senators

AN ACT concerning

**Charles County – State’s Attorney’s Office and Child Support Enforcement
Administration – Transfer of Personnel**

SB0347/187774/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 347

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 23, after “actuary;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 4, strike beginning with “shall” in line 11 down through “2017” in line 12 and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a 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.

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

Senate Bill 395 – Senator Waugh

AN ACT concerning

St. Mary's County – Metropolitan Commission – Personnel

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 265)

SENATE THIRD READING CALENDAR NO. 21 (GENERAL SENATE BILLS)

Senate Bill 36 – Senator Mathias

AN ACT concerning

Tax Credits – Electronic Filing Requirements – Waiver

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

Affirmative – 44 Negative – 0 (See Roll Call No. 266)

The Bill was then sent to the House of Delegates.

Senate Bill 54 – Senators Young and Waugh

AN ACT concerning

Motor Fuel Tax – Aviation Gasoline – Definition

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

Affirmative – 44 Negative – 0 (See Roll Call No. 267)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 268)

RECESS

At 8:28 P.M. on motion of Senator Peters the Senate recessed until 8:35 P.M. on Monday, February 20, 2017, to the Old Senate Chamber for the George Washington Day Address.

AFTER RECESS
Annapolis, Maryland
Monday, February 20, 2017

At 8:35 P.M. the Senate resumed its session.

The Honorable Thomas V. “Mike” Miller, Jr.
President, Maryland Senate
Presiding

Ceremony in honor of George M. Washington’s Birthday in the Old Senate
Chamber, Address given by Senator Richard S. Madaleno, Jr.

WASHINGTON’S BIRTHDAY SPEECH

Tonight I want to tell you a tale of two Washingtons: one about George Washington, and one about the creation of the city that bears his name and is such a large part of so many of our lives today. The two tales tell the story of Washington’s vision for the future and his quest of a legacy that would unite the nation and establish a grand capital city to rival London and Paris – a new Rome to enlighten the world.

George Washington was a person of immense talent. He was a charismatic leader who almost single–handily kept the Continental Army together through the Revolutionary War by the sheer force of his will. George Washington was also big dreamer. Like many of his contemporaries, he had a vision of an American nation stretching far to the west. A vision that was simply too big for a series of small colonies constrained by distant British masters. He possessed grand ambitions to be successful in government and business. From his first trip to the west as an officer in the British army, he sought out land to own and develop. His desires for wealth and his love of this area led him to be an outspoken advocate of the Potomac Valley and an active participant in various schemes to improve the river. He consistently argued for policies and plans that would grow the fledgling American economy. Washington’s dreams also often blinded him to the nightmare of slavery. His many accomplishments would have been simply impossible without his ownership of fellow Americans and their forced labor on his estate and on so many of his projects.

The tale of the two Washingtons starts right here, in the Old Senate Chamber, in 1781.

Following the big victory at Yorktown and the surrender of a sizeable portion of the British forces in North America, General Washington travelled to Philadelphia to report to the Continental Congress on the future of the war. His journey took him through Annapolis, where, over three days of festivities, his stunning victory was celebrated. The members of this legislature were so taken by his visit that the day after his departure, the House of Delegates directed Governor Thomas Sim Lee to commemorate the occasion with the installation of the General’s portrait for permanent display in the State House.

Governor Lee contracted with Maryland–native Charles Willson Peale to prepare the portrait. Peale was an ardent revolutionary himself who greatly admired Washington. Peale thought a simple portrait would be an insufficient honor to such a great hero. Instead, he painted an enormous painting depicting the moment of victory at Yorktown featuring Washington, Lafayette, and Marylander Charles Tilghman. As it would take Peale nearly three years to finish the work, it was not ready for Washington's return to this chamber a year later to resign his commission as commander in chief.

After leaving the army, Washington returned to Mount Vernon and resumed his efforts to foster development along the Potomac River. Washington, like many Virginians and Marylanders, believed the Potomac was the best route to establish a transportation connection to the west. He and other leading local politicians, who also happened to be the leading landowners, envisioned a series of canals that would make the Potomac accessible from Georgetown all the way to the Ohio River via one of its tributaries.

With this in mind, George Washington would use his return to the State House the following December for the public unveiling of Peale's masterpiece, again in this very chamber, to lobby the General Assembly to support his new canal plan. In his first foray back into public life, Washington would spend a week in Annapolis cajoling our predecessors to charter the Patowmack Canal Company. Working with his Maryland partners, Thomas Stone, Charles Carroll, and Samuel Chase (whose portraits adorn our current chamber), he got the charter approved and secured a \$3,333 appropriation (roughly \$2 million in current dollars) for the project.

Washington saw this as an excellent business proposition for himself and an essential investment in tying the western territories to the east coast. He worried that the lack of easy westward transportation connections would push the Northwest Territories back into European hands.

To further this goal, with his partners, he successfully pushed Maryland and Virginia to establish a free trade zone along the Potomac and laid out a series of small canals alternating on sides of the river to get around the biggest natural obstacles like Great Falls and Little Falls. Washington thought the Maryland/Virginia free trade agreement was a model for the rest of the country. He was a leading proponent of a free trade convention of the states that was held here in Annapolis in 1786. When only twelve representatives from six states made it in time for the convention (even Maryland failed to appoint representatives), the delegates agreed to try again the following year in Philadelphia with more time to assemble the states and with a much bigger agenda.

The Philadelphia Convention, chaired by Washington, would result in a new constitution that made interstate trade the sole responsibility of Congress and that envisioned a ten–mile square federal district to house the capital outside the jurisdiction of any single state. The capital had been bouncing between various towns since congress fled unpaid soldiers demonstrating in Philadelphia in 1783. The governor of Pennsylvania sympathized with the soldiers and refused pleas from Congress for protection. Understandably, Congress

wanted a federal district as insurance against fickle governors loyal more to their constituents than the federal government.

Following the ratification of the Constitution, our predecessors seized on the opportunity of gaining the national capital and adopted a measure stating “it is in the interest of this state to hold out every invitation, as an inducement to congress to fix their permanent residence within the limits of this state...and that as the fixing upon the banks of the Patowmack will be equally to the advantage of this state as that of Virginia...[Maryland] ought to share in the expenses which may be necessary in the accomplishment of this object. ...The proposition of Virginia ought to be acceded to, and [Maryland] should pass [a law] promising an advance of \$72,000...to be applied in such manner as congress shall direct towards erecting public buildings.” Little did they know that this grant would bring the biggest return on investment of any economic development incentive package in our state’s history. However, the Potomac plan faced stiff competition from proposals by Pennsylvania, New York, New Jersey, and South Carolina. Even Maryland was divided with many merchants favoring Baltimore as our state’s preferred location.

Building a national economy and establishing a new capital would dominate the debate in the new congress and the debate in Washington’s first cabinet. After roaming between various towns, Congress had settled into New York City in 1785 and had stayed. Now President, George Washington moved to New York, as did the new Secretary of State Thomas Jefferson and the newly elected Representative James Madison, who was the de facto majority leader. They were joined in the leadership of the new government by Treasury Secretary Alexander Hamilton. By then Hamilton had become one of New York’s most important citizens. Most people believed Hamilton wanted to keep the capital in New York permanently, but he had much bigger plans to accomplish.

Many of the northern states were struggling to repay their wartime debts. Debt payments exceeded what most states brought in in annual revenues. Continued hostility with Great Britain had reduced trade for northern businesses, and the new constitution had eliminated state taxes on interstate commerce. This debt load threatened to bankrupt states just as a new national government was taking shape. The slave labor enabled agricultural economies of the southern states to fare much better during this time. Most southern states had paid off their debts, and their congressional representatives were not interested in bailing out their northern counterparts and their city-dwelling residents. This idea was especially galling to the Virginian aristocrats. The assumption of unpaid northern state debts by the national government would mean higher taxes for their constituents – a risky proposition for any politician looking to win reelection.

To most Southern members of Congress, meeting in New York City was a significant inconvenience. It was far from home and difficult for them to keep up their slave-dependent lifestyle. Washington and his fellow Virginians struggled in their daily lives with fewer household slaves. Favorite slave cooks and servants were exposed to a vastly different world and many free African Americans. The slaveholders were fearful of their human property slipping off on a boat or up river to freedom. When a divided Congress selected a site on the Susquehanna River in Pennsylvania for the new federal capital district, the defeated Southerners were even more dismayed as Pennsylvania had enacted

an abolition law freeing any slave in the state in residence for more than 90 days. Their pampered days with their favorite slaves would be over. Hamilton seized upon their anxiety and discomfort to offer a compromise that would reverberate through American history.

On the evening of June 20th, 1790, Jefferson hosted Hamilton and Madison for a private dinner to finalize a grand bargain to settle both the so-called “assumption question” and the “residency question”. Hamilton offered the votes of the northern members for a change in the ‘residency’ of the capital. He proposed a site on the Potomac in Maryland, long preferred by and quite financially beneficial to President Washington, in exchange for Madison’s commitment of southern votes for his debt assumption plan. To gain the critical votes of the Pennsylvania delegation, the bargain included a temporary relocation of the capital back to Philadelphia with the proviso that Philadelphia would be the permanent location if the new federal district was not complete by 1800. It was a gamble the Philadelphians were willing to make to cement their status as America’s preeminent city. The grand bargain was an exercise in compromise and vote trading that would become a hallmark of America’s unique experiment in legislating policy.

In just three weeks, Madison and Hamilton would push the compromise through Congress to Washington’s desk. Several Maryland Congressman flipped their position on the debt plan to get the capital for our state. Angry merchants in Baltimore and the Eastern Shore would vent their frustrations with those officials who had supported the Potomac compromise. That November, with the entire congressional delegation elected at-large, those Congressman who supported the deal were thrown out of office thanks to an overwhelming and questionable 99% turnout of voters in Baltimore City. In response, the General Assembly, still dominated by the Federalists, would quickly end the practice of at-large congressional elections to limit the voting power of Baltimore. This political realignment would be the end of Federalist domination of Maryland politics and would foreshadow regional factionalism in our state for generations to come.

The final plan for the capital delegated the exact site decision to President Washington. He was to choose a location anywhere from the Eastern Branch of the Potomac, currently known as the Anacostia River, to Williamsport. This zone greatly disappointed those Marylanders who favored Baltimore or Fort Cumberland. After surveying the land with great fanfare, few were surprised that Washington chose the site closest to Mount Vernon for the new city. However, Washington did surprise many when he proposed the federal district extend into Virginia and include the city of Alexandria, including many of his properties and those of Martha’s family. (The enormous Custis plantation in Arlington would eventually pass down to Martha’s descendent Robert E. Lee. Seized by the federal government for his treason during the Civil War, the Lee–Custis estate is now the Arlington National Cemetery.)

Washington’s change in plans for the district needed congressional approval. Hamilton again seized on this opportunity and traded northern votes for the Alexandria amendment in exchange for southern support for his proposed national bank – the precursor of our current federal reserve bank. Always suspicious of Virginia’s power, northern congressmen included a provision mandating the construction of all public buildings on the Maryland side of the river.

George Washington was now tasked by Congress with constructing a grand city out of the wilderness with the added complication of no federal funds. As an experienced and successful land speculator, Washington was confident that the new federal district would attract investors from across the country and Europe anxious to buy into the greatest money making opportunity in the new country. Confident that his Potomac canal plan would be the critical western connection the country needed, he envisioned the new federal city would soon become America's largest port – a vibrant commercial and political center to rival London and to guarantee his vision for American dominance over the entire continent.

To accomplish the plan, he appointed three fellow local land speculating politicians as commissioners to manage the endeavor. Former Maryland Governor Thomas Johnson, Maryland Senator Daniel Carroll, whose plantation was the largest in Montgomery County, and Virginian David Stuart, whose wife Eleanor Calvert Custis was a member of Maryland's Calvert family and the widow of Washington's stepson, were initially appointed. The President's first directive to the commissioners was to select a name for the new district. He had Jefferson attend the meeting to let them know he had no expectation that the new city would be named for him. With the idea planted, the commissioners picked "Washington" as the city's name and "Columbia" as the name for the entire district. The name Columbia had been a favorite of the founders to counter the mythical image of Britannia.

The commissioners hired another Marylander Andrew Ellicott to fix the exact boundaries of the district. In turn, Ellicott would hire Maryland's preeminent mathematician and his longtime family friend Benjamin Banneker to do the astronomical calculations to layout the boundary markers.

Washington recruited another personal favorite, Pierre L'Enfant, to design the city. L'Enfant's grand design embodied Washington's vision for the city with grand boulevards radiating out from the capitol building and executive mansion like rays of light to all corners of the continent. It was a significant departure from the modest plan prepared by Jefferson to add a small government complex adjacent to Georgetown.

The commissioners established a budget of \$1 million to build the infrastructure of the city and construct the public buildings. The Maryland General Assembly granted the commission the power of eminent domain to acquire the necessary property and appropriated \$72,000 promptly. Virginia pledged \$120,000, and the commissioners were confident that another \$800,000 would be raised quickly through land sales. Washington travelled to Georgetown to personally negotiate land purchases with local owners. He used his charm and charisma to earn their participation. He enticed people with his confidence that wealthy Americans would flock to the new city.

Unfortunately, Washington's vision would soon be battered by 18th century reality. A new city would need to rise from a combination of wilderness and farmland, but L'Enfant's design centered the new city hours away by horse and boat from existing merchants and laborers in Georgetown and Alexandria. People were needed to build the city, but no

housing was available. Washington mandated that all new housing had to be constructed with bricks and be two stories tall. He did not want shacks in the heart of his city. The pace of construction was extremely slow.

The first auction was a complete failure when only \$8,000 was raised. To add insult to injury, Virginia was perpetually delinquent in meeting its pledge, so the commissioners were entirely dependent on Maryland's contribution. To begin the work, the commissioners rented slaves from nearby plantations in Montgomery and Prince George's counties.

Two-thirds of the workforce to build America's new temple of democracy were American slaves, who would be forced to do the backbreaking work of cutting trees, clearing land, leveling hills, digging foundations, making bricks, and building walls in the sweltering heat and humidity of summer and the freezing cold of winter. Away from their normal confinement and living in even more squalid conditions, these Americans would have their hair and eyebrows forcibly shaved to more easily identify those who resisted captivity by escaping. Unlike their white contemporaries and the remarkable Benjamin Banneker, these African Americans would remain anonymous except for a few first names in property logs and invoices. The efforts Kitt and Bob, Charles and Peter, Nace, Basil, Will, Auston, James, and George would never be properly rewarded and their contributions would be whitewashed from history until recently.

As the clock ticked down toward the 1800 deadline, George Washington would become even more actively involved in the project. He would push the commissioners to support ever riskier financial schemes. He would support raising funds through a lottery, with the two grand prize winners to receive a hotel on Pennsylvania Avenue and a mansion neighboring the yet-to-be-built presidential residence. Neither structure was ever built, and the lottery collapsed. He would support selling large tracks of land at bargain prices in exchange for promised investments and loans. The eventual collapse of this scheme would result in the impeachment of Pennsylvania's state treasurer, the removal of one of its US Senators, and the bankruptcy of the wealthiest person in the country.

The whole project was once again saved by the need of another legislative compromise. This time northern merchants were desperate to gain approval of a new trade deal with Great Britain. Under the terms of the deal known as the "Jay Treaty," the British offered to finally abandon their forts on the American side of the Great Lakes, including Detroit, and to use their navy to protect American shipping. The United States promised to restrict the size of American merchant vessels and to deny port access to French naval vessels. The deal greatly offended pro-French officials like Jefferson and Madison who felt that Washington was deserting his old French allies. Hamilton again offered the deal saving compromise. With northern support, Congress would finally provide direct funding for construction of the city in exchange for southern support for implementing the new treaty.

Still short of funds, Washington would have to return to Annapolis one last time to make a personal appeal for a \$100,000 line of credit from our state government. Thanks to his intervention, the State Senate approved the loan by only one vote.

Washington would soldier on with the project even as others started to see it as a folly. Many observers believed the whole endeavor would collapse upon his death. His successor as president, John Adams, never caught Potomac fever and promised to do no more than what was legally necessary to advance the effort. A committed Federalist, Adams had little desire to move the capital to a rural southern outpost perpetually dependent on slave labor for survival.

After retiring from the presidency in 1797, Washington returned to Mount Vernon and his focus on the Potomac. He travelled frequently to the city to check on progress and regularly sent directions to commissioners. He fought against efforts to reduce costs to relocate the president's mansion and office to Capitol Hill. Both he and Adams believed that a strong and independent executive branch needed to not only legally separate but physically distant from the Congress. Both presidents had grown tired of Congressman meddling in executive departments by regularly wondering into their offices. A long journey down Pennsylvania Avenue would keep Congressman on their side of the city.

By the time of Washington's sudden and unexpected death in 1799, his city was close to being ready, albeit in minimal condition. While L'Enfant's extravagant plan offended their yeoman farmer sensibilities, Jefferson and Madison had grown weary of Philadelphia. The wealthy merchants of the city had grown too influential in the Halls of Congress with promises of money and gifts. Southerners had also grown resentful of America's largest and most prosperous free African American community. They yearned for America's great new national capital and commercial center to be safely ensconced in slave-holding territory.

We probably all know the story from here. President Adams and Congress relocate to the new City of Washington before the deadline, but the canal company and the dream of a Potomac route to the west fail miserably. The great Metropolis of America grows on the Hudson instead. A national capital based in the south helps enable slavery's despicable continuation. By 1843, a new generation of Maryland legislators grows frustrated with the lack of economic benefits from the federal city and actually passes a resolution demanding our original \$72,000 refunded with interest. This request, which is repeated several times, is never granted by Congress.

However, the grand capital city as the embodiment of our democratic aspirations and our national unity survives and eventually thrives. The public buildings that evolve over the decades become iconic images for freedom seeking individuals around the world. L'Enfant's vision of liberty lighting the continent and the world from the heart of our democracy does come to pass.

As Americans and particularly as Marylanders, we are the current beneficiaries of this legacy of hope and sorrow, of greed and unrelenting faith and optimism. The framers of our Constitution envisioned a strong federal government with a vibrant, functioning national capital to protect and perpetuate the Union. Lincoln understood the importance of the symbols of our democratic faith. He would not delay work on the Capitol Dome even during the height of the Civil War. As we struggle to find common purpose in this challenging time, the vision of Washington – the man and his city – offer us a call down through the centuries for a unity of purpose and spirit. I fear we place ourselves at great peril if we turn away

from that vision. Together, we must not let this dream of a brighter future for our country and for humanity perish.

WITH SINCERE THANKS AND APPRECIATION FOR THE HELP AND ASSISTANCE OF ELAINE RICE BACHMANN, DEPUTY STATE ARCHIVIST, MIMI CALVER WITH FRIENDS OF THE MARYLAND STATE ARCHIVES, AND THE OTHER UNNAMED RESEARCHERS AT THE STATE ARCHIVES WHO PUT TOGETHER DOCUMENTS HELPFUL TO PUTTING TOGETHER THIS SPEECH.

ADJOURNMENT

At 9:10 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Tuesday, February 21, 2017.

Annapolis, Maryland
Tuesday, February 21, 2017
10:00 A.M. Session

The Senate met at 10:02 A.M.

Prayer by Father Kevin Regan, Holy Family Parish, guest of Senator Reilly.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 271)

On motion of Senator Peters it was ordered that Senators Miller and Mathias be excused from today's session.

The Journal of February 20, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 342 – Senator James Brochin:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Calvert Hall College High School
in recognition of
your Competitive Marching Band winning the USBands Group II National
Championship.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 272)

INTRODUCTORY SENATE BILLS NO. 44

Senate Bill 1121 – Senator Conway

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,
Article – Election Law
Section 5–706
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

Senate Bill 1122 – Senator Conway

AN ACT concerning

**Alcoholic Beverages – Baltimore City – Transfer of License – Hardship
Extension**

FOR the purpose of authorizing the holder of a certain alcoholic beverages license in Baltimore City or another appropriate interested party to make a written request to the Board of License Commissioners for Baltimore City to extend the time authorized for the transfer of the license due to hardship; authorizing the Board to grant a certain time extension for the transfer of a certain license if the Board makes a certain finding after a hearing; limiting the time period of a certain extension approved by the Board; and generally relating to the transfer of 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 12–1705
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

Senate Bill 1123 – Senator Conway

AN ACT concerning

State Lottery and Gaming Control Agency – Procurements

FOR the purpose of requiring that certain procurements made through competitive sealed bids or competitive sealed proposals by the State Lottery and Gaming Control Agency be awarded to the responsible bidder or offeror who submits the lowest responsive bid or proposal under certain circumstances; and generally relating to procurements made by the State Lottery and Gaming Control Agency.

BY adding to

Article – State Finance and Procurement

Section 13–105.1

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1124 – Senator Conway

AN ACT concerning

Maryland Dentistry Act – Scope of Practice and Penalties for Violations

FOR the purpose of prohibiting a person from being considered to be practicing dentistry or violating certain provisions of law based solely on whether the person provides certain services or engages in certain acts; providing that certain provisions of law do not prohibit a dentist or dental practice from contracting to receive or receiving certain services or benefiting from certain acts; prohibiting the State Board of Dental Examiners from prohibiting a person from contracting to provide certain services or engaging in certain acts, or a dentist or dental practice from contracting to receive or receiving certain services or benefiting from certain acts; prohibiting a person from aiding or abetting the unauthorized practice of dentistry in the State; altering certain penalties for certain acts related to the unauthorized practice of dentistry; altering certain penalties for violating certain provisions of law related to dental laboratory work or advertising a dental appliance; providing for the application of certain provisions of this Act; repealing certain provisions of law that specify certain places of imprisonment; defining a certain term; altering a certain definition; and generally relating to the scope of practice of dentistry and penalties for violations of the Maryland Dentistry Act.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 4–101, 4–301, 4–601, and 4–606
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

Senate Bill 1125 – Senator Klausmeier

AN ACT concerning

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

FOR the purpose of requiring the State Lottery and Gaming Control Commission to adopt regulations that require each video lottery operator to adopt certain procedures to offer certain players the opportunity to donate coins when receiving cash on payout to the Maryland Veterans Trust Fund under certain circumstances; and generally relating to gaming payouts and revenues for the Maryland Veterans Trust Fund.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–01(a) and (cc)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–04(d)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

FINANCE COMMITTEE REPORT NO. 11

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

Senate Bill 8 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Insurance – Risk Management and Own Risk and Solvency Assessment Act

SB0008/277270/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 8

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3, 6, 8, 9, and 10, in each instance, strike “insurers” and substitute “carriers”; in line 3, after “framework” insert “for certain purposes”; in line 4, strike “insurers” and substitute “carriers or certain insurance groups”; in line 5, strike “insurer’s” and substitute “carrier’s or insurance group’s”; in line 6, strike “provide” and substitute “submit to”; in the same line, strike “with”; in line 7, after “report” insert “or reports”; in the same line, after “request” insert “or if the Commissioner is the lead state commissioner of a certain insurance group; requiring a carrier to determine a certain date of a certain filing and notify the Commissioner of the anticipated date; requiring a certain executive to sign a certain report and attest to certain facts; requiring certain reports to be accompanied by a certain translation”; in lines 15, 16, and 17, in each instance, strike “an insurer” and substitute “a carrier”; in line 15, strike the first “a”; in line 16, strike “for” and substitute “of”; in lines 17 and 22, in each instance, strike “insurer” and substitute “carrier”; in line 19, after “of” insert “certain provisions of”; in the same line, after “period” insert “of time”; in line 21, after “documentation” insert “and supporting information”; strike beginning with “in” in line 22 down through “requirements” in line 23 and substitute “and made available on examination or request of the Commissioner; requiring the Commissioner to review the report and request additional information using certain procedures; requiring the report to include a certain summary”; in line 24, strike “documents and”; in line 25, strike “are” and substitute “is”; in the same line, after “privileged” insert “and may not be subject to certain provisions of law, subpoena, or discovery or admission in evidence in a certain action; prohibiting the Commissioner, except under certain circumstances, from making certain information public without the prior written consent of a certain carrier”; in line 26, after “entities” insert “and persons”; in the same line, after “circumstances,” insert “authorizing the Commissioner to receive certain information under certain circumstances; requiring the Commissioner to enter into a written agreement with certain persons governing the sharing and use of certain information;”; in line 27, strike “a written” and substitute “the”; strike beginning with “governing” in line 27 down through “entities” in line 28 and substitute “; providing that the sharing of certain information and documents by the Commissioner may not constitute a delegation of regulatory authority or rulemaking; providing that the Commissioner is solely responsible for the administration, execution, and enforcement of certain provisions of this Act; providing that a waiver of a certain privilege or claim of confidentiality in certain information may not occur as a result of the disclosure or sharing of the information under certain circumstances”; in line 28, strike

“authorizing” and substitute “establishing”; in line 29, strike “violation of this Act” and substitute “failure to timely file a certain report; authorizing the Commissioner to reduce a certain penalty under certain circumstances; providing that a certain provision of this Act does not limit the authority of the Commissioner to take certain actions”; in the same line, strike “to carry” and substitute “consistent with”.

On page 2, in line 1, strike “out” and substitute “certain provisions of”; in the same line, after “of” insert “certain provisions of”; and in line 2, strike “insurer” and substitute “carrier”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“(B) ‘‘CARRIER’’ MEANS:

(1) AN INSURER;

(2) A NONPROFIT HEALTH SERVICE PLAN;

(3) A HEALTH MAINTENANCE ORGANIZATION; OR

(4) A DENTAL PLAN ORGANIZATION.”;

in line 17, strike “(B)” and substitute “(C)”; in line 18, strike “INSURERS” and substitute “CARRIERS”; strike in their entirety lines 20 through 24, inclusive; in line 29, strike “AN INSURER” and substitute “A CARRIER”; in the same line, strike “INSURER” and substitute “CARRIER”; and in line 31, strike “INSURER’S” and substitute “CARRIER’S”.

On page 3, in lines 6, 8, and 13, in each instance, strike “AN INSURER” and substitute “A CARRIER”; in line 19, strike “INSURERS” and substitute “CARRIERS”; in lines 22, 26, and 27, in each instance, strike “INSURER” and substitute “CARRIER”; and in line 25, strike “AN INSURER” and substitute “A CARRIER”.

On page 4, in lines 1 and 12, in each instance, strike “AN INSURER” and substitute “A CARRIER”; in lines 8, 15, 17, 21, and 30, in each instance, strike “INSURER” and substitute “CARRIER”; and in lines 23, 26, and 27, in each instance, strike “INSURER’S” and substitute “CARRIER’S”.

On page 5, in line 1, strike “INSURER’S” and substitute “CARRIER’S”; in lines 3 and 14, in each instance, strike “AN INSURER” and substitute “A CARRIER”; in lines 5, 15, 19, 25, 28, and 32, in each instance, strike “INSURER” and substitute “CARRIER”; in lines 24 and 33, in each instance, strike “AN INSURER” and substitute “A CARRIER”; in line 29, strike “IN” and substitute “REQUIREMENT UNDER”; and in line 31, strike “INSURERS” and substitute “CARRIERS”.

On page 6, in lines 3, 8, 18, and 28, in each instance, strike “INSURER” and substitute “CARRIER”; in line 4, strike “AN INSURER” and substitute “A CARRIER”; in line 9, strike “INSURERS” and substitute “CARRIERS”; in lines 12 and 13, in each instance, strike “INSURER’S” and substitute “CARRIER’S”; in line 13, after “FOR” insert “A”; and in line 21, strike “AN INSURER” and substitute “A CARRIER”.

On page 7, in lines 1 and 6, in each instance, strike “AN INSURER” and substitute “A CARRIER”; in lines 4, 10, and 11, in each instance, strike “INSURER” and substitute “CARRIER”; in lines 8, 28, and 32, in each instance, strike “INSURER’S” and substitute “CARRIER’S”; and in lines 10 and 23, in each instance, strike “INSURERS” and substitute “CARRIERS”.

On page 8, in line 15, strike “INSURER” and substitute “CARRIER”; in the same line, strike “THEY PERTAIN” and substitute “IT PERTAINS”; and in line 16, strike “NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, THE” and substitute “THE”.

On page 10, in line 2, strike “INSURERS” and substitute “CARRIERS”; in lines 14 and 19, in each instance, strike “AN INSURER” and substitute “A CARRIER”; and in lines 21 and 24, in each instance, strike “INSURER” and substitute “CARRIER”.

On page 11, in lines 16 and 18, in each instance, strike “INSURER” and substitute “CARRIER”.

AMENDMENT NO. 3

On page 6, in line 10, strike “MAY COORDINATE WITH” and substitute “SHALL CONTACT”; and in line 11, strike “WITH”.

AMENDMENT NO. 4

On page 8, in line 2, strike “DOCUMENTS, MATERIAL, OR OTHER” and substitute “ORSA-RELATED”; in lines 4, 6, 7, 9, and 10, in each instance, strike “ARE” and substitute “IS”; strike beginning with “THE DOCUMENTS” in line 13 down through “OTHER” in line 14 and substitute “ORSA-RELATED”; in lines 17 and 23, in each instance, strike “THE DOCUMENTS, MATERIAL, OR OTHER” and substitute “ORSA-RELATED”; strike beginning with “DOCUMENTS” in line 20 down through “OTHER” in line 21; in line 23, strike “ARE” and substitute “IS”; in line 25, strike “DOCUMENT, MATERIAL, OR” and substitute “ORSA-RELATED”; in line 29, strike “DOCUMENTS, MATERIAL, OR OTHER”; in line 31, strike “DOCUMENTS, MATERIAL, OR” and substitute “ORSA-RELATED”; and in the same line, strike “ARE” and substitute “IS”.

On page 9, in lines 6, 9, 11, and 20, in each instance, strike “DOCUMENTS, MATERIAL, OR” and substitute “ORSA-RELATED”; strike beginning with “DOCUMENTS” in line 13 down through “OTHER” in line 14; strike beginning with “DOCUMENT” in line 23 down through “OR” in line 24 and substitute “ORSA-RELATED”; and in line 30, after “OF” insert “ORSA-RELATED”.

On page 10, in line 5, strike “DOCUMENTS, MATERIAL, OR OTHER”; in line 9, after the second “THE” insert “ORSA-RELATED”; in line 12, after “THE” insert “ORSA-RELATED”; in lines 15 and 21, in each instance, after “CONFIDENTIAL” insert “ORSA-RELATED”; in line 25, after “OF” insert “ORSA-RELATED”; in line 32, strike “OR DOCUMENTS”; and in line 33, after “SHARING” insert “THE ORSA-RELATED INFORMATION”.

On page 11, in line 1, strike “DOCUMENTS, MATERIAL, OR OTHER” and substitute “ORSA-RELATED”; in line 3, strike “ARE” and substitute “IS”; in lines 4, 6, and 7, in each instance, strike “MAY” and substitute “IS”; in the same lines, in each instance, strike “BE”; and in line 8, strike “PRIVATE”.

AMENDMENT NO. 5

On page 9, in line 25, after “(F)” insert “(1)”; in line 27, strike the second comma and substitute “.

(2) THE AGREEMENT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION”;

in line 28, strike “THAT”; and in line 29, strike “(1)” and substitute “(I)”.

On page 10, in lines 3, 7, 11, 14, 18, and 23, strike “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively; and in line 24, after “PROVIDE” insert“:

1. THAT THE THIRD-PARTY CONSULTANT SHALL BE UNDER THE DIRECTION AND CONTROL OF THE COMMISSIONER AND ACT IN A PURELY ADVISORY CAPACITY;

2. THAT THE THIRD-PARTY CONSULTANT IS SUBJECT TO THE SAME CONFIDENTIALITY STANDARDS AND REQUIREMENTS AS THE COMMISSIONER;

3. THAT THE THIRD-PARTY CONSULTANT SHALL VERIFY TO THE COMMISSIONER, WITH NOTICE TO THE CARRIER, THAT THE THIRD-PARTY CONSULTANT:

A. IS FREE OF ANY CONFLICT OF INTEREST;

B. HAS INTERNAL PROCEDURES IN PLACE TO ENSURE THAT IT REMAINS FREE OF ANY CONFLICT OF INTEREST; AND

C. WILL COMPLY WITH THE CONFIDENTIALITY STANDARDS AND REQUIREMENTS OF THIS ARTICLE;

4. THAT, BEFORE USING A CARRIER’S ORSA-RELATED INFORMATION IN A MANNER INCONSISTENT WITH THE AGREEMENT WITH THE COMMISSIONER OR SHARING THE CARRIER’S ORSA-RELATED INFORMATION WITH A PERSON OTHER THAN THE COMMISSIONER, THE THIRD-PARTY CONSULTANT SHALL OBTAIN WRITTEN CONSENT OF THE CARRIER; AND

5.”.

AMENDMENT NO. 6

On page 11, in line 10, strike “(1) AN INSURER” and substitute “SUBJECT TO § 2-210 OF THIS ARTICLE, A CARRIER”; strike in their entirety lines 14 and 15; in line

16, after “PENALTY” insert “UNDER SUBSECTION (A) OF THIS SECTION”; and strike beginning with “TO” in line 23 down through “TITLE” in line 27.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 206 – Senator Feldman

AN ACT concerning

**Financial Institutions – Qualifications of Directors of Commercial
Banks – Residency**

SB0206/427570/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 206

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Feldman” and substitute “Senators Feldman, Astle, Benson, Hershey, Jennings, Oaks, Klausmeier, Mathias, Middleton, Reilly, and Rosapepe”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 433 – Senators Klausmeier, Benson, Eckardt, Kelley, Madaleno,
Middleton, Muse, Rosapepe, Salling, and Young**

AN ACT concerning

**Substance Use Treatment – Inpatient and Intensive Outpatient Programs –
Consent by Minor**

SB0433/857179/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 433

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Astle, Feldman, Hershey, Jennings, Mathias, Oaks, and Reilly”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 465 – Senators Kagan, Astle, Bates, Benson, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Reilly, Robinson, Rosapepe, Salling, Serafini, Simonaire, Smith, Waugh, Young, Zirkin, and Zucker

AN ACT concerning

Maryland Nonprofit Development Center Program and Fund – Bridge Loans

SB0465/397774/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 465

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Oaks, Kasemeyer, and Brochin”; 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;”; strike beginning with “proceeds” in line 8 down through “circumstances” in line 9 and substitute “money in the Account”; in line 13, strike “a bridge loan to be repaid within a certain period of time” and substitute “the Department to establish a certain schedule and terms of repayment for a bridge loan”; and strike beginning with “amount” in line 14 down through “Fund” in line 15 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 15, 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 15, after “(1)” insert “**(I)**”; after line 16, 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 21 down through “**ARTICLE**” in line 22 and substitute “**IN THE NONPROFIT, INTEREST–FREE, MICRO BRIDGE LOAN (NIMBL) ACCOUNT**”.

On page 5, strike in their entirety lines 4 through 6, inclusive; in line 24, after “LOAN” insert “FOR OPERATING EXPENSES”; in line 25, strike “IS WAITING TO RECEIVE THE” and substitute “HAS RECEIVED WRITTEN CONFIRMATION OF”; and in line 26, after “CONTRACT” insert “BUT HAS NOT YET RECEIVED THE FUNDING”.

AMENDMENT NO. 3

On page 6, strike in their entirety lines 1 through 3, 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.”;

in line 28, after “(6)” insert “(I)”; and in line 29, 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;”.

On page 7, in line 6, strike the brackets; and strike beginning with “5%” in line 7 down through “(10)” in line 10.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 5

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

Senate Bill 57 – Senators DeGrange and Kasemeyer

AN ACT concerning

Income Tax Credit – Class F Vehicles – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 159 – Senator Waugh

AN ACT concerning

Sales and Use Tax – Aircraft Parts and Equipment – Exemption

SB0159/429830/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 159

(First Reading File Bill)

AMENDMENT NO. 1

In the sponsor line, strike “Senator Waugh” and substitute “Senators Waugh, Peters, and Middleton”; and in line 5, after “systems;” insert “requiring the Comptroller to report to the General Assembly on or before a certain date each year; providing for the termination of this Act;”.

AMENDMENT NO. 2

In line 16, before “**THE**” insert “**(A)**”; after line 19, insert:

“(B) ON OR BEFORE DECEMBER 31 EACH YEAR, THE COMPTROLLER SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON:

(1) THE AMOUNT OF SALES AND USE TAX REVENUE LOST FROM THE EXEMPTION UNDER THIS SECTION; AND

(2) ANY CHANGE TO THE NUMBER OF AVIATION TECHNICIANS EMPLOYED IN THE STATE AS A RESULT OF THE EXEMPTION UNDER THIS SECTION.”;

and in line 21, after “2017.” insert “It 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, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 180 – Senators Peters, Currie, Feldman, Guzzone, King, and Manno

AN ACT concerning

Independent Living Tax Credit Act

SB0180/179732/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 180

(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 5, strike “Department of Housing and Community Development” and substitute “Department of Disabilities”; 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 2 down through the first “HOME” in line 3; strike beginning with the second “DEPARTMENT” in line 5 down through “DEVELOPMENT” in line 6 and substitute “DEPARTMENT OF DISABILITIES”; in line 7, after “(4)” insert ““DISABILITY” HAS THE MEANING STATED IN § 7–101 OF THE HUMAN SERVICES ARTICLE.”

(5);

in line 9, strike “(1)”; in line 10, strike “OR A CORPORATION”; in line 12, strike “OR CONSTRUCT A NEW HOME”; strike in their entirety lines 14 through 17, inclusive; and in line 29, 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.

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

Senate Bill 200 – Senators King, Currie, DeGrange, Feldman, Ferguson, Guzzone, Madaleno, Manno, McFadden, Middleton, Peters, and Young

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 226 – Senators Manno, Edwards, Feldman, Hough, Kasemeyer, King, Lee, Madaleno, Peters, Serafini, and Young

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

SB0226/359635/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, DeGrange, and McFadden”; in line 6, after “credit;” insert “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;”; and in line 16, strike “10-725(a)(7)” and substitute “10-725(a)(3) and (7) and (f)”.

AMENDMENT NO. 2

On page 1, after line 23, insert:

“(3) (i) **1.** “Company” means any entity of any form duly organized and existing under the laws of any jurisdiction for the purpose of conducting business for profit.

2. “COMPANY” INCLUDES AN ENTITY THAT BECOMES DULY ORGANIZED AND EXISTING UNDER THE LAWS OF ANY JURISDICTION FOR THE PURPOSE OF CONDUCTING BUSINESS FOR PROFIT WITHIN 4 MONTHS OF RECEIVING A QUALIFIED INVESTMENT.

(ii) “Company” does not include a sole proprietorship.”.

On page 2, after line 19, insert:

“(f) (1) The credit claimed under this section shall be recaptured as provided in paragraph [(2)](3) of this subsection if within 2 years from the close of the taxable year for which the credit is claimed:

(i) the qualified investor sells, transfers, or otherwise disposes of the ownership interest in the qualified Maryland biotechnology company that gave rise to the credit; or

(ii) the qualified Maryland biotechnology company that gave rise to the credit ceases operating as an active business with its headquarters and base of operations in the State.

(2) THE CREDIT CLAIMED UNDER THIS SECTION SHALL BE RECAPTURED AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION IF, WITHIN 4 MONTHS OF RECEIVING A QUALIFIED INVESTMENT, A QUALIFIED MARYLAND BIOTECHNOLOGY COMPANY IS NOT DULY ORGANIZED AND EXISTING UNDER THE LAWS OF ANY JURISDICTION FOR THE PURPOSE OF CONDUCTING BUSINESS FOR PROFIT.

[(2)] (3) The amount required to be recaptured under this subsection is the product of multiplying:

(i) the total amount of the credit claimed or, in the case of an event described in paragraph (1)(i) of this subsection, the portion of the credit attributable to the ownership interest disposed of; and

(ii) 1. 100%, if the event requiring recapture of the credit occurs during the taxable year for which the tax credit is claimed;

2. 67%, if the event requiring recapture of the credit occurs during the first year after the close of the taxable year for which the tax credit is claimed; or

3. 33%, if the event requiring recapture of the credit occurs more than 1 year but not more than 2 years after the close of the taxable year for which the tax credit is claimed.

[(3)] (4) The qualified investor that claimed the credit shall pay the amount to be recaptured as determined under paragraph [(2)](3) of this subsection as taxes payable to the State for the taxable year in which the event requiring recapture of the credit occurs.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 228 – Senators Salling, Astle, Bates, Cassilly, Conway, Eckardt, Guzzone, Hershey, Jennings, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Mathias, Middleton, Muse, Norman, Peters, Ready, Rosapepe, Serafini, Simonaire, Young, and Zucker

AN ACT concerning

Video Lottery Terminals – Disposition of Unclaimed Winnings

SB0228/609834/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 228

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Smith, and McFadden”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 255 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement Agency – Authority to Arrange Custody of Investments and Procurement Exemption

SB0255/479938/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 255

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Agency” and substitute “and Pension System”; in line 5, strike “State Retirement Agency” and substitute “Board of Trustees for the State Retirement and Pension System”; strike beginning with “Chief” in line 7 down through “Agency” in line 8 and substitute “Board of Trustees; providing for the application of this Act”; strike in their entirety lines 15 through 19, inclusive; and in line 22, strike “21–122(d)” and substitute “21–123”.

AMENDMENT NO. 2

On page 2, in line 16, strike “§ 21–122(D)” and substitute “§ 21–123(F)”; and strike in their entirety lines 19 through 31, inclusive, and substitute:

“21–123.

(a) Except for those assets that the law requires another entity or person to control, the State Retirement Agency, under the supervision of the Board of Trustees, shall manage all assets of the several systems.

(b) The Board of Trustees:

(1) is deemed the owner of all the assets of the several systems; but

(2) may delegate some or all incidents of ownership to the State Retirement Agency to administer the investment portfolios of the several systems.

(c) (1) The Board of Trustees may invest assets of the several systems subject to the conditions that it imposes.

(2) The Board of Trustees shall include the conditions that it adopts under paragraph (1) of this subsection in the investment policy manual required by § 21–116(c) of this subtitle.

(d) (1) This subsection applies only to the execution of:

(i) ground rent redemption deeds;

(ii) releases or reassignments of mortgages; and

(iii) satisfactions or reassignments of notes conveying, releasing, or reassigning any interest owned by the State for the use of a fund of the several systems.

(2) An instrument must be executed by any two of:

(i) the State Treasurer;

(ii) the Executive Director of the State Retirement Agency;

(iii) the Chief Investment Officer of the State Retirement Agency; or

(iv) another employee of the State Retirement Agency as the Executive Director designates with the approval of the Board of Trustees.

(e) (1) The Board of Trustees may commingle assets of the several systems, including the Postretirement Health Benefits Trust Fund, if the Board of Trustees keeps separate sets of records for each State system or group of State systems listed in paragraph (2) of this subsection that show:

(i) the percentage of participation of each State system or group of State systems, including the Postretirement Health Benefits Trust Fund;

(ii) the percentage of income, gains, and losses applicable to each State system or group of State systems, including the Postretirement Health Benefits Trust Fund; and

(iii) the total contributions and disbursements applicable to each State system or group of State systems, including the Postretirement Health Benefits Trust Fund.

(2) The Board of Trustees shall keep records required by paragraph (1) of this subsection for each of the following:

(i) the group that consists of the Correctional Officers' Retirement System, the Employees' Pension System, the Employees' Retirement System, and the Legislative Pension Plan;

(ii) the Judges' Retirement System;

(iii) the Law Enforcement Officers' Pension System;

(iv) the State Police Retirement System;

(v) the group that consists of the Teachers' Pension System and the Teachers' Retirement System; and

(vi) the Postretirement Health Benefits Trust Fund.

(F) ON BEHALF OF THE SEVERAL SYSTEMS, THE BOARD OF TRUSTEES SHALL MAKE ARRANGEMENTS FOR THE SAFE CUSTODY, DOMESTIC OR GLOBAL, OF INVESTMENTS WITH ONE OR MORE DULY QUALIFIED CUSTODIAN BANKS OR TRUST COMPANIES.

[(f)] (G) (1) Notwithstanding any other law in force on or after July 1, 1988, unless the law makes specific reference to this subsection, and subject to paragraph (2) of this subsection, the Board of Trustees may keep all analyses, forecasts, negotiations, papers, records, recommendations, and reports closed to public inspection until:

(i) the release of the information would not adversely affect the negotiation for or market price of a security; and

(ii) completion of:

1. a proposed purchase or program of purchases leading to a cumulative position in a security;

2. the making, sale, or prepayment of a loan;

3. any proposed sale or program of sales leading to the elimination of a position in a security; or

4. the sale or purchase of real estate.

(2) The sale or purchase of real estate shall be subject to the approval of a majority of the Comptroller, Treasurer, and Secretary of Budget and Management, in their capacity as members of the Board of Trustees.

~~[(g)]~~ (H) Any direct owned real estate purchased as an investment by the State Retirement and Pension System shall be managed by an external investment manager selected by the Chief Investment Officer.

~~[(h)]~~ (I) Title 4, Subtitle 3, Part III and § 10–305 of the State Finance and Procurement Article do not apply to the sale, acquisition, lease, transfer, exchange, or other disposition of any real or personal property acquired by the Board of Trustees in any transaction authorized under this title.”.

AMENDMENT NO. 3

On page 4, after line 7, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any contract or amendments to any contracts resulting from a request for proposals for global custody services issued by the State Treasurer before the effective date of this Act.”;

and in line 8, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 257 – Senators Kasemeyer and Guzzone

AN ACT concerning

**Program Open Space – Authorized Transfer to the Maryland Heritage Areas
Authority Financing Fund – Increase**

SB0257/329935/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 257

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Guzzone” and substitute “. Guzzone, and Manno”; and in line 7, after “Space;” insert “requiring that, if more than a certain amount of funding is transferred to the Maryland Heritage Areas Authority Fund in accordance with this Act, a certain amount of the funding be provided from the State’s share of funds;”.

AMENDMENT NO. 2

On page 1, in line 19, strike “Of” and substitute “**(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, OF**”; and after line 24, insert:

“(II) IF THE AMOUNT TRANSFERRED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH EXCEEDS \$3,000,000, THE AMOUNT EXCEEDING \$3,000,000 SHALL BE PROVIDED FROM THE STATE’S SHARE OF FUNDS.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

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

Senate Bill 297 – Senator Waugh

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.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

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

Senate Bill 397 – Senators Edwards and Madaleno

AN ACT concerning

**Local Income Tax Overpayments – Local Reserve Account Repayment –
Forgiveness**

SB0397/999032/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 397
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Madaleno” and substitute “, Madaleno, and Eckardt”; and in line 12, after “reimbursement;” insert “stating the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, after line 32, 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 33, 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.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

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

Senate Bill 416 – Senators Middleton, Madaleno, and Peters

AN ACT concerning

Income Tax Credit – Qualified Farms – Food Donation Pilot Program

SB0416/299736/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 416
(First Reading File Bill)

On page 1, in the sponsor line, strike “and Peters” and substitute “Peters, Kasemeyer, Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, King, Manno, McFadden, and Serafini”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 518 – Senators Young and Hough

AN ACT concerning

Frederick County – Gaming Events – Sunday Hours of Operation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 569 – Charles County Senators

AN ACT concerning

Charles County – Property Tax Credit – Commerce Zones

SB0569/799534/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 569

(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.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

BUDGET AND TAXATION COMMITTEE REPORT NO. 6

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

House Bill 74 – Delegate Grammer

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.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 6

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

Senate Bill 217 – Senators Kelley, Astle, Benson, Cassilly, Conway, Currie, DeGrange, Eckardt, Ferguson, Guzzone, Kagan, Kasemeyer, King, Klausmeier, Lee, Madaleno, Manno, McFadden, Middleton, Nathan–Pulliam, Pinsky, Ready, Reilly, Robinson, Rosapepe, Simonaire, and Smith

AN ACT concerning

Criminal Law – Sexual Offenses – Physical Resistance

SB0217/478779/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 217

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Smith” and substitute “Smith, Zirkin, Hough, Muse, Norman, Brochin, and Ramirez”.

AMENDMENT NO. 2

On page 1, in line 6, strike “altering certain definitions;”; and strike in their entirety lines 8 through 12, inclusive.

On pages 1 through 3, strike in their entirety the lines beginning with line 21 on page 1 through line 17 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.

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

Senate Bill 220 – Senators Lee, Feldman, Kelley, King, Manno, and Young

AN ACT concerning

Police Training Commission – Training Requirements – Human Trafficking

SB0220/188878/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 220

(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.

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

Senate Bill 221 – Senators Lee, Feldman, Kelley, King, Manno, and Young

AN ACT concerning

Adult Entertainment Establishments – National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

SB0221/638779/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 221

(First Reading File Bill)

On page 2, strike beginning with the colon in line 20 down through “(I)” in line 21.

On pages 2 and 3, strike beginning with the semicolon in line 22 on page 2 down through “INTEREST” in line 7 on page 3.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 229 – Senators Cassilly, Norman, and Ready

AN ACT concerning

**Criminal Law – Homicide by Motor Vehicle or Vessel While Impaired by
Controlled Dangerous Substance – Penalties**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 349 – Senator Zirkin

AN ACT concerning

**Criminal Procedure – Sexual Assault Victims’ Rights – Disposal of Rape Kit
Evidence and Notification**

SB0349/998279/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 349

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Zirkin” and substitute “Senators Zirkin, Kelley, Brochin, Cassilly, Hough, Lee, Muse, Norman, Ramirez, Ready, and Smith”.

AMENDMENT NO. 2

On page 1, in line 6, after “kit;” insert “requiring a hospital or child advocacy center to transfer a sexual assault evidence collection kit to a law enforcement agency within a certain amount of time; requiring a government agency to transfer a sexual assault evidence collection kit to a law enforcement agency, except under certain circumstances;”; in line 7, strike “, government agency, or health care provider”; in line 10, after “assault” insert “, except under certain circumstances”; in line 11, strike “government agency, or health care provider,”; and in line 14, after “regulations;” insert “defining certain terms;”.

AMENDMENT NO. 3

On page 1, after line 24, insert:

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

(2) “CHILD ADVOCACY CENTER” HAS THE MEANING STATED IN § 13-2201 OF THE HEALTH – GENERAL ARTICLE.

(3) “HOSPITAL” HAS THE MEANING STATED IN § 19-301 OF THE HEALTH – GENERAL ARTICLE.”.

AMENDMENT NO. 4

On page 2, in line 1, strike “(a)” and substitute “**(B)**”; in line 8, strike “(b)” and substitute “**(C)**”; strike in their entirety lines 14 through 17, inclusive, and substitute:

“(D) (1) A SEXUAL ASSAULT EVIDENCE COLLECTION KIT SHALL BE TRANSFERRED TO A LAW ENFORCEMENT AGENCY:

(I) BY A HOSPITAL OR A CHILD ADVOCACY CENTER WITHIN 30 DAYS AFTER THE EXAM IS PERFORMED; OR

(II) BY A GOVERNMENT AGENCY IN POSSESSION OF A KIT, UNLESS THE AGENCY IS OTHERWISE REQUIRED TO RETAIN THE KIT BY LAW OR COURT RULE.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, WITHIN 20 YEARS AFTER THE EVIDENCE IS COLLECTED, A LAW ENFORCEMENT AGENCY MAY NOT DESTROY OR DISPOSE OF:

(I) A SEXUAL ASSAULT EVIDENCE COLLECTION KIT; OR

(II) OTHER CRIME SCENE EVIDENCE RELATING TO A SEXUAL ASSAULT THAT HAS BEEN IDENTIFIED BY THE STATE’S ATTORNEY AS RELEVANT TO PROSECUTION.

(3) A LAW ENFORCEMENT AGENCY IS NOT REQUIRED TO COMPLY WITH THE REQUIREMENTS IN PARAGRAPH (2) OF THIS SUBSECTION IF:

(I) THE CASE FOR WHICH THE EVIDENCE WAS COLLECTED RESULTED IN A CONVICTION AND THE SENTENCE HAS BEEN COMPLETED; OR

(II) ALL SUSPECTS IDENTIFIED BY TESTING A SEXUAL ASSAULT EVIDENCE COLLECTION KIT ARE DECEASED.”;

in line 18, strike “(2)” and substitute “(4)”; strike beginning with the second comma in line 19 down through “PROVIDER” in line 20; in line 25, after “EVIDENCE” insert “FOR 12 MONTHS”; in line 26, strike “(1)” and substitute “(2)”; in the same line, after “SUBSECTION” insert “OR FOR A TIME PERIOD AGREED TO BY THE VICTIM AND THE LAW ENFORCEMENT AGENCY”; and in line 27, strike “(D)” and substitute “(E)”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 7

Senator Zirkin, Chair, for the Committee on Judicial Proceedings 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.

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

Senate Bill 298 – Senator Waugh

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.

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

Senate Bill 499 – Senators Norman and Lee

AN ACT concerning

Family Law – Divorce on Grounds of Mutual Consent – Court Appearance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 273)

ADJOURNMENT

At 11:17 A.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Wednesday, February 22, 2017.

Annapolis, Maryland
Wednesday, February 22, 2017
10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by Reverend Kathy Shahinian, St. Anne's Episcopal Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 276)

The Journal of February 21, 2017 was read and approved.

INTRODUCTORY SENATE BILLS NO. 45

Senate Bill 1126 – Senators Brochin and Pinsky

AN ACT concerning

**Public Health – Generic Drugs and Medical Supplies Purchasing Cooperative
Workgroup**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to convene a workgroup to study the advisability of the State forming a generic drugs and medical supplies purchasing cooperative; requiring that the workgroup include certain individuals; requiring the Secretary, or the Secretary's designee, to chair the workgroup; requiring the workgroup to study and make recommendations regarding certain matters; requiring the workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the generic drugs and medical supplies purchasing cooperative workgroup.

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

Senate Bill 1127 – Senators Conway, Ferguson, and McFadden

EMERGENCY BILL

AN ACT concerning

Baltimore City Community College – Restructuring

FOR the purpose of repealing the Board of Trustees of Baltimore City Community College; establishing the Restructuring Board of Baltimore City Community College and transferring the powers and duties of the Board of Trustees to the Restructuring Board; providing for the composition and duties of the Restructuring Board; requiring each member of the Restructuring Board to serve for the duration of the Restructuring Board; altering a certain authority of the Maryland Higher Education Commission; requiring the Restructuring Board to elect one of its members as its chair, select a certain president and develop a certain strategic plan on or before a certain date, review and focus certain offerings on certain needs, make workforce development and job placement a certain priority, improve student pathways to success, enter into certain memoranda of understanding, align a certain budget with certain projections, engage in a certain review of positions and staff, establish certain relationships with certain stakeholders, rebuild and market a certain brand, address certain information technology needs, develop or sell certain real estate holdings, identify certain barriers that impede the efficient and effective operation of the College, recommend a certain structure and composition of a newly constructed Board of Trustees, and ensure a certain transition; requiring the President of the College to meet certain criteria; prohibiting the President of the College from being a member of the Restructuring Board or a member of the Board of Trustees as it existed on a certain date; requiring the Restructuring Board to submit a certain report to the Governor and the General Assembly, on or before a certain date, annually, regarding its progress in implementing its duties and responsibilities; altering certain definitions; making certain conforming changes; providing for the expiration of the terms of the members of the Board of Trustees; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct cross-references and terminology in the Code that are rendered incorrect by this Act; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the restructuring of Baltimore City Community College.

BY repealing and reenacting, with amendments,

Article – Education

Section 10–101(e), 11–105(i)(1), 16–302.1(a)(3), 16–502, 16–504, 16–505, 16–506, 16–507(a) and (c), 16–511, 16–512(c) and (d)(3), and 16–513(c) and (d)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 16–501

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 16–505.1 and 16–505.2

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

Senate Bill 1128 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Mandrin Inpatient Care Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of Hospice of the Chesapeake, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1129 – Senator Mathias

AN ACT concerning

Substance Use Disorder Treatment – Licensing of Outpatient Programs and Provision of Naloxone Kits

FOR the purpose of prohibiting the Secretary of Health and Mental Hygiene from requiring, under certain circumstances, that an outpatient substance use disorder treatment program be granted certain accreditation as a condition of licensure; requiring each hospital emergency department to establish and implement a policy of providing a naloxone kit to certain patients and training the patients in the proper method of administering the naloxone before the patient is released; requiring each local health department that provides substance use disorder treatment to provide a naloxone kit to certain patients during a certain evaluation and train the patients in the proper method of administering the naloxone; requiring the Department of Public Safety and Correctional Services to require each State and county correctional department to provide a naloxone kit to certain inmates before releasing the inmates and train the inmates in the proper method of administering the naloxone; making a conforming change; and generally relating to the treatment of substance use disorders.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7.5–402
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

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

Senate Bill 1130 – Senator Mathias

AN ACT concerning

Health Insurance – Volunteer Emergency Responders – Benefits Under Blanket Policies and Contracts

FOR the purpose of excluding, from certain provisions of State insurance laws, certain blanket health insurance policies and contracts that provide health insurance benefits to certain volunteer emergency responders; providing that the blanket health insurance policies and contracts are subject to certain provisions of State insurance laws; requiring the blanket health insurance policies and contracts to disclose that the policies and contracts do not provide comprehensive health coverage; defining certain terms; providing for the application of this Act; and generally relating to blanket health insurance policies and contracts that provide health benefits to volunteer emergency responders.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–301(a) and (b) and 15–305(a) and (g)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Insurance
Section 15–1107
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

Senate Bill 1131 – Senator Mathias

AN ACT concerning

Somerset County – Community College – Eligibility of Students to Pay No Tuition or Fees

FOR the purpose of providing that certain students residing in Somerset County may enroll full time in certain community colleges and pay no tuition or fees for a certain time if certain conditions are met; requiring the Maryland Higher Education Commission to pay 100% of in-county tuition and fees for certain eligible students; requiring a student to repay funds spent on the student's behalf to the Commission and county if the student is guilty of a felony; prohibiting a student from being eligible to pay no tuition or fees under this Act if the student is convicted of a felony; and generally relating to the eligibility of students residing in Somerset County to attend community college and pay no tuition or fees.

BY repealing and reenacting, without amendments,

Article – Education

Section 16–310(b)(1)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 16–310(e)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

Senate Bill 1132 – Senators Mathias and Simonaire

AN ACT concerning

Sales and Use Tax – Exemption – Sales by Nonprofit Organizations Raising Funds to Assist Veterans

FOR the purpose of providing that the sales and use tax does not apply to a certain sale by a nonprofit organization whose principal focus is to raise funds to assist certain veterans; and generally relating to a sales and use tax exemption for certain nonprofit organizations.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–204(b)

Annotated Code of Maryland

(2016 Replacement Volume)

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

Senate Bill 1133 – Senator Oaks

AN ACT concerning

Election Law – Qualification of Voters – Proof of Identity

FOR the purpose of requiring an election judge to establish certain information with regard to certain voters; requiring an election judge to qualify a voter by requesting the voter to present a certain form of identification; requiring an election judge to authorize an individual to vote a regular ballot under certain circumstances; allowing a voter who is unable to present a certain form of identification to vote by provisional ballot under certain circumstances; prohibiting a person from voting or attempting to vote under a false form of identification; requiring the Motor Vehicle Administration to issue an identification card to certain voters at no charge; providing for a delayed effective date; and generally relating to proof of identity of voters.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–310 and 16–201
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 12–301(a) and (h)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–301(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1134 – Senator Oaks

AN ACT concerning

Income Tax – Research and Development Credit – Start-Up Businesses

FOR the purpose of altering the calculation of a certain credit against the State income tax for certain research and development expenses incurred by certain individuals or

corporations under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to a certain credit against the State income tax based on certain expenses paid or incurred for certain research and development conducted in the State.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–721(a) and (b)
Annotated Code of Maryland
(2016 Replacement Volume)

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

Senate Bill 1135 – Senator Oaks

AN ACT concerning

Employees’ Pension System – Incorrect Enrollments

FOR the purpose of requiring that, if after a certain requested review by the Board of Trustees for the State Retirement and Pension System, an individual is determined by the Board of Trustees to be incorrectly enrolled as a member of the Employees’ Pension System, the individual shall be disenrolled; requiring the Board of Trustees, at the request of an incorrectly enrolled individual, to pay the individual certain contributions in accordance with certain provisions of law; requiring the Board of Trustees, at the request of the participating employer of an incorrectly enrolled individual, to determine the amount of contributions that the employer paid on behalf of the individual; providing that the Board of Trustees may make a certain adjustment to the employer’s contributions; providing for the termination of this Act; and generally relating to incorrect enrollments in the Employees’ Pension System.

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

Senate Bill 1136 – Senator Oaks

AN ACT concerning

Anne Arundel County – State’s Attorney – Annual Salary

FOR the purpose of altering the annual salary of the State’s Attorney for Anne Arundel County; providing that this Act does not apply to the salary or compensation of the incumbent State’s Attorney; and generally relating to the State’s Attorney for Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–403(a)

Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–403(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

Senate Bill 1137 – Senator Oaks

AN ACT concerning

Public School Employees – Required Training on Retirement Benefits

FOR the purpose of requiring the State Department of Education to establish a training program for certain public school employees regarding certain available retirement benefits; requiring the Department to offer the training to public school employees at least once per year; requiring the Department to work in consultation with staff from the State Retirement Agency and staff from the Maryland Supplemental Retirement Plans to provide the training program; requiring public school employees to attend the training each year and to provide written confirmation to the Department that the employee completed the training requirement; defining a certain term; and generally relating to required training on retirement benefits for public school employees.

BY adding to
Article – Education
Section 6–122
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

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 Rules.

Senate Bill 1139 – Senator McFadden

AN ACT concerning

**University of Maryland Eastern Shore – State Matching Funds
for Land–Grant Institutions**

FOR the purpose of requiring the Governor, beginning in a certain fiscal year, to include in the annual State operating budget a general fund appropriation at least equal to a certain amount to the University System of Maryland; requiring the Board of Regents of the University System of Maryland to allocate certain funding to the University of Maryland Eastern Shore in a certain manner and for a certain purpose; providing that certain funding shall be in addition to certain base funding appropriated to the University of Maryland Eastern Shore and requiring certain funding to be specified as a certain line item in the University's budget; requiring the Board of Regents to provide certain information to the Governor on or before a certain date each year; defining a certain term; and generally relating to State matching funds for the University of Maryland Eastern Shore.

BY adding to

Article – Education
Section 13–704
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

Senate Bill 1140 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Washington County – Hancock Community Pool

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Hancock for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 7

House Bill 102 – ~~Delegates Chang, Beidle, Carey, Frush, S. Howard, Malone, McConkey, Pena Melnyk, Simonaire, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County Board of Education – Human Trafficking Awareness Pilot Program

FOR the purpose of establishing the Human Trafficking Awareness Pilot Program in Anne Arundel County; providing for the duration of the Program; requiring the Anne Arundel County Board of Education, in collaboration with the Department of Health and Mental Hygiene and the Governor's Office of Crime Control and Prevention, to provide awareness ~~and training~~ for all school-based personnel on human trafficking; requiring the Department and the Governor's Office of Crime Control and Prevention to provide ~~certain resource information and~~ certain materials to the Board; ~~requiring the Board to report on or before a certain date each year to certain committees of the General Assembly;~~ providing for the application of this Act; providing for the termination of this Act; and generally relating to the Human Trafficking Awareness Pilot Program and the Anne Arundel County Board of Education.

BY adding to

Article – Education

Section 7-440

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 118 – Delegate Luedtke

AN ACT concerning

Election Law – Persons Doing Public Business – Reporting by Governmental Entities

FOR the purpose of repealing the requirement that a governmental entity notify the State Board of Elections if a person doing public business with the governmental entity fails to file a statement under a certain provision of law; requiring a governmental

entity that has awarded a person a contract that causes the person to be doing public business to provide the State Board with certain information; authorizing the governmental entity to comply with a certain provision of this Act by sending a certain quarterly report to the State Board; requiring that the quarterly report include the required information for certain persons and be submitted by a certain date; and generally relating to reporting by governmental entities of persons doing public business.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 14–107
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

House Bill 197 – ~~Delegate Luedtke~~ Delegates Luedtke, Afzali, Ali, D. Barnes, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Kaiser, Long, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Turner, Walker, A. Washington, M. Washington, ~~and Wilkins~~ Wilkins, and A. Miller

AN ACT concerning

**Education – Remote Classroom Technology Grant Program – Establishment
(Peyton’s Bill)**

FOR the purpose of establishing the Remote Classroom Technology Grant Program; providing for the purpose of the Program; requiring the State Department of Education to implement and administer the Program; authorizing the Governor to include ~~a certain~~ an appropriation to the Program in the State budget; authorizing the Department to adopt certain regulations; and generally relating to the Remote Classroom Technology Grant Program.

BY adding to
Article – Education
Section 7–124
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 257 – Delegate Hixson

AN ACT concerning

**Education – Maryland Meals for Achievement In-Classroom Breakfast Program
– Administration
(Maryland Meals for Achievement for Teens Act of 2017)**

FOR the purpose of authorizing participating secondary schools to serve breakfast in any part of the school, including from “Grab and Go” carts; clarifying when breakfast in the classroom should be served; and generally relating to the Maryland Meals for Achievement In-Classroom Breakfast Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–704
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 287 – ~~Delegate Hixson~~ Delegates Hixson, Haynes, Walker, Branch, Mosby, Tarlau, A. Washington, M. Washington, C. Howard, Turner, Ebersole, Patterson, D. Barnes, Simonaire, Wilkins, and Ali

AN ACT concerning

Hunger-Free Schools Act of 2017

FOR the purpose of altering a certain definition for certain fiscal years to determine the number of students used to calculate a certain grant for schools that participate in a certain federal program; ~~requiring the superintendent of each local school system to report certain information to the General Assembly on or before a certain date;~~ and generally relating to the compensatory education grant for primary and secondary education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–207(a)(3)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

SENATE RULES COMMITTEE REPORT NO. 2

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1057 – Senator Lee

AN ACT concerning

**Public Information Act – Denials of Inspection – Explanation Regarding
Redaction**

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1059 – Senator Muse

AN ACT concerning

Creation of a State Debt – Prince George’s County – Southern Market Place

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1062 – Senator Nathan-Pulliam

AN ACT concerning

Creation of a State Debt – Baltimore City – My Brother’s Keeper

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1063 – Senator Ramirez

AN ACT concerning

**Creation of a State Debt – Prince George’s County – St. Ann’s Center for
Children, Youth and Families**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1064 – Senator Waugh

AN ACT concerning

Creation of a State Debt – St. Mary’s County – St. Mary’s Nursing Center

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1065 – Senators Manno, Feldman, King, Lee, Madaleno, Smith, and Young

AN ACT concerning

Transportation – I-270/US 15 Multi-Modal Corridor Study and West Side Mobility Study – Review and Update

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1066 – Senator Simonaire

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Modification of Sentences

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1068 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Garrett County – Believe in Tomorrow Children’s House at Deep Creek Lake

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1071 – Senator Muse

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Hard Bargain Farm
Environmental Center**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1072 – Senator Pinsky

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Hyattsville Veteran’s
Memorial**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1073 – Senator Waugh

AN ACT concerning

Sales and Use Tax – Exemption – Utilities for Operation of Restaurants

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1074 – Senator Nathan-Pulliam

AN ACT concerning

Creation of a State Debt – Baltimore City – The SEED School of Maryland

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1075 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Nonprofit Health Entity – Acquisition – Waiver of Waiting Period

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1078 – Senator Reilly

AN ACT concerning

Creation of a State Debt – Lutheran Mission Society Compassion Centers

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1080 – Senator Simonaire

AN ACT concerning

State Boat Act – Privilege to Operate a Vessel – Suspension Authority

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1081 – Senators Madaleno, Astle, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Mathias, McFadden, Middleton, Nathan-Pulliam, Oaks, Pinsky, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

AN ACT concerning

Health – Family Planning Services – Continuity of Care

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1082 – Senator Rosapepe

AN ACT concerning

Gas and Electric Companies – Deposit Charges

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1083 – Senator Waugh

AN ACT concerning

Creation of a State Debt – St. Mary’s County – St. Clement’s Island North Pier

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1084 – Senator Waugh

AN ACT concerning

**State Finance and Procurement – Veteran-Owned Small Business Enterprises –
Definitions**

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1085 – Senator Conway

AN ACT concerning

**Morgan State University – Designation as the State’s Preeminent Public Urban
Research Institution**

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1086 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Residency and Registered Voter Requirements

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1087 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Protest of License Renewal

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1088 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Class B Beer, Wine, and Liquor Licenses – Fees

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1089 – Senators Hershey, Brochin, and Lee

AN ACT concerning

**Primary and Secondary Education – Health and Safety Guidelines and
Procedures – Digital Devices**

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1090 – Senators Hershey and Norman

AN ACT concerning

**Maryland Transportation Authority – John F. Kennedy Memorial Highway –
Toll Plazas**

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1091 – Senator Hough

AN ACT concerning

**Public Safety – Permit to Wear, Carry, or Transport a Handgun – Expiration
and Renewal**

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1095 – Senator Muse

AN ACT concerning

Family Law – Child Support – Custody and Visitation

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1097 – Senator Bates

AN ACT concerning

Vehicle Registration – Exception for Municipal RTV Utility Vehicles – Town of Sykesville

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1098 – Senator Reilly

AN ACT concerning

Commercial Law – Credit Card Processors – Service Agreements

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

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

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1100 – Senators Brochin and Kagan

AN ACT concerning

Intestate Estates – Inheritance by Surviving Parent – Repeal

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1101 – Senator Ready

AN ACT concerning

Reverse Mortgages – Property Tax and Insurance Payments – Notice

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1104 – Senator Edwards

AN ACT concerning

Income Tax Credit – Volunteer Fire, Rescue, and Emergency Services Personnel

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1105 – Senator Edwards

AN ACT concerning

Correctional Facilities – Unmanned Aircraft Systems – Proximity

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1106 – Senator Zucker

AN ACT concerning

Health Care Practitioners – Use of Teletherapy

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

QUORUM CALL

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

(See Roll Call No. 277)

SENATE THIRD READING CALENDAR NO. 22 (GENERAL SENATE BILLS)

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**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 278)

The Bill was then sent to the House of Delegates.

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**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 279)

The Bill was then sent to the House of Delegates.

Senate Bill 395 – Senator Waugh

AN ACT concerning

St. Mary’s County – Metropolitan Commission – Personnel

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

Affirmative – 47 Negative – 0 (See Roll Call No. 280)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 281)

ADJOURNMENT

At 10:40 A.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Thursday, February 23, 2017.

Annapolis, Maryland
Thursday, February 23, 2017
10:00 A.M. Session

The Senate met at 10:03 A.M.

Prayer by Pastor Adam Forbes, St. John's Lutheran Church, guest of Senator Jennings.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 282)

The Journal of February 22, 2017 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 283)

INTRODUCTORY SENATE BILLS NO. 46

Senate Bill 1141 – Senators Astle, Edwards, Hershey, and Norman

AN ACT concerning

Natural Resources – Hunting Licenses – Fox Hunting and Chasing

FOR the purpose of altering the definition of “hunt” as it applies to the laws governing hunting and wildlife in the State to include the act of chasing or in any manner pursuing fox, whether armed or unarmed; repealing a provision of law excluding the sport of fox chasing from the definition of “hunt”; repealing the exemption for an unarmed person participating in an organized fox hunt from the requirement under certain circumstances to obtain a hunting license; and generally relating to fox hunting and chasing.

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

Section 10–101(k) and 10–301(c)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–301(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1142 – Senators King, Feldman, Kagan, Lee, Madaleno, and Zucker

AN ACT concerning

**Income Tax – Corporate Headquarters Investment and Job Retention Tax
Credit**

FOR the purpose of establishing the Corporate Headquarters Investment and Job Retention Tax Credit Program; authorizing certain qualified business entities operating certain eligible projects to claim a certain credit against the State income tax under certain circumstances; requiring the Department of Commerce to certify a business entity as a qualified business entity within a certain period of time; providing that a project is eligible for designation by the Department as an eligible project under certain circumstances; requiring a business entity to submit, on or before a certain date, a certain application to the Department; requiring the Department to interpret certain provisions of law in a certain manner; providing that a qualified business entity may not receive more than one designation for certain eligible tax credit projects; requiring a qualified business entity to submit to the Comptroller a certain certification in order to claim a credit; providing for the amount of the credit; providing that the credit may not exceed a certain amount in a taxable year; making the credit refundable; providing for the recapture of the credit under certain circumstances; requiring a qualified business entity to report certain information for a certain period of time to the Department; providing that claiming a credit authorizes the Comptroller to share certain information with the Department; providing that certain information is subject to certain confidentiality requirements; requiring the Department to report certain information in a certain manner; requiring the Department to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to the Corporate Headquarters Investment and Job Retention Tax Credit Program.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 1–101(a), (c), and (f)
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 2.5–109(a)(4)
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY adding to
Article – Economic Development
Section 6–801 through 6–807 to be under the new subtitle “Subtitle 8. Corporate
Headquarters Investment and Job Retention Tax Credit Program”
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

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

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

MOTION

Senator Ferguson moved that the Senate receive in Open Session the following Report for the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 4

Senator Ferguson, Chair, for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 4
February 23, 2017

District Court, Montgomery County (District 6)

1. Patricia Lynn Mitchell District 16

Judge of the District Court of Maryland, District 6, Montgomery County; reappointed to serve a term of ten years from December 2, 2016

Lottery and Gaming Control Agency, State

2. Gordon Medenica District 46
1630 Whetstone Way, Apt. 603
Baltimore, MD 21230

Director of the State Lottery and Gaming Control Agency; appointed to serve at the pleasure of the Governor

Chiropractic Examiners, State Board of

3. Karen R. Munter, RPN District 12
6213 Grafton View Court
Elkridge, MD 21075

Member of the State Board of Chiropractic Examiners; appointed to serve a term of four years from July 1, 2016

Ethics Commission, State

4. Craig D. Roswell, Esq. District 41
606 Somerset Road
Baltimore, MD 21210

Member of the State Ethics Commission; appointed to serve remainder of a term of five years from July 1, 2015

Handgun Roster Board

5. James F. Laughland District 11
227 Sandee Road
Timonium, MD 21093

Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2016

6. Harris P. Murphy District 36
205 Cannon Street, Suite 2
Chestertown, MD 21620

Member of the Handgun Roster Board; appointed to serve remainder of a term of four years from December 8, 2012 and a term of four years from December 8, 2016

Public Defender, Office of the Board of Trustees of the

7. Vera Lynne White, Esq. District 16
9302 Parkhill Terrace
Bethesda, MD 20814

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve a term of three years from June 1, 2013, and a term of three years from June 1, 2016

Racing Commission, State

8. Ronald F. Thomas, II, Esq. District 27
6304 Spunkyheart Place
Clinton, MD 20735

Member of the State Racing Commission; appointed to serve a term of four years from July 1, 2016

Transportation Authority, Maryland

9. Katherine Bays Armstrong District 42
8 Gregoria Court
Baltimore, MD 21212

Member of the Maryland Transportation Authority; appointed to serve remainder of a term of four years from July 1, 2015

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Budget of the State Workers' Compensation Commission, Advisory Committee on the

- S-1. Heather H. Kraus, Esq. District 33
583 Highbank Road
Severna Park, MD 21146

Member of the Advisory Committee on the Budget of the State Workers' Compensation Commission; appointed to serve a term of three years from July 1, 2015

Deaf and Hard of Hearing, Maryland Advisory Council for the

- S-2. Janet Moye Cornick, Ed.D. District 13
9502 Deerfoot Way
Columbia, MD 21046

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2016

- S-3. Stacy Spender Dove District 32
7692 Fairbanks Court
Hanover, MD 21076

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2015

- S-4. Lisalee D. Egbert, Ph.D. District 8
3317 Willoughby Road
Parkville, MD 21234

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2016

- S-5. Marion Helfrich District 13
7617 Weather Worn Way, Unit E
Columbia, MD 21046

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2016

- S-6. Stephanie R. Summers District 39
13506 Shearwater Place
Germantown, MD 20874

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;
reappointed to serve a term of three years from October 1, 2016

Economic Development Commission, Maryland

- S-7. J. Edward Coleman District 30
91 Bay Drive
Annapolis, MD 21403

Member of the Maryland Economic Development Commission; reappointed to serve
a term of three years from July 1, 2016

- S-8. Edward M. Dunn District 36
5 Parsons Island View
Grasonville, MD 21638

Member of the Maryland Economic Development Commission; reappointed to serve
a term of three years from July 1, 2016

Handgun Roster Board

- S-9. Jonathan Wesley Maurath District 8
224 Elinor Avenue
Baltimore, MD 21236

Member of the Handgun Roster Board; reappointed to serve a term of four years from
December 8, 2016

- S-10. Michael A. Spaulding District 33
7547 Main Street
Sykesville, MD 21784

Member of the Handgun Roster Board; reappointed to serve a term of four years from
December 8, 2016

Psychologists, State Board of

- S–11. Irene W. Leigh, Ph.D. District 16
10910 Brewer House Road
Rockville, MD 20852

Member of the State Board of Psychologists; reappointed to serve a term of four years from July 1, 2016

School for the Deaf, Board of Trustees of the Maryland

- S–12. Rebecca F. Minor, Ph.D. District 5
2217 Kays Mill Road
Finksburg, MD 21048

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2016

- S–13. John O. Olumoya District 32
7704 Hennepin Court
Hanover, MD 21076

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2015

- S–14. Kirsten Poston District 13
8021 Camerado Court
Jessup, MD 20794

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2014

- S–15. Tania N. Thomas–Presswood, Ph.D. District 30
911 Plattner Court
Annapolis, MD 21401

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2015

Transportation Authority, Maryland

S-16. W. Lee Gaines, Jr. District 42
6 Bowen Mill Road
Baltimore, MD 21212

Member of the Maryland Transportation Authority; reappointed to serve a term of four years from July 1, 2016

S-17. William K. Hellmann District 33
504 Harlequin Lane
Severna Park, MD 21146

Member of the Maryland Transportation Authority; reappointed to serve a term of four years from July 1, 2016

Veterans' Home Commission, Maryland

S-18. Lawrencina C. Pierce District 28
1017 Norfolk Drive
La Plata, MD 20646

Member of the Maryland Veterans' Home Commission; appointed to serve a term of five years from July 1, 2016

S-19. Warner Ivan Sumpter District 38
30466 Prince William Street
Princess Anne, MD 21853

Member of the Maryland Veterans' Home Commission; reappointed to serve a term of five years from July 1, 2016

Waterworks and Waste Systems Operators, State Board of

S-20. Dominic Deludos, Jr. District 6
7119 Crestshire Road
Baltimore, MD 21222

Member of the State Board of Waterworks and Waste Systems Operators; reappointed to serve a term of four years from July 1, 2014

S–21. Joseph L. Haxton District 37
32031 Tuckahoe Avenue
Cordova, MD 21625

Member of the State Board of Waterworks and Waste Systems Operators;
reappointed to serve a term of four years from July 1, 2015

S–22. William A. Shreve, Sr. District 28
8549 Cardinal Lane
White Plains, MD 20695

Member of the State Board of Waterworks and Waste Systems Operators;
reappointed to serve a term of four years from July 1, 2014

Well Drillers, State Board of

S–23. Larry Dale Brenneman District 1
312 Main Street Extended
Accident, MD 21520

Member of the State Board of Well Drillers; reappointed to serve a term of two years
from July 1, 2016

S–24. C. Wayne Caswell District 7
3515 North Furnance Road
Jarrettsville, MD 21084

Member of the State Board of Well Drillers; reappointed to serve a term of two years
from July 1, 2016

S–25. David B. Hartman District 46
1404 Harper Street
Baltimore, MD 21230

Member of the State Board of Well Drillers; reappointed to serve a term of two years
from July 1, 2016

Wellmobile Program Advisory Board, Governor's

S–26. Linda Roszak Burton District 13
4019 Overlook Drive
Ellicott City, MD 21043

Member of the Governor's Wellmobile Program Advisory Board; appointed to serve
a term of three years from October 1, 2016

Youth Camp Safety, Advisory Council on

S-27. Margaret C. Kaufman, RN
405 Watson Road
Centreville, MD 21617

District 36

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2016

S-28. J. Raymond Teat, III
6997 Laurel Grove Road
Preston, MD 21655

District 36

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2016

Senator Ferguson moved to make the Report a Special Order for February 24, 2017.

The motion was adopted.

Senator Conway moved to make Nominee No. 2 a Special Order for February 27, 2017.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 284)

SENATE THIRD READING CALENDAR NO. 23 (GENERAL SENATE BILLS)**Senate Bill 57 – Senators DeGrange and Kasemeyer**

AN ACT concerning

Income Tax Credit – Class F Vehicles – Extension

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

Affirmative – 45 Negative – 0 (See Roll Call No. 285)

The Bill was then sent to the House of Delegates.

Senate Bill 180 – Senators Peters, Currie, Feldman, Guzzone, King, and Manno

AN ACT concerning

Independent Living Tax Credit Act

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

Affirmative – 45 Negative – 0 (See Roll Call No. 286)

The Bill was then sent to the House of Delegates.

Senate Bill 226 – Senators Manno, Edwards, Feldman, Hough, Kasemeyer, King, Lee, Madaleno, Peters, Serafini, ~~and Young~~ Young, DeGrange, and McFadden

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

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

Affirmative – 45 Negative – 0 (See Roll Call No. 287)

The Bill was then sent to the House of Delegates.

Senate Bill 255 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement ~~Agency~~ Agency and Pension System – Authority to Arrange Custody of Investments and Procurement Exemption

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

Affirmative – 45 Negative – 0 (See Roll Call No. 288)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 289)

The Bill was then sent to the House of Delegates.

Senate Bill 297 – Senator Waugh

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 – 45 Negative – 0 (See Roll Call No. 290)

The Bill was then sent to the House of Delegates.

Senate Bill 397 – Senators Edwards ~~and Madaleno~~, Madaleno, and Eckardt

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 – 46 Negative – 0 (See Roll Call No. 291)

The Bill was then sent to the House of Delegates.

**Senate Bill 416 – Senators Middleton, Madaleno, ~~and Peters~~ Peters, Kasemeyer,
Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, King, Manno,
McFadden, and Serafini**

AN ACT concerning

Income Tax Credit – Qualified Farms – Food Donation Pilot Program

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

Affirmative – 47 Negative – 0 (See Roll Call No. 292)

The Bill was then sent to the House of Delegates.

Senate Bill 518 – Senators Young and Hough

AN ACT concerning

Frederick County – Gaming Events – Sunday Hours of Operation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 293)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 24 (GENERAL SENATE BILLS)

Senate Bill 159 – ~~Senator Waugh~~ Senators Waugh, Peters, and Middleton

AN ACT concerning

Sales and Use Tax – Aircraft Parts and Equipment – Exemption

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

Affirmative – 47 Negative – 0 (See Roll Call No. 294)

The Bill was then sent to the House of Delegates.

Senate Bill 200 – Senators King, Currie, DeGrange, Feldman, Ferguson, Guzzone, Madaleno, Manno, McFadden, Middleton, Peters, and Young

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts

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

Affirmative – 47 Negative – 0 (See Roll Call No. 295)

The Bill was then sent to the House of Delegates.

Senate Bill 228 – Senators Salling, Astle, Bates, Cassilly, Conway, Eckardt, Guzzone, Hershey, Jennings, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Mathias, Middleton, Muse, Norman, Peters, Ready, Rosapepe, Serafini, Simonaire, Young, ~~and Zucker~~ Zucker, Smith, and McFadden

AN ACT concerning

Video Lottery Terminals – Disposition of Unclaimed Winnings

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

Affirmative – 47 Negative – 0 (See Roll Call No. 296)

The Bill was then sent to the House of Delegates.

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**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 297)

The Bill was then sent to the House of Delegates.

**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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 298)

The Bill was then sent to the House of Delegates.

Senate Bill 344 – Senators Feldman and Zucker

AN ACT concerning

**Maryland Achieving a Better Life Experience (ABLE) Program – Account
Clarifications**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 299)

The Bill was then sent to the House of Delegates.

Senate Bill 399 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees' Pension System – Purchase of Credit for Eligibility Service –
Legislative Employees**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 300)

The Bill was then sent to the House of Delegates.

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**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 301)

The Bill was then sent to the House of Delegates.

Senate Bill 569 – Charles County Senators

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 – 47 Negative – 0 (See Roll Call No. 302)

The Bill was then sent to the House of Delegates.

Senate Bill 782 – Senator Salling

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2014 – Baltimore County –
Chesapeake High Stadium**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 303)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 25 (GENERAL SENATE BILLS)

Senate Bill 8 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Insurance – Risk Management and Own Risk and Solvency Assessment Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 304)

The Bill was then sent to the House of Delegates.

Senate Bill 137 – Senators Lee, Feldman, and Smith

AN ACT concerning

State Government – Maryland Uniform Electronic Legal Materials Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 305)

The Bill was then sent to the House of Delegates.

Senate Bill 206 – ~~Senator Feldman~~ Senators Feldman, Astle, Benson, Hershey, Jennings, Oaks, Klausmeier, Mathias, Middleton, Reilly, and Rosapepe

AN ACT concerning

Financial Institutions – Qualifications of Directors of Commercial Banks – Residency

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

Affirmative – 46 Negative – 1 (See Roll Call No. 306)

The Bill was then sent to the House of Delegates.

Senate Bill 217 – Senators Kelley, Astle, Benson, Cassilly, Conway, Currie, DeGrange, Eckardt, Ferguson, Guzzone, Kagan, Kasemeyer, King, Klausmeier, Lee, Madaleno, Manno, McFadden, Middleton, Nathan–Pulliam, Pinsky, Ready, Reilly, Robinson, Rosapepe, Simonaire, ~~and Smith~~ Smith, Zirkin, Hough, Muse, Norman, Brochin, and Ramirez

AN ACT concerning

Criminal Law – Sexual Offenses – Physical Resistance

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

Affirmative – 47 Negative – 0 (See Roll Call No. 307)

The Bill was then sent to the House of Delegates.

Senate Bill 220 – Senators Lee, Feldman, Kelley, King, Manno, and Young

AN ACT concerning

Police Training Commission – Training Requirements – Human Trafficking

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

Affirmative – 47 Negative – 0 (See Roll Call No. 308)

The Bill was then sent to the House of Delegates.

Senate Bill 221 – Senators Lee, Feldman, Kelley, King, Manno, and Young

AN ACT concerning

Adult Entertainment Establishments – National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

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

Affirmative – 45 Negative – 2 (See Roll Call No. 309)

The Bill was then sent to the House of Delegates.

Senate Bill 229 – Senators Cassilly, Norman, and Ready

AN ACT concerning

**Criminal Law – Homicide by Motor Vehicle or Vessel While Impaired by
Controlled Dangerous Substance – Penalties**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 310)

The Bill was then sent to the House of Delegates.

Senate Bill 298 – Senator Waugh

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 – 46 Negative – 0 (See Roll Call No. 311)

The Bill was then sent to the House of Delegates.

**Senate Bill 349 – ~~Senator Zirkin~~ Senators Zirkin, Kelley, Brochin, Cassilly, Hough,
Lee, Muse, Norman, Ramirez, Ready, and Smith**

AN ACT concerning

**Criminal Procedure – Sexual Assault Victims’ Rights – Disposal of Rape Kit
Evidence and Notification**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 312)

The Bill was then sent to the House of Delegates.

**Senate Bill 433 – Senators Klausmeier, Benson, Eckardt, Kelley, Madaleno,
Middleton, Muse, Rosapepe, Salling, ~~and Young~~ Young, Astle, Feldman,
Hershey, Jennings, Mathias, Oaks, and Reilly**

AN ACT concerning

**Substance Use Treatment – Inpatient and Intensive Outpatient Programs –
Consent by Minor**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 313)

The Bill was then sent to the House of Delegates.

Senate Bill 465 – Senators Kagan, Astle, Bates, Benson, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Reilly, Robinson, Rosapepe, Salling, Serafini, Simonaire, Smith, Waugh, Young, Zirkin, ~~and Zucker~~ Zucker, Oaks, Kasemeyer, and Brochin

AN ACT concerning

Maryland Nonprofit Development Center Program and Fund – Bridge Loans

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

Affirmative – 46 Negative – 0 (See Roll Call No. 314)

The Bill was then sent to the House of Delegates.

Senate Bill 499 – Senators Norman and Lee

AN ACT concerning

Family Law – Divorce on Grounds of Mutual Consent – Court Appearance

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

Affirmative – 42 Negative – 5 (See Roll Call No. 315)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 1 (GENERAL HOUSE BILLS)

House Bill 74 – Delegate Grammer

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2014 – Baltimore County –
Chesapeake High Stadium**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 316)

The Bill was then returned to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 317)

ADJOURNMENT

At 10:57 A.M. on motion of Senator Peters the Senate adjourned until 11:00 A.M. on Friday, February 24, 2017.

Annapolis, Maryland
Friday, February 24, 2017
11:00 A.M. Session

The Senate met at 11:08 A.M.

Prayer by Reverend James Bishop, Asbury Town Neck Methodist Church, guest of Senator Reilly.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 319)

On motion of Senator Peters it was ordered that Senators Conway, Muse and Zirkin be excused from today's session.

The Journal of February 23, 2017 was read and approved.

INTRODUCTORY SENATE BILLS NO. 47

Senate Bill 1143 – Senators Bates and Nathan–Pulliam

AN ACT concerning

**Sales and Use Tax – Tax–Free Weekend – Ellicott City and Ellicott's Mills
Historic Districts**

FOR the purpose of designating a certain weekend to be a tax–free weekend during which a certain sales and use tax exemption shall apply in certain areas; and generally relating to the designation of a certain sales tax–free weekend in the State.

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

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

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 by the Blind Industries and Services of Maryland; providing for the application of a certain provision of law; and generally relating to procurement preferences related to the Blind Industries and Services of Maryland.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–103
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1145 – Senator Benson

AN ACT concerning

Maryland Fair Scheduling Act

FOR the purpose of requiring a certain employer, except under certain circumstances, to pay certain employees at a certain rate for certain shifts; providing that a shift trade includes when the employer transmits the shift trade offer under certain circumstances; providing for the application of certain provisions of this Act; providing that an employee has the right to decline certain work hours that occur during a certain number of hours following the end of a shift; requiring an employer to pay a certain employee who agrees to work certain hours at a certain rate; requiring each employer to record certain wages in a certain statement of earnings and specify in the statement certain predictability pay; authorizing the Commissioner of Labor and Industry, under certain circumstances, to require an employer to include certain information in a certain statement and use additional means to notify the employer's employees of certain information; requiring an employer to give employees notice of certain rights in a certain manner; requiring employers to keep certain records for a certain minimum period of time and make the records available for inspection by certain individuals; providing that each day an employer violates a certain provision of this Act is a separate violation; prohibiting certain persons from taking certain actions; providing that certain protections apply to certain employees; providing for the enforcement of this Act;

requiring the Commissioner to keep a certain identity confidential, except under certain circumstances, and to notify a certain person before a certain disclosure is made; requiring the Commissioner to post certain information on a certain Web site on or before a certain date each year; authorizing the Commissioner to conduct a certain investigation under certain circumstances; providing for the construction of this Act; requiring the Commissioner to enforce this Act; authorizing the Commissioner to adopt certain regulations; providing for a delayed effective date; defining certain terms; and generally relating to fair scheduling.

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 2–106(b) and 3–102(a)
Annotated Code of Maryland
(2016 Replacement Volume)

BY adding to

Article – Labor and Employment
Section 3–103(k); and 3–1301 through 3–1311 to be under the new subtitle “Subtitle 13. Fair Scheduling”
Annotated Code of Maryland
(2016 Replacement Volume)

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

Senate Bill 1146 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Study

FOR the purpose of requiring the Maryland Clean Energy Center and the University of Maryland Energy Research Center jointly to conduct a study on the renewable energy portfolio standard and certain related matters; providing for the scope of the study; providing certain specific subjects that the study must address; requiring certain State and local units to cooperate with the centers in the conduct of the study; requiring the centers to report to the Governor and certain committees on or before certain dates; providing for the termination of this Act; and generally relating to the renewable energy portfolio standard and the State’s energy policies.

BY repealing and reenacting, without amendments,

Article – Public Utilities
Section 7–701(a), (b), (i), (n), (o), and (p)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to

Article – Public Utilities

Section 7-714
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

Senate Bill 1147 – Senator Mathias

EMERGENCY BILL

AN ACT concerning

**State Boat Act – Vessel Operation – Prohibition When Individual on the Bow,
Gunwale, or Transom**

FOR the purpose of prohibiting an individual from operating a vessel on the waters of the State while another individual is riding on or suspended from certain parts of the vessel in a certain manner; establishing a penalty for a violation of this Act; authorizing the Department of Natural Resources to adopt certain regulations; making this Act an emergency measure; and generally relating to operating a vessel on the waters of the State.

BY adding to

Article – Natural Resources
Section 8-738.3
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1148 – Senator Ferguson

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.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 8

House Bill 41 – Delegate Holmes

AN ACT concerning

Real Property – Common Ownership Communities – Statewide Registration

FOR the purpose of requiring a cooperative housing corporation, a condominium, and a homeowners association to register annually with the State Department of Assessments and Taxation; exempting certain common ownership communities from the applicability of this Act; establishing a Common Ownership Community Registry in the Department; requiring the Department to work with any county that maintains a local registry of common ownership communities under certain

~~circumstances; requiring the Department to establish a certain registration fee; providing for a certain registration fee and certain contents of a registration form; making a failure to register a civil violation subject to a certain fine; requiring the Department to make a certain report annually to the General Assembly; establishing that the Registry is not a public record subject to the Public Information Act; providing that the Department may authorize access to the Registry only to certain persons; requiring the Department to report on or before a certain date to the General Assembly on recommendations for a training requirement for certain persons in a common ownership community; defining certain terms; and generally relating to the statewide registration of common ownership communities.~~

BY adding to

Article – Corporations and Associations

Section 5–6B–12.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Real Property

Section 11–130.1 and 11B–115.2; and 14–701 through 14–707 to be under the new subtitle “Subtitle 7. Registration of Common Ownership Communities”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 60 – Delegate McConkey

AN ACT concerning

Commission on the Disposition of the Crownsville Hospital Center Property

FOR the purpose of establishing the Commission on the Disposition of the Crownsville Hospital Center Property as an independent unit in the Executive Branch of State government; placing the Commission under the Department of General Services for administrative and budgetary purposes; providing for the purpose, composition, chair, and staffing of the Commission; requiring the Commission to determine the times and places of its meetings; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; authorizing the Commission to sell, transfer, or otherwise dispose of certain property and enter into contracts and execute certain instruments to carry out its purpose; providing for the termination of this Act; and generally relating to the Commission on the Disposition of the Crownsville Hospital Center Property.

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

House Bill 82 – Delegate Carr (Chair, Joint Committee on Federal Relations)

AN ACT concerning

Woodrow Wilson Bridge and Tunnel Compact – Repeal

FOR the purpose of repealing provisions relating to the Woodrow Wilson Bridge and Tunnel Compact; repealing a requirement that the Governor execute the compact with the Commonwealth of Virginia and the District of Columbia under certain circumstances; repealing the Woodrow Wilson Memorial Bridge and Tunnel Authority; repealing the board of the Authority; repealing a requirement that the compact may not be interpreted to affect the levy of taxes by signatories to the compact; repealing provisions concerning the manner in which the compact is adopted; repealing provisions concerning withdrawal from the compact; repealing a requirement that certain officials enter into a certain agreement with the federal government; repealing a requirement that the Authority prepare a certain management plan; repealing provisions concerning the legal liability of the Authority; repealing a requirement that certain bonds may not be deemed to constitute a debt or pledge of the full faith and credit of the Authority or any signatory of the compact; repealing the power of the Authority to establish, finance, construct, maintain, repair, and operate a project to upgrade the Interstate 95 Potomac River crossing; repealing certain additional powers of the Authority; repealing the power of the Authority to acquire land and property by purchase or condemnation in a certain manner; repealing provisions concerning procurement by the Authority; repealing the power of the Authority to alter or relocate public highways or public utilities; repealing the power of the Authority to issue revenue bonds; repealing the power of the Authority to secure bonds by a trust indenture; repealing the power of the Authority to fix, revise, charge, and collect tolls for the use of the project; repealing a requirement that tolls and certain other revenues be used to pay the cost of operating and maintaining the project and the principal of and interest on certain bonds; repealing a requirement that tolls be set at certain rates; repealing a requirement that all money received under the compact be deemed trust funds; repealing the authority of certain bondholders to legally enforce certain rights; repealing a certain exemption from Maryland taxes; repealing the authority of certain persons to invest in certain bonds; repealing certain provisions concerning police officers employed by the Authority; repealing a requirement that the Authority submit a certain report; repealing certain criminal penalties; repealing certain definitions; repealing requirements that the compact may not take effect until the Commonwealth of Virginia, the State of Maryland, and the United States Department of Transportation have entered into a certain agreement; repealing requirements that the compact may not take effect until the Commonwealth of Virginia and the District of Columbia have passed similar acts and the compact has been approved by the United States Congress; repealing a requirement that the Maryland Department of Transportation and the Maryland Transportation Authority submit a certain report; repealing a requirement that the Maryland Department of Transportation monitor traffic on the American Legion Bridge and

collect tolls on the American Legion Bridge under certain circumstances; and generally relating to the repeal of the Woodrow Wilson Bridge and Tunnel Compact.

BY repealing

Article – Transportation

Section 10–301 and the subtitle “Subtitle 3. Woodrow Wilson Bridge and Tunnel Compact”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 494 of the Acts of the General Assembly of 1995)

BY repealing

Article – Transportation

Section 10–302 and 10–303

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 494 of the Acts of the General Assembly of 1995, as amended by Chapter 599 of the Acts of the General Assembly of 1996)

BY repealing

Chapter 494 of the Acts of the General Assembly of 1995

Section 2, 3, and 4

BY repealing

Chapter 599 of the Acts of the General Assembly of 1996

Section 2

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

House Bill 100 – Delegates Hixson, Beidle, Bromwell, Carey, Chang, Lisanti, Luedtke, Sample-Hughes, ~~and Sophocleus~~ Sophocleus, Afzali, Ali, D. Barnes, Buckel, Ebersole, Fennell, Hornberger, C. Howard, Kaiser, Krimm, Long, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Turner, Walker, A. Washington, M. Washington, and Wilkins

AN ACT concerning

Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel

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 Budget and Taxation.

**House Bill 121 – Chair, Environment and Transportation Committee (By Request
– Departmental – Environment)**

AN ACT concerning

Environment – Hazardous Material Security – Repeal

FOR the purpose of repealing a requirement to deposit certain fees collected by the Department of the Environment for a certain purpose into a certain account within the Community Right-to-Know Fund; repealing a requirement that certain persons analyze the security of certain facilities in accordance with certain requirements; repealing a requirement that a certain analysis be submitted to the Department of the Environment in accordance with certain requirements; repealing a certain fee; repealing a certain fee exemption for counties and municipalities; repealing a provision of law that provides for the confidentiality of certain analyses and documents under certain circumstances; repealing a requirement that the Department of State Police disclose certain information under certain circumstances; repealing the requirement that the Department of the Environment adopt hazardous material security standards in accordance with certain requirements; repealing a requirement that the Department of the Environment, in consultation with the Department of State Police, audit a certain facility in a certain manner; repealing a requirement that the Department of the Environment refer certain violations to the Department of State Police under certain circumstances; repealing a requirement that the Department of the Environment adopt certain regulations; repealing a requirement that the Department of State Police, in consultation with the Department of the Environment, adopt certain regulations to enforce compliance by a certain facility with certain hazardous material security standards; repealing a requirement that funds in the Community Right-to-Know Fund be used by the Department of the Environment for certain purposes; repealing a provision of law that prohibits a person from knowingly submitting certain false information under certain circumstances; repealing certain penalties for certain violations; repealing a provision of law that requires a certain facility to comply with certain federal, State, or local reporting requirements; repealing certain defined terms; and generally relating to repealing provisions of law relating to the reporting and regulation of hazardous material security.

BY repealing and reenacting, without amendments,
Article – Environment
Section 7–604(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing
Article – Environment
Section 7–604(m); and 7–701 through 7–709 and the subtitle “Subtitle 7. Hazardous
Material Security”
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

**House Bill 122 – Chair, Environment and Transportation Committee (By Request
– Departmental – State Police)**

AN ACT concerning

**Motor Vehicles – Electronic Inspection Certificates for Used Vehicles – Sunset
Extension**

FOR the purpose of extending the termination date for certain provisions of the used vehicle
inspection law applicable to the electronic submission of an inspection certificate.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 23–101(a), (b), and (e) and 23–108.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 91 of the Acts of the General Assembly of 2014
Section 3

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

**House Bill 125 – Chair, Environment and Transportation Committee (By Request
– Departmental – Environment)**

AN ACT concerning

Environment – Emergency Action Plans for Dams

FOR the purpose of requiring owners of certain dams to prepare and submit to the
Department of the Environment an emergency action plan that contains certain

information in a certain manner; requiring the Department's approval of an emergency action plan; requiring owners of certain dams to provide a copy of a certain emergency action plan to certain agencies; requiring owners of certain dams to update an emergency action plan on an annual basis; requiring owners of certain dams to perform certain tests of an emergency action plan on a certain schedule; authorizing the Department to adopt regulations; providing for the application of this Act; and generally relating to emergency action plans for dams.

BY adding to

Article – Environment

Section 5–503.1

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

**House Bill 130 – Chair, Environment and Transportation Committee (By Request
– Departmental – Agriculture)**

AN ACT concerning

Maryland Wine and Grape Promotion Fund

FOR the purpose of repealing the Maryland Wine and Grape Promotion Council; requiring the Governor's Advisory Commission on Maryland Wine and Grape Growing to advise and recommend to the Secretary of Agriculture for approval the allocation of certain funds for certain projects; repealing a certain definition; and generally relating to the Maryland Wine and Grape Promotion Fund.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–1101 and 2–1102 to be under the amended subtitle “Subtitle 11. Maryland Wine and Grape Promotion Fund”; and 10–1206

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing

Article – Agriculture

Section 2–1103

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 10–1201

Annotated Code of Maryland

(2016 Replacement Volume)

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

**House Bill 138 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Occupational and Professional Licensing Boards, Commissions, and Regulatory
Entities – Notifications of Applicants, Licensees, Registrants, and Permit
Holders**

FOR the purpose of altering the methods by which certain occupational and professional licensing boards, commissions, and other regulatory entities are authorized to send certain notices to certain applicants and certain renewal notices to certain licensees, registrants, or permit holders; altering certain requirements for, and the contents of, certain notices; and generally relating to notifications of licensees, registrants, permit holders, and certificate holders regulated by occupational and professional licensing boards, commissions, and other regulatory entities.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 2–305(f) and (g)(1), 2–309(a), 2–311(b), 2–313(c)(2), 2–405(a), 2–407(b), 3–309(b), 3–408(b), 4–304.1(c), 4–310(c), 4–405(c), 4–506(b), 5–307(e), 5–311(c), 5–405(c), 5–506(b), 6–306(g), 6–310(b), 6–311(d)(2), ~~6.5–312(b)(1)~~, 6.5–312(b), 7–306(a), 7–308(b), 8–307(b), 9–309(b), 9–408(b), 11–408(b), 12–308(b), 13–308(c), ~~14–314(b)(1)~~ 14–314(b), 14–407(b), ~~15–314(b)(1)~~ 15–314(b), 15–406(b), 16–308(b), 16–3A–07(b), ~~16–5A–04(b)(2)~~ 16–5A–04(b)(2) and (3), 17–314(d), 18–307(c), 19–308(c), 20–309(b), 21–306(a), and 21–308(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–307(b), 8–308(c), 9A–304(c), 12–207(b), and 12.5–209(d)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 12–833(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

**House Bill 143 – Chair, Ways and Means Committee (By Request – Departmental
– State Board of Elections)**

AN ACT concerning

Elections – Miscellaneous Duties and Procedures

FOR the purpose of repealing a certain duty of a local election director; repealing the requirement that certain forms be printed; requiring political parties to certify to the State Board of Elections the residential addresses of certain candidates; repealing the requirement that certain candidates be identified on a ballot by the state in which the candidate resides; altering the filing deadline for a petition for a recount of certain election results; ~~altering the deadline for the submission of a certain financial disclosure statement under certain circumstances~~ altering the date on which a candidate who fails to file a certain financial disclosure statement is deemed to have withdrawn the candidacy; and generally relating to the duties of State and local election officials and to certain election procedures.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–206, 6–103, 8–503, 9–210(h), and 12–103
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–605
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

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

House Bill 162 – Delegate Dumais

AN ACT concerning

Public Safety – Firearm Application

FOR the purpose of repealing a requirement that a certain firearm application contain a copy of the applicant's handgun qualification license; requiring that a firearm application contain the applicant's handgun qualification license number, with a certain exception; and generally relating to firearm applications.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–118(b)
Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

House Bill 166 – Delegate Dumais

AN ACT concerning

Criminal Procedure – Charges Against Correctional Officer – Review by State’s Attorney

FOR the purpose of altering a certain definition to make certain provisions of law requiring State’s Attorney review of an application for a statement of charges against a law enforcement officer applicable to an application for a statement of charges against a correctional officer; and generally relating to charging documents against law enforcement officers.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–608
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 167 – Delegates McCray, Anderton, Barron, Cassilly, Hayes, Knotts, Moon, Stein, and Wivell

AN ACT concerning

Counties and Municipalities – At–Will Supervisory Employees – Residency Requirements

FOR the purpose of authorizing a county or municipality to require a certain at–will supervisory employee to reside in the State, county, or municipality or within a certain distance of the State, county, or municipality as a condition of employment under certain circumstances; providing for the application of a certain local law, ordinance, or policy enacted or adopted by a county or municipality; and generally relating to residency requirements for employees of counties and municipalities in the State.

BY repealing and reenacting, with amendments,
Article – Local Government
Section 1–201
Annotated Code of Maryland
(2013 Volume and 2016 Supplement)

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

House Bill 176 – Delegates Morgan, Clark, and Rey

AN ACT concerning

Motor Vehicle Registration – Exception for Golf Carts – Golden Beach Patuxent Knolls

FOR the purpose of creating an exception from motor vehicle registration requirements under certain circumstances for golf carts on county highways in the community of Golden Beach Patuxent Knolls, St. Mary's County; providing that a person who operates a golf cart on a county highway in the community of Golden Beach Patuxent Knolls may operate the golf cart only on certain county roads at certain times and only if the golf cart is equipped with certain lighting devices; requiring a person who operates a golf cart on a county highway in the community of Golden Beach Patuxent Knolls to keep as far to the right of the roadway as feasible and possess a valid driver's license; authorizing the St. Mary's County Department of Public Works and Transportation, ~~in consultation with the State Highway Administration,~~ to designate the county highways in the community of Golden Beach Patuxent Knolls on which a person may operate a golf cart; and generally relating to an exception to motor vehicle registration requirements for golf carts in the community of Golden Beach Patuxent Knolls, St. Mary's County.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–402(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–402(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 21–104.3
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 181 – Delegates Anderson, Barron, Atterbeary, B. Barnes, D. Barnes, Branch, Bromwell, Brooks, Clippinger, Conaway, Dumais, Fennell, Folden, Fraser–Hidalgo, Glass, Glenn, Jackson, Kramer, Lam, Lierman, McCray,

McIntosh, Moon, Morales, Oaks, Parrott, Proctor, Queen, Rosenberg, Sample-Hughes, Sydnor, Turner, Vallario, Waldstreicher, A. Washington, M. Washington, B. Wilson, and C. Wilson

AN ACT concerning

Maryland Police Training and Standards Commission – Guidelines for Use of Electronic Control Devices

FOR the purpose of requiring the Maryland Police Training and Standards Commission to include guidelines for the use of electronic control devices in a certain set of best practices and standards for use of force; and generally relating to the Maryland Police Training and Standards Commission.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3-207(a)(19)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 182 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Financial Regulation and State Collection Agency Licensing Board – Licensees – Revisions

FOR the purpose of requiring certain licensees to obtain and maintain a certain unique identifier and transfer licensing information to the Nationwide Mortgage Licensing System and Registry (NMLS) during a certain time period established by the Commissioner of Financial Regulation; requiring the Commissioner to notify certain licensees of a certain transfer period and provide instructions for the transfer of licensing information to NMLS at least a certain number of days before the transfer period begins; requiring, on or after a certain date, applicants for certain initial licenses and license renewals to apply for an initial license or license renewal through NMLS; altering the requirements an applicant for certain licenses must meet; altering the contents of applications for certain licenses; providing that a separate license is required for certain locations of a person who does business as a collection agency, engages in business as a sales finance company, or provides check cashing services; altering certain fees for certain licenses; requiring the State Collection Agency Licensing Board to issue a license to a certain applicant; requiring certain applicants to submit a separate application, pay separate fees, and file a separate bond for certain locations; altering the circumstances under which the Board is required to approve or deny a certain application; requiring the Board to

take certain actions if an applicant for a certain license does not meet certain requirements; authorizing certain licensees to hold more than one license under certain circumstances; altering the term of certain licenses; establishing and altering certain requirements for the renewal of certain licenses; altering the circumstances under which certain licenses may be required to expire on a staggered basis; altering the process by which certain licensees may surrender a license; prohibiting the Board from refunding any part of a license fee under certain circumstances; authorizing the Board to enter into certain information-sharing agreements with certain agencies under certain circumstances; authorizing the Board to exchange certain information about collection agencies with certain agencies; providing that the requirements under certain federal and State laws regarding the confidentiality of information or material provided to NMLS, and any privilege arising out of federal or state law, shall continue to apply after the information or material has been disclosed to NMLS; authorizing the sharing of certain information and material with certain officials without the loss of privilege or confidentiality protections provided by federal or certain State laws; prohibiting certain information or material from being subject to disclosure, subpoena, discovery, or admission into evidence under certain circumstances; authorizing the Commissioner to participate in NMLS for certain persons; authorizing the Commissioner to adopt regulations that waive or modify the requirements of certain provisions of law to facilitate participation in NMLS; extending the term of certain licenses until a certain date, under certain circumstances; altering the circumstances under which the Commissioner is required to approve or deny certain applications; altering the actions the Commissioner must take after denying certain applications; altering the information that the Commissioner must include on certain licenses; altering the circumstances under which the Commissioner may issue more than one license to certain applicants; prohibiting the Commissioner from refunding any part of the fee for certain licenses under certain circumstances; altering the manner in which certain licensees may change the location for which a license is issued; requiring the Commissioner to send the licensee an amended license if the Commissioner approves the proposed change of location; requiring the Commissioner to investigate certain facts for a certain purpose under certain circumstances; repealing a requirement that certain applicants or licensees provide fingerprints for certain purposes; repealing a provision of law that exempts a certain licensee that applies for more than one license from providing fingerprints for a certain purpose for more than one application; requiring certain applicants, licensees, and agents to provide fingerprints to NMLS for a certain purpose, under certain circumstances; requiring the Commissioner to refund the license fee of a certain applicant if the applicant does not meet certain requirements; providing that only one location may be maintained under a certain license; defining certain terms; altering certain definitions; repealing a certain definition; making certain conforming, clarifying, and stylistic changes; providing for the construction of certain provisions of this Act; and generally relating to licensing requirements for persons licensed by the Commissioner of Financial Regulation and the State Collection Agency Licensing Board.

Section 7–101, 7–301, 7–302, 7–302.1(a), and 7–303 through 7–306
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – Business Regulation
Section 7–307
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Business Regulation
Section 7–307 and 7–307.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions
Section 1–101(q), 2–105.1, 11–201, 11–204, 11–206 through 11–209, 11–210, 11–211, 11–401, 11–403, 11–404, 11–407 through 11–412, 11–501(o), 11–506.1, 11–601(s), 12–101, 12–105, 12–107(a), 12–108 through 12–110, 12–111 through 12–113, 12–408, 12–901, 12–904, 12–906, 12–908 through 12–913, and 12–915
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – Financial Institutions
Section 11–203.1, 11–203.2, 11–209.1, 11–412.1, 12–107.1, and 12–110.1
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 213 – Delegates Queen, Morales, Anderson, Angel, Clippinger, Conaway, Dumais, Fraser–Hidalgo, Glenn, Kelly, Korman, Lierman, Luedtke, A. Miller, Moon, Platt, R. Lewis, Reznik, Robinson, Tarlau, and M. Washington

AN ACT concerning

Public Safety – Maryland Police Training and Standards Commission – Sexual Assault Investigation Training

FOR the purpose of requiring the Maryland Police Training and Standards Commission to develop and maintain a certain curriculum relating to sexual assault investigations; requiring the Commission to require, for certain police training, that the minimum

course of study include a certain curriculum relating to sexual assault investigations; requiring the Commission to make certain determinations regarding the training; and generally relating to police training.

BY adding to

Article – Public Safety

Section 3–207(h)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

House Bill 216 – Delegates Lam, Afzali, Barve, Chang, Ebersole, Glass, Grammer, Hill, Hixson, Jameson, Kaiser, Krebs, Krimm, Luedtke, McDonough, A. Miller, Morhaim, Patterson, Stein, Waldstreicher, B. Wilson, and K. Young

AN ACT concerning

Emergency Veterinary Care – Immunity From Liability

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 Judicial Proceedings.

House Bill 218 – Carroll County Delegation

AN ACT concerning

Carroll County – Huckster, Hawker, or Peddler License – Repeal

FOR the purpose of repealing certain provisions of law that relate to licenses issued to hucksters, hawkers, or peddlers selling fruits or vegetables in Carroll County.

BY repealing

The Public Local Laws of Carroll County

Section 6–101

Article 7 – Public Local Laws of Maryland

(2014 Edition and January 2016 Supplement, as amended)

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

House Bill 219 – Carroll County Delegation

AN ACT concerning

Carroll County – Local Government Tort Claims Act

FOR the purpose of removing a reference to a certain public transportation provider in Carroll County from the definition of “local government” under the Local Government Tort Claims Act; and generally relating to the definition of “local government” under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–301(d)(25)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

House Bill 226 – Delegate Anderson

AN ACT concerning

Baltimore Police Department – Reporting on Community Policing

FOR the purpose of altering the date by which the Police Commissioner of Baltimore City is required to report certain information concerning the Baltimore Police

Department to the Mayor and City Council of Baltimore and the General Assembly for the previous calendar year; altering a certain reporting requirement relating to the use of force under certain circumstances; making certain conforming changes; and generally relating to the Baltimore Police Department.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–512
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 236 – Delegates Barron, Jameson, West, and C. Wilson

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 Judicial Proceedings.

House Bill 249 – Carroll County Delegation

AN ACT concerning

Carroll County – Mechanical Musical Devices – Licensing Requirements – Repeal

FOR the purpose of repealing a licensing requirement for certain mechanical musical devices in Carroll County; and generally relating to licensing requirements in Carroll County.

BY repealing

The Public Local Laws of Carroll County

Section 6–103

Article 7 – Public Local Laws of Maryland

(2014 Edition and January 2016 Supplement, as amended)

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

House Bill 256 – Delegates Carozza, Atterbeary, Aumann, Dumais, Krebs, McComas, Proctor, Rey, Valentino-Smith, and B. Wilson

AN ACT concerning

Adult Protective Services – Investigation – Time Period Increase

FOR the purpose of increasing the period of time during which a local department of social services, or in Montgomery County the county department of health and human services, must complete an investigation after receiving a report of suspected abuse, neglect, self-neglect, or exploitation of an alleged vulnerable adult; and generally relating to investigations conducted by local departments under adult protective services programs.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 14–303(a) and (b)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 14–303(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 334 – Delegates Kramer, Aumann, Barkley, B. Barnes, Carozza, Chang, Folden, Frick, Frush, Gilchrist, Hill, Impallaria, Jalisi, Kipke, Lam, McConkey, A. Miller, Patterson, Pena-Melnyk, Robinson, Valderrama, Waldstreicher, and K. Young

AN ACT concerning

Local Government – Regulation of Animals – Kennel Licenses

FOR the purpose of altering the conditions under which a person is required to obtain a kennel license from a local licensing agency; and generally relating to kennel licenses.

BY repealing and reenacting, without amendments,

Article – Local Government

Section 13–108(a)

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Local Government

Section 13–108(b)

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

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

House Bill 374 – Delegates Sanchez, Korman, Moon, Queen, Tarlau, and Vallario

AN ACT concerning

Criminal Procedure – Expungement – Denial of Petition Without Hearing

FOR the purpose of altering a certain provision of law to authorize, rather than require, a court to hold a hearing on a certain petition for expungement if the State's Attorney files a timely objection to the petition; authorizing a court to deny a certain petition for expungement without a hearing if the court finds that the petition is barred as a matter of law; authorizing a certain petitioner to request a hearing within a certain amount of time under certain circumstances; requiring the court to hold a hearing under certain circumstances; making conforming changes; and generally relating to expungement of court and police records.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 10–105(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–105(e)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

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

House Bill 395 – Delegates Kelly, Frick, Gaines, Gutierrez, Hettleman, Jackson, Lafferty, Lam, Lierman, McCray, A. Miller, Morales, Platt, Reznik, Turner, Valentino–Smith, Waldstreicher, A. Washington, M. Washington, and K. Young

AN ACT concerning

Child Care Subsidy Program – Alternative Methodology – Report

FOR the purpose of requiring the State Department of Education to report to certain committees of the General Assembly on or before a certain date on methodologies to set child care subsidy reimbursement rates in the Child Care Subsidy Program; requiring the report to contain certain information; and generally relating to the Child Care Subsidy Program.

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

House Bill 418 – Delegates Kelly, Angel, Ebersole, Frick, Gaines, Gutierrez, Hettleman, Jackson, Lafferty, Lam, Lierman, McCray, A. Miller, Morales, Platt, Reznik, Turner, Valderrama, Valentino–Smith, Waldstreicher, A. Washington, M. Washington, and K. Young

AN ACT concerning

Child Care Subsidy Program – Reimbursement Rate Adjustments

FOR the purpose of requiring the State Department of Education to conduct a certain analysis regarding the Child Care Subsidy Program beginning in a certain year and at a certain interval thereafter; requiring the Department to consult with certain entities before conducting a certain analysis; requiring the Department to report to certain committees of the General Assembly on or before certain dates; defining certain terms; and generally relating to the Child Care Subsidy Program.

BY adding to

Article – Education

Section 9.5–111

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 446 – Charles County Delegation (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 Finance.

House Bill 505 – Delegate McMillan

AN ACT concerning

**Maryland Tourism Development Board – Destination Marketing Organization
Officials – Voting Rights**

FOR the purpose of granting the destination marketing organization officials who are members of the Maryland Tourism Development Board certain voting rights; and generally relating to members of the Maryland Tourism Development Board.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 4–203

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 4–204(a)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

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

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 8**

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

Senate Bill 7 – Senator Pinsky

AN ACT concerning

**Governor’s P–20 Leadership Council – College and Career Readiness and
College Completion Reporting – Revisions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 90 – Senator Young

AN ACT concerning

Public and Nonpublic Schools – Classwork and Assessment Involving Live and Dead Animals – Student Right of Refusal

SB0090/714131/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 90

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 6 down through “requirements” in line 10 and substitute “requiring certain county boards of education and certain nonpublic schools to develop and implement a certain policy”; in line 10, after “teacher” insert a comma; in the same line, strike “or”; in line 11, after the first “school” insert a comma; and strike beginning with “in” in line 12 down through “policy” in line 16 and substitute “; requiring certain county boards and certain nonpublic schools to publish or share a certain policy with certain schools; requiring certain schools to notify certain students and parents of a certain policy and where to find the policy”.

AMENDMENT NO. 2

On page 2, in line 22, after “BEING” insert “OR A PLANT”.

On page 3, after line 6, insert:

“(2) ON OR BEFORE SEPTEMBER 1, 2017, EACH COUNTY BOARD AND NONPUBLIC SCHOOL IN THE STATE SHALL DEVELOP AND IMPLEMENT A POLICY TO PROVIDE ALTERNATE EDUCATIONAL METHODS OF DISSECTION FOR STUDENTS WHO WISH TO OPT OUT OF PARTICIPATION IN OBSERVING, IN WHOLE OR IN PART, CLASSWORK OR AN ASSESSMENT THAT INCLUDES THE ACTIONS DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”;

strike in their entirety lines 7 through 20, inclusive; in line 23, strike the first “OR” and substitute a comma; in the same line, after the first “SCHOOL” insert a comma; in the same line, after “RIGHT” insert a period; and strike beginning with “BY” in line 24 down through the period in line 29.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 1 through 19, inclusive; and after line 19, insert:

“(D) AT THE BEGINNING OF EACH SCHOOL YEAR, EACH COUNTY BOARD AND NONPUBLIC SCHOOL SHALL:

(1) PUBLISH ON ITS WEB SITE OR SHARE A WEB LINK WITH EACH SCHOOL UNDER ITS JURISDICTION WHERE IT HAS PUBLISHED THE POLICY REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION; AND

(2) REQUIRE EACH PUBLIC AND NONPUBLIC SCHOOL TO NOTIFY THE STUDENTS AND PARENTS OF STUDENTS IN THE SCHOOL, IN WRITING OR ELECTRONICALLY, OF THE POLICY AND WHERE TO FIND THE POLICY.”.

The preceding 3 amendments were read only.

Senator Ready moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 153 – Senators King, DeGrange, Feldman, Guzzone, Kagan, Lee, Madaleno, Manno, Peters, Smith, Young, and Zucker

AN ACT concerning

Public Schools – Length of School Year Adjustment – State of Emergency

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 233 – Senator Madaleno

AN ACT concerning

Maryland Council on Advancement of School-Based Health Centers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 319 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Ferguson, Hershey, Hough, Norman, Ready, Salling, Serafini, and Simonaire

AN ACT concerning

Pathways in Technology Early College High (P-TECH) School Act of 2017

SB0319/434033/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 319

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Simonaire” and substitute “Simonaire, and McFadden”; in line 7, after “provisions;” insert “prohibiting a certain student from being considered a dually enrolled student under certain circumstances;”; in line 23, strike “and”; and in the same line, after “16–305(b)(12)” insert “, and 16–502(e)”.

AMENDMENT NO. 2

On page 7, after line 17, insert:

“(C) A STUDENT WHO IS ENROLLED IN A P-TECH SCHOOL MAY NOT BE CONSIDERED A DUALY ENROLLED STUDENT UNDER TITLE 18, SUBTITLE 14A OF THIS ARTICLE.”

AMENDMENT NO. 3

On page 8, strike beginning with “**MULTIPLY**” in line 6 down through “**(2)**” in line 8; in line 10, strike “**(3)**” and substitute “**(2)**”; and in line 14, strike “**§ 16-305**” and substitute “**§§ 16-305 AND 16-502**”.

AMENDMENT NO. 4

On page 9, in line 10, strike “**(A)**”; in line 23, strike the second “**AND**”; in line 25, strike the period and substitute a semicolon; and strike in their entirety lines 26 through 29, inclusive.

On page 10, in lines 1, 3, 5, and 7, strike “**(1)**”, “**(2)**”, “**(3)**”, and “**(4)**”, respectively, and substitute “**(7)**”, “**(8)**”, “**(9)**”, and “**(10)**”, respectively.

AMENDMENT NO. 5

On page 10, after line 13, insert:

“16-502.

(e) “Full-time equivalent student” means the quotient of the number of student credit hours, **INCLUDING THOSE EARNED BY A P-TECH STUDENT AS PROVIDED UNDER § 7-1804(C) OF THIS ARTICLE**, produced in the fiscal year 2 years prior to the fiscal year for which the State appropriation is calculated divided by 30, as certified by the Maryland Higher Education Commission.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 359 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker

AN ACT concerning

**Education – Maryland Meals for Achievement In-Classroom Breakfast Program
– Administration
(Maryland Meals for Achievement for Teens Act of 2017)**

Favorable report adopted.

Senator Klausmeier moved to make the Bill a Special Order for February 27, 2017.

The motion was adopted.

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

Senate Bill 435 – Senators King, Waugh, Currie, Ferguson, Madaleno, and Serafini

AN ACT concerning

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

SB0435/714437/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 435

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Serafini” and substitute “Serafini, and Middleton”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 485 – Senator Serafini

AN ACT concerning

**Education – Remote Classroom Technology Grant Program – Establishment
(Peyton’s Bill)**

SB0485/644538/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 485

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Serafini” and substitute “Senators Serafini, Bates, Nathan–Pulliam, Robinson, Salling, Young, and Zucker”; and in line 7, strike “a certain” and substitute “an”.

AMENDMENT NO. 2

On page 2, in line 2, strike “**OF AT LEAST \$500,000**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF RESOLUTIONS**Senate Resolution No. 344 – Senator Nathaniel J. McFadden:**

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Kenneth Morris, Jr. and the Family of Frederick Douglas
in recognition of
educating the public on the inhumanity of slavery; being part of the One Million
Abolitionist Project and creating a national curriculum for schools.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 24th day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 320)

FINANCE COMMITTEE REPORT NO. 12

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

**Senate Bill 17 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Eligibility for Benefits – Business Operation
Closings**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 21 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

Unemployment Insurance – Recovery of Benefits – Collection by Assessment

SB0021/847875/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 21
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “contributions;” insert “requiring the Secretary, if the Secretary seeks to recover certain unemployment benefits by assessment, to allow a claimant to elect within a certain period of time to have the amount collected by suit instead of by assessment; requiring the Secretary to adopt certain regulations;”.

AMENDMENT NO. 2

On page 4, in line 22, after “(d)” insert “(1)”; and in lines 23, 24, 26, and 28, strike “(1)”, “(2)”, “**(3)**”, and “**(4)**”, respectively, and substitute “(I)”, “(II)”, “(III)”, and “(IV)”, respectively.

On page 5, in lines 1 and 2, strike “(i)” and “(ii)”, respectively, and substitute “1.” and “2.”, respectively; and after line 2, insert:

“(2) (I) IF THE SECRETARY SEEKS TO RECOVER AN AMOUNT UNDER SUBSECTION (A) OF THIS SECTION BY ASSESSMENT, THE SECRETARY SHALL ALLOW A CLAIMANT TO ELECT, WITHIN 30 DAYS OF THE DATE OF THE NOTICE OF ASSESSMENT, TO HAVE THE AMOUNT COLLECTED BY SUIT INSTEAD OF BY ASSESSMENT.

(II) THE SECRETARY SHALL ADOPT REGULATIONS TO PROVIDE GENERAL GUIDANCE ABOUT:

1. THE PROCESSES UNDER WHICH THE SECRETARY MAY RECOVER BENEFITS; AND

2. THE APPLICATION OF § 8-629 OF THIS TITLE TO THE RECOVERY OF BENEFITS BY ASSESSMENT UNDER THIS SECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 70 – Senator Waugh

AN ACT concerning

Unemployment Insurance – Exemption From Covered Employment – Youth Sports Organization Volunteers

SB0070/787670/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 70

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Organization Volunteers” and substitute “Workers”; and in line 5, strike “volunteers” and substitute “certain workers”.

AMENDMENT NO. 2

On page 2, in lines 1, 4, 18, and 25, in each instance, strike “VOLUNTEER” and substitute “QUALIFYING YOUTH SPORTS WORKER”; strike beginning with “OR” in line 4 down through “ORGANIZATION” in line 5; in line 6, strike “VOLUNTEER” and substitute “QUALIFYING YOUTH SPORTS WORKER”; in line 8, strike “\$5,000” and substitute “\$1,250 PER QUARTER OF A CALENDAR YEAR FOR EITHER THE CURRENT CALENDAR YEAR OR THE PRECEDING CALENDAR YEAR”; in line 12, after “INSTRUCTION” insert “EXCLUSIVELY”; and strike beginning with “ORGANIZED” in line 14 down through “PURPOSES” in line 15 and substitute “THAT IS QUALIFIED UNDER § 501(C)(4) OR § 501(C)(7) OF THE INTERNAL REVENUE CODE IN THE CURRENT CALENDAR QUARTER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 369 – Senator Middleton

AN ACT concerning

Maryland Patient Referral Law – Compensation Arrangements Under Federally Approved Programs and Models

SB0369/157077/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 369

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Oaks, Reilly, and Rosapepe”; in line 24, strike “altering a certain definition;”; in the same line, after

“defining” insert “a”; in the same line, strike “terms” and substitute “term”; and strike in their entirety lines 27 through 30, inclusive.

On page 2, strike line 1 in its entirety; in line 4, strike “1–301(c), (k), and (l) and”; and strike in their entirety lines 7 through 11, inclusive.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 20 on page 2 through line 6 on page 5, inclusive.

On page 9, in line 21, strike “DESCRIBED IN” and substitute “EXEMPT UNDER”.

On page 11, in line 19, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 427 – Senators Klausmeier, Astle, Benson, Feldman, Hershey, King, Lee, Middleton, Peters, and Smith

AN ACT concerning

**Food Service Facilities – Automated External Defibrillator Program
(The Joe Sheya Act)**

SB0427/237174/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 427

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Smith” and substitute “Smith, Jennings, Mathias, Oaks, Reilly, and Rosapepe”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SENATE RULES COMMITTEE REPORT NO. 3

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1134 – Senator Oaks

AN ACT concerning

Income Tax – Research and Development Credit – Start-Up Businesses

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1135 – Senator Oaks

AN ACT concerning

Employees' Pension System – Incorrect Enrollments

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1137 – Senator Oaks

AN ACT concerning

Public School Employees – Required Training on Retirement Benefits

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1142 – Senators King, Feldman, Kagan, Lee, Madaleno, and Zucker

AN ACT concerning

**Income Tax – Corporate Headquarters Investment and Job Retention Tax
Credit**

The Bill was re-referred to the Committee on Budget and Taxation.

SPECIAL ORDER CALENDAR NO. 17

EXECUTIVE NOMINATIONS REPORT NO. 2

NOMINEE NO. S-23

S-23. Brian M. Ropp (District 4)

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016.

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE ABOVE NOMINATION OF THE EXECUTIVE?

Senator Ferguson moved to make Nominee No. S-23 a Special Order for March 10, 2017.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 4

Senator Ferguson, Chair, for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 4
February 23, 2017

District Court, Montgomery County (District 6)

1. Patricia Lynn Mitchell District 16

Judge of the District Court of Maryland, District 6, Montgomery County; reappointed to serve a term of ten years from December 2, 2016

Lottery and Gaming Control Agency, State

2. Gordon Medenica District 46
1630 Whetstone Way, Apt. 603
Baltimore, MD 21230

Director of the State Lottery and Gaming Control Agency; appointed to serve at the pleasure of the Governor

Chiropractic Examiners, State Board of

3. Karen R. Munter, RPN District 12
6213 Grafton View Court
Elkridge, MD 21075

Member of the State Board of Chiropractic Examiners; appointed to serve a term of four years from July 1, 2016

Ethics Commission, State

4. Craig D. Roswell, Esq. District 41
606 Somerset Road
Baltimore, MD 21210

Member of the State Ethics Commission; appointed to serve remainder of a term of five years from July 1, 2015

Handgun Roster Board

5. James F. Laughland District 11
227 Sandee Road
Timonium, MD 21093

Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2016

6. Harris P. Murphy District 36
205 Cannon Street, Suite 2
Chestertown, MD 21620

Member of the Handgun Roster Board; appointed to serve remainder of a term of four years from December 8, 2012 and a term of four years from December 8, 2016

Public Defender, Office of the Board of Trustees of the

7. Vera Lynne White, Esq. District 16
9302 Parkhill Terrace
Bethesda, MD 20814

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve a term of three years from June 1, 2013, and a term of three years from June 1, 2016

Racing Commission, State

8. Ronald F. Thomas, II, Esq. District 27
6304 Spunkyheart Place
Clinton, MD 20735

Member of the State Racing Commission; appointed to serve a term of four years from July 1, 2016

Transportation Authority, Maryland

9. Katherine Bays Armstrong District 42
8 Gregoria Court
Baltimore, MD 21212

Member of the Maryland Transportation Authority; appointed to serve remainder of a term of four years from July 1, 2015

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Budget of the State Workers' Compensation Commission, Advisory Committee on the

- S-1. Heather H. Kraus, Esq. District 33
583 Highbank Road
Severna Park, MD 21146

Member of the Advisory Committee on the Budget of the State Workers' Compensation Commission; appointed to serve a term of three years from July 1, 2015

Deaf and Hard of Hearing, Maryland Advisory Council for the

- S–2. Janet Moye Cornick, Ed.D. District 13
9502 Deerfoot Way
Columbia, MD 21046

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;
appointed to serve a term of three years from October 1, 2016

- S–3. Stacy Spender Dove District 32
7692 Fairbanks Court
Hanover, MD 21076

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;
appointed to serve a term of three years from October 1, 2015

- S–4. Lisalee D. Egbert, Ph.D. District 8
3317 Willoughby Road
Parkville, MD 21234

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;
reappointed to serve a term of three years from October 1, 2016

- S–5. Marion Helfrich District 13
7617 Weather Worn Way, Unit E
Columbia, MD 21046

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;
reappointed to serve a term of three years from October 1, 2016

- S–6. Stephanie R. Summers District 39
13506 Shearwater Place
Germantown, MD 20874

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;
reappointed to serve a term of three years from October 1, 2016

Economic Development Commission, Maryland

- S–7. J. Edward Coleman District 30
91 Bay Drive
Annapolis, MD 21403

Member of the Maryland Economic Development Commission; reappointed to serve
a term of three years from July 1, 2016

- S-8. Edward M. Dunn District 36
5 Parsons Island View
Grasonville, MD 21638

Member of the Maryland Economic Development Commission; reappointed to serve a term of three years from July 1, 2016

Handgun Roster Board

- S-9. Jonathan Wesley Maurath District 8
224 Elinor Avenue
Baltimore, MD 21236

Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2016

- S-10. Michael A. Spaulding District 33
7547 Main Street
Sykesville, MD 21784

Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2016

Psychologists, State Board of

- S-11. Irene W. Leigh, Ph.D. District 16
10910 Brewer House Road
Rockville, MD 20852

Member of the State Board of Psychologists; reappointed to serve a term of four years from July 1, 2016

School for the Deaf, Board of Trustees of the Maryland

- S-12. Rebecca F. Minor, Ph.D. District 5
2217 Kays Mill Road
Finksburg, MD 21048

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2016

- S–13. John O. Olumoya District 32
7704 Hennepin Court
Hanover, MD 21076

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2015

- S–14. Kirsten Poston District 13
8021 Camerado Court
Jessup, MD 20794

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2014

- S–15. Tania N. Thomas–Presswood, Ph.D. District 30
911 Plattner Court
Annapolis, MD 21401

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2015

Transportation Authority, Maryland

- S–16. W. Lee Gaines, Jr. District 42
6 Bowen Mill Road
Baltimore, MD 21212

Member of the Maryland Transportation Authority; reappointed to serve a term of four years from July 1, 2016

- S–17. William K. Hellmann District 33
504 Harlequin Lane
Severna Park, MD 21146

Member of the Maryland Transportation Authority; reappointed to serve a term of four years from July 1, 2016

Veterans' Home Commission, Maryland

- S–18. Lawrencia C. Pierce District 28
1017 Norfolk Drive
La Plata, MD 20646

Member of the Maryland Veterans' Home Commission; appointed to serve a term of five years from July 1, 2016

- S-19. Warner Ivan Sumpter District 38
30466 Prince William Street
Princess Anne, MD 21853

Member of the Maryland Veterans' Home Commission; reappointed to serve a term of five years from July 1, 2016

Waterworks and Waste Systems Operators, State Board of

- S-20. Dominic Deludos, Jr. District 6
7119 Crestshire Road
Baltimore, MD 21222

Member of the State Board of Waterworks and Waste Systems Operators; reappointed to serve a term of four years from July 1, 2014

- S-21. Joseph L. Haxton District 37
32031 Tuckahoe Avenue
Cordova, MD 21625

Member of the State Board of Waterworks and Waste Systems Operators; reappointed to serve a term of four years from July 1, 2015

- S-22. William A. Shreve, Sr. District 28
8549 Cardinal Lane
White Plains, MD 20695

Member of the State Board of Waterworks and Waste Systems Operators; reappointed to serve a term of four years from July 1, 2014

Well Drillers, State Board of

- S-23. Larry Dale Brenneman District 1
312 Main Street Extended
Accident, MD 21520

Member of the State Board of Well Drillers; reappointed to serve a term of two years from July 1, 2016

- S-24. C. Wayne Caswell District 7
3515 North Furnance Road
Jarrettsville, MD 21084

Member of the State Board of Well Drillers; reappointed to serve a term of two years from July 1, 2016

S–25. David B. Hartman District 46
1404 Harper Street
Baltimore, MD 21230

Member of the State Board of Well Drillers; reappointed to serve a term of two years from July 1, 2016

Wellmobile Program Advisory Board, Governor’s

S–26. Linda Roszak Burton District 13
4019 Overlook Drive
Ellicott City, MD 21043

Member of the Governor’s Wellmobile Program Advisory Board; appointed to serve a term of three years from October 1, 2016

Youth Camp Safety, Advisory Council on

S–27. Margaret C. Kaufman, RN District 36
405 Watson Road
Centreville, MD 21617

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2016

S–28. J. Raymond Teat, III District 36
6997 Laurel Grove Road
Preston, MD 21655

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2016

The President of the Senate put the following question: “With the exception of nominee no. 2, will the Senate advise and consent to the above nominations of the Executive?”

The above nominations of the Executive, with the exception of nominee no. 2, were all confirmed by roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 321)

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 322)

ADJOURNMENT

At 12:37 P.M. on motion of Senator Peters the Senate adjourned until 8:00 P.M. on Monday, February 27, 2017, in memory of Gordine Blount.

**Annapolis, Maryland
Monday, February 27, 2017
8:00 P.M. Session**

The Senate met at 8:08 P.M.

Prayer by Pastor Dante Hickman, Southern Baptist Church, guest of Senator McFadden.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 329)

The Journal of February 24, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 368 – Senator Douglas J. J. Peters:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Team Maryland
in recognition of
Winning the 2016 8th – Grade Football University National Championship, and
Maryland proud. Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 27th day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 330)

INTRODUCTORY SENATE BILLS NO. 48

**Senate Bill 1149 – Senators Oaks, Benson, Feldman, Guzzone, Klausmeier,
Mathias, Reilly, Rosapepe, Smith, and Zucker**

AN ACT concerning

Maryland Transit Administration – Free Ridership for State Employees

FOR the purpose of requiring the Maryland Transit Administration to extend to employees of the Judicial Branch and the Legislative Branch of State government the application of any program, policy, or practice through which free ridership on transit vehicles is offered to employees of the Executive Branch of State government; and generally relating to the Maryland Transit Administration and free ridership for State employees.

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

Senate Bill 1150 – Senator Young

AN ACT concerning

Hearing- or Speech-Impaired Children – Sign Language Instruction for Parents and Guardians

FOR the purpose of requiring an individualized education program for a child with a hearing or speech impairment to include educating the child's parents or guardians in basic sign language, including by certain methods; requiring that the Maryland Infants and Toddlers Program include resources for teaching sign language to certain parents or guardians; requiring the State Department of Education to adopt certain regulations; altering the name of the universal newborn screening program to be the universal newborn screening and parental education program; requiring the program to ensure that the parents or guardians of a newborn with hearing loss have a basic understanding of sign language for a certain purpose; requiring the program to include playing of certain pediatric sign language videos in the hospital and providing certain resources to parents and guardians of newborns with hearing loss; requiring the Department of Health and Mental Hygiene to adopt certain regulations; and generally relating to sign language instruction for parents and guardians of children with hearing or speech impairments.

BY adding to

Article – Education

Section 8–408.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 8–416(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 8–416(i)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–308.5
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1151 – Senator Robinson

AN ACT concerning

Creation of a State Debt – Baltimore City – Sellers Mansion

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

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

Senate Bill 1152 – Senator Oaks

AN ACT concerning

Baltimore City – Table Games Proceeds – Recreational Facilities

FOR the purpose of providing that the proceeds of certain table games paid to Baltimore City for certain purposes related to recreational facilities may be used only to supplement and not to supplant existing expenses or obligations related to recreational facilities; making this Act subject to a certain contingency; and generally relating to the use of certain proceeds from table games.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–27(d)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

(As enacted by Section 3 of Chapter 1 of the Acts of the General Assembly of the Second Special Session of 2012)

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

Senate Bill 1153 – Senator Oaks

AN ACT concerning

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

FOR the purpose of specifying certain hours of sale for a holder of a Class B–D–7 beer, wine, and liquor license in a certain area of Baltimore City; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 12–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 12–905

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

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

Senate Bill 1154 – Senator Oaks

AN ACT concerning

Criminal Law – Assault by Strangulation or Suffocation – Penalties

FOR the purpose of prohibiting a person from committing an assault by intentionally strangling, suffocating, or impeding the normal breathing or circulation of blood of another by applying pressure to the other person’s throat or neck or by blocking the other person’s nose or mouth; providing that a person who violates this Act is guilty of assault in the first degree; providing penalties for a violation of this Act; and generally relating to assault by strangulation or suffocation.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–202

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1155 – Senator Oaks

AN ACT concerning

Income Tax – Earned Income Tax Credit – Notice of Availability

FOR the purpose of requiring the Comptroller, beginning on a certain date, to provide certain written and electronic notice of the availability of certain credits against the State and federal income taxes for earned income; establishing certain requirements for the form and content of the notice; requiring that certain written notice be included in certain income tax return materials in a certain manner; requiring that certain electronic notice be posted on the Internet tax filing system of the Comptroller in a certain manner and include links to certain information; requiring the Comptroller to adopt certain regulations; and generally relating to the earned income tax credit.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–704(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY adding to

Article – Tax – General

Section 10–704(e)

Annotated Code of Maryland

(2016 Replacement Volume)

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

Senate Bill 1156 – Senator Reilly

AN ACT concerning

Health Insurance – Coverage for Male Sterilization – High–Deductible Health Plans

FOR the purpose of exempting a high–deductible health plan from the prohibition on application of a deductible to coverage for male sterilization; providing for the application of this Act; providing for the effective date of this Act; and generally relating to coverage for male sterilization under health insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–826.2
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)
(As enacted by Chapters 436 and 437 of the Acts of the General Assembly of 2016)

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

Senate Bill 1157 – Senators Cassilly, Jennings, and Norman

AN ACT concerning

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

FOR the purpose of requiring the State Highway Administration to dedicate the bridge located at the intersection of Maryland Route 22 and Interstate Highway 95 as the Alfred B. Hilton Memorial Bridge.

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 Rules.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 9

House Bill 145 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Board of Examiners of Nursing Home Administrators – Nonlicensed Persons – Provisional Licensure

FOR the purpose of requiring the owner of a nursing home or other appropriate nursing home authority, under certain circumstances, to immediately appoint a nonlicensed person to serve in the capacity of interim, instead of acting, nursing home administrator; authorizing the appointed nonlicensed person to act as the interim nursing home administrator on filing an application with the State Board of Examiners of Nursing Home Administrators requesting a certain provisional license; authorizing the Board to issue a provisional license to a certain applicant if a certain determination is made; providing for the period during which the provisional license remains in effect; providing that if the Board denies an application for a provisional

license, the nonlicensed person shall immediately cease acting as the interim nursing home administrator and the owner of the nursing home or other appropriate nursing home authority, under certain circumstances, shall immediately appoint another nonlicensed person to act as the interim nursing home administrator; requiring the nonlicensed person to file an application for a provisional license with the Board; altering the circumstances under which the Board may extend the period during which a certain person may act as an interim nursing home administrator under a provisional license; clarifying language; and generally relating to the licensure of nursing home administrators by the State Board of Examiners of Nursing Home Administrators.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 9–301
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 154 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Insurance – Pharmacy Benefits Managers – Registration Expiration Date

FOR the purpose of altering the date on which the registration of a pharmacy benefits manager expires unless it is renewed; and generally relating to pharmacy benefits managers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1605(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 155 – Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easement Termination

FOR the purpose of altering the procedures for terminating an easement purchased by the Maryland Agricultural Land Preservation Foundation; establishing certain criteria

to be considered by a county governing body and the Foundation for approving or denying the termination of an easement; providing for the effect of the county governing body's denial of a request for the termination of an easement; requiring the Board of Public Works to approve the easement's fair market value under certain circumstances; providing for the application of this Act; and generally relating to the termination of an easement held by the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–514
Annotated Code of Maryland
(2016 Replacement Volume)

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

**House Bill 184 – Delegates Morales, Angel, Barron, Cullison, Hill, Miele,
Sample-Hughes, Tarlau, ~~and K. Young~~, K. Young, Pena-Melnyk, and Platt**

AN ACT concerning

**Public Health – Treatment of Attention-Deficit/Hyperactivity Disorder –
Identification and Posting Notice of Guidelines Information**

FOR the purpose of requiring the Department of Health and Mental Hygiene to ~~develop~~
~~identify~~, in consultation with ~~the Maryland Chapter of the American Academy of~~
~~Pediatrics, a certain notice that explains the guidelines of the Centers for Disease~~
~~Control and Prevention for the treatment of certain stakeholders, certain~~
~~information relating to attention-deficit/hyperactivity disorder in children and~~
~~adolescents and to post the notice in a certain form on a certain~~, requiring the
Department to post certain information in a certain form on the Department's Web
site; ~~requiring certain health care practitioners to publicly and conspicuously display~~
~~the notice in a certain office~~; defining a certain term; and generally relating to the
identification and notice posting of guidelines information for the treatment of
children and adolescents with attention-deficit/hyperactivity disorder.

BY adding to
Article – Health Occupations
Section 1–207.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

**House Bill 190 – Delegates Queen ~~and Sample-Hughes~~, Sample-Hughes,
K. Young, and Angel**

AN ACT concerning

Mammography Centers – Dense Breast Tissue – Notification of Breast Cancer Screening Options

FOR the purpose of altering the notice that certain mammography centers are required to include in a certain screening results letter; ~~to specify examples of additional breast imaging tests that~~ requiring the notice to state that together, a patient and the patient's physician can decide whether additional screening options might be right for the patient; and generally relating to notice of screening options for breast cancer.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 20–115

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 221 – Delegate Cullison

AN ACT concerning

Maryland Council on Advancement of School–Based Health Centers

FOR the purpose of transferring the Maryland Council on Advancement of School–Based Health Centers from the State Department of Education to the Department of Health and Mental Hygiene; requiring the Maryland Community Health Resources Commission to provide staff support for the Council; authorizing the Commission to seek certain assistance to provide additional staffing resources to the Commission and the Council; requiring the Council to report certain findings and recommendations to the Commission on or before a certain date each year; defining a certain term; making conforming changes; and generally relating to the Maryland Council on Advancement of School–Based Health Centers.

BY transferring

Article – Education

Section 7–4A–01 through 7–4A–05, respectively, and the subtitle “Subtitle 4A. Maryland Council on Advancement of School–Based Health Centers”, respectively

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

to be

Article – Health – General

Section 19–22A–01 through 19–22A–05, respectively, and the subtitle “Subtitle 22A. Maryland Council on Advancement of School–Based Health Centers”, respectively

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–22A–01, 19–22A–02, 19–22A–03(a), and 19–22A–05

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Section 1 of this Act)

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

House Bill 237 – Delegates Carr, Korman, Robinson, and Tarlau

AN ACT concerning

Vehicle Laws – Intersections – Prohibited Acts

FOR the purpose of prohibiting vehicle traffic from entering certain intersections against certain traffic signals if the vehicle is unable to safely and completely proceed through the intersection; ~~prohibiting the driver of a vehicle approaching a stop sign at an intersecting highway from crossing the intersecting highway if the driver is unable to safely and completely proceed through the intersection~~ establishing certain exceptions to the prohibition; making conforming changes; and generally relating to prohibited acts by vehicle traffic at intersections.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–202 ~~and 21–403~~

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 253 – Delegates Angel, Morgan, Pena–Melnyk, Pendergrass, and Saab

AN ACT concerning

State Board of Nursing – Registered Nurses and Licensed Practical Nurses – Renewal of Licenses – Continuing Education Units

FOR the purpose of altering the requirements for renewing certain licenses by authorizing certain registered nurses and licensed practical nurses to renew a license if the

registered nurse or licensed practical nurse submits to the State Board of Nursing certain evidence of completion of a certain number of continuing education units as required by regulations adopted by the Board; and generally relating to the renewal of licenses of registered nurses and licensed practical nurses.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–312(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 275 – Delegates Queen, Angel, Frush, Korman, Luedtke, Patterson, ~~and C. Wilson~~ C. Wilson, Pendergrass, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

AN ACT concerning

Department of Health and Mental Hygiene – Recommended Courses in Military Culture

FOR the purpose of requiring the Department of Health and Mental Hygiene, in consultation with the Department of Veterans Affairs, to provide to certain health occupations boards a list of recommended courses in military culture; and generally relating to courses in military culture recommended by the Department of Health and Mental Hygiene.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 1–801
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–802
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 283 – Delegates Krebs, Anderson, Jacobs, Metzgar, ~~and Miele~~ Miele, Angel, Hayes, Hill, McDonough, Morales, Pena-Melnyk, Saab, West, and K. Young

AN ACT concerning

Procurement – Prohibitions on Participation

FOR the purpose of providing that certain prohibitions on participation in procurement apply only for a certain period of time following the issuance of an invitation for bids or a request for proposals; providing that certain prohibitions on participation in procurement do not apply to certain invitations for bids or requests for proposals; and generally relating to the prohibitions on participation in procurement.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–212.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 298 – Delegates Kelly, Angel, and Platt

AN ACT concerning

**Health Insurance – Licensed Clinical Professional Art Therapists –
Reimbursement**

FOR the purpose of adding a licensed clinical professional art therapist to the types of licensed clinical counselors and therapists whose services entitle an insured or certain other persons to reimbursement, under certain circumstances, under certain health insurance policies, contracts, or certificates; and generally relating to health insurance reimbursement for the services of licensed clinical professional art therapists.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–704
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 383 – Delegates Moon, Morales, Barron, Hill, Kelly, Korman, Platt, Queen, Sanchez, and Sydnor

AN ACT concerning

**Public Information Act – Denials of Inspection – Explanation Regarding
Redaction**

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 Education, Health, and
Environmental Affairs.

House Bill 457 – Charles County Delegation

EMERGENCY BILL

AN ACT concerning

**Charles County – State’s Attorney’s Office and Child Support Enforcement
Administration – Transfer of Personnel**

FOR the purpose of transferring the functions, powers, and duties of the Child Support Unit of the Office of the State’s Attorney for Charles County to the Child Support Enforcement Administration of the Department of Human Resources; requiring that certain employees be transferred in accordance with certain provisions of law that provide for inclusion in the State Personnel Management System, seniority, compensation, annual leave accrual, transfer of certain pension contributions, and other personnel matters for employees transferring to the Child Support Enforcement Administration; requiring Charles County to pay certain personnel certain compensation as of a certain date; requiring the creation of certain Position Identification Numbers for certain transferred employees; providing for the determination of salary grade and seniority for transferred employees; requiring that certain transferred employees be given credit with the State for years of county employment for purposes of determining eligibility for participation as a retiree in the State Employee and Retiree Health and Welfare Benefits Program; requiring that certain transferred employees be subject to certain benefit selections in the Employees’ Pension System; providing that certain transferred employees are not responsible for depositing the difference between certain member contributions and interest in the Charles County Pension Plan and the Employees’ Pension System for

certain creditable service earned in the Charles County Pension Plan; requiring a certain valuation to be performed by a certain actuary; making this Act an emergency measure; and generally relating to the transfer of certain personnel to the Child Support Enforcement Administration of the Department of Human Resources.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 10–117
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 459 – Delegates Queen, Barron, Cassilly, Dumais, Luedtke, McCray, Moon, Sanchez, Sydnor, B. Wilson, and K. Young

AN ACT concerning

Higher Education – Adult Correctional Institutions – Job Training and Education

FOR the purpose of requiring, subject to certain funding recommendations, post–secondary education and workforce training programs developed and recommended by the Correctional Education Council to provide inmates in correctional institutions in the Division of Correction with the requisite training, certifications, and experience to obtain careers in in–demand job sectors; requiring the Justice Reinvestment Oversight Board to make a certain recommendation relating to the distribution of certain savings; and generally relating to post–secondary education and workforce training programs for the Division of Correction.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 11–101, 11–901(a), 11–902(e), and 11–903
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–902(a)
Annotated Code of Maryland
(2016 Replacement Volume)

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 9–3207(b)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 506 – Delegates Carr, Fennell, Glenn, Hornberger, and Jameson

AN ACT concerning

Labor and Employment – Noncompete and Conflict of Interest Clauses

FOR the purpose of providing that certain noncompete and conflict of interest provisions are null and void as being against the public policy of the State; providing for the application of this Act; and generally relating to noncompete and conflict of interest clauses in employment.

BY adding to
Article – Labor and Employment
Section 3–715
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 581 – Delegates Hill and Lam

EMERGENCY BILL

AN ACT concerning

Maryland Medical Practice Act – Individuals Exempt From Licensure – Repeal of Criminal History Records Check Requirement

FOR the purpose of repealing the requirement that, in order to practice medicine without a license while performing certain duties, ~~a medical student or an individual in a certain postgraduate medical training program~~ certain individuals must submit to a criminal history records check in accordance with a certain provision of law; ~~making a stylistic change; making a conforming change; making this Act an emergency measure;~~ and generally relating to individuals exempt from licensure under the Maryland Medical Practice Act.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–302
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 587 – Delegates Reznik, Barkley, Frick, Healey, Hixson, C. Howard, Jackson, Kipke, Lafferty, Patterson, Queen, and Valentino-Smith

AN ACT concerning

State Finance and Procurement – Veteran-Owned Small Business Enterprises – Definitions

FOR the purpose of ~~defining “small business” and “veteran” for~~ defining “veteran” and ~~altering the definition of “veteran-owned small business enterprise” 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”~~ the structure of a unit’s procurement procedures; and generally relating to veteran-owned small business enterprises.

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 Education, Health, and Environmental Affairs.

LAID OVER CALENDAR NO. 4

Senate Bill 90 – Senator Young

AN ACT concerning

Public and Nonpublic Schools – Classwork and Assessment Involving Live and Dead Animals – Student Right of Refusal

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0090/714131/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 90

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 6 down through “requirements” in line 10 and substitute “requiring certain county boards of education and certain nonpublic schools to develop and implement a certain policy”; in line 10, after “teacher” insert a comma; in the same line, strike “or”; in line 11, after the first “school” insert a comma; and strike beginning with “in” in line 12 down through “policy” in line 16 and substitute “; requiring certain county boards and certain nonpublic schools to publish or share a certain policy with certain schools; requiring certain schools to notify certain students and parents of a certain policy and where to find the policy”.

AMENDMENT NO. 2

On page 2, in line 22, after “BEING” insert “OR A PLANT”.

On page 3, after line 6, insert:

“(2) ON OR BEFORE SEPTEMBER 1, 2017, EACH COUNTY BOARD AND NONPUBLIC SCHOOL IN THE STATE SHALL DEVELOP AND IMPLEMENT A POLICY TO PROVIDE ALTERNATE EDUCATIONAL METHODS OF DISSECTION FOR STUDENTS WHO WISH TO OPT OUT OF PARTICIPATION IN OBSERVING, IN WHOLE OR IN PART, CLASSWORK OR AN ASSESSMENT THAT INCLUDES THE ACTIONS DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”;

strike in their entirety lines 7 through 20, inclusive; in line 23, strike the first “OR” and substitute a comma; in the same line, after the first “SCHOOL” insert a comma; in the same line, after “RIGHT” insert a period; and strike beginning with “BY” in line 24 down through the period in line 29.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 1 through 19, inclusive; and after line 19, insert:

“(D) AT THE BEGINNING OF EACH SCHOOL YEAR, EACH COUNTY BOARD AND NONPUBLIC SCHOOL SHALL:

(1) PUBLISH ON ITS WEB SITE OR SHARE A WEB LINK WITH EACH SCHOOL UNDER ITS JURISDICTION WHERE IT HAS PUBLISHED THE POLICY REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION; AND

(2) REQUIRE EACH PUBLIC AND NONPUBLIC SCHOOL TO NOTIFY THE STUDENTS AND PARENTS OF STUDENTS IN THE SCHOOL, IN WRITING OR ELECTRONICALLY, OF THE POLICY AND WHERE TO FIND THE POLICY.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, was rejected by a roll call vote as follows:

Affirmative – 13 Negative – 30 (See Roll Call No. 331)

FINANCE COMMITTEE REPORT NO. 13

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

Senate Bill 96 – Senator Reilly

AN ACT concerning

Health Insurance – Coverage for Fertility Awareness–Based Methods

SB0096/537974/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 96

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Reilly” and substitute “Senators Reilly, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, and Rosapepe”; in line 9, after “defining” insert “a”; and in the same line, strike “terms” and substitute “term”.

AMENDMENT NO. 2

On page 1, in line 21, strike “(1)”; and strike beginning with “THE” in line 21 down through the period in line 22 and substitute a comma.

On page 2, in line 1, strike “(2)”; in the same line, strike “FERTILITY” and substitute “FERTILITY”; in lines 4, 5, 6, and 7, strike “(I)”, “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(1)”, “(2)”, “(3)”, and “(4)”, respectively; strike in their entirety lines 8 and 9; in line 19, after “A” insert “LICENSED”; and in the same line, strike “PRACTITIONER” and substitute “PROVIDER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 340 – Senators Nathan–Pulliam, Benson, Currie, Feldman, Ferguson, Guzzone, Kelley, Lee, McFadden, Ramirez, Robinson, Rosapepe, Smith, Young, and Zucker

AN ACT concerning

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

SB0340/327579/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 340

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Astle, Hershey, Jennings, Klausmeier, Mathias, Middleton, and Reilly”.

AMENDMENT NO. 2

On page 3, in line 16, strike “and”; after line 16, insert:

“(9) the Deputy Secretary for Public Health Services, or the Deputy Secretary’s designee;

(10) the Deputy Secretary for Behavioral Health, or the Deputy Secretary’s designee; and”;

in line 17, strike “(9)” and substitute “(11)”; 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”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 18

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 4

NOMINEE NO. 2

2. Gordon Medenica
1630 Whetstone Way, Apt. 603
Baltimore, MD 21230

District 46

Director of the State Lottery and Gaming Control Agency; appointed to serve at the pleasure of the Governor

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATION OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nomination of the Executive?”

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 27 Negative – 17 (See Roll Call No. 332)

Senate Bill 359 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker

AN ACT concerning

**Education – Maryland Meals for Achievement In-Classroom Breakfast Program
– Administration
(Maryland Meals for Achievement for Teens Act of 2017)**

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 333)

ADJOURNMENT

At 9:14 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Tuesday, February 28, 2017.

**Annapolis, Maryland
Tuesday, February 28, 2017
10:00 A.M. Session**

The Senate met at 10:27 A.M.

Prayer by Rabbi Doug Heifetz, Oseh Shalom, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 336)

The Journal of February 27, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 385 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Family of Lou Davis
in recognition of

his being a reporter for more than 50 years, whose commitment to truth, fact, and
freedom of the press was second to none. He made the State of Maryland a better place
for all citizens.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 28th day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 337)

Senate Resolution No. 260 – Senator James Brochin And Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland

offers its sincerest congratulations to
Towson University
in recognition of
your 18th successful Tiger Pride Advocacy Day. We applaud the efforts of Towson
University's students and gratefully acknowledge your spirit, enthusiasm, and dedication
to your school.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 28th day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 338)

INTRODUCTORY SENATE BILLS NO. 49

Senate Bill 1158 – Senators Middleton and Jennings

AN ACT concerning

Power Plant Research Program – Solar Generation Facilities – Pollinator-Friendly Designation

FOR the purpose of requiring the power plant research program to include in its research an evaluation of the pollinator benefits that would occur under a certain standard or plan implemented on the land on which a certain solar generation facility is located; requiring the power plant research program to designate a certain solar facility as pollinator friendly under certain circumstances; prohibiting the owner of a solar generation facility from making certain claims unless the facility has received a certain designation; requiring the owner of a certain solar generation facility to make certain standards and plans available to certain entities; requiring the Department of Natural Resources to adopt certain regulations; making stylistic changes; and generally relating to the power plant research program.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 3–303

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Natural Resources

Section 3–303.1

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

Senate Bill 1159 – Senator Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Get Involved Community Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$350,000, the proceeds to be used as a grant to the Board of Directors of New Miracle Christian Community Church Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1160 – Senator Oaks

AN ACT concerning

**Creation of a State Debt – Baltimore City – Progressive Education Center
Playground**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of The Progressive Education Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1161 – Senator Oaks

AN ACT concerning

Education – Summer Meals Expansion Grant Program – Established

FOR the purpose of establishing the Summer Meals Expansion Grant Program; providing for the purpose of the Program; requiring the State Department of Education to administer the Program; authorizing certain uses of funds in the Program; requiring a sponsor that has received a certain grant in a certain year to continue to receive the grant subject to certain conditions; requiring certain applicants to show certain

evidence when applying for a grant under the Program; requiring the Department to establish certain procedures; establishing the Summer Meals Expansion Grant Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Governor to make a certain annual appropriation to the Fund; defining certain terms; and generally relating to the Summer Meals Expansion Grant Program.

BY adding to

Article – Education

Section 7–606

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE REPORT NO. 9

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

Senate Bill 59 – Senator Waugh

AN ACT concerning

Crabs – Harvest Times – Trotlines and Crab Pots

SB0059/714430/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 59

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Trotlines and Crab Pots” and substitute “Holidays”; in line 4, strike “the option to”; in line 5, strike “trotlines and crab pots” and substitute “all legal gear”; in the same line, strike “certain hours during certain time periods” and substitute “1 additional early hour on certain days”; strike beginning with “requiring” in line 5 down through “option,” in line 10; in line 11, after “for” insert “catching”; and in the same line, strike “using trotlines and crab pots”.

AMENDMENT NO. 2

On page 2, in line 18, strike “If” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IF**”; in line 20, strike the brackets; in the same line, strike “**SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE**”; in line 26, strike “**(1)**”; in line 27, strike “**THE OPTION TO**”; in the same line, after “A” insert “**TIDAL FISH**”; in line 28, strike “**TROTLINES OR CRAB POTS**” and substitute “**ALL LEGAL GEAR**”; in the same line, strike “**THE FOLLOWING HOURS**” and substitute “**1 ADDITIONAL EARLY HOUR**”; and strike beginning with the colon in line 30 on page 2 down through “**OPTION**” in line 12 on page 3.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 99 – Senator Middleton

AN ACT concerning

**Department of the Environment – Yard Waste and Food Residuals Diversion
and Infrastructure – Study**

SB0099/334436/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 99

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Waste” insert a comma; in the same line, strike “and”; in the same line, after “Residuals” insert “**, and Other Organic Materials**”; in line 6, after “waste” insert “**, food residuals, and other organic materials**”; in lines 9, 14, 16, 18, and 19, in each instance, after “waste” insert a comma; in line 10, strike the first “and”; lines 14 and 19, in each instance, strike “and”; in lines 10, 14, and 20, in each instance, after “residuals” insert “**, and other organic materials**”; in lines 16 and 18, in each instance, strike “or”; in the same lines, in each instance, after “residuals” insert “**, or other organic**”

materials”; in line 17, after “states” insert “, including the laws and regulations of Massachusetts, Connecticut, Vermont, California, and Rhode Island,”; and in line 22, after “type” insert “, quantity of food waste generated by entity,”.

AMENDMENT NO. 2

On page 2, in line 4, after “encourage” insert a colon; in line 5, before “a” insert:

“(i);

in the same line, after “infrastructure;” insert “and

(ii) the prevention of organic waste generation;

(5) identify the infrastructure needs and challenges related to yard waste, food residuals, and other organic materials composting and diversion that are unique to the different geographic regions of the State;;

in lines 6 and 16, strike “(5)” and “(7)”, respectively, and substitute “(6)” and “(9)”, respectively; in lines 7 and 16, in each instance, after “waste” insert a comma; in the same lines, in each instance, strike “and”; in lines 7 and 17, in each instance, after “residuals” insert “, and other organic materials”; in line 8, strike “identification of”; in line 9, before “properties” insert “the development of, in consultation with local governments, model guidelines and best practices for the local identification of”; in line 11, before “any” insert “the identification of”; in the same line, after “tax” insert “, grant,”; in the same line, after “encourage” insert “and support”; in line 12, after “infrastructure” insert “and economic”; after line 12, insert:

“(7) identify any applicable sanitary and public health concerns related to yard waste, food residuals, and other organic materials composting and diversion;”;

strike in their entirety lines 13 through 15, inclusive, and substitute:

“(8) identify the current process for permitting anaerobic digestion facilities and recommend improvements that should be made to the anaerobic digestion permitting process;”;

and in line 19, strike “(8)” and substitute:

“(10) subject to the approval of the affected local governments,”.

AMENDMENT NO. 3

On page 3, in line 10, strike “and” and substitute:

“(19) the Chesapeake Sustainable Business Council;

(20) the University of Maryland, College Park;

(21) the Chesapeake Bay Foundation;

(22) the Food Waste Reduction Alliance;

(23) other environmental organizations; and”;

and in line 11, strike “(19)” and substitute “(24)”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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**

Senator Conway moved to make the Bill and Report a Special Order for March 2, 2017.

The motion was adopted.

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

Senate Bill 314 – The President (By Request – Administration) and Senators Bates, Cassilly, Edwards, Hershey, Hough, Jennings, Klausmeier, Mathias, Middleton, Norman, Reilly, Salling, Serafini, and Simonaire

AN ACT concerning

Clean Water Commerce Act of 2017

SB0314/514039/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 314

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “credits” and substitute “load reductions”; in line 5, after “year” insert “in certain years; requiring certain regulations to be adopted in a certain manner and in accordance with certain requirements”; in line 6, strike “Agriculture and” and substitute “Transportation”; in the same line, after “Resources” insert “, the Secretary of Commerce, the Secretary of Agriculture, and certain stakeholders”; and in line 7, after “regulations;” insert “requiring the load reductions purchased under this Act to be consistent with certain accounting procedures; requiring the Department to report to the Bay Restoration Fund Advisory Committee annually on the implementation of this Act; requiring the Department, on or before a certain date, to report to certain committees of the General Assembly on the implementation of this Act; authorizing the Department to enter into any contracts under this Act until a certain date; providing that contracts entered into by the Department under this Act may be funded for a certain period of time; providing for the termination of this Act.”.

AMENDMENT NO. 2

On page 3, in line 23, strike “FOR” and substitute “AFTER FUNDING ANY ELIGIBLE COSTS IDENTIFIED UNDER ITEM (IV)1 AND 2 OF THIS PARAGRAPH, FOR”; in line 24, strike “AND” and substitute a comma; in the same line, after “PHOSPHORUS” insert “, OR SEDIMENT LOAD REDUCTIONS”; in the same line, strike “NUTRIENT CREDITS”; in line 26, after “EXCEED” insert “\$4,000,000 IN FISCAL YEAR 2018, \$6,000,000 IN FISCAL YEAR 2019, AND”; in the same line, after “YEAR” insert “IN FISCAL YEARS 2020 AND 2021”; and after line 26, insert:

“(3) THE NITROGEN, PHOSPHORUS, AND SEDIMENT LOAD REDUCTIONS PURCHASED UNDER SUBPARAGRAPH (2)(XIII) OF THIS SUBSECTION:

(I) CANNOT BE FROM THE AGRICULTURAL SECTOR; AND

(II) MUST BE CREATED ON OR AFTER JULY 1, 2017.”.

AMENDMENT NO. 3

On page 3, in line 31, strike “BE” and substitute “:

(I) BE ADOPTED BEFORE THE PURCHASE OF ANY LOAD REDUCTIONS;

(II) SPECIFY A LOAD REDUCTION PURCHASED SHOULD PROVIDE THE LOWEST COST PER POUND IN REDUCTION AND BE PURCHASED IN ACCORDANCE WITH A COMPETITIVE PROCESS; AND

(III) BE”;

in line 32, strike “AGRICULTURE AND” and substitute “**TRANSPORTATION,**”; and in the same line, after “RESOURCES” insert “**, THE SECRETARY OF COMMERCE, THE SECRETARY OF AGRICULTURE, AND PUBLIC AND PRIVATE SECTOR STAKEHOLDERS**”.

AMENDMENT NO. 4

On page 3, after line 32, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the nutrient load reductions purchased under § 9–1605.2(i)(2)(xiii) of the Environment Article, as enacted by Section 1 of this Act must be consistent with the Chesapeake Bay Program Partnership Accounting Procedures.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Beginning July 1, 2018, the Department of the Environment shall report each year to the Bay Restoration Fund Advisory Committee on the implementation of this Act.

(b) On or before October 1, 2020, the Department of the Environment shall report, in accordance with § 2–1246 of the State Government Article, to the House Environment and Transportation Committee and the Senate Education, Health, and Environmental Affairs Committee on the implementation of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The Department of the Environment may enter into any contracts for the purchase of nutrient load reductions under this Act until June 30, 2021.

(b) Any contract entered into by the Department of the Environment under this Act may be funded for the expected life of the best management practice resulting from a nutrient load reduction.”;

in line 33, strike “2.” and substitute “5.”; and in line 34, after “2017.” insert “It shall remain effective for a period of 4 years and, at the end of June 30, 2021, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 386 – Senators Nathan–Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Manno, McFadden, Pinsky, Ramirez, Robinson, Rosapepe, Young, and Zucker

AN ACT concerning

Pollinator Habitat Plans – Plan Contents – Requirement and Prohibition

SB0386/854233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 386
(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.”; and in line 7, strike

“the pollinator habitat plan” and substitute “a certain pollinator habitat area, subject to certain exceptions”.

AMENDMENT NO. 2

On page 2, in line 4, after “the” insert “**DESIGNATION,**”; in line 5, strike “habitats” and substitute “**HABITAT AREAS**”; and in line 13, after “IN” insert “**AN AREA DESIGNATED OR CREATED AS A POLLINATOR HABITAT AREA IN ACCORDANCE WITH**”.

AMENDMENT NO. 3

On page 2, in line 12, strike “**MAY**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, MAY**”; and after line 18, insert:

“(3) (I) PESTICIDES LABELED AS TOXIC TO BEES OR OTHER POLLINATORS THAT ARE NOT NEONICOTINOID PESTICIDES MAY BE USED IN AN AREA DESIGNATED OR CREATED AS A POLLINATOR HABITAT AREA UNDER A POLLINATOR HABITAT PLAN IF THE SECRETARY OF HEALTH AND MENTAL HYGIENE DETERMINES THAT THE USE IS NECESSARY TO RESPOND TO A SPECIFIC INSTANCE OF THREAT TO PUBLIC HEALTH.

(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, SEEDS, OR PLANTS 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.”.**

The preceding 3 amendments were read only.

Senator Jennings moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 396 – Senator Edwards

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.

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

Senate Bill 440 – Senators Conway and Salling

AN ACT concerning

Environment – Water Management – Sediment Control at Large Redevelopment Sites

SB0440/454138/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 440

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, strike “**100**” and substitute “**500**”; in line 4, after “**PURPOSES**” insert “**AND MANUFACTURING**”; and in line 10, after “**PARTY**” insert “**, THE OWNER OR OPERATOR OF THE SITE, OR A PROSPECTIVE PURCHASER OF THE SITE**”.

AMENDMENT NO. 2

On page 3, in line 18, after “**DEPARTMENT**” insert “**AND SHALL BE AS PROTECTIVE OF THE ENVIRONMENT AS THE CRITERIA REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 519 – Senators Young and Hough

AN ACT concerning

Frederick County – Hunting – Nongame Birds and Mammals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 14

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

Senate Bill 184 – Senator Middleton

AN ACT concerning

**Energy Efficiency Programs – Calculation of Program Savings and
Consideration of Cost-Effectiveness**

SB0184/377075/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 184

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Astle, Benson, Feldman, Klausmeier, Mathias, Oaks, and Rosapepe”; in lines 6 and 7, strike “beginning with a” and substitute “for the duration of”; in line 7, strike “cycle” and substitute “cycles”; in line 11, after “service,” insert “requiring that certain nonenergy benefits be quantifiable and directly related to a certain program or service;”; and in line

13, strike “defining certain terms” and substitute “requiring the Commission to determine the advisability of certain matters relating to energy efficiency and conservation programs beginning in a certain program cycle”.

AMENDMENT NO. 2

On page 3, in line 36, strike “**BEGINNING WITH**” and substitute “**FOR THE DURATION OF**”; in the same line, after “**2018–2020**” insert “**AND 2021–2023**”; and in the same line, strike “**CYCLE**” and substitute “**CYCLES**”.

On page 4, in line 10, after “**SALES**” insert “**AND ELECTRICITY LOSSES**”; in line 16, after “**MEASURED**” insert “**SHALL:**”

1. REFLECT SALES ASSOCIATED WITH CUSTOMER CLASSES SERVED BY UTILITY–ADMINISTERED PROGRAMS ONLY; AND;

in the same line, strike “**SHALL**” and substitute:

“2.”;

and after line 17, insert:

“(IV) THE TARGETED ANNUAL INCREMENTAL GROSS ENERGY SAVINGS SHALL BE ACHIEVED BASED ON THE 3–YEAR AVERAGE OF AN ELECTRIC COMPANY’S PLAN SUBMITTED UNDER SUBSECTION (H)(2) OF THIS SECTION.”.

AMENDMENT NO. 3

On page 5, strike beginning with “**(1)**” in line 20 down through “**ARREARAGES.**” in line 31; in line 32, strike the brackets; and in the same line, strike “**(2)**”.

On page 6, in line 2, strike “**PORTFOLIO**” and substitute “**SUBPORTFOLIO**”; in line 11, strike “**ARE**” and substitute “**WILL BE**”; in the same line, after “**MET**” insert “**PROSPECTIVELY**”; and after line 17, insert:

“(2) NONENERGY BENEFITS CONSIDERED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE QUANTIFIABLE AND DIRECTLY RELATED TO A PROGRAM OR SERVICE.”.

AMENDMENT NO. 4

On page 8, after line 15, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before July 1, 2022, the Public Service Commission shall determine the advisability of maintaining the methodology and magnitude of the savings trajectory established in § 7-211(g)(2) of the Public Utilities Article, as enacted by this Act, as the basis for designing cost-effective energy efficiency and conservation programs and services in subsequent program cycles that the Commission shall authorize beginning with the 2024–2026 program cycle.”;

and in line 16, strike “3.” and substitute “4.”.

The preceding 4 amendments were read only.

Senator Ready moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 392 – Senator Hershey

AN ACT concerning

**Credit Regulation – Revolving and Closed End Credit Loans – Elimination of
Duplicative Disclosures**

SB0392/937378/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 392
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Hershey” and substitute “Senators Hershey, Astle, Benson, Feldman, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe”; in line 2, strike “Revolving and”; in lines 6 and 9, in each instance, strike “revolving credit and”; in line 8, after “property,” insert “requiring the Commissioner of Financial Regulation to monitor certain federal requirements and notify the Governor and the General Assembly if the Commissioner makes a certain determination”; and in line 12, strike “, 12–922,”.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 27 on page 3 through line 24 on page 5, inclusive.

AMENDMENT NO. 3

On page 7, after line 26, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Commissioner of Financial Regulation shall:

(1) monitor the requirements implemented by the federal Consumer Financial Protection Bureau relating to disclosures provided to borrowers of mortgage loans under the “Know Before You Owe” mortgage disclosure rule, including:

(i) the Loan Estimate Disclosure under 12 C.F.R. § 1026.37, which includes information on closing and loan costs and the terms of a loan and must be provided to a borrower within 3 days after application for a mortgage loan; and

(ii) the Closing Disclosure under 12 C.F.R. § 1026.38, which includes information that binds a lender to the loan terms and must be provided to a borrower at least 3 days before the closing of a mortgage loan; and

(2) notify the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly if the Commissioner determines that the federal disclosure requirements described in item (1) of this section are proposed to be modified or have been modified to be less stringent or less consumer friendly.”;

and in line 27, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 535 – Senators Salling, Astle, Bates, Benson, Brochin, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kagan, Kasemeyer, Kelley, King,

Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Reilly, Robinson, Rosapepe, Serafini, Simonaire, Smith, Waugh, Young, Zirkin, and Zucker

AN ACT concerning

Highway Dedication – Senator Norman R. Stone, Jr. Highway

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 10**

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

**Senate Bill 6 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Occupational and Professional Licensing Boards, Commissions, and Regulatory
Entities – Notifications of Applicants, Licensees, Registrants, and Permit
Holders**

SB0006/414631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 6

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “holders” insert “subject to a certain condition”; in line 16, strike “6.5–312(b)(1),” and substitute “6.5–312(b)”; in line 18, strike “14–314(b)(1)” and substitute “14–314(b)”; in the same line, strike “15–314(b)(1)” and substitute “15–314(b)”; in line 19, strike “16–5A–04(b)(2)” and substitute “16–5A–04(b)(2) and (3)”; and after line 22, insert:

“BY adding to

Article – Business Occupations and Professions

Section 16–15A–04(b)(3)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 26, after “(b)” insert “**(1)**”; and in lines 28, 29, and 30, strike “(1)”, “(2)”, and “(i)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**1.**”, respectively.

On page 3, in line 1, strike “(ii)” and substitute “**2.**”; after line 3, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 5, after “(2)” insert “**(I)**”; in lines 8, 9, 10, and 11, strike “(i)”, “(ii)”, “1.”, and “2.”, respectively, and substitute “**1.**”, “**2.**”, “**A.**”, and “**B.**”, respectively; after line 13, insert:

“(II) IF AN ELECTRONIC TRANSMISSION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 21, after “(b)” insert “**(1)**”; and in lines 24, 25, and 26, strike “(1)”, “(2)”, and “(i)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**1.**”, respectively.

On page 4, in line 1, strike “(ii)” and substitute “**2.**”; after line 3, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS

SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 5, after “(b)” insert “**(1)**”; in lines 7, 8, 9, and 10, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 12, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 14, after “(b)” insert “**(1)**”; in lines 17, 18, 19, and 20, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; and after line 22, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

On page 5, in line 1, after “(c)” insert “**(1)**”; in lines 3, 4, 5, and 6, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 8, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 10, after “(c)” insert “**(1)**”; in lines 13, 14, 15, and 17, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 20, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE APPRENTICE BARBER, AT THE LAST KNOWN ADDRESS OF THE APPRENTICE BARBER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 22, after “(b)” insert “**(1)**”; and in lines 25, 26, and 27, strike “(1)”, “(2)”, and “(i)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**1.**”, respectively.

On page 6, in line 1, strike “(ii)” and substitute “**2.**”; and after line 3, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 8, after “(c)” insert “**(1)**”; in lines 10, 11, 12, and 13, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 15, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 17, after “(c)” insert “**(1)**”; in lines 20, 21, 22, and 23, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; and after line 25, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE INDIVIDUAL, AT THE LAST KNOWN ADDRESS OF THE INDIVIDUAL, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS

SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

On page 7, in line 1, after “(b)” insert “**(1)**”; in lines 4, 5, 6, and 7, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 9, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE BEAUTY SALON PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE BEAUTY SALON PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 15, after “(b)” insert “**(1)**”; in lines 18, 19, 20, and 21, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 23, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE STATE BOARD AS UNDELIVERABLE, THE STATE BOARD SHALL MAIL TO THE STATE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE STATE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE STATE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 25, after “(2)” insert “**(I)**”; and in line 28, strike “(i)”, and substitute “**1.**”.

On page 8, in lines 1, 2, and 3, strike “(ii)”, “1.”, and “2.”, respectively, and substitute “**2.**”, “**A.**”, and “**B.**”, respectively; after line 6, insert:

“(II) IF AN ELECTRONIC TRANSMISSION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS RETURNED TO THE STATE BOARD AS UNDELIVERABLE, THE STATE BOARD SHALL MAIL TO THE INDIVIDUAL, AT THE LAST KNOWN ADDRESS OF THE INDIVIDUAL, THE MATERIALS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS

PARAGRAPH WITHIN 10 BUSINESS DAYS OF THE DATE THE STATE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

after line 16, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.

[(2)] (3) The failure of a licensee to receive the notice as provided for in this subsection does not prevent the license from expiring as specified under subsection (a) of this section.”;

and in line 27, after “(b)” insert “(1)”.

On page 9, in lines 1, 2, 3, and 4, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 6, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 8, after “(b)” insert “(1)”; in lines 11, 12, and 16, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; after line 16, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE CERTIFICATE HOLDER, AT THE LAST KNOWN ADDRESS OF THE CERTIFICATE HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 18, after “(b)” insert “**(1)**”; in lines 20, 21, 22, and 23, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; and after line 25, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

On page 10, in line 1, after “(b)” insert “**(1)**”; in lines 4, 5, 6, and 7, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 9, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 11, after “(b)” insert “**(1)**”; in lines 13, 14, 15, and 16, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 18, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 20, after “(b)” insert “**(1)**”; in lines 22, 23, 24, and 25, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; and after line 27, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

On page 11, in lines 7, 10, 11, and 14, in each instance, strike the bracket; in lines 11 and 14, strike “(III)” and “(IV)”, respectively; after line 24, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

[(2)] (3) The failure of a licensee to receive the notice for which this subsection provides does not prevent the license from expiring as specified under subsection (a) of this section.”;

and in line 26, after “(b)” insert “(1)”.

On page 12, in lines 1, 2, 3, and 4, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 6, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

after line 15, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD

SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.

[(2)] (3) The failure of a licensee to receive the notice for which this subsection provides does not prevent the license from expiring as specified under subsection (a) of this section.”;

in line 17, after “(b)” insert “**(1)**”; in lines 20, 21, 22, and 23, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; and after line 25, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

On page 13, in line 1, after “(b)” insert “**(1)**”; in lines 4, 5, 6, and 7, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 9, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE COMMISSION AS UNDELIVERABLE, THE COMMISSION SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE COMMISSION RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 11, after “(b)” insert “**(1)**”; in lines 13, 14, 15, and 16, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 16, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE COMMISSION AS UNDELIVERABLE, THE

COMMISSION SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE COMMISSION RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

and after line 26, insert:

“(3) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (2) OF THIS SUBSECTION IS RETURNED TO THE COMMISSION AS UNDELIVERABLE, THE COMMISSION SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE COMMISSION RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.

[(3)] (4) The failure of a licensee to receive the notice under this subsection does not prevent the license from expiring as specified under subsection (a) of this section.”.

On page 14, after line 17, insert:

“(3) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OR (2) OF THIS SUBSECTION IS RETURNED TO THE COMMISSION AS UNDELIVERABLE, THE COMMISSION SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE COMMISSION RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in lines 24, 28, and 29, in each instance, strike the bracket; and in line 29, strike “(III)”.

On page 15, in lines 3, 5, 14, 17, 18, and 21, in each instance, strike the bracket; and in lines 3, 5, 18, and 21, strike “(IV)”, “(V)”, “(III)”, and “(IV)”, respectively.

On page 16, in line 14, after “(b)” insert “(1)”; in lines 17, 18, 19, and 20, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “(I)”, “(II)”, “1.”, and “2.”, respectively; after line 22, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE INDIVIDUAL, AT THE LAST KNOWN ADDRESS OF THE INDIVIDUAL, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 25, after “(b)” insert “**(1)**”; and in line 28, strike “(1)” and substitute “**(I)**”.

On page 17, in lines 1, 2, and 3, strike “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 6, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE DIRECTOR AS UNDELIVERABLE, THE DIRECTOR SHALL MAIL TO THE REGISTRANT OR PERMIT HOLDER, AT THE LAST KNOWN ADDRESS OF THE REGISTRANT OR PERMIT HOLDER, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE DIRECTOR RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 8, after “(c)” insert “**(1)**”; in lines 10, 11, 12, and 13, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; after line 15, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE COMMISSION AS UNDELIVERABLE, THE COMMISSION SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE COMMISSION RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 21, after “(b)” insert “**(1)**”; and in lines 23, 24, 25, and 26, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively.

On page 18, after line 1, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE SECRETARY AS UNDELIVERABLE, THE

SECRETARY SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE SECRETARY RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 3, after “(d)” insert “**(1)**”; in lines 5, 6, 8, 11, 12, and 13, strike “(1)”, “(2)”, “(3)”, “(4)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, “**1.**”, and “**2.**”, respectively; after line 15, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE SECRETARY AS UNDELIVERABLE, THE SECRETARY SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE SECRETARY RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”;

in line 18, after “(b)” insert “**(1)**”; in lines 20, 21, 22, and 23, strike “(1)”, “(2)”, “(i)”, and “(ii)”, respectively, and substitute “**(I)**”, “**(II)**”, “**1.**”, and “**2.**”, respectively; and after line 25, insert:

“(2) IF AN ELECTRONIC TRANSMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL MAIL TO THE LICENSEE, AT THE LAST KNOWN ADDRESS OF THE LICENSEE, THE MATERIALS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF THE DATE THE BOARD RECEIVED THE NOTICE THAT THE ELECTRONIC TRANSMISSION WAS UNDELIVERABLE.”.

AMENDMENT NO. 3

On page 18, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Before an occupational and professional licensing board, commission, or other regulatory entity may electronically transmit a communication as authorized under Section 1 of this Act, the board, commission, or entity shall:

(1) mail a notice informing the licensee, registrant, or permit holder that the board, commission, or entity will switch from a system of physical mail to a system of electronic transmission; and

(2) inquire whether the e-mail address that the board, commission, or entity has on file is a current and valid e-mail address for the licensee, registrant, or permit holder.

(b) If a licensee, registrant, or permit holder does not respond within 30 days after the board, commission, or entity mails the notice required under subsection (a) of this section, the board, commission, or entity may assume that the e-mail address is current and valid and may electronically transmit communications as authorized under Section 1 of this Act.”;

and in line 26, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 394 – Senator Waugh

AN ACT concerning

St. Mary’s County – Auditing Requirements – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 438 – Senator Conway

AN ACT concerning

State Lottery Tickets – Internet Sales – Prohibition

Senator Madaleno moved to make the Bill and Report a Special Order for March 1, 2017.

The motion was adopted.

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

Senate Bill 439 – Senators Conway, Bates, Benson, Eckardt, Kagan, Madaleno, Manno, McFadden, Peters, Pinsky, Robinson, Salling, Simonaire, Waugh, Young, and Zucker

AN ACT concerning

State Procurement – Information Technology – Nonvisual Access

SB0439/984934/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 439

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, and Nathan–Pulliam”; in line 9, strike the second “a”; and in the same line, strike “civil penalty” and substitute “liquidated damages”.

AMENDMENT NO. 2

On page 6, strike beginning with “DETERMINE” in line 5 down through “SECTION” in line 7 and substitute “ENSURE COMPLIANCE WITH SECTION 508 OF THE REHABILITATION ACT OF 1973 AND THE WORLD WIDE WEB CONSORTIUM WEB CONTENT ACCESSIBILITY GUIDELINES 2.0 LEVEL AA”.

AMENDMENT NO. 3

On page 6, in line 19, strike “A CIVIL PENALTY” and substitute “LIQUIDATED DAMAGES”; and in line 27, after “BARRIER” insert “FOR 12 MONTHS”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 503 – Senator Nathan–Pulliam

AN ACT concerning

**Health Occupations Boards – Racial and Ethnic Health Disparities –
Information Campaigns – Reporting**

SB0503/414733/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 503

(First Reading File Bill)

In lines 2 and 3, strike “– Information Campaigns – Reporting”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 516 – Senators Zucker and Simonaire

AN ACT concerning

**State Government – Maryland Manual – Revisions
(Maryland Manual Modernization Act)**

SB0516/574436/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 516

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Simonaire” and substitute “, Simonaire, and Bates”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 595 – Senators Nathan–Pulliam, Benson, Kelley, Madaleno, Ramirez, Robinson, Young, and Zucker

AN ACT concerning

Residential Boarding Education Programs for At–Risk Youth – Eligibility

Senator Pinsky moved to make the Bill and Report a Special Order for March 3, 2017.

The motion was adopted.

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

Senate Joint Resolution 2 – Senators Madaleno, Conway, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Manno, McFadden, Pinsky, Rosapepe, Smith, and Zucker

A Senate Joint Resolution concerning

Constitutional Convention – Amendment – Repeal

SJ0002/174339/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE JOINT RESOLUTION 2

(First Reading File Joint Resolution)

On page 1, in line 4, strike “and”; in line 5, after “actions” insert “; and generally relating to the repeal and withdrawal of certain applications to Congress for a convention to propose amendments to the Constitution of the United States”; in line 19, strike “corrections in” and substitute “revisions to”; in line 24, after “The” insert “Maryland”; and

in line 25, after the period insert “These calls include: (1) House Resolution (1939) calling for limitations on the federal taxing power; (2) Senate Joint Resolution 1 (1965) calling for legislative autonomy concerning the apportionment of State legislative bodies; (3) House Joint Resolution 61 (1973) calling for the allowance of school prayer in public schools; and (4) Senate Joint Resolution 4 (1975) calling for a balanced federal budget.”.

On page 2, in line 18, after “Delegates” insert “; and be it further

RESOLVED, That certified copies of this Joint Resolution be sent by the Secretary of State to:

(1) the Honorable Michael R. Pence, Vice President of the United States, President of the United States Senate, Suite S-212, United States Capitol Building, Washington, D.C. 20510; the Honorable Orrin Hatch, President Pro Tempore of the United States Senate, 104 Hart Office Building, Washington, D.C. 20510; and the Honorable Paul D. Ryan, Speaker of the United States House of Representatives, 1233 Longworth House Office Building, Washington, D.C. 20515; and

(2) the Maryland Congressional Delegation: Senators Benjamin L. Cardin and Christopher Van Hollen, Jr., Senate Office Building, Washington, D.C. 20510; and Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes, Anthony G. Brown, Steny Hamilton Hoyer, John Delaney, Elijah E. Cummings, and Jamie Raskin, House Office Building, Washington, D.C. 20515; and

(3) the Honorable David S. Ferriero, Archivist of the United States, National Archives and Records Administration, 709 Pennsylvania Avenue, N.W., Washington, D.C. 20408; and

(4) the Honorable Julie E. Adams, Secretary of the United States Senate, United States Capitol Building, Suite S-312, Washington, D.C. 20510; the Honorable Elizabeth MacDonough, Parliamentarian of the United States Senate, United States Capitol Building, Suite S-133, Washington, D.C. 20510; the Honorable Karen L. Haas, Clerk of the United States House of Representatives, Suite H-154, United States Capitol Building, Washington, D.C. 20515; and the Honorable Thomas J. Wickham, Jr., Parliamentarian of the United States House of Representatives, Room H-209, United States Capitol Building, Washington, D.C. 20515, requesting that they publish this Joint Resolution in the Congressional Record and list this application in the official tally of state legislative applications that repeal and withdraw any prior application by a state legislature that calls for the Congress of the United States of America to call a convention

to propose amendments to the Constitution of the United States, pursuant to the terms of Article V thereof, regardless of when and regardless of whether such applications were for a more limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects”.

The preceding amendment was read only.

Senator Jennings moved to make the Bill and Amendment a Special Order for March 1, 2017.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 339)

SENATE THIRD READING CALENDAR NO. 26 (GENERAL SENATE BILLS)

Senate Bill 7 – Senator Pinsky

AN ACT concerning

Governor’s P-20 Leadership Council – College and Career Readiness and College Completion Reporting – Revisions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 340)

The Bill was then sent to the House of Delegates.

Senate Bill 17 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Eligibility for Benefits – Business Operation Closings

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

Affirmative – 47 Negative – 0 (See Roll Call No. 341)

The Bill was then sent to the House of Delegates.

**Senate Bill 21 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

Unemployment Insurance – Recovery of Benefits – Collection by Assessment

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

Affirmative – 47 Negative – 0 (See Roll Call No. 342)

The Bill was then sent to the House of Delegates.

Senate Bill 70 – Senator Waugh

AN ACT concerning

**Unemployment Insurance – Exemption From Covered Employment – Youth
Sports ~~Organization Volunteers~~ Workers**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 343)

The Bill was then sent to the House of Delegates.

**Senate Bill 153 – Senators King, DeGrange, Feldman, Guzzone, Kagan, Lee,
Madaleno, Manno, Peters, Smith, Young, and Zucker**

AN ACT concerning

Public Schools – Length of School Year Adjustment – State of Emergency

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

Affirmative – 46 Negative – 0 (See Roll Call No. 344)

The Bill was then sent to the House of Delegates.

Senate Bill 233 – Senator Madaleno

AN ACT concerning

Maryland Council on Advancement of School-Based Health Centers

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

Affirmative – 47 Negative – 0 (See Roll Call No. 345)

The Bill was then sent to the House of Delegates.

Senate Bill 319 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Ferguson, Hershey, Hough, Norman, Ready, Salling, Serafini, ~~and Simonaire~~ Simonaire, and McFadden

AN ACT concerning

Pathways in Technology Early College High (P-TECH) School Act of 2017

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

Affirmative – 47 Negative – 0 (See Roll Call No. 346)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 347)

The Bill was then sent to the House of Delegates.

Senate Bill 427 – Senators Klausmeier, Astle, Benson, Feldman, Hershey, King, Lee, Middleton, Peters, ~~and Smith~~ Smith, Jennings, Mathias, Oaks, Reilly, and Rosapepe

AN ACT concerning

**Food Service Facilities – Automated External Defibrillator Program
(The Joe Sheya Act)**

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

Affirmative – 39 Negative – 8 (See Roll Call No. 348)

The Bill was then sent to the House of Delegates.

**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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 349)

The Bill was then sent to the House of Delegates.

**Senate Bill 485 – ~~Senator Serafini~~ Senators Serafini, Bates, Nathan-Pulliam,
Robinson, Salling, Young, and Zucker**

AN ACT concerning

**Education – Remote Classroom Technology Grant Program – Establishment
(Peyton’s Bill)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 350)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 351)

ADJOURNMENT

At 11:50 A.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Wednesday, March 1, 2017.

**Annapolis, Maryland
Wednesday, March 1, 2017
10:00 A.M. Session**

The Senate met at 10:14 A.M.

Prayer by Rabbi Adam Raskin, Congregation Har Shalom and Dr. Tarek Elgawhary, Islamic Community Center, guest of Senator Kagan.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 356)

The Journal of February 28, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 355 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The National Council on Problem Gambling and the Maryland Alliance for Responsible
Gambling
in recognition of
problem gambling awareness month. Thank you for your dedicated efforts to educate the
public about problem gambling and the availability and effectiveness of treatment.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 1st day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 357)

INTRODUCTORY SENATE BILLS NO. 50

Senate Bill 1162 – Senator Benson

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Capitol Heights Municipal
Multiservice Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Capitol Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1163 – Senator Peters

AN ACT concerning

Motor Vehicles – Duplicate Drivers’ Licenses – Victims of Robbery

FOR the purpose of authorizing a victim of a robbery whose driver’s license is taken during the robbery to drive without a license for a certain period of time under certain circumstances; extending the period of time, under certain circumstances, during which a victim of a robbery whose license is taken during the robbery shall apply for a duplicate license; requiring the Motor Vehicle Administration, when processing an application for a duplicate license of a victim of a robbery whose license is taken during the robbery, to process the victim’s application on an expedited basis and give the application precedence over other applications for duplicate licenses under certain circumstances; and generally relating to duplicate drivers’ licenses and victims of robbery.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–112 and 16–114
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

**Senate Bill 1164 – Senators Salling, Astle, Bates, Cassilly, DeGrange, Eckardt,
Hershey, Manno, Norman, Rosapepe, Serafini, Simonaire, Waugh, and
Young**

AN ACT concerning

Maryland Transportation Authority – Membership

FOR the purpose of altering the membership of the Maryland Transportation Authority to include certain members of the General Assembly as nonvoting members serving in an advisory capacity only; specifying certain criteria concerning the appointment, tenure, and compensation of the legislative members of the Authority; clarifying language; making stylistic changes; and generally relating to the membership of the Maryland Transportation Authority.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–202
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1165 – Senator Waugh

AN ACT concerning

**Maryland Longitudinal Data System – Student and Workforce Data Linkage –
Extension of Time Limit**

FOR the purpose of altering the length of time that student data and workforce data used by the Maryland Longitudinal Data System is limited to being linked beyond a certain date; and generally relating to the linkage of student and workforce data by the Maryland Longitudinal Data System.

BY repealing and reenacting, with amendments,
Article – Education
Section 24–702
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

MESSAGE FROM THE HOUSE**INTRODUCTORY HOUSE BILLS NO. 10****House Bill 55 – Delegates Jameson, Folden, and Barve**

AN ACT concerning

Motor Fuel Tax – Aviation Gasoline – Definition

FOR the purpose of altering the definition of aviation gasoline for purposes of the motor fuel tax; and generally relating to the definition of aviation gasoline for purposes of the motor fuel tax.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 9–101(a) and (g)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–101(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

House Bill 92 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

**Video Lottery Terminals – Small, Minority, and Women–Owned Businesses
Account – Transfer of Authority**

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 Budget and Taxation.

**House Bill 93 – Chair, Ways and Means Committee (By Request – Departmental –
Lottery and Gaming Control Agency)**

AN ACT concerning

Gaming – Video Lottery Operation License – Renewal Term

FOR the purpose of altering the period of time by which a video lottery operation licensee must notify the State Lottery and Gaming Control Commission of its intent to reapply for a video lottery operation license; and generally relating to video lottery operation licenses.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–13(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–13(d)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

**House Bill 95 – Chair, Ways and Means Committee (By Request – Departmental –
Comptroller)**

AN ACT concerning

Sales and Use Tax – Hygienic Aids – Exemption

FOR the purpose of exempting certain feminine hygiene products from the sales and use tax; and generally relating to a sales and use tax exemption for feminine hygiene products.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–211(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

House Bill 461 – Delegates Luedtke, Atterbeary, Barkley, D. Barnes, Beidle, Carey, Cullison, Ebersole, Gaines, Gutierrez, Hettleman, Hixson, Knotts, Korman, Lam, Morales, Patterson, Queen, Reznik, Robinson, Waldstreicher, and M. Washington M. Washington, and Tarlau

AN ACT concerning

**Education – Accountability Program – Assessments
(Less Testing, More Learning Act of 2017)**

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 certain social studies assessments; 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~~ the State Board of Education to develop, in collaboration with certain entities and individuals, a middle school level social studies assessment that meets certain requirements and for implementation in a certain school year; requiring the State Board, in collaboration with certain entities and individuals, to redesign the high school level social studies assessment to meet certain requirements and for implementation in a certain school year; requiring the State Board to adopt certain regulations limiting the amount of time that may be spent on certain assessments; 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; 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 Education, Health, and Environmental Affairs.

House Bill 472 – Delegates Jameson and Patterson

AN ACT concerning

Income Tax Credit – Qualified Farms – Food Donation Pilot Program

FOR the purpose of allowing certain qualified farms a credit, up to a certain amount, against the State income tax equal to a certain percentage of the value of certain food donations; providing for the carry forward of the credit; providing for the calculation of the amount of the credit; requiring the Secretary of Agriculture to establish certain values on a weekly basis; requiring the Secretary, in consultation with the Comptroller, to establish a certain certification procedure for certain tax credit administrators; requiring a tax credit certificate administrator that receives a certain donation to issue a certain tax credit certificate; requiring that a tax credit certificate contain certain information; requiring the Secretary, in consultation with the Comptroller, to prepare certain tax credit certificate forms; requiring the Secretary to notify certain administrators to stop issuing certain certificates if a certain limit is reached; providing that the total amount of tax credit certificates issued may not exceed a certain amount for certain fiscal years; requiring the Secretary, in consultation with the Comptroller, to submit a certain report by a certain date in certain years; requiring the Secretary, in consultation with the Comptroller, to adopt certain regulations; defining certain terms; and generally relating to a tax credit for certain food donations.

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

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

House Bill 514 – Delegates Jameson, Aumann, Barkley, B. Barnes, Branch, Brooks, Cassilly, Clippinger, Davis, Frick, Glenn, Hettleman, Kramer, Lam, Lierman, Lisanti, Moon, Morales, Platt, and Waldstreicher

AN ACT concerning

**Energy Efficiency Programs – Calculation of Program Savings and
Consideration of Cost-Effectiveness**

FOR the purpose of requiring the Public Service Commission to require each electric company to procure or provide certain energy efficiency and conservation programs and services to its electricity customers on a certain savings trajectory ~~beginning with a~~ for the duration of certain program cycle cycles; establishing a baseline for the savings trajectory; requiring the Commission to update certain gross retail sales for certain plans; requiring the Commission to use the total resource cost test and the societal cost test when considering the cost-effectiveness of an energy efficiency and conservation program or service; requiring each electric company, after consulting with the Maryland Energy Administration, to submit a certain plan to the Commission on a certain date and with a certain frequency; ~~defining certain terms~~ requiring the Commission to determine the advisability of certain matters relating to energy efficiency and conservation programs beginning in a certain program cycle; and generally relating to energy efficiency programs.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7-211
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

House Bill 516 – Delegates Atterbeary ~~and Ebersole~~, Ebersole, and Rosenberg

EMERGENCY BILL

AN ACT concerning

**Workgroup to Study the Implementation of Universal Access to
Prekindergarten for 4-Year-Olds**

FOR the purpose of establishing the Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year-Olds; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its findings and recommendations to a certain Commission on or before a certain date; providing for the termination of this

Act; making this Act an emergency measure; and generally relating to the Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year-Olds.

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

House Bill 654 – Delegates Kaiser, Shoemaker, Atterbeary, Barkley, Cullison, Ebersole, Jackson, Korman, Krebs, Krimm, Lierman, Luedtke, McComas, Patterson, Pena-Melnyk, Rose, Tarlau, Turner, M. Washington, West, and Wilkins

AN ACT concerning

Education – Statewide Kindergarten Assessment – Completion

FOR the purpose of altering the date by which a certain statewide kindergarten assessment must be completed; and generally relating to the completion date of the statewide kindergarten assessment.

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 Education, Health, and Environmental Affairs.

BUDGET AND TAXATION COMMITTEE REPORT NO. 7

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

Senate Bill 108 – Senator Simonaire

AN ACT concerning

Property Tax Credit – Erosion Control Measures – Nonstructural Shoreline Stabilization

SB0108/749939/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 108
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Nonstructural” insert “and Structural”; in line 4, after the first “that” insert “, except under certain circumstances,”; and strike beginning with “repealing” in line 6 down through “credit;” in line 8.

AMENDMENT NO. 2

On page 2, in line 4, after “MARSH” insert “OR OTHER TIDAL WETLAND”; in lines 11, 15, 23, and 25, in each instance, strike the bracket; in lines 12, 14, and 15, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; in line 16, strike “TO” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, TO”; in line 18, strike “MUST” and substitute “SHALL, WITH RESPECT TO EROSION CONTROL STRUCTURES, DEVICES, AND PROCEDURES IMPLEMENTED AFTER JUNE 30, 2017:”

(I);

in line 19, after “MEASURE” insert “; OR”

(II) MEET THE STANDARDS OF A STRUCTURAL SHORELINE STABILIZATION MEASURE IF:

1. THE EROSION CONTROL STRUCTURE OR DEVICE IS LOCATED IN AN AREA DESIGNATED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT MAPPING AS APPROPRIATE FOR STRUCTURAL SHORELINE STABILIZATION MEASURES AND NOT SUITABLE FOR A LIVING SHORELINE; AND

2. THE MARYLAND DEPARTMENT OF THE ENVIRONMENT HAS GRANTED THE TAXPAYER A WAIVER FROM THE CONSTRUCTION OF A NONSTRUCTURAL SHORELINE STABILIZATION MEASURE”;

after line 19, insert:

“(3) THE STANDARDS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION DO NOT APPLY TO THE IMPLEMENTATION OF A MEASURE REQUIRED TO CHANGE DRAINAGE PATTERNS.”;

and in line 22, strike “AND”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 254 – Senators Peters, Middleton, and Miller

AN ACT concerning

Income Tax – Subtraction Modification – Perpetual Conservation Easements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 367 – Senators Zucker, Peters, Edwards, Ferguson, Guzzone, King, Madaleno, Manno, and Serafini

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 389 – Senator Hershey

AN ACT concerning

Kent County – Property Tax Credit – Commerce Zones

SB0389/399436/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 389
(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)”;

in the same line, after “CONSTRUCTED” insert “; **OR**

(4) IMPROVING EXISTING PREMISES FOR OCCUPATION BY THE BUSINESS ENTITY”;

in line 13, strike “IF” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF**”; in lines 17, 18, and 19, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; in lines 18 and 19, strike “**25%**” and “**15%**”, respectively, and substitute “**40%**” and “**30%**”, respectively; in line 19, strike “AND”; in line 20, strike “**(4)**” and substitute:

“(IV) 20% IN TAXABLE YEARS 11 AND 12;

(V) 15% IN TAXABLE YEARS 13 AND 14;

(VI) 10% IN TAXABLE YEAR 15; AND

(VII)”;

and after line 20, insert:

“(2) IF THE NEW, IMPROVED, OR EXPANDED PREMISES IS ALSO LOCATED IN AN ENTERPRISE ZONE IN KENT COUNTY, THE PROPERTY TAX CREDIT UNDER THIS SECTION MAY NOT BE GRANTED FOR THE FIRST 10 TAXABLE YEARS BUT MAY BE GRANTED FOR TAXABLE YEARS 11 THROUGH 15 AS PROVIDED IN ITEMS (IV) THROUGH (VI) OF PARAGRAPH (1) OF THIS SUBSECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 436 – Senator Eckardt

EMERGENCY BILL

AN ACT concerning

**Income Tax – Credit for Nurse Practitioner or Licensed Physician in
Preceptorship Program – Alterations**

SB0436/679636/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 436

(First Reading File Bill)

On page 2, in line 24, strike “**120**” and substitute “**100**”; and in the same line, strike “**OR THE REQUISITE NUMBER OF HOURS FOR A COMPLETED UNIT**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 449 – Senator Kasemeyer

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 473 – Calvert County Senators

AN ACT concerning

Calvert County – Bonding Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 496 – Chair, Budget and Taxation Committee (By Request –
Departmental – Lottery and Gaming Control Agency)**

AN ACT concerning

Gaming – Reconciliation of Proceeds – Licensee Payments

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 497 – Chair, Budget and Taxation Committee (By Request –
Departmental – Lottery and Gaming Control Agency)**

AN ACT concerning

Gaming – Video Lottery Operation License – Renewal Term**SB0497/739232/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 497

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Operation License – Renewal Term” and substitute “Facilities – Operation License Renewal Term and Local Development Council Membership”; in line 5, after “license;” insert “altering the membership of certain video lottery facility local development councils;”; in line 6, after “licenses” insert “and the membership of certain local development councils”; and in line 9, after “9–1A–13(c)” insert “and 9–1A–31(c)(2)”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

“9–1A–31.

(c) (2) Subject to paragraph (3) of this subsection, a local development council shall consist of the following 15 members appointed by the chief executive of the county in which the local development council is located, in consultation with the Senators and Delegates who represent the communities surrounding the facility and the respective county councils, city councils, or county commissioners:

(i) one Senator who represents the district where the facility is located **OR THE SENATOR’S DESIGNEE;**

(ii) two Delegates who represent the districts where the communities surrounding the facility are located **OR THE DELEGATES’ DESIGNEES;**

(iii) one representative of the video lottery operation licensee;

(iv) seven residents of the communities in immediate proximity to the facility; and

(v) four representatives of businesses or institutions located in immediate proximity to the facility.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 8

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

Senate Bill 247 – Senator Ramirez

AN ACT concerning

Real Property – Notices of Foreclosure Sale and Postponement or Cancellation of Foreclosure Sale

Favorable report adopted.

FLOOR AMENDMENT

SB0247/203122/1

BY: Senator Muse

AMENDMENT TO SENATE BILL 247

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Ramirez” and substitute “Senators Ramirez and Muse”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 376 – Senator Norman

AN ACT concerning

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

SB0376/268775/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 376

(First Reading File Bill)

AMENDMENT NO. 1

Strike lines 2 and 3 in their entirety and substitute “Real Property – Certification Requirement for Recordation”; in line 6, after “recorded;” insert “requiring that a deed or lease bear a certain attorney certification or a certification that the instrument was prepared by a certain party in order to be recorded; providing that the clerk of the circuit court may record a mortgage or deed of trust prepared by one of the parties named in the instrument without a certain certification;”; and in the same line, after “change;” insert “defining certain terms;”.

AMENDMENT NO. 2

In line 17, after “(1)” insert “(I) 1. IN THIS PARAGRAPH THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

2. A. “DEED” MEANS A WRITTEN INSTRUMENT THAT CONVEYS LEGAL TITLE TO PROPERTY.

B. “DEED” DOES NOT INCLUDE:

I. A DEED OF TRUST;

II. A MORTGAGE;

III. AN INSTRUMENT OR THE ASSIGNMENT OF AN INSTRUMENT THAT CREATES OR GIVES NOTICE OF A SECURITY INTEREST IN PROPERTY; OR

IV. AN INSTRUMENT THAT TERMINATES OR PARTIALLY TERMINATES A LIEN CREATED BY A DEED OF TRUST, A MORTGAGE, OR AN INSTRUMENT THAT CREATES OR GIVES NOTICE OF A SECURITY INTEREST.

3. “UNDER THE ATTORNEY’S SUPERVISION” INCLUDES REVIEW OF AN INSTRUMENT BY THE CERTIFYING ATTORNEY.

(II)”;

in the same line, after the second bracket insert “**OR LEASE**”; 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) THE CLERK OF THE CIRCUIT COURT MAY RECORD A MORTGAGE OR DEED OF TRUST PREPARED BY ONE OF THE PARTIES NAMED IN THE INSTRUMENT WITHOUT 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.

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

Senate Bill 456 – Carroll County Senators

AN ACT concerning

Carroll County – State’s Attorney – Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 457 – Carroll County Senators

AN ACT concerning

Carroll County – Sheriff’s Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 500 – Senator Norman

AN ACT concerning

Small Claim Action Appeals From District Court – Nonattorney Representation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 639 – Senator Edwards

AN ACT concerning

Allegany County – Sheriff’s Deputies – Salary and Duties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 656 – Senator Jennings

AN ACT concerning

**Corporations and Associations – Fee for Processing Articles of Dissolution –
Repeal**

SB0656/588370/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 656

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Jennings” and substitute “Senators Jennings, Brochin, Cassilly, Hough, Kelley, Lee, Muse, Norman, Ramirez, Ready, Smith, and Zirkin”; in line 2, after “Dissolution” insert “and Certificates of Cancellation”; in line 5, after “dissolution” insert “and certificates of cancellation”; and in line 15, after “1–203(b)(1)” insert “and (4)(i)”.

AMENDMENT NO. 2

On page 2, after line 15, insert:

“(4) For each of the following documents recorded or filed the nonrefundable processing fee is \$100:

(i) Certificate of limited partnership, certificate of limited liability partnership, articles of organization of a limited liability company, certificate of trust of a business trust, including certificates of amendment [and certificates of cancellation], certificates of reinstatement, and articles of reinstatement; and”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 308 – The President (By Request – Administration) and Senators Bates, Brochin, Cassilly, Eckardt, Edwards, Ferguson, Hershey, Hough, Jennings, Lee, Mathias, Norman, Ready, Salling, Serafini, Simonaire, and Waugh

EMERGENCY BILL

AN ACT concerning

**Child Abuse – Sex Trafficking
(Protecting Victims of Sex Trafficking Act of 2017)**

Favorable report adopted.

FLOOR AMENDMENT

SB0308/673920/1

BY: Senator Muse

AMENDMENT TO SENATE BILL 308
(First Reading File Bill)

On page 1, in the sponsor line, strike “and Waugh” and substitute “Waugh, and Muse”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 510 – Senator Norman

AN ACT concerning

Criminal Procedure – Expungement – Nolle Prosequi

SB0510/948271/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 510

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Nolle Prosequi” and substitute “Time for Filing”; in line 4, after “on” insert “an acquittal, a dismissal, or”; in line 5, after “release,” insert “requiring certain records that are ordered for expungement to be expunged by removing the records to a certain secured area;”; and in line 9, after “10–105(c)(1)” insert “and (e)(2)”.

AMENDMENT NO. 2

On page 1, in line 17, strike the brackets; strike beginning with “not” in line 17 down through “charge” in line 19 and substitute “BE FILED AT ANY TIME”; and after line 19, insert:

“(e) (2) (I) [If] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF the court of the hearing finds that the person is entitled to expungement, the court shall order the expungement of all police records and court records about the charge.

(II) IF A PETITION FOR EXPUNGEMENT UNDER SUBSECTION (C)(1) OF THIS SECTION IS GRANTED WITHIN 3 YEARS AFTER THE DISPOSITION, THE EXPUNGEMENT SHALL BE ACCOMPLISHED BY REMOVING THE RECORDS TO A SEPARATE SECURE AREA TO WHICH PERSONS WHO DO NOT HAVE A LEGITIMATE REASON FOR ACCESS ARE DENIED ACCESS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 558 – Senators Norman, Bates, Cassilly, Eckardt, Edwards, and Ready

EMERGENCY BILL

AN ACT concerning

Motor Vehicles – Seasonal Exceptional Milk Hauling Permit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 668 – Senators Norman, Astle, Cassilly, Edwards, Hough, Jennings, Lee, Salling, and Smith

AN ACT concerning

Vehicle Laws – Operation of Motorcycles – Handlebar Height

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 790 – Senator Smith

AN ACT concerning

Criminal Law – Animal Cruelty – Applicability

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 917 – Senators Mathias, Eckardt, and Hershey

AN ACT concerning

Motor Vehicles – Gross Weight and Axle Load and Exceptional Hauling Permit – Poultry

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 937 – Senator Smith

AN ACT concerning

**Alcoholic Beverages – Civil Offenses – Public Consumption and Possession of
Open Container**

SB0937/508979/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 937

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Smith” and substitute “Senators Smith and Zirkin”.

AMENDMENT NO. 2

On page 6, strike beginning with “**(1)**” in line 23 down through “**ARTICLE.**” in line 25; in line 26, in each instance, strike the brackets; in the same line, strike “**(2)**”; in the same line, strike “**(3)**”; and in line 27, after “violation” insert “**UNDER §§ 10–113 THROUGH 10–115 OR § 10–118 OF THIS PART**”.

On page 7, in lines 1 and 6, in each instance, strike the brackets; in lines 1 and 6, strike “**(3)**” and “**(4)**”, respectively; and in line 7, strike “this part” and substitute “**SUBSECTION (F)(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.

FINANCE COMMITTEE REPORT NO. 15

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

**Senate Bill 278 – Senators Middleton, Benson, Guzzone, Mathias, Peters, Reilly,
and Smith**

AN ACT concerning

Maryland Farms and Families Act

SB0278/767877/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 278

(First Reading File Bill)

On page 1, in line 8, after “year” insert “subject to certain limitations”.

On page 3, in line 18, strike “**THE**” and substitute “**SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, THE**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance 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.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance 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.

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

Senate Bill 531 – Senator Benson

AN ACT concerning

Housing Counselor and Aftercare Program

SB0531/227772/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 531

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Benson” and substitute “Senators Benson, Astle, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe”; in lines 2, 3, 17, and 21, in each instance, strike “Counselor” and substitute “Navigator”; in line 8, strike “counselor” and substitute “navigator”; 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 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**”; and in line 20, strike “**COUNSELOR**” and substitute “**NAVIGATOR**”.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 3 through 5, inclusive; and in line 7, 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 10 on page 4 through line 5 on page 5, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 403 – Senators Astle, Benson, Feldman, Klausmeier, Manno, Mathias, and Rosapepe

AN ACT concerning

Private Passenger Motor Vehicle Liability Insurance – Supplemental Underinsured Motorist Coverage

SB0403/167472/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 403

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Supplemental” and substitute “Enhanced”; in lines 4, 7, 8, and 22, in each instance, strike “supplemental” and substitute “enhanced”; in line 5, after “coverage” insert “, instead of certain uninsured motorist coverage,”; strike beginning with “authorizing” in line 10 down through “penalties;” in line 16; strike beginning with “establishing” in line 18 down through “benefits” in line 19 and substitute “altering a certain prohibition on the recovery of benefits under certain coverages; prohibiting, with a certain exception, a person from recovering benefits under certain coverages from more than one motor vehicle liability insurance policy or insurer on a supplemental basis”; and strike beginning with “providing” in line 20 down through “date;” in line 21.

On page 2, in line 7, strike “, 19–510.1,”.

AMENDMENT NO. 2

On page 3, in lines 12 and 13, strike “NOT WAIVED THE RIGHT” and substitute “ELECTED”; in line 13, strike “SUPPLEMENTAL” and substitute “ENHANCED”; and strike beginning with “IN” in line 13 down through “SUBTITLE” in line 14 and substitute “UNDER § 19–509.1 OF THIS SUBTITLE INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER THIS SECTION”.

On page 5, in lines 6, 16, and 21, in each instance, strike “SUPPLEMENTAL” and substitute “ENHANCED”; in lines 6 and 7, strike “PROVIDED FOR” and substitute “REQUIRED BY”; in line 14, strike “IF” and substitute “WHEN”; in lines 15 and 16, strike

“WAIVED THE RIGHT” and substitute “NOT ELECTED TO”; in lines 16 and 17, strike “IN ACCORDANCE WITH § 19-510.1” and substitute “UNDER THIS SECTION INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509”; after line 17, insert:

“(C) (1) AN INSURER SHALL OFFER ENHANCED UNDERINSURED MOTORIST COVERAGE AT THE TIME OF PURCHASE OF A PRIVATE PASSENGER MOTOR VEHICLE LIABILITY INSURANCE POLICY.

(2) THE FIRST NAMED INSURED UNDER A POLICY OR BINDER OF PRIVATE PASSENGER MOTOR VEHICLE LIABILITY INSURANCE MAY ELECT TO OBTAIN ENHANCED UNDERINSURED MOTORIST COVERAGE INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509 OF THIS SUBTITLE.

(3) UNLESS THE FIRST NAMED INSURED AFFIRMATIVELY MAKES A CHANGE IN WRITING, THE ELECTION TO OBTAIN ENHANCED UNDERINSURED MOTORIST COVERAGE APPLIES TO ALL SUBSEQUENT RENEWALS OF COVERAGE AND TO ALL OTHER POLICIES OR ENDORSEMENTS THAT EXTEND, CHANGE, SUPERSEDE, OR REPLACE AN EXISTING PRIVATE PASSENGER MOTOR VEHICLE INSURANCE POLICY ISSUED TO THE FIRST NAMED INSURED.”;

in line 18, strike “(C)” and substitute “(D)”; in line 21, strike “DOES NOT WAIVE THE RIGHT” and substitute “ELECTS”; and in line 22, after “COVERAGE” insert “INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509 OF THIS SUBTITLE,”.

On page 6, in lines 1, 4, and 19, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(E)”, “(F)”, and “(G)”, respectively; in line 1, after “THE” insert “OFFER OF”; in lines 1, 4, 15, and 19, in each instance, strike “SUPPLEMENTAL” and substitute “ENHANCED”; in lines 1 and 2 and 20, in each instance, strike “PROVIDED FOR” and substitute “REQUIRED”; in line 2, strike “IN” and substitute “ON”; in the same line, strike “AND SUBJECT TO THE CONDITIONS”; in line 3, strike “APPROVES” and substitute “REQUIRES”; in line 13, strike “, EXCEPT IN ITS APPLICATION”; and strike beginning with “UNLESS” in line 14 down through “THE” in line 15 and substitute “THE”.

On page 7, in lines 1, 7, 15, and 22, strike “(G)”, “(H)”, “(I)”, and “(J)”, respectively, and substitute “(H)”, “(I)”, “(J)”, and “(K)”, respectively; in lines 2, 9, 11, and 35, in each

instance, strike “SUPPLEMENTAL” and substitute “ENHANCED”; in line 2, after “SECTION” insert “:

(1) IS SUBJECT TO § 19-511.1 OF THIS SUBTITLE; AND

(2)”;

and in line 12, strike “PROVIDED FOR IN” and substitute “REQUIRED BY”.

On page 8, strike beginning with “WAIVED” in line 7 down through “SUPPLEMENTAL” in line 8 and substitute “NOT ELECTED TO OBTAIN ENHANCED”; and in lines 8 and 9, strike “IN ACCORDANCE WITH § 19-510.1” and substitute “UNDER § 19-509.1 OF THIS SUBTITLE INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509”.

On pages 9 and 10, strike in their entirety the lines beginning with line 12 on page 9 through line 22 on page 10, inclusive.

On page 10, in line 24, strike “APPLIES ONLY” and substitute “DOES NOT APPLY”; in line 26, strike “HAS WAIVED THE RIGHT” and substitute “HAS ELECTED”; in the same line, strike “SUPPLEMENTAL” and substitute “ENHANCED”; and in line 27, strike “IN ACCORDANCE WITH § 19-510.1” and substitute “UNDER § 19-509.1 OF THIS SUBTITLE INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509”.

On page 12, in line 1, strike “NOT WAIVED THE RIGHT” and substitute “ELECTED”; in lines 1, 11, 15, 23, and 26, in each instance, strike “SUPPLEMENTAL” and substitute “ENHANCED”; and in line 2, strike “IN ACCORDANCE WITH § 19-510.1” and substitute “UNDER § 19-509.1 OF THIS SUBTITLE INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509”.

On page 13, in lines 1, 5, 11, 12, and 16, in each instance, strike “SUPPLEMENTAL” and substitute “ENHANCED”; in line 7, strike “A SUPPLEMENTAL” and substitute “AN ENHANCED”; in line 21, after “(b)” insert “**(1)**”; in the same line, strike the brackets; strike beginning with “EXCEPT” in line 21 down through “NOTWITHSTANDING” in line 22; in line 23, after “19-509,” insert “**19-509.1,**”; in line 25, strike “or supplemental”; and after line 25, insert:

“(2) EXCEPT AS PROVIDED IN § 19-509.1 OF THIS SUBTITLE, AND NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, A PERSON MAY NOT RECOVER BENEFITS UNDER THE COVERAGES DESCRIBED IN §§ 19-504, 19-505, 19-509, AND 19-512 OF THIS SUBTITLE FROM MORE THAN ONE MOTOR VEHICLE LIABILITY INSURANCE POLICY OR INSURER ON A SUPPLEMENTAL BASIS.”.

On page 15, in line 6, strike “July” and substitute “October”; and in line 7, strike “2018” and substitute “2017”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 5 – Delegates Barkley, Davis, Brooks, Jameson, Carey, Waldstreicher, Aumann, Glenn, Branch, Robinson, and Lisanti

AN ACT concerning

Private Passenger Motor Vehicle Liability Insurance – Enhanced Underinsured Motorist Coverage

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SENATE RULES COMMITTEE REPORT NO. 4

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1061 – Senator Smith

AN ACT concerning

Creation of a State Debt – Montgomery County – Gandhi Brigade Media Center

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1067 – Senator Astle

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Chesapeake Children’s
Museum**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1069 – Senators Ferguson, Currie, Madaleno, Young, and Zucker

AN ACT concerning

Maryland Historic Trust Grant Fund Improvement Act

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1070 – Senator Ferguson

AN ACT concerning

**Creation of a State Debt – Baltimore City – Baltimore Regional Education and
Training Center**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1076 – Senator McFadden

AN ACT concerning

**Creation of a State Debt – Baltimore City – Most Worshipful Prince Hall Grand
Lodge**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1077 – Senator Ramirez

AN ACT concerning

Statute of Limitations – Residential Leases Signed Under Seal

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1092 – Senator Jennings

AN ACT concerning

Public Assistance Fraud Prevention Act

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1093 – Senator Klausmeier

AN ACT concerning

Creation of a State Debt – Baltimore County – Double Rock Park

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1094 – Senator Smith

AN ACT concerning

**Criminal Procedure – Statewide Sexual Assault Evidence Collection Kit
Tracking System – Requirements**

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1096 – Senator Peters

AN ACT concerning

Corporate Income Tax – Single Sales Factor Apportionment

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1102 – Senator Mathias

AN ACT concerning

Worcester County – Ocean City Convention Center – Beer and Wine Tasting License

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1103 – Senator Mathias

AN ACT concerning

Home Sprinkler and Fire Safety Assistance Fund

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1107 – Senator Muse

AN ACT concerning

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

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1108 – Senator Eckardt

AN ACT concerning

**Foreclosures – Dorchester County – Certificate of Vacancy or Certificate of
Property Unfit for Human Habitation**

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1109 – Senator Madaleno

AN ACT concerning

Nursing Homes – Partial Payment for Services Provided

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1110 – Senator Pinsky

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Maryland Multicultural
Youth Centers**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1111 – Senator Muse

AN ACT concerning

Creation of a State Debt – Prince George’s County – My Sister’s Keeper

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1112 – Senator Robinson

AN ACT concerning

Creation of a State Debt – Baltimore City – Center Stage

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1113 – Senator Nathan-Pulliam

AN ACT concerning

Creation of a State Debt – Baltimore City – Hopework CDC Youth and Family Service Center

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1114 – Senator Ready

AN ACT concerning

Criminal Law – Life-Threatening Injury Involving a Vehicle or Vessel – Criminal Negligence

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1115 – Senator Benson

AN ACT concerning

Maryland Homeowners Association Act – Payment Plan for Fees or Charges – Written Policy

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1117 – Senator DeGrange

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Resiliency and Education
Center at Kuhn Hall**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1118 – Senator Reilly

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Southern High School
Athletic Facilities**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings and the Committee on Finance:

Senate Bill 1119 – Senator Muse

AN ACT concerning

Correctional Services – Inmates – Labor

The Bill was re-referred to the Committee on Judicial Proceedings and the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1120 – Senator Feldman

AN ACT concerning

**Creation of a State Debt – Montgomery County – Madison Fields Therapeutic
Equestrian Center**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1121 – Senator Conway

AN ACT concerning

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

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1122 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Baltimore City – Transfer of License – Hardship Extension

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1124 – Senator Conway

AN ACT concerning

Maryland Dentistry Act – Scope of Practice and Penalties for Violations

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1125 – Senator Klausmeier

AN ACT concerning

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

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1126 – Senators Brochin and Pinsky

AN ACT concerning

**Public Health – Generic Drugs and Medical Supplies Purchasing Cooperative
Workgroup**

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1127 – Senators Conway, Ferguson, and McFadden

EMERGENCY BILL

AN ACT concerning

Baltimore City Community College – Restructuring

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1128 – Senator Astle

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Mandrin Inpatient Care
Center**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1129 – Senator Mathias

AN ACT concerning

**Substance Use Disorder Treatment – Licensing of Outpatient Programs and
Provision of Naloxone Kits**

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1130 – Senator Mathias

AN ACT concerning

Health Insurance – Volunteer Emergency Responders – Benefits Under Blanket Policies and Contracts

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1131 – Senator Mathias

AN ACT concerning

Somerset County – Community College – Eligibility of Students to Pay No Tuition or Fees

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1132 – Senators Mathias and Simonaire

AN ACT concerning

Sales and Use Tax – Exemption – Sales by Nonprofit Organizations Raising Funds to Assist Veterans

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1138 – Senator Zucker

AN ACT concerning

Alcoholic Beverages – Family Beer and Wine Facility Permit

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1140 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Washington County – Hancock Community Pool

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1141 – Senators Astle, Edwards, Hershey, and Norman

AN ACT concerning

Natural Resources – Hunting Licenses – Fox Hunting and Chasing

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1143 – Senators Bates and Nathan-Pulliam

AN ACT concerning

**Sales and Use Tax – Tax-Free Weekend – Ellicott City and Ellicott's Mills
Historic Districts**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1146 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Study

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1148 – Senator Ferguson

AN ACT concerning

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

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

**Senate Bill 1149 – Senators Oaks, Benson, Feldman, Guzzone, Klausmeier,
Mathias, Reilly, Rosapepe, Smith, and Zucker**

AN ACT concerning

Maryland Transit Administration – Free Ridership for State Employees

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1151 – Senator Robinson

AN ACT concerning

Creation of a State Debt – Baltimore City – Sellers Mansion

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1152 – Senator Oaks

AN ACT concerning

Baltimore City – Table Games Proceeds – Recreational Facilities

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1153 – Senator Oaks

AN ACT concerning

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

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1154 – Senator Oaks

AN ACT concerning

Criminal Law – Assault by Strangulation or Suffocation – Penalties

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1155 – Senator Oaks

AN ACT concerning

Income Tax – Earned Income Tax Credit – Notice of Availability

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1157 – Senators Cassilly, Jennings, and Norman

AN ACT concerning

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

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1158 – Senators Middleton and Jennings

AN ACT concerning

**Power Plant Research Program – Solar Generation
Facilities – Pollinator-Friendly Designation**

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

QUORUM CALL

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

(See Roll Call No. 358)

SENATE THIRD READING CALENDAR NO. 27 (GENERAL SENATE BILLS)

**Senate Bill 96 – ~~Senator Reilly~~ Senators Reilly, Astle, Benson, Feldman, Hershey,
Jennings, Klausmeier, Mathias, Middleton, Oaks, and Rosapepe**

AN ACT concerning

Health Insurance – Coverage for Fertility Awareness-Based Methods

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

Affirmative – 46 Negative – 0 (See Roll Call No. 359)

The Bill was then sent to the House of Delegates.

**Senate Bill 340 – ~~Senators Nathan-Pulliam, Benson, Currie, Feldman, Ferguson,
Guzzone, Kelley, Lee, McFadden, Ramirez, Robinson, Rosapepe, Smith,
Young, and Zucker~~ Zucker, Astle, Hershey, Jennings, Klausmeier, Mathias,
Middleton, and Reilly**

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 360)

The Bill was then sent to the House of Delegates.

Senate Bill 359 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker

AN ACT concerning

**Education – Maryland Meals for Achievement In-Classroom Breakfast Program
– Administration
(Maryland Meals for Achievement for Teens Act of 2017)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 361)

The Bill was then sent to the House of Delegates.

LAID OVER CALENDAR NO. 5

Senate Bill 386 – Senators Nathan-Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Manno, McFadden, Pinsky, Ramirez, Robinson, Rosapepe, Young, and Zucker

AN ACT concerning

Pollinator Habitat Plans – Plan Contents – Requirement and Prohibition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0386/854233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 386

(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;”; and in line 7, strike

“the pollinator habitat plan” and substitute “a certain pollinator habitat area, subject to certain exceptions”.

AMENDMENT NO. 2

On page 2, in line 4, after “the” insert “**DESIGNATION,**”; in line 5, strike “habitats” and substitute “**HABITAT AREAS**”; and in line 13, after “IN” insert “**AN AREA DESIGNATED OR CREATED AS A POLLINATOR HABITAT AREA IN ACCORDANCE WITH**”.

AMENDMENT NO. 3

On page 2, in line 12, strike “**MAY**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, MAY**”; and after line 18, insert:

“(3) (I) PESTICIDES LABELED AS TOXIC TO BEES OR OTHER POLLINATORS THAT ARE NOT NEONICOTINOID PESTICIDES MAY BE USED IN AN AREA DESIGNATED OR CREATED AS A POLLINATOR HABITAT AREA UNDER A POLLINATOR HABITAT PLAN IF THE SECRETARY OF HEALTH AND MENTAL HYGIENE DETERMINES THAT THE USE IS NECESSARY TO RESPOND TO A SPECIFIC INSTANCE OF THREAT TO PUBLIC HEALTH.

(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, SEEDS, OR PLANTS 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.”.**

The preceding 3 amendments were read only.

Senator Conway moved to make the Bill and Amendments a Special Order for March 2, 2017.

The motion was adopted.

Senate Bill 184 – Senator Middleton

AN ACT concerning

Energy Efficiency Programs – Calculation of Program Savings and Consideration of Cost-Effectiveness

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0184/377075/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 184

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Astle, Benson, Feldman, Klausmeier, Mathias, Oaks, and Rosapepe”; in lines 6 and 7, strike “beginning with a” and substitute “for the duration of”; in line 7, strike “cycle” and substitute “cycles”; in line 11, after “service;” insert “requiring that certain nonenergy benefits be quantifiable and directly related to a certain program or service;”; and in line 13, strike “defining certain terms” and substitute “requiring the Commission to determine the advisability of certain matters relating to energy efficiency and conservation programs beginning in a certain program cycle”.

AMENDMENT NO. 2

On page 3, in line 36, strike “**BEGINNING WITH**” and substitute “**FOR THE DURATION OF**”; in the same line, after “**2018–2020**” insert “**AND 2021–2023**”; and in the same line, strike “**CYCLE**” and substitute “**CYCLES**”.

On page 4, in line 10, after “**SALES**” insert “**AND ELECTRICITY LOSSES**”; in line 16, after “**MEASURED**” insert “**SHALL:**”

1. REFLECT SALES ASSOCIATED WITH CUSTOMER CLASSES SERVED BY UTILITY-ADMINISTERED PROGRAMS ONLY; AND;

in the same line, strike “SHALL” and substitute:

“2.”;

and after line 17, insert:

“(IV) THE TARGETED ANNUAL INCREMENTAL GROSS ENERGY SAVINGS SHALL BE ACHIEVED BASED ON THE 3–YEAR AVERAGE OF AN ELECTRIC COMPANY’S PLAN SUBMITTED UNDER SUBSECTION (H)(2) OF THIS SECTION.”.

AMENDMENT NO. 3

On page 5, strike beginning with “(1)” in line 20 down through “ARREARAGES.” in line 31; in line 32, strike the brackets; and in the same line, strike “(2)”.

On page 6, in line 2, strike “PORTFOLIO” and substitute “SUBPORTFOLIO”; in line 11, strike “ARE” and substitute “WILL BE”; in the same line, after “MET” insert “PROSPECTIVELY”; and after line 17, insert:

“(2) NONENERGY BENEFITS CONSIDERED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE QUANTIFIABLE AND DIRECTLY RELATED TO A PROGRAM OR SERVICE.”.

AMENDMENT NO. 4

On page 8, after line 15, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before July 1, 2022, the Public Service Commission shall determine the advisability of maintaining the methodology and magnitude of the savings trajectory established in § 7–211(g)(2) of the Public Utilities Article, as enacted by this Act, as the basis for designing cost–effective energy efficiency and conservation programs and services in subsequent program cycles that the Commission shall authorize beginning with the 2024–2026 program cycle.”;

and in line 16, strike “3.” and substitute “4.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0184/873626/1

BY: Senator Hershey

AMENDMENTS TO SENATE BILL 184, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 8, after “plans;” insert “limiting the amount by which certain charges may be increased in order to assist with the costs of implementing energy efficiency and conservation programs or services under this Act;”.

AMENDMENT NO. 2

On page 2 of the Finance Committee Amendments (SB0184/377075/1), in line 3 of Amendment No. 2, after “SECTION.” insert:

“(V) IF AN ELECTRIC COMPANY INCREASES ITS ENERGY EFFICIENCY AND CONSERVATION CHARGES TO ASSIST WITH THE COSTS OF IMPLEMENTING ENERGY EFFICIENCY AND CONSERVATION PROGRAMS OR SERVICES UNDER THIS PARAGRAPH, THE ASSOCIATED INCREASE MAY NOT BE MORE THAN 2% PER YEAR.”

The preceding 2 amendments were read only.

Senator Benson moved to make the Bill and Amendment a Special Order for March 2, 2017.

The motion was withdrawn.

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

Affirmative – 14 Negative – 33 (See Roll Call No. 362)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 19**Senate Bill 438 – Senator Conway**

AN ACT concerning

State Lottery Tickets – Internet Sales – Prohibition

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SJ0002/174339/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE JOINT RESOLUTION 2

(First Reading File Joint Resolution)

On page 1, in line 4, strike “and”; in line 5, after “actions” insert “; and generally relating to the repeal and withdrawal of certain applications to Congress for a convention to propose amendments to the Constitution of the United States”; in line 19, strike “corrections in” and substitute “revisions to”; in line 24, after “The” insert “Maryland”; and in line 25, after the period insert “These calls include: (1) House Resolution (1939) calling for limitations on the federal taxing power; (2) Senate Joint Resolution 1 (1965) calling for legislative autonomy concerning the apportionment of State legislative bodies; (3) House Joint Resolution 61 (1973) calling for the allowance of school prayer in public schools; and (4) Senate Joint Resolution 4 (1975) calling for a balanced federal budget.”.

On page 2, in line 18, after “Delegates” insert “; and be it further

RESOLVED, That certified copies of this Joint Resolution be sent by the Secretary of State to:

(1) the Honorable Michael R. Pence, Vice President of the United States, President of the United States Senate, Suite S-212, United States Capitol Building, Washington, D.C. 20510; the Honorable Orrin Hatch, President Pro Tempore of the United States Senate, 104 Hart Office Building, Washington, D.C. 20510; and the Honorable Paul D. Ryan, Speaker of the United States House of Representatives, 1233 Longworth House Office Building, Washington, D.C. 20515; and

(2) the Maryland Congressional Delegation: Senators Benjamin L. Cardin and Christopher Van Hollen, Jr., Senate Office Building, Washington, D.C. 20510; and Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes,

Anthony G. Brown, Steny Hamilton Hoyer, John Delaney, Elijah E. Cummings, and Jamie Raskin, House Office Building, Washington, D.C. 20515; and

(3) the Honorable David S. Ferriero, Archivist of the United States, National Archives and Records Administration, 709 Pennsylvania Avenue, N.W., Washington, D.C. 20408; and

(4) the Honorable Julie E. Adams, Secretary of the United States Senate, United States Capitol Building, Suite S-312, Washington, D.C. 20510; the Honorable Elizabeth MacDonough, Parliamentarian of the United States Senate, United States Capitol Building, Suite S-133, Washington, D.C. 20510; the Honorable Karen L. Haas, Clerk of the United States House of Representatives, Suite H-154, United States Capitol Building, Washington, D.C. 20515; and the Honorable Thomas J. Wickham, Jr., Parliamentarian of the United States House of Representatives, Room H-209, United States Capitol Building, Washington, D.C. 20515, requesting that they publish this Joint Resolution in the Congressional Record and list this application in the official tally of state legislative applications that repeal and withdraw any prior application by a state legislature that calls for the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States, pursuant to the terms of Article V thereof, regardless of when and regardless of whether such applications were for a more limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects”.

STATUS: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) AND THE FAVORABLE REPORT.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SJ0002/793128/1

BY: Senator Conway

AMENDMENT TO SENATE JOINT RESOLUTION 2

(First Reading File Joint Resolution)

On page 2, in line 7, strike “State” and substitute “States”.

The preceding amendment was read and adopted.

Senator Jennings moved to make the Bill a Special Order for March 2, 2017.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 363)

SENATE OF MARYLAND ADJOURNS TODAY IN MEMORY OF CHRISTOPHER MICHAEL AND JOHN NELSON SABATINI

The motion was adopted by roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 364)

ADJOURNMENT

At 12:49 P.M., on motion of Senator Peters, the Senate adjourned until 10:00 A.M. on Thursday, March 2, 2017.

Note:

President Miller received a letter of appreciation from Marilyn and Nelson Sabatini written on March 21, 2017.

Dear Senator,

I received notice that the Senate adjourned on March 1, in memory of my two sons. I want to thank you for this kind gesture. Your concern and support has been very helpful to me and my family. I want you to know that I deeply appreciate your kindness. Thank you for being my friend.

Nelson

**Annapolis, Maryland
Thursday, March 2, 2017
10:00 A.M. Session**

The Senate met at 10:13 A.M.

Prayer by Pastor J. L. Carter, Ark Baptist Church, guest of Senator McFadden.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 367)

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

The Journal of March 1, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 394 – Senator Nathaniel J. McFadden:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Bishop J. L. Carter
in recognition of

taking on the responsibility of serving as President for the Ministers Conference of
Baltimore and Vicinity for the year 2017. Congratulations and continued success in your
ministry.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 2nd day of March 2017.

Read and adopted.

Senate Resolution No. 384 – The President of the Senate and Senator James Brochin:

Be it hereby known to all that

The Senate of Maryland
offers its sincerest congratulations to
Chief Jim Johnson
in recognition of
your 38 years of outstanding service to the Baltimore County Police Department,
including a decade as Chief. Thank you for your commitment to the citizens of Baltimore
County.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 28th day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 368)

Senate Resolution No. 357 – Senator Douglas J. J. Peters:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Dr. Mickey L. Burnim, President
Bowie State University
in recognition of
his retirement after 10 years of propelling the university to higher levels of institutional
excellence and distinction.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 2nd day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 369)

INTRODUCTORY SENATE BILLS NO. 51

Senate Bill 1166 – Senators Oaks and Klausmeier

AN ACT concerning

State Designations – The Preakness Stakes as the State Cultural Event

FOR the purpose of designating the Preakness Stakes as the State cultural event; and
generally relating to a State cultural event.

BY renumbering
Article – General Provisions

Section 7–313
to be Section 7–313.1
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

BY adding to
Article – General Provisions
Section 7–313
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

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

Senate Bill 1167 – Cecil County Senators

AN ACT concerning

Creation of a State Debt – Cecil County – Elkton Sportsplex Campus and Performing–Visual Arts Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Mayor and Commissioners of the Town of Elkton for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

MOTION

Senator Ferguson moved that the Senate receive in Open Session the following Report for the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 5

Senator Ferguson, Chair, for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 5
March 2, 2017

Correction, Commissioner of

1. Dayena M. Corcoran District 44
Commissioner of Correction; appointed to serve at the pleasure of the Governor

Parole Commission, Maryland

2. John W.E. Cluster, Jr. District 8
4309 Joppa Road
Nottingham, MD 21236

Member of the Maryland Parole Commission; appointed to serve a term of six years from January 1, 2016
3. Steven J. DeBoy District 12
1810 Palo Circle
Baltimore, MD 21227

Member of the Maryland Parole Commission; appointed to serve a term of six years from January 1, 2017
4. Jane Chace Miller, Esq. District 37
P.O. Box 252
Queen Anne, MD 21657

Member of the Maryland Parole Commission; appointed to serve a term of six years from January 1, 2016
5. John Dale Smack, III District 38
5541 Princess Way
Snow Hill, MD 21863

Member of the Maryland Parole Commission; appointed to serve remainder of a term of six years from January 1, 2015

Parole and Probation, Director of

6. Joseph F. Clocker District 42
15 Rainflower Path, #201
Sparks, MD 21152

Director of Parole and Probation; appointed to serve at the pleasure of the Governor

General Services, Department of

7. Ellington Churchill, Jr. District 31

Secretary of General Services; appointed to serve at the pleasure of the Governor

University System of Maryland Board of Regents

8. Brandon Enriquez District 9
3149 Sonia Trail
Ellicott City, MD 21043

Student Member of the University System of Maryland Board of Regents; appointed to serve a term of one year from July 1, 2016

Ethics Commission, State

9. James R. Benjamin, Esq. District 11
19 Ferns Court
Timonium, MD 21093

Member of the State Ethics Commission; appointed to serve remainder of a term of five years from July 1, 2016

Economic Development Commission, Maryland

10. Margaret Wood, D.A. District 14
7401 Brink Road
Laytonsville, MD 20882

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2016

Public Service Commission

11. Anthony J. O'Donnell District 29
P.O. Box 682
Lusby, MD 20657

Member of the Public Service Commission; appointed to serve a term of five years from July 1, 2016

Workers' Compensation Commission, State

12. Tracey Parker–Warren, Esq. District 33
695 Reliance Drive
Odenton, MD 21113

Member of the State Workers' Compensation Commission; appointed to serve a term of twelve years from June 22, 2016

Chesapeake Employers' Insurance Company, Board for the

13. Wayne R. Gioioso, Sr. District 42
11103 Old Carriage Road
Glen Arm, MD 21057

Member of the Board for the Chesapeake Employers' Insurance Company; reappointed to serve a term of five years from June 1, 2016

Senator Ferguson moved to make the Report a Special Order for March 3, 2017.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 370)

SENATE THIRD READING CALENDAR NO. 28 (GENERAL SENATE BILLS)**Senate Bill 59 – Senator Waugh**

AN ACT concerning

Crabs – Harvest Times – ~~Trotlines and Crab Pots~~ Holidays

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

Affirmative – 46 Negative – 0 (See Roll Call No. 371)

The Bill was then sent to the House of Delegates.

Senate Bill 99 – Senator Middleton

AN ACT concerning

**Department of the Environment – Yard Waste, ~~and~~ Food Residuals, and Other
Organic Materials Diversion and Infrastructure – Study**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 372)

The Bill was then sent to the House of Delegates.

**Senate Bill 314 – The President (By Request – Administration) and Senators
Bates, Cassilly, Edwards, Hershey, Hough, Jennings, Klausmeier, Mathias,
Middleton, Norman, Reilly, Salling, Serafini, and Simonaire**

AN ACT concerning

Clean Water Commerce Act of 2017

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

Affirmative – 46 Negative – 0 (See Roll Call No. 373)

The Bill was then sent to the House of Delegates.

Senate Bill 396 – Senator Edwards

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 – 46 Negative – 0 (See Roll Call No. 374)

The Bill was then sent to the House of Delegates.

Senate Bill 440 – Senators Conway and Salling

AN ACT concerning

Environment – Water Management – Sediment Control at Large Redevelopment Sites

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

Affirmative – 45 Negative – 0 (See Roll Call No. 375)

The Bill was then sent to the House of Delegates.

Senate Bill 519 – Senators Young and Hough

AN ACT concerning

Frederick County – Hunting – Nongame Birds and Mammals

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

Affirmative – 46 Negative – 0 (See Roll Call No. 376)

The Bill was then sent to the House of Delegates.

SPECIAL ORDER CALENDAR NO. 20

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

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

Favorable report rejected by roll call vote as follows:

Affirmative – 22 Negative – 23 (See Roll Call No. 377)

Senate Bill 386 – Senators Nathan–Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Manno, McFadden, Pinsky, Ramirez, Robinson, Rosapepe, Young, and Zucker

AN ACT concerning

Pollinator Habitat Plans – Plan Contents – Requirement and Prohibition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0386/854233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 386

(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;”; and in line 7, strike “the pollinator habitat plan” and substitute “a certain pollinator habitat area, subject to certain exceptions”.

AMENDMENT NO. 2

On page 2, in line 4, after “the” insert “**DESIGNATION,**”; in line 5, strike “habitats” and substitute “**HABITAT AREAS**”; and in line 13, after “IN” insert “**AN AREA DESIGNATED OR CREATED AS A POLLINATOR HABITAT AREA IN ACCORDANCE WITH**”.

AMENDMENT NO. 3

On page 2, in line 12, strike “MAY” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, MAY**”; and after line 18, insert:

“(3) (I) PESTICIDES LABELED AS TOXIC TO BEES OR OTHER POLLINATORS THAT ARE NOT NEONICOTINOID PESTICIDES MAY BE USED IN AN AREA DESIGNATED OR CREATED AS A POLLINATOR HABITAT AREA UNDER A POLLINATOR HABITAT PLAN IF THE SECRETARY OF HEALTH AND MENTAL HYGIENE DETERMINES THAT THE USE IS NECESSARY TO RESPOND TO A SPECIFIC INSTANCE OF THREAT TO PUBLIC HEALTH.

(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, SEEDS, OR PLANTS

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.”.**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Joint Resolution 2 – Senators Madaleno, Conway, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Manno, McFadden, Pinsky, Rosapepe, Smith, and Zucker

A Senate Joint Resolution concerning

Constitutional Convention – Amendment – Repeal

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SJ0002/263324/1

BY: Senator Jennings

AMENDMENT TO SENATE JOINT RESOLUTION 2

(First Reading File Joint Resolution)

On page 2, in line 3, after “body” insert “, effective immediately,”; in line 5, strike “any and all” and substitute “the”; in line 6, after “America” insert “made in House Resolution (1939), Senate Joint Resolution 1 (1965), and House Joint Resolution 61 (1973)”; and after line 11, insert:

“RESOLVED, That this body, effective January 1, 2024, hereby rescinds, repeals, cancels, voids, nullifies, and supersedes, to the same effect as if it had never been passed, the prior application by the General Assembly to the Congress of the United States of America made in Senate Joint Resolution 4 (1975) to call a convention to propose amendments to the Constitution of the United States of America, pursuant to the terms of Article I thereof, regardless of when and regardless of whether the application was for a more limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects; and be it further”.

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

Affirmative – 13 Negative – 32 (See Roll Call No. 378)

FLOOR AMENDMENT

SJ0002/113123/1

BY: Senator Hershey

AMENDMENT TO SENATE JOINT RESOLUTION 2

(First Reading File Joint Resolution)

On page 2, in lines 4 and 5, strike “, to the same effect as if they had never been passed,”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SJ0002/543924/1

BY: Senator Jennings

AMENDMENT TO SENATE JOINT RESOLUTION 2

(First Reading File Joint Resolution)

On page 1, in line 2, strike “Amendment” and substitute “Amendments”.

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 43 Members present.

(See Roll Call No. 379)

SENATE THIRD READING CALENDAR NO. 29 (GENERAL SENATE BILLS)

**Senate Bill 6 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Occupational and Professional Licensing Boards, Commissions, and Regulatory
Entities – Notifications of Applicants, Licensees, Registrants, and Permit
Holders**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 380)

The Bill was then sent to the House of Delegates.

**Senate Bill 392 – ~~Senator Hershey~~ Senators Hershey, Astle, Benson, Feldman,
Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe**

AN ACT concerning

**Credit Regulation – ~~Revolving and~~ Closed End Credit Loans – Elimination of
Duplicative Disclosures**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 381)

The Bill was then sent to the House of Delegates.

Senate Bill 394 – Senator Waugh

AN ACT concerning

St. Mary's County – Auditing Requirements – Repeal

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

Affirmative – 45 Negative – 0 (See Roll Call No. 382)

The Bill was then sent to the House of Delegates.

Senate Bill 439 – Senators Conway, Bates, Benson, Eckardt, Kagan, Madaleno, Manno, McFadden, Peters, Pinsky, Robinson, Salling, Simonaire, Waugh, Young, ~~and Zucker~~ Zucker, and Nathan-Pulliam

AN ACT concerning

State Procurement – Information Technology – Nonvisual Access

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

Affirmative – 45 Negative – 0 (See Roll Call No. 383)

The Bill was then sent to the House of Delegates.

Senate Bill 503 – Senator Nathan-Pulliam

AN ACT concerning

**Health Occupations Boards – Racial and Ethnic Health Disparities –
~~Information Campaigns – Reporting~~**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 384)

The Bill was then sent to the House of Delegates.

Senate Bill 516 – Senators ~~Zucker and Simonaire~~, Simonaire, and Bates

AN ACT concerning

**State Government – Maryland Manual – Revisions
(Maryland Manual Modernization Act)**

Senator Peters moved to make the Bill a Special Order for March 3, 2017.

The motion was adopted.

Senate Bill 535 – Senators Salling, Astle, Bates, Benson, Brochin, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kagan, Kasemeyer, Kelley, King,

Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Reilly, Robinson, Rosapepe, Serafini, Simonaire, Smith, Waugh, Young, Zirkin, and Zucker

AN ACT concerning

Highway Dedication – Senator Norman R. Stone, Jr. Highway

Senator Jennings moved to make the Bill a Special Order for March 6, 2017.

The motion was adopted.

RECONSIDERATION

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

Senator Currie moved to reconsider the vote by which the Bill was rejected.

The motion was adopted.

Senator Currie moved to make the Bill a Special Order for March 3, 2017.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 385)

ADJOURNMENT

At 12:15 P.M. on motion of Senator Peters the Senate adjourned until 11:00 A.M. on Friday, March 3, 2017.

**Annapolis, Maryland
Friday, March 3, 2017
11:00 A.M. Session**

The Senate met at 11:09 A.M.

Prayer by Chaplain Francis Foley, United States Naval Academy, guest of Senator Astle.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 388)

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

The Journal of March 2, 2017 was read and approved.

INTRODUCTION OF HUMPHREY FELLOWS

JOINT ETHICS COMMITTEE REPORT

(See Exhibit D of Appendix III)

Read and ordered journalized.

INTRODUCTORY SENATE BILLS NO. 52

Senate Bill 1168 – Senator Eckardt

AN ACT concerning

Pharmacists – Administration of the Influenza Vaccination – Age Requirement

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

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

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

Senate Bill 1169 – Senator Bates

AN ACT concerning

Unemployment Insurance – Charge of Benefits – Waiver Due to Natural Disaster

FOR the purpose of authorizing the Secretary of Labor, Licensing, and Regulation to waive the charge of benefits against the earned rating record of an employing unit if the benefits are paid to a claimant during a certain period of unemployment because the employing unit shut down due to a natural disaster and the Governor declared a state of emergency due to the natural disaster; providing that the waiver may be in effect only for a certain period; and generally relating to the charge of unemployment insurance benefits against the earned rating records of employing units.

BY adding to
Article – Labor and Employment
Section 8–611(k)
Annotated Code of Maryland
(2016 Replacement Volume)

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

Senate Bill 1170 – Howard County Senators

AN ACT concerning

Creation of a State Debt – Howard County – Tau Pi Mentoring Program

Ho. Co. 25–17

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of The Howard County Uplift Foundation Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

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.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 11

House Bill 28 – Delegate Krimm

AN ACT concerning

Unappropriated General Fund Surplus – Appropriation to Pension Fund and Postretirement Health Benefits Trust Fund

FOR the purpose of altering a certain required appropriation to require, beginning in a certain fiscal year, an appropriation of a certain amount to certain accumulation funds of the State Retirement and Pension System and an appropriation of a certain amount to the Postretirement Health Benefits Trust Fund; altering the date by which the Department of Legislative Services is required to conduct a certain review and submit a certain report regarding certain required appropriations to the State

Retirement and Pension System; and generally relating to appropriations from the unappropriated General Fund surplus to the State Retirement and Pension System and the Postretirement Health Benefits Trust Fund.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–311
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 489 of the Acts of the General Assembly of 2015
Section 24

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

House Bill 52 – Delegate Conaway

AN ACT concerning

Baltimore City School Police Force – Vehicles and Firearms – Report

FOR the purpose of requiring the Baltimore City School Police Force to submit a report at certain intervals to the members of the Baltimore City Delegation to the General Assembly on the condition of vehicles and firearms of the Baltimore City School Police Force and the anticipated needs of the Baltimore City School Police Force for vehicles and firearms for a certain period of time; and generally relating to the Baltimore City School Police Force.

BY adding to
Article – Education
Section 4–318(h)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 66 – Delegate Lam

AN ACT concerning

Environment – Lead and Mercury Wheel Weights – Prohibited

FOR the purpose of prohibiting certain persons from using, allowing to be used, or selling certain lead or mercury wheel weights after certain dates; requiring the State to ensure that no vehicle in the State fleet is equipped with certain lead or mercury wheel weights after a certain date; requiring lead and mercury wheel weights

removed and collected to be properly recycled; providing for the enforcement of this Act, including the required issuance of a warning for an initial violation; and generally relating to the prohibition against the use or sale of lead or mercury wheel weights in the State.

BY adding to

Article – Environment

Section 6–501 to be under the new subtitle “Subtitle 5. Lead and Mercury Wheel Weights”

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

House Bill 103 – Chair, Appropriations Committee (By Request – Departmental – Human Resources)

AN ACT concerning

**Department of Human Resources and Child Support Enforcement
Administration – Renaming**

FOR the purpose of renaming the Department of Human Resources to be the Department of Human Services; renaming the Secretary of Human Resources to be the Secretary of Human Services; providing that the Department of Human Services is the successor of the Department of Human Resources; renaming the Child Support Enforcement Administration to be the Child Support Administration; providing that the Child Support Administration is the successor of the Child Support Enforcement Administration; providing that certain names and titles of a certain unit and officials in laws and other documents mean the names and titles of the successor unit and officials; providing for the continuity of certain matters and persons; providing that letterhead, business cards, and other documents reflecting the renaming of the Department and the Administration may not be used until all letterhead, business cards, and other documents already in print and reflecting the name of the Department and the Administration before the effective date of this Act are used; requiring the publisher of the Annotated Code, in consultation with the Department of Legislative Services, to correct cross–references and terminology in the Code that are rendered incorrect by this Act; and generally relating to the renaming of the Department of Human Resources, the Secretary of Human Resources, and the Child Support Enforcement Administration.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 10–106 to be under the amended part “Part II. Child Support Administration”

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 2–101, 2–201, and 2–202(a)(1) to be under the amended title “Title 2.

Department of Human Services”

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–201(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–201(b)(10)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

**House Bill 119 – Chair, Environment and Transportation Committee (By Request
– Departmental – Transportation)**

EMERGENCY BILL

AN ACT concerning

**Washington Metropolitan Area Transit Authority – Washington Metrorail Safety
Commission – Establishment and Compact**

FOR the purpose of establishing the Washington Metrorail Safety Commission; establishing the Metrorail Safety Commission Interstate Compact; granting the Commission safety, regulatory, and enforcement authority over the Washington Metropolitan Area Transit Authority Rail System and the power to act as the State safety oversight authority for WMATA; specifying the membership, powers, organization, and duties of the Commission; making the Compact contingent on the adoption of the Compact by certain other jurisdictions; making this Act an emergency measure; and generally relating to the Metrorail Safety Commission Interstate Compact.

BY adding to

Article – Transportation

Section 10–208

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

**House Bill 120 – Chair, Environment and Transportation Committee (By Request
– Departmental – Agriculture)**

AN ACT concerning

Department of Agriculture – Seafood and Aquaculture Product Marketing

FOR the purpose of transferring the Seafood Marketing and Aquaculture Development Program, the Seafood Marketing Fund, the Seafood Program Management Team, the Innovative Seafood Technologies Program, and the Seafood Marketing Advisory Commission from the Department of Natural Resources to the Department of Agriculture; renaming a certain program; eliminating a certain division; renaming the Seafood Marketing Fund to be the Seafood and Aquaculture Products Marketing Fund; establishing the Seafood and Aquaculture Products Marketing Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Agriculture to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; limiting the authorized uses of certain annual surcharges paid by certain tidal fish licensees and credited to the ~~Seafood Marketing~~ Fund; clarifying certain roles of certain agencies related to aquaculture in the State; defining a certain term; making conforming changes; and generally relating to seafood and aquaculture marketing and management.

BY transferring

Article – Natural Resources

Section 4–11B–01 and 4–11B–02 and the subtitle “Subtitle 11B. Seafood Marketing and Aquaculture Development Program and Division of Market Development”; 4–11C–01 and the subtitle “Subtitle 11C. Seafood Program Management Team”; 4–11D–01 and the subtitle “Subtitle 11D. Innovative Seafood Technologies Program”; and 4–11E–01 and the subtitle “Subtitle 11E. Seafood Marketing Advisory Commission”, respectively

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

to be

Article – Agriculture

Section 10–1001 and 10–1002 and the subtitle “Subtitle 10. Seafood Marketing and Aquaculture Development Program and Division of Market Development”; 10–10A–01 and the subtitle “Subtitle 10A. Seafood Program Management Team”; 10–10B–01 and the subtitle “Subtitle 10B. Innovative Seafood Technologies Program”; and 10–1101 and the subtitle “Subtitle 11. Seafood Marketing Advisory Commission”, respectively

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–106(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 10–1001 and 10–1002 to be under the amended subtitle “Subtitle 10. Seafood and Aquaculture Products Marketing Program”; and 10–1101(l)

Annotated Code of Maryland

(2016 Replacement Volume)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–701(g)(2) and 4–11A–03

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

**House Bill 124 – Chair, Environment and Transportation Committee (By Request
– Departmental – Environment)**

AN ACT concerning

Environment – Solid Waste and Recycling Facilities

FOR the purpose of requiring the Department of the Environment to adopt certain regulations relating to recycling facilities, including conditions for permit exemptions; providing that certain enforcement provisions apply to certain violations; requiring the Department to convene and consult with a certain workgroup in developing certain regulations; requiring the workgroup to include representatives of certain entities; altering certain defined terms; defining certain terms; and generally relating to solid waste and recycling.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–101(j)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1701(m), (n), and (o)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Environment
Section 9–1713 to be under the amended part “Part II. Recyclable Materials and
Recycling Facilities”
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

**House Bill 135 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Electronic Transmission of Information and
Documents – Authority**

FOR the purpose of authorizing the Department of Labor, Licensing, and Regulation, individuals, and employers to electronically send certain information and documents relating to unemployment insurance; requiring the Department to adopt certain regulations; making conforming changes; and generally relating to the electronic transmission of information and documents under unemployment insurance law.

BY adding to

Article – Labor and Employment
Section 8–108
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 8–629(f), 8–638(e), and 8–806(g)
Annotated Code of Maryland
(2016 Replacement Volume)

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

**House Bill 137 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

Unemployment Insurance – Recovery of Benefits – Collection by Assessment

FOR the purpose of authorizing the Secretary of Labor, Licensing, and Regulation to recover unemployment insurance benefits by assessment in the same manner as provided in a certain provision of law for the assessment of past due contributions; requiring the Secretary, if the Secretary seeks to recover certain unemployment benefits by assessment, to allow a claimant to elect within a certain period of time to have the amount collected by suit instead of by assessment; requiring the Secretary to adopt certain regulations; and generally relating to the recovery of unemployment insurance benefits by assessment.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 8–629 and 8–809(a)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–809(d)
Annotated Code of Maryland
(2016 Replacement Volume)

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

**House Bill 139 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Employer Determinations – Process and Appeal
Rights**

FOR the purpose of specifying the process and timeframe for exercising certain appeal rights related to employer determinations under the unemployment insurance law; requiring the Lower Appeals Division to hear and decide appeals from review determination decisions; authorizing an employer to file an appeal of a review determination decision to the Lower Appeals Division and the Board of Appeals under certain circumstances and within certain time periods; requiring the Secretary of Labor, Licensing, and Regulation to be a party to a certain appeal; authorizing a hearing examiner to take certain action regarding a review determination decision; authorizing the Board to initiate a review of a certain decision under certain circumstances; requiring the Secretary to make certain determinations; authorizing the Board to remand certain findings of a hearing examiner on certain bases; requiring the Secretary, under certain circumstances, to make a certain determination; requiring that a certain notice advise employers of a certain right and certain information; specifying the processes for the Secretary, Division, and Board to undertake certain reviews and appeals determinations and make certain

decisions; authorizing the Secretary to adopt certain regulations; specifying the circumstances under which certain determinations and decisions become final and not subject to appeal; altering the time period within which requests for certain review determinations must be submitted; making a technical change; making certain clarifying and conforming changes; providing for the application of this Act; defining certain terms; altering a certain definition; and generally relating to employer determinations under the unemployment insurance law.

BY repealing and reenacting, without amendments,

Article – Labor and Employment
Section 8–101(a) and 8–638(f)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 8–101(f), 8–503, 8–507, 8–508, 8–5A–10, 8–602, 8–617(f), 8–621,
8–629(f), and 8–638(e)
Annotated Code of Maryland
(2016 Replacement Volume)

BY adding to

Article – Labor and Employment
Section 8–101(j–1), (m–1), (q–1), (t–1), (u–1), (w–1), (w–2), and (x–1), 8–604, 8–605,
8–613(i), and 8–617(g)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing

Article – Labor and Employment
Section 8–617(g)
Annotated Code of Maryland
(2016 Replacement Volume)

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

**House Bill 141 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Eligibility for Benefits – Business Operation
Closings**

FOR the purpose of authorizing the Secretary of Labor, Licensing and Regulation to exempt employees of an employer that closes its business operations or part of its business operations for certain periods of time for certain purposes from the requirement to

actively seek work during that period to be eligible to receive unemployment insurance benefits; providing that a certain exemption may be granted only with respect to a specific business operation closing; and generally relating to eligibility for unemployment insurance benefits during business operation closings.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–904
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 171 – Delegates Robinson, Cassilly, Barkley, Carr, Fraser-Hidalgo, Gilchrist, Kelly, Kramer, Lam, Luedtke, Moon, Morhaim, Pena-Melnyk, Platt, Reznik, and Waldstreicher

AN ACT concerning

Department of the Environment – Yard Waste, ~~and~~ Food Residuals, and Other Organic Materials Diversion and Infrastructure – Study

FOR the purpose of requiring the Department of the Environment, in consultation with certain persons, to study, review, explore, identify, and make recommendations regarding certain matters that relate to the diversion of yard waste, food residuals, and other organic materials from refuse disposal facilities, including certain infrastructure; requiring the Department to report its interim and final findings and recommendations to the Governor and the General Assembly on or before certain dates; and generally relating to yard waste, ~~and~~ food residuals, and other organic materials diversion and infrastructure.

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

House Bill 173 – Delegates Arentz, Ghrist, and Jacobs

AN ACT concerning

Baltimore Metropolitan Council – Queen Anne’s County – Membership

FOR the purpose of adding to the Baltimore Metropolitan Council a member who is appointed by the Board of County Commissioners of Queen Anne’s County; clarifying that the new member serves at the pleasure of the Board; providing that a Delegate or Senator who represents a district located in Queen Anne’s County may be appointed as a member of the Council; and generally relating to the membership of Queen Anne’s County in the Baltimore Metropolitan Council.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 13–302
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 13–303
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

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

House Bill 199 – Chair, Appropriations Committee (By Request – Departmental – Aging)

AN ACT concerning

Capital Grants for Senior Citizen Activities Centers

FOR the purpose of allowing more than one grant for a senior citizen activity center from the Senior Citizen Activities Centers Capital Improvement Grants Program under certain circumstances; altering certain definitions; and generally relating to the operation and implementation of the Senior Citizen Activities Centers Capital Improvement Grants Program.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–501, 10–502, 10–504, and 10–507
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

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

House Bill 293 – Delegates Dumais, Atterbeary, Hettleman, Morales, Sanchez, and Valentino–Smith

AN ACT concerning

Family Law – Divorce – Domestic Violence Order

FOR the purpose of repealing a provision providing that an order or a decision in a domestic violence proceeding is inadmissible as evidence in a divorce proceeding; repealing 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

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 Judicial Proceedings.

House Bill 324 – Delegates Korman, Platt, Anderson, Atterbeary, Barkley, B. Barnes, Barve, Carr, Chang, Ciliberti, Cullison, Ebersole, Fennell, Frick, Gilchrist, Glenn, Gutierrez, Haynes, Healey, Hettleman, Jackson, Jones, Krimm, Lam, R. Lewis, Lierman, Luedtke, McCray, Morales, Patterson, Pena–Melnik, Reznik, Sanchez, Tarlau, Valderrama, Valentino–Smith, M. Washington, and P. Young

AN ACT concerning

State Personnel – Leap Day Pay Act Year – Personal Leave

FOR the purpose of ~~requiring the Secretary of Budget and Management to amend the Standard Pay Plan during a leap year to increase certain pay rates for certain classes of State employees to account for a certain day;~~ providing a certain number of days, not to exceed a certain number of hours, of personal leave to State employees during each calendar year that is a leap year; and generally relating to the Standard Pay Plan pay rates for classes of personal leave during leap years for State employees.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section ~~8–105~~ 9–401

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 565 – Carroll County Delegation

AN ACT concerning

Carroll County – Detention Center – Polygraph Testing

FOR the purpose of establishing that a certain prohibition on requiring an employee or a prospective employee to take a polygraph examination or similar test as a condition of prospective or continued employment does not apply to an individual employed as a correctional officer or in a certain other capacity at the Carroll County Detention

Center; and generally relating to polygraph testing of employees of the Carroll County Detention Center.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–702
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 605 – Washington County Delegation

EMERGENCY BILL

AN ACT concerning

**PenMar Development Corporation – Dissolution – Authority of Washington
County Over Fort Ritchie**

FOR the purpose of repealing certain provisions of law relating to the PenMar Development Corporation, its board of directors, and its powers to develop, manage, and control Fort Ritchie; transferring certain remaining real and personal property interests, along with certain contracts, leases, and liabilities from the Corporation to the Board of County Commissioners for Washington County; requiring any party that has an issue with the transfer from the Corporation to the Board to refer to the memorandum of understanding between the Corporation and the Board; making certain conforming changes; making this Act an emergency measure; and generally relating to the dissolution of the PenMar Development Corporation and the transfer of its assets and liabilities to the Board of County Commissioners for Washington County.

BY repealing
Article – Economic Development
Section 11–501 through 11–520 and the subtitle “Subtitle 5. PenMar Development Corporation”
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 11–301(b)
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

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

House Bill 626 – Delegates Gilchrist, Miele, Barkley, Bromwell, Buckel, Carr, Chang, Folden, Fraser-Hidalgo, Frush, Healey, Hettleman, Hornberger, Kaiser, Kipke, Kramer, Lam, Long, Luedtke, McComas, McMillan, Metzgar, Morhaim, Patterson, Robinson, Rose, Saab, Vogt, Waldstreicher, K. Young, and P. Young

AN ACT concerning

Agriculture – Animal Shelters – Standards of Care and Protocol Implementation and Enforcement

FOR the purpose of requiring an animal shelter to follow ~~a certain written veterinary care protocol for dogs and cats and~~ a certain written protocol for reclaiming animals; requiring the Department of Agriculture, on or before a certain date, to adopt certain minimum standards of care for dogs and cats in animal shelters; requiring an animal shelter to follow certain minimum standards of care; requiring the Department to adopt certain regulations on or before a certain date; and generally relating to animal shelters.

BY renumbering

Article – Agriculture

Section 2-1705 to be Section 2-1707

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 2-1701

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section ~~2-1703 and~~ 2-1704

Annotated Code of Maryland

(2016 Replacement Volume)

BY adding to

Article – Agriculture

Section ~~2-1705 and~~ 2-1706

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 651 – Delegate Holmes

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Reserve
Studies – Annual Budgets**

FOR the purpose of requiring the governing body of certain condominiums to have a reserve study conducted of the common elements of the condominium by a certain date and at certain intervals under certain circumstances; requiring the reserve study conducted of the common elements of a condominium to meet certain criteria; altering the content of the annual budget of certain homeowners associations; requiring the governing body of certain homeowners associations to have a reserve study conducted of the common areas of the homeowners association by a certain date and at certain intervals under certain circumstances; requiring the reserve study conducted of the common areas of a homeowners association to meet certain criteria; defining certain terms; providing for the application of this Act; and generally relating to reserve studies and annual budgets of condominiums and homeowners associations.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 11–109.2

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Real Property

Section 11–109.4 and 11B–112.3

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11B–112.2

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 653 – Delegate B. Wilson

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, 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 Judicial Proceedings.

House Bill 755 – Delegates Moon, Vallario, Anderson, Proctor, Sanchez, and Sydnor

AN ACT concerning

Criminal Procedure – Coram Nobis – Time for Filing

FOR the purpose of providing that a petition for writ of error coram nobis may not be filed more than a certain amount of time after the petitioner knew or should have known about a certain consequence, with a certain exception; and generally relating to coram nobis.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 8–401
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 800 – Delegates Adams, Carey, and Jameson

AN ACT concerning

Insurance Premiums – Payment by Credit Card – Reimbursement for Expenses

FOR the purpose of providing that certain provisions of law do not prohibit insurance producers from charging and collecting from insureds certain expenses for payment of the premium for a policy by use of a credit card, subject to certain conditions; requiring an insurance producer, under certain circumstances, to disclose in a certain manner the availability of certain payment methods and a certain charge for certain expenses incurred by the insurance producer; authorizing certain surplus lines brokers to charge and collect from insureds certain expenses incurred by the surplus lines brokers for payment of the premium, policy fee, and any other fees and taxes relating to the policy by use of a credit card; requiring a surplus lines broker

to make a certain disclosure of certain charges for payment of the premium, policy fee, and any other fees and taxes relating to the policy by use of a credit card; and generally relating to payment of policy premiums and policy fees, fees, and taxes by use of a credit card.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–216(b) and (d)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 817 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ Pension System – Purchase of Credit for Eligibility Service –
Legislative Employees**

FOR the purpose of altering the amount that a member of the Employees’ Pension System must pay to the Board of Trustees of the State Retirement and Pension System to purchase credit for eligibility service for a certain period of legislative employment; and generally relating to the purchase of credit for eligibility service for a member of the Employees’ Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–307(d)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 823 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Small Procurements – Medical
Evaluations for Disability Retirement Benefits**

FOR the purpose of increasing the maximum threshold amount for a small procurement by the State Retirement Agency for certain expenses related to certain independent medical evaluations and certain related testimony for purposes of administering certain provisions of law relating to disability retirement benefits; and generally relating to disability retirement benefits under the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–109
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 831 – Delegates Dumais, Atterbeary, Cluster, Conaway, Kittleman, Lisanti, Malone, McComas, Moon, Morhaim, Parrott, Proctor, Queen, Rey, Sanchez, Sydnor, Vallario, Vogt, and B. Wilson

AN ACT concerning

Task Force on Organized Retail Crime Rings

FOR the purpose of establishing the Task Force on Organized Retail Crime Rings; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on Organized Retail Crime Rings.

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

House Bill 851 – Delegates Folden, Anderton, Angel, Arentz, Atterbeary, Beidle, Bromwell, Buckel, Carey, Carozza, Cassilly, Davis, Flanagan, Ghrist, Glass, Holmes, Hornberger, S. Howard, Jacobs, Kipke, Krimm, McComas, McConkey, McDonough, Metzgar, Miele, W. Miller, Otto, Pena–Melnik, Rose, Saab, Shoemaker, Simonaire, Szeliga, Tarlau, Vogt, B. Wilson, and C. Wilson

AN ACT concerning

Landlord and Tenant – Military Personnel – Limitation on Liability for Rent

FOR the purpose of altering the circumstances under which the liability for rent under a lease is limited for a person on active duty with the United States military; limiting the liability for rent of the spouse of a person on active duty with the United States military under certain circumstances; clarifying the liability of a person on active duty or the spouse of a person on active duty for rent under a lease under certain circumstances; defining a certain term; and generally relating to the liability for rent of certain military personnel and spouses.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–212.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 954 – Delegate Holmes

AN ACT concerning

Foreclosed Property Registry – Updated Information – Notice to Local Governments

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to establish procedures that require a foreclosure purchaser to send to the Department any updates to certain information in the Foreclosed Property Registry under certain circumstances; requiring the Department to send to certain local governments certain information about each residential property registered in the Foreclosed Property Registry under certain circumstances; and generally relating to the Foreclosed Property Registry.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–126.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 999 – Delegate Davis

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 Finance.

FINANCE COMMITTEE REPORT NO. 17

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

Senate Bill 72 – Senators Klausmeier, Eckardt, and Middleton

AN ACT concerning

Workers’ Compensation – Tiered Rating Plans and Merit Rating Plans

SB0072/667176/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 72 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Middleton” and substitute “Middleton, Benson, Feldman, Hershey, Mathias, Reilly, and Rosapepe”.

AMENDMENT NO. 2

On page 2, in line 19, after “ATTRIBUTES” insert “THAT:

A. ARE NOT ARBITRARY, CAPRICIOUS, OR UNFAIRLY
DISCRIMINATORY; AND

B. ARE REASONABLY RELATED TO THE INSURER’S
BUSINESS AND ECONOMIC PURPOSES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 194 – Senator Klausmeier

AN ACT concerning

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

SB0194/307979/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 194

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Klausmeier” and substitute “Senators Klausmeier, Middleton, Astle, Benson, Feldman, Hershey, Mathias, Oaks, Reilly, and Rosapepe”; and in line 5, strike “and documentation”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 12 through 16, inclusive, and substitute:

“(D) (1) A PROVIDER WHO PROVIDES MEDICAL SERVICE OR TREATMENT TO A COVERED EMPLOYEE UNDER SUBSECTION (A) OF THIS SECTION SHALL SUBMIT TO THE EMPLOYER OR THE EMPLOYER’S INSURER A BILL FOR PROVIDING MEDICAL SERVICE OR TREATMENT WITHIN 12 MONTHS FROM THE LATER OF THE DATE:

(I) MEDICAL SERVICE OR TREATMENT WAS PROVIDED TO A COVERED EMPLOYEE;

(II) THE CLAIM FOR COMPENSATION WAS ACCEPTED BY THE EMPLOYER OR THE EMPLOYER’S INSURER; OR

(III) THE CLAIM FOR COMPENSATION WAS DETERMINED BY THE COMMISSION TO BE COMPENSABLE.”;

in line 18, strike “**THE 45–DAY**” and substitute “**THE TIME**”; in line 21, after “**FROM**” insert “**THE LATER OF**”; in the same line, after “**DATE**” insert “;

1.”;

in the same line, strike the third “**THE**” and substitute “**MEDICAL**”; in the same line, strike “**IS**” and substitute “**WAS**”; and in line 22, after “**PROVIDED**” insert “**TO THE COVERED EMPLOYEE;**

2. THE CLAIM FOR COMPENSATION WAS ACCEPTED BY THE EMPLOYER OR THE EMPLOYER’S INSURER; OR

3. THE CLAIM FOR COMPENSATION WAS DETERMINED BY THE COMMISSION TO BE COMPENSABLE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 580 – Senators Mathias, Astle, Currie, Feldman, Ferguson, Guzzone, King, Lee, Manno, McFadden, Nathan–Pulliam, Ramirez, Robinson, and Rosapepe

AN ACT concerning

State Personnel – Leap Day Pay Act

SB0580/567276/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 580

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rosapepe” and substitute “Rosapepe, Benson, and Oaks”; in line 2, strike “Day Pay Act” and substitute “Year – Personal Leave”; strike beginning with “requiring” in line 3 down through “day;” in line 5 and substitute “providing a certain number of days, not to exceed a certain number of hours, of personal leave to State employees during each calendar year that is a leap year;”; strike beginning with “the” in line 5 down through “of” in line 6 and substitute “personal leave during leap years for”; and in line 9, strike “8–105” and substitute “9–401”.

AMENDMENT NO. 2

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

“9–401.

(a) (1) Except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this subsection, or otherwise provided by law, each employee in the State Personnel Management System, except a temporary employee, is entitled to 6 days, not to exceed 48 hours, of personal leave with pay at the beginning of the first full pay period of the calendar year.

(2) For the calendar year in which an employee begins employment, the employee is entitled only to the following personal leave with pay:

(i) 6 days, not to exceed 48 hours, if employment begins on or after January 1 and on or before the last day in February;

(ii) 5 days, not to exceed 40 hours, if employment begins on or after March 1 and on or before April 30;

(iii) 4 days, not to exceed 32 hours, if employment begins on or after May 1 and on or before June 30; or

(iv) 3 days, not to exceed 24 hours, if employment begins on or after July 1.

(3) FOR EACH CALENDAR YEAR THAT IS A LEAP YEAR, EACH EMPLOYEE IN THE STATE PERSONNEL MANAGEMENT SYSTEM, EXCEPT A TEMPORARY EMPLOYEE, IS ENTITLED TO 7 DAYS, NOT TO EXCEED 56 HOURS, OF

PERSONAL LEAVE WITH PAY AT THE BEGINNING OF THE FIRST FULL PAY PERIOD OF THE CALENDAR YEAR.

(b) Personal leave may be used for any purpose.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 21

Senate Bill 595 – Senators Nathan–Pulliam, Benson, Kelley, Madaleno, Ramirez, Robinson, Young, and Zucker

AN ACT concerning

Residential Boarding Education Programs for At–Risk Youth – Eligibility

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 5

Senator Ferguson, Chair, for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 5
March 2, 2017

Correction, Commissioner of

1. Dayena M. Corcoran

District 44

Commissioner of Correction; appointed to serve at the pleasure of the Governor

Parole Commission, Maryland

2. John W.E. Cluster, Jr. District 8
4309 Joppa Road
Nottingham, MD 21236

Member of the Maryland Parole Commission; appointed to serve a term of six years from January 1, 2016

3. Steven J. DeBoy District 12
1810 Palo Circle
Baltimore, MD 21227

Member of the Maryland Parole Commission; appointed to serve a term of six years from January 1, 2017

4. Jane Chace Miller, Esq. District 37
P.O. Box 252
Queen Anne, MD 21657

Member of the Maryland Parole Commission; appointed to serve a term of six years from January 1, 2016

5. John Dale Smack, III District 38
5541 Princess Way
Snow Hill, MD 21863

Member of the Maryland Parole Commission; appointed to serve remainder of a term of six years from January 1, 2015

Parole and Probation, Director of

6. Joseph F. Clocker District 42
15 Rainflower Path, #201
Sparks, MD 21152

Director of Parole and Probation; appointed to serve at the pleasure of the Governor

General Services, Department of

7. Ellington Churchill, Jr. District 31

Secretary of General Services; appointed to serve at the pleasure of the Governor

University System of Maryland Board of Regents

8. Brandon Enriquez District 9
3149 Sonia Trail
Ellicott City, MD 21043

Student Member of the University System of Maryland Board of Regents; appointed to serve a term of one year from July 1, 2016

Ethics Commission, State

9. James R. Benjamin, Esq. District 11
19 Ferns Court
Timonium, MD 21093

Member of the State Ethics Commission; appointed to serve remainder of a term of five years from July 1, 2016

Economic Development Commission, Maryland

10. Margaret Wood, D.A. District 14
7401 Brink Road
Laytonsville, MD 20882

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2016

Public Service Commission

11. Anthony J. O'Donnell District 29
P.O. Box 682
Lusby, MD 20657

Member of the Public Service Commission; appointed to serve a term of five years from July 1, 2016

Workers' Compensation Commission, State

12. Tracey Parker–Warren, Esq. District 33
695 Reliance Drive
Odenton, MD 21113

Member of the State Workers' Compensation Commission; appointed to serve a term of twelve years from June 22, 2016

Chesapeake Employers' Insurance Company, Board for the

13. Wayne R. Gioioso, Sr. District 42
11103 Old Carriage Road
Glen Arm, MD 21057

Member of the Board for the Chesapeake Employers' Insurance Company;
reappointed to serve a term of five years from June 1, 2016

The President of the Senate put the following question: "With the exception of nominee no. 11, will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive, with the exception of nominee no. 11, were all confirmed by roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 389)

Nominee No. 11

Public Service Commission

11. Anthony J. O'Donnell District 29
P.O. Box 682
Lusby, MD 20657

Member of the Public Service Commission; appointed to serve a term of five years
from July 1, 2016

The President of the Senate put the following question: "Will the Senate advise and consent to the above nomination of the Executive?"

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 42 Negative – 4 (See Roll Call No. 390)

Senate Bill 516 – Senators Zucker ~~and Simonaire~~, Simonaire, and Bates

AN ACT concerning

**State Government – Maryland Manual – Revisions
(Maryland Manual Modernization Act)**

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 391)

The Bill was then sent to the House of Delegates.

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**

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

Favorable report adopted.

FLOOR AMENDMENT

SB0266/243926/1

BY: Senator Middleton

AMENDMENTS TO SENATE BILL 266

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “– Prohibition”; in line 8, after “technology,” insert “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; providing that certain requirements for utilizing certain nitrogen removal technology do not apply to a person that owns property in a certain location if the person applies for and is unable to obtain certain assistance;”; and in line 13, after “9–1108” insert “and 9–1605.2(h)(2)(i)1.”.

AMENDMENT NO. 2

On page 2, in line 3, strike “A” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (C)(3) OF THIS SECTION, A**”; in line 13, strike the brackets; in the same line, after “subsection” insert “**AND**”; in the same line, strike “**IN**”; in line 14, strike “homeowners” and substitute “**A PERSON**”; after line 17, insert:

“(2) THE DEPARTMENT SHALL PROVIDE THE ASSISTANCE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN THE FOLLOWING ORDER OF PRIORITY:

(I) FIRST, FOR FAILING SYSTEMS IN THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA;

(II) SECOND, FOR SYSTEMS IN THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA THAT ARE NOT FAILING;

(III) THIRD, FOR FAILING SYSTEMS IN THE CHESAPEAKE BAY WATERSHED, THE ATLANTIC COASTAL BAYS WATERSHED, OR THE WATERSHED OF A NITROGEN-IMPAIRED BODY OF WATER; AND

(IV) FOURTH, FOR SYSTEMS IN THE CHESAPEAKE BAY WATERSHED, THE ATLANTIC COASTAL BAYS WATERSHED, OR THE WATERSHED OF A NITROGEN-IMPAIRED BODY OF WATER THAT ARE NOT FAILING.

(3) THE REQUIREMENTS IN SUBSECTION (B) OF THIS SECTION DO NOT APPLY TO A PERSON THAT OWNS PROPERTY THAT IS LOCATED IN THE CHESAPEAKE BAY WATERSHED, THE ATLANTIC COASTAL BAYS WATERSHED, OR THE WATERSHED OF A NITROGEN-IMPAIRED BODY OF WATER THAT IS NOT IN THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA IF THE PERSON APPLIES FOR AND IS UNABLE TO OBTAIN ASSISTANCE UNDER § 9-1605.2(H) OF THIS TITLE.”;

and after line 33, insert:

“9-1605.2.

(h) (2) The Comptroller shall:

(i) Deposit 60% of the funds in the separate account to be used for:

1. [Subject] EXCEPT AS PROVIDED IN § 9-1108 OF THIS TITLE AND SUBJECT to paragraphs (3), (4), (5), and (6) of this subsection, with priority first given to failing systems and holding tanks located in the Chesapeake and Atlantic

Coastal Bays Critical Area and then to failing systems that the Department determines are a threat to public health or water quality, grants or loans for up to 100% of:

A. The costs attributable to upgrading an on-site sewage disposal system to the best available technology for the removal of nitrogen;

B. The cost difference between a conventional on-site sewage disposal system and a system that utilizes the best available technology for the removal of nitrogen;

C. The cost of repairing or replacing a failing on-site sewage disposal system with a system that uses the best available technology for nitrogen removal;

D. The cost, up to the sum of the costs authorized under item B of this item for each individual system, of replacing multiple on-site sewage disposal systems located in the same community with a new community sewerage system that is owned by a local government and that meets enhanced nutrient removal standards; or

E. The cost, up to the sum of the costs authorized under item C of this item for each individual system, of connecting a property using an on-site sewage disposal system to an existing municipal wastewater facility that is achieving enhanced nutrient removal or biological nutrient removal level treatment, including payment of the principal, but not interest, of debt issued by a local government for such connection costs;”.

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

Affirmative – 20 Negative – 26 (See Roll Call No. 392)

FLOOR AMENDMENT

SB0266/253621/1

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 266

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Prohibition” and substitute “Obsolete Provision”; and strike beginning with “prohibiting” in line 4 down through “technology;” in line 8.

AMENDMENT NO. 2

On page 2, in line 5, strike the brackets; in the same line, strike “**BAY WATERSHED, THE**”; and in line 6, strike “**WATERSHED, OR THE WATERSHED OF A NITROGEN-IMPAIRED BODY OF WATER**”.

The preceding 2 amendments were read only.

Senator Jennings moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 393)

SENATE THIRD READING CALENDAR NO. 30 (GENERAL SENATE BILLS)

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**

Senator Hershey moved to make the Bill a Special Order for March 7, 2017.

The motion was adopted.

Senate Bill 247 – ~~Senator Ramirez~~ Senators Ramirez and Muse

AN ACT concerning

**Real Property – Notices of Foreclosure Sale and Postponement or Cancellation
of Foreclosure Sale**

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

Affirmative – 45 Negative – 1 (See Roll Call No. 394)

The Bill was then sent to the House of Delegates.

Senate Bill 376 – Senator Norman

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 395)

The Bill was then sent to the House of Delegates.

Senate Bill 438 – Senator Conway

AN ACT concerning

State Lottery Tickets – Internet Sales – Prohibition

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

Affirmative – 44 Negative – 2 (See Roll Call No. 396)

The Bill was then sent to the House of Delegates.

Senate Bill 456 – Carroll County Senators

AN ACT concerning

Carroll County – State’s Attorney – Salary

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

Affirmative – 46 Negative – 0 (See Roll Call No. 397)

The Bill was then sent to the House of Delegates.

Senate Bill 457 – Carroll County Senators

AN ACT concerning

Carroll County – Sheriff’s Salary

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

Affirmative – 46 Negative – 0 (See Roll Call No. 398)

The Bill was then sent to the House of Delegates.

Senate Bill 500 – Senator Norman

AN ACT concerning

Small Claim Action Appeals From District Court – Nonattorney Representation

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

Affirmative – 45 Negative – 0 (See Roll Call No. 399)

The Bill was then sent to the House of Delegates.

Senate Bill 639 – Senator Edwards

AN ACT concerning

Allegany County – Sheriff's Deputies – Salary and Duties

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

Affirmative – 46 Negative – 0 (See Roll Call No. 400)

The Bill was then sent to the House of Delegates.

Senate Bill 656 – ~~Senator Jennings~~ Senators Jennings, Brochin, Cassilly, Hough, Kelley, Lee, Muse, Norman, Ramirez, Ready, Smith, and Zirkin

AN ACT concerning

**Corporations and Associations – Fee for Processing Articles of Dissolution and
Certificates of Cancellation – Repeal**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 401)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 31 (GENERAL SENATE BILLS)

**Senate Bill 278 – Senators Middleton, Benson, Guzzone, Mathias, Peters, Reilly,
and Smith**

AN ACT concerning

Maryland Farms and Families Act

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

Affirmative – 46 Negative – 0 (See Roll Call No. 402)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 32 Negative – 14 (See Roll Call No. 403)

The Bill was then sent to the House of Delegates.

Senate Bill 308 – The President (By Request – Administration) and Senators Bates, Brochin, Cassilly, Eckardt, Edwards, Ferguson, Hershey, Hough, Jennings, Lee, Mathias, Norman, Ready, Salling, Serafini, Simonaire, ~~and~~ Waugh ~~Waugh~~, and Muse

EMERGENCY BILL

AN ACT concerning

**Child Abuse – Sex Trafficking
(Protecting Victims of Sex Trafficking Act of 2017)**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 404)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 405)

The Bill was then sent to the House of Delegates.

Senate Bill 510 – Senator Norman

AN ACT concerning

Criminal Procedure – Expungement – ~~Nolle Prosequi~~ Time for Filing

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

Affirmative – 45 Negative – 0 (See Roll Call No. 406)

The Bill was then sent to the House of Delegates.

Senate Bill 531 – ~~Senator Benson~~ Senators Benson, Astle, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe

AN ACT concerning

Housing ~~Counselor~~ Navigator and Aftercare Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 407)

The Bill was then sent to the House of Delegates.

Senate Bill 558 – Senators Norman, Bates, Cassilly, Eckardt, Edwards, and Ready

EMERGENCY BILL

AN ACT concerning

Motor Vehicles – Seasonal Exceptional Milk Hauling Permit

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

Affirmative – 46 Negative – 0 (See Roll Call No. 408)

The Bill was then sent to the House of Delegates.

Senate Bill 668 – Senators Norman, Astle, Cassilly, Edwards, Hough, Jennings, Lee, Salling, and Smith

AN ACT concerning

Vehicle Laws – Operation of Motorcycles – Handlebar Height

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

Affirmative – 45 Negative – 0 (See Roll Call No. 409)

The Bill was then sent to the House of Delegates.

Senate Bill 790 – Senator Smith

AN ACT concerning

Criminal Law – Animal Cruelty – Applicability

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

Affirmative – 46 Negative – 0 (See Roll Call No. 410)

The Bill was then sent to the House of Delegates.

Senate Bill 917 – Senators Mathias, Eckardt, and Hershey

AN ACT concerning

Motor Vehicles – Gross Weight and Axle Load and Exceptional Hauling Permit – Poultry

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

Affirmative – 46 Negative – 0 (See Roll Call No. 411)

The Bill was then sent to the House of Delegates.

Senate Bill 937 – ~~Senator Smith~~ Senators Smith and Zirkin

AN ACT concerning

Alcoholic Beverages – Civil Offenses – Public Consumption and Possession of Open Container

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

Affirmative – 43 Negative – 3 (See Roll Call No. 412)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 32 (GENERAL SENATE BILLS)

Senate Bill 108 – Senator Simonaire

AN ACT concerning

**Property Tax Credit – Erosion Control Measures – Nonstructural and Structural
Shoreline Stabilization**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 413)

The Bill was then sent to the House of Delegates.

Senate Bill 254 – Senators Peters, Middleton, and Miller

AN ACT concerning

Income Tax – Subtraction Modification – Perpetual Conservation Easements

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

Affirmative – 46 Negative – 0 (See Roll Call No. 414)

The Bill was then sent to the House of Delegates.

**Senate Bill 367 – Senators Zucker, Peters, Edwards, Ferguson, Guzzone, King,
Madaleno, Manno, and Serafini**

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

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

Affirmative – 46 Negative – 0 (See Roll Call No. 415)

The Bill was then sent to the House of Delegates.

Senate Bill 389 – Senator Hershey

AN ACT concerning

Kent County – Property Tax Credit – Commerce Zones

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

Affirmative – 46 Negative – 0 (See Roll Call No. 416)

The Bill was then sent to the House of Delegates.

Senate Bill 403 – Senators Astle, Benson, Feldman, Klausmeier, Manno, Mathias, and Rosapepe

AN ACT concerning

Private Passenger Motor Vehicle Liability Insurance – ~~Supplemental~~ Enhanced Underinsured Motorist Coverage

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

Affirmative – 32 Negative – 14 (See Roll Call No. 417)

The Bill was then sent to the House of Delegates.

Senate Bill 436 – Senator Eckardt**EMERGENCY BILL**

AN ACT concerning

Income Tax – Credit for Nurse Practitioner or Licensed Physician in Preceptorship Program – Alterations

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

Affirmative – 45 Negative – 0 (See Roll Call No. 418)

The Bill was then sent to the House of Delegates.

Senate Bill 449 – Senator Kasemeyer

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 419)

The Bill was then sent to the House of Delegates.

Senate Bill 473 – Calvert County Senators

AN ACT concerning

Calvert County – Bonding Authority

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

Affirmative – 46 Negative – 0 (See Roll Call No. 420)

The Bill was then sent to the House of Delegates.

**Senate Bill 496 – Chair, Budget and Taxation Committee (By Request –
Departmental – Lottery and Gaming Control Agency)**

AN ACT concerning

Gaming – Reconciliation of Proceeds – Licensee Payments

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

Affirmative – 45 Negative – 0 (See Roll Call No. 421)

The Bill was then sent to the House of Delegates.

**Senate Bill 497 – Chair, Budget and Taxation Committee (By Request –
Departmental – Lottery and Gaming Control Agency)**

AN ACT concerning

**Gaming – Video Lottery Operation License – Renewal Term Facilities –
Operation License Renewal Term and Local Development Council Membership**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 422)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 2 (GENERAL HOUSE BILLS)

**House Bill 5 – Delegates Barkley, Davis, Brooks, Jameson, Carey, Waldstreicher,
Aumann, Glenn, Branch, Robinson, and Lisanti**

AN ACT concerning

**Private Passenger Motor Vehicle Liability Insurance – Enhanced Underinsured
Motorist Coverage**

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

Affirmative – 32 Negative – 14 (See Roll Call No. 423)

The Bill was then returned to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 424)

ADJOURNMENT

At 12:37 P.M. on motion of Senator Peters the Senate adjourned until 8:00 P.M. on Monday, March 6, 2017.

**Annapolis, Maryland
Monday, March 6, 2017
8:00 P.M. Session**

The Senate met at 8:12 P.M.

Prayer by Pastor Nathan Drye, Abundant Life Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 426)

The Journal of March 3, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 396 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
James Torrey Smith
in recognition of
your devotion to the youth of Baltimore City by helping them reach their full potential
through the Torrey Smith Family Fund.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 6th day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 427)

INTRODUCTORY SENATE BILLS NO. 53

Senate Bill 1172 – Senator Bates

AN ACT concerning

Alcoholic Beverages – Class 5 Breweries – Barrelage and Hours of Sale

FOR the purpose of repealing the requirement that a local licensing board grant an on-site consumption permit under certain conditions; altering the amount of beer that a holder of a Class 5 brewery license may sell for on-premises consumption; specifying hours of sale for beer sold for on-premises consumption, unless the hours are otherwise determined by the local licensing board for the jurisdiction in which the Class 5 brewery is located; and generally relating to Class 5 breweries.

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

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

Senate Bill 1173 – Senators Pinsky, Conway, King, and Madaleno

AN ACT concerning

Higher Education Degree and Job Certification Without Debt Act of 2017

FOR the purpose of requiring the Governor to include a certain amount in the State budget for certain fiscal years for the Maryland Higher Education Commission to establish a near completer communication campaign; requiring the Commission to develop and implement a certain Web-based match program for near completers; requiring the Commission to encourage certain institutions of higher education to participate in a certain program; requiring certain institutions to provide the Commission with certain information in a certain format; requiring the Commission to make a certain determination and send certain information to near completers; requiring the Governor to include a certain amount in the State budget for certain fiscal years for the Commission to develop and implement a certain match program; requiring the Governor to include a certain amount in the State budget for certain fiscal years for the Commission to provide certain awards to certain students subject to certain limitations; requiring certain grants to be provided on a first-come, first-served basis; requiring the Commission and certain community colleges to make certain reports to the General Assembly on or before certain dates; prohibiting certain governing boards from approving increases in tuition that are more than a certain amount for certain academic years; requiring the Governor to include a certain amount from certain funds in the State budget in certain fiscal years to limit increases in tuition to a certain amount; prohibiting certain community colleges from increasing certain tuition rates more than a certain amount beginning in a certain academic year; establishing the Maryland Community College Promise Program; providing for the purpose of the Program; requiring the Commission to administer the Program; requiring the Commission to make the Program available beginning in

a certain academic year; establishing eligibility criteria for a certain grant; requiring the Commission to provide a certain grant up to a certain amount to certain recipients subject to certain limitations; authorizing a certain recipient to use a certain grant at certain institutions; providing for a one-time waiver from a certain limitation under certain circumstances; requiring the Governor to provide certain funds in the State budget for certain grants; requiring the Governor to provide certain funds in the State budget to be distributed according to a certain calculation and to be used for a certain purpose; requiring the Commission to adopt certain procedures; authorizing the Commission to adopt certain regulations; requiring the Governor to provide certain amounts for need-based programs in certain fiscal years subject to a certain exception; increasing the maximum amount for certain awards in certain fiscal years; defining certain terms; altering certain definitions; and generally relating to higher education.

BY repealing and reenacting, with amendments,

Article – Education

Section 11–209, 15–106.5, 18–107(a), and 18–304(c)(2)(i) and (ii)1.

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 16–317 and 16–514; and 16–701 through 16–707 to be under the new subtitle
“Subtitle 7. The Maryland Community College Promise Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 18–107(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

Senate Bill 1174 – Senator Jennings

EMERGENCY BILL

AN ACT concerning

Public Health – Certificates of Birth – Births Outside an Institution

FOR the purpose of requiring the attending clinician or a designee of the attending clinician to prepare a certificate of birth, secure certain signatures, and file the certificate within a certain time period after a birth occurs outside an institution with an attending clinician; requiring the attending clinician, within a certain time period

after the birth, to provide certain information that is required on a certificate of birth; requiring the attending clinician or a designee of the attending clinician to take certain actions on the birth of a child to an unmarried woman outside an institution with an attending clinician; providing that the attending clinician or a designee of the attending clinician may not be held liable in any cause of action arising out of the establishment of paternity; defining certain terms; making a conforming change; making a stylistic change; making this Act an emergency measure; and generally relating to certificates of birth for births outside an institution.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–201 and 4–208(a) and (b)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

Senate Bill 1175 – Senator Benson

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Transit Oriented
Development Public Art Projects**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$280,000, the proceeds to be used as a grant to the Board of Directors of the Prince George’s Arts and Humanities Council, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1176 – Senator Waugh

AN ACT concerning

Creation of a State Debt – St. Mary’s County – Maryland Dove

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Historic St. Mary’s City Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1177 – Senators Jennings and Norman

AN ACT concerning

Harford County – Alcoholic Beverages – Interest in More Than One License

FOR the purpose of specifying that a percentage rent provision in a commercial lease does not constitute an interest in an alcoholic beverages license in Harford County; and generally relating to alcoholic beverages in Harford County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 22–102 and 22–1501

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 22–1503

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

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

Senate Bill 1178 – Senator Currie

AN ACT concerning

Creation of a State Debt – Prince George’s County – District Heights Veterans Park

FOR the purpose of authorizing the creation of a State Debt in the amount of \$170,000, the proceeds to be used as a grant to the Mayor and City Commissioners of the City of District Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1179 – Senators Cassilly and Jennings

AN ACT concerning

Creation of a State Debt – Harford County – McComas School Museum

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of The Hosanna Community House, Incorporated for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1180 – Senators Madaleno, Currie, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, McFadden, Peters, Smith, and Zirkin

AN ACT concerning

Public Safety – Handgun Permit Review Board – Repeal

FOR the purpose of altering the process by which a person who is denied a certain handgun permit or renewal of a permit or whose permit is revoked or limited by the Secretary of State Police or the Secretary's designee may appeal the decision; repealing provisions of law relating to the Handgun Permit Review Board; providing that appeals from a certain decision by the Secretary or the Secretary's designee may be made to the Office of Administrative Hearings in a certain manner; providing that a person whose application for a certain permit or renewal of a permit is not acted on by the Secretary within a certain period may request a certain hearing before the Office of Administrative Hearings; making conforming changes; and generally relating to handgun permits.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–301 and 5–312
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing
Article – Public Safety
Section 5–302
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–311
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 12

House Bill 1 – Delegates Clippinger and ~~Davis~~, Davis, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Branch, Brooks, Carr, Chang, Conaway, Cullison, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jones, Kaiser, Kelly, Knotts, Korman, Krimm, Lafferty, Lam, J. Lewis, R. Lewis, Lierman, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Mosby, Patterson, Pena-Melnyk, Pendergrass, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample-Hughes, Sanchez, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, and P. Young

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

FOR the purpose of requiring certain employers to provide employees with certain 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; 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; 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 an employer to keep certain records for a certain time period; authorizing the Commissioner to inspect certain records; establishing a presumption that an employer has violated certain provisions of this Act 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 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; 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 Finance.

House Bill 233 – Delegates Barron, West, Fennell, and Hettleman

AN ACT concerning

**Disclosure of Medical Records – Guardian Ad Litem – Victims of Crime or
Delinquent Acts**

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 Finance.

House Bill 443 – Delegates West, Bromwell, Cullison, Kelly, Metzgar, and Miele

AN ACT concerning

Assisted Living Programs – Licensure Fees

FOR the purpose of repealing a requirement that the Department of Health and Mental Hygiene adopt regulations requiring the Secretary of Health and Mental Hygiene to charge certain fees in a certain manner; requiring the Department to adopt regulations that establish a certain application fee for an assisted living program license; and generally relating to licensure fees for assisted living programs.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–1805
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 445 – Delegates West, Cullison, Krebs, Metzgar, and Morhaim

AN ACT concerning

**Public Health – Repeal of AIDS Education Program for Persons Convicted of
Drug– or Sex–Related Crimes**

FOR the purpose of repealing a certain educational program on acquired immune deficiency syndrome (AIDS) for persons who plead guilty or nolo contendere to or are found guilty of certain drug– or sex–related crimes; and generally relating to AIDS education for drug and sex offenders.

BY repealing

Article – Health – General

Section 18–339

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

**House Bill 448 – Delegates Bromwell, Pendergrass, ~~and Reznik~~ Reznik, Barron,
Cullison, Hayes, Hill, Kelly, Kipke, Krebs, Metzgar, Miele, Morales, Morgan,
Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and
K. Young**

AN ACT concerning

**Maryland Achieving a Better Life Experience (ABLE) Program – Account
Clarifications**

FOR the purpose of clarifying that a certain amount may be contributed in each calendar year to an account for a disabled individual under the Maryland Achieving a Better Life Experience (ABLE) Program; providing that contributions to an ABLE account may not exceed a certain maximum amount; requiring the Maryland 529 Board to adopt certain procedures to ensure that certain contributions to ABLE accounts do not exceed a certain maximum limit; and generally relating to the Maryland ABLE Program.

BY repealing and reenacting, without amendments,

Article – Education

Section 18–19C–01(a) through (d) and (g)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 18–19C–03(c) and 18–19C–09

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 524 – Delegate Jacobs

AN ACT concerning

Public Health – Required Temperatures for Sale of Crab Meat – Repeal

FOR the purpose of repealing a certain provision of law that prohibits a person from keeping for sale any unfrozen crab meat, any frozen crab meat, or any pasteurized crab meat at temperatures that exceed certain maximum temperatures; and generally relating to the sale of crab meat.

BY repealing

Article – Health – General

Section 21–342

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 664 – Delegates Reilly, Anderton, Arentz, Carozza, Cassilly, Folden, Ghrist, Grammer, Healey, Jacobs, Knotts, McDonough, Metzgar, Otto, Rey, Szeliga, Vogt, C. Wilson, ~~and K. Young~~ K. Young, Pendergrass, Bromwell, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, Miele, Morales, Morgan, Pena–Melnyk, Platt, Rosenberg, Saab, Sample–Hughes, and West

AN ACT concerning

State Government – Display of the POW/MIA Flag on State Building Grounds

FOR the purpose of requiring the Secretary of General Services and the Secretary of Transportation to cause the POW/MIA flag to be flown on the grounds of certain State buildings whenever the flag of the United States is flown; providing for the application of a certain provision of this Act; defining a certain term; and generally relating to the display of the POW/MIA flag on the grounds of State buildings.

BY adding to

Article – State Finance and Procurement

Section 4–210

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

INTRODUCTION OF RESOLUTIONS**Senate Resolution No. 359 – Senator Steve Waugh:**

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Hayley Jackson
in recognition of
your successful attainment of the 2016 Maryland State 2A Girls Cross Country Champion
title.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 6th day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 428)

Senate Resolution No. 356 – Senator Steve Waugh:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Patuxent High School Marching Band
in recognition of
your triumphant pursuit to become the 2016 Maryland State 2A Marching Band
Champions. Congratulations.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 6th day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 429)

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 430)

SENATE THIRD READING CALENDAR NO. 33 (GENERAL SENATE BILLS)

Senate Bill 386 – Senators Nathan–Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Manno, McFadden, Pinsky, Ramirez, Robinson, Rosapepe, Young, and Zucker

AN ACT concerning

Pollinator Habitat Plans – Plan Contents – ~~Requirement~~ Requirements and Prohibition

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

Affirmative – 41 Negative – 6 (See Roll Call No. 431)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 2 – Senators Madaleno, Conway, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Manno, McFadden, Pinsky, Rosapepe, Smith, and Zucker

A Senate Joint Resolution concerning

Constitutional Convention – ~~Amendment~~ Amendments – Repeal

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

Affirmative – 34 Negative – 13 (See Roll Call No. 432)

The Bill was then sent to the House of Delegates.

SPECIAL ORDER CALENDAR NO. 22

Senate Bill 535 – Senators Salling, Astle, Bates, Benson, Brochin, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Reilly, Robinson, Rosapepe, Serafini, Simonaire, Smith, Waugh, Young, Zirkin, and Zucker

AN ACT concerning

Highway Dedication – Senator Norman R. Stone, Jr. Highway

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 433)

The Bill was then sent to the House of Delegates.

LAID OVER CALENDAR NO. 6

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**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2)
OFFERED FROM THE FLOOR BY SENATOR REILLY.

FLOOR AMENDMENT

SB0266/253621/1

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 266

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Prohibition” and substitute “Obsolete Provision”; and strike beginning with “prohibiting” in line 4 down through “technology;” in line 8.

AMENDMENT NO. 2

On page 2, in line 5, strike the brackets; in the same line, strike “**BAY WATERSHED, THE**”; and in line 6, strike “**WATERSHED, OR THE WATERSHED OF A NITROGEN–IMPAIRED BODY OF WATER**”.

The preceding 2 amendments were withdrawn.

Senator Jennings moved to reconsider the vote by which Floor Amendment 243926/1 failed.

Senator Conway moved to make the motion a Special Order for March 7, 2017.

The motion was adopted.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 11**

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

Senate Bill 198 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Sunday Hours of Sale

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 209 – Senators Young and Hough

AN ACT concerning

Frederick County – Beer and Wine Licenses – Barbershops

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 453 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Restaurants – Average Daily Receipts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 492 – Washington County Senators

AN ACT concerning

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

SB0492/564931/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 492

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “not in an enclosed shopping mall but rather”; in line 6, after “characteristics,” insert “altering certain requirements for the sale of beer, wine, and liquor by the license holder;”; in line 7, after “license,” insert “establishing a Sunday permit and an annual Sunday permit fee;”; and in line 7, strike “altering” and substitute “repealing”.

AMENDMENT NO. 2

On page 2, in line 9, strike “**NOT IN AN ENCLOSED SHOPPING MALL BUT RATHER**”; strike beginning with the colon in line 15 down through “(i)” in line 16; in line 16, strike the semicolon and substitute a colon; in line 17, strike “(ii)” and substitute “**(I)**”; in line 20, strike the second “and” and substitute “**OR**”; in line 21, strike “(iii)” and substitute “**(II)**”; in line 24, after the bracket, insert “**:**”

(I);

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

(II) ON SUNDAY, IF THE LICENSE HOLDER IS ISSUED A SUNDAY PERMIT”.

On page 3, in line 10, after “(e)” insert “**(1)**”; after line 10, insert:

“(2) THE ANNUAL SUNDAY PERMIT FEE IS \$250.”;

strike beginning with “It” in line 13 down through the period in line 15; and strike beginning with “It” in line 18 down through the period in line 20.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 620 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Sales at Winery Special Events

SB0620/704138/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 620

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sales at Winery Special Events” and substitute “Wineries – Special Event Permits”; strike beginning with “authorizing” in line 3 down through “Commissioners” in line 6 and substitute “establishing a special event permit in Washington County; authorizing a holder of a Class 3 winery license or a Class 4 limited winery license in the county to sell beer, wine produced by the holder, and liquor for on-premises consumption at certain events; requiring the permit holder to notify the Board of License Commissioners on or before a certain time before using the permit; establishing a certain limit on the number of times the permit may be used; providing for a certain permit fee; providing for the termination of this Act”; and in line 15, strike “and 31–701”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 12 through 28, inclusive, and substitute:

“(A) THERE IS A SPECIAL EVENT PERMIT.

(B) THE BOARD MAY ISSUE THE PERMIT TO A HOLDER OF A CLASS 3 WINERY LICENSE OR A CLASS 4 LIMITED WINERY LICENSE.

(C) THE PERMIT AUTHORIZES THE HOLDER TO SELL FOR ON-PREMISES CONSUMPTION BEER, WINE PRODUCED BY THE HOLDER, AND LIQUOR AT:

(1) AN EVENT FOR WHICH THE ENTIRE LICENSED PREMISES HAS BEEN RENTED; OR

(2) AN EVENT THAT THE BOARD APPROVES.

(D) THE LICENSE HOLDER WHO INTENDS TO USE THE PERMIT SHALL NOTIFY THE BOARD AT LEAST 1 WEEK BEFORE THE EVENT IS TO OCCUR.

(E) THE LICENSE HOLDER MAY USE THE PERMIT NOT MORE THAN 60 TIMES IN A YEAR.

(F) THE ANNUAL PERMIT FEE IS \$1,000.”;

and in line 30, after the period 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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 837 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Penalties

SB0837/704538/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 837

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 3 down through “fine;” in line 10 and substitute “providing that in Washington County a violation of the prohibition against selling or providing alcoholic beverages to an individual under the age of 21 years is a misdemeanor; authorizing the Board of License Commissioners to impose certain penalties on an employee of a license holder or a license holder who violates the prohibition; authorizing the Board to suspend or revoke a license under certain conditions;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 6, inclusive; in line 7, strike the first set of brackets; in lines 12 and 23, in each instance, strike the brackets; in lines 7, 12, and 23, strike “(B)”, “(C)”, and “(E)”, respectively; and strike in their entirety lines 18 through 22, inclusive, and substitute:

“(C) (1) A VIOLATION OF § 6-304 OF THIS ARTICLE IS A MISDEMEANOR.

(2) IF AN EMPLOYEE OF A LICENSE HOLDER VIOLATES § 6-304 OF THIS ARTICLE, THE BOARD MAY IMPOSE ON THE EMPLOYEE A FINE NOT EXCEEDING:

(I) FOR A FIRST OFFENSE, \$200; AND

(II) FOR EACH SUBSEQUENT OFFENSE, \$500.

(3) IF A LICENSE HOLDER VIOLATES § 6-304 OF THIS ARTICLE, THE BOARD MAY IMPOSE A FINE NOT EXCEEDING \$2,500, SUSPEND OR REVOKE THE LICENSE, OR IMPOSE BOTH A FINE AND SUSPEND OR REVOKE THE LICENSE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1039 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Hotel and Motel Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 12**

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

Senate Bill 374 – Senator Astle

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.

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

Senate Bill 488 – Prince George’s County Senators

EMERGENCY BILL

AN ACT concerning

Prince George’s County – Alcoholic Beverages Regulation Reform Act of 2017

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 816 – Cecil County Senators

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 820 – Senator Hershey

AN ACT concerning

**Queen Anne’s County – Alcoholic Beverages – Class D Beer, Wine, and Liquor
and Class 9 Limited Distillery Licenses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1010 – Senator Jennings

AN ACT concerning

Harford County – Alcoholic Beverages – Publication of Notices

SB1010/974134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 1010

(First Reading File Bill)

On page 3, in lines 2 and 16, in each instance, strike “OR” and substitute “AND”.

The preceding amendment was read only.

Senator Jennings moved to make the Bill and Amendment a Special Order for March 7, 2017.

The motion was adopted.

FINANCE COMMITTEE REPORT NO. 18

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

Senate Bill 600 – Senator Feldman

AN ACT concerning

Public Health – Maternal Mental Health

SB0600/797378/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 600

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Feldman” and substitute “Senators Feldman, Astle, Benson, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe”; 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.

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

Senate Bill 681 – Senator Ramirez

AN ACT concerning

Consumer Protection – Recovering of Bedding – Limitation

SB0681/557079/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 681

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Ramirez” and substitute “Senators Ramirez, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 696 – Senators Feldman, Astle, Benson, Hershey, and Reilly

AN ACT concerning

Task Force on Long-Term Care Education and Planning

SB0696/607478/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 696

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Reilly” and substitute “Reilly, Jennings, Klausmeier, Mathias, Middleton, Oaks, and Rosapepe”.

AMENDMENT NO. 2

On page 2, in line 23, strike “and”; and in line 25, after “Schools” insert “:

(vii) one representative of the Health Facilities Association of Maryland; and

(viii) one representative of a long-term care insurer or a trade association that includes long-term care insurers”.

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 47 Members present.

(See Roll Call No. 434)

ADJOURNMENT

At 9:04 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Tuesday, March 7, 2017, in memory of the Westlake High School students Colin Bipat and Desmond Cook.

Annapolis, Maryland
Tuesday, March 7, 2017
10:00 A.M. Session

The Senate met at 10:10 A.M.

Prayer by Pastor Brian Corrick, Gethsemane Baptist Church, guest of Senator Bates.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 436)

On motion of Senator Peters it was ordered that Senators Benson and Conway be excused from today's session.

The Journal of March 6, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 343 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Lynn Coffland, Founder
Catch a Lift Fund
in recognition of
your organization funding gym memberships and fitness programs for combat wounded
Veterans and helping them to heal with peer support.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of February 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 42 Negative – 0 (See Roll Call No. 437)

INTRODUCTION OF BILLS

Senator Astle moved to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1181 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Historic Annapolis Museum

FOR the purpose of authorizing the creation of a State Debt in the amount of \$90,000, the proceeds to be used as a grant to the Board of Trustees of Historic Annapolis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Senator Astle moved to suspend the rules to allow **Senate Bill 1181** to be assigned to the committee of jurisdiction.

The motion was adopted.

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

LETTERS OF REASSIGNMENT**ANNOUNCEMENT BY THE PRESIDENT**

March 7, 2017

In accordance with Rule 33(d), the following legislation has been reassigned as indicated below:

SB 1157 Senator Cassilly, et al

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

Reassigned to Finance

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 438)

SENATE THIRD READING CALENDAR NO. 34 (GENERAL SENATE BILLS)

Senate Bill 72 – Senators Klausmeier, Eckardt, ~~and Middleton~~ Middleton, Benson, Feldman, Hershey, Mathias, Reilly, and Rosapepe

AN ACT concerning

Workers' Compensation – Tiered Rating Plans and Merit Rating Plans

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

Affirmative – 45 Negative – 0 (See Roll Call No. 439)

The Bill was then sent to the House of Delegates.

Senate Bill 194 – ~~Senator Klausmeier~~ Senators Klausmeier, Middleton, Astle, Benson, Feldman, Hershey, Mathias, Oaks, Reilly, and Rosapepe

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 440)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 441)

The Bill was then sent to the House of Delegates.

Senate Bill 595 – Senators Nathan–Pulliam, Benson, Kelley, Madaleno, Ramirez, Robinson, Young, and Zucker

AN ACT concerning

Residential Boarding Education Programs for At-Risk Youth – Eligibility

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

Affirmative – 46 Negative – 0 (See Roll Call No. 442)

The Bill was then sent to the House of Delegates.

BUDGET AND TAXATION COMMITTEE REPORT NO. 8

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

Senate Bill 353 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

Optional Retirement Program – Annuity Contracts – Employee Rights

SB0353/489537/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 353

(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.

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

Senate Bill 360 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker

AN ACT concerning

**State Department of Education – Breakfast and Lunch Programs – Funding
(The Maryland Cares for Kids Act)**

Senator Jennings moved to make the Bill and Report a Special Order for March 8, 2017.

The motion was adopted.

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

Senate Bill 361 – Senators Madaleno, Benson, DeGrange, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, Young, and Zucker

AN ACT concerning

Hunger-Free Schools Act of 2017

SB0361/149639/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 361

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Currie, McFadden, Eckardt, Edwards, and Serafini”; and strike beginning with “requiring” in line 5 down through “date;” in line 6.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 22 on page 2 through line 32 on page 3, inclusive.

On page 3, in line 33, strike “3.” and substitute “2.”.

The preceding 2 amendments were read only.

Senator Jennings moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 401 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Membership Elections**SB0401/639137/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 401

(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.

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

Senate Bill 581 – Senators Ferguson and King

AN ACT concerning

**Workgroup to Study the Implementation of Universal Access to
Prekindergarten for 4-Year-Olds**

SB0581/909038/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 581

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 11, after “Act;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 1, in line 19, after “include” insert “in the Workgroup:

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

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

(iii);

in line 20, strike “in the Workgroup”; in line 21, strike “(i)” and substitute “1.”; and in lines 23 and 24, strike “1.” and “2.”, respectively, and substitute “A.” and “B.”, respectively.

On page 2, in lines 1, 5, 6, 7, and 9, strike “(ii)”, “(iii)”, “(iv)”, “(v)”, and “(vi)”, respectively, and substitute “2.”, “3.”, “4.”, “5.”, and “6.”, respectively; in lines 3 and 4, strike “1.” and “2.”, respectively, and substitute “A.” and “B.”, respectively; in line 8, after the semicolon strike “and”; and in line 9, strike “the Maryland Family Network” and substitute “an early childhood advocacy organization; and

7. one representative from an organization that advocates for children with special needs”.

AMENDMENT NO. 3

On page 2, in line 20, after “plan” insert “based on Augenblick, Palaich and Associates’ January 2016 “A Comprehensive Analysis of Prekindergarten in Maryland” report submitted in accordance with Chapter 2 of the Acts of the General Assembly of 2014”.

AMENDMENT NO. 4

On page 3, strike beginning with “shall” in line 9 down through “2017” in line 10 and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”; and in line 10, strike “and, at the end of May 31, 2018,” and substitute “from the date it is enacted and, at the end of the 1-year period,”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 592 – Senator Edwards

AN ACT concerning

Allegany County – Property Tax Credits – Community Organizations

SB0592/649439/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 592 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Organizations” insert “and Lions Center”; in line 3, strike “requiring” and substitute “authorizing the governing body of”; in the same line, after “and” insert “of”; in line 5, after “on” insert “certain”; in lines 5 and 7, in each instance, strike “community”; and in line 10, strike “9–302(a)” and substitute “9–302(b)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 8 on page 2, inclusive, and substitute:

“(b) The governing body of Allegany County or of a municipal corporation in Allegany County may grant, by law, a property tax credit under this section against the county or municipal corporation property tax imposed on:

- (1) property that is owned by the Upper Potomac Jaycees, Incorporated;
- (2) property that is owned by the Allegany Beagle Club, Incorporated;
- (3) property that is:
 - (i) leased by Frostburg Community Hospital, Inc.; and
 - (ii) used for hospital purposes;
- (4) property that is owned by the Western Maryland Scenic Railroad;
- (5) property that is owned by the Frostburg Lions Club;
- (6) property that is owned by the Cumberland/Allegany County Industrial Foundation, Inc.;
- (7) property that is owned by the La Vale Lions Club Foundation, Inc.;
- (8) property that is owned by the Carver Community Center, Inc.;
- (9) property that is owned by the Cumberland Cultural Foundation and is known as the Gilchrist Museum;
- (10) property that is owned by the Allegany County Agricultural Expo, Inc.;
[and]
- (11) property that is owned by the Allegany County Building Trades Education Foundation, Inc.;
- (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.;

(15) PROPERTY THAT IS OWNED BY THE LA VALE SWIM CLUB INC.; AND

(16) PROPERTY THAT IS:

(I) OWNED BY:

1. THE LIONS CENTER, LLC;

2. THE LIONS CENTER I, LLC; OR

3. THE LIONS CENTER II, LLC; AND

(II) KNOWN AS THE LIONS CENTER FOR REHABILITATION AND EXTENDED CARE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 601 – Senators Bates, Cassilly, Eckardt, Edwards, Klausmeier, Norman, Ready, Rosapepe, Salling, Serafini, and Simonaire

AN ACT concerning

Property Tax Credit – Elderly Individuals and Veterans – Eligibility

SB0601/559738/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 601

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Simonaire” and substitute “Simonaire, Manno, and Currie”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 753 – Senator Guzzone

AN ACT concerning

Tax Sales – Foreclosure of Right of Redemption – Naming of Defendants

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 758 – Senator Guzzone

AN ACT concerning

Income Tax Credit – Energy Storage Systems

Senator Hershey moved to make the Bill and Report a Special Order for March 8, 2017.

The motion was adopted.

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

Senate Bill 1006 – Senator Jennings

AN ACT concerning

Senior Citizen Activities Centers – Bingo Games – Authorization

SB1006/379737/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 1006

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Jennings” and substitute “Senators Jennings and Manno”.

On page 2, in line 25, strike “ALL BINGO CARDS” and substitute “EACH BINGO CARD”; in line 27, after “TO” insert “:”

(I);

and in line 28, after “PERIOD” insert “; **OR**

(II) THE TOTAL AMOUNT OF FEES THAT WERE COLLECTED FROM THE PREVIOUS GAME DAY”.

The preceding amendment was read only.

Senator Zirkin moved that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

BUDGET AND TAXATION COMMITTEE REPORT NO. 9

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

House Bill 516 – Delegates Atterbeary ~~and Ebersole~~, Ebersole, and Rosenberg

EMERGENCY BILL

AN ACT concerning

Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year-Olds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 10

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

Senate Bill 144 – Senator Zirkin

AN ACT concerning

Civil Actions – Prelitigation Discovery of Insurance Coverage**SB0144/448473/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 144

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “tort” insert “involving death or bodily injury”; and in the same line, after the semicolon insert “providing that an insurer is only required to provide a claimant with documentation of the applicable limits of coverage in a certain automobile insurance policy, homeowner’s insurance policy, or renter’s insurance policy; requiring a claimant to provide an insurer with a letter from a certain attorney certifying that the claimant has a bona fide tort claim under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 2, after “**TORT**” insert “**INVOLVING BODILY INJURY**”; and in line 15, strike “insurance agreement” and substitute “**AUTOMOBILE INSURANCE POLICY, HOMEOWNER’S INSURANCE POLICY, OR RENTER’S INSURANCE POLICY**”.

AMENDMENT NO. 3

On page 2 in line 26, and on page 3 in line 9, in each instance, strike “OR” and substitute a comma.

On page 2 in line 26, and on page 3 in line 9, in each instance, after “**POLICE REPORT**” insert “**, OR OTHER OFFICIAL REPORT**”.

AMENDMENT NO. 4

On page 2, in line 26, strike “and”; and in line 27, after “available” insert “**; AND**

(5) A LETTER FROM AN ATTORNEY ADMITTED TO PRACTICE LAW IN THE STATE CERTIFYING THAT:

(I) THE ATTORNEY HAS MADE REASONABLE EFFORTS TO INVESTIGATE THE UNDERLYING FACTS OF THE CLAIM; AND

(II) BASED ON THE ATTORNEY’S INVESTIGATION, THE ATTORNEY REASONABLY BELIEVES THAT THE CLAIM IS NOT FRIVOLOUS”.

On page 3, in line 16, strike “and”; and in line 18, after “decendent” insert “; AND

(9) A LETTER FROM AN ATTORNEY ADMITTED TO PRACTICE LAW IN THE STATE CERTIFYING THAT:

(I) THE ATTORNEY HAS MADE REASONABLE EFFORTS TO INVESTIGATE THE UNDERLYING FACTS OF THE CLAIM; AND

(II) BASED ON THE ATTORNEY’S INVESTIGATION, THE ATTORNEY REASONABLY BELIEVES THAT THE CLAIM IS NOT FRIVOLOUS”.

The preceding 4 amendments were read only.

Senator Middleton moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 398 – Senator Feldman

AN ACT concerning

Corporations – Formation of a Holding Company by Merger

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 481 – Senator Feldman

AN ACT concerning

Corporations – Maryland General Corporation Law – Miscellaneous Provisions

SB0481/988378/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 481

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “corporation” insert “with capital stock”.

AMENDMENT NO. 2

On page 5, in line 27, after “CORPORATION” insert “WITH CAPITAL STOCK”.

The preceding 2 amendments were read only.

Senator Serafini moved to make the Bill and Amendments a Special Order for March 8, 2017.

The motion was adopted.

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

Senate Bill 827 – Senators Hough and Young

AN ACT concerning

Frederick County – State’s Attorney – Annual Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 11

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

**Senate Bill 166 – Senator Conway (By Request – Baltimore City Administration)
and Senators Ferguson, McFadden, Nathan-Pulliam, and Robinson**

AN ACT concerning

Baltimore City – Civilian Review Board**SB0166/288772/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 166

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike “altering certain procedures for filing a complaint with the Baltimore City Civilian Review Board; repealing” and substitute “modifying”; in line 4, after “complaint” insert “with the Baltimore City Civilian Review Board”; strike beginning with “authorizing” in line 5 down through “Board;” in line 10; in line 10, after “making” insert “a”; in line 11, strike “and technical changes; altering certain definitions” and substitute “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 only.

Senator Conway moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 654 – Senators Hough, Cassilly, Muse, Smith, and Zirkin

AN ACT concerning

Task Force to Study Crime Classification and Penalties

SB0654/598674/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 654

(First Reading File Bill)

On page 1, strike beginning with “one” in line 20 down through “(4)” in line 22.

On page 2, in lines 1, 3, 5, 7, 9, 10, and 12, strike “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, and “(11)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, and “(10)”, respectively.

On page 3, in line 4, strike “2018” and substitute “2017”; in line 8, strike “2 years” and substitute “1 year”; and in line 9, strike “2019” 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.

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

Senate Bill 707 – Senators Norman and Cassilly

AN ACT concerning

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

SB0707/688377/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 707
(First Reading File Bill)

On page 1, after line 3, insert:

“(The Senator Bob Hooper Sanitation Safety Act)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 19

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

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

AN ACT concerning

Behavioral Health Community Providers – Keep the Door Open Act

SB0476/437871/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 476
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, Edwards, Hershey, Jennings, and Oaks”; and in line 19, after “Department;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 4, in line 8, after “2017.” insert “It shall remain effective for a period of 6 years and 1 month and, at the end of June 30, 2023, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read only.

Senator Jennings moved to make the Bill and Amendments a Special Order for March 8, 2017.

The motion was adopted.

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

Senate Bill 515 – Senators Jennings, Astle, Guzzone, and Peters

AN ACT concerning

Collective Bargaining – Firefighters – Martin State Airport

SB0515/787478/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 515

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Jennings, Astle, Guzzone, and Peters” and substitute “Peters, Astle, Guzzone, Benson, Feldman, Klausmeier, Mathias, Middleton, Oaks, and Rosapepe”; in line 5, after the semicolon, insert “altering certain provisions of law that relate to collective bargaining for certain firefighters for the Martin State Airport”; and in line 9, strike “3–102(a)” and substitute “3–101(b), 3–102, and 3–205(a) and (c)”.

AMENDMENT NO. 2

On page 1, after line 14, insert:

“3–101.

(b) “Board” means:

(1) with regard to any matter relating to employees of any of the units of State government described in § 3–102(a)(1)(i) through (iv) and (vi) through [(ix)] (X) of this subtitle and employees described in § 3–102(a)(2) of this subtitle, the State Labor Relations Board; and

(2) with regard to any matter relating to employees of any State institution of higher education described in § 3–102(a)(1)(v) of this subtitle, the State Higher Education Labor Relations Board.”.

AMENDMENT NO. 3

On page 2, in line 7, strike “and”; in line 8, strike the brackets; after line 8, insert:

“(X) FIREFIGHTERS FOR THE MARTIN STATE AIRPORT AT THE RANK OF CAPTAIN OR BELOW WHO ARE EMPLOYED BY THE MILITARY DEPARTMENT; AND”;

strike beginning with the semicolon in line 10 down through “**DEPARTMENT**” in line 12; and after line 12, insert:

“(b) This title does not apply to:

(1) employees of the Maryland Transit Administration, as that term is defined in § 7–601(a)(2) of the Transportation Article;

(2) an employee who is elected to the position by popular vote;

(3) an employee in a position by election or appointment that is provided for by the Maryland Constitution;

(4) an employee who is:

(i) a special appointment in the State Personnel Management System; or

(ii) 1. directly appointed by the Governor by an appointment that is not provided for by the Maryland Constitution;

2. appointed by or on the staff of the Governor or Lieutenant Governor; or

3. assigned to the Government House or the Governor’s Office;

(5) an employee assigned to the Board or with access to records of the Board;

(6) an employee in:

- (i) the executive service of the State Personnel Management System; or
- (ii) a unit of the Executive Branch with an independent personnel system who is:
 - 1. the chief administrator of the unit or a comparable position that is not excluded under item (3) of this subsection as a constitutional or elected office; or
 - 2. a deputy or assistant administrator of the unit or a comparable position;
- (7) (i) a temporary or contractual employee in the State Personnel Management System; or
 - (ii) a contractual, temporary, or emergency employee in a unit of the Executive Branch with an independent personnel system;
- (8) an employee who is entitled to participate in collective bargaining under another law;
- (9) an employee of the University System of Maryland, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College who is:
 - (i) a chief administrator or in a comparable position;
 - (ii) a deputy, associate, or assistant administrator or in a comparable position;
 - (iii) a member of the faculty, including a faculty librarian;
 - (iv) a student employee, including a teaching assistant or a comparable position, fellow, or post doctoral intern;
 - (v) a contingent, contractual, temporary, or emergency employee;
 - (vi) a contingent, contractual, or temporary employee whose position is funded through a research or service grant or contract, or through clinical revenues; or
 - (vii) an employee whose regular place of employment is outside the State of Maryland;
- (10) an employee whose participation in a labor organization would be contrary to the State's ethics laws;

(11) any supervisory, managerial, or confidential employee of a unit of State government listed in subsection (a)(1)(i) through (iv) and (vi) through [(ix)] (X) of this section, as defined in regulations adopted by the Secretary;

(12) any supervisory, managerial, or confidential employee of a State institution of higher education listed in subsection (a)(1)(v) of this section, as defined in regulations adopted by the governing board of the institution; or

(13) any employee described in subsection (a)(2) of this section who is a supervisory, managerial, or confidential employee, as defined in regulations adopted by the Secretary.

3–205.

(a) The Board is responsible for administering and enforcing provisions of this title relating to employees described in § 3–102(a)(1)(i) through (iv) and (vi) through [(ix)] (X) and (2) of this title.

(c) (1) The Board may not designate a unique bargaining unit for each of the units of government identified in § 3–102(a)(1)(vi) through [(ix)] (X) of this title.

(2) At the request of the exclusive representative, the Board shall:

(i) determine the appropriate existing bargaining unit into which to assign each employee in the units of government identified in § 3–102(a)(1)(vi) through [(ix)] (X) of this title; and

(ii) accrete all positions to appropriate existing bargaining units.

(3) (i) Notwithstanding Subtitle 4 of this title, at the request of the exclusive representative, the Board shall conduct a self-determination election for each bargaining unit representative for the accreted employees in units of government identified in § 3–102(a)(1)(vi) through [(ix)] (X) of this title.

(ii) All elections shall be conducted by secret ballot.

(iii) For each election, the Board shall place the following choices on the ballot:

1. the name of the incumbent exclusive representative; and
2. a provision for “no exclusive representative”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 584 – Senator Rosapepe

AN ACT concerning

**Medical Records – Disclosure of Directory Information and Medical Records –
Mental Health Services**

SB0584/257078/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 584

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Rosapepe” and substitute “Senators Rosapepe, Astle, Benson, Feldman, Klausmeier, Mathias, Middleton, and Oaks”; 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.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 13**

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

Senate Bill 210 – Senator Zucker

AN ACT concerning

Alcoholic Beverages – Class 8 Farm Brewery License Holders – Food Service

SB0210/994234/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 210
(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Zucker” and substitute “Senators Zucker, Bates, Hough, Mathias, Norman, Peters, Ready, and Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 281 – Senators Ready, Bates, and Cassilly

AN ACT concerning

Alcoholic Beverages – Definition of Beer – Hard Cider

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 366 – Senator Madaleno

AN ACT concerning

**Public Health – Rabies Vaccination Information – Submission to Local Agencies
and Use for Licensing**

Senator Conway moved to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

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

**Senate Bill 424 – Senators Rosapepe, Benson, Cassilly, Conway, Currie, Feldman,
Ferguson, Guzzone, Kagan, Kelley, Klausmeier, Lee, Madaleno, Manno,
McFadden, Peters, Ramirez, Robinson, Serafini, Smith, Young, and Zucker**

AN ACT concerning

The Textbook Cost Savings Act of 2017

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 366 – Senator Madaleno

AN ACT concerning

**Public Health – Rabies Vaccination Information – Submission to Local Agencies
and Use for Licensing**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 491 – Senator Ready

AN ACT concerning

Alcoholic Beverages – Nonrefillable Containers – Draft Beer

SB0491/994136/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 491

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “license” and substitute “permit”; and in the same line, after “fees;” insert “prohibiting permit fees to be charged under certain circumstances;”.

AMENDMENT NO. 2

On page 3, in line 28, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”.

On page 4, in lines 1 and 3, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 4, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 5, in line 5, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 6 and 8, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 9, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 6, in line 14, after “(F)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 15 and 17, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 18, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 7, in line 18, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 19 and 21, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 22, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 8, in line 24, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 25 and 27, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 28, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

AMENDMENT NO. 3

On page 9, in line 24, after “(C)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and after line 24, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 10, in line 26, after “(D)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and in line 27, strike “(1)” and substitute “(I)”.

On page 11, in line 1, strike “(2)” and substitute “(II)”; and after line 2, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 12, in line 2, after “(F)” insert “(1)”; in the same line, strike “THE” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**”; and after line 2, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 13, in line 2, after “(D)” insert “(1)”; in the same line, strike “THE” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**”; in lines 3 and 5, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 6, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 14, in line 17, after “(F)” insert “(1)”; in the same line, strike “THE” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**”; in lines 18 and 20, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 21, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 15, in line 16, after “(B)” insert “(1)”; in the same line, strike “THE” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**”; and after line 16, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 17, in line 5, after “(B)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and after line 5, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 19, in line 28, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and after line 28, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

AMENDMENT NO. 4

On page 20, in line 28, after “(D)” insert “(1)”; and in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”.

On page 21, in lines 1 and 3, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 4, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 22, in line 5, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 6 and 8, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 9, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 23, in line 10, after “(D)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in lines 11 and 13, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 14, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 24, in line 18, after “(E)” insert “(1)”; in the same line, strike “THE” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**”; and after line 18, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

On page 25, in line 11, after “(B)” insert “(1)”; in lines 13 and 14, in each instance, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 14, before “PAY” insert “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**”; and after line 14, insert:

“(2) AN APPLICANT WHO HAS A REFILLABLE CONTAINER PERMIT MAY NOT BE CHARGED A FEE FOR A NONREFILLABLE CONTAINER PERMIT.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 548 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

**State Board of Morticians and Funeral Directors – Sunset Extension and
Program Evaluation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 14**

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

Senate Bill 423 – Senators Pinsky, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Registration and Voting at Polling Place

Senator Reilly moved to make the Bill and Report a Special Order for March 8, 2017.

The motion was adopted.

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

Senate Bill 632 – Senators Kagan, Feldman, King, Lee, Madaleno, Manno, Smith, and Zucker

AN ACT concerning

Election Law – Persons Doing Public Business – Reporting by Governmental Entities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 701 – Senators Zucker, Bates, Benson, Cassilly, Conway, DeGrange, Eckardt, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Madaleno, Manno, McFadden, Middleton, Muse, Nathan–Pulliam, Peters, Pinsky, Robinson, Salling, Simonaire, Smith, Waugh, and Young

AN ACT concerning

Higher Education – Tuition Waivers for Foster Care Recipients and Unaccompanied Homeless Youth – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 730 – Senators Jennings and Middleton

AN ACT concerning

Higher Education – Maryland Loan Assistance Repayment Program – Farmers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 872 – Senators Zucker, Conway, Feldman, Ferguson, Guzzone, Smith, and Young

AN ACT concerning

James W. Hubbard Inclusive Higher Education Grant Program

SB0872/394932/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 872

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Zucker,” insert “Peters”; in the same line, strike “and Young” and substitute “Young, Bates, Kagan, Pinsky, Robinson, and Salling”; in line 5, strike “jointly”; in the same line, after “Commission,” insert “in consultation with”; in line 6, after “Disabilities,” insert “the State Department of Education”; in line 7, strike “the Department, and the Administration”; strike beginning with “requiring” in line 8 down through “years” in line 9 and substitute “providing that funding for the Program shall be as provided in the State budget”; in line 12, strike “the Department, and the Administration” and substitute “beginning on a certain date and at certain intervals thereafter”; in lines 12 and 13, strike “on certain dates”; in line 13, after “Commission,”

insert “after consultation with”; in the same line, after “Department,” insert “State Department of Education,”; and in line 14, after “date” insert “and each year thereafter”.

AMENDMENT NO. 2

On page 3, in line 16, strike “PILOT”; in line 20, strike “JOINTLY”; in line 21, after “COMMISSION,” insert “IN CONSULTATION WITH”; in the same line, after “DEPARTMENT,” insert “THE STATE DEPARTMENT OF EDUCATION,”; and in lines 22 and 23, strike “, THE DEPARTMENT, AND THE ADMINISTRATION”.

On page 4, strike beginning with “FOR” in line 5 down through “PROGRAM” in line 7 and substitute “FUNDING FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE BUDGET”; and in line 10, strike “PILOT”.

On page 5, in lines 4, 11, 15, 23, and 26, in each instance, strike “PILOT”; strike beginning with the first comma in line 20 down through “ADMINISTRATION” in line 21; in line 32, after “COMMISSION,” insert “AFTER CONSULTATION WITH”; and in the same line, after “DEPARTMENT,” insert “THE STATE DEPARTMENT OF EDUCATION,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 882 – Senator Simonaire

AN ACT concerning

Election Law – Campaign Signs at Polling Places

SB0882/584639/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 882

(First Reading File Bill)

On page 2, in lines 19, 21, and 31, in each instance, strike “4” and substitute “5”.

On page 3, in line 1, strike “4” and substitute “5”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 15**

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

Senate Bill 384 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Old Goucher Revitalization District

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 479 – Senator Robinson

AN ACT concerning

Baltimore City – Alcoholic Beverages – Marketplace License

SB0479/874831/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 479
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “district” insert “in”; and in line 6, after “license;” insert “authorizing a license holder to obtain a refillable container permit under certain conditions; specifying certain capacity standards to be met by the marketplace;”.

AMENDMENT NO. 2

On page 2, in line 11, after “(D)” insert “(1)”; after line 13, insert:

“(2) A LICENSE HOLDER MAY OBTAIN A REFILLABLE CONTAINER PERMIT UNDER § 12-1102 OF THIS TITLE TO SELL DRAFT BEER FOR OFF-PREMISES CONSUMPTION.”;

in line 17, strike “AND”; after line 17, insert:

“(3) A MINIMUM CAPACITY OF 200 INDIVIDUALS AND A MAXIMUM CAPACITY OF 500 INDIVIDUALS, AS DETERMINED BY THE CITY FIRE DEPARTMENT; AND”;

in line 18, strike “(3)” and substitute “(4)”; in line 23, after “IS” insert “**\$6,000**”; and strike beginning with the colon in line 23 down through “INDIVIDUALS” in line 27.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 559 – Senator Kasemeyer

AN ACT concerning

Baltimore County – Alcoholic Beverages – Issuance of Licenses Near Places of Worship

SB0559/454236/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 559
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “issue or”; in the same line, after “transfer” insert “, convert, and issue”; in line 7, after “qualifications;” insert “making a certain exception to a prohibition against issuing a license for an establishment that is within 300 feet of a place of worship or school;”; and after line 18, insert:

“BY adding to

Article – Alcoholic Beverages

Section 13–1710

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with “SUBJECT” in line 17 on page 2 down through “LICENSE” in line 11 on page 3 and substitute “**THE TRANSFER, CONVERSION, AND ISSUANCE OF A LICENSE UNDER § 13–1710 OF THIS TITLE.**

13–1710.

(A) (1) IN ADDITION TO THE LICENSES AUTHORIZED FOR ISSUANCE IN THE COUNTY, THE BOARD MAY AUTHORIZE THE TRANSFER TO AN ESTABLISHMENT SPECIFIED IN SUBSECTION (C) OF THIS SECTION OF A CLASS B BEER, WINE, AND LIQUOR LICENSE OR A CLASS D BEER, WINE, AND LIQUOR LICENSE THAT:

(I) WAS ISSUED ON OR BEFORE DECEMBER 31, 2016;

(II) WAS IN EXISTENCE IN THE SAME ELECTION DISTRICT OF THE COUNTY AS THE PROPOSED LICENSED PREMISES ON DECEMBER 31, 2016; AND

(III) IS VALID ON THE DATE OF TRANSFER.

(2) TO BE TRANSFERRED UNDER THIS SECTION, A LICENSE MAY NOT BE A LICENSE THAT IS PROHIBITED FROM BEING TRANSFERRED BY STATUTE OR REGULATION.

(3) ON THE DATE OF TRANSFER, A LICENSE SHALL BE CONVERTED INTO A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) SERVICE BAR COMMERCIAL REVITALIZATION DISTRICT LICENSE (B–SB–CRD LICENSE).

(B) THE QUALIFICATIONS FOR A LICENSE HOLDER, THE FEE, AND THE HOURS AND DAYS OF SALE FOR A SERVICE BAR LICENSE ARE THE SAME AS THOSE FOR A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) HOTEL AND RESTAURANT LICENSE.

(C) (1) A B-SB-CRD LICENSE MAY BE ISSUED ONLY FOR A PREMISES THAT IS:

(I) IN A FREE-STANDING BUILDING WITH ITS OWN PARKING LOT;

(II) ZONED BL-CCC AND IN COMPLIANCE WITH ANY APPLICABLE ZONING ORDINANCE; AND

(III) AT LEAST 100 FEET FROM A PLACE OF WORSHIP.

(2) A B-SB-CRD LICENSE SHALL BE USED IN CONJUNCTION WITH THE OPERATION OF A RESTAURANT, AS DEFINED IN THIS ARTICLE AND IN THE REGULATIONS OF THE BOARD.

(3) THE HOURS DURING WHICH THE PRIVILEGES CONFERRED BY THE LICENSE MAY BE EXERCISED MAY NOT EXCEED THE HOURS DURING WHICH FOOD IS OFFERED FOR SALE.

(4) THE B-SB-CRD LICENSE SHALL BE USED TO ALLOW THE SALE AND SERVICE OF ALCOHOLIC BEVERAGES TO PATRONS ONLY AS PART OF A MEAL AT A DINING TABLE.

(5) THE LICENSED PREMISES MAY NOT HAVE A SEPARATE BAR AREA FOR SERVICE OF ALCOHOLIC BEVERAGES.

(6) THE B-SB-CRD LICENSE HOLDER MAY NOT SELL BEER, WINE, AND LIQUOR FOR OFF-PREMISES CONSUMPTION.

(D) A B-SB-CRD BAR LICENSE ISSUED UNDER THIS SECTION MAY NOT BE CONVERTED INTO ANY OTHER CLASS OF LICENSE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 819 – Senator Hershey

AN ACT concerning

Queen Anne’s County – Alcoholic Beverages Inspectors – Qualifications, Powers, and Duties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 897 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Class H Licenses

SB0897/584533/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 897

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “H” insert “Beer and Light Wine”; in line 3, strike “Class H beer, wine, and liquor or”; in line 4, after “and” insert “light”; and in line 5, after “circumstances,” insert “making certain stylistic changes;”.

AMENDMENT NO. 2

On page 2, in line 1, after “(a)” insert “**(1)**”; in the same line, strike “The” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**”; strike beginning with the first bracket in line 1 down through “and” in line 5 and substitute “**:**”

(I) A SECOND LICENSE, IF THE SECOND LICENSE IS ANY CLASS H LICENSE, TO:

1. A HOLDER OF ANY CLASS B LICENSE THAT HAS A RESTRICTION PROHIBITING SALES FOR CONSUMPTION OFF THE PREMISES; OR

2. A HOLDER OF ANY CLASS H LICENSE; OR

(II) NOT MORE THAN FOUR ADDITIONAL LICENSES, IF EACH ADDITIONAL LICENSE IS A CLASS H BEER AND LIGHT WINE LICENSE, TO:

1. A HOLDER OF A CLASS B BEER AND LIGHT WINE LICENSE THAT HAS A RESTRICTION PROHIBITING SALES FOR CONSUMPTION OFF THE PREMISES; OR

2. A HOLDER OF A CLASS H BEER AND LIGHT WINE LICENSE.”;

in line 6, strike “the” and substitute “AT LEAST ONE”; in the same line, strike “item” and substitute “PARAGRAPH”; in line 7, strike the second “is” and substitute “MUST BE”; in line 25, after “(c)” insert “(1)”; in the same line, strike “The” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE”; in the same line, after “of” insert “:

(I)”;

in the same line, strike the brackets; in the same line, strike “FIVE”; in line 26, strike the colon; in line 27, strike “(1)”; in the same line, strike “Class H beer and wine license or a”; in line 28, strike “and” and substitute “OR

(II) FIVE LICENSES TO A PERSON IN THE COUNTY IF EACH LICENSE IS A CLASS H BEER AND LIGHT WINE LICENSE.”;

in line 29, strike the first “the” and substitute “AT LEAST ONE”; in the same line, strike “item” and substitute “PARAGRAPH”; and in line 30, strike the second “is” and substitute “MUST BE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 998 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 24

Senate Bill 540 – Senator Conway

AN ACT concerning

Morgan State University – Student Housing

FOR the purpose of prohibiting the Board of Regents of Morgan State University from entering into any contract for student housing that is located in a certain block of Havenwood Road in Baltimore City unless a certain improvement association approves; requiring the Board of Regents to give certain notice to certain committees of the General Assembly under certain circumstances; specifying certain height restrictions for certain student housing; requiring certain supervision of students who live in certain housing; requiring the Morgan State University Police and Public Safety Department to provide certain patrols of certain student housing subject to certain coordination; specifying a certain priority for certain student housing; requiring certain student housing to be converted to certain residential dwelling units under certain circumstances; requiring the developer of a certain shopping center to fulfill certain goals and employ certain individuals, to the extent practicable; and generally relating to student housing and Morgan State University.

BY repealing and reenacting, with amendments,

Article – Education

Section 14–104(g)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

STATUS OF BILL: SHALL THE BILL PASS NOTWITHSTANDING THE OBJECTIONS OF THE CHIEF EXECUTIVE?

Senator Conway moved to make the Bill a Special Order for April 10, 2017.

The motion was adopted.

SPECIAL ORDER CALENDAR NO. 23

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**

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

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

Affirmative – 32 Negative – 14 (See Roll Call No. 443)

The Bill was then sent to the House of Delegates.

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**

STATUS OF BILL: QUESTION IS ON THE MOTION TO RECONSIDER THE AMENDMENTS (2) OFFERED BY SENATOR MIDDLETON

Senator Jennings moved to make the Bill and motion a Special Order for March 8, 2017.

The motion was adopted.

Senate Bill 1010 – Senator Jennings

AN ACT concerning

Harford County – Alcoholic Beverages – Publication of Notices

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB1010/974134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 1010

(First Reading File Bill)

On page 3, in lines 2 and 16, in each instance, strike “**OR**” and substitute “**AND**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB1010/143627/1

BY: Senator Jennings

AMENDMENT TO SENATE BILL 1010

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Jennings” and substitute “Harford County Senators”.

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 46 Members present.

(See Roll Call No. 444)

ADJOURNMENT

At 12:23 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Wednesday, March 8, 2017.

**Annapolis, Maryland
Wednesday, March 8, 2017
10:00 A.M. Session**

The Senate met at 10:13 A.M.

Prayer by Minister Nick Garrett, guest of Senator Miller.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 447)

The Journal of March 7, 2017 was read and approved.

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

March 8, 2017

In accordance with Rule 33(d), the following legislation has been reassigned as indicated below:

HB 664 Delegate Reilly, et al

State Government – Display of the POW/MIA Flag on State Building
Grounds

Reassigned to Education, Health, and Environmental Affairs

Read and ordered journalized.

LAID OVER CALENDAR NO. 7

**Senate Bill 361 – Senators Madaleno, Benson, DeGrange, Ferguson, Guzzone,
Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky,
Robinson, Rosapepe, Smith, Young, and Zucker**

AN ACT concerning

Hunger-Free Schools Act of 2017

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0361/149639/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 361

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Currie, McFadden, Eckardt, Edwards, and Serafini”; and strike beginning with “requiring” in line 5 down through “date;” in line 6.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 22 on page 2 through line 32 on page 3, inclusive.

On page 3, in line 33, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 25

Senate Bill 360 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker

AN ACT concerning

**State Department of Education – Breakfast and Lunch Programs – Funding
(The Maryland Cares for Kids Act)**

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER CALENDAR NO. 8

Senate Bill 1006 – Senator Jennings

AN ACT concerning

Senior Citizen Activities Centers – Bingo Games – Authorization

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB1006/379737/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 1006

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Jennings” and substitute “Senators Jennings and Manno”.

On page 2, in line 25, strike “ALL BINGO CARDS” and substitute “EACH BINGO CARD”; in line 27, after “TO” insert “;”

(I);

and in line 28, after “PERIOD” insert “; **OR**

(II) THE TOTAL AMOUNT OF FEES THAT WERE COLLECTED FROM THE PREVIOUS GAME DAY”.

The preceding amendment was read only.

Senator Manno moved to make the Bill and Amendment a Special Order for March 10, 2017.

The motion was adopted.

Senate Bill 144 – Senator Zirkin

AN ACT concerning

Civil Actions – Prelitigation Discovery of Insurance Coverage

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0144/448473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 144

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “tort” insert “involving death or bodily injury”; and in the same line, after the semicolon insert “providing that an insurer is only required to provide a claimant with documentation of the applicable limits of coverage in a certain automobile insurance policy, homeowner’s insurance policy, or renter’s insurance policy; requiring a claimant to provide an insurer with a letter from a certain attorney certifying that the claimant has a bona fide tort claim under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 2, after “**TORT**” insert “**INVOLVING BODILY INJURY**”; and in line 15, strike “insurance agreement” and substitute “**AUTOMOBILE INSURANCE POLICY, HOMEOWNER’S INSURANCE POLICY, OR RENTER’S INSURANCE POLICY**”.

AMENDMENT NO. 3

On page 2 in line 26, and on page 3 in line 9, in each instance, strike “**OR**” and substitute a comma.

On page 2 in line 26, and on page 3 in line 9, in each instance, after “**POLICE REPORT**” insert “**, OR OTHER OFFICIAL REPORT**”.

AMENDMENT NO. 4

On page 2, in line 26, strike “and”; and in line 27, after “available” insert “**; AND**”.

(5) A LETTER FROM AN ATTORNEY ADMITTED TO PRACTICE LAW IN THE STATE CERTIFYING THAT:

(I) THE ATTORNEY HAS MADE REASONABLE EFFORTS TO INVESTIGATE THE UNDERLYING FACTS OF THE CLAIM; AND

(II) BASED ON THE ATTORNEY’S INVESTIGATION, THE ATTORNEY REASONABLY BELIEVES THAT THE CLAIM IS NOT FRIVOLOUS”.

On page 3, in line 16, strike “and”; and in line 18, after “decedent” insert “;**AND**”

(9) A LETTER FROM AN ATTORNEY ADMITTED TO PRACTICE LAW IN THE STATE CERTIFYING THAT:

(I) THE ATTORNEY HAS MADE REASONABLE EFFORTS TO INVESTIGATE THE UNDERLYING FACTS OF THE CLAIM; AND

(II) BASED ON THE ATTORNEY’S INVESTIGATION, THE ATTORNEY REASONABLY BELIEVES THAT THE CLAIM IS NOT FRIVOLOUS”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Bill 166 – Senator Conway (By Request – Baltimore City Administration)
and Senators Ferguson, McFadden, Nathan–Pulliam, and Robinson**

AN ACT concerning

Baltimore City – Civilian Review Board

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2)
AND THE FAVORABLE REPORT.

SB0166/288772/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 166

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike “altering certain procedures for filing a complaint with the Baltimore City Civilian Review Board; repealing” and substitute “modifying”; in line 4, after “complaint” insert “with the Baltimore City Civilian Review Board”; strike beginning with “authorizing” in line 5 down through “Board;” in line 10; in line 10, after “making” insert “a”; in line 11, strike “and technical changes; altering certain definitions” and substitute “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.

FLOOR AMENDMENT

SB0166/963021/1

BY: Senator Oaks

AMENDMENT TO SENATE BILL 166

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Robinson” and substitute “Robinson, and Oaks”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SENATE RULES COMMITTEE REPORT NO. 5

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1159 – Senator Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Get Involved Community Center

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1160 – Senator Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Progressive Education Center Playground

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1162 – Senator Benson

AN ACT concerning

Creation of a State Debt – Prince George’s County – Capitol Heights Municipal Multiservice Center

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1167 – Cecil County Senators

AN ACT concerning

**Creation of a State Debt – Cecil County – Elkton Sportsplex Campus and
Performing-Visual Arts Center**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1170 – Howard County Senators

AN ACT concerning

Creation of a State Debt – Howard County – Tau Pi Mentoring Program

Ho. Co. 25-17

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1175 – Senator Benson

AN ACT concerning

**Creation of a State Debt – Prince George's County – Transit Oriented
Development Public Art Projects**

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1176 – Senator Waugh

AN ACT concerning

Creation of a State Debt – St. Mary's County – Maryland Dove

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1178 – Senator Currie

AN ACT concerning

Creation of a State Debt – Prince George’s County – District Heights Veterans Park

The Bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1179 – Senators Cassilly and Jennings

AN ACT concerning

Creation of a State Debt – Harford County – McComas School Museum

The Bill was re-referred to the Committee on Budget and Taxation.

SPECIAL ORDER CALENDAR NO. 26

Senate Bill 758 – Senator Guzzone

AN ACT concerning

Income Tax Credit – Energy Storage Systems

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

Senator Hershey moved to make the Bill and Report a Special Order for the end of today’s business.

The motion was adopted.

Senate Bill 481 – Senator Feldman

AN ACT concerning

Corporations – Maryland General Corporation Law – Miscellaneous Provisions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0481/988378/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 481
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “corporation” insert “with capital stock”.

AMENDMENT NO. 2

On page 5, in line 27, after “CORPORATION” insert “WITH CAPITAL STOCK”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

AN ACT concerning

Behavioral Health Community Providers – Keep the Door Open Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0476/437871/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 476
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, Edwards, Hershey, Jennings, and Oaks”; and in line 19, after “Department;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 4, in line 8, after “2017.” insert “It shall remain effective for a period of 6 years and 1 month and, at the end of June 30, 2023, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Reilly moved to make the Bill a Special Order for March 14, 2017.

The motion was adopted.

Senate Bill 423 – Senators Pinsky, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Registration and Voting at Polling Place

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 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

STATUS OF BILL: QUESTION IS ON THE MOTION TO RECONSIDER THE AMENDMENTS (2) OFFERED BY SENATOR MIDDLETON.

Senator Middleton moved to make the Bill and motion Special Order for the end of today's business.

The motion was adopted.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 16**

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

**Senate Bill 4 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Office of Minority Affairs)**

AN ACT concerning

**Minority Business Enterprises – Program Participation – Requirements and
Reauthorization**

SB0004/904138/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 4
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “clarifying” in line 6 down through “contract;” in line 8; in line 10, after “Committee,” insert “altering certain findings of the General Assembly;”; and in line 15, strike “14–302” and substitute “14–301.1”.

AMENDMENT NO. 2

On pages 2 through 8, strike beginning with line 1 on page 2 through line 17 on page 8, inclusive, and substitute:

“14–301.1.

The General Assembly finds the following:

(1) the State of Maryland wishes to provide all of its citizens with equal access to business formation and business growth opportunities;

(2) the elimination of discrimination against minority– and women–owned businesses is of paramount importance to the future welfare of the State;

(3) the General Assembly has received and carefully reviewed the disparity study entitled [“The State of Minority– and Women–Owned Business Enterprise: Evidence from Maryland” commissioned by the General Assembly and published on February 17, 2011] **“BUSINESS DISPARITIES IN THE MARYLAND MARKET AREA” COMMISSIONED BY THE GENERAL ASSEMBLY AND PUBLISHED ON FEBRUARY 8, 2017** (the Study), and finds that the Study provides a strong basis in evidence demonstrating persistent discrimination against minority– and women–owned businesses;

(4) based on its review of the Study, the General Assembly finds that:

(i) there are substantial and statistically significant adverse disparities [between the availability and utilization of minorities and women] **THAT ARE CONSISTENT WITH DISCRIMINATION AGAINST MINORITIES AND NONMINORITY WOMEN IN WAGES, FIRM FORMATION, ENTREPRENEURIAL EARNINGS, AND ACCESS TO CAPITAL** in the private sector in the same geographic markets and industry categories in which the State does business;

(ii) the State would become a passive participant in private sector racial and gender discrimination if it ceased or curtailed its remedial efforts, including the operation of the Minority Business Enterprise Program;

(iii) there are substantial and statistically significant adverse disparities [for all racial and ethnic groups and nonminority women combined in all major contracting categories in State procurement] **THAT ARE CONSISTENT WITH DISCRIMINATION AGAINST MINORITIES AND NONMINORITY WOMEN IN STATE PROCUREMENT;**

(iv) there are substantial and statistically significant adverse disparities [for all individual racial and ethnic groups and for nonminority women in most major industry categories in State procurement] **THAT ARE CONSISTENT WITH DISCRIMINATION AGAINST ALL INDIVIDUAL MINORITY GROUPS AND FOR NONMINORITY WOMEN IN MOST MAJOR INDUSTRY CATEGORIES IN STATE PROCUREMENT;**

(v) there is ample evidence that discrimination in the private sector has depressed firm formation and firm growth among minority and nonminority women entrepreneurs; and

(vi) there is powerful and persuasive qualitative [and anecdotal] evidence, BOTH STATISTICAL AND ANECDOTAL, of discrimination against minority and nonminority women business owners in both the public and private sectors;

(5) as a result of ongoing discrimination and the present day effects of past discrimination, minority- and women-owned businesses combined continue to be very significantly underutilized relative to their availability to perform work in the [sectors] OVERWHELMING MAJORITY OF THE PROCUREMENT CATEGORIES in which the State does business;

(6) minority prime contractors also are subject to discrimination and confront especially daunting barriers in attempting to compete with very large and long-established nonminority companies;

(7) despite the fact that the State has employed, and continues to employ, numerous and robust race-neutral remedies, including aggressive outreach and advertising, training and education, small business programs, efforts to improve access to capital, and other efforts, there is a strong basis in evidence that discrimination persists even in public sector procurement where these efforts have been employed;

(8) NOTWITHSTANDING THE LEVELS OF PARTICIPATION ACHIEVED WHEN RACE-CONSCIOUS MEASURES ARE USED, IN THE ABSENCE OF MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS FOR STATE PROCUREMENT, THERE IS A SUBSTANTIAL DECREASE IN THE OVERALL UTILIZATION OF MINORITY- AND WOMEN-OWNED BUSINESSES;

[(8)] (9) this subtitle ensures that race-neutral efforts will be used to the maximum extent feasible and that race-conscious measures will be used only where necessary to eliminate discrimination that was not alleviated by race-neutral efforts;

[(9)] (10) this subtitle continues and enhances efforts to ensure that the State limits the burden on nonminority businesses as much as possible by ensuring that all goals are developed using the best available data and that waivers are available whenever contractors make good faith efforts; [and]

(11) THIS SUBTITLE ENSURES THAT THE OPERATION OF THE MINORITY BUSINESS ENTERPRISE PROGRAM IS CONSISTENT WITH THE STUDY DATA AND NARROWLY TAILORED TO THE COMPELLING INTERESTS OF THE STATE; AND

[(10)] (12) State efforts to support the development of competitively viable minority- and women-owned business enterprises will assist in reducing discrimination and creating jobs for all citizens of Maryland.”.

AMENDMENT NO. 3

On page 9, in line 25, strike “**STATE OF**” and substitute “**PRIME CONTRACTOR OF THE STATE’S**”.

AMENDMENT NO. 4

On page 11, in line 15, strike “**2018**” and substitute “**2022**”; in line 33, strike “**2017**” and substitute “**2021**”; and in the same line, strike “**2018**” and substitute “**2022**”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 280 – Senators Guzzone and Middleton

AN ACT concerning

Environment – Nonwoven Disposable Products – Advertising and Labeling

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 573 – Senator Feldman

AN ACT concerning

Local Government – Regulation of Animals – Kennel Licenses

SB0573/204237/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 573

(First Reading File Bill)

On page 2, in line 1, strike “8” and substitute “6”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 591 – Senator Edwards

AN ACT concerning

Garrett County – Payment to Rescue Squads – Repeal

SB0591/664337/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 591

(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”; 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.

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

Senate Bill 735 – Senator Waugh

AN ACT concerning

St. Mary’s County – Metropolitan Commission – Authority to Borrow Money

SB0735/684330/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 735

(First Reading File Bill)

On page 1, in line 6, after “lender;” insert “authorizing the Board to direct certain repayment of loans under certain circumstances;”.

On page 2, in line 25, after “C.” insert “(1)”; and after line 28, insert:

“(2) IF THE COMMISSION HAS NOT EFFECTIVELY OBLIGATED THE MONEY IN A TIMELY MANNER, THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY’S COUNTY MAY DIRECT PARTIAL OR COMPLETE REPAYMENT OF LOANS.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 813 – Senators Madaleno, Benson, Kelley, Mathias, Ramirez, and Robinson

AN ACT concerning

Department of Housing and Community Development – Rental Assistance Programs – Duration of Assistance

SB0813/194633/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 813
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “Assembly;” insert “requiring the Department of Housing and Community Development, on or before a certain date and annually thereafter, to report to certain committees of the General Assembly on the implementation of this Act; providing for the termination of a certain reporting requirement;”.

AMENDMENT NO. 2

On page 2, in line 8, strike “NOT LESS THAN 4” and substitute “A MINIMUM OF 2”; in line 9, strike “AN ANNUAL”; and in line 10, after “REQUIREMENTS” insert “EVERY 6 MONTHS”.

On page 3, in line 2, strike “NOT LESS THAN 4” and substitute “A MINIMUM OF 2 CONSECUTIVE”.

AMENDMENT NO. 3

On page 3, after line 24, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That on or before October 1, 2018, and annually thereafter, the Department of Housing and Community Development shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act, including the number of households that receive assistance under the Rental Allowance Program and the duration of the assistance.”;

in line 25, strike “3.” and substitute “4.”; and in line 26, after “2017.” insert “Section 3 of this Act shall remain effective for a period of 3 years and 1 day and, at the end of October 1, 2020, with no further action required by the General Assembly, Section 3 of this Act shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 17**

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

**Senate Bill 18 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – State Ethics Commission)**

AN ACT concerning

Public Ethics – Bicounty Commissions – Financial Disclosure

SB0018/724136/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 18

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 22, strike “**EACH**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, EACH**”; and after line 25, insert:

“(3) IN MONTGOMERY COUNTY, EACH COMMISSIONER SHALL ALSO PRINT A PAPER COPY OF THE ELECTRONICALLY FILED FINANCIAL DISCLOSURE STATEMENT AND SUBMIT IT TO THE COUNTY COUNCIL.”.

AMENDMENT NO. 2

On page 3, in line 4, after “(b)” insert “**(1)**”; in the same line, strike “**AN**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN**”; in lines 5 and 6, strike “the county council and”; after line 7, insert:

“(2) IN MONTGOMERY COUNTY, EACH APPLICANT TO THE MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION SHALL ALSO PRINT A PAPER COPY OF THE ELECTRONICALLY FILED STATEMENT AND SUBMIT IT TO THE COUNTY COUNCIL.”;

in lines 10 and 11, strike “**AND THE CHIEF ADMINISTRATIVE OFFICER**”; in line 23, strike “**THE COUNTY COUNCIL AND**”; and in lines 29 and 30, strike “**THE COUNTY COUNCIL AND**”.

AMENDMENT NO. 3

On page 4, in line 1, strike “The” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**”; and after line 4, insert:

“(2) IN MONTGOMERY COUNTY, THE COUNTY COUNCIL SHALL TRANSMIT EACH FINANCIAL DISCLOSURE STATEMENT OF A COMMISSIONER OR APPOINTED APPLICANT TO THE MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION TO THE EXECUTIVE DIRECTOR OF THE COMMISSION.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 195 – Senator Klausmeier

AN ACT concerning

**Physicians – Licensure – Liability Coverage
(Janet’s Law)**

SB0195/164739/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 195
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute:

“State Board of Physicians – Medical Professional Liability Insurance Coverage –
Publication”;

strike beginning with “requiring” in line 4 down through “coverage” in line 15 and substitute “requiring the public individual profile of certain licensees of the State Board of Physicians to include information reported by the licensee to the Board regarding whether the licensee maintains medical professional liability insurance; and generally relating to the publication of medical professional liability insurance coverage information”; 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 strike in their entirety lines 21 through 25, inclusive.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 2 on page 2 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 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 AS REPORTED BY THE LICENSEE TO 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.

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

Senate Bill 441 – Senators Simonaire, Bates, Kagan, Salling, Waugh, Young, and Zucker

AN ACT concerning

Veterans Affairs – Maryland Veterans Service Animal Program – Establishment

SB0441/214235/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 441

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Conway, Nathan–Pulliam, Pinsky, and Robinson”; and in line 6, after “participants,” insert “and”.

AMENDMENT NO. 2

On page 2, in line 8, after “IN” insert “:

1.”;

strike beginning with the first comma in line 9 down through “DISHONORABLE” in line 10 and substitute “:

2. THE NATIONAL GUARD; OR

3. A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES;

(II) SERVED IN A CAPACITY OTHER THAN FOR TRAINING;

(III) WAS DISCHARGED OR RELEASED UNDER CONDITIONS OTHER THAN DISHONORABLE”;

in line 11, strike “(II)” and substitute “(IV) 1.”; and in the same line, after “STATE” insert “; OR

2. RECEIVES TREATMENT OR CARE FROM A VETERANS’ ADMINISTRATION HOSPITAL IN THE STATE”.

On page 3, in line 4, strike “IDENTIFY” and substitute “REFER”; in the same line, strike “MAY PARTICIPATE” and substitute “INQUIRE ABOUT PARTICIPATION”; strike beginning with “AND” in line 5 down through “PARTICIPANTS” in line 7 and substitute

“TO ONE OR MORE NONPROFIT TRAINING ENTITIES”; in line 8, strike “IN”; in line 11, strike “IDENTIFICATION” and substitute “REFERRAL”; in line 13, strike “EXPAND THE PROGRAM BY IDENTIFYING” and substitute “IDENTIFY”; in line 27, after “PROTOCOL;” insert “AND”; and in line 31, strike “; AND” and substitute a period.

On page 4, strike in their entirety lines 1 through 3, inclusive.

On page 6, in line 6, strike “ADVERTISE” and substitute “PROMOTE”; in the same line, after “VETERANS” insert “THROUGH THE DEPARTMENT’S OUTREACH METHODS”; strike in their entirety lines 7 through 10, inclusive; and after line 10, insert:

“(2) REFER ELIGIBLE VETERANS TO SELECTED NONPROFIT ENTITIES;

“(3) RECEIVE DONATIONS FOR THE FUND THROUGH A LINK PLACED IN A PROMINENT LOCATION ON THE DEPARTMENT’S WEB SITE; AND

“(4) USE REVENUE FROM THE FUND TO PAY SELECTED NONPROFIT ENTITIES FOR SERVICES THAT ARE PROVIDED THROUGH THE PROGRAM.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0441/243522/1

BY: Senator Simonaire

AMENDMENT TO SENATE BILL 441, AS AMENDED

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0441/214235/1), in line 2 of Amendment No. 1, strike “and Robinson” and substitute “Robinson, Astle, Benson, Brochin, Cassilly, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Norman, Oaks, Peters, Ramirez, Ready, Reilly, Rosapepe, Serafini, Smith, and Zirkin”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 604 – Senators Bates, Eckardt, Ready, and Salling

AN ACT concerning

**Visual Impairments – Requirements for Teacher Training, Student Screening,
and Maryland Medical Assistance Program Coverage**

SB0604/574830/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 604

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Salling” and substitute “Salling, and Robinson”; in line 2, strike “Teacher” and substitute “School Personnel”; strike beginning with “requiring” in line 4 down through “regulations;” in line 8; strike beginning with “requiring” in line 13 down through “program;” in line 15; in line 23, after “screening;” insert “requiring each county board of education, on or before a certain date, to require certain school personnel to complete training on understanding and recognizing the symptoms of visual impairments; requiring each county board to approve a course that meets certain criteria; requiring certain school personnel to complete certain training within a certain period of time;”; strike beginning with “requiring” in line 24 down through “individuals;” in line 26; in line 27, strike “teacher” and substitute “school personnel”; and strike in their entirety lines 28 through 30, inclusive.

On page 2, strike in their entirety lines 1 and 2; and strike in their entirety lines 8 through 17, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 21 on page 2 through line 5 on page 3, inclusive.

On page 4, in line 16, strike “(I)”; in the same line, strike the brackets; strike beginning with “SUBJECT” in line 16 down through “UNLESS” in line 17; and strike in their entirety lines 21 through 24, inclusive.

On page 5, after line 21, insert:

“(H) (1) ON OR BEFORE JULY 1, 2018, EACH COUNTY BOARD SHALL REQUIRE SCHOOL PERSONNEL WHO CONDUCT VISION SCREENINGS FOR STUDENTS IN ACCORDANCE WITH THIS SECTION TO COMPLETE TRAINING ON UNDERSTANDING AND RECOGNIZING THE SYMPTOMS OF VISUAL IMPAIRMENTS, INCLUDING VISUAL PROCESSING DISORDERS AND BINOCULAR PROCESSING DISORDERS.

(2) EACH COUNTY BOARD SHALL APPROVE A COURSE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT:

(I) IS DESIGNED FOR EDUCATORS;

(II) HAS BEEN IN USE FOR AT LEAST 5 YEARS; AND

(III) IS TAKEN ONLINE AND COMPLIES WITH § 508 OF THE FEDERAL REHABILITATION ACT OF 1973.

(3) NEW SCHOOL PERSONNEL REQUIRED TO COMPLETE THE TRAINING UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL COMPLETE THE TRAINING WITHIN 2 YEARS AFTER THE DATE OF HIRE.”.

On pages 5 through 7, strike in their entirety the lines beginning with line 22 on page 5 through line 14 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.

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

Senate Bill 636 – Senators Klausmeier and King

AN ACT concerning

**Commission on the Commemoration of the 100th Anniversary of the Passage of
the 19th Amendment to the United States Constitution**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 20

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

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

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

SB0230/717870/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 230

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “leave,” insert “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;”; in line 20, after “offer,” insert “providing that an employer is not required to consent to a certain request under certain circumstances;”; and in line 22, strike “or allowing an employee to work certain hours or shifts”.

On page 2, in line 1, after “notice,” insert “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;”; in line 3, after “a” insert “rebuttable”; in line 4, after “circumstances;” insert “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;”; in line 11, strike “requiring” and substitute “authorizing”; and in line 21, after “employers;” insert “authorizing certain jurisdictions to amend certain sick and safe leave laws enacted before a certain date;”.

AMENDMENT NO. 2

On page 4, in line 5, strike “OR”; and in line 7, after “ARTICLE” insert “;

(5) IS EMPLOYED BY A TEMPORARY SERVICES AGENCY TO PROVIDE TEMPORARY STAFFING SERVICES TO ANOTHER PERSON IF THE TEMPORARY SERVICES AGENCY DOES NOT HAVE DAY-TO-DAY CONTROL OVER THE WORK ASSIGNMENTS AND SUPERVISION OF THE INDIVIDUAL WHILE THE INDIVIDUAL IS PROVIDING THE TEMPORARY STAFFING SERVICES; OR

(6) IS DIRECTLY EMPLOYED BY AN EMPLOYMENT AGENCY TO PROVIDE PART-TIME OR TEMPORARY SERVICES TO ANOTHER PERSON”.

On page 5, in line 18, after “(A)” insert “IN THIS SECTION, “EXISTING PAID LEAVE” INCLUDES:

(1) VACATION DAYS;

(2) SICK DAYS;

(3) SHORT-TERM DISABILITY BENEFITS;

(4) FLOATING HOLIDAYS;

(5) PARENTAL LEAVE; AND

(6) OTHER PAID TIME OFF THAT MAY BE USED UNDER THE TERMS AND CONDITIONS AS PAID SICK AND SAFE LEAVE.

(B)”;

in line 23, after “IF” insert “;

(I)”;

and in line 25, after the semicolon insert “OR

(II) THE PAID LEAVE POLICY DOES NOT REDUCE EMPLOYEE COMPENSATION FOR AN ABSENCE DUE TO SICK OR SAFE LEAVE;”.

On page 6, in line 4, after “ADOPTING” insert “AND ENFORCING”; and strike beginning with “LIMITS” in line 4 down through “SUBTITLE” in line 6 and substitute “PROHIBITS THE IMPROPER USE OF EARNED SICK AND SAFE LEAVE, INCLUDING PROHIBITING A PATTERN OF ABUSE OF EARNED SICK AND SAFE LEAVE”; in line 7, strike “(A)(2)” and substitute “(B)(2)”; in lines 7 and 14, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; in line 14, strike “THIS” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS”; after line 16, insert:

“(2) THIS SUBSECTION DOES NOT PREEMPT A LOCAL JURISDICTION FROM AMENDING A LAW THAT WAS ENACTED BEFORE JANUARY 1, 2017, AND REGULATES SICK AND SAFE LEAVE PROVIDED BY AN EMPLOYER.”;

in line 19, strike “8” and substitute “12”; in line 20, strike “OR”; and in line 24, after “TERMS” insert “;OR

(3) (I) IS CALLED TO WORK BY THE EMPLOYER ON AN AS-NEEDED BASIS IN A HEALTH OR HUMAN SERVICES INDUSTRY;

(II) CAN REJECT OR ACCEPT THE SHIFT OFFERED BY THE EMPLOYER;

(III) IS NOT GUARANTEED TO BE CALLED ON TO WORK BY THE EMPLOYER; AND

(IV) IS NOT EMPLOYED BY A TEMPORARY STAFFING AGENCY”.

On page 7, after line 4, insert:

“(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A UNIT OF STATE OR LOCAL GOVERNMENT’S SICK LEAVE ACCRUAL AND USE REQUIREMENTS EXCEED THE SICK AND SAFE LEAVE PROVIDED FOR UNDER THIS SUBTITLE, EMPLOYEES OF THE UNIT OF STATE OR LOCAL GOVERNMENT ARE SUBJECT TO THE UNIT’S LAWS, REGULATIONS, POLICIES, AND PROCEDURES, TO THE EXTENT OF ANY CONFLICT WITH THE PROVISIONS OF THIS SUBTITLE EXIST, PROVIDING FOR:

(I) ACCRUAL AND USE OF SICK LEAVE;

(II) GRIEVANCES; AND

(III) DISCIPLINARY ACTIONS.

(2) EMPLOYEES OF A UNIT OF STATE GOVERNMENT THAT ARE ENTITLED TO SICK AND SAFE LEAVE UNDER THIS SUBTITLE ARE SUBJECT TO § 3–1308 OF THIS SUBTITLE.”;

in line 6, strike “AN” and substitute “(I) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, AN”; in line 9, strike “(2)” and substitute “(II)”; in the same line, after “SHALL” insert “AT LEAST”; after line 10, insert:

“(III) AN EMPLOYER MAY NOT BE REQUIRED TO PAY A TIPPED EMPLOYEE MORE THAN THE APPLICABLE MINIMUM WAGE FOR EARNED SICK AND SAFE LEAVE.”;

in line 11, strike “(3)” and substitute “(2)”; in line 26, strike “56” and substitute “48”; and in line 30 strike “OR”.

On page 8, in line 1, strike “90” and substitute “106”; strike beginning with “OR” in line 2 down through “SHORTER” in line 3 and substitute “; OR”

(5) ACCRUE EARNED SICK AND SAFE LEAVE DURING A:

(I) 2-WEEK PAY PERIOD IN WHICH THE EMPLOYEE WORKED FEWER THAN 24 HOURS TOTAL;

(II) 1-WEEK PAY PERIOD IF THE EMPLOYEE WORKED FEWER THAN A COMBINED TOTAL OF 24 HOURS IN THE CURRENT AND THE IMMEDIATELY PRECEDING PAY PERIOD; OR

(III) PAY PERIOD IN WHICH:

1. THE EMPLOYEE IS PAID TWICE A MONTH REGARDLESS OF THE NUMBER OF WEEKS IN A PAY PERIOD; AND

2. THE EMPLOYEE WORKED FEWER THAN 26 HOURS IN THE PAY PERIOD”.

AMENDMENT NO. 3

On page 9, strike beginning with “EMPLOYMENT” in line 1 down through “GRANT” in line 2 and substitute “EMPLOYEE IS EMPLOYED BY A NONPROFIT ENTITY OR A GOVERNMENTAL UNIT IN ACCORDANCE WITH A GRANT THE DURATION OF WHICH IS LIMITED TO 1 YEAR AND IS NOT SUBJECT TO RENEWAL”; and in line 3, strike “9 MONTHS” and substitute “37 WEEKS”.

On page 10, in line 4, strike the second “OR”; after line 4, insert:

“(4) FOR MATERNITY OR PATERNITY LEAVE; OR”;

and in line 5, strike “(4)” and substitute “(5)”.

On page 11, in line 5, after “(I)” insert “1.”; in line 7, strike “(II)” and substitute “2.”; in line 8, after “EMPLOYER” insert “; OR”

(II) 1. THE EMPLOYER IS A PRIVATE EMPLOYER LICENSED UNDER TITLE 7 OR TITLE 10 OF THE HEALTH – GENERAL ARTICLE TO PROVIDE SERVICES TO DEVELOPMENTALLY DISABLED OR MENTALLY ILL INDIVIDUALS;

2. THE NEED TO USE EARNED SICK AND SAFE LEAVE IS FORESEEABLE;

3. AFTER EXERCISING REASONABLE EFFORTS, THE EMPLOYER IS UNABLE TO PROVIDE A SUITABLE REPLACEMENT EMPLOYEE; AND

4. THE EMPLOYEE'S ABSENCE WILL CAUSE A DISRUPTION OF SERVICE TO AT LEAST ONE INDIVIDUAL WITH A DEVELOPMENTAL DISABILITY OR MENTAL ILLNESS";

after line 19, insert:

"(3) AN EMPLOYER IS NOT REQUIRED TO CONSENT TO AN EMPLOYEE'S REQUEST TO WORK ADDITIONAL HOURS OR TRADE SHIFTS IF THE ADDITIONAL HOURS OR TRADE IN SHIFTS WOULD RESULT IN THE EMPLOYER BEING REQUIRED TO PAY OVERTIME TO THE EMPLOYEE.";

in line 20, strike "(3)" and substitute "(4)"; in line 23, after the semicolon, insert "OR"; and strike beginning with "BE" in line 24 down through "(III)" in line 27.

AMENDMENT NO. 4

On page 12, in line 1, strike "NOT"; in line 2, strike "OF MORE THAN" and substitute "NOT EXCEEDING"; in line 30, after "PROHIBITION" insert ":

(I)";

and after line 32, insert:

"(II) IN § 3-1310 OF THIS SUBTITLE AGAINST AN EMPLOYEE MAKING A COMPLAINT, BRINGING AN ACTION, OR TESTIFYING IN AN ACTION IN BAD FAITH; AND".

On page 13, in line 5, after "SHALL" insert ":

(1)";

in line 6, after “NOTICE” insert “AT NO CHARGE TO THE EMPLOYER”; in line 7, after “SECTION” insert “;

(2) DEVELOP A MODEL PAID SICK AND SAFE LEAVE POLICY THAT AN EMPLOYER MAY USE AS A PAID SICK AND SAFE LEAVE POLICY IN AN EMPLOYEE HANDBOOK OR OTHER WRITTEN GUIDANCE TO EMPLOYEES CONCERNING EMPLOYEE BENEFITS OR LEAVE PROVIDED BY THE EMPLOYER; AND

(3) PROVIDE TECHNICAL ASSISTANCE TO AN EMPLOYER, IF AN EMPLOYER REQUESTS ASSISTANCE REGARDING IMPLEMENTING THE PROVISIONS OF THIS SUBTITLE.

(D) THE DEPARTMENT SHALL POST THE NOTICE AND MODEL PAID SICK AND SAFE LEAVE POLICY CREATED AND DEVELOPED UNDER SUBSECTION (C)(1) AND (2) OF THIS SECTION ON THE DEPARTMENT’S WEB SITE IN A DOWNLOADABLE FORMAT”;

in line 16, after “(C)” insert “(1)”; in line 18, strike “SHALL BE PRESUMED TO HAVE” and substitute “CREATES A REBUTTABLE PRESUMPTION THAT THE EMPLOYER”; and after line 18, insert:

“(2) (I) AN EMPLOYER MAY NOT BE ASSESSED A CIVIL PENALTY BY THE COMMISSIONER UNDER THIS SUBTITLE DUE TO AN UNINTENTIONAL PAYROLL ERROR OR WRITTEN NOTICE ERROR CAUSED BY A THIRD PARTY PAYROLL SERVICE PROVIDER WITH WHOM THE EMPLOYER CONTRACTED FOR SERVICES.

(II) IF AN EMPLOYER CONTRACTS WITH A THIRD PARTY PAYROLL SERVICE PROVIDER AND THE EMPLOYER IS FOUND IN VIOLATION OF THIS SUBTITLE AS A RESULT OF THE PAYROLL SERVICE PROVIDER’S ACTIONS, THE PAYROLL SERVICE PROVIDER IS LIABLE FOR ANY PENALTIES AND COSTS INCURRED BY THE EMPLOYER.”.

AMENDMENT NO. 5

On page 14, in line 29, strike “SHALL” and substitute “MAY”.

On page 16, after line 16, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed to preempt any federal law or regulation governing employees subject to federal law or regulations.”;

and in line 17, strike “3.” and substitute “4.”.

The preceding 5 amendments were read only.

Senator Cassilly moved to make the Bill and Amendments a Special Order for March 9, 2017.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 448)

SENATE THIRD READING CALENDAR NO. 35 (GENERAL SENATE BILLS)

CONSENT NO. 1

| BILL NO. | SPONSOR | CONTENT | COMMITTEE |
|----------|----------------------------|---|-----------|
| SB 198 | Sen. Young | Frederick County – Alcoholic Beverages – Sunday Hours of Sale | EHE |
| SB 209 | Sen. Young | Frederick County – Beer and Wine Licenses – Barbershops | EHE |
| SB 453 | Sen. Young | Frederick County – Alcoholic Beverages – Restaurants – Average Daily Receipts | EHE |
| SB 492 | Washington County Senators | Washington County – Alcoholic Beverages – Class CT (Cinema/Theater License) | EHE |
| SB 620 | Washington County Senators | Washington County – Alcoholic Beverages – Wineries – Special Event Permits | EHE |

| BILL NO. | SPONSOR | CONTENT | COMMITTEE |
|----------|-------------------------------|--|-----------|
| SB 837 | Washington County Senators | Washington County – Alcoholic Beverages – Penalties | EHE |
| SB 1039 | Washington County Senators | Washington County – Alcoholic Beverages – Hotel and Motel Licenses | EHE |

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 449)

The Bills were then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 36 (GENERAL SENATE BILLS)

Senate Bill 374 – Senator Astle

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 – 40 Negative – 7 (See Roll Call No. 450)

The Bill was then sent to the House of Delegates.

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 – 36 Negative – 11 (See Roll Call No. 451)

The Bill was then sent to the House of Delegates.

Senate Bill 816 – Cecil County Senators

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 – 47 Negative – 0 (See Roll Call No. 452)

The Bill was then sent to the House of Delegates.

Senate Bill 820 – Senator Hershey

AN ACT concerning

**Queen Anne’s County – Alcoholic Beverages – Class D Beer, Wine, and Liquor
and Class 9 Limited Distillery Licenses**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 453)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 37 (GENERAL SENATE BILLS)

**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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 454)

The Bill was then sent to the House of Delegates.

Senate Bill 681 – ~~Senator Ramirez~~ Senators Ramirez, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe

AN ACT concerning

Consumer Protection – Recovering of Bedding – Limitation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 455)

The Bill was then sent to the House of Delegates.

Senate Bill 696 – ~~Senators Feldman, Astle, Benson, Hershey, and Reilly~~ Reilly, Jennings, Klausmeier, Mathias, Middleton, Oaks, and Rosapepe

AN ACT concerning

Task Force on Long-Term Care Education and Planning

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

Affirmative – 47 Negative – 0 (See Roll Call No. 456)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

Senate Bill 758 – Senator Guzzone

AN ACT concerning

Income Tax Credit – Energy Storage Systems

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

Favorable report adopted.

FLOOR AMENDMENT

SB0758/873227/1

BY: Senator Hershey

AMENDMENT TO SENATE BILL 758

(First Reading File Bill)

On page 2, in lines 19 and 20, strike “**2017**” and “**2021**”, respectively, and substitute “**2018**” and “**2022**”, respectively; and in line 26, strike “2016” and substitute “2017”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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**

STATUS OF BILL: QUESTION IS ON THE MOTION TO RECONSIDER THE AMENDMENTS (2) OFFERED BY SENATOR MIDDLETON.

Senator Jennings moved to reconsider the vote by which Floor Amendment 243926/1 failed.

The motion was adopted.

FLOOR AMENDMENT

SB0266/243926/1

BY: Senator Middleton

AMENDMENTS TO SENATE BILL 266

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “– Prohibition”; in line 8, after “technology,” insert “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; providing that certain requirements for utilizing certain nitrogen removal technology do not apply to a person that owns property in a certain location if the person applies for and is unable to obtain certain assistance;”; and in line 13, after “9–1108” insert “and 9–1605.2(h)(2)(i)1.”.

AMENDMENT NO. 2

On page 2, in line 3, strike “A” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (C)(3) OF THIS SECTION, A”; in line 13, strike the brackets; in the same line, after “subsection” insert “AND”; in the same line, strike “IN”; in line 14, strike “homeowners” and substitute “A PERSON”; after line 17, insert:

“(2) THE DEPARTMENT SHALL PROVIDE THE ASSISTANCE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN THE FOLLOWING ORDER OF PRIORITY:

(I) FIRST, FOR FAILING SYSTEMS IN THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA;

(II) SECOND, FOR SYSTEMS IN THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA THAT ARE NOT FAILING;

(III) THIRD, FOR FAILING SYSTEMS IN THE CHESAPEAKE BAY WATERSHED, THE ATLANTIC COASTAL BAYS WATERSHED, OR THE WATERSHED OF A NITROGEN-IMPAIRED BODY OF WATER; AND

(IV) FOURTH, FOR SYSTEMS IN THE CHESAPEAKE BAY WATERSHED, THE ATLANTIC COASTAL BAYS WATERSHED, OR THE WATERSHED OF A NITROGEN-IMPAIRED BODY OF WATER THAT ARE NOT FAILING.

(3) THE REQUIREMENTS IN SUBSECTION (B) OF THIS SECTION DO NOT APPLY TO A PERSON THAT OWNS PROPERTY THAT IS LOCATED IN THE CHESAPEAKE BAY WATERSHED, THE ATLANTIC COASTAL BAYS WATERSHED, OR THE WATERSHED OF A NITROGEN-IMPAIRED BODY OF WATER THAT IS NOT IN THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA IF THE PERSON APPLIES FOR AND IS UNABLE TO OBTAIN ASSISTANCE UNDER § 9-1605.2(H) OF THIS TITLE.”;

and after line 33, insert:

“9-1605.2.

(h) (2) The Comptroller shall:

(i) Deposit 60% of the funds in the separate account to be used for:

1. [Subject] EXCEPT AS PROVIDED IN § 9-1108 OF THIS TITLE AND SUBJECT to paragraphs (3), (4), (5), and (6) of this subsection, with priority first given to failing systems and holding tanks located in the Chesapeake and Atlantic Coastal Bays Critical Area and then to failing systems that the Department determines are a threat to public health or water quality, grants or loans for up to 100% of:

A. The costs attributable to upgrading an on-site sewage disposal system to the best available technology for the removal of nitrogen;

B. The cost difference between a conventional on-site sewage disposal system and a system that utilizes the best available technology for the removal of nitrogen;

C. The cost of repairing or replacing a failing on-site sewage disposal system with a system that uses the best available technology for nitrogen removal;

D. The cost, up to the sum of the costs authorized under item B of this item for each individual system, of replacing multiple on-site sewage disposal systems located in the same community with a new community sewerage system that is owned by a local government and that meets enhanced nutrient removal standards; or

E. The cost, up to the sum of the costs authorized under item C of this item for each individual system, of connecting a property using an on-site sewage disposal system to an existing municipal wastewater facility that is achieving enhanced nutrient removal or biological nutrient removal level treatment, including payment of the principal, but not interest, of debt issued by a local government for such connection costs;”.

The preceding 2 amendments were withdrawn.

Senator Middleton moved to make the Bill a Special Order for March 9, 2017.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 457)

ADJOURNMENT

At 11:48 A.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Thursday, March 9, 2017.

Annapolis, Maryland
Thursday, March 9, 2017
10:00 A.M. Session

The Senate met at 10:18 A.M.

Prayer by Venkatesha Sharma, Hindu Temple of The Eastern Shore guest of Senator Mathias.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 460)

The Journal of March 8, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 441 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Hemophilia Foundation of Maryland
in recognition of
Bleeding Disorders Awareness Month. Thank you for your devotion to improving the
quality of life for persons affected with bleeding disorders in the State of Maryland.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 9th day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 461)

Senate Resolution No. 440 – Senator Delores G. Kelley:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to

Alpha Kappa Alpha Sorority, Incorporated
in recognition of
109 years of global support of human rights, educational opportunity, environmental
justice and health care parity for underserved populations.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 9th day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 462)

INTRODUCTION OF BILLS

Senator Robinson moved to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1182 – Senators Robinson and McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Museum of Art

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

Senator Robinson moved to suspend the rules to allow **Senate Bill 1182** to be assigned to the committee of jurisdiction.

The motion was adopted.

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

Senator Smith moved to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1183 – Senator Smith

AN ACT concerning

**Creation of a State Debt – Baltimore City – Maryland Center for Veterans
Education and Training**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Board of Directors of The Maryland Center for Veterans Education and Training, Incorporated for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Senator Smith moved to suspend the rules to allow **Senate Bill 1183** to be assigned to the committee of jurisdiction.

The motion was adopted.

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

Senator Muse moved to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1184 – Senator Muse

AN ACT concerning

**Foreclosed and Vacant Residential Property – Common Ownership
Communities – Payment of Regular Assessments**

FOR the purpose of requiring, with regard to a residential property in a common ownership community that is in foreclosure and vacant, the secured party that files the action to foreclose a mortgage or deed of trust on the residential property to pay certain regular assessments for a certain period of time under certain circumstances; making a secured party that fails to pay regular assessments under certain circumstances subject to a certain fine; defining certain terms; and generally relating to the payment of regular assessments on foreclosed and vacant residential property in common ownership communities.

BY repealing and reenacting, without amendments,
Article – Real Property

Section 7–105.1(a)(12)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Real Property
Section 7–114
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Senator Muse moved to suspend the rules to allow **Senate Bill 1184** to be assigned to the committee of jurisdiction.

The motion was adopted.

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

Senator Muse moved to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1185 – Senator Muse

AN ACT concerning

Real Property – New Residential Construction – Correction of Drainage Defect

FOR the purpose of requiring a certain home builder to correct a certain drainage defect within a certain time period if a certain owner provides written notice of the defect, including certain documentation, to the home builder within a certain time period; defining certain terms; and generally relating to new residential construction and the correction of drainage defects.

BY adding to
Article – Real Property
Section 10–711
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Senator Muse moved to suspend the rules to allow **Senate Bill 1185** to be assigned to the committee of jurisdiction.

The motion was adopted.

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

MESSAGE FROM THE HOUSE OF DELEGATES NO. 2

SENATE BILLS PASSED BY YEAS AND NAYS

| BILL NO. | SPONSOR | CONTENT |
|-------------------|---------------|------------------------|
| SB 493 (Emerg) | The President | Annual Curative Bill |
| SB 494 (Emerg) | The President | Annual Corrective Bill |

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 13

House Bill 73 – Delegate Luedtke

AN ACT concerning

Election Law – Election Judges – Minimum Age ~~and Minimum Compensation~~

FOR the purpose of authorizing a minor who is at least a certain age and who is a registered voter to be appointed and serve as an election judge; ~~prohibiting a local board of elections from paying an election judge less than a certain minimum wage;~~ making a conforming change; making a technical correction; requiring the State Board of Elections to survey the local boards of elections concerning minor election judges authorized by this Act and submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to election judges.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–202(a) ~~and 10–205~~
Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–210(c)
Annotated Code of Maryland
(2016 Replacement Volume)

~~BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–413
Annotated Code of Maryland
(2016 Replacement Volume)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**House Bill 85 – ~~Delegates Beidle, Carey, Chang, Frush, S. Howard, Kipke, Malone, McConkey, McMillan, Pena Melnyk, Saab, Simonaire, and Sophocleus~~
Anne Arundel County Delegation**

AN ACT concerning

Anne Arundel County – Charitable Gaming

FOR the purpose of authorizing certain organizations in Anne Arundel County to conduct a card game, card tournament, or casino event under certain circumstances; requiring an organization to obtain a permit from the County Department of Inspections and Permits before conducting a card game, card tournament, or casino event; requiring an organization that seeks a permit to meet certain requirements; specifying that a card game, card tournament, or casino event may be managed and operated by certain organizations; requiring an individual who participates in or volunteers as an operator of a card game, card tournament, or casino event to be of a certain age; specifying that a permit holder may receive a certain maximum number of permits in a calendar year; specifying that a permit is not transferable; requiring that proceeds from a card game, card tournament, or casino event be used for certain purposes and may not be used for certain other purposes; specifying that the operation of a card game, card tournament, or casino event may be authorized only during certain times; authorizing a permit holder under this Act to charge only a preset entrance fee; requiring participants in a card game, card tournament, or casino event to use tokens and not cash for wagering under certain circumstances; authorizing the serving or sale of alcoholic beverages under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; authorizing the County Executive and County Council to adopt certain regulations; providing a certain penalty; defining a certain term; and generally relating to gaming in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–401
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–404 and 13–408
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Criminal Law
Section 13–404.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 88 – ~~Delegate Lafferty~~ Baltimore County Delegation

AN ACT concerning

Education – Selection of Members to the Baltimore County School Board

FOR the purpose of prohibiting the Governor from appointing certain individuals as members to the Baltimore County Board of Education in an election year; prohibiting certain individuals from seeking appointment as members of the county board in an election year; requiring the Baltimore County School Board Nominating Commission to hold a certain number of meetings, each in a separate councilmanic district, each year; requiring the Commission, instead of the Governor, to appoint the chair of the Commission; repealing the Governor's authority to reappoint the chair of the Commission; altering the terms of certain appointed members of the county board; requiring the Commission to convene its first meeting on a certain date; and generally relating to the membership of the Baltimore County Board of Education.

BY repealing and reenacting, without amendments,
Article – Education
Section 3–2A–01(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 3–2A–01(b)(5)
Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–2A–03(a) and (c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 480 of the Acts of the General Assembly of 2014
Section 2

BY repealing and reenacting, with amendments,
Chapter 481 of the Acts of the General Assembly of 2014
Section 2

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**House Bill 149 – Chair, Environment and Transportation Committee (By Request
– Departmental – Transportation)**

AN ACT concerning

**Transportation – Light Rail and Metro Subway – State Safety Oversight
Authority**

FOR the purpose of designating the Office of the Secretary of Transportation as the State Safety Oversight Authority for the Maryland Transit Administration's light rail transit system and Metro subway in accordance with federal law; requiring the deputy secretary of transportation or the deputy secretary's designee to exercise safety authority over the Administration's light rail transit system and Metro subway; authorizing the Office of the Secretary to adopt regulations to carry out its safety oversight authority; and generally relating to the safety oversight of the Maryland Transit Administration's light rail transit system and Metro subway.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–102(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 7–203.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 242 – Delegates Turner, Atterbeary, Barkley, Brooks, Ebersole, Hill, Hixson, Jalisi, Lam, Pendergrass, B. Wilson, and C. Wilson

AN ACT concerning

Vehicle Laws – Use of Handheld Telephone While Driving – Penalty

FOR the purpose of repealing certain fines and increasing the maximum fine for a violation of certain prohibitions against using a handheld telephone while driving a motor vehicle; making certain stylistic changes; and generally relating to the prohibition against using a handheld telephone while driving a motor vehicle.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1124.2
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 285 – Delegates Korman, Barron, Angel, Barkley, B. Barnes, D. Barnes, Barve, Carr, Cullison, Davis, Dumais, Fennell, Fraser–Hidalgo, Frick, Frush, Gaines, Gilchrist, Gutierrez, Healey, Hixson, Holmes, C. Howard, Jackson, Kaiser, Kelly, Knotts, Kramer, Krimm, Luedtke, A. Miller, Moon, Morales, Pena–Melnik, Platt, Proctor, Queen, Reznik, Robinson, Sanchez, Tarlau, Valderrama, Valentino–Smith, Vallario, Waldstreicher, Walker, and A. Washington

AN ACT concerning

Washington Metrorail Safety Commission Membership Act

FOR the purpose of requiring that certain members of the board of directors of the Washington Metrorail Safety Commission be appointed by the Governor with the advice and consent of the Senate; requiring one regular member of the board of directors of the Commission who is appointed by the Governor to be a resident of Montgomery County or Prince George’s County; providing that the regular member of the board of directors of the Commission who is a resident of Montgomery County

or Prince George's County may not be succeeded by an individual who is a resident of the same county; making this Act contingent on the taking effect of another Act; and generally relating to the membership of the Washington Metrorail Safety Commission.

BY adding to

Article – Transportation

Section 7–709

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 333 – Delegate C. Howard

AN ACT concerning

Motor Vehicles – Aggressive Driving

FOR the purpose of altering the ~~number of certain offenses that a person must commit at the same time or during a single and continuous period of driving that constitutes aggressive driving~~ motor vehicle offense of aggressive driving to include the commission of a certain number of an alternate set of certain motor vehicle offenses under certain circumstances; establishing that certain persons charged with a violation for aggressive driving must appear in court and may not prepay the fine; and generally relating to aggressive driving.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–402(a)(25) and 21–905

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–901.2

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 363 – Delegates A. Miller, Chang, Ebersole, Jalisi, Kramer, Krebs, Lam, Mautz, West, and K. Young

AN ACT concerning

Recordation and Transfer Taxes – Exemptions – Property Conveyed From Sole Proprietorship to Limited Liability Company

FOR the purpose of exempting a transfer of real property from a sole proprietorship to a limited liability company from recordation and transfer taxes if the sole member of the limited liability company is identical to the converting sole proprietor and certain other conditions are met; providing that the transfer of a controlling interest in a limited liability company that is the product of an untaxed conversion from a sole proprietorship is subject to the recordation and transfer tax under certain circumstances; defining a certain term; and generally relating to an exemption from recordation and transfer taxes for property conveyed from a sole proprietorship to a limited liability company.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–108(y) and 12–117(a)(6)(i) and (c)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 12–117(a)(1) and (b)(1), 13–103(a) and (b), and 13–207(a)(18)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 384 – Delegates Adams, Anderton, Arentz, Carozza, Jacobs, ~~and Otto~~
~~Otto, and Mautz~~ Mautz, Cassilly, Flanagan, Folden, Jalisi, Lafferty, and
McMillan**

AN ACT concerning

Bay Restoration Fund – Eligible Costs – Expansion

FOR the purpose of altering the definition of “eligible costs” as it relates to projects that receive funding from the Bay Restoration Fund to include any wastewater facility upgrade to enhanced nutrient removal, as determined by the Department of the Environment; making conforming changes; and generally relating to the Bay Restoration Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(i)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(i)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 572 – Howard County Delegation

EMERGENCY BILL

AN ACT concerning

Howard County – Property Tax Credit for Commercial Real Property – Flood Damage

Ho. Co. 9–17

FOR the purpose of authorizing the governing body of Howard County to grant, by law, a tax credit against the county property tax imposed on commercial real property that the governing body determines has suffered certain damage caused by flood conditions; authorizing the governing body of Howard County to specify the amount and duration of the credit and to provide for the implementation and administration of the credit; providing for the application of this Act; making this Act an emergency measure; and generally relating to a property tax credit in Howard County for certain flood damage to commercial real property.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–315(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 603 – Delegates Parrott, McKay, and B. Wilson

AN ACT concerning

Vehicle Laws – ~~Proof of Insurance for Motor Vehicles Registered in Another State~~ Out-of-State Vehicles – Required Security

FOR the purpose of ~~prohibiting a person from operating or allowing to be operated a motor vehicle registered in another state if the person knows or has reason to know that the motor vehicle does not have a valid motor vehicle insurance policy; prohibiting a~~

~~person from willfully and knowingly providing false proof of insurance for a motor vehicle registered in another state~~ altering the defined term “required security” as it applies to motor vehicles in the State to include certain security for out-of-state motor vehicles; making certain conforming changes; making a stylistic change; and generally relating to ~~motor vehicle insurance for vehicles registered in another state~~ required security for out-of-state motor vehicles.

BY repealing and reenacting, with amendments,

Article – Transportation

Section ~~17-107(a) and 17-110~~ 17-101 and 17-107

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY ~~adding to~~ repealing and reenacting, without amendments,

Article – Transportation

Section ~~17-107(d)~~ 17-110 and 27-101(h)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 683 – Delegate Sample-Hughes

EMERGENCY BILL

AN ACT concerning

Income Tax – Credit for Nurse Practitioner or Licensed Physician in Preceptorship Program – Alterations

FOR the purpose of altering a credit against the State income tax for certain individuals who, under certain circumstances, serve as preceptors in certain preceptorship programs and work in certain areas of the State with health care workforce shortages; altering the application of a certain fee assessed by the Board of Nursing for the renewal of a certain nurse practitioner; altering the number of hours a certain nurse practitioner or licensed physician must work in a certain preceptorship program in order to qualify for the tax credit; providing for the application of this Act; making this Act an emergency measure; and generally relating to a credit against the State income tax for certain preceptors in certain areas with health care workforce shortages.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8-206(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–739(b)(1)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 756 – Delegate Stein

AN ACT concerning

Vehicle Laws – Annual Vehicle Shows

FOR the purpose of exempting a motorcycle dealer and a salesman employed by the dealer from restrictions on the number of annual vehicle shows in which the dealer or salesman may participate; creating an exception for motorcycle shows to the general requirement that vehicle shows offer only new vehicles; modifying a certain requirement that an application to the Motor Vehicle Administration to participate in a vehicle show include the names and addresses of all participating dealers; exempting certain motorcycle dealers from certain provisions of law governing the sale of vehicles at vehicle shows; authorizing a motorcycle dealer or salesman to conduct all aspects of a motorcycle sale at a vehicle show; and generally relating to annual vehicle shows.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–304(c), (d), and (e)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Transportation
Section 15–304(f)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

SPECIAL ORDER CALENDAR NO. 27

**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**

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Senator Middleton moved to make the Bill a Special Order for March 14, 2017.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 463)

SENATE THIRD READING CALENDAR NO. 38 (GENERAL SENATE BILLS)

**Senate Bill 210 – ~~Senator Zucker~~ Senators Zucker, Bates, Hough, Mathias,
Norman, Peters, Ready, and Young**

AN ACT concerning

Alcoholic Beverages – Class 8 Farm Brewery License Holders – Food Service

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 464)

The Bill was then sent to the House of Delegates.

Senate Bill 281 – Senators Ready, Bates, and Cassilly

AN ACT concerning

Alcoholic Beverages – Definition of Beer – Hard Cider

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 465)

The Bill was then sent to the House of Delegates.

Senate Bill 353 – Senator Guzzone (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 – 47 Negative – 0 (See Roll Call No. 466)

The Bill was then sent to the House of Delegates.

Senate Bill 366 – Senator Madaleno

AN ACT concerning

**Public Health – Rabies Vaccination Information – Submission to Local Agencies
and Use for Licensing**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 467)

The Bill was then sent to the House of Delegates.

Senate Bill 401 – Senator Guzzone (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 – 47 Negative – 0 (See Roll Call No. 468)

The Bill was then sent to the House of Delegates.

**Senate Bill 424 – Senators Rosapepe, Benson, Cassilly, Conway, Currie, Feldman,
Ferguson, Guzzone, Kagan, Kelley, Klausmeier, Lee, Madaleno, Manno,
McFadden, Peters, Ramirez, Robinson, Serafini, Smith, Young, and Zucker**

AN ACT concerning

The Textbook Cost Savings Act of 2017

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 2 (See Roll Call No. 469)

The Bill was then sent to the House of Delegates.

Senate Bill 491 – Senator Ready

AN ACT concerning

Alcoholic Beverages – Nonrefillable Containers – Draft Beer

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 470)

The Bill was then sent to the House of Delegates.

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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 471)

The Bill was then sent to the House of Delegates.

Senate Bill 581 – Senators Ferguson and King

EMERGENCY BILL

AN ACT concerning

**Workgroup to Study the Implementation of Universal Access to
Prekindergarten for 4-Year-Olds**

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 472)

The Bill was then sent to the House of Delegates.

Senate Bill 592 – Senator Edwards

AN ACT concerning

Allegany County – Property Tax Credits – Community Organizations and Lions Center

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 473)

The Bill was then sent to the House of Delegates.

Senate Bill 601 – Senators Bates, Cassilly, Eckardt, Edwards, Klausmeier, Norman, Ready, Rosapepe, Salling, Serafini, ~~and Simonaire~~ Simonaire, Manno, and Currie

AN ACT concerning

Property Tax Credit – Elderly Individuals and Veterans – Eligibility

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 474)

The Bill was then sent to the House of Delegates.

Senate Bill 753 – Senator Guzzone

AN ACT concerning

Tax Sales – Foreclosure of Right of Redemption – Naming of Defendants

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 475)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 39 (GENERAL SENATE BILLS)

Senate Bill 384 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Old Goucher Revitalization District

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 476)

The Bill was then sent to the House of Delegates.

Senate Bill 479 – Senator Robinson

AN ACT concerning

Baltimore City – Alcoholic Beverages – Marketplace License

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 477)

The Bill was then sent to the House of Delegates.

Senate Bill 559 – Senator Kasemeyer

AN ACT concerning

**Baltimore County – Alcoholic Beverages – Issuance of Licenses Near Places of
Worship**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 478)

The Bill was then sent to the House of Delegates.

Senate Bill 819 – Senator Hershey

AN ACT concerning

**Queen Anne’s County – Alcoholic Beverages Inspectors – Qualifications, Powers,
and Duties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 479)

The Bill was then sent to the House of Delegates.

Senate Bill 897 – Senator Astle

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Class H Beer and Light Wine
Licenses**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 480)

The Bill was then sent to the House of Delegates.

Senate Bill 998 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 481)

The Bill was then sent to the House of Delegates.

Senate Bill 1010 – ~~Senator Jennings~~ Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Publication of Notices

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 482)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 40 (GENERAL SENATE BILLS)

Senate Bill 398 – Senator Feldman

AN ACT concerning

Corporations – Formation of a Holding Company by Merger

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 483)

The Bill was then sent to the House of Delegates.

Senate Bill 515 – ~~Senators Jennings, Astle, Guzzone, and Peters~~ Peters, Astle, Guzzone, Benson, Feldman, Klausmeier, Mathias, Middleton, Oaks, and Rosapepe

AN ACT concerning

Collective Bargaining – Firefighters – Martin State Airport

Read the third time and passed by yeas and nays as follows:

Affirmative – 33 Negative – 14 (See Roll Call No. 484)

The Bill was then sent to the House of Delegates.

Senate Bill 584 – ~~Senator Rosapepe~~ Senators Rosapepe, Astle, Benson, Feldman, Klausmeier, Mathias, Middleton, and Oaks

AN ACT concerning

**Medical Records – Disclosure of Directory Information and Medical Records –
~~Mental Health Services~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 485)

The Bill was then sent to the House of Delegates.

Senate Bill 632 – Senators Kagan, Feldman, King, Lee, Madaleno, Manno, Smith, and Zucker

AN ACT concerning

**Election Law – Persons Doing Public Business – Reporting by Governmental
Entities**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 486)

The Bill was then sent to the House of Delegates.

Senate Bill 654 – Senators Hough, Cassilly, Muse, Smith, and Zirkin

AN ACT concerning

Task Force to Study Crime Classification and Penalties

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 487)

The Bill was then sent to the House of Delegates.

Senate Bill 701 – Senators Zucker, Bates, Benson, Cassilly, Conway, DeGrange, Eckardt, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Madaleno, Manno, McFadden, Middleton, Muse, Nathan–Pulliam, Peters, Pinsky, Robinson, Salling, Simonaire, Smith, Waugh, and Young

AN ACT concerning

**Higher Education – Tuition Waivers for Foster Care Recipients and
Unaccompanied Homeless Youth – Alterations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 488)

The Bill was then sent to the House of Delegates.

Senate Bill 707 – Senators Norman and Cassilly

AN ACT concerning

**Vehicle Law – Waste and Recycling Collection Vehicles – Use of Yellow and
Amber Lights
(The Senator Bob Hooper Sanitation Safety Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 489)

The Bill was then sent to the House of Delegates.

Senate Bill 730 – Senators Jennings and Middleton

AN ACT concerning

Higher Education – Maryland Loan Assistance Repayment Program – Farmers

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 490)

The Bill was then sent to the House of Delegates.

Senate Bill 827 – Senators Hough and Young

AN ACT concerning

Frederick County – State’s Attorney – Annual Salary

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 491)

The Bill was then sent to the House of Delegates.

Senate Bill 872 – Senators Zucker, ~~Peters~~, Conway, Feldman, Ferguson, Guzzone, Smith, ~~and Young~~ Young, Bates, Kagan, Pinsky, Robinson, and Salling

AN ACT concerning

James W. Hubbard Inclusive Higher Education Grant Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 492)

The Bill was then sent to the House of Delegates.

Senate Bill 882 – Senator Simonaire

AN ACT concerning

Election Law – Campaign Signs at Polling Places

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 493)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 3 (GENERAL HOUSE BILLS)

House Bill 516 – Delegates Atterbeary ~~and Ebersole~~, Ebersole, and Rosenberg

EMERGENCY BILL

AN ACT concerning

**Workgroup to Study the Implementation of Universal Access to
Prekindergarten for 4-Year-Olds**

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 494)

The Bill was then returned to the House of Delegates.

SPECIAL ORDER CALENDAR NO. 27

**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**

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE
AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB0230/717870/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 230

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “leave;” insert “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;”; in line 20, after “offer;” insert “providing that an employer is not required to consent to a certain request under certain circumstances;”; and in line 22, strike “or allowing an employee to work certain hours or shifts”.

On page 2, in line 1, after “notice;” insert “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;”; in line 3, after “a” insert “rebuttable”; in line 4, after “circumstances;” insert “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;”; in line 11, strike “requiring” and substitute “authorizing”; and in line 21, after “employers;” insert “authorizing certain jurisdictions to amend certain sick and safe leave laws enacted before a certain date;”.

AMENDMENT NO. 2

On page 4, in line 5, strike “OR”; and in line 7, after “ARTICLE” insert “;

(5) IS EMPLOYED BY A TEMPORARY SERVICES AGENCY TO PROVIDE TEMPORARY STAFFING SERVICES TO ANOTHER PERSON IF THE TEMPORARY SERVICES AGENCY DOES NOT HAVE DAY-TO-DAY CONTROL OVER THE WORK ASSIGNMENTS AND SUPERVISION OF THE INDIVIDUAL WHILE THE INDIVIDUAL IS PROVIDING THE TEMPORARY STAFFING SERVICES; OR

(6) IS DIRECTLY EMPLOYED BY AN EMPLOYMENT AGENCY TO PROVIDE PART-TIME OR TEMPORARY SERVICES TO ANOTHER PERSON”.

On page 5, in line 18, after “(A)” insert “IN THIS SECTION, “EXISTING PAID LEAVE” INCLUDES:

- (1) VACATION DAYS;**
- (2) SICK DAYS;**
- (3) SHORT-TERM DISABILITY BENEFITS;**
- (4) FLOATING HOLIDAYS;**
- (5) PARENTAL LEAVE; AND**

(6) OTHER PAID TIME OFF THAT MAY BE USED UNDER THE TERMS AND CONDITIONS AS PAID SICK AND SAFE LEAVE.

(B)”;

in line 23, after “**IF**” insert “**:**”

(I)”;

and in line 25, after the semicolon insert “**OR**”

(II) THE PAID LEAVE POLICY DOES NOT REDUCE EMPLOYEE COMPENSATION FOR AN ABSENCE DUE TO SICK OR SAFE LEAVE;”.

On page 6, in line 4, after “**ADOPTING**” insert “**AND ENFORCING**”; and strike beginning with “**LIMITS**” in line 4 down through “**SUBTITLE**” in line 6 and substitute “**PROHIBITS THE IMPROPER USE OF EARNED SICK AND SAFE LEAVE, INCLUDING PROHIBITING A PATTERN OF ABUSE OF EARNED SICK AND SAFE LEAVE**”; in line 7, strike “**(A)(2)**” and substitute “**(B)(2)**”; in lines 7 and 14, strike “**(B)**” and “**(C)**”, respectively, and substitute “**(C)**” and “**(D)**”, respectively; in line 14, strike “**THIS**” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS**”; after line 16, insert:

“(2) THIS SUBSECTION DOES NOT PREEMPT A LOCAL JURISDICTION FROM AMENDING A LAW THAT WAS ENACTED BEFORE JANUARY 1, 2017, AND REGULATES SICK AND SAFE LEAVE PROVIDED BY AN EMPLOYER.”;

in line 19, strike “**8**” and substitute “**12**”; in line 20, strike “**OR**”; and in line 24, after “**TERMS**” insert “**; OR**”

(3) (I) IS CALLED TO WORK BY THE EMPLOYER ON AN AS-NEEDED BASIS IN A HEALTH OR HUMAN SERVICES INDUSTRY;

(II) CAN REJECT OR ACCEPT THE SHIFT OFFERED BY THE EMPLOYER;

(III) IS NOT GUARANTEED TO BE CALLED ON TO WORK BY THE EMPLOYER; AND

(IV) IS NOT EMPLOYED BY A TEMPORARY STAFFING AGENCY”.

On page 7, after line 4, insert:

“(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A UNIT OF STATE OR LOCAL GOVERNMENT’S SICK LEAVE ACCRUAL AND USE REQUIREMENTS EXCEED THE SICK AND SAFE LEAVE PROVIDED FOR UNDER THIS SUBTITLE, EMPLOYEES OF THE UNIT OF STATE OR LOCAL GOVERNMENT ARE SUBJECT TO THE UNIT’S LAWS, REGULATIONS, POLICIES, AND PROCEDURES, TO THE EXTENT OF ANY CONFLICT WITH THE PROVISIONS OF THIS SUBTITLE EXIST, PROVIDING FOR:

(I) ACCRUAL AND USE OF SICK LEAVE;

(II) GRIEVANCES; AND

(III) DISCIPLINARY ACTIONS.

(2) EMPLOYEES OF A UNIT OF STATE GOVERNMENT THAT ARE ENTITLED TO SICK AND SAFE LEAVE UNDER THIS SUBTITLE ARE SUBJECT TO § 3-1308 OF THIS SUBTITLE.”;

in line 6, strike “AN” and substitute “(I) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, AN”; in line 9, strike “(2)” and substitute “(II)”; in the same line, after “SHALL” insert “AT LEAST”; after line 10, insert:

“(III) AN EMPLOYER MAY NOT BE REQUIRED TO PAY A TIPPED EMPLOYEE MORE THAN THE APPLICABLE MINIMUM WAGE FOR EARNED SICK AND SAFE LEAVE.”;

in line 11, strike “(3)” and substitute “(2)”; in line 26, strike “56” and substitute “48”; and in line 30 strike “OR”.

On page 8, in line 1, strike “90” and substitute “106”; strike beginning with “OR” in line 2 down through “SHORTER” in line 3 and substitute “; OR”

(5) ACCRUE EARNED SICK AND SAFE LEAVE DURING A:

(I) 2-WEEK PAY PERIOD IN WHICH THE EMPLOYEE WORKED FEWER THAN 24 HOURS TOTAL;

(II) 1-WEEK PAY PERIOD IF THE EMPLOYEE WORKED FEWER THAN A COMBINED TOTAL OF 24 HOURS IN THE CURRENT AND THE IMMEDIATELY PRECEDING PAY PERIOD; OR

(III) PAY PERIOD IN WHICH:

1. THE EMPLOYEE IS PAID TWICE A MONTH REGARDLESS OF THE NUMBER OF WEEKS IN A PAY PERIOD; AND

2. THE EMPLOYEE WORKED FEWER THAN 26 HOURS IN THE PAY PERIOD”.

AMENDMENT NO. 3

On page 9, strike beginning with “EMPLOYMENT” in line 1 down through “GRANT” in line 2 and substitute “EMPLOYEE IS EMPLOYED BY A NONPROFIT ENTITY OR A GOVERNMENTAL UNIT IN ACCORDANCE WITH A GRANT THE DURATION OF WHICH IS LIMITED TO 1 YEAR AND IS NOT SUBJECT TO RENEWAL”; and in line 3, strike “9 MONTHS” and substitute “37 WEEKS”.

On page 10, in line 4, strike the second “OR”; after line 4, insert:

“(4) FOR MATERNITY OR PATERNITY LEAVE; OR”;

and in line 5, strike “(4)” and substitute “(5)”.

On page 11, in line 5, after “(I)” insert “1.”; in line 7, strike “(II)” and substitute “2.”; in line 8, after “EMPLOYER” insert “; OR”

(II) 1. THE EMPLOYER IS A PRIVATE EMPLOYER LICENSED UNDER TITLE 7 OR TITLE 10 OF THE HEALTH – GENERAL ARTICLE TO PROVIDE SERVICES TO DEVELOPMENTALLY DISABLED OR MENTALLY ILL INDIVIDUALS;

2. THE NEED TO USE EARNED SICK AND SAFE LEAVE IS FORESEEABLE;

3. AFTER EXERCISING REASONABLE EFFORTS, THE EMPLOYER IS UNABLE TO PROVIDE A SUITABLE REPLACEMENT EMPLOYEE; AND

4. THE EMPLOYEE’S ABSENCE WILL CAUSE A DISRUPTION OF SERVICE TO AT LEAST ONE INDIVIDUAL WITH A DEVELOPMENTAL DISABILITY OR MENTAL ILLNESS”;

after line 19, insert:

“(3) AN EMPLOYER IS NOT REQUIRED TO CONSENT TO AN EMPLOYEE’S REQUEST TO WORK ADDITIONAL HOURS OR TRADE SHIFTS IF THE ADDITIONAL HOURS OR TRADE IN SHIFTS WOULD RESULT IN THE EMPLOYER BEING REQUIRED TO PAY OVERTIME TO THE EMPLOYEE.”;

in line 20, strike “(3)” and substitute “(4)”; in line 23, after the semicolon, insert “OR”; and strike beginning with “BE” in line 24 down through “(III)” in line 27.

AMENDMENT NO. 4

On page 12, in line 1, strike “NOT”; in line 2, strike “OF MORE THAN” and substitute “NOT EXCEEDING”; in line 30, after “PROHIBITION” insert “:

(I);

and after line 32, insert:

“(II) IN § 3-1310 OF THIS SUBTITLE AGAINST AN EMPLOYEE MAKING A COMPLAINT, BRINGING AN ACTION, OR TESTIFYING IN AN ACTION IN BAD FAITH; AND”.

On page 13, in line 5, after “SHALL” insert “:

(1)”;

in line 6, after “NOTICE” insert “AT NO CHARGE TO THE EMPLOYER”; in line 7, after “SECTION” insert “;

(2) DEVELOP A MODEL PAID SICK AND SAFE LEAVE POLICY THAT AN EMPLOYER MAY USE AS A PAID SICK AND SAFE LEAVE POLICY IN AN EMPLOYEE HANDBOOK OR OTHER WRITTEN GUIDANCE TO EMPLOYEES CONCERNING EMPLOYEE BENEFITS OR LEAVE PROVIDED BY THE EMPLOYER; AND

(3) PROVIDE TECHNICAL ASSISTANCE TO AN EMPLOYER, IF AN EMPLOYER REQUESTS ASSISTANCE REGARDING IMPLEMENTING THE PROVISIONS OF THIS SUBTITLE.

(D) THE DEPARTMENT SHALL POST THE NOTICE AND MODEL PAID SICK AND SAFE LEAVE POLICY CREATED AND DEVELOPED UNDER SUBSECTION (C)(1) AND (2) OF THIS SECTION ON THE DEPARTMENT’S WEB SITE IN A DOWNLOADABLE FORMAT”;

in line 16, after “(C)” insert “(1)”; in line 18, strike “SHALL BE PRESUMED TO HAVE” and substitute “CREATES A REBUTTABLE PRESUMPTION THAT THE EMPLOYER”; and after line 18, insert:

“(2) (I) AN EMPLOYER MAY NOT BE ASSESSED A CIVIL PENALTY BY THE COMMISSIONER UNDER THIS SUBTITLE DUE TO AN UNINTENTIONAL PAYROLL ERROR OR WRITTEN NOTICE ERROR CAUSED BY A THIRD PARTY PAYROLL SERVICE PROVIDER WITH WHOM THE EMPLOYER CONTRACTED FOR SERVICES.

(II) IF AN EMPLOYER CONTRACTS WITH A THIRD PARTY PAYROLL SERVICE PROVIDER AND THE EMPLOYER IS FOUND IN VIOLATION OF THIS SUBTITLE AS A RESULT OF THE PAYROLL SERVICE PROVIDER’S ACTIONS, THE PAYROLL SERVICE PROVIDER IS LIABLE FOR ANY PENALTIES AND COSTS INCURRED BY THE EMPLOYER.”.

AMENDMENT NO. 5

On page 14, in line 29, strike “SHALL” and substitute “MAY”.

On page 16, after line 16, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed to preempt any federal law or regulation governing employees subject to federal law or regulations.”;

and in line 17, strike “3.” and substitute “4.”.

The preceding 5 amendments were read and adopted.

Senator Middleton moved to reconsider the vote by which the committee amendments (717870/1) were adopted.

The motion was adopted.

The preceding 5 committee amendments were withdrawn.

SUBSTITUTE COMMITTEE AMENDMENT

SB0230/717870/2

BY: Finance Committee

SUBSTITUTE AMENDMENTS TO SENATE BILL 230

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “leave;” insert “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;”; in line 20, after “offer;” insert “providing that an employer is not required to consent to a certain request under certain circumstances;”; in line 22, strike “or allowing an employee to work certain hours or shifts”; and in line 24, after “leave;” insert “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;”.

On page 2, in line 1, after “notice;” insert “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;”; in line 3, after “a” insert “rebuttable”; in line 4, after “circumstances;” insert “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;”; in line 11, strike “requiring” and substitute “authorizing”; and in line 21, after “employers;” insert “authorizing certain jurisdictions to amend certain sick and safe leave laws enacted before a certain date;”.

AMENDMENT NO. 2

On page 4, in line 5, strike “OR”; and in line 7, after “ARTICLE” insert “;

(5) IS EMPLOYED BY A TEMPORARY SERVICES AGENCY TO PROVIDE TEMPORARY STAFFING SERVICES TO ANOTHER PERSON IF THE TEMPORARY SERVICES AGENCY DOES NOT HAVE DAY-TO-DAY CONTROL OVER THE WORK ASSIGNMENTS AND SUPERVISION OF THE INDIVIDUAL WHILE THE INDIVIDUAL IS PROVIDING THE TEMPORARY STAFFING SERVICES; OR

(6) IS DIRECTLY EMPLOYED BY AN EMPLOYMENT AGENCY TO PROVIDE PART-TIME OR TEMPORARY SERVICES TO ANOTHER PERSON”.

On page 5, in line 18, after “(A)” insert “IN THIS SECTION, “EXISTING PAID LEAVE” INCLUDES:

- (1) VACATION DAYS;**
- (2) SICK DAYS;**
- (3) SHORT-TERM DISABILITY BENEFITS;**
- (4) FLOATING HOLIDAYS;**
- (5) PARENTAL LEAVE; AND**

(6) OTHER PAID TIME OFF THAT MAY BE USED UNDER THE TERMS AND CONDITIONS AS PAID SICK AND SAFE LEAVE.

(B)”;

in line 23, after “IF” insert “:

(I)”;

and in line 25, after the semicolon insert “OR

(II) THE PAID LEAVE POLICY DOES NOT REDUCE EMPLOYEE COMPENSATION FOR AN ABSENCE DUE TO SICK OR SAFE LEAVE;”.

On page 6, in line 4, after “ADOPTING” insert “AND ENFORCING”; strike beginning with “LIMITS” in line 4 down through “SUBTITLE” in line 6 and substitute “PROHIBITS THE IMPROPER USE OF EARNED SICK AND SAFE LEAVE, INCLUDING PROHIBITING A PATTERN OF ABUSE OF EARNED SICK AND SAFE LEAVE”; in line 7, strike “(A)(2)” and substitute “(B)(2)”; in lines 7 and 14, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; in line 14, strike “THIS” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS”; after line 16, insert:

“(2) THIS SUBSECTION DOES NOT PREEMPT A LOCAL JURISDICTION FROM AMENDING A LAW THAT WAS ENACTED BEFORE JANUARY 1, 2017, AND REGULATES SICK AND SAFE LEAVE PROVIDED BY AN EMPLOYER.”;

in line 19, strike “8” and substitute “12”; in line 20, strike “OR”; and in line 24, after “TERMS” insert “;OR

(3) (I) IS CALLED TO WORK BY THE EMPLOYER ON AN AS-NEEDED BASIS IN A HEALTH OR HUMAN SERVICES INDUSTRY;

(II) CAN REJECT OR ACCEPT THE SHIFT OFFERED BY THE EMPLOYER;

(III) IS NOT GUARANTEED TO BE CALLED ON TO WORK BY THE EMPLOYER; AND

(IV) IS NOT EMPLOYED BY A TEMPORARY STAFFING AGENCY”.

On page 7, after line 4, insert:

“(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A UNIT OF STATE OR LOCAL GOVERNMENT’S SICK LEAVE ACCRUAL AND USE REQUIREMENTS EXCEED THE SICK AND SAFE LEAVE PROVIDED FOR UNDER THIS SUBTITLE, EMPLOYEES OF THE UNIT OF STATE OR LOCAL GOVERNMENT ARE SUBJECT TO THE UNIT’S LAWS, REGULATIONS, POLICIES, AND PROCEDURES, TO THE EXTENT OF ANY CONFLICT WITH THE PROVISIONS OF THIS SUBTITLE EXIST, PROVIDING FOR:

(I) ACCRUAL AND USE OF SICK LEAVE;

(II) GRIEVANCES; AND

(III) DISCIPLINARY ACTIONS.

(2) EMPLOYEES OF A UNIT OF STATE GOVERNMENT THAT ARE ENTITLED TO SICK AND SAFE LEAVE UNDER THIS SUBTITLE ARE SUBJECT TO § 3–1308 OF THIS SUBTITLE.”;

in line 6, strike “AN” and substitute “(I) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, AN”; in line 9, strike “(2)” and substitute “(II)”; in the same line, after “SHALL” insert “AT LEAST”; after line 10, insert:

“(III) AN EMPLOYER MAY NOT BE REQUIRED TO PAY A TIPPED EMPLOYEE MORE THAN THE APPLICABLE MINIMUM WAGE FOR EARNED SICK AND SAFE LEAVE.”;

in line 11, strike “(3)” and substitute “(2)”; in line 26, strike “56” and substitute “48”; and in line 30, strike “OR”.

On page 8, in line 1, strike “90” and substitute “106”; and strike beginning with “OR” in line 2 down through “SHORTER” in line 3 and substitute “; OR”

(5) ACCRUE EARNED SICK AND SAFE LEAVE DURING A:

(I) 2-WEEK PAY PERIOD IN WHICH THE EMPLOYEE WORKED FEWER THAN 24 HOURS TOTAL;

(II) 1-WEEK PAY PERIOD IF THE EMPLOYEE WORKED FEWER THAN A COMBINED TOTAL OF 24 HOURS IN THE CURRENT AND THE IMMEDIATELY PRECEDING PAY PERIOD; OR

(III) PAY PERIOD IN WHICH:

1. THE EMPLOYEE IS PAID TWICE A MONTH REGARDLESS OF THE NUMBER OF WEEKS IN A PAY PERIOD; AND

2. THE EMPLOYEE WORKED FEWER THAN 26 HOURS IN THE PAY PERIOD”.

AMENDMENT NO. 3

On page 9, strike beginning with “EMPLOYMENT” in line 1 down through “GRANT” in line 2 and substitute “EMPLOYEE IS EMPLOYED BY A NONPROFIT ENTITY OR A GOVERNMENTAL UNIT IN ACCORDANCE WITH A GRANT THE DURATION OF WHICH IS LIMITED TO 1 YEAR AND IS NOT SUBJECT TO RENEWAL”; and in line 3, strike “9 MONTHS” and substitute “37 WEEKS”.

On page 10, in line 4, strike the second “OR”; after line 4, insert:

“(4) FOR MATERNITY OR PATERNITY LEAVE; OR”;

and in line 5, strike “(4)” and substitute “(5)”.

On page 11, in line 5, after “(I)” insert “1.”; in line 7, strike “(II)” and substitute “2.”; in line 8, after “EMPLOYER” insert “; OR”

(II) 1. THE EMPLOYER IS A PRIVATE EMPLOYER LICENSED UNDER TITLE 7 OR TITLE 10 OF THE HEALTH – GENERAL ARTICLE TO PROVIDE SERVICES TO DEVELOPMENTALLY DISABLED OR MENTALLY ILL INDIVIDUALS;

2. THE NEED TO USE EARNED SICK AND SAFE LEAVE IS FORESEEABLE;

3. AFTER EXERCISING REASONABLE EFFORTS, THE EMPLOYER IS UNABLE TO PROVIDE A SUITABLE REPLACEMENT EMPLOYEE; AND

4. THE EMPLOYEE’S ABSENCE WILL CAUSE A DISRUPTION OF SERVICE TO AT LEAST ONE INDIVIDUAL WITH A DEVELOPMENTAL DISABILITY OR MENTAL ILLNESS”;

before line 29, insert:

“(3) AN EMPLOYER IS NOT REQUIRED TO CONSENT TO AN EMPLOYEE’S REQUEST TO WORK ADDITIONAL HOURS OR TRADE SHIFTS IF THE ADDITIONAL HOURS OR TRADE IN SHIFTS WOULD RESULT IN THE EMPLOYER BEING REQUIRED TO PAY OVERTIME TO THE EMPLOYEE.”;

and strike in their entirety lines 24 through 26, inclusive.

AMENDMENT NO. 4

On page 12, in line 1, strike “NOT”; in line 2, strike “OF MORE THAN” and substitute “NOT EXCEEDING”; in line 30, after “PROHIBITION” insert “:

(I)”;

and after line 32, insert:

“(II) IN § 3-1310 OF THIS SUBTITLE AGAINST AN EMPLOYEE MAKING A COMPLAINT, BRINGING AN ACTION, OR TESTIFYING IN AN ACTION IN BAD FAITH; AND”.

On page 13, in line 5, after “SHALL” insert “:

(1)”;

in line 6, after “NOTICE” insert “AT NO CHARGE TO THE EMPLOYER”; in line 7, after “SECTION” insert “:

(2) DEVELOP A MODEL PAID SICK AND SAFE LEAVE POLICY THAT AN EMPLOYER MAY USE AS A PAID SICK AND SAFE LEAVE POLICY IN AN EMPLOYEE HANDBOOK OR OTHER WRITTEN GUIDANCE TO EMPLOYEES CONCERNING EMPLOYEE BENEFITS OR LEAVE PROVIDED BY THE EMPLOYER; AND

(3) PROVIDE TECHNICAL ASSISTANCE TO AN EMPLOYER, IF AN EMPLOYER REQUESTS ASSISTANCE REGARDING IMPLEMENTING THE PROVISIONS OF THIS SUBTITLE.

(D) THE DEPARTMENT SHALL POST THE NOTICE AND MODEL PAID SICK AND SAFE LEAVE POLICY CREATED AND DEVELOPED UNDER SUBSECTION (C)(1) AND (2) OF THIS SECTION ON THE DEPARTMENT'S WEB SITE IN A DOWNLOADABLE FORMAT";

in line 16, after "(C)" insert "(1)"; in line 18, strike "SHALL BE PRESUMED TO HAVE" and substitute "CREATES A REBUTTABLE PRESUMPTION THAT THE EMPLOYER"; and after line 18, insert:

"(2) (I) AN EMPLOYER MAY NOT BE ASSESSED A CIVIL PENALTY BY THE COMMISSIONER UNDER THIS SUBTITLE DUE TO AN UNINTENTIONAL PAYROLL ERROR OR WRITTEN NOTICE ERROR CAUSED BY A THIRD-PARTY PAYROLL SERVICE PROVIDER WITH WHOM THE EMPLOYER CONTRACTED FOR SERVICES.

(II) IF AN EMPLOYER CONTRACTS WITH A THIRD-PARTY PAYROLL SERVICE PROVIDER AND THE EMPLOYER IS FOUND IN VIOLATION OF THIS SUBTITLE AS A RESULT OF THE PAYROLL SERVICE PROVIDER'S ACTIONS, THE PAYROLL SERVICE PROVIDER IS LIABLE FOR ANY PENALTIES AND COSTS INCURRED BY THE EMPLOYER."

AMENDMENT NO. 5

On page 5, in line 5, after "(I)" insert ""RESTAURANT" MEANS AN ESTABLISHMENT THAT:

(1) ACCOMMODATES THE PUBLIC;

(2) IS EQUIPPED WITH A DINING ROOM WITH FACILITIES FOR PREPARING AND SERVING REGULAR MEALS; AND

(3) HAS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT EXCEED THE AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES.

(J)”;

and in lines 12 and 14, strike “(J)” and “(K)”, respectively, and substitute “(K)” and “(L)”, respectively.

On page 11, in line 13, after “(1)” insert “(I)”; in line 16, after “PERIOD” insert “, OR THE FOLLOWING PAY PERIOD,”; in lines 18 and 20, strike “(2)” and “(3)”, respectively, and substitute “(II)” and “(III)”, respectively; in line 21, strike “PARAGRAPH (1) OF THIS SUBSECTION” and substitute “SUBPARAGRAPH (I) OF THIS PARAGRAPH”; in the same line, strike the colon; strike in their entirety lines 22 and 23; in line 27, strike “(III)”; and after line 28, insert:

“(2) (I) THIS PARAGRAPH APPLIES ONLY TO AN EMPLOYEE EMPLOYED IN THE RESTAURANT INDUSTRY WHO IS COMPENSATED AS A TIPPED EMPLOYEE UNDER § 3-419 OF THIS TITLE AND WHO WOULD BE ENTITLED TO PAID LEAVE UNDER § 3-1304 OF THIS SUBTITLE IF THE EMPLOYEE:

1. NEEDS TO TAKE EARNED SICK AND SAFE LEAVE;
2. PREFERS AND IS ABLE TO WORK ADDITIONAL HOURS OR TRADE SHIFTS WITH ANOTHER EMPLOYEE IN THE SAME PAY PERIOD OR THE FOLLOWING PAY PERIOD; AND
3. REQUIRES THE EMPLOYER TO ARRANGE COVERAGE OF THE SHIFT.

(II) IF THE EMPLOYER IS CONTACTED TO ARRANGE THE COVERAGE OF A SHIFT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE EMPLOYER SHALL HAVE THE DISCRETION TO OFFER THE EMPLOYEE A CHOICE OF:

1. BEING PAID THE MINIMUM WAGE REQUIRED UNDER § 3-413 OF THIS TITLE FOR THE EMPLOYEE’S ABSENCE; OR

2. WORKING AN EQUIVALENT SHIFT OF THE SAME NUMBER OF HOURS IN THE SAME PAY PERIOD OR THE FOLLOWING PAY PERIOD.

(III) AN EMPLOYER THAT DOES NOT OFFER THE TIPPED EMPLOYEE THE CHOICE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL PAY TO THE EMPLOYEE THE MINIMUM WAGE REQUIRED UNDER § 3-413 OF THIS TITLE FOR THE USE OF THE EARNED SICK AND SAFE LEAVE.

(IV) AN EMPLOYER MAY DEDUCT AN ABSENCE TAKEN UNDER THIS PARAGRAPH FROM THE EMPLOYEE'S ACCRUED EARNED SICK AND SAFE LEAVE."

AMENDMENT NO. 6

On page 14, in line 29, strike "SHALL" and substitute "MAY".

On page 16, after line 16, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed to preempt any federal law or regulation governing employees subject to federal law or regulations."

and in line 17, strike "3." and substitute "4.".

The preceding 6 amendments were read and adopted.

Senator Middleton moved to make the Bill and Report a Special Order for March 10, 2017.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 495)

ADJOURNMENT

At 12:44 P.M. on motion of Senator Peters the Senate adjourned until 11:00 A.M. on Friday, March 10, 2017.

**Annapolis, Maryland
Friday, March 10, 2017
11:00 A.M. Session**

The Senate met at 11:11 A.M.

Prayer by Pastor Joe Skillman Jr., St. Michael's Lutheran Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 497)

On motion of Senator Peters it was ordered that Senator Jennings be excused from today's session.

The Journal of March 9, 2017 was read and approved.

INTRODUCTION OF BILLS

Senator Ferguson moved to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1186 – Senator Ferguson

AN ACT concerning

Creation of a State Debt – Baltimore City – Cross Street Market

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and City Council of Baltimore City for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Senator Ferguson moved to suspend the rules to allow **Senate Bill 1186** to be assigned to the committee of jurisdiction.

The motion was adopted.

Read the first time and referred to the Committee on Budget and Taxation.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 14

House Bill 9 – Delegates McCray, Hayes, and Anderson

AN ACT concerning

Baltimore City – Police Districts – Redistricting

FOR the purpose of requiring the Police Commissioner of Baltimore City, following each decennial census of the United States, to prepare a plan for the adjustment of the geographic boundaries and composition of each Baltimore City police district and the reallocation of the resources and personnel of the Baltimore City Police Department among each district using certain information; requiring the Commissioner to present the plan to the Mayor and City Council of Baltimore City within a certain time period; requiring the plan to be approved by resolution of the Mayor and City Council within a certain time frame; authorizing the Mayor to propose amendments to the plan; requiring any amendments proposed by the Mayor to be approved by resolution of the City Council; requiring the plan to go into effect without the approval of the Mayor and City Council under certain circumstances; requiring the Commissioner to implement any plan made effective under this Act; providing for the construction of this Act; and generally relating to the Baltimore City police districts.

BY repealing and reenacting, without amendments,

The Public Local Laws of Baltimore City

Section 16–1(1), (2), and (3) and 16–7(1), (2), and (4)

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

BY repealing and reenacting, without amendments,

The Public Local Laws of Baltimore City

Section 16–7(3)

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

(As enacted by Chapter 70 of the Acts of the General Assembly of 2012)

BY adding to

The Public Local Laws of Baltimore City

Section 16–55

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 42 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Class 1 Distillery Licenses

FOR the purpose of altering the activities allowed to be conducted at a plant established and operated by a holder of a Class 1 distillery license; allowing the license holder to acquire alcoholic beverages from a holder of any manufacturer's license or wholesaler's license or a holder of a nonresident dealer's permit for use in manufacturing; repealing a provision of law requiring that the license holder acquire certain alcoholic beverages in bulk; authorizing the license holder to serve at no cost or for a fee certain product samples to certain participants in a guided tour of the licensed premises; altering the amount and contents of product samples that may be served; altering the amount of products that the license holder may sell to certain participants in a guided tour of the licensed premises; altering certain time restrictions on certain activities of license holders who sell products to certain participants in a guided tour; and generally relating to Class 1 distillery licenses.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–202

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 47 – Delegate Arentz

AN ACT concerning

**Queen Anne's County – Alcoholic Beverages – Class D Beer, Wine, and Liquor
and Class 9 Limited Distillery Licenses**

FOR the purpose of authorizing in Queen Anne's County a holder of a Class D beer, wine, and liquor license and a Class 9 limited distillery license to sell liquor for off-premises consumption under certain conditions; prohibiting the holder of a Class

D beer, wine, and liquor license and a Class 9 limited distillery license from selling beer for off-premises consumption; and generally relating to alcoholic beverages sales in Queen Anne's County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 27–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 27–906
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 178 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Sunday Hours of Sale

FOR the purpose of altering the starting time on Sunday for the sale of alcoholic beverages for certain license holders in Frederick County for certain purposes; and generally relating to the sale of alcoholic beverages in Frederick County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 20–2002, 20–2004, and 20–2005
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 224 – Delegate Lierman

AN ACT concerning

Higher Education – AmeriCorps Program Participants – In-State Tuition

FOR the purpose of waiving the residency requirement for in-State tuition purposes at a public senior higher education institution in the State for students who complete an AmeriCorps Program in the State; establishing certain circumstances when a student is responsible for paying in-State tuition; defining a certain term; and generally relating to the residency requirement for in-State tuition purposes.

BY adding to

Article – Education

Section 15–106.9

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 232 – Delegates McKay, Anderton, Beitzel, Buckel, Chang, Gutierrez, Haynes, Jackson, Krebs, McConkey, McCray, Parrott, Sophocleus, B. Wilson, Wivell, and P. Young

AN ACT concerning

Correctional Services – Commissioner’s Duties – Staffing Report

FOR the purpose of requiring the Commissioner of Correction to submit a certain security and staffing report to the Secretary of Public Safety, the Governor, and the General Assembly at a certain time; requiring the report to be based on a certain survey; requiring the report to include certain information; and generally relating to the duties of the Commissioner of Correction.

BY adding to

Article – Correctional Services

Section 3–207.1

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 252 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Liquor and Wine

FOR the purpose of adding a definition of “liquor” to the Alcoholic Beverages Article; adding a certain alcohol content limitation on wine that is sold under a beer and wine license in certain jurisdictions; and generally relating to liquor and wine as those terms are used in the Alcoholic Beverages Article.

BY renumbering

Article – Alcoholic Beverages

Section 1–101(p) through (dd), 13–801 through 13–804, 15–801 through 15–805, 16–801 through 16–804, 17–801 through 17–804, 19–801 through 19–804, 20–801 through 20–804, 21–801 through 21–805, 22–801 through 22–807, 22–807.1, 22–808, 24–801 through 25–801 through 25–804, 25–805, 27–801 through 27–804, 28–801 through 28–804, 29–801 through 29–804, 30–801 through 30–804, 32–801 through 32–804, and 33–801 through 33–804, respectively

to be Section 1–101(q) through (ee), 13–802 through 13–805, 15–802 through 15–806, 16–802 through 16–805, 17–802 through 17–805, 19–802 through 19–805, 20–802 through 20–805, 21–802 through 21–806, 22–802 through 22–810, 24–802 through 24–805, 25–802 through 25–806, 27–802 through 27–805, 28–802 through 28–805, 29–802 through 29–805, 30–802 through 30–805, 32–802 through 32–805, and 33–802 through 33–805, respectively

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 1–101(a) and (b), 13–102, 15–102, 16–102, 17–102, 19–102, 20–102, 21–102, 22–102, 24–102, 25–102, 27–102, 28–102, 29–102, 30–102, 32–102, and 33–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 1–101(p), 13–801, 15–801, 16–801, 17–801, 19–801, 20–801, 21–801, 22–801, 24–801, 25–801, 27–801, 28–801, 29–801, 30–801, 32–801, and 33–801

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 5–101(g)

Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 255 – Delegates Hettleman, Sydnor, Anderson, Angel, Atterbeary, Aumann, Barkley, Barron, Bromwell, Brooks, Chang, Clippinger, Conaway, Davis, Dumais, Ebersole, Fennell, Frick, Gutierrez, Hayes, Jackson, Jones, Kaiser, Kelly, Kipke, Korman, Krimm, Lafferty, Lam, R. Lewis, Lierman, Luedtke, McCray, McIntosh, Miele, A. Miller, Moon, Morales, Morhaim, Pena–Melnik, Platt, Queen, Rosenberg, Sanchez, Sophocleus, Stein, Tarlau, Valentino–Smith, M. Washington, West, B. Wilson, C. Wilson, K. Young, and P. Young

AN ACT concerning

Criminal Procedure – Sexual Assault Victims’ Rights – Disposal of Rape Kit Evidence and Notification

FOR the purpose of requiring a certain health care provider to provide a certain victim with written information describing the laws and policies governing the testing, preservation, and disposal of a certain sexual assault evidence collection kit; requiring a hospital or child advocacy center to transfer a sexual assault evidence collection kit to a law enforcement agency within a certain amount of time; requiring a government agency to transfer a sexual assault evidence collection kit to a law enforcement agency, except under certain circumstances; prohibiting a law enforcement agency, government agency, or health care provider from destroying or disposing of a sexual assault evidence collection kit or certain other evidence relating to a sexual assault within a certain amount of time after the occurrence of the sexual assault except under certain circumstances; requiring a certain law enforcement agency, government agency, or health care provider, on written request by a certain victim, to notify the victim within a certain amount of time before the date of intended destruction or disposal of certain evidence or retain the evidence longer than a certain time period; requiring the Attorney General to adopt certain regulations; defining certain terms; and generally relating to sexual assault victims’ rights.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–926
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 292 – Delegates Krebs, W. Miller, Rose, and Shoemaker

AN ACT concerning

Alcoholic Beverages – Nonrefillable Containers – Draft Beer

FOR the purpose of establishing in certain jurisdictions a nonrefillable container permit; authorizing a permit holder to sell draft beer for off-premises consumption by packaging the beer in a nonrefillable container that meets certain specifications; specifying certain requirements for permit holders, hours of sale, and ~~license permit~~ fees; prohibiting permit fees to be charged under certain circumstances; and generally relating to nonrefillable containers for alcoholic beverages.

BY adding to

Article – Alcoholic Beverages

Section 4–1106, 10–1103, 11–1103.1, 12–1102.1, 13–1103, 14–1103, 15–1103, 16–1103, 17–1103, 18–1103, 19–1103, 20–1106, 21–1104.1, 22–1104, 23–1104, 25–1104.1, 26–1102.1, 27–1103, 28–1103, 31–1102.1, 32–1103, and 33–1104

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 10–102, 11–102, 12–102, 13–102, 14–102, 15–102, 16–102, 17–102, 18–102, 19–102, 20–102, 21–102, 22–102, 23–102, 25–102, 26–102, 27–102, 28–102, 31–102, 32–102, and 33–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 10–1101, 11–1101, 12–1101, 13–1101, 14–1101, 15–1101, 16–1101, 17–1101, 18–1101, 19–1101, 20–1101, 21–1101, 22–1101, 23–1101, 25–1101, 26–1101, 27–1101, 28–1101, 31–1101, 32–1101, and 33–1101

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 306 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Alcoholic Beverages – Tasting at Dispensaries

MC 19–17

FOR the purpose of authorizing the Department of Liquor Control for Montgomery County to hold tastings of beer, wine, and liquor in the inventory of the dispensary under certain circumstances at certain dispensaries; ~~authorizing a dispensary to serve, for~~

~~tasting, beer, wine, and liquor that are in the inventory of the dispensary;~~ limiting the quantity of beer, wine, and liquor that an individual may consume as part of a tasting; making this Act an emergency measure; and generally relating to alcoholic beverages in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 25–102 and 25–301
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 25–310
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 309 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Beer, Wine, and Liquor Festival License

MC 7–17

FOR the purpose of establishing a Beer, Wine, and Liquor Festival license in Montgomery County; authorizing a certain festival organization to conduct a beer, wine, and liquor festival under the supervision of the Montgomery County Department of Liquor Control; specifying certain conditions under which beer, wine, or liquor may be displayed and sold on or off the festival premises at certain times; requiring a festival organization to choose festival weekends and location and ensure that the primary focus of the festival is the promotion of Maryland beer, wine, or liquor; authorizing a festival organization to contract with holders of certain alcoholic beverages licenses to sell and display beer, wine, or liquor at the festival; allowing certain persons to hold a festival license in addition to another license; establishing a license fee; requiring certain license fees to be deposited into the general fund of Montgomery County; establishing certain penalties; requiring the Montgomery County Board of License Commissioners to adopt certain regulations; defining certain terms; repealing certain provisions of law concerning beer festival licenses and wine festival licenses that are rendered duplicative by this Act; and generally relating to a beer, wine, and liquor festival in Montgomery County.

BY repealing
Article – Alcoholic Beverages

Section 25–1304 and 25–1305
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 25–102 and 25–401
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 25–1304
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 311 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Class H–BW Licenses

MC 9–17

FOR the purpose of specifying that, in Montgomery County, the maximum number of certain licenses a person may hold may include one or more Class H–BW licenses; and generally relating to the number of Class H–BW licenses that a certain license holder may hold in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 25–102 and 25–1613
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 25–1614
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 327 – Delegate Miele

AN ACT concerning

Real Property – Residential Leases – Notice of Routine Maintenance

FOR the purpose of requiring the landlord of any leased residential dwelling unit to ~~post in a certain location a~~ provide certain notice about routine maintenance to the dwelling unit at a certain time in advance of the routine maintenance; requiring that the notice contain certain information; providing for the application of this Act; defining a certain term; and generally relating to routine maintenance in residential rental property.

BY adding to

Article – Real Property

Section 8–218

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 397 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Licenses**MC 17–17**

FOR the purpose of authorizing a holder of a Class 7 micro–brewery license ~~to obtain a second location in the State to brew and bottle certain beverages produced at the first micro–brewery location; exempting the holder of a Class 7 micro–brewery license in Montgomery County from a certain provision of law in two locations using the same license under certain conditions; authorizing the license holder to obtain a Class 2 rectifying license for use at the locations; requiring the license holder to request and obtain permission of the Comptroller to brew in certain locations; requiring the Comptroller to make a certain determination and consider certain factors before authorizing brewing in two locations under a single license; prohibiting the license holder from serving or selling certain beverages for on– or off–premises consumption at the second brewing location;~~ and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 2–209(a) and (e), 4–203, and 25–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 25–405
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 408 – ~~Delegate Dumais~~ Delegates Dumais and Morhaim

AN ACT concerning

Criminal Procedure – Charging Procedures and Documents – Citation

FOR the purpose of modifying the ~~categories of offenses for~~ circumstances under which a police officer is required to charge by citation; ~~repealing a provision of law authorizing a police officer~~ modifying the categories of offenses for which a police officer is authorized to charge by citation ~~for certain offenses~~; modifying the circumstances under which a police officer may charge a defendant by citation; and generally relating to charging procedures and documents.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 4–101(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 4–101(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 428 – Delegates Dumais, Anderson, Angel, Arentz, Atterbeary, Aumann, Barkley, B. Barnes, Barron, Barve, Beidle, Branch, Bromwell, Busch, Carozza, Carr, Clippinger, Conaway, Cullison, Davis, Ebersole, Fennell, Folden, Fraser–Hidalgo, Frick, Frush, Gaines, Gilchrist, Glass, Glenn, Grammer, Gutierrez, Healey, Hettleman, Hill, Hixson, Hornberger, C. Howard, Jackson, Jameson, Jones, Kaiser, Kelly, Kipke, Kittleman, Korman, Krebs, Krimm, Lafferty, Lam, R. Lewis, Lierman, Lisanti, Luedtke, Malone, McComas, McCray, McIntosh, Metzgar, Miele, A. Miller, Moon, Morales, Morhaim, Oaks, Parrott, Patterson, Pena–Melnik, Pendergrass, Platt, Proctor, Queen, Rey, Reznik, Robinson, Rose, Rosenberg, Sanchez,

Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Valentino-Smith, Waldstreicher, A. Washington, M. Washington, West, B. Wilson, C. Wilson, Wivell, K. Young, and P. Young

AN ACT concerning

**Family Law – Child Conceived Without Consent – Termination of Parental
Rights
(Rape Survivor Family Protection Act)**

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 the court to stay further proceedings in a termination of parental rights action until a certain criminal proceeding is resolved under certain circumstances; 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~~ certain unrepresented parties to certain legal services organizations for assignment of counsel; requiring the court to appoint counsel for a party under certain circumstances; establishing that a party is not entitled to the assistance of counsel at the expense of the Maryland Legal Services Corporation or ~~its designee~~ to appointed counsel 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 Judicial Proceedings.

House Bill 429 – Delegates Dumais, Angel, Atterbeary, Barkley, B. Barnes, Barron, Beidle, Bromwell, Clippinger, Conaway, Cullison, Ebersole, Fennell, Fraser-Hidalgo, Frick, Gaines, Gilchrist, Glenn, Gutierrez, Healey, Hettleman, Hill, Hixson, C. Howard, Jackson, Jameson, Jones, Kaiser, Kelly, Kittleman, Korman, Krebs, Lafferty, R. Lewis, Lierman, Luedtke, Malone, McComas, McIntosh, Metzgar, A. Miller, Moon, Morales, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Queen, Rey, Reznik, Robinson, Rose, Sanchez, Tarlau, Turner, Valderrama, Valentino-Smith, Waldstreicher, A. Washington, M. Washington, West, B. Wilson, C. Wilson, K. Young, and P. Young

AN ACT concerning

Criminal Law – Sexual Offenses – Physical Resistance

FOR the purpose of establishing that evidence of physical resistance by a certain victim is not required to prove that a certain sexual crime was committed; establishing that a certain provision of this Act may not be construed to affect the admissibility of evidence of actual physical resistance by a certain victim; ~~altering certain definitions;~~ and generally relating to sexual offenses.

~~BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–301
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)~~

BY adding to
Article – Criminal Law
Section 3–319.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 436 – Delegates Ebersole, Aumann, Grammer, Hettleman, Hill, Jones, Lafferty, Lam, West, and P. Young

AN ACT concerning

Baltimore County – Alcoholic Beverages – Issuance of Licenses Near Places of Worship

FOR the purpose of authorizing the Baltimore County Board of License Commissioners to ~~issue or transfer, convert, and issue~~ a certain license for an establishment that is at least a certain number of feet away from a place of worship under certain circumstances and subject to certain restrictions and qualifications; making a certain exception to a prohibition against issuing a license for an establishment that is within 300 feet of a place of worship or school; and generally relating to alcoholic beverages in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 13–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 13–1601
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 13–1710
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 462 – Delegates P. Young, Vogt, ~~and M. Washington~~ M. Washington, Simonaire, Ali, Wilkins, Rose, Patterson, Hornberger, Ebersole, Afzali, Hixson, Kaiser, Turner, C. Howard, A. Washington, Tarlau, and Mosby

AN ACT concerning

**Higher Education – Tuition Waivers for Foster Care Recipients and
Unaccompanied Homeless Youth – Alterations**

FOR the purpose of altering the definition of “foster care recipient” for certain tuition waivers to include an individual who resided in an out-of-home placement at the time the individual graduated from high school or successfully completed a GED; clarifying that the definition of “tuition” includes fees for credit-bearing and noncredit courses; and generally relating to tuition waivers for foster care recipients and unaccompanied homeless youth.

BY repealing and reenacting, with amendments,
Article – Education

Section 15–106.1(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 15–106.1(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 476 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court Commissioners – Residency in Contiguous County

FOR the purpose of providing that 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 Judicial Proceedings.

House Bill 507 – Delegate Luedtke

AN ACT concerning

Community Colleges and Local Governments – ~~Use of Public Funds to Influence Collective Bargaining Rights~~ Unfair Labor Practices – Prohibition

FOR the purpose of prohibiting community college trustees and employees and public officials and employees of a county or municipality from ~~knowingly using certain funds to influence certain decisions of certain employees relating to collective bargaining; establishing the liability of a certain trustee, public official, or employee for a violation of this Act~~ engaging in any unfair labor practice; providing for the application of this Act; and generally relating to ~~the use of public funds to influence decisions of employees relating to collective bargaining~~ a prohibition against engaging in unfair labor practices.

BY adding to

Article – Education

Section 16–420

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Local Government

Section 1–1312

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 529 – Chair, Ways and Means Committee (By Request – Departmental
– State Board of Elections)**

AN ACT concerning

Election Law – Political Parties, Candidacy, and Campaign Finance

FOR the purpose of altering the required provisions to be included in the constitution and bylaws of political parties; altering the date by which certain candidates for public office must file a declaration of intent; ~~altering the types of statements a governmental entity must require certain persons to file; repealing an exemption, applicable to certain contract awardees, from the filing of certain statements;~~ altering the number of petition signatures a candidate who seeks nomination by petition must file to appear on the general election ballot; repealing the requirement that a governmental entity notify the State Board of Elections if a person doing public business with the governmental entity fails to file a statement under a certain provision of law; requiring a governmental entity that has awarded a person a contract that causes the person to be doing public business to provide the State Board with certain information; authorizing the governmental entity to comply with a certain provision of this Act by sending a certain quarterly report to the State Board; requiring that the quarterly report include the required information for certain persons and be submitted by a certain date; repealing an exemption from certain requirements for a contract for which notice of award has been posted on eMaryland Marketplace; specifying a certain report a gubernatorial ticket must file to qualify to receive public contributions from the Fair Campaign Financing Fund; altering a certain definition; defining a certain term; and generally relating to political parties, candidacy, and campaign finance.

BY adding to

Article – Election Law

Section 1–101(l–1)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101(bb), 4–204, 5–703, 5–703.1, 14–107, and 15–104

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 557 – Delegates Stein, Jalisi, Lafferty, ~~Lewis~~ R. Lewis, and McCray

AN ACT concerning

Environment – Water Management – Sediment Control at Large Redevelopment Sites

FOR the purpose of prohibiting a county or municipality from issuing a grading or building permit until the developer submits a grading and sediment control plan approved by the Department of the Environment if the property that is the subject of the permit is, or is included in, a certain large redevelopment site; requiring the Department to determine certain criteria for certain large redevelopment sites; providing that the Department is the approval authority for certain large redevelopment sites; defining the term “large redevelopment site”; and generally relating to sediment control at large redevelopment sites.

BY repealing and reenacting, with amendments,

Article – Environment

Section 4–101.1, 4–103(a), and 4–105

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 560 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages Licenses – Hours of Sale

MC 8–17

FOR the purpose of altering the hours a holder of a Class B or a Class B–BWL (H–M) beer, wine, and liquor license in Montgomery County may sell beer, wine, and liquor on the day designated by the federal government as a public holiday; and generally relating to the sale of alcoholic beverages in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 25–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 25–2005(c) and (e)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 632 – The Speaker (By Request – Administration) and Delegates Adams, Anderton, Arentz, Beidle, Beitzel, Carozza, Cassilly, Ciliberti, Clark, Cluster, Flanagan, Folden, Ghrist, Grammer, Hornberger, S. Howard, Jacobs, Kipke, Krebs, Long, Malone, McComas, McConkey, McKay, McMillan, Metzgar, Miele, Morgan, Otto, Rose, Shoemaker, Simonaire, Szeliga, Vogt, West, and Wivell

EMERGENCY BILL

AN ACT concerning

**Child Abuse – Sex Trafficking
(Protecting Victims of Sex Trafficking Act of 2017)**

FOR the purpose of altering the definition of “sexual abuse” in provisions of law relating to child abuse to include the sex trafficking of a child by any individual; defining the terms “sexual molestation or exploitation” and “sex trafficking” in provisions of law relating to child abuse; making this Act an emergency measure; and generally relating to child abuse and sex trafficking.

BY adding to
Article – Family Law
Section 5–701(x)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–701(x) and (y)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 646 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Restaurants – Average Daily Receipts

FOR the purpose of requiring a restaurant in Frederick County to have average daily receipts from the sale of food that are at least a certain percentage of the total average daily receipts of the restaurant until a certain time each day; providing that a certain requirement expires at a certain time; establishing that there is no requirement for average daily receipts for a restaurant from the sale of food and alcoholic beverages after a certain time each day; and generally relating to alcoholic beverages in Frederick County.

BY adding to

Article – Alcoholic Beverages

Section 20–104

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 647 – Delegates Reznik, Barve, Chang, Dumais, Fraser–Hidalgo, Frick, Jalisi, Luedtke, McComas, Patterson, Platt, Queen, M. Washington, C. Wilson, and K. Young

AN ACT concerning

Criminal Law – Sexual Offenses – Classification

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 Judicial Proceedings.

**House Bill 708 – ~~Delegate Walker~~ Delegates Walker, Mosby, Ali, A. Washington,
C. Howard, Ebersole, Patterson, Rose, Tarlau, Afzali, Hixson, and Turner**

AN ACT concerning

**State Department of Education – Lacrosse Opportunities Program – Youth
Lacrosse Nonprofit Organizations**

FOR the purpose of authorizing a youth lacrosse nonprofit organization to submit an application for a grant under the Lacrosse Opportunities Program; requiring the State Superintendent of Schools or the State Superintendent's designee to provide grants to eligible youth lacrosse nonprofit organizations with programs that will increase opportunities for minority students to participate in lacrosse; defining a certain term; and generally relating to the Lacrosse Opportunities Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 2–305
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 712 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – Selling to Underage Individual – Penalties

FOR the purpose of altering a certain penalty the Board of License Commissioners for Charles County may impose on a license holder or an employee of a license holder who violates as a first offense the prohibition against selling or providing alcoholic beverages to an individual under the age of 21 years; and generally relating to alcoholic beverages in Charles County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 6–304 and 18–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 18–2702
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 729 – Delegates Arentz, Ghrist, and Jacobs

AN ACT concerning

Queen Anne’s County – Alcoholic Beverages Inspectors – Qualifications, Powers, and Duties

FOR the purpose of specifying a certain qualification of an alcoholic beverages inspector in Queen Anne’s County; specifying certain powers and duties of an alcoholic beverages

inspector in Queen Anne's County, subject to a certain exception; requiring the Queen Anne's County Office of the Sheriff to enforce certain violations; providing that a certain inspector has no power of arrest; requiring a certain inspector to take a certain oath; and generally relating to alcoholic beverages inspectors in Queen Anne's County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 27–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 27–205
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 739 – Delegates Moon, Anderson, Korman, Proctor, Queen, Sanchez, and Sydnor

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 and of law enforcement officers not on a SWAT team who conduct no-knock warrant service 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; 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 Judicial Proceedings.

House Bill 780 – Delegate Lisanti

AN ACT concerning

Alcoholic Beverages – Brewing Company Off-Site Permits – Harford County Farm Fair

FOR the purpose of adding the Harford County Farm Fair to the list of off-site events for which a holder of a brewing company off-site permit may use the permit; altering the time period within which the permit holder is required to notify the Comptroller of an intention to attend an off-site event; and generally relating to brewing company off-site permits.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–130

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 788 – Eastern Shore Delegation

EMERGENCY BILL

AN ACT concerning

Natural Resources – Hunting – Deer Management Permits

FOR the purpose of authorizing a person to hunt deer under a Deer Management Permit on any Sunday throughout the year, including all deer hunting seasons; altering the application of certain provisions of law governing Deer Management Permits in Charles County and St. Mary's County; making certain conforming changes; altering a certain definition; making a certain stylistic change; making this Act an emergency measure; and generally relating to hunting deer under a Deer Management Permit.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)(1) and (2) and 10–415(d)(1) and (2)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–415(d)(3)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 797 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Thresholds for Tasting

Ho. Co. 19–17

FOR the purpose of altering certain thresholds for the amount of alcoholic beverages that a holder of a beer and wine tasting license in Howard County may serve for on–premises consumption; altering certain thresholds for the amount of alcoholic beverages that a holder of a beer, wine, and liquor tasting license in Howard County

may serve for on-premises consumption; and generally relating to alcoholic beverages licenses in Howard County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 23–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 23–1307 and 23–1308
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 832 – Delegates McIntosh and Anderson

AN ACT concerning

Baltimore City – Alcoholic Beverages – Old Goucher Revitalization District

FOR the purpose of exempting an applicant for a Class B–D–7 license in a certain Old Goucher Revitalization District in the 43rd alcoholic beverages district in Baltimore City from certain zoning requirements; creating an exception under which the Board of License Commissioners for Baltimore City may issue certain new Class B–D–7 licenses under certain circumstances; specifying that, notwithstanding certain other provisions of law, the Board may issue certain licenses to certain establishments that are located in certain areas and meet a certain minimum capital investment requirement; specifying that a Class B–D–7 license may be transferred within, but may not be transferred out of, the Old Goucher Revitalization District; specifying that a certain distance restriction for the issuance of new alcoholic beverages licenses within a certain distance of a school or place of worship does not apply to a property in a certain Old Goucher Revitalization District; defining a certain term; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 12–102, 12–905, and 12–1605(a)(1)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–1407, 12–1603, and 12–1605(a)(2)

Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 837 – Delegates McIntosh, Anderson, and M. Washington

AN ACT concerning

Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License

FOR the purpose of authorizing the Baltimore City Board of License Commissioners to issue a Class BWLT beer, wine, and liquor (on premises) tasting license in a certain portion of the 43rd legislative district of Baltimore City; making certain stylistic changes; and generally relating to Class BWLT beer, wine, and liquor tasting licenses in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–1308
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 844 – Delegates Moon, Anderson, and Conaway

AN ACT concerning

**Driver's Driver Improvement Program and Failure to Pay Child Support –
Driver's License Suspensions – Penalties and Assessment of Points**

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 Judicial Proceedings.

House Bill 906 – Delegates Malone, Aumann, Folden, Gutierrez, S. Howard, Jacobs, Krebs, McComas, W. Miller, Parrott, Saab, and B. Wilson

AN ACT concerning

Criminal Law – Crime of Violence – Home Invasion

FOR the purpose of classifying the offense of home invasion as a crime of violence under a certain provision of law; and generally relating to crimes of violence.

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 14–101(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 908 – Delegates Pena–Melnyk, Angel, Morales, and Tarlau

AN ACT concerning

~~Police Training and Standards Commission~~ – Police Officer Certification Work Group – Eligibility of Individuals with Permanent Residency Status

FOR the purpose of ~~altering the eligibility requirements for certain individuals to be certified by the Police Training and Standards Commission as a police officer to include certain individuals who are lawfully admitted as permanent residents of the United States~~ establishing a Police Officer Certification Work Group; providing for the composition, chair, and staffing of the Work Group; prohibiting a member of the Work Group from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Work Group to study and make recommendations regarding certain matters; requiring the Work Group to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to police officer certification.

~~BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–209
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)~~

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 929 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Licenses and Sunday Sales

FOR the purpose of authorizing a Class 9 limited distillery license to be issued to a holder of a certain Class B license in Garrett County; altering the underlying licenses that may be held by a recipient of a Class BDR (deluxe restaurant) beer and wine license issued in Garrett County; altering the alcoholic beverages that may be sold for on–premises consumption and off–premises consumption at a hotel, motel, or restaurant; altering certain catering options for certain licenses; altering certain restrictions regarding a license for use by a deluxe restaurant; repealing certain

Sunday license fees for certain licenses; altering the hours of sale on Sunday for certain licenses; allowing the holder of a certain Class C license to purchase certain alcoholic beverages from a retailer; specifying that a requirement for a criminal history records check may apply to an applicant for license renewal; authorizing a holder of a Class B beer license to sell beer on certain days during certain hours; specifying certain license holders that may sell alcoholic beverages on Sunday under certain circumstances; making certain technical changes; clarifying certain language; and generally relating to alcoholic beverages licenses and Sunday sales of alcoholic beverages in Garrett County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 21–102, 21–803(a), 21–902(a), 21–904(b), 21–905(a)(1), 21–1002(a), 21–1304(a)(1), and 21–1305(a)(1)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 21–401, 21–803(b), 21–902(e) and (f), 21–903, 21–904(f), 21–905(d), 21–1002(c), 21–1304(f), 21–1305(b) and (g), 21–1309(a), 21–1312, 21–1804, 21–2002, 21–2003, 21–2004, 21–2006, and 21–2102(a)

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 21–403.1

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1008 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Publication of Notices

FOR the purpose of requiring the Board of License Commissioners for Harford County to publish notice of a hearing for an alcoholic beverages license application in a certain manner; altering the manner in which the Board is required to publish certain licensing decisions; and generally relating to alcoholic beverages in Harford County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 22–102 and 22–1501
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 22–1505
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1017 – Chair, Judiciary Committee (By Request – Departmental – Transportation)

AN ACT concerning

Motor Vehicle Administration – Driving Records – Expungement

FOR the purpose of altering the standards and procedures applicable to the expungement of public driving records by the Motor Vehicle Administration; prohibiting the Administration from expunging certain driving record entries; requiring the Administration to adopt certain regulations; and generally relating to the expungement of driving records by the Motor Vehicle Administration.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–117.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1035 – Delegates Jacobs, Anderton, Arentz, B. Barnes, Beitzel, Busch, Cassilly, Clippinger, Folden, McIntosh, Otto, Parrott, Reilly, B. Wilson, and Wivell

EMERGENCY BILL

AN ACT concerning

Motor Vehicles – Seasonal Exceptional Milk Hauling Permit

FOR the purpose of authorizing the State Highway Administration to issue a seasonal exceptional milk hauling permit that authorizes certain axle configurations and certain increased weight limits during a certain time period annually under certain

circumstances; making this Act an emergency measure; and generally relating to the seasonal exceptional milk hauling permit.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–113.2
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1048 – ~~Delegate Holmes~~ Delegates Holmes and Angel

AN ACT concerning

Residential Property – Notice of Foreclosure

FOR the purpose of requiring a person authorized to sell residential property subject to foreclosure to file a certain notice of foreclosure with the Department of Labor, Licensing, and Regulation under certain circumstances; authorizing a notice of foreclosure to be filed with the Foreclosed Property Registry; requiring a notice of foreclosure to contain certain information; imposing certain limits on access to a notice of foreclosure; establishing that only the State, subject to a certain exception, may enact a certain law concerning residential property that is subject to foreclosure; declaring the intent of the General Assembly; defining certain terms; and generally relating to notices of foreclosures on residential property.

BY repealing
Article – Real Property
Section 14–126.1(j)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Real Property
Section 14–126.2 and 14–126.3
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1066 – Delegate Ebersole

AN ACT concerning

Education – Fire Drill Requirements – State Fire Prevention Code

FOR the purpose of requiring the State Superintendent of Schools to require certain county superintendents of schools to hold fire drills in each public school in accordance with the State Fire Prevention Code; and generally relating to fire drills in public schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–408
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 6–206(a)(1) and (d)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1219 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Sex Trafficking

FOR the purpose of altering the definition of “sexual abuse” in provisions of law relating to children in need of assistance to include an act that involves the sex trafficking of a child by any individual; defining the terms “sexual molestation or exploitation” and “sex trafficking” in provisions of law relating to children in need of assistance; making certain conforming changes; and generally relating to children in need of assistance and sex trafficking.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(a) and (f)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–801(x)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings

Section 3–801(x), (y), (z), (aa), (bb), and (cc)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1327 – Delegates Lisanti, Barkley, Frick, and C. Wilson

AN ACT concerning

Task Force on Local Alcoholic Beverages Regulation

FOR the purpose of establishing a Task Force on Local Alcoholic Beverages Regulation to study certain matters relating to boards of license commissioners and local alcoholic beverages regulation; providing for the purposes of the Task Force and the study; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations on certain matters; requiring certain State and local units to cooperate with the Task Force; requiring the Task Force to submit an interim report and a final report on or before certain dates to the Governor and certain committees; and generally relating to the Task Force on Local Alcoholic Beverages Regulation.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1342 – Delegates A. Washington, Ali, Anderson, Angel, Moon, Morales, Proctor, Sanchez, Sydnor, and Valderrama

AN ACT concerning

Public Safety – Deaths Involving a Correctional Officer – Reports

FOR the purpose of requiring State and local correctional facilities annually to provide the Governor's Office of Crime Control and Prevention with certain information on correctional officer-involved deaths and deaths in the line of duty; requiring the Office to adopt certain procedures for collecting and analyzing certain information; requiring the Office to analyze and disseminate certain information; requiring the Office to report certain information on correctional officer-involved deaths and deaths in the line of duty to the General Assembly on or before a certain date; defining certain terms; and generally relating to the reporting of correctional officer-involved deaths and deaths in the line of duty.

BY adding to

Article – Public Safety
Section 3–520
Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1348 – Delegates Clippinger, Lierman, and R. Lewis

AN ACT concerning

Baltimore City – 46th District Alcoholic Beverages Act of 2017

FOR the purpose of authorizing the Board to issue a Class B beer, wine, and liquor license for a restaurant in the area that is commonly known as Port Covington; specifying the boundaries of the area; requiring that the restaurant meet certain seating, capital investment, and food sales standards; authorizing the Board to issue a certain number of Class B licenses for use by establishments in certain areas; prohibiting the licenses from being transferred; and generally relating to alcoholic beverages licenses issued in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 12–102, 12–1102(a), and 12–1604(b)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–1604(c) and (g)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

SENATE RULES COMMITTEE REPORT NO. 6

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

**House Bill 122 – Chair, Environment and Transportation Committee (By Request
– Departmental – State Police)**

AN ACT concerning

**Motor Vehicles – Electronic Inspection Certificates for Used Vehicles – Sunset
Extension**

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1033 – Senator Eckardt

AN ACT concerning

**Residential Property – Vacant and Abandoned Property – Expedited
Foreclosure**

The Bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1144 – Senator Robinson

AN ACT concerning

**Procurement Preferences – Blind Industries and Services of Maryland –
Janitorial Products**

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1161 – Senator Oaks

AN ACT concerning

Education – Summer Meals Expansion Grant Program – Established

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1166 – Senators Oaks and Klausmeier

AN ACT concerning

State Designations – The Preakness Stakes as the State Cultural Event

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1169 – Senator Bates

AN ACT concerning

Unemployment Insurance – Charge of Benefits – Waiver Due to Natural Disaster

The Bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1171 – Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Waiver From School Distance Restrictions

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1172 – Senator Bates

AN ACT concerning

Alcoholic Beverages – Class 5 Breweries – Barrelage and Hours of Sale

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation:

Senate Bill 1173 – Senators Pinsky, Conway, King, and Madaleno

AN ACT concerning

Higher Education Degree and Job Certification Without Debt Act of 2017

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 1174 – Senator Jennings**EMERGENCY BILL**

AN ACT concerning

Public Health – Certificates of Birth – Births Outside an Institution

The Bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1177 – Senators Jennings and Norman

AN ACT concerning

Harford County – Alcoholic Beverages – Interest in More Than One License

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 498)

SENATE THIRD READING CALENDAR NO. 41 (GENERAL SENATE BILLS)

**Senate Bill 4 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Office of Minority Affairs)**

AN ACT concerning

Minority Business Enterprises – Program Participation – Requirements and Reauthorization

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 499)

The Bill was then sent to the House of Delegates.

Senate Bill 280 – Senators Guzzone and Middleton

AN ACT concerning

Environment – Nonwoven Disposable Products – Advertising and Labeling

Read the third time and passed by yeas and nays as follows:

Affirmative – 34 Negative – 12 (See Roll Call No. 500)

The Bill was then sent to the House of Delegates.

Senate Bill 423 – Senators Pinsky, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan-Pulliam, Peters, Ramirez, Robinson, Rosapepe, Smith, Young, Zirkin, and Zucker

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Registration and Voting at Polling Place

Read the third time and passed by yeas and nays as follows:

Affirmative – 32 Negative – 13 (See Roll Call No. 501)

The Bill was then sent to the House of Delegates.

Senate Bill 481 – Senator Feldman

AN ACT concerning

Corporations – Maryland General Corporation Law – Miscellaneous Provisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 502)

The Bill was then sent to the House of Delegates.

Senate Bill 573 – Senator Feldman

AN ACT concerning

Local Government – Regulation of Animals – Kennel Licenses

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 503)

The Bill was then sent to the House of Delegates.

Senate Bill 591 – Senator Edwards

AN ACT concerning

Garrett County – Payment to Rescue Squads —~~Repeal~~

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 504)

The Bill was then sent to the House of Delegates.

Senate Bill 735 – Senator Waugh

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 – 46 Negative – 0 (See Roll Call No. 505)

The Bill was then sent to the House of Delegates.

Senate Bill 758 – Senator Guzzone

AN ACT concerning

Income Tax Credit – Energy Storage Systems

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 506)

The Bill was then sent to the House of Delegates.

Senate Bill 813 – Senators Madaleno, Benson, Kelley, Mathias, Ramirez, and Robinson

AN ACT concerning

Department of Housing and Community Development – Rental Assistance Programs – Duration of Assistance

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 507)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 42 (GENERAL SENATE BILLS)

**Senate Bill 18 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – State Ethics Commission)**

AN ACT concerning

Public Ethics – Bicounty Commissions – Financial Disclosure

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 508)

The Bill was then sent to the House of Delegates.

Senate Bill 144 – Senator Zirkin

AN ACT concerning

Civil Actions – Prelitigation Discovery of Insurance Coverage

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 509)

The Bill was then sent to the House of Delegates.

**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 – 46 Negative – 0 (See Roll Call No. 510)

The Bill was then sent to the House of Delegates.

Senate Bill 195 – Senator Klausmeier

AN ACT concerning

~~Physicians – Licensure – Liability Coverage~~
**State Board of Physicians – Medical Professional Liability Insurance Coverage –
Publication
(Janet’s Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 511)

The Bill was then sent to the House of Delegates.

**Senate Bill 360 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan,
Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson,
Rosapepe, Smith, and Zucker**

AN ACT concerning

**State Department of Education – Breakfast and Lunch Programs – Funding
(The Maryland Cares for Kids Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 5 (See Roll Call No. 512)

The Bill was then sent to the House of Delegates.

Senate Bill 361 – Senators Madaleno, Benson, DeGrange, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Lee, Manno, Muse, Peters, Pinsky, Robinson, Rosapepe, Smith, Young, ~~and Zucker~~ Zucker, Currie, McFadden, Eckardt, Edwards, and Serafini

AN ACT concerning

Hunger-Free Schools Act of 2017

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 513)

The Bill was then sent to the House of Delegates.

Senate Bill 441 – Senators Simonaire, Bates, Kagan, Salling, Waugh, Young, ~~and Zucker~~ Zucker, Conway, Nathan-Pulliam, Pinsky, ~~and Robinson~~ Robinson, Astle, Benson, Brochin, Cassilly, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Norman, Oaks, Peters, Ramirez, Ready, Reilly, Rosapepe, Serafini, Smith, and Zirkin

AN ACT concerning

Veterans Affairs – Maryland Veterans Service Animal Program – Establishment

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 514)

The Bill was then sent to the House of Delegates.

Senate Bill 604 – Senators Bates, Eckardt, Ready, ~~and Salling~~ Salling, and Robinson

AN ACT concerning

Visual Impairments – Requirements for ~~Teacher~~ School Personnel Training, Student Screening, and Maryland Medical Assistance Program Coverage

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 515)

The Bill was then sent to the House of Delegates.

Senate Bill 636 – Senators Klausmeier and King

AN ACT concerning

**Commission on the Commemoration of the 100th Anniversary of the Passage of
the 19th Amendment to the United States Constitution**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 516)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF RESOLUTIONS**Senate Resolution No. 460 – The President and All Members:**

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Ray Lewis
in recognition of
your years of dedicated service both to
the Baltimore Ravens and the
greater Baltimore community.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 517)

SPECIAL ORDER CALENDAR NO. 28**EXECUTIVE NOMINATIONS REPORT NO. 2****NOMINEE NO. S–23**

Senator Ferguson, Chair, for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointment and recommends that the Senate of Maryland advise and consent to this appointment.

S–23. Brian M. Ropp (District 4)

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve a term of three years from July 1, 2016.

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE ABOVE NOMINATION OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nomination of the Executive?”

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 518)

Senate Bill 1006 – Senator Jennings

AN ACT concerning

Senior Citizen Activities Centers – Bingo Games – Authorization

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB1006/379737/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 1006

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Jennings” and substitute “Senators Jennings and Manno”.

On page 2, in line 25, strike “ALL BINGO CARDS” and substitute “EACH BINGO CARD”; in line 27, after “TO” insert “:

(I)”;

and in line 28, after “PERIOD” insert “: OR

(II) THE TOTAL AMOUNT OF FEES THAT WERE COLLECTED FROM THE PREVIOUS GAME DAY”.

The preceding amendment was read only.

Senator Manno moved to make the Bill and Amendment a Special Order for March 14, 2017.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 6

Senator Ferguson, Chair, for the Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Senate Executive Nominations Committee
Report No. 6
March 9, 2017

Correctional Standards, Commission on

1. Michael Resnick District 99
3415 Baring Street
Philadelphia, PA 19104

Member of the Commission on Correctional Standards; appointed to serve remainder of a term of three years from July 1, 2014, and a term of three years from July 1, 2017

Economic Development Commission, Maryland

2. Kai K. Hirabayashi District 20
20 Eastmoor Drive
Silver Spring, MD 20901

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2016

Economic Development Corporation Board of Directors, Maryland

3. Nicole Alt-Myers District 1
1908 Bedford Street
Cumberland, MD 21502

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2016

Higher Education Commission, Maryland

4. Vera R. Jackson, D.S.W. District 24
2104 Woodvale Lane
Bowie, MD 20721

Member of the Maryland Higher Education Commission; appointed to serve a term of five years from July 1, 2016

Longitudinal Data System Center Governing Board, Maryland

5. Jack R. Smith District 17
124 Ellington Boulevard, Apt. 332
Gaithersburg, MD 20878

Member of the Maryland Longitudinal Data System Center Governing Board; appointed to serve remainder of a term of three years from July 1, 2016

Morticians and Funeral Directors, State Board of

6. Kathy M. Blue, Esq. District 11
1809 Thornton Ridge Road
Towson, MD 21204

Member of the State Board of Morticians and Funeral Directors; appointed to serve remainder of a term of four years from July 1, 2014

7. Michele P. Kutta District 30
561 Bay Dale Court
Arnold, MD 21012

Member of the State Board of Morticians and Funeral Directors; appointed to serve a term of four years from July 1, 2017

Occupational Therapy Practice, State Board of

8. Edward J. Quinn District 30
276 Cape Saint John Road
Annapolis, MD 21401

Member of the State Board of Occupational Therapy Practice; appointed to serve a term of four years from July 1, 2017

Pharmacy, State Board of

9. Brenda L. Oliver District 9
10540 Chester Way
Woodstock, MD 21163

Member of the State Board of Pharmacy; appointed to serve a term of four years from July 1, 2016

Physicians, State Board of

10. Dalila Harvey–Granger, M.D. District 23
736 Bleak Hill Place
Upper Marlboro, MD 20774

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2016

11. Ann Marie Stephenson, D.O. District 20
1320 Fenwick Lane, Unit 707
Silver Spring, MD 20910

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2016

12. Maxine E. Turnipseed District 12
6061 Ivy League Drive
Catonsville, MD 21228

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2017

Plumbing, State Board of

13. Michael J. Bowersox District 3
8305 Glen Heather Drive
Frederick, MD 21702

Member of the State Board of Plumbing; appointed to serve a term of three years from May 1, 2017

Professional Standards and Teacher Education Board

14. Kelli Midgley District 12
8315 Saddle Ridge Terrace
Ellicott City, MD 21043

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2017

Racing Commission, State

15. Clarissa A. Coughlin District 30
213 Shea Road
Lothian, MD 20711

Member of the State Racing Commission; appointed to serve remainder of a term of four years from July 1, 2015

Real Estate Commission, State

16. Demetria C. Scott District 44
1827 Eutaw Place
Baltimore, MD 21217

Member of the State Real Estate Commission; appointed to serve remainder of a term of four years from June 1, 2015

17. Owen Taylor, Esq. District 33
1304 Harmony Lane
Annapolis, MD 21409

Member of the State Real Estate Commission; appointed to serve a term of four years from June 1, 2016

18. Kambon R. Williams, Esq. District 44
7404 Monita Road
Pikesville, MD 21208

Member of the State Real Estate Commission; appointed to serve remainder of a term of four years from June 1, 2016

Rural Legacy Board, Advisory Committee to the

19. Michael Calkins District 9
1626 Daisy Road
Woodbine, MD 21797

Member of the Advisory Committee to the Rural Legacy Board; appointed to serve a term of three years from July 1, 2015

St. Mary's College of Maryland, Board of Trustees

20. Bonnie L. Glick District 16
9404 Corsica Drive
Bethesda, MD 20814

Member of the Board of Trustees of St. Mary's College of Maryland; appointed to serve a term of six years from June 1, 2017

21. Lawrence E. Leak, Ph.D. District 13
6505 Burgundy Lane
Clarksville, MD 21029

Member of the Board of Trustees of St. Mary's College of Maryland; reappointed to serve a term of six years from June 1, 2017

Stadium Authority, Maryland

22. Tisha S. Edwards, Esq. District 40
3415 Woodberry Avenue
Baltimore, MD 21211

Member of the Maryland Stadium Authority; appointed to serve a term of four years from July 1, 2016

23. Manervia W. Riddick District 26
801 Othman Drive
Fort Washington, MD 20744

Member of the Maryland Stadium Authority; reappointed to serve a term of four years from July 1, 2017

University System of Maryland Board of Regents

24. Wes Moore District 43
3901 St. Paul Street
Baltimore, MD 21218

Member of the University System of Maryland Board of Regents; appointed to serve a term of five years from July 1, 2017

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Airport Zoning Appeals Board

- S-1. Wayne A. Dixon District 32
7677 Ridge Chapel Road
Hanover, MD 21076

Member of the Airport Zoning Appeals Board; reappointed to serve a term of four years from July 1, 2014

Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists, State Board of Examiners for

- S-2. John J. Rouse District 17
781 Kimberly Court West
Gaithersburg, MD 20878

Member of the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists; reappointed to serve a term of four years from July 1, 2017

Correctional Standards, Commission on

- S-3. Dayena M. Corcoran District 44
7624 Ashton Valley Way
Catonsville, MD 21228

Member of the Commission on Correctional Standards; appointed to serve a term of three years from July 1, 2017

Correctional Training Commission

- S-4. Wallis Q. Norman District 10
10 Cascade Range Court
Owings Mills, MD 21117

Member of the Correctional Training Commission; reappointed to serve a term of three years from July 1, 2017

- S-5. Patricia P. Schupple District 99
4354 Stonecrest Drive
York, PA 17403

Member of the Correctional Training Commission; reappointed to serve a term of three years from July 1, 2017

Higher Education Commission, Maryland

- S-6. Russell V. Kelley District 10
9437 Joleon Road
Randallstown, MD 21133

Member of the Maryland Higher Education Commission; reappointed to serve a term of five years from July 1, 2017

- S-7. John Yaeger, Ed.D. District 30
53 College Avenue
Annapolis, MD 21401

Member of the Maryland Higher Education Commission; reappointed to serve a term of five years from July 1, 2016

Historical Trust, Board of Trustees of the Maryland

- S-8. James P. Delgado, Ph.D. District 20
218 Dale Drive
Silver Spring, MD 20910

Member of the Board of Trustees of the Maryland Historical Trust; reappointed to serve a term of four years from July 1, 2017

S-9. Albert Louis Feldstein District 1
21 Richard Way
La Vale, MD 21502

Member of the Board of Trustees of the Maryland Historical Trust; reappointed to serve a term of four years from July 1, 2017

Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO) Board of Directors

S-10. Douglas Lipton District 14
316 Kimblewick Drive
Silver Spring, MD 20904

Member of the Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO) Board of Directors; reappointed to serve a term of four years from July 1, 2017

Morticians and Funeral Directors, State Board of

S-11. Ahmed A. Elzaree, M.D. District 24
9145 Lanham Severn Road
Lanham, MD 20706

Member of the State Board of Morticians and Funeral Directors; reappointed to serve a term of four years from July 1, 2017

Physicians, State Board of

S-12. Mark D. Olszyk, M.D. District 7
2707 Farm View Drive
Fallston, MD 21047

Member of the State Board of Physicians; reappointed to serve a term of four years from July 1, 2017

Plumbing, State Board of

S-13. Michael J. Kastner, Jr. District 9
13556 Argo Drive
Dayton, MD 21036

Chair of the State Board of Plumbing; reappointed to serve a term of three years from May 1, 2017

Real Estate Commission, State

S–14. John N. D'Ambrosia District 28
6334 Grant Chapman Drive
La Plata, MD 20646

Member of the State Real Estate Commission; reappointed to serve a term of four years from June 1, 2017

S–15. James F. (Jeff) Wright, II District 36
P.O. Box 482
Denton, MD 21629

Member of the State Real Estate Commission; reappointed to serve a term of four years from June 1, 2017

St. Mary's College of Maryland, Board of Trustees

S–16. Cynthia L. Broyles District 29
P.O. Box 131
Tall Timbers, MD 20690

Member of the Board of Trustees of St. Mary's College of Maryland; reappointed to serve a term of six years from June 1, 2017

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE ABOVE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 519)

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

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

COMMITTEE FLOOR AMENDMENT

SB0230/943122/1

BY: Senator Middleton

AMENDMENT TO SENATE BILL 230

(First Reading File Bill)

On page 7, in lines 28 and 30, in each instance, strike “**80**” and substitute “**72**”.

On page 8, in line 24, strike “**56**” and substitute “**48**”.

The preceding amendment was read and adopted.

COMMITTEE FLOOR AMENDMENT

SB0230/103428/1

BY: Senator Middleton

AMENDMENT TO SENATE BILL 230, AS AMENDED

On page 4 of the Finance Committee Amendments (SB0230/717870/1), in line 4 of Amendment No. 2, after “**REQUIREMENTS**” insert “**MEET OR**”; in line 6, after “**GOVERNMENT**” insert “**WHO ARE PART OF THE UNIT’S PERSONNEL SYSTEM**”; strike beginning with “**, TO**” in line 7 down through “**EXIST,**” in line 8; and in line 13, after “**SUBTITLE**” insert “**AND WHO ARE NOT COVERED BY THE UNIT’S SICK LEAVE ACCRUAL AND USE REQUIREMENTS**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted by roll call vote as follows:

Affirmative – 25 Negative – 19 (See Roll Call No. 520)

Senator Cassilly moved to postpone indefinitely further action on **Senate Bill 230**.

The motion was rejected by a roll call vote as follows:

Affirmative – 19 Negative – 27 (See Roll Call No. 521)

FLOOR AMENDMENT

SB0230/223624/1

BY: Senator Norman

AMENDMENTS TO SENATE BILL 230, AS AMENDED**(First Reading File Bill)****AMENDMENT NO. 1**

On page 2 of the bill, strike beginning with “specifying” in line 6 down through “period;” in line 9; in line 9, after “employee” insert “, under certain circumstances,”; in line 10, after “court” insert “to recover certain damages”; in line 11, strike “within a certain time period”; strike beginning with “damages” in line 11 down through “relief” in line 12 and substitute “fees and costs”; in line 12, after “circumstances;” insert “prohibiting an employee who is a supervisor from being held personally liable for a violation of certain provisions of this Act; prohibiting an employer from hindering, delaying, or otherwise interfering with the Commissioner or an authorized representative of the Commissioner in the enforcement of certain provisions of this Act;”; and in line 15, strike “authorizing” and substitute “requiring”.

On page 1 of the Finance Committee Amendments (SB0230/717870/2), in line 23 of Amendment No. 1, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 13 of the bill, in line 16, strike “**FAILS TO KEEP ACCURATE RECORDS OR**”; and after line 19, insert:

“(A) (1) IF AN EMPLOYEE BELIEVES THAT AN EMPLOYER HAS VIOLATED THIS SUBTITLE, THE EMPLOYEE MAY FILE A WRITTEN COMPLAINT WITH THE COMMISSIONER.

(2) IF THE COMMISSIONER RECEIVES A COMPLAINT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSIONER:

(I) 1. SHALL ATTEMPT TO RESOLVE THE ISSUE INFORMALLY BY MEDIATION; AND

2. SHALL DETERMINE WHETHER THE EMPLOYER HAS VIOLATED THIS SUBTITLE; AND

(II) UNLESS AN AFFECTED EMPLOYEE BRINGS AN ACTION UNDER SUBSECTION (B)(1) OF THIS SECTION, MAY BRING A CIVIL ACTION IN THE APPROPRIATE COURT FOR INJUNCTIVE RELIEF AND DAMAGES.

(B) (1) IF THE COMMISSIONER FINDS THAT AN EMPLOYER HAS VIOLATED THIS SUBTITLE, AN AFFECTED EMPLOYEE MAY BRING A CIVIL ACTION IN THE APPROPRIATE COURT OF LAW AGAINST THE EMPLOYER TO RECOVER:

(I) DAMAGES EQUAL TO THE AMOUNT OF ANY UNPAID EARNED SICK AND SAFE LEAVE DUE TO THE EMPLOYEE; AND

(II) ANY ACTUAL ECONOMIC DAMAGES.

(2) IF A COURT DETERMINES THAT AN EMPLOYEE IS ENTITLED TO JUDGMENT IN AN ACTION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL AWARD REASONABLE ATTORNEY'S FEES AND OTHER COSTS.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN EMPLOYEE WHO IS A SUPERVISOR MAY NOT BE HELD PERSONALLY LIABLE FOR A VIOLATION OF THIS SUBTITLE.

(D) AN EMPLOYER MAY NOT HINDER, DELAY, OR OTHERWISE INTERFERE WITH THE COMMISSIONER OR AN AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER IN THE ENFORCEMENT OF THIS SUBTITLE."

On pages 13 through 15 of the bill, strike in their entirety the lines beginning with line 20 on page 13 through line 6 on page 15, inclusive.

On page 10 of the Finance Committee Amendments, in line 1 of Amendment No. 6, strike "MAY" and substitute "SHALL".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 17 Negative – 28 (See Roll Call No. 522)

FLOOR AMENDMENT

SB0230/743823/3

BY: Senator Serafini

AMENDMENT TO SENATE BILL 230, AS AMENDED

On page 4 of the Finance Committee Amendments (SB0230/717870/2), in line 17 of Amendment No. 2, after “SUBTITLE.” insert:

“(D) THIS SUBTITLE DOES NOT APPLY TO AN EMPLOYER THAT:

(1) PROVIDES HEALTH CARE SERVICES AND DISCOUNTED PRESCRIPTIONS TO THE EMPLOYER’S EMPLOYEES THROUGH AN ON-SITE MEDICAL CLINIC THAT HAS OPERATING COSTS OF AT LEAST \$1,500,000 PER YEAR; AND

(2) HAS A PAID SICK LEAVE POLICY.”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 27 (See Roll Call No. 523)

FLOOR AMENDMENT

SB0230/923327/1

BY: Senator Simonaire

AMENDMENT TO SENATE BILL 230, AS AMENDED

On page 3 of the Finance Committee Amendments (SB0230/717870/2), in line 17 of Amendment No. 2, strike “12” and substitute “25”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 25 (See Roll Call No. 524)

FLOOR AMENDMENT

SB0230/323223/1

BY: Senator Hough

AMENDMENTS TO SENATE BILL 230, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 5, strike “or unpaid”.

AMENDMENT NO. 2

On page 7 of the bill, strike in their entirety lines 9 and 10; and in line 12, strike “**OR UNPAID**”.

On page 4 of the Finance Committee Amendments (SB0230/717870/2), in line 19 of Amendment No. 2, strike “**(II)**”; and in line 20, strike “**AT LEAST**”.

On page 5 of the Finance Committee Amendments, in line 1 of Amendment No. 2, strike “**(III)**” and substitute “**(II)**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 17 Negative – 27 (See Roll Call No. 525)

FLOOR AMENDMENT

SB0230/283323/1

BY: Senator Ready

AMENDMENT TO SENATE BILL 230, AS AMENDED

(First Reading File Bill)

On page 6 of the bill, strike beginning with “**(2)**” in line 21 down through “**TERMS**” in line 24.

On pages 6 and 7 of the bill, strike in their entirety the lines beginning with line 25 on page 6 through line 4 on page 7, inclusive.

On page 3 of the Finance Committee Amendments (SB0230/717870/2), in line 18 of Amendment No. 2, strike the semicolon; and in line 19, strike “**(3)**” and substitute “**(2)**”.

On page 4 of the Finance Committee Amendments, in line 5 of Amendment No. 2, strike “**(C)**” and substitute “**(B)**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 27 (See Roll Call No. 526)

FLOOR AMENDMENT

SB0230/463028/1

BY: Senator Brochin

AMENDMENTS TO SENATE BILL 230

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Finance Committee Amendments (SB0230/717870/2), in line 4 of Amendment No. 1, after “circumstances;” insert “requiring the Department of Labor, Licensing, and Regulation to grant a certain waiver; requiring the Department to adopt certain regulations;”.

On page 2 of the bill, in line 31, strike “3–1311” and substitute “3–1312”.

AMENDMENT NO. 2

On page 3 of the bill, in line 25, strike “**§ 3–1304**” and substitute “**§ 3–1305**”.

On page 6 of the bill, in line 11, strike “**§ 3–1304**” and substitute “**§ 3–1305**”; and in line 12, strike “**§ 3–1305**” and substitute “**§ 3–1306**”.

On page 4 of the Finance Committee Amendments, in lines 16 and 17 of Amendment No. 2, strike “**§ 3–1308**” and substitute “**§ 3–1309**”; and in line 19, after “**PARAGRAPH**” insert “**AND UNLESS A WAVIER IS GRANTED TO THE EMPLOYER UNDER § 3–1304 OF THIS SUBTITLE**”.

On page 7 of the bill, after line 5, insert:

“(A) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL WAIVE THE REQUIREMENTS OF THIS SUBTITLE FOR AN EMPLOYER THAT CAN DEMONSTRATE THAT COMPLIANCE WITH THIS SUBTITLE WILL CAUSE A SIGNIFICANT HARDSHIP ON THE EMPLOYER.”

(B) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL ADOPT REGULATIONS TO CARRY OUT SUBSECTION (A) OF THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH AN APPLICATION AND APPROVAL PROCESS; AND

(2) DEFINE WHAT CONSTITUTES A SIGNIFICANT HARDSHIP FOR THE PURPOSES OF SUBSECTION (A) OF THIS SECTION.

3-1305.”;

and in line 9, strike “AN” and substitute “**UNLESS A WAIVER IS GRANTED TO THE EMPLOYER UNDER § 3-1304 OF THIS SUBTITLE, AN**”.

On page 9 of the bill, in line 29, strike “**3-1305.**” and substitute “**3-1306.**”.

On page 9 of the Finance Committee Amendments, in line 19 of Amendment No. 5, strike “**§ 3-1304**” and substitute “**§ 3-1305**”.

On page 12 of the bill, in line 19, strike “**3-1306.**” and substitute “**3-1307.**”; in line 26, strike “**§ 3-1304**” and substitute “**§ 3-1305**”; in line 28, strike “**§ 3-1305**” and substitute “**§ 3-1306**”; in line 30, strike “**§ 3-1309**” and substitute “**§ 3-1310**”.

On page 7 of the Finance Committee Amendments, in line 5 of Amendment No. 4, strike “**§ 3-1310**” and substitute “**§ 3-1311**”.

On page 13 of the bill, in line 3, strike “**§ 3-1308(C)**” and substitute “**§ 3-1309(C)**”; and in lines 8 and 19, strike “**3-1307.**” and “**3-1308.**”, respectively, and substitute “**3-1308.**” and “**3-1309.**”, respectively.

On page 15 of the bill, in line 7, strike “**3-1309.**” and substitute “**3-1310.**”.

On page 16 of the bill, in lines 1 and 9, strike “**3-1310.**” and “**3-1311.**”, respectively, and substitute “**3-1311.**” and “**3-1312.**”, respectively.

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

SB0230/803122/1

BY: Senator Brochin

AMENDMENT TO SENATE BILL 230

(First Reading File Bill)

On page 9, in line 3, strike “**IF**” and substitute “**UNLESS THE EMPLOYEE LEFT THE EMPLOYMENT OF THE EMPLOYER VOLUNTARILY, IF**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 26 (See Roll Call No. 527)

FLOOR AMENDMENT

SB0230/923529/1

BY: Senator Hershey

AMENDMENT TO SENATE BILL 230, AS AMENDED

On page 5 of the Finance Committee Amendments (SB0230/717870/2), in line 4 of Amendment No. 2, strike “**48**” and substitute “**40**”.

In Senator Middleton’s Amendment (SB0230/943122/1), in line 2, strike “**48**” and substitute “**40**”.

The preceding amendment was read and adopted by a roll call vote as follows:

Affirmative – 27 Negative – 19 (See Roll Call No. 528)

FLOOR AMENDMENT

SB0230/963329/1

BY: Senator Edwards

AMENDMENT TO SENATE BILL 230, AS AMENDED

On page 2 of the Finance Committee Amendments (SB0230/717870/2), in line 6 of Amendment No. 2, strike “**OR**”; and in line 8, after “**PERSON**” insert “**; OR**”

(7) OPERATES A COMMERCIAL MOTOR VEHICLE AS DEFINED IN 49 C.F.R. § 390.5”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 26 (See Roll Call No. 529)

FLOOR AMENDMENT

SB0230/993727/1

BY: Senator Salling

AMENDMENT TO SENATE BILL 230

(First Reading File Bill)

On page 7, in line 6, strike “**15**” and substitute “**50**”; and in line 9, strike “**14**” and substitute “**49**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 26 (See Roll Call No. 530)

FLOOR AMENDMENT

SB0230/783929/1

BY: Senator Bates

AMENDMENT TO SENATE BILL 230, AS AMENDED

(First Reading File Bill)

On page 6 of the Finance Committee Amendments (SB0230/717870/2), in line 7 of Amendment No. 3, strike “**1.**”; in line 8, strike “**2.**” and substitute “**(II)**”; and in line 9, strike “**(II)**” and substitute “**(III)**”.

On page 11 of the bill, in line 6, strike “**AND**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 27 (See Roll Call No. 531)

FLOOR AMENDMENT

SB0230/753120/1

BY: Senator Cassilly

AMENDMENT TO SENATE BILL 230, AS AMENDED

(First Reading File Bill)

On page 3 of the Finance Committee Amendments (SB0230/717870/2), in line 18 of Amendment No. 2, strike “**OR**”.

On page 4 of the Finance Committee Amendments, in line 3, after “**AGENCY**” insert “**; OR**”

(4) (I) DOES NOT HAVE A REGULAR WORK SCHEDULE WITH THE EMPLOYER;

(II) CONTACTS THE EMPLOYER FOR WORK ASSIGNMENTS;

(III) IS SCHEDULED TO WORK THE ASSIGNMENT WITHIN 48 HOURS AFTER CONTACTING THE EMPLOYER; AND

(IV) DOES NOT HAVE AN OBLIGATION TO WORK FOR THE EMPLOYER IF THE INDIVIDUAL DOES NOT CONTACT THE EMPLOYER FOR WORK ASSIGNMENTS”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 28 (See Roll Call No. 532)

FLOOR AMENDMENT

SB0230/903527/1

BY: Senator Hershey

AMENDMENT TO SENATE BILL 230, AS AMENDED

(First Reading File Bill)

On page 4 of the Finance Committee Amendments (SB0230/717870/2), in line 3 of Amendment No. 2, after “AGENCY” insert “.

(4) IS EMPLOYED BY THE EMPLOYER FOR LESS THAN 120 DAYS DURING A YEAR”.

On page 8 of the bill, strike beginning with “**(4)**” in line 1 down through “**EMPLOYER**” in line 2.

On page 5 of the Finance Committee Amendments, in line 6 of Amendment No. 2, strike “**106**”; in line 7, strike the semicolon; and in line 8, strike “**(5)**” and substitute “**(4)**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 19 Negative – 25 (See Roll Call No. 533)

FLOOR AMENDMENT

SB0230/523227/1

BY: Senator Serafini

AMENDMENTS TO SENATE BILL 230, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Finance Committee Amendments (SB0230/717870/2), in line 25 of Amendment No. 1, after “date;” insert “allowing a subtraction modification under the State income tax for up to a certain amount of nonpassive income attributable to certain pass-through entities that meet certain requirements; providing that the subtraction modification applies only to the nonpassive income of a member of an eligible pass-through entity if certain conditions are met; providing that certain individuals and married couples with federal adjusted gross income in excess of certain amounts are not eligible for the subtraction modification;”.

On page 2 of the bill, after line 34, insert:

“BY adding to

Article – Tax – General

Section 10–105.1

Annotated Code of Maryland

(2016 Replacement Volume)”.

AMENDMENT NO. 2

On page 5 of the Finance Committee Amendments, in line 4 of Amendment No. 2, after “**(2)**” insert “**AN EMPLOYER THAT EMPLOYS FEWER THAN 50 EMPLOYEES IS ELIGIBLE FOR THE SUBTRACTION MODIFICATION UNDER § 10–105.1 OF THE TAX – GENERAL ARTICLE IF THE EMPLOYER:**

(I) PROVIDES ALL EMPLOYEES WITH PAID LEAVE IN AN AMOUNT AT LEAST EQUIVALENT TO THE TOTAL ANNUAL ACCRUAL AMOUNT PROVIDED FOR IN THIS SECTION; AND

(II) ALLOWS ALL EMPLOYEES TO USE THE PAID LEAVE FOR THE PURPOSES SPECIFIED UNDER § 3–1305 OF THIS SUBTITLE.

(3)”.

On page 16 of the bill, after line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

10–105.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “MEMBER” MEANS:

(I) A SHAREHOLDER OF AN S CORPORATION;

(II) A GENERAL OR LIMITED PARTNER OF A PARTNERSHIP, LIMITED PARTNERSHIP, OR LIMITED LIABILITY PARTNERSHIP;

(III) A MEMBER OF A LIMITED LIABILITY COMPANY;

(IV) A BENEFICIARY OF A BUSINESS TRUST OR STATUTORY TRUST; OR

(V) A SOLE PROPRIETOR.

(3) (I) “NONPASSIVE INCOME” MEANS INCOME OTHER THAN INCOME FROM PASSIVE ACTIVITY AS DETERMINED UNDER § 469 OF THE INTERNAL REVENUE CODE.

(II) “NONPASSIVE INCOME” DOES NOT INCLUDE WAGES, INTEREST, DIVIDENDS, OR CAPITAL GAINS.

(4) “PASS-THROUGH ENTITY” MEANS:

(I) AN S CORPORATION;

(II) A PARTNERSHIP;

(III) A LIMITED LIABILITY COMPANY THAT IS NOT TAXED AS A CORPORATION UNDER THIS TITLE;

(IV) A BUSINESS TRUST OR STATUTORY TRUST THAT IS NOT TAXED AS A CORPORATION UNDER THIS TITLE; OR

(V) A SOLE PROPRIETORSHIP.

(B) (1) AN INDIVIDUAL WHO IS A MEMBER OF A PASS-THROUGH ENTITY THAT MEETS THE REQUIREMENTS OF THIS SECTION AND TITLE 3, SUBTITLE 13 OF THE LABOR AND EMPLOYMENT ARTICLE MAY SUBTRACT FROM FEDERAL ADJUSTED GROSS INCOME TO DETERMINE MARYLAND ADJUSTED GROSS INCOME THE FIRST \$20,000 OF NONPASSIVE INCOME THAT IS ATTRIBUTABLE TO A PASS-THROUGH ENTITY.

(2) THE SUBTRACTION UNDER THIS SECTION APPLIES TO NONPASSIVE INCOME ATTRIBUTABLE TO A PASS-THROUGH ENTITY IF:

(I) THE TAXPAYER MATERIALLY PARTICIPATES IN THE DAY-TO-DAY OPERATIONS OF THE TRADE OR BUSINESS;

(II) THE PASS-THROUGH ENTITY EMPLOYS AT LEAST ONE PERSON WHO IS NOT A MEMBER OF THE PASS-THROUGH ENTITY; AND

(III) AT LEAST 1,200 AGGREGATE HOURS OF WORK IN THE STATE ARE PERFORMED BY THE CLOSE OF THE TAXABLE YEAR FOR WHICH THE SUBTRACTION IS TAKEN BY EMPLOYEES WHO MEET THE REQUIREMENTS OF THIS PARAGRAPH AND WHO ARE EMPLOYED BY THE PASS-THROUGH ENTITY.

(3) IN DETERMINING WHETHER THE REQUIREMENT UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION IS MET, ONLY HOURS WORKED IN A WEEK IN WHICH THE EMPLOYEE WORKS AT LEAST 30 HOURS MAY BE CONSIDERED.

(C) (1) AN INDIVIDUAL IS NOT ELIGIBLE FOR THE SUBTRACTION UNDER THIS SECTION IF THE INDIVIDUAL HAS FEDERAL ADJUSTED GROSS INCOME FOR THE TAXABLE YEAR THAT EXCEEDS \$200,000.

(2) A MARRIED COUPLE FILING A JOINT RETURN IS NOT ELIGIBLE FOR THE SUBTRACTION UNDER THIS SECTION IF THE MARRIED COUPLE HAS FEDERAL ADJUSTED GROSS INCOME FOR THE TAXABLE YEAR THAT EXCEEDS \$250,000.”;

in line 12, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 1 of”; and in line 18, after “2018” insert “, and Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2017”.

On page 11 of the Finance Committee Amendments, in lines 2 and 5 of Amendment No. 6, strike “3.” and “4.”, respectively, and substitute “4.” and “5.”, respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 28 (See Roll Call No. 534)

FLOOR AMENDMENT

SB0230/523229/1

BY: Senator Cassilly

AMENDMENTS TO SENATE BILL 230, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Finance Committee Amendments (SB0230/717870/2), in line 5 of Amendment No. 1, after “leave;” insert “prohibiting certain employers from being required to provide earned sick and safe leave, whether paid or unpaid, during the first year the employer is in operation;”.

AMENDMENT NO. 2

On page 4 of the Finance Committee Amendments, in line 19 of Amendment No. 2, after “PARAGRAPH” insert “AND EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS SECTION”.

On page 7 of the bill, in line 9, strike “AN” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, AN”.

On page 5 of the Finance Committee Amendments, in line 3 of Amendment No. 2, after “LEAVE.” insert:

“(IV) AN EMPLOYER THAT EMPLOYS FEWER THAN 50 EMPLOYEES MAY NOT BE REQUIRED TO PROVIDE EARNED SICK AND SAFE LEAVE, WHETHER PAID OR UNPAID, DURING THE FIRST YEAR THE EMPLOYER IS IN OPERATION.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 19 Negative – 26 (See Roll Call No. 535)

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Senator Cassilly moved to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1187 – Senators Cassilly, Brochin, Hough, Norman, and Ready

AN ACT concerning

Criminal Procedure – Life Without Parole – Repeal of Sentencing Proceeding

FOR the purpose of repealing certain provisions of law that provide a separate jury proceeding to determine whether a person convicted of murder in the first degree is sentenced to imprisonment for life without the possibility of parole or imprisonment for life; establishing that a court may sentence a person convicted of murder in the first degree to imprisonment for life without the possibility of parole without the requirement of a separate jury sentencing procedure under certain circumstances; making conforming changes; providing for the application of this Act; and generally relating to sentencing for murder in the first degree.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2–201(b) and 2–203

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing

Article – Criminal Law

Section 2–304 and 2–305

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Senate Rules.

Senator Zirkin moved to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1188 – Senator Zirkin

AN ACT concerning

Creation of a State Debt – Baltimore County – Bais Yaakov Middle School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Directors of The Bais Yaakov School for Girls, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide

and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Senator Zirkin moved to suspend the rules to allow **Senate Bill 1188** to be assigned to the committee of jurisdiction.

The motion was adopted.

Read the first time and referred to the Committee on Budget and Taxation.

Senator Zirkin moved to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1189 – Senator Zirkin

AN ACT concerning

Creation of a State Debt – Baltimore County – Ner Israel Rabbinical College

FOR the purpose of authorizing the creation of a State Debt not to exceed \$188,000, the proceeds to be used as a grant to the Board of Directors of the Ner Israel Rabbinical College, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Senator Zirkin moved to suspend the rules to allow **Senate Bill 1189** to be assigned to the committee of jurisdiction.

The motion was adopted.

Read the first time and referred to the Committee on Budget and Taxation.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 536)

ADJOURNMENT

At 2:16 P.M. on motion of Senator Peters the Senate adjourned until 8:00 P.M. on Monday, March 13, 2017.

**Annapolis, Maryland
Monday, March 13, 2017
8:00 P.M. Session**

The Senate met at 8:03 P.M.

Prayer by Reverend Carrie Finch–Burris, Kenwood Presbyterian Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 540)

The Journal of March 10, 2017 was read and approved.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 15

House Bill 3 – ~~Delegate Lisanti~~ Delegates Lisanti and Carey

AN ACT concerning

**Income Tax – Subtraction Modification – Olympic, and Paralympic Paralympic,
Special Olympic, and Deaflympic Games Medals and Prizes**

FOR the purpose of providing a subtraction modification under the Maryland income tax for the value of certain medals awarded by certain committees and the amount of any prize money or honoraria that is received from a certain committee that is the result of a performance at ~~the Olympic Games or the Paralympic Games~~ certain international sporting events; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for prizes attributable to a performance at ~~the Olympic Games or Paralympic Games~~ certain international sporting events.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland

~~(2010 Replacement Volume and 2016 Supplement)~~ (2016 Replacement Volume)

BY adding to

Article – Tax – General

Section 10–207(ee)

Annotated Code of Maryland

~~(2010 Replacement Volume and 2016 Supplement)~~ (2016 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**House Bill 81 – Delegates Morhaim, Cullison, Miele, ~~and Pena-Melnyk~~
Pena-Melnyk, Pendergrass, Angel, Barron, Hayes, Hill, Kelly, Kipke, Krebs,
McDonough, Metzgar, Morales, Morgan, Platt, Rosenberg, Saab,
Sample-Hughes, Szeliga, West, and K. Young**

AN ACT concerning

Estates and Trusts – Conditions of Disability and Incapacity – Confinement

FOR the purpose of repealing a certain condition of disability for purposes of guardianship proceedings to protect a disabled individual's property; repealing a certain condition of incapacity as defined under the Maryland Trust Act; and generally relating to conditions of disability and incapacity under the estates and trusts law.

BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 13–201(a) and 14.5–103(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 13–201(c) and 14.5–103(l)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 127 – Chair, Health and Government Operations Committee (By
Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

Department of Health and Mental Hygiene – Board of Review – Repeal

FOR the purpose of repealing provisions of law establishing and relating to the Board of Review of the Department of Health and Mental Hygiene; repealing provisions of

law that require the Board of Review to make certain recommendations to the Secretary of Health and Mental Hygiene, advise the Secretary on certain matters, hear and determine certain appeals, and report at certain intervals to the Secretary; repealing provisions of law that authorize a person to file an appeal with the Board of Review under certain circumstances; repealing certain definitions; making certain conforming changes; prohibiting the Board of Review from accepting certain cases for administrative review on and after a certain date; providing for a delayed effective date for certain provisions of this Act; providing that a certain petitioner may not be charged a fee for certain costs under certain circumstances; prohibiting a court or an officer of the court from charging a fee to a certain individual under certain circumstances; and generally relating to the Board of Review of the Department of Health and Mental Hygiene.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 2–104(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 2–104(b), 7–504, 7–801, 10–633, 10–807, 15–108(f), 19–128(c), 19–227(a), 19–325(d), 19–345.1(d), 21–317(a), and 21–419(e)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – Health – General

Section 2–201 through 2–207 and the subtitle “Subtitle 2. Board of Review of Department”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–101, 12–601(b), 14–5A–17.1(a), 14–5B–14.1(a), 14–5D–15(b), 14–5E–17(a), and 15–315(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–215

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Government
Section 10–222(i)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 177 – Delegates McKay, Beitzel, and Buckel

AN ACT concerning

**Killing or Wounding Black Bears – Penalties – Exemption for Protection of
Managed Honey Bee Colonies**

FOR the purpose of exempting an individual who kills or wounds a black bear in defense of the life of a honey bee in a certain bee colony from certain penalties, subject to a certain exception; establishing that the exemption does not apply if the individual has not taken certain actions; and generally relating to penalties for killing or wounding a black bear.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–423
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 185 – Delegates Rosenberg and Waldstreicher

AN ACT concerning

**Department of Health and Mental Hygiene – Distribution of Tobacco Products
to Minors – Prohibition and Enforcement**

FOR the purpose of prohibiting certain persons from distributing certain tobacco products, certain paraphernalia, or certain coupons to a minor, with certain exceptions; providing that a person who violates a certain provision of this Act is subject to certain civil penalties; establishing a certain defense in a prosecution for a certain violation; providing that a county health officer, or a designee of a county health officer, may issue a certain civil citation for a violation of a certain provision of this Act; requiring certain civil citations to include certain information and to be processed in a certain manner; providing for a certain election to stand trial; requiring the District Court to remit certain collected penalties in a certain manner; providing that adjudication of a violation of a certain provision of this Act is not a criminal conviction for any purpose; requiring the Comptroller's Office to provide

certain information to the Prevention and Health Promotion Administration each year; requiring the Comptroller's Office to provide certain information to the General Assembly on or before a certain date each year; requiring local health departments to report certain violations to the Comptroller's Office; requiring the Department of Health and Mental Hygiene, in collaboration and consultation with certain agencies, to develop certain strategies; requiring the Department to report on the development of certain strategies and certain training and assistance on or before a certain date each year; defining a certain term; providing for the application of certain provisions of this Act; and generally relating to prohibitions on the distribution of tobacco products to minors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 16–205
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–107 and 10–108
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Health – General
Section 24–307
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–107
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 188 – Delegates Morhaim, Kipke, Lam, Oaks, ~~and K. Young~~ K. Young, Krebs, Morgan, Pena-Melnyk, and Saab

AN ACT concerning

Public Health – Advance Directives – Witness Requirements, Advance Directives Services, and Fund

FOR the purpose of ~~altering the circumstances under which a witness's subscription is not required for an electronic advance directive; requiring the Maryland Health Care~~

~~Commission to adopt regulations specifying the manner in which~~ clarifying that certain guidelines, in accordance with which a declarant's identity may be ~~established~~ authenticated without a witness's subscription apply as periodically updated; requiring the Department of Health and Mental Hygiene to issue a request for proposals from electronic advance directives services for a certain purpose; clarifying that the Department of Health and Mental Hygiene may contract with multiple electronic advance directives services; requiring an electronic advance directives service to use certain guidelines to authenticate a declarant's identity for an electronic advance directive that is not witnessed; requiring the Maryland Health Care Commission and the Department to approve only electronic advance directives services that use certain guidelines to authenticate a declarant's identity for an electronic advance directive that is not witnessed; requiring an individual to submit an electronic advance directive that is not witnessed to an electronic advance directives service recognized by the Commission; repealing a certain provision of law requiring the Department to review an advance directive and verify that the advance directive includes certain items before accepting the advance directive into an electronic advance directives service; establishing the Advance Directive Program Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; requiring, on or before a certain date each year, the Department to report to the Governor and certain committees of the General Assembly on the Advance Directive Program; repealing certain provisions of law relating to the establishment, operation, and duties of the State Board of Spinal Cord Injury Research; repealing certain provisions of law establishing the Spinal Cord Injury Research Trust Fund; repealing certain provisions of law authorizing the Secretary of Health and Mental Hygiene to take certain actions relating to grants made from money in the Spinal Cord Injury Research Trust Fund; requiring a certain amount of a certain tax on certain health insurers to be distributed annually to the Advance Directive Program Fund instead of to the Spinal Cord Injury Research Trust Fund; transferring money remaining in the Spinal Cord Injury Research Trust Fund to the Advance Directive Program Fund; defining a certain term; altering a certain definition; repealing certain definitions; and generally relating to advance directives, advance directives services, and the Advance Directive Program Fund.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 5–601(a) and 5–620

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–601(b), 5–602(c), ~~and 5–622(a)(1)~~ 5–622(a), and 5–623(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – Health – General
Section 5–624; and 13–1401 through 13–1407 and the subtitle “Subtitle 14. State
Board of Spinal Cord Injury Research”
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health – General
Section 5–626 and 5–627
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 6–103.1
Annotated Code of Maryland
(2011 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 Finance.

House Bill 305 – Delegates Jacobs, Arentz, and Ghrist

EMERGENCY BILL

AN ACT concerning

Kent County – Turkey Hunting on Private Property – Sundays

FOR the purpose of authorizing a person to hunt turkey on private property on certain Sundays in Kent County; making this Act an emergency measure; and generally relating to Sunday turkey hunting in Kent County.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–410(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)(2)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 312 – Delegates Jacobs, Arentz, and Ghrist

AN ACT concerning

Kent County – Deer Hunting – Sundays

FOR the purpose of authorizing the Department of Natural Resources to allow a person to hunt deer on private property on certain Sundays in Kent County, subject to certain provisions of law; and generally relating to deer hunting on private property on Sundays in Kent County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 315 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – ~~Class A Agency Store Beer, Wine, and Liquor Licenses~~ Contracts to Sell Liquor for Off-Premises Consumption

MC 18-17

FOR the purpose of ~~authorizing the Montgomery County Board of License Commissioners to adopt regulations establishing a Class A agency store beer, wine, and liquor license, subject to the approval of the Montgomery County Executive; specifying the scope of a Class A agency store beer, wine, and liquor license; requiring certain regulations to establish certain terms and conditions that govern the sale of beer, wine, and liquor by certain license holders; authorizing the Board to issue a Class A agency store beer, wine, and liquor license to a holder of a Class A beer and wine license who completes a certain application and surrenders a certain license, subject to a certain provision of law; specifying that a certain license holder may purchase liquor only from the Montgomery County Department of Liquor Control; requiring the Board and the Department of Liquor Control to establish certain criteria for the issuance of a certain license; authorizing the Board and the Department of Liquor Control to adopt limitations on the total number of licenses that may be issued and to impose certain distance restrictions; providing for the termination of a Class A agency store beer, wine, and liquor license and requiring the Board to reissue a Class A beer and wine license on termination of a certain agency relationship with the Department of Liquor Control; specifying a certain annual license fee; authorizing the Montgomery County Department of Liquor Control to contract with certain retail outlets to sell liquor for off-premises consumption under certain circumstances; requiring the Department to adopt regulations to establish criteria for contracting with retail outlets; repealing certain provisions relating to the sale of certain items by a retail outlet; and generally relating to the sale of alcoholic beverages in Montgomery County.~~

~~BY renumbering~~

~~Article – Alcoholic Beverages
Section 25-901
to be Section 25-901.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)~~

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 25-102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

~~BY adding to~~

~~Article – Alcoholic Beverages
Section 25-901
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 25–310

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 403 – Delegate Pendergrass

AN ACT concerning

Maryland Patient Referral Law – Compensation Arrangements Under Federally Approved Programs and Models

FOR the purpose of exempting, under certain circumstances, a health care practitioner who has a certain compensation arrangement with a health care entity from a certain provision of law that prohibits a health care practitioner from referring a patient or directing certain persons to refer a patient to a certain health care entity; providing that the exemption is null and void if the Maryland Insurance Commissioner issues a certain order; providing that a certain provision of this Act may not be construed to permit certain actions, impose certain obligations, require the disclosure of certain information, authorize a certain payment, permit an arrangement that violates certain provisions of law, modify certain definitions or exceptions, or require a compensation agreement to comply with a certain provision of this Act; establishing a certain filing fee; requiring a certain participation agreement and other documents to be filed for approval with the Commissioner within a certain period of time before a certain exemption is implemented; providing for a certain exception; requiring the Commissioner to make a certain determination within a certain period of time; requiring the Commissioner to issue a certain order to a filer under certain circumstances; requiring the Commissioner to hold a hearing before issuing an order and to give written notice of the hearing to the filer within a certain period of time; requiring the notice to specify certain matters; requiring a filer to submit a revised filing under certain circumstances; requiring the Commissioner to make a new determination under certain circumstances; making a certain filing subject to a certain fee; ~~altering a certain definition;~~ defining a certain ~~terms~~ term; and generally relating to patient referrals, compensation arrangements under federally approved programs and models, and the business of insurance.

~~BY repealing and reenacting, without amendments,~~

~~Article – Health Occupations~~

~~Section 1–301(a) and (g) through (i)~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section ~~1–301(e), (k), and (l)~~ and 1–302
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

~~BY adding to
Article – Health Occupations
Section 1–301(k)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)~~

BY adding to
Article – Insurance
Section 2–112(a)(12) and 15–143
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 417 – The Speaker (By Request – Administration) and Delegates
Adams, Afzali, Anderton, Aumann, Beitzel, Carozza, Cassilly, Ciliberti,
Clark, Flanagan, Folden, Hornberger, S. Howard, Jacobs, Kipke, Kittleman,
Krebs, Malone, McComas, McKay, McMillan, Metzgar, Miele, Reilly, Rose,
Saab, Shoemaker, Simonaire, Szeliga, Vogt, West, and B. Wilson**

AN ACT concerning

Clean Water Commerce Act of 2017

FOR the purpose of authorizing funds in the Bay Restoration Fund to be used for the costs associated with the purchase of certain nutrient ~~credits~~ load reductions, not to exceed a certain amount per year in certain years; requiring certain regulations to be adopted in a certain manner and in accordance with certain requirements; requiring the Department of the Environment to consult with the Secretary of ~~Agriculture and Transportation~~, the Secretary of Natural Resources, the Secretary of Commerce, the Secretary of Agriculture, the Secretary of Planning, and certain stakeholders when developing certain regulations; requiring the load reductions purchased under this Act to be consistent with certain accounting procedures; requiring the Department to report to the Bay Restoration Fund Advisory Committee annually on the implementation of this Act; requiring the Department, on or before a certain date, to report to certain committees of the General Assembly on the implementation of this Act; authorizing the Department to enter into any contracts under this Act until a certain date; providing that contracts entered into by the Department under this Act may be funded for a certain period of time; providing for the termination of this Act; and generally relating to the use of funds in the Bay Restoration Fund.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(a)(1) and (i)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(i)(2) and (l)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 439 – Delegate Otto

AN ACT concerning

Somerset County – State’s Attorney – Annual Salary

FOR the purpose of altering the annual salary of the State’s Attorney for Somerset County; providing for the application of this Act; and generally relating to the salary of the State’s Attorney for Somerset County.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–420(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–420(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 464 – Delegates Branch, Barkley, Brooks, Frick, Lisanti, and Waldstreicher

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Beer, Wine, and Liquor Exhibition Permit

FOR the purpose of altering the national family beer and wine exhibition permit to make it the national beer, wine, and liquor exhibition permit; authorizing the Comptroller to issue the permit to a bona fide alcohol trade association; authorizing the permit holder to exhibit, judge, and taste beer, wine, and liquor under certain circumstances; authorizing the permit holder to receive for use beer, wine, and liquor from certain persons under certain circumstances; authorizing the permit holder to allow a person to possess and consume beer, wine, and liquor under certain circumstances; repealing a certain restriction on the premises for which a permit may be granted; making this Act an emergency measure; and generally relating to national beer, wine, and liquor exhibition permits.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–139

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 518 – Delegates Morhaim, Kelly, and West

AN ACT concerning

Public Health – Prenatal ~~Infectious Disease~~ HIV Testing

FOR the purpose of ~~establishing the Prenatal Infectious Disease Testing Advisory Group in the Department of Health and Mental Hygiene; providing for the membership of the Advisory Group; specifying the terms of the initial members of the Advisory Group; providing for the appointment of the chair of the Advisory Group; providing that a majority of the members serving on the Advisory Group is a quorum; requiring the Advisory Group to determine the times and places of its meetings; prohibiting a member of the Advisory Group from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Advisory Group to make certain recommendations to the Department; requiring the Department, in consultation with stakeholders, to adopt certain regulations; requiring a certain health care provider to follow certain requirements for infectious disease prenatal HIV testing; requiring the Advisory Group Department to provide certain recommendations requirements to certain hospitals and certain organizations; repealing certain provisions of law that require certain health care providers to obtain certain consent, conduct certain tests and treatment, provide a certain referral, and provide certain counseling; repealing a certain provision of law relating to the liability of, and disciplinary action against, certain health care providers under certain circumstances; providing that certain health care providers may not be subject to certain disciplinary action for following certain requirements; defining a certain term;~~ altering a certain definition; making a stylistic change; making certain

provisions of this Act subject to a certain contingency; and generally relating to prenatal ~~infectious disease~~ HIV testing and the Prenatal Infectious Disease Testing Advisory Group.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–338.2
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–338.2
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 521 – Delegates B. Wilson, Cluster, Dumais, and Rey

AN ACT concerning

Criminal Procedure – Sex Offender Registrant – Notice of International Travel

FOR the purpose of altering the period within which a certain sex offender registrant is required to notify each local law enforcement unit where the registrant resides or habitually lives before the registrant leaves the United States to commence residence or employment or attend school in a foreign country; and generally relating to sex offenders.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–705(h)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 526 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Art Establishment License

FOR the purpose of establishing an art establishment license in St. Mary's County; specifying that the Board of License Commissioners may issue the license to a certain business engaged in certain activities; authorizing a license holder to sell or serve beer and wine at retail for on-premises consumption under certain circumstances; specifying the maximum amount of beer or wine that may be sold or served to a participating client or customer; prohibiting the license from being transferred to another location; making a business for which the license is issued subject to certain alcohol awareness training requirements; providing for an annual license fee; and generally relating to alcoholic beverages licenses in St. Mary's County.

BY renumbering

Article – Alcoholic Beverages

Section 28–1001

to be Section 28–1002

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 28–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 28–1001

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 534 – Delegates Parrott, Flanagan, Kittleman, McComas, A. Miller, and W. Miller

AN ACT concerning

Railroad Grade Crossings – Exempt Highway–Rail Grade Crossing Plaque

FOR the purpose of authorizing the State Highway Administration to erect an exempt highway–rail grade crossing plaque at certain railroad grade crossings; specifying the design and placement of a plaque erected under this Act; exempting certain vehicles from the requirement to stop at certain railroad grade crossings if the railroad grade crossing has an exempt highway–rail grade crossing plaque; and generally relating to an exempt highway–rail grade crossing plaque at railroad grade crossings.

BY adding to

Article – Transportation

Section 8–644

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–703

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 573 – Carroll County Delegation

AN ACT concerning

Carroll County – State’s Attorney – Salary

FOR the purpose of altering the salary of the State’s Attorney for Carroll County; providing for the application of this Act; and generally relating to the Office of the State’s Attorney for Carroll County.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 15–407(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 15–407(b)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 574 – Carroll County Delegation

AN ACT concerning

Carroll County – Sheriff’s Salary

FOR the purpose of altering the salary of the Sheriff of Carroll County; providing for the application of this Act; and generally relating to the Sheriff of Carroll County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(h)(1)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 601 – Delegates Kramer, Aumann, Barkley, Branch, Carey, Chang, Cullison, Fennell, Fraser–Hidalgo, Frush, Jameson, Krimm, Morales, Stein, Turner, and Valderrama

AN ACT concerning

Senior Call–Check Service and Notification Program – Establishment

FOR the purpose of altering the purpose of and programs to be funded by the Universal Service Trust Fund; requiring the Secretary of Information Technology to certify certain information; requiring the Public Service Commission to determine the amount of a certain monthly surcharge; authorizing the Legislative Auditor to conduct certain postaudits for a certain additional purpose; establishing the Senior Call–Check Service and Notification Program; providing a mechanism for the funding of the Program; requiring the Program to be funded at a certain amount based on a certain estimate by the Department of Aging, subject to a certain limitation; specifying that an individual who meets a certain requirement is eligible for the Program; requiring the Department of Aging to establish and maintain the Program and to adopt certain regulations; specifying a sequence of telephone calls and notifications that satisfies Program requirements; authorizing the Department of Aging to contract with a certain private vendor or nonprofit organization to provide a certain service; providing for ~~immunity from civil liability and criminal penalty for entities and individuals participating in~~ the application of the State Tort Claims Act and the Local Government Tort Claims Act to certain persons for certain services under the Program; providing that certain persons may not be liable for certain acts or omissions directly arising from services provided under the Program; defining certain terms; and generally relating to telephone service and the Senior Call–Check Service and Notification Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3A–101 and 3A–501
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–506
Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Finance and Procurement

Section 3A–701 and 3A–702 to be under the new subtitle “Subtitle 7. Senior
Call–Check Service and Notification Program”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 616 – Delegates Atterbeary, Angel, Barkley, Barve, Clippinger, Cullison, Davis, Dumais, Ebersole, Hayes, Healey, Hettleman, Hill, C. Howard, Kelly, Korman, Kramer, R. Lewis, Lierman, Lisanti, Luedtke, McCray, Moon, Morales, Patterson, Pena–Melnyk, Queen, Robinson, Sanchez, Turner, Valderrama, Valentino–Smith, Waldstreicher, A. Washington, ~~and M. Washington~~ M. Washington, Tarlau, Ali, and Wilkins

AN ACT concerning

Education – Pregnant and Parenting Students – Attendance Policy

FOR the purpose of specifying that certain absences from school are lawful absences under certain circumstances; requiring each county board of education to develop a certain attendance policy for pregnant and parenting students that, at a minimum, excuses certain absences under certain circumstances and provides a certain number of days of excused absences for certain students under certain circumstances; ~~requiring~~ authorizing certain schools to allow certain students to make up the work that the student missed in a certain time period and to choose the method by which to make up the work that the student missed; requiring each county board to publish its attendance policy for pregnant and parenting students on the county board’s Web site; and generally relating to absences from school for pregnant and parenting students.

BY adding to

Article – Education

Section 7–301.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 619 – Delegates Hornberger, Arentz, and W. Miller

AN ACT concerning

Election Law – Campaign Signs at Polling Places

FOR the purpose of altering the time period during which campaign signs shall be allowed on the premises of polling places for an election; and generally relating to campaign signs at polling places during an election.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–101(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 628 – Delegates Barron and West

AN ACT concerning

**Secretaries of Principal Departments – Supervision and Review of Decisions
and Actions by Units Within Departments**

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 Education, Health, and Environmental Affairs.

House Bill 675 – ~~Delegate Sample-Hughes~~ Delegates Sample-Hughes, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Pendergrass, Platt, Rosenberg, Saab, Szeliga, and K. Young

EMERGENCY BILL

AN ACT concerning

Health Insurance – Coverage for Digital Tomosynthesis

FOR the purpose of establishing that a certain coverage requirement applicable to certain insurers, nonprofit health service plans, and health maintenance organizations includes coverage for digital tomosynthesis under certain circumstances; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a copayment or coinsurance requirement for digital tomosynthesis that is greater than a copayment or coinsurance requirement for other

breast cancer screenings for which coverage is required under certain provisions of law; defining a certain term; providing for the application of this Act; making this Act an emergency measure; and generally relating to health insurance coverage for tomosynthesis.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–814
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 680 – Delegate Kaiser (By Request – Maryland Longitudinal Data System) and Delegates Atterbeary, Barkley, Buckel, Chang, Ebersole, Jackson, Lafferty, Luedtke, McComas, McCray, Patterson, Rose, Shoemaker, Tarlau, M. Washington, and West

AN ACT concerning

**Maryland Longitudinal Data System – Student and Workforce Data Linkage –
Extension of Time Limit**

FOR the purpose of altering the length of time that student data and workforce data used by the Maryland Longitudinal Data System is limited to being linked beyond a certain date; prohibiting the Maryland Longitudinal Data System Center from selling certain protected information; prohibiting the Center from charging certain fees; and generally relating to the linkage of student and workforce data by the Maryland Longitudinal Data System.

BY repealing and reenacting, with amendments,
Article – Education
Section 24–702 24–703(g) and (h)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 701 – ~~Delegate Krimm~~ Delegates Krimm and K. Young

AN ACT concerning

**Procurement – Lease of Property for Local Departments of Social Services –
~~Required Notice and~~ Requests for Proposals**

FOR the purpose of ~~requiring the Department of General Services to give written notice to a certain governing body and certain members of the General Assembly at least a certain number of days before issuing a request for proposals for an initial lease of property; requiring a certain notice given before an initial lease of property to include certain information; providing that a certain notice given before an initial lease of property is not required to include certain information; requiring that a certain notice of a proposed initial lease of property include certain information; altering the information that must be included in the statement of factors required to be included in a certain request of for proposals for a lease of real property to be used by a local department of social services to include certain geographic boundaries; and generally relating to the lease of property by the State for local departments of social services.~~

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~4-319 and~~ 13-105(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 710 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – Alcohol Awareness Certification

FOR the purpose of requiring in Charles County a holder of certain alcoholic beverages licenses or an individual designated by the license holder who is employed in a supervisory capacity to be certified by an approved alcohol awareness program and to be present on the licensed premises at all times when alcoholic beverages may be sold; providing certain penalties; and generally relating to holders of alcoholic beverages licenses in Charles County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 18-102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 18-1901
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages

Section 18–1902.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 718 – Delegate Carey

AN ACT concerning

**Financial Institutions – Qualifications of Directors of Commercial
Banks – Residency**

FOR the purpose of altering the percentage of the directors of a commercial bank who are required to be residents of the State; and generally relating to the qualifications of directors of commercial banks.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 3–403
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 723 – Delegates Queen, Anderson, Branch, Conaway, Glenn, Luedtke,
Moon, Oaks, Proctor, Sanchez, Sydnor, and West**

AN ACT concerning

Inmates – Life Imprisonment – Parole Reform

FOR the purpose of repealing certain provisions that provide that inmates serving a term of life imprisonment may be paroled only with the Governor’s approval, subject to certain provisions; repealing certain provisions that require certain parole decisions to be transmitted to the Governor under certain circumstances; repealing certain provisions that authorize the Governor to disapprove certain parole decisions in a certain manner; repealing certain provisions that provide that if the Governor does not disapprove a certain parole decision in a certain manner within a certain time period, the decision becomes effective; making stylistic changes; making a technical correction; and generally relating to sentences of life imprisonment.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 4–305(b) and 7–301(d)
Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 730 – Delegate Hill (By Request) and Delegates Bromwell, Ebersole, Lam, Sydnor, and P. Young

AN ACT concerning

Health Insurance – Coverage for Diabetes Test Strips – Prohibition on Deductible, Copayment, and Coinsurance

FOR the purpose of prohibiting, except under certain circumstances, certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a deductible, copayment, or coinsurance requirement on diabetes test strips; making conforming changes; providing for the application of this Act; providing for a delayed effective date; and generally relating to coverage of diabetes test strips under health insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–822

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 735 – Delegates Malone, Folden, S. Howard, Jacobs, Kittleman, McComas, W. Miller, Morgan, Rose, ~~and Saab~~ Saab, Angel, Hill, Krebs, Metzgar, McDonough, and Morales

AN ACT concerning

Estates and Trusts – Share of Intestate Estate Inherited by Surviving Spouse

FOR the purpose of increasing the share of the intestate estate of a decedent inherited by a surviving spouse under certain circumstances; and generally relating to intestate property inherited by a surviving spouse.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 3–102

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 738 – Delegate B. Wilson

AN ACT concerning

Criminal Law – Sex Offenses – Out-of-State Convictions

FOR the purpose of providing that a certain conviction from another state or a federal, military, or Native American tribal court may serve as a predicate crime for a certain enhanced penalty for repeat sex offenders; and generally relating to sex offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–313
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 744 – Delegates Kramer and West

AN ACT concerning

Corporations – Maryland General Corporation Law – Miscellaneous Provisions

FOR the purpose of providing that certain individuals, under certain circumstances, are deemed to have consented to the appointment of the resident agent of a Maryland corporation or a Maryland real estate investment trust or, if there is no resident agent, the State Department of Assessments and Taxation, as an agent on which service of process may be made in certain actions or proceedings; providing that a certain consent to service of process is effective under certain circumstances and has certain legal force and validity; providing that a certain appointment as an agent for service of process is irrevocable; requiring the Department to collect a certain additional fee for processing a certified list of certain charter documents or certificates of certain business entities on an expedited basis; altering certain requirements for the execution and signing of certain documents; altering certain requirements for the resident agent of a Maryland corporation, a limited partnership, and a Maryland statutory trust; prohibiting the charter or bylaws of a corporation with capital stock from imposing liability on a certain stockholder for the attorney's fees or expenses of the corporation or any other party in connection with a certain claim; authorizing the charter or bylaws of a corporation, consistent with certain requirements, to require that certain claims be brought only in certain courts; prohibiting certain provisions of the charter or bylaws of a corporation from prohibiting certain claims from being brought in certain courts; altering the officers of a corporation required to countersign a stock certificate; authorizing the board of directors of a corporation to adopt a certain procedure by resolution unless the charter or bylaws provide otherwise; requiring a certain number of the last acting officers of a corporation, the charter of which has been forfeited for certain reasons,

instead of the president or vice president, the secretary, and the treasurer, to sign and acknowledge articles of revival and file them with the Department; requiring that the directors manage the assets, rather than become the trustees of the assets, of a corporation for purposes of liquidating the assets when the corporation's charter has been forfeited; requiring the directors to take certain actions unless and until articles of revival are filed; repealing a provision of law authorizing the directors to sue or be sued in their own names as trustees; repealing a provision of law establishing that the director-trustees govern by majority vote; providing that forfeiture of the charter of a corporation does not subject a director of the corporation to a certain standard of conduct; authorizing a nonstock corporation to convert only into a certain foreign corporation; making certain provisions of this Act applicable to real estate investment trusts; providing for the application of certain provisions of this Act; making certain conforming changes; defining a certain term; and generally relating to the Maryland General Corporation Law and real estate investment trusts.

BY renumbering

Article – Corporations and Associations
Section 1–101(p) through (cc), respectively
to be Section 1–101(q) through (dd), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Corporations and Associations
Section 1–101(p) and 2–113
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations
Section 1–203(b)(8), 1–301, 2–108(a), 2–212(a), 2–514(a), 3–507(b)(1), 3–515, 5–207,
8–601.1, 10–104(a), and 12–203(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Courts and Judicial Proceedings
Section 6–102.1
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 747 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Health – Cigarette Restitution Fund Programs – Modifications

FOR the purpose of altering certain information measured by the Baseline Tobacco Study; requiring a local health officer to identify a certain coalition and certain programs, evaluate the effectiveness of certain programs, and develop a certain plan with the assistance of a certain coalition before applying for certain grants; requiring a local health officer, in consultation with a certain coalition, to update a certain plan; requiring the local health officers of two or more counties to identify a certain coalition under certain circumstances; repealing the requirement that a county or statewide academic health center that receives funds under a certain grant dedicate a certain percentage of the funds to cancer screening, diagnosis, and treatment; requiring the Department of Health and Mental Hygiene, prior to each fiscal year, to determine the percentage of funds to be allocated to cancer screening, diagnosis, and treatment by a certain county or statewide academic health center; requiring certain plans to include a list of certain members of a certain coalition, describe how the plan will help to increase availability of and access to health care services for underinsured individuals, and demonstrate that priority consideration was given to certain persons that have demonstrated a commitment to providing certain services to certain underinsured individuals; repealing a requirement that, in Montgomery County and Prince George's County, a certain coalition must develop a specific plan under certain circumstances; repealing a requirement that, in Baltimore County, a certain comprehensive plan must include a specific plan under certain circumstances; repealing a requirement that certain statewide academic health centers collaborate with a certain coalition to develop and implement a specific plan under certain circumstances; requiring certain statewide academic health centers, in collaboration with the Baltimore City Health Department, to identify a certain coalition and to identify certain programs, evaluate the effectiveness of certain programs, and develop a certain plan with the assistance of a certain coalition before applying for a certain grant; repealing the requirement that a certain plan include a specific plan as to how certain hospitals will be used to achieve certain goals; altering a certain definition; defining a certain term; making stylistic changes; and generally relating to Cigarette Restitution Fund programs.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 13–1003(c)(1) and 13–1115(a) and (d)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–1003(c)(2)(i), (ii), and (vi), 13–1008, 13–1009, 13–1101, 13–1107, 13–1109, 13–1110, 13–1114, and 13–1115~~(a) through (b), (c), and (e)~~

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 749 – Delegates Malone, Atterbeary, Dumais, McComas, and Moon

AN ACT concerning

Family Law – Divorce – Ownership of a Pet
Annulment and Divorce – Property Disposition – Pets

FOR the purpose of authorizing a court that grants an annulment or a limited or absolute divorce to ~~grant a decree regarding ownership of a pet under certain circumstances; prohibiting the court from ordering either party to make any payment for maintenance or other expenses of the pet to the other party under certain circumstances; specifying that the party in possession of the pet has certain rights, responsibilities, and liabilities associated with pet ownership; providing that certain rights and responsibilities transfer with pet possession~~ resolve any dispute between the parties with respect to the ownership of a pet and grant a decree that states what the ownership interest of each party is; authorizing the court to transfer ownership of an interest in a pet; authorizing the court to award to either party access rights to a pet under certain circumstances; exempting a provision concerning a pet from a certain limitation on the duration of a certain provision in a certain order or decree; altering a certain definition; defining the term “pet”; and generally relating to determining ownership of a pet in an annulment or divorce proceeding property disposition in annulment and divorce and pets.

BY repealing and reenacting, without amendments,
Article – Family Law
Section ~~8–202~~ 8–201(a) and 8–205(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 8–201(d), 8–202, and 8–210(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Family Law
Section ~~8–202–1~~ 8–201(f)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 753 – Delegates West, Bromwell, Kelly, and Miele

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 Judicial Proceedings.

House Bill 754 – Delegates West and Lierman

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 Judicial Proceedings.

House Bill 759 – Delegates Kramer and West

AN ACT concerning

Corporations – Formation of a Holding Company by Merger

FOR the purpose of establishing a process for the formation of a certain holding company through the merger of a Maryland parent corporation with or into a certain wholly owned subsidiary of the Maryland parent corporation; providing that a vote of the stockholders of the parent corporation is not necessary to authorize the merger under certain circumstances, unless the charter of the parent corporation expressly provides otherwise; requiring that the merger be approved by a majority of the entire board of directors of the parent corporation; establishing the conditions under which the merger may be effectuated; establishing the effects of the merger; authorizing a merger of a parent real estate investment trust into a certain subsidiary real estate investment trust to be approved in a certain manner, under certain circumstances; defining a certain term; and generally relating to the establishment of a process for forming a holding company through a merger.

BY adding to

Article – Corporations and Associations
Section 3–106.2
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations
Section 8–501.1(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 769 – ~~Delegate West~~ Delegates West, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

Maryland Caregivers Support Coordinating Council – Renaming and Altering Membership and Duties

FOR the purpose of renaming the Maryland Caregivers Support Coordinating Council to be the Maryland Commission on Caregiving; altering the membership of the

Commission to include certain members of the General Assembly; requiring the Governor to consider groups representing certain individuals when appointing members to the Commission; requiring the Commission to provide ongoing analysis of best practices in family caregiver support programs and to monitor implementation of the Commission's recommendations; making certain conforming changes; and generally relating to the Maryland Commission on Caregiving.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 7–301 through 7–305 and 10–705(2)
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 10–702
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 796 – Delegates Malone, Adams, Angel, Arentz, Atterbeary, Beidle, Buckel, Carey, Carr, Chang, Ciliberti, Clark, Dumais, Fisher, Folden, Frush, Hornberger, Jacobs, Kipke, Long, Luedtke, Mautz, McComas, McConkey, McKay, McMillan, Morgan, Pena-Melnyk, Reilly, Saab, Shoemaker, Simonaire, Sophocleus, Szeliga, Tarlau, Valentino-Smith, and C. Wilson

AN ACT concerning

Sales and Use Tax – Exemptions – Girl Scouts and Boy Scouts

FOR the purpose of exempting from the sales and use tax a sale by a chartered organization or a scout unit chartered by a local council of the Boy Scouts of America established in the State; exempting from the sales and use tax a sale by a troop of the Girl Scouts of the USA established in the State; and generally relating to the sales and use tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–204(b)
Annotated Code of Maryland
(2016 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 903 – Delegates Dumais, Anderson, Lierman, Moon, and Sanchez

AN ACT concerning

Award of Attorney's Fees and Expenses – Violation of Maryland Constitutional Right

FOR the purpose of authorizing a court to award to a prevailing plaintiff reasonable attorney's fees and expenses in certain actions seeking to remedy a violation of a Maryland constitutional right; authorizing a court to award reasonable attorney's fees and expenses to a prevailing defendant under certain circumstances; establishing that certain limits on attorney's fees under the Maryland Tort Claims Act do not apply to a certain award of attorney's fees and expenses; providing for the application of this Act; and generally relating to awarding attorney's fees and expenses in certain actions seeking to remedy a violation of a Maryland constitutional right.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–2101 and 3–2102 to be under the new subtitle “Subtitle 21. Award of Attorney's Fees and Expenses – Violation of Maryland Constitutional Right”

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 12–109

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 978 – ~~Delegate Luedtke~~ Delegates Luedtke, Tarlau, Mosby, M. Washington, A. Washington, C. Howard, Turner, Kaiser, Ebersole, Patterson, D. Barnes, and Ali

AN ACT concerning

**Education – Accountability – Consolidated State Plan and Support and Improvement Plans
(Protect Our Schools Act of 2017)**

FOR the purpose of requiring a certain educational accountability program to include at least a certain number of school quality indicators; authorizing certain school quality indicators to include certain factors; prohibiting certain school quality indicators from being based on student testing; ~~requiring that certain indicators be given equal weight under certain circumstances~~ the State Board of Education to consider stakeholder input in determining the weights of certain indicators; prohibiting a certain total of certain indicators from exceeding a certain percentage of a certain score; requiring the State Department of Education, on or before a certain date, to

establish a certain program for data collection and reporting on student growth; requiring a county board of education to develop and implement a Comprehensive Support and Improvement Plan for certain schools under certain circumstances; providing for the content and requirements of a Comprehensive Support and Improvement Plan; requiring a school to develop and implement a Targeted Support and Improvement Plan for certain schools under certain circumstances; providing for the content and requirements of a Targeted Support and Improvement Plan; requiring certain entities to approve, monitor, and annually review a certain plan; requiring a plan to be implemented in compliance with certain collective bargaining agreements; requiring the State Department of Education to distribute federal funds for the implementation of a certain plan in a certain manner; requiring a county board, after a certain time period, to consult with a school to develop certain strategies under certain circumstances; requiring the Department, after a certain time period, to collaborate with a certain county board in determining the appropriate intervention strategy under certain circumstances, subject to certain limitations; providing for the construction of certain provisions of this Act; and generally relating to education accountability plans.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–203
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 7–203.4
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1045 – Delegate Cassilly

AN ACT concerning

On-Site Sewage Disposal Systems – Membrane Bioreactor (MBR) Technology – Regulations

FOR the purpose of requiring the Department of the Environment, on or before a certain date ~~and for a certain purpose, to adopt regulations that~~, to propose certain regulations that encourage the use of certain treatment technologies in on-site sewage disposal systems for nonresidential uses; requiring certain regulations adopted by the Department to update certain evaluation criteria and increase a certain hydraulic loading rate; and generally relating to on-site sewage disposal systems for nonresidential uses.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1046 – Delegate Holmes

AN ACT concerning

Residential Property – Foreclosure Process – Filing Requirements – Mediation Procedures

FOR the purpose of altering the timing requirements for filing an action to foreclose a mortgage or deed of trust on residential property under certain circumstances; authorizing the Office of Administrative Hearings to hold a prehearing conference before a prefile mediation session under certain circumstances; authorizing the Office of Administrative Hearings to hold a prehearing conference before a postfile mediation session under certain circumstances; altering the rules of procedure for contested cases of the Office of Administrative Hearings that govern a foreclosure mediation under certain circumstances; and generally relating to the foreclosure process for residential property.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.1(b), (d), (k), and (l)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1063 – Delegates Stein, Healey, Lafferty, Morhaim, Platt, and Robinson

AN ACT concerning

Agriculture – Maryland Healthy Soils Program

FOR the purpose of establishing the Maryland Healthy Soils Program for certain purposes; requiring the Department of Agriculture to provide certain incentives to farmers to implement certain farm management practices that contribute to healthy soils; requiring the Department to determine whether the Program may be implemented in a manner to enhance other certain programs; defining certain terms; and generally relating to the Maryland Healthy Soils Program.

BY adding to
Article – Agriculture
Section 2–1901 to be under the new subtitle “Subtitle 19. Maryland Healthy Soils Program”
Annotated Code of Maryland

(2016 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1134 – Delegates Frick, Barve, Branch, Ebersole, Jones, Kaiser, Korman, Krimm, Lierman, Luedtke, McCray, Morhaim, Pena–Melnik, Stein, Tarlau, Turner, Valentino–Smith, Wilkins, and K. Young

AN ACT concerning

Maryland Financial Consumer Protection Commission

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; 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 Finance.

House Bill 1265 – Chair, Health and Government Operations Committee

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Physicians and the related allied health advisory committees in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to statutory and regulatory authority of the State Board of Physicians and the committees; altering the content of a certain statistical report regarding complaints of sexual misconduct; authorizing certain health occupations boards to enter into a certain agreement regarding prescriber–pharmacist agreements with the State Board of Pharmacy; altering the definition of “allied health professional” to include naturopathic doctors; 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 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 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; 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 Education, Health, and Environmental Affairs.

House Bill 1277 – Delegate Davis

AN ACT concerning

Insurance – Producer Licensing – Examinations

FOR the purpose of altering the number of days an applicant for a license to act as an insurance producer who fails a certain examination must wait before retaking the examination; and generally relating to examination requirements for insurance producers.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 10–108 and 10–109

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1325 – Delegates Fraser–Hidalgo, Robinson, Barve, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Beidle, Branch, Bromwell, Brooks, Carr, Chang, Conaway, Cullison, Dumais, Ebersole, Fennell, Frush, Gutierrez, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Jackson, Jameson, Jones, Kaiser, Kelly, Knotts, Kramer, Krimm, Lafferty, Lam, ~~Lewis~~ R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena–Melnik, Pendergrass, Platt, Queen, Reznik, Rosenberg, Sanchez, Sophocleus, Stein, Turner, Valderrama, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, ~~and Mosby~~ Mosby, and Gilchrist

AN ACT concerning

Oil and Natural Gas – Hydraulic Fracturing – Prohibition

FOR the purpose of prohibiting a person from engaging in the hydraulic fracturing of a well for the exploration or production of oil or natural gas in the State; repealing a certain provision of law that requires the Department of the Environment to adopt certain regulations on or before a certain date; repealing a certain provision of law that prohibits the Department from issuing a permit to authorize the hydraulic fracturing of a well for the exploration or production of natural gas in the State until a certain date; defining a certain term; and generally relating to hydraulic fracturing for the exploration or production of oil and natural gas.

BY repealing and reenacting, with amendments,
Article – Environment
Section 14–107.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 18**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 327 – Senators Young, Klausmeier, Eckardt, Guzzone, Muse, and Rosapepe

AN ACT concerning

**Public Senior Higher Education Institutions – Financial Aid – Reduction
Restrictions**

SB0327/464432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 327
(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 3 and 4; in line 5, strike “(4)” and substitute “(3)”; strike in their entirety lines 7 through 18, 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 19, after “(7)” insert “(I)”; and strike in their entirety lines 22 through 26, 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 pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 15 on page 3, 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 17, after the second “of” insert “any”; and in line 18, after “aid” insert “or any federal aid”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 385 – Senators Nathan–Pulliam, Benson, Eckardt, Ferguson, Kelley, Lee, Manno, Mathias, McFadden, Peters, and Robinson

AN ACT concerning

Maryland Nurse Practice Act – Revisions

SB0385/224232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 385

(First Reading File Bill)

On page 8, in line 9, strike “**REGISTERED NURSE PRACTITIONER**” and substitute “**NURSE ANESTHETIST**”.

On page 9, in line 6, strike “Maryland Coalition of Nurse Practitioners, Inc.” and substitute “**MARYLAND 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

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**

SB0517/784533/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 517

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Hygiene” insert “and the Office of Administrative Hearings”; in line 7, strike “of Administrative Hearings”; in line 8, after the first “certain” insert “decisions or”; strike beginning with “requiring” in line 12 down through “review” in line 15 and substitute “requiring the Office to establish a certain process; prohibiting certain boards and commissions from implementing certain decisions or actions until after the Office has conducted a certain review”; in line 16, after the first “certain” insert “decisions or”; in line 18, after “circumstances,” insert “providing that certain boards and”

commissions are responsible for certain costs; providing for the construction of a certain provision of this Act.”; in line 27, after “Hygiene” insert “and the Office”; and in the same line, after “manner,” insert “requiring the Department and the Office to submit certain regulations to the Joint Committee on Administrative, Executive, and Legislative Review on or before a certain date;”.

AMENDMENT NO. 2

On page 2, in line 29, after “**ARTICLE**” insert “**AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION**”; and in the same line, after “**SECRETARY**” insert “**AND THE OFFICE OF ADMINISTRATIVE HEARINGS**”.

On page 3, in lines 6 and 11, in each instance, strike “**AN**” and substitute “**A DECISION OR**”; strike beginning with “**BY**” in line 7 down through “**DESIGNEE**” in line 8; in line 8, after “**THE**” insert “**DECISION OR**”; in line 10, strike “**AND**”; in line 13, after “**MARKET**” insert “**; AND**”

(III) IN CONJUNCTION WITH THE OFFICE OF THE ATTORNEY GENERAL, SHALL ESTABLISH A PROCESS:

1. BY WHICH THE OFFICE OF ADMINISTRATIVE HEARINGS REVIEWS DECISIONS OR ACTIONS OF A BOARD OR COMMISSION;

2. THAT IS INDEPENDENT OF THE PROCESS BY WHICH THE OFFICE OF ADMINISTRATIVE HEARINGS HEARS ADJUDICATED, CONTESTED CASES; AND

3. THAT INCLUDES:

A”;

strike beginning with “**(3)**” in line 14 down through “**(I)**” in line 16; in line 16, after the first “**OF**” insert “**DECISIONS OR**”; in line 17, strike “**THE SECRETARY**”; in the same line, strike “**REFER**” and substitute “**BE REFERRED**”; after line 18, insert:

“B. QUALIFICATIONS AND SPECIALIZED TRAINING REQUIREMENTS FOR ADMINISTRATIVE LAW JUDGES CONDUCTING REVIEWS AS REQUIRED UNDER THIS SUBSECTION;

C. CHECKS FOR IDENTIFICATION AND MANAGEMENT OF POTENTIAL CONFLICTS WHEN THE OFFICE OF ADMINISTRATIVE HEARINGS CONDUCTS A CONTESTED CASE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE; AND

D. APPROPRIATE STANDARDS AND GUIDELINES FOR CONDUCTING REVIEWS AS REQUIRED UNDER THIS SUBSECTION.”;

strike beginning with “(II)” in line 19 down through “A” in line 21 and substitute:

“(3) A”;

in line 22, strike “CONSTITUTE” and substitute “IMPLEMENT A DECISION OR”; in line 25, strike “(3)(II)” and substitute “(2)(III)”; and in lines 27 and 29, in each instance, strike “PROPOSED” and substitute “DECISION OR”.

AMENDMENT NO. 3

On page 4, in lines 2 and 3, in each instance, strike “PROPOSED” and substitute “DECISION OR”; in line 4, strike “FINAL” and substitute “DECISION OR”; in the same line, strike “OF” and substitute “IMPLEMENTED BY”; in line 7, after the first “THE” insert “DECISION OR”; and after line 9, insert:

“(7) EACH BOARD OR COMMISSION SHALL BE RESPONSIBLE FOR THE COSTS ASSOCIATED WITH THE REVIEW BY THE OFFICE OF ADMINISTRATIVE HEARINGS OF DECISIONS OR ACTIONS OF THE RESPECTIVE BOARD OR COMMISSION.

(D) SUBSECTION (C) OF THIS SECTION DOES NOT APPLY TO:

(1) A DECISION OR DETERMINATION OF A BOARD OR COMMISSION CONCERNING MINISTERIAL ACTS;

(2) THE INTERNAL OPERATIONS OF A BOARD OR COMMISSION;

(3) INVESTIGATIONS;

(4) CHARGES; AND

(5) AS IT RELATES TO AN INDIVIDUAL REGULATED BY A BOARD OR COMMISSION:

(I) CONSENT ORDERS; AND

(II) LETTERS OF SURRENDER.”.

AMENDMENT NO. 4

On page 6, in line 16, after “Hygiene” insert “and the Office of Administrative Hearings”; in line 21, after “Department” insert “and the Office”; in line 26, after “Hygiene,” insert “and”; strike beginning with the semicolon in line 27 down through “Hearings” in line 29; and after line 29, insert:

“(c) On or before June 1, 2018, the Department and the Office shall submit proposed regulations to the Joint Committee on Administrative, Executive, and Legislative Review.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 549 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

**State Board of Physicians and Allied Health Advisory Committees – Sunset
Extension and Program Evaluation**

SB0549/124339/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 549

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 12, after “doctors;” insert “authorizing a disciplinary panel, rather than the State Board of Physicians and subject to the Administrative Procedure Act and certain hearing provisions, to deny a license to an applicant or under certain circumstances to refuse to renew or reinstate an applicant’s license for certain reasons;”; in line 15, strike “related to criminal history records checks” and substitute “on a fiscal year basis”; in lines 15 and 16, strike “codifying the requirement that” and substitute “requiring”; in line 16, after “Physicians” insert “to”; in the same line, after “training” insert “on a certain basis rather than”; in line 17, strike “annually” and substitute “at certain intervals”; strike beginning with “authorizing” in line 17 down through “grounds;” in line 19 and substitute “altering the circumstances under which certain individuals may practice medicine without a license; authorizing a disciplinary panel, instead of the State Board of Physicians, to issue a cease and desist order or obtain injunctive relief against an individual for practicing medicine without a license or taking a certain action for which a disciplinary panel, instead of the State Board of Physicians, determines there is certain evidence and that poses a serious risk;”; in line 23, after “license;” insert “altering the circumstances under which the State Board of Physicians may renew or reinstate a license to practice medicine;”; in line 24, after “review;” insert “clarifying the application of the requirement that the State Board of Physicians or a disciplinary panel give certain individuals an opportunity for a certain hearing before taking certain action;”; and in line 27, after “intervals;” insert “authorizing a disciplinary panel, instead of the State Board of Physicians, on a certain vote of a disciplinary panel, instead of the State Board of Physicians, to deny a license to an applicant; authorizing a disciplinary panel, instead of the State Board of Physicians, to levy certain fines; requiring certain licensees to notify the State Board of Physicians in writing of a change in name or address within a certain time period; establishing a certain penalty; altering a certain penalty provision; requiring the State Board of Physicians to pay certain penalties into the Board of Physicians Fund;”.

On pages 1 and 2, strike beginning with “requiring” in line 30 on page 1 down through “panels” in line 2 on page 2.

On page 2, in line 4, after “matters;” insert “making this Act an emergency measure;”; in line 8, after “14-101(a-1),” insert “14-205(b), 14-206(e),”; in line 9, after “(l),” insert “14-405(a),”; in line 10, after “14-5A-13(g),” insert “14-5A-17(a), 14-5A-23(b),”; in the same line, after “14-5B-12(g),” insert “14-5B-14(a),”; in the same line, after “14-5C-14(g),” insert “14-5C-17(a),”; in line 11, after “14-5D-12(h),” insert “14-5D-14(a), 14-5D-18(b),”; in the same line, after “14-5E-13(g),” insert “14-5E-16(a), 14-5E-23(b),”; in the same line, after “14-5F-15(d),” insert “14-5F-18(a), 14-5F-25, 14-5F-29,”; in line 12, strike “14-602(c), 14-606(a)(5)” and substitute “14-606(a)(4) and (5)”; in the same line, after

“15–307(g),” insert “15–311, 15–313.”; in line 17, strike “and 14–302.2” and substitute “14–5C–14.1, and 14–5F–15.1”; in line 22, strike “and 14–606(a)(4)”; and strike in their entirety lines 30 through 39, inclusive.

On page 3, after line 12, insert:

“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”.

AMENDMENT NO. 2

On page 5, in line 23, strike “**(A)** **SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**” and substitute “**THE**”; in line 24, strike “**AT LEAST ANNUALLY**” and substitute “**ON AN AS-NEEDED BASIS**”; and strike in their entirety lines 27 through 30, inclusive.

AMENDMENT NO. 3

On page 6, strike beginning with “if” in line 2 down through “subtitle” in line 3; in lines 4, 6, 7, 12, 14, and 20, in each instance, strike the bracket; and in lines 7, 12, 14, and 20, strike “**(1)**”, “**(2)**”, “**(3)**”, and “**(4)**”, respectively.

AMENDMENT NO. 4

On page 7, strike in their entirety lines 1 through 11, inclusive.

On page 16, strike in their entirety lines 24 through 28, inclusive.

On page 18, strike in their entirety lines 11 through 17, inclusive.

AMENDMENT NO. 5

On page 8, in line 1, strike “not”; in the same line, after “license” insert “**ONLY**”; in the same line, after “the” insert “**LICENSEE OR APPLICANT ATTESTS THAT THE LICENSEE OR APPLICANT HAS SUBMITTED TO A**”; in line 2, strike “record” and substitute “**RECORDS CHECK**”; in the same line, strike “information required”; and in the same line, strike “has not been received”.

On page 12, in line 4, strike “not”; in the same line, after “license” insert “ONLY”; in the same line, after “the” insert “LICENSEE OR APPLICANT ATTESTS THAT THE LICENSEE OR APPLICANT HAS SUBMITTED TO A”; in line 5, strike “record” and substitute “RECORDS CHECK”; in the same line, strike “information required”; and in the same line, strike “has not been received”.

On page 13, in lines 1 and 28, in each instance, strike “not”; in the same lines, in each instance, after “license” insert “ONLY”; in the same lines, in each instance, after “the” insert “LICENSEE OR APPLICANT ATTESTS THAT THE LICENSEE OR APPLICANT HAS SUBMITTED TO A”; in lines 2 and 29, in each instance, strike “record” and substitute “RECORDS CHECK”; in the same lines, in each instance, strike “information required”; and in the same lines, in each instance, strike “has not been received”.

On page 14, in line 25, strike “not”; in the same line, after “license” insert “ONLY”; in the same line, after “the” insert “LICENSEE OR APPLICANT ATTESTS THAT THE LICENSEE OR APPLICANT HAS SUBMITTED TO A”; in line 26, strike “record” and substitute “RECORDS CHECK”; in the same line, strike “information required”; and in the same line, strike “has not been received”.

On page 15, in line 21, strike “not”; in the same line, after “license” insert “ONLY”; in the same line, after “the” insert “LICENSEE OR APPLICANT ATTESTS THAT THE LICENSEE OR APPLICANT HAS SUBMITTED TO A”; in line 22, strike “record” and substitute “RECORDS CHECK”; in the same line, strike “information required”; and in the same line, strike “has not been received”.

On page 16, in line 18, strike “not”; in the same line, after “license” insert “ONLY”; in the same line, after “the” insert “LICENSEE OR APPLICANT ATTESTS THAT THE LICENSEE OR APPLICANT HAS SUBMITTED TO A”; in line 19, strike “record” and substitute “RECORDS CHECK”; in the same line, strike “information required”; and in the same line, strike “has not been received”.

On page 18, in line 5, strike “not”; in the same line, after “license” insert “ONLY”; in the same line, after “the” insert “LICENSEE OR APPLICANT ATTESTS THAT THE LICENSEE OR APPLICANT HAS SUBMITTED TO A”; in line 6, strike “record” and substitute “RECORDS CHECK”; in the same line, strike “information required”; and in the same line, strike “has not been received”.

AMENDMENT NO. 6

On page 7 in line 18, on page 11 in line 21, on page 12 in line 17, on page 13 in line 14, on page 14 in line 11, on page 15 in line 7, on page 16 in line 4, and on page 17 in line 21, in each instance, strike “after failing to renew the license for a period of 1 year or more”.

AMENDMENT NO. 7

On page 10, strike in their entirety lines 3 through 6, inclusive; in lines 7, 11, and 14, strike “(IV)”, “(V)”, and “(IV)”, respectively, and substitute “(III)”, “(IV)”, and “(III)”, respectively; strike beginning with “or” in line 7 down through “program” in line 8; and strike beginning with “OR” in line 12 down through “PROGRAM” in line 13.

AMENDMENT NO. 8

On page 13, after line 29, insert:

“14-5C-14.1.

(A) A LICENSEE SHALL NOTIFY THE BOARD IN WRITING OF A CHANGE IN NAME OR ADDRESS WITHIN 60 DAYS AFTER THE CHANGE.

(B) A LICENSEE WHO FAILS TO COMPLY WITH SUBSECTION (A) OF THIS SECTION IS SUBJECT TO AN ADMINISTRATIVE PENALTY OF \$100.”.

On page 16, after line 19, insert:

“14-5F-15.1.

(A) A LICENSEE SHALL NOTIFY THE BOARD IN WRITING OF A CHANGE IN NAME OR ADDRESS WITHIN 60 DAYS AFTER THE CHANGE.

(B) A LICENSEE WHO FAILS TO COMPLY WITH SUBSECTION (A) OF THIS SECTION IS SUBJECT TO AN ADMINISTRATIVE PENALTY OF \$100.”.

AMENDMENT NO. 9

On page 5, in line 9, strike “DECEMBER” and substitute “OCTOBER”; strike beginning with “FOR” in line 12 down through “PROFESSIONALS” in line 13; after line 13, insert:

“(1) RELEVANT DISCIPLINARY INDICATORS, INCLUDING:

(I) THE NUMBER OF PHYSICIANS INVESTIGATED UNDER EACH OF THE DISCIPLINARY GROUNDS ENUMERATED UNDER § 14-404 OF THIS ARTICLE;

(II) THE NUMBER OF PHYSICIANS WHO WERE REPRIMANDED OR PLACED ON PROBATION OR WHO HAD THEIR LICENSES SUSPENDED OR REVOKED;

(III) THE NUMBER OF CASES PROSECUTED AND DISMISSED AND ON WHAT GROUNDS;

(IV) THE CRITERIA USED TO ACCEPT AND REJECT CASES FOR PROSECUTION; AND

(V) THE NUMBER OF UNRESOLVED ALLEGATIONS PENDING BEFORE THE BOARD;

(2) THE AVERAGE LENGTH OF THE TIME SPENT INVESTIGATING ALLEGATIONS BROUGHT AGAINST PHYSICIANS UNDER EACH OF THE DISCIPLINARY GROUNDS ENUMERATED UNDER § 14-404 OF THIS ARTICLE;

(3) THE NUMBER OF CASES NOT COMPLETED WITHIN 18 MONTHS AND THE REASONS FOR THE FAILURE TO COMPLETE THE CASES IN 18 MONTHS;

(4) FOR BOTH PHYSICIANS AND ALLIED HEALTH PROFESSIONALS;”;

in lines 14, 15, 17, and 19, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(I)”, “(II)”, “(III)”, and “(IV)”, respectively; and in line 21, after “CHECK” insert “; AND”

(5) THE ADEQUACY OF CURRENT BOARD STAFFING IN MEETING THE WORKLOAD OF THE BOARD”.

AMENDMENT NO. 10

On page 19, after line 25, insert:

“Chapter 109 of the Acts of 1988, as amended by Chapter 271 of the Acts of 1992 and Chapter 662 of the Acts of 1994

[SECTION 5. AND BE IT FURTHER ENACTED, That the Department, on or before October 1 of each year, shall report to the Legislative Policy Committee for the previous fiscal year regarding:

(1) Relevant disciplinary indicators, which may include:

(i) The number of physicians investigated under each of the disciplinary grounds enumerated under § 14–404 of the Health Occupations Article;

(ii) The number of physicians who were reprimanded or placed on probation or who had their licenses suspended or revoked;

(iii) The number of cases prosecuted and dismissed and on what grounds;

(iv) The criteria used to accept and reject cases for prosecution; and

(v) The number of unresolved allegations pending before the Board;

(2) The average length of the time spent investigating allegations brought against physicians under each of the disciplinary grounds enumerated under § 14–404 of the Health Occupations Article;

(3) The number of cases not completed within 18 months and the reasons for the failure to complete the cases in 18 months;

(4) The number and nature of allegations filed with the Board concerning cardiac rescue technicians, aviation trauma technicians, emergency medical technicians, medical radiation technicians, and physician assistants; and

(5) The adequacy of current Board staffing in meeting the workload of the Board.];

in line 26, after the first “the” insert “annual”; strike beginning with “Section” in line 27 down through “2013” in line 28 and substitute “§ 14–205.1 of the Health Occupations Article, as enacted by Section 1 of this Act,”; and in line 31, after “professionals,” insert “and”.

On page 20, strike in their entirety lines 1 through 3, inclusive; in line 4, strike “(3)” and substitute “(2)”; in line 8, after the first “the” insert “annual”; strike beginning with “Section” in line 9 down through “2013” in line 10 and substitute “§ 14–205.1 of the Health Occupations Article, as enacted by Section 1 of this Act,”; in line 10, strike “2018” and substitute “2019”; and in line 22, after the first “the” insert “annual”.

AMENDMENT NO. 11

On page 5, after line 7, insert:

“14–205.

(b) (1) In addition to the powers set forth elsewhere in this title, the Board may:

(i) Adopt regulations to regulate the performance of acupuncture, but only to the extent authorized by § 14–504 of this title;

(ii) After consulting with the State Board of Pharmacy, adopt rules and regulations regarding the dispensing of prescription drugs by a licensed physician;

[(iii) Subject to the Administrative Procedure Act, deny a license to an applicant or, if an applicant has failed to renew the applicant’s license, refuse to renew or reinstate an applicant’s license for:

1. Any of the reasons that are grounds for action under § 14–404 of this title; or

2. Failure to submit to a criminal history records check in accordance with § 14–308.1 of this title;]

[(iv)] (III) On receipt of a written and signed complaint, including a referral from the Commissioner of Labor and Industry, conduct an unannounced inspection of the office of a physician or acupuncturist, other than an office of a physician or acupuncturist in a hospital, related institution, freestanding medical facility, or a freestanding birthing center, to determine compliance at that office with the Centers for Disease Control and Prevention’s guidelines on universal precautions; and

[(v)] (IV) Contract with others for the purchase of administrative and examination services to carry out the provisions of this title.

(2) The Board or a disciplinary panel may investigate an alleged violation of this title.

(3) SUBJECT TO THE ADMINISTRATIVE PROCEDURE ACT AND THE HEARING PROVISIONS OF § 14-405 OF THIS TITLE, A DISCIPLINARY PANEL MAY DENY A LICENSE TO AN APPLICANT OR, IF AN APPLICANT HAS FAILED TO RENEW THE APPLICANT'S LICENSE, REFUSE TO RENEW OR REINSTATE AN APPLICANT'S LICENSE FOR:

(I) ANY OF THE REASONS THAT ARE GROUNDS FOR ACTION UNDER § 14-404 OF THIS TITLE; OR

(II) FAILURE TO SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 14-308.1 OF THIS TITLE.”;

and after line 30, insert:

“14-206.

(e) [The Board] A DISCIPLINARY PANEL may issue a cease and desist order or obtain injunctive relief against an individual for:

(1) Practicing medicine without a license; or

(2) Taking any action:

(i) For which [the Board] A DISCIPLINARY PANEL determines there is a preponderance of evidence of grounds for discipline under § 14-404 of this title; and

(ii) That poses a serious risk to the health, safety, and welfare of a patient.”.

On page 9, after line 5, insert:

“14-405.

(a) Except as otherwise provided in the Administrative Procedure Act, before the Board or a disciplinary panel takes any action under § 14-404(a) of this subtitle or § 14-205(B)(3), § 14-5A-17(a), § 14-5B-14(A), § 14-5C-17(A), § 14-5D-14(A), § 14-5E-16(A), OR § 14-5F-18 of this title, it shall give the individual against whom the action is contemplated an opportunity for a hearing before a hearing officer.”.

On page 12, after line 5, insert:

“14-5A-17.

(a) Subject to the hearing provisions of § 14-405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of a quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, [or a disciplinary panel, on the affirmative vote of a majority of a quorum of the disciplinary panel, may] reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensee, or for another;

(2) Fraudulently or deceptively uses a license;

(3) Is guilty of unprofessional or immoral conduct in the practice of respiratory care;

(4) Is professionally, physically, or mentally incompetent;

(5) Abandons a patient;

(6) Is habitually intoxicated;

(7) Is addicted to or habitually abuses any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article;

(8) Provides professional services while:

(i) Under the influence of alcohol; or

(ii) Using any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article or any other drug that is in excess of therapeutic amounts or without valid medical indication;

(9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;

(10) Willfully makes or files a false report or record in the practice of respiratory care;

(11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;

(12) Breaches patient confidentiality;

(13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;

(14) Knowingly makes a misrepresentation while practicing respiratory care;

(15) Knowingly practices respiratory care with an unauthorized individual or aids an unauthorized individual in the practice of respiratory care;

(16) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;

(17) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the Veterans' Administration for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

(18) Fails to meet appropriate standards for the delivery of respiratory care performed in any inpatient or outpatient facility, office, hospital or related institution, domiciliary care facility, patient's home, or any other location in this State;

(19) Knowingly submits false statements to collect fees for which services are not provided;

(20) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and

(ii) Has:

1. Surrendered the license issued by the state or country; or

2. Allowed the license issued by the state or country to expire or lapse;

(21) Knowingly fails to report suspected child abuse in violation of § 5–704 of the Family Law Article;

(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;

(23) Practices or attempts to practice beyond the authorized scope of practice;

(24) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(25) Practices or attempts to practice a respiratory care procedure or uses or attempts to use respiratory care equipment if the applicant or licensee has not received education and training in the performance of the procedure or the use of the equipment;

(26) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel;

(27) Fails to practice under the supervision of a physician or violates a supervisory order of a supervising physician; or

(28) Fails to submit to a criminal history records check under § 14–308.1 of this title.

14-5A-23.

(b) Any person who violates a provision of this subtitle is subject to a civil fine of not more than \$5,000 to be levied by [the Board] A DISCIPLINARY PANEL.”.

On page 13, after line 2, insert:

“14-5B-14.

(a) Subject to the hearing provisions of § 14-405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of the quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, [or a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may] reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensed individual, or for another;

(2) Fraudulently or deceptively uses a license;

(3) Is guilty of unprofessional or immoral conduct in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance;

(4) Is professionally, physically, or mentally incompetent;

(5) Abandons a patient;

(6) Is habitually intoxicated;

(7) Is addicted to or habitually abuses any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article;

(8) Provides professional services while:

(i) Under the influence of alcohol; or

(ii) Using any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article or any other drug that is in excess of therapeutic amounts or without valid medical indication;

(9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;

(10) Willfully makes or files a false report or record in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance;

(11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;

(12) Breaches patient confidentiality;

(13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;

(14) Knowingly makes a misrepresentation while practicing radiation therapy, radiography, nuclear medicine technology, or radiology assistance;

(15) Knowingly practices radiation therapy, radiography, nuclear medicine technology, or radiology assistance with an unauthorized individual or aids an unauthorized individual in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance;

(16) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;

(17) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the Veterans' Administration for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

(18) Fails to meet appropriate standards for the delivery of quality radiation therapy, radiography, nuclear medicine technology, or radiology assistance care performed

in any outpatient surgical facility, office, hospital or related institution, or any other location in this State;

(19) Knowingly submits false statements to collect fees for which services are not provided;

(20) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and

(ii) Has:

1. Surrendered the license issued by the state or country; or

2. Allowed the license issued by the state or country to expire or lapse;

(21) Knowingly fails to report suspected child abuse in violation of § 5–704 of the Family Law Article;

(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;

(23) Practices or attempts to practice beyond the authorized scope of practice;

(24) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(25) Practices or attempts to practice a radiation therapy, radiography, nuclear medicine technology, or radiology assistance procedure or uses radiation therapy, radiography, nuclear medicine technology, or radiology assistance equipment if the applicant or licensee has not received education, internship, training, or experience in the performance of the procedure or the use of the equipment;

(26) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel;

(27) Fails to practice under the supervision of a physician or violates a supervisory order of a supervising physician; or

(28) Fails to submit to a criminal history records check under § 14–308.1 of this title.”;

and before line 30, insert:

“14–5C–17.

(a) Subject to the hearing provisions of § 14–405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of a quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, [or a disciplinary panel, on the affirmative vote of a majority of a quorum of the disciplinary panel, may] reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensee, or for another;

(2) Fraudulently or deceptively uses a license;

(3) Is guilty of unprofessional or immoral conduct in the practice of polysomnography;

(4) Is professionally, physically, or mentally incompetent;

(5) Abandons a patient;

(6) Is habitually intoxicated;

(7) Is addicted to or habitually abuses any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article;

(8) Provides professional services while:

(i) Under the influence of alcohol; or

(ii) Using any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article or any other drug that is in excess of therapeutic amounts or without valid medical indication;

(9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;

(10) Willfully makes or files a false report or record in the practice of polysomnography;

(11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;

(12) Breaches patient confidentiality;

(13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;

(14) Knowingly makes a misrepresentation while practicing polysomnography;

(15) Knowingly practices polysomnography with an unauthorized individual or aids an unauthorized individual in the practice of polysomnography;

(16) Knowingly delegates a polysomnographic duty to an unlicensed individual;

(17) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;

(18) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the U.S. Department of Veterans Affairs for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

(19) Fails to meet appropriate standards for the delivery of polysomnographic services performed in a hospital sleep laboratory or a stand-alone sleep center;

(20) Knowingly submits false statements to collect fees for which services are not provided;

(21) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and

(ii) Has:

1. Surrendered the license, if any, issued by the state or country; or

2. Allowed the license, if any, issued by the state or country to expire or lapse;

(22) Knowingly fails to report suspected child abuse in violation of § 5-704 of the Family Law Article;

(23) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;

(24) Practices or attempts to practice beyond the authorized scope of practice;

(25) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

(26) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(27) Practices or attempts to practice a polysomnography procedure or uses or attempts to use polysomnography equipment if the applicant or licensee has not received education and training in the performance of the procedure or the use of the equipment;

- (28) Fails to cooperate with a lawful investigation conducted by the Board;
or
- (29) Fails to submit to a criminal history records check under § 14–308.1 of this title.”.

On page 14, after line 26, insert:

“14–5D–14.

(a) Subject to the hearing provisions of § 14–405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of a quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, [or a disciplinary panel, on the affirmative vote of a majority of a quorum of the disciplinary panel, may] reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensee, or for another;
- (2) Fraudulently or deceptively uses a license;
- (3) Is guilty of unprofessional or immoral conduct in the practice of athletic training;
- (4) Is professionally, physically, or mentally incompetent;
- (5) Abandons a patient;
- (6) Habitually is intoxicated;
- (7) Is addicted to, or habitually abuses, any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article;
- (8) Provides professional services while:
- (i) Under the influence of alcohol; or

(ii) Using any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article, or any other drug that is in excess of therapeutic amounts or without valid medical indication;

(9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;

(10) Willfully makes or files a false report or record in the practice of athletic training;

(11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of the report, or induces another to fail to file or record the report;

(12) Breaches patient confidentiality;

(13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any individual for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;

(14) Knowingly makes a misrepresentation while practicing athletic training;

(15) Knowingly practices athletic training with an unauthorized individual or aids an unauthorized individual in the practice of athletic trainer services;

(16) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;

(17) Is disciplined by a licensing, certifying, or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the Veterans Administration for an act that would be grounds for disciplinary action under this section;

(18) Fails to meet appropriate standards for the delivery of athletic training services;

(19) Knowingly submits false statements to collect fees for which services have not been provided;

(20) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and

(ii) Has:

1. Surrendered the license issued by the state or country; or

2. Allowed the license issued by the state or country to expire or lapse;

(21) Knowingly fails to report suspected child abuse in violation of § 5-704 of the Family Law Article;

(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;

(23) Practices or attempts to practice beyond the authorized scope of practice;

(24) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(25) Practices or attempts to practice an athletic training procedure or uses or attempts to use athletic training equipment if the applicant or licensee has not received education and training in the performance of the procedure or the use of the equipment;

(26) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel;

(27) Fails to practice under the supervision of a physician or violates the approved evaluation and treatment protocol;

(28) Violates an order of the Board or a disciplinary panel, including any condition of probation; or

(29) Fails to submit to a criminal history records check under § 14–308.1 of this title.

14–5D–18.

(b) Any person who violates any provision of this subtitle is subject to a civil fine of not more than \$5,000 to be levied by [the Board] A DISCIPLINARY PANEL.”

On page 15, after line 22, insert:

“14–5E–16.

(a) Subject to the hearing provisions of § 14–405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of the quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, [or a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may] reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

(2) Fraudulently or deceptively uses a license;

(3) Is guilty of unprofessional or immoral conduct in the practice of perfusion;

(4) Is professionally, physically, or mentally incompetent;

(5) Abandons a patient;

(6) Is habitually intoxicated;

(7) Is addicted to or habitually abuses any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article;

(8) Provides professional services while;

(i) Under the influence of alcohol; or

(ii) Using any narcotic or controlled dangerous substance as defined in § 5–101 of the Criminal Law Article or any other drug that is in excess of therapeutic amounts or without valid medical indication;

(9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;

(10) Willfully makes or files a false report or record in the practice of perfusion;

(11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;

(12) Breaches patient confidentiality;

(13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;

(14) Knowingly makes a misrepresentation while practicing perfusion;

(15) Knowingly practices perfusion with an unauthorized individual or aids an unauthorized individual in the practice of perfusion;

(16) Knowingly delegates a perfusion duty to an unlicensed individual;

(17) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;

(18) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the U.S. Department of Veterans Affairs for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

(19) Fails to meet appropriate standards for the delivery of perfusion services;

(20) Knowingly submits false statements to collect fees for which services are not provided;

(21) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and

(ii) Has:

1. Surrendered the license, if any, issued by the state or country; or

2. Allowed the license, if any, issued by the state or country to expire or lapse;

(22) Knowingly fails to report suspected child abuse in violation of § 5-704 of the Family Law Article;

(23) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;

(24) Practices or attempts to practice beyond the authorized scope of practice;

(25) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

(26) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(27) Practices or attempts to practice a perfusion procedure or uses or attempts to use perfusion equipment if the applicant or licensee has not received education and training in the performance of the procedure or the use of the equipment;

(28) Fails to cooperate with a lawful investigation of the Board or a disciplinary panel; or

(29) Fails to submit to a criminal history records check under § 14-308.1 of this title.

14-5E-23.

(b) A person who violates any provision of this subtitle is subject to a civil fine of not more than \$5,000 to be levied by [the Board] A DISCIPLINARY PANEL.”.

On page 16, before line 20, insert:

“14-5F-18.

(a) Subject to the hearing provisions of § 14-405 of this title, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of a quorum of the [Board] DISCIPLINARY PANEL, may deny a license to any applicant, [or a disciplinary panel, on the affirmative vote of a majority of a quorum of the disciplinary panel, may] reprimand any licensee, place any licensee on probation, or suspend or revoke a license of any licensee if the applicant or licensee:

(1) Is habitually intoxicated, or is addicted to or habitually abuses any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article, or any drug without a valid prescription or indication, or provides professional services while under the influence of alcohol or using any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article;

(2) Has been found to be mentally incompetent by a physician if the mental incompetence impairs the ability of the applicant or licensee to undertake the practice of naturopathic medicine in a manner consistent with the safety of the public;

(3) Has entered into a consent agreement with or has been assessed an administrative penalty by a licensing authority in another state;

(4) Fraudulently or deceptively obtains, attempts to obtain, or uses a license for the applicant, the licensee, or another;

(5) Has a license revoked or suspended, or was otherwise acted against, including the denial of licensure, by the licensing authority of another state;

(6) Uses false, deceptive, or misleading advertising;

(7) Advertises, practices, or attempts to practice under a name other than the applicant's or licensee's own name;

(8) Aids, assists, employs, or advises any unlicensed individual to practice naturopathic medicine in violation of this subtitle;

(9) Willfully makes or files a false report or record in the practice of naturopathic medicine;

(10) Willfully or negligently fails to file a report or record as required by law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;

(11) Pays or receives any commission, bonus, kickback, or rebate, or engages in any split-fee arrangement in any form with a licensed physician, organization, agency, or other person, either directly or indirectly, for patients referred to health care providers;

(12) Exercises influence within a patient-doctor relationship for purposes of engaging a patient in sexual activity;

(13) Engages in sexual misconduct with a patient;

(14) Fails to keep written medical records justifying the course of treatment of a patient;

(15) Engages in an act or omission that does not meet generally accepted standards of practice of naturopathic medicine or of safe care of patients, whether or not actual injury to a patient is established;

(16) Delegates professional responsibilities to an individual when the licensee delegating the responsibilities knows or has reason to know that the individual is not qualified by training, experience, or licensure to perform the responsibilities;

(17) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;

(18) Breaches patient confidentiality;

(19) Is guilty of unprofessional or immoral conduct in the practice of naturopathic medicine;

(20) Offers, undertakes, or agrees to cure or treat a disease by a secret method, treatment, or medicine;

(21) Knowingly fails to report suspected child abuse in violation of § 5–704 of the Family Law Article;

(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate purposes;

(23) Denies or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(24) Fails to cooperate with a lawful investigation of the Board;

(25) Abandons a patient;

(26) Violates any provision of this title or any regulation adopted by the Board; or

(27) Fails to submit to a criminal history records check under § 14–308.1 of this title.

14–5F–25.

[The Board] A DISCIPLINARY PANEL may issue a cease and desist order for:

(1) Practicing naturopathic medicine without a license or with an unauthorized person; or

(2) Supervising or aiding an unauthorized person in the practice of naturopathic medicine.

14-5F-29.

(a) Except as otherwise provided in this subtitle, an individual may not practice, attempt to practice, or offer to practice naturopathic medicine in this State without a license.

(b) An individual who violates [this section] ANY PROVISION OF THIS SUBTITLE is guilty of a felony and on conviction is subject to[:

(1) A] A fine not exceeding \$10,000 or imprisonment not exceeding 5 years or both[; and

(2) A civil fine of no more than \$50,000 to be levied by the Board].

(C) ANY INDIVIDUAL WHO VIOLATES A PROVISION OF THIS SUBTITLE IS SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$50,000 TO BE LEVIED BY A DISCIPLINARY PANEL.

(D) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS SECTION INTO THE BOARD OF PHYSICIANS FUND.”.

On page 17, in lines 3 and 4, strike “the Board” and substitute “A DISCIPLINARY PANEL”.

On page 18, after line 6, insert:

“15-311.

Subject to the hearing provisions of § 15-313 of this subtitle, [the Board] A DISCIPLINARY PANEL, on the affirmative vote of a majority of a quorum, may deny a license to any applicant for:

(1) Any of the reasons that are grounds for disciplinary action under § 15-314 of this subtitle; and

(2) Failure to submit to a criminal history records check in accordance with § 14–308.1 of this article.

15–313.

(a) (1) Except as otherwise provided under § 10–226 of the State Government Article, before the Board takes any action [to deny a license or] to reject or modify a delegation agreement or advanced duty OR A DISCIPLINARY PANEL TAKES ANY ACTION TO DENY A LICENSE, the Board OR THE DISCIPLINARY PANEL shall give the applicant or licensee the opportunity for a hearing before the Board OR THE DISCIPLINARY PANEL.

(2) The Board OR DISCIPLINARY PANEL shall give notice and hold the hearing under Title 10, Subtitle 2 of the State Government Article.

(3) The Board OR DISCIPLINARY PANEL may administer oaths in connection with any proceeding under this section.

(4) At least 14 days before the hearing, the hearing notice shall be sent to the last known address of the applicant or licensee.

(b) Any applicant aggrieved under this subtitle by a final decision of the Board [denying a license or] rejecting or modifying a delegation agreement or advanced duty OR A DISCIPLINARY PANEL DENYING A LICENSE may petition for judicial review as allowed by the Administrative Procedure Act.”.

On pages 20 and 21, strike in their entirety the lines beginning with line 30 on page 20 through line 2 on page 21, inclusive.

On page 21, in line 3, strike “6.” and substitute “5.”; in line 10, after “system;” insert “and”; and strike beginning with “if” in line 11 down through “(4)” in line 14.

AMENDMENT NO. 12

On page 21, strike in their entirety lines 16 and 17; and after line 17, insert:

“SECTION 6. 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 12 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 943 – Senators Smith, Feldman, Ferguson, and Zucker

AN ACT concerning

**Family Child Care Homes and Child Care Centers – Dispute Resolution Process
– Regulations**

SB0943/754937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 943

(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; 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.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 471 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Taylor Estes
in recognition of

receiving a Financial & Capability Award, for your dedication to your community and exemplifying excellence in financial education.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 13rd day of March 2017.

Senate Resolution No. 472 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Joseph DeStefanis
in recognition of

receiving a Financial & Capability Award, for your dedication to your community and exemplifying excellence in financial education.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 13th day of March 2017.

Senate Resolution No. 473 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Nicole Cathirell
in recognition of

receiving a Financial & Capability Award, for your dedication to your community and exemplifying excellence in financial education.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 13th day of March 2017.

Senate Resolution No. 474 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Tisa Silver Canady
in recognition of

receiving a Financial & Capability Award, for your dedication to your community and exemplifying excellence in financial education.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 13th day of March 2017.

The preceding (4) Resolutions were Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 541)

FINANCE COMMITTEE REPORT NO. 21

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

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

SB0270/117372/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 270

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “freeze” insert “if the consumer has not previously requested the placement of a security freeze from the consumer reporting agency;”; strike beginning with the comma in line 5 down through “agency;” in line 9; strike beginning with “requiring” in line 10 down through “freeze;” in line 13; in line 18, strike “and 14–3504(a) and (b)(1) and (2)”; and in line 23, strike “and 14–3504(g)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 7 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 23, after “(i)” insert “1.”; in line 26, strike “(ii)” and substitute “2.”; and in line 27, after “agency” insert “; **OR**”

(II) REQUESTS THE PLACEMENT OF A SECURITY FREEZE IF THE CONSUMER HAS NOT PREVIOUSLY REQUESTED THE PLACEMENT OF A SECURITY FREEZE FROM THE CONSUMER REPORTING AGENCY.

On pages 2 and 3, strike in their entirety the lines beginning with line 28 on page 2 through line 6 on page 3, inclusive.

On page 4, in line 15, strike “**PLACING OR REMOVING**” and substitute “**THE FIRST PLACEMENT OF**”; strike beginning with “**OR FOR**” in line 15 down through “**THE**” in line 18 and substitute “**WITH THE**”; and strike beginning with “**A**” in line 18 down through “**INFORMATION**” in line 21.

On pages 4 through 7, strike in their entirety the lines beginning with line 25 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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

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

AN ACT concerning

Economic Development – Maryland Energy Innovation Institute

SB0313/667879/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 313

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Simonaire” and substitute “Simonaire, Benson, and Oaks”; 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”; in the same line, after “clearinghouse” insert a comma; and in line 28, strike “shall” and substitute “may”.

On page 2, in line 2, 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 8, 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 12, after “Act,” insert “providing that certain loan obligations be converted to grants from the Administration to the Center;”; in line 27, after “10–808,” insert “10–810,”; and in line 32, 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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

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**

AN ACT concerning

State Highways – Dedication – Henrietta Lacks Way

SB0328/137372/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 328

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, and Oaks”; in line 4, strike “Dundalk Avenue” and substitute “Maryland Route 695A”; in line 12, after “1920” insert a comma; in line 14, after “1951” insert a comma; and strike beginning with “Her” in line 18 down through “Hospital” in line 19 and substitute “Some of her cancer cells were collected for research, as was the case at the time for all cervical cancer patients at Johns Hopkins, regardless of race or socioeconomic status”.

On page 2, in line 2, strike “of”; after line 5, insert:

“WHEREAS, The Johns Hopkins researchers who discovered the unique qualities of the HeLa cells shared them widely and at no cost for scientific research, thereby enabling scientists across the world to study cancer and many other diseases; and”;

in line 6, after “WHEREAS,” insert “Since that time, and continuing to this day,”; in line 9, strike “tomaxiphin” and substitute “tamoxifen, among other medical advances”; in line 10, strike “sold” and substitute “later sold by private companies outside Maryland”; strike beginning with “These” in line 14 down through the second “individual” in line 15 and substitute “The events surrounding the discovery of Henrietta Lacks’ immortal cells have contributed significantly to the national discussion about patient consent and the rights that one has over one’s own genetic material and tissue”; and after line 15, insert:

“WHEREAS, This discussion has helped to establish national standards for patient consent with respect to the donation and use of human tissue cells that all medical research organizations in the United States strictly adhere to today, but that did not exist at the time that Henrietta Lacks’ cells were collected; and”.

AMENDMENT NO. 2

On page 2, strike beginning with “DUNDALK” in line 25 down through the second comma in line 26 and substitute “MARYLAND ROUTE 695A (BROENING HIGHWAY) THAT IS LOCATED BETWEEN THE BALTIMORE CITY-BALTIMORE COUNTY LINE AND THE INTERSECTION OF MARYLAND ROUTE 695A WITH MARYLAND AVENUE AND AVON BEACH ROAD”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 380 – Senators Feldman and Hershey

AN ACT concerning

**Insurance – Surplus Lines – Short-Term Medical Insurance – Procurement
From Nonadmitted Insurer**

SB0380/727476/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 380

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Hershey” and substitute “. Hershey, Benson, Oaks, and Rosapepe”; 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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 625 – Senators Benson, Currie, Madaleno, Pinsky, Robinson, and Young

SECOND PRINTING

AN ACT concerning

Public Schools and Shelters – Homeless Girls and Women – Feminine Hygiene Products

SB0625/817972/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 625

(First Reading File Bill – Second Printing)

On page 1, in line 6, after “manner” insert “during a certain year”.

On page 2, in line 8, after “STUDENTS” insert “DURING THE NORMAL SCHOOL YEAR”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 649 – Senator Middleton

AN ACT concerning

Public Utilities – Telephone Lifeline Service – Revisions

SB0649/807274/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 649

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Benson, and Oaks”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 966 – Senators Klausmeier and Middleton

AN ACT concerning

Electric Universal Service Program – Unexpended Funds

SB0966/637475/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 966

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Middleton” and substitute “, Middleton, Astle, Benson, Feldman, Hershey, Jennings, Rosapepe, and Oaks”; and in line 7, after “management,” insert “stating the intent of the General Assembly regarding the timing for expending certain unexpended bill assistance and arrearage funds”.

AMENDMENT NO. 2

On page 5, after line 6, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Human Resources shall expend any unexpended bill assistance and arrearage funds that were collected in fiscal years 2010 through 2017, in excess of the total amount authorized for disbursement, as required in Section 7–512.1(b)(4) of the Public Utilities Article as enacted by Section 1 of this Act, beginning in fiscal year 2019.”;

and in line 7, 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.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 12

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 85 – Senator Conway

AN ACT concerning

Family Law – Treatment Foster Care Homes – Siblings

SB0085/848473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 85

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway, Brochin, Cassilly, Hough, Kelley, Lee, Muse, Norman, Ramirez, Ready, Smith, and Zirkin”; in line 3, strike “a certain number of” and substitute “more than two”; in line 4, after “home” insert “in order to place siblings together”; in line 5, strike “a”; in the same line, strike “term” and substitute “terms”; and strike beginning with “certain” in line 4 down through “interests” in line 5 and substitute “the local department makes a certain written finding and notifies the Administration of the placement”.

AMENDMENT NO. 2

On page 1, in line 16, after “(a)” insert “**(1)**”; in the same line, strike the comma and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2) “SIBLING” MEANS A BROTHER OR SISTER OF THE WHOLE OR HALF BLOOD OR BY ADOPTION.

(3)”;

and in the same line, strike “TREATMENT” and substitute “**TREATMENT**”.

AMENDMENT NO. 3

On page 2, in line 8, after the comma insert “**IN ORDER TO PLACE SIBLINGS TOGETHER**”; in line 9, strike “UP TO THREE” and substitute “**MORE THAN TWO**”; and strike in their entirety lines 11 through 13, inclusive, and substitute:

“(I) THE LOCAL DEPARTMENT MAKES A WRITTEN FINDING EXPLAINING WHY PLACEMENT OF THE SIBLINGS TOGETHER:

1. IS IN THE BEST INTERESTS OF THE SIBLINGS; AND

2. WILL NOT HARM OTHER CHILDREN PLACED AT THE SAME TREATMENT FOSTER CARE HOME; AND

(II) THE LOCAL DEPARTMENT NOTIFIES THE ADMINISTRATION OF THE PLACEMENT.”

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 156 – Senators Brochin and Klausmeier

AN ACT concerning

Baltimore County – Elections for Judges of the Orphans’ Court – Procedures

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

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

SB0269/718574/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 269

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 34, strike “AND”.

On page 4, in line 2, after “SUBSECTION” insert “;AND

(6) AN INDIVIDUAL EMPLOYED OR DESIGNATED BY A LOCAL GOVERNMENT AS AN ANIMAL CONTROL OFFICER WHILE RESPONDING IN THE INDIVIDUAL’S OFFICIAL CAPACITY TO A CALL IN THE COMMUNITY”;

in line 8, after “COMPENSATION” insert “FROM THE OWNER OR CUSTODIAN OF THE ANIMAL”; and in line 12, after “WITH” insert “LICENSED VETERINARY”.

AMENDMENT NO. 2

On page 4, in line 2, 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.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 13

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

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**

SB0348/138071/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 348

(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 4, strike the bracket; in the same line, strike “only”; in line 5, after “if” insert “:

(1)”;

in line 6, 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 7, strike the bracket; in line 9, strike the brackets; in the same line, strike “**(C)**”; in line 18, strike the brackets; and in the same line, strike “**(D)**”.

AMENDMENT NO. 4

On page 2, after line 22, 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) a representative with expertise in criminal postconviction procedures from the University of Maryland School of Law, appointed by the Dean of the school; and

(7) 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 23, strike “2.” and substitute “3.”; and in line 24, 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.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 631 – Senators Madaleno, Kelley, King, and Smith

AN ACT concerning

Criminal Law – Animal Abuse Emergency Compensation Fund – Establishment

SB0631/288174/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 631

(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.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 949 – Senators Smith and Madaleno

AN ACT concerning

Criminal Procedure – Expungement – Possession of Marijuana and Fees

SB0949/208977/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 949

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Fees”; in line 3, strike “if the” and substitute “within a certain amount of time after a”; strike beginning with “before” in line 4 down through “purpose” in line 6 and substitute “; providing for the effective date of certain provisions of this Act”; and 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 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, after line 27, 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.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 542)

ADJOURNMENT

At 8:57 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Tuesday, March 14, 2017.