

Journal *of* Proceedings
of the
Senate
of
Maryland

2017 Regular Session

Volume III

Compiled and edited by:

Donald G. Hopkins
Journal Clerk

...

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

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

For further information concerning this document contact:

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

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

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

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

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

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

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

2017 SENATE JOURNAL

INDEX OF DAYS

<u>Legislative Day</u>	<u>Page</u>	<u>Legislative Day</u>	<u>Page</u>
January 11	1	February 28	1303
January 12	115	March 1	1340
January 13	120	March 2	1391
January 16	135	March 3	1405
January 17	159	March 6	1447
January 18	168	March 7	1472
January 19	199	March 8	1520
January 20	220	March 9	1561
January 24	292	March 10	1601
January 25	298	March 13	1673
January 26	325	March 14	1773
January 27	346	March 15	1867
January 30	379	March 16	1962
January 31	442	March 17	2071
February 1.....	450	March 18	2414
February 2.....	507	March 19	2431
February 3.....	557	March 20	2511
February 7.....	857	March 21	2572
February 8.....	880	March 22	2607
February 9.....	899	March 23	2689
February 10.....	923	March 24	2787
February 13.....	943	March 25	2868
February 14.....	978	March 26	2917
February 15.....	1012	March 27	2981
February 16.....	1045	March 28	3027
February 17.....	1078	March 29	3067
February 20.....	1136	March 30	3141
February 21.....	1158	March 31	3275
February 22.....	1192	April 1	3425
February 23.....	1215	April 2	3509
February 24.....	1236	April 3	3740
February 27.....	1282	April 4	3949

**Annapolis, Maryland
Tuesday, March 14, 2017
10:00 A.M. Session**

The Senate met at 10:01 A.M.

Prayer by Senator Serafini.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 544)

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

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 484 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Chesapeake Bay Foundation
in recognition of
your 50th Anniversary. We commend your outstanding and collaborative efforts to save
the Bay for the past five decades.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 14th day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 545)

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 14

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

Senate Bill 142 – Senator Zirkin

AN ACT concerning

Task Force to Study Bicycle Safety on Maryland Highways

SB0142/988074/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 142

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Zirkin” and substitute “Senators Manno and Zirkin”.

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 274 – Senator Ramirez

AN ACT concerning

Family Law – Divorce – Domestic Violence Order

SB0274/238776/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 274

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, in each instance, strike “repealing” and substitute “establishing a certain exception to”; and in line 9, after “repealing” insert “and reenacting, with amendments.”.

AMENDMENT NO. 2

On page 1, in lines 17 and 22, strike the brackets; in line 18, strike “An” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IN A PROCEEDING UNDER THIS TITLE:

(1) AN”;

in line 19, strike “in a proceeding under this title.” and substitute “; AND”; in line 20, strike “(b) In a proceeding under this title,” and substitute “(2)”; and after line 22, insert:

“(B) IN A PROCEEDING UNDER THIS TITLE, A FINAL PROTECTIVE ORDER ISSUED UNDER § 4-506 OF THIS ARTICLE IS ADMISSIBLE AS EVIDENCE, AND THE COURT MAY CONSIDER COMPLIANCE WITH THE FINAL PROTECTIVE ORDER AS GROUNDS FOR GRANTING A DECREE OF LIMITED OR ABSOLUTE DIVORCE IF:

(1) THE RESPONDENT APPEARED BEFORE THE COURT AT THE FINAL PROTECTIVE ORDER HEARING; AND

(2) THE FINAL PROTECTIVE ORDER WAS NOT ENTERED BY DEFAULT OR CONSENT.”.

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 505 – Senators Kelley, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Lee, Madaleno, Manno, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Robinson, Smith, and Zucker

AN ACT concerning

Civil Actions – Child Sexual Abuse – Statute of Limitations and Required Findings

SB0505/458675/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 505

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Kelley,” insert “Young”; in the same line, after “Kasemeyer,” insert “King”; in the same line, after “Manno,” insert “Mathias”; in the same line, after “Peters,” insert “Pinsky, Ramirez”; in the same line, after “Robinson,” insert “Salling”; in line 5, after the semicolon insert “establishing a statute of repose for certain civil actions relating to child sexual abuse”; in the same line, after “action” insert “filed more than a certain number of years after the victim reaches the age of majority”; and in line 9, after the semicolon insert “defining a certain term; making certain stylistic changes”.

AMENDMENT NO. 2

On page 2, in line 10, after “(a)” insert “**(1)**”; in the same line, strike the comma and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2) “ALLEGED PERPETRATOR” MEANS THE INDIVIDUAL ALLEGED TO HAVE COMMITTED THE SPECIFIC INCIDENT OR INCIDENTS OF SEXUAL ABUSE THAT SERVE AS THE BASIS OF AN ACTION UNDER THIS SECTION.

(3);

in the same line, strike “sexual” and substitute “**SEXUAL**”; strike beginning with “AGAINST” in line 13 down through “ABUSE” in line 14; and in line 17, strike “WITHIN” and substitute “**SUBJECT TO SUBSECTIONS (C) AND (D) OF THIS SECTION, WITHIN**”.

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 through line 11 on page 3, inclusive, and substitute:

“(C) IN AN ACTION BROUGHT UNDER THIS SECTION MORE THAN 7 YEARS AFTER THE VICTIM REACHES THE AGE OF MAJORITY, DAMAGES MAY BE AWARDED

AGAINST A PERSON OR GOVERNMENTAL ENTITY THAT IS NOT THE ALLEGED PERPETRATOR OF THE SEXUAL ABUSE ONLY IF:

(1) THE PERSON OR GOVERNMENTAL ENTITY OWED A DUTY OF CARE TO THE VICTIM;

(2) THE PERSON OR GOVERNMENTAL ENTITY EMPLOYED THE ALLEGED PERPETRATOR OR EXERCISED SOME DEGREE OF RESPONSIBILITY OR CONTROL OVER THE ALLEGED PERPETRATOR; AND

(3) THERE IS A FINDING OF GROSS NEGLIGENCE ON THE PART OF THE PERSON OR GOVERNMENTAL ENTITY.

(D) IN NO EVENT MAY AN ACTION FOR DAMAGES ARISING OUT OF AN ALLEGED INCIDENT OR INCIDENTS OF SEXUAL ABUSE THAT OCCURRED WHILE THE VICTIM WAS A MINOR BE FILED AGAINST A PERSON OR GOVERNMENTAL ENTITY THAT IS NOT THE ALLEGED PERPETRATOR MORE THAN 20 YEARS AFTER THE DATE ON WHICH THE VICTIM REACHES THE AGE OF MAJORITY.”.

AMENDMENT NO. 3

On page 4, strike beginning with “That” in line 6 down through “Act” in line 8 and substitute “That this Act may not be construed to apply retroactively to revive any action that was barred by the application of the period of limitations applicable before October 1, 2017”; and in line 9, after “That” insert “the statute of repose under § 5–117(d) of the Courts Article as enacted by Section 1 of this Act shall be construed to apply both prospectively and retroactively to provide repose to defendants regarding actions that were barred by the application of the period of limitations applicable before October 1, 2017.”

SECTION 4. AND BE IT FURTHER ENACTED, That”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 746 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court Commissioners – Residency in Contiguous County

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

The motion was adopted.

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

Senate Bill 811 – Senators Zirkin, Kelley, Lee, Muse, Ramirez, and Smith

AN ACT concerning

Civil Cases – Maryland Legal Services Corporation Fund – Surcharges – Repeal of Sunset

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 912 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Sex Trafficking

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 975 – Senator Ready

AN ACT concerning

Real Property – Agricultural Land Preservation Easements – Separate Parcels**SB0975/708177/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 975

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “deeds” insert “or two or more parcels separately identified and described in the same deed”; in line 8, after “separately” insert “to a certain family member”; in lines 11 and 13, in each instance, after “parcel” insert “to a certain family member”; and in line 13, after the semicolon insert “defining a certain term”.

AMENDMENT NO. 2

On page 3, in line 4, after “(1)” insert “**IN THIS SECTION, “FAMILY MEMBER” MEANS A RELATIVE OF A GRANTOR BY BLOOD, ADOPTION, OR MARRIAGE.**”

(2)”;

in lines 7, 13, 20, and 24, strike “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “(3)”, “(4)”, “(5)”, and “(6)”, respectively; in line 14, strike “(2)” and substitute “(3)”; in line 15, after “SEPARATELY” insert “**TO A FAMILY MEMBER**”; and in lines 23 and 25, in each instance, after “PARCEL” insert “**TO A FAMILY MEMBER**”.

AMENDMENT NO. 3

On page 3, in line 10, after “DEEDS” insert “**OR TWO OR MORE PARCELS SEPARATELY IDENTIFIED AND DESCRIBED IN THE SAME DEED**”.

The preceding 3 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. 15

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

Senate Bill 23 – Senators Klausmeier, Simonaire, and Eckardt

AN ACT concerning

Handgun Permits – Alternative Expiration Date – Private Detectives, Security Guards, and Special Police Officers

SB0023/888175/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 23

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Eckardt” and substitute “Eckardt, Hough, Ready, Norman, and Cassilly”.

AMENDMENT NO. 2

On page 1, in line 6, after “license” insert “, certification,”.

On page 2, in line 5, after “**LICENSE**” insert “, CERTIFICATION,”.

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 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**SB0539/498670/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 539

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Distribution of Opioids Resulting in Death” and substitute “Distribution of Controlled Dangerous Substances – Fentanyl”; strike beginning with “distributing” in line 3 down through “analogues” in line 17 and substitute “knowingly distributing a certain mixture of controlled dangerous substances; establishing certain penalties for a violation of this Act; requiring a sentence for the distribution of a mixture of certain controlled dangerous substances to be consecutive to any other sentence imposed; making this Act an emergency measure; and generally relating to controlled dangerous substances”; after line 17, insert:

“BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 5–602

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)”;

and in line 20, strike “5–602.1” and substitute “5–608.1”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 1 on page 2 through line 12 on page 3, inclusive, and substitute:

“5–602.

Except as otherwise provided in this title, a person may not:

(1) distribute or dispense a controlled dangerous substance; or

(2) possess a controlled dangerous substance in sufficient quantity reasonably to indicate under all circumstances an intent to distribute or dispense a controlled dangerous substance.

5-608.1.

(A) A PERSON MAY NOT KNOWINGLY VIOLATE § 5-602 OF THIS SUBTITLE WITH:

(1) A MIXTURE THAT CONTAINS HEROIN AND A DETECTABLE AMOUNT OF FENTANYL OR ANY ANALOGUE OF FENTANYL; OR

(2) FENTANYL OR ANY ANALOGUE OF FENTANYL.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND, IN ADDITION TO ANY OTHER PENALTY IMPOSED FOR A VIOLATION OF § 5-602 OF THIS SUBTITLE, ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS.

(C) A SENTENCE IMPOSED UNDER THIS SECTION SHALL BE CONSECUTIVE TO AND NOT CONCURRENT WITH ANY OTHER SENTENCE IMPOSED UNDER ANY OTHER PROVISION OF LAW.”.

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 781 – Senator Lee

AN ACT concerning

Criminal Procedure – Testing – HIV and Hepatitis C

SB0781/188871/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 781

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Lee” and substitute “Senators Lee, Zirkin, Hough, Muse, Ready, Smith, Cassilly, Norman, Brochin, Ramirez, and Kelley”; in lines 5 and 7, in each instance, strike “a search warrant” and substitute “an emergency order”; in line 8, after “requirements;” insert “requiring the Court of Appeals to adopt certain rules;”; and in line 15, after “term;” insert “altering a certain definition;”.

AMENDMENT NO. 2

On page 2, in line 23, strike “and”; and in line 26, after “duty” insert “; AND

(IV) AN INDIVIDUAL WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED TO PROVIDE HEALTH CARE UNDER THE HEALTH OCCUPATIONS ARTICLE WHO IS EXPOSED TO HIV OR HEPATITIS C WHILE WORKING UNDER THE DIRECTION OF A LAW ENFORCEMENT AGENCY OR WHILE PERFORMING A SEXUAL ASSAULT MEDICAL EVIDENCE COLLECTION EXAMINATION”.

AMENDMENT NO. 3

On page 3 in line 24, and on page 4 in lines 9, 11, and 19, in each instance, strike “BUCCAL” and substitute “ORAL”.

AMENDMENT NO. 4

On page 3, in lines 24 and 29, in each instance, strike “A SEARCH WARRANT” and substitute “AN EMERGENCY ORDER”; and in line 29, after “SHALL” insert “BE”.

On page 4, in line 1, strike “BE”; in line 2, strike “24” and substitute “72”; strike beginning with “MEET” in line 4 down through “AND” in line 5 and substitute “IN WRITING, SIGNED AND SWORN TO BY THE APPLICANT, AND ACCOMPANIED BY AN AFFIDAVIT THAT SETS FORTH THE BASIS TO BELIEVE THAT THE PERSON FROM WHOM AN ORAL SWAB IS REQUESTED HAS CAUSED A PROHIBITED EXPOSURE TO A VICTIM;”; in line 6, strike “BE”; in the same line, after “SEALED” insert “; AND

(IV) SUBJECT TO RULES DEVELOPED BY THE COURT OF APPEALS”;

in line 7, strike “A SEARCH WARRANT” and substitute “AN EMERGENCY ORDER”; after line 8, insert:

“(4) THE COURT OF APPEALS SHALL ADOPT RULES TO CARRY OUT THE REQUIREMENTS OF THIS SUBSECTION.”;

in line 10, strike “A SEARCH WARRANT” and substitute “AN EMERGENCY ORDER”; and in line 27, after “OF” insert “SUBSECTIONS (C) THROUGH (G) OF”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 982 – Senators Muse, Benson, Madaleno, Robinson, and Young

AN ACT concerning

Juveniles – Strip Search – Limitations

SB0982/108971/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 982

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Department of Juvenile Services – Implementation of Task Force Recommendations – Report”; strike beginning with “that” in line 3 down through “searches” in line 11 and substitute “the Department of Juvenile Services to report on the status of the implementation of certain recommendations of the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System; specifying certain recommendations on which the Department must report; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Restraint, Searches, and Needs of”

Children in the Juvenile Justice System and the Department of Juvenile Services"; and strike in their entirety lines 12 through 26, inclusive.

AMENDMENT NO. 2

On page 2, in line 2, strike "the Laws of Maryland read as follows"; after line 2, insert:

"(a) (1) The Department of Juvenile Services shall prepare a progress report on the status of the implementation of the recommendations of the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System that was established by Chapter 655 of the Acts of the General Assembly of 2016.

(2) In preparing the report required under this section, the Department shall compile information on:

(i) changes to Department policies and procedures regarding the use of:

1. visual body searches; and

2. mechanical restraints during transportation;

(ii) the collection of data related to the use of visual body searches, including:

1. the number of searches conducted;

2. the circumstances leading to the searches;

3. a detailed description of each item recovered from the child, including from where the item was recovered;

4. the gender, race, and age of each child; and

5. the date, time, and location of the search; and

(iii) the collection of data related to the use of mechanical restraints during transportation, including:

1. the number of times mechanical restraints are used during transportation;
2. the travel date, start and end times, and address of the original destination; and
3. the gender, race, and age of each child.

(b) On or before December 1, 2017, the Department of Juvenile Services shall submit to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly the report on the implementation of the recommendations of the Task Force and the information specified in paragraph (a)(2) of this section.”.

On pages 2 through 5, strike in their entirety the lines beginning with line 3 on page 2 through line 11 on page 5, inclusive.

On page 5, in line 13, strike “October” and substitute “June”; and in the same line, after the period insert “It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 10

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

Senate Bill 235 – Senator Guzzone

AN ACT concerning

Sales and Use Tax – Exemption – Service Performed by Person Practicing Engineering

SB0235/249032/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 235

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Exemption” in line 2 down through “Engineering” in line 3 and substitute “Declaration of Legislative Intent – Services”; strike beginning with “providing” in line 4 down through “engineering;” in line 5 and substitute “clarifying that the sales tax applies to a security service by a detective who is authorized to provide private detective services under certain provisions of law; declaring the intent of the General Assembly regarding the application of the sales tax to taxable services; declaring the intent of the General Assembly that a certain service is subject to the sales tax only if it is provided by certain persons with certain authority; clarifying that the Comptroller is prohibited from imposing the sales tax on certain services;”; in line 5, after “term;” insert “providing for the application of this Act;”; strike in their entirety lines 7 through 11, inclusive; after line 11, insert:

“BY adding to

Article – Tax – General

Section 11–101(c–1)

Annotated Code of Maryland

(2016 Replacement Volume)”;

in line 12, strike “adding to” and substitute “repealing and reenacting, without amendments,”; and in line 14, strike “11–219(e)” and substitute “11–101(m)(10)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 22 on page 2, inclusive, and substitute:

“Article – Tax – General

11–101.

(C–1) “DETECTIVE” MEANS A PERSON WHO IS AUTHORIZED TO PROVIDE PRIVATE DETECTIVE SERVICES UNDER TITLE 13 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

(m) “Taxable service” means:

(10) a security service, including:

- (i) a detective, guard, or armored car service; and
- (ii) a security systems service;

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The General Assembly finds that the imposition of sales tax imposed on a service not explicitly stated to be a “taxable service” under § 11–101(m) of the Tax – General Article is inconsistent with the legislative intent of the law.

(b) The General Assembly finds that the sales tax imposed on security services by a “detective” under § 11–101(m) of the Tax – General Article is intended to apply only to security services provided by a person who is authorized to provide private detective services under Title 13 of the Business Occupations and Professions Article.

(c) The Comptroller may not apply § 11–101(m) of the Tax – General Article or COMAR 03.06.01.39B(2) to impose the sales tax on a detective service unless the service is provided by a person who is authorized, or is required to be authorized, to provide private detective services under Title 13 of the Business Occupations and Professions Article.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively, in accordance with §§ 13–1102(a) and 13–1104(g) of the Tax – General Article, and shall be applied to and interpreted to affect any assessment of the sales tax under COMAR 03.06.01.39B(2) for a detective service unless the service is provided by a person who is authorized, or is required to be authorized, to provide private detective services under Title 13 of the Business Occupations and Professions Article.”.

On page 2, in line 23, strike “2.” 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 with amendments:

Senate Bill 251 – Senator Simonaire

AN ACT concerning

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

SB0251/669532/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 251

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Simonaire” and substitute “Anne Arundel County Senators”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0251/683221/1

BY: Senator Astle

AMENDMENT TO SENATE BILL 251, AS AMENDED

In lines 1 and 2 of the Budget and Taxation Committee Amendment (SB0251/669532/1), strike “Anne Arundel County Senators” and substitute “Senators Simonaire, Astle, DeGrange, Reilly, and Rosapepe”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 273 – Senators Edwards, Mathias, Middleton, and Serafini

AN ACT concerning

State Forest, State Park, and Wildlife Management Area Revenue Equity Program

SB0273/969932/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 273

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Serafini” and substitute “Serafini, Eckardt, Ferguson, Manno, McFadden, and Peters”; in line 8, after “to” insert “certain”; in line 10, strike “amount” and substitute “calculation”; strike beginning with “establishing” in line 10 down through “counties;” in line 17; in lines 17 and 18, strike “total number of acres for a county in a fiscal year” and substitute “calculation of payments to a county”; in lines 18 and 19, strike “total number of acres in” and substitute “calculation of payments to”; in line 19, after “requiring” insert “the State Department of Assessments and Taxation, in consultation with”; in the same line, after “Resources” insert a comma; and strike beginning with “requiring” in line 21 down through “bill;” in line 22.

AMENDMENT NO. 2

On page 8, strike in their entirety lines 8 through 12, inclusive; in line 13, strike “(F)” and substitute “(E)”; and in line 17, after “TO” insert “COUNTIES THAT HAVE AT LEAST 40,000 ACRES OF”.

On pages 8 and 9, strike in their entirety the lines beginning with line 22 on page 8 through line 32 on page 9, inclusive, and substitute:

“(A) BEGINNING IN FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE STATE SHALL PAY TO EACH COUNTY AN AMOUNT EQUAL TO THE COUNTY PROPERTY TAX RATE MULTIPLIED BY THE ASSESSED VALUE, AS DETERMINED BY THE DEPARTMENT, OF THE STATE FORESTS, STATE PARKS, AND WILDLIFE MANAGEMENT AREAS IN THE COUNTY THAT ARE EXEMPT FROM THE PROPERTY TAX UNDER § 7-210 OF THIS ARTICLE.”

On page 10, in line 1, strike “(D)” and substitute “(B)”; in line 3, after “YEAR” insert “AND EXEMPT FROM THE PROPERTY TAX UNDER § 7-210 OF THIS ARTICLE”; in line 4, strike “DETERMINING THE TOTAL NUMBER OF ACRES UNDER SUBSECTION (B)” and substitute “CALCULATING THE AMOUNT THAT THE STATE SHALL PAY A COUNTY UNDER SUBSECTION (A)”; strike beginning with “DETERMINING” in line 6 down through “COUNTY” in line 7 and substitute “CALCULATING THE AMOUNT THAT THE STATE”

SHALL PAY A COUNTY UNDER SUBSECTION (A) OF THIS SECTION"; in line 18, strike "(1)"; in the same line, after "YEAR," insert "THE DEPARTMENT, IN CONSULTATION WITH"; in line 19, after "RESOURCES" insert a comma; in lines 21 and 23, strike "(I)" and "(II)", respectively, and substitute "(1)" and "(2)", respectively; in line 21, strike "TOTAL NUMBER OF UNITS OF OPEN SPACE" and substitute "ASSESSED VALUE OF ALL STATE FORESTS, STATE PARKS, AND WILDLIFE MANAGEMENT AREAS"; in line 22, after "COUNTY" insert "THAT ARE EXEMPT FROM THE PROPERTY TAX UNDER § 7-210 OF THIS ARTICLE"; and strike in their entirety lines 25 through 27, 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 Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 307 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Hershey, Hough, Jennings, Norman, Ready, Salling, Serafini, Simonaire, and Waugh

EMERGENCY BILL

AN ACT concerning

**Repeal of the Maryland Open Transportation Investment Decision Act of 2016
(Road Kill Bill Repeal)**

SB0307/849036/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 307

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike "EMERGENCY BILL"; in the sponsor line, strike "and Waugh" and substitute "Waugh, Kasemeyer, Madaleno, Currie, DeGrange, Ferguson, Guzzone, King, Manno, McFadden, and Peters"; in line 2, strike "Repeal of the"; in lines 2 and 3, strike "of 2016 (Road Kill Bill Repeal)" and substitute "– Application and Evaluation"; strike beginning with the first "repealing" in line 4 down through "measure"

in line 14 and substitute “repealing the requirement that the Department of Transportation adopt certain regulations on or before a certain date; requiring the Department to develop a certain model that uses a certain project–based scoring system to rank certain projects; requiring the Department to use the model to rank certain projects; requiring the Department to include a certain ranking and certain project scores in an appendix to the Consolidated Transportation Program and make the ranking and project scores available on the Department’s Web site; expanding the list of the State’s transportation goals and establishing certain measures for the goals; repealing the requirement that the Department prioritize certain projects for inclusion in the Consolidated Transportation Program; repealing the authorization of the Department to include certain projects with a certain score in the Consolidated Transportation Program under certain circumstances; specifying that certain provisions of this Act may not be construed to impede or alter the inclusion of local transportation priorities in the Consolidated Transportation Program; establishing the Workgroup on the Maryland Open Transportation Investment Decision Act; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to evaluate and make recommendations regarding certain matters; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act”; strike in their entirety lines 16 and 17, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 2–103.7

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”;

and strike in their entirety lines 19 through 21, inclusive.

On page 2, strike in their entirety lines 13 and 14, inclusive; and strike lines 17 through 20, inclusive, and substitute:

“WHEREAS, Thousands of Marylanders sit in traffic for hours every day as congestion and gridlock prevent them from getting home and getting to and returning from work in a reasonable amount of time; and

WHEREAS, The transportation infrastructure is too important to the quality of life of all Marylanders for the Maryland Department of Transportation to threaten projects

across the State due to a purely advisory law intended to shine a public light on the process for making transportation decisions; and

WHEREAS, Legislators voted for an increase in the gas tax because the need for roads and bridges and enhancing our transit systems was nothing short of critical to improving the lives of Marylanders, stimulating the economy, and creating jobs; and

WHEREAS, It remains the intent of General Assembly that a public process for transportation planning that provides Marylanders with a clear and transparent explanation of how their transportation taxes and revenues are allocated to fund major capital transportation projects be developed; now, therefore,.”.

AMENDMENT NO. 2

On page 2, in line 22, strike “Chapter 36 of the Acts of the General Assembly of 2016 be repealed.” and substitute “the Laws of Maryland read as follows:”; and after line 22, insert:

“Article – Transportation

2–103.7.

(a) (1) In this section the following words have the meanings indicated.

(2) “Major capital project” has the meaning stated in § 2–103.1 of this subtitle.

(3) (i) “Major transportation project” means a major capital project in the State Highway Administration or the Maryland Transit Administration whose total cost for all phases exceeds \$5,000,000 and that:

1. Increases highway or transit capacity;

2. **REDUCES AREAS OF HEAVY TRAFFIC CONGESTION;**

3. **IMPROVES COMMUTE TIMES IN AREAS OF HEAVY TRAFFIC CONGESTION;**

4. Improves transit stations or station areas; or

[3.] 5. Improves highway capacity through the use of intelligent transportation systems or congestion management systems.

(ii) “Major transportation project” does not include:

1. Projects in the Maryland Aviation Administration, the Maryland Port Administration, or the Maryland Transportation Authority;

2. Maintenance and storage facilities projects;

3. Water quality improvement projects;

4. Projects related to Maryland’s priorities for total maximum daily load development;

5. Safety-related projects that do not increase highway or transit capacity; or

6. Roads within the Appalachian Development Highway System.

(b) The Department shall:

(1) In accordance with federal transportation requirements, develop a project-based scoring system using the goals and measures established under subsection (c) of this section;

(2) Develop the weighting metrics for each goal and measure established under subsection (c) of this section;

(3) On or before January 1, [2017] 2018, [adopt regulations to carry out the provisions of this section] DEVELOP AN EXPERIMENTAL MODEL CONSISTENT WITH THE PROVISIONS OF THIS SECTION THAT USES THE PROJECT-BASED SCORING SYSTEM DEVELOPED UNDER THIS SUBSECTION TO RANK MAJOR TRANSPORTATION PROJECTS BEING CONSIDERED FOR INCLUSION IN THE DRAFT AND FINAL CONSOLIDATED TRANSPORTATION PROGRAM; [and]

(4) [In accordance with the project-based scoring system] USE THE MODEL developed under this subsection[,] TO rank major transportation projects BEING CONSIDERED for inclusion in the draft and final Consolidated Transportation Program; AND

(5) MAKE ANY RANKING UNDER ITEM (4) OF THIS PARAGRAPH AVAILABLE TO THE PUBLIC:

(I) AS AN APPENDIX TO THE CONSOLIDATED TRANSPORTATION PROGRAM; AND

(II) ON THE DEPARTMENT'S WEB SITE.

(c) (1) The State transportation goals are:

(i) Safety and security;

(ii) System preservation;

(iii) Quality of service;

(iv) Environmental stewardship;

(v) Community vitality;

(vi) Economic prosperity;

(vii) Equitable access to transportation;

(viii) Cost effectiveness and return on investment; [and]

(ix) Local priorities and planning;

(X) REDUCING TRAFFIC CONGESTION; AND

(XI) IMPROVING COMMUTE TIMES.

(2) In evaluating whether and to what extent a major transportation project satisfies the goals established under paragraph (1) of this subsection, the Department, using a 20–year forecast in the project area, shall assign a score from 1 to 100 for each goal using the following measures:

(i) For safety and security:

1. The expected reduction in total fatalities and severe injuries in all modes affected by the project; and

2. The extent to which the project implements the Maryland State Highway Administration’s Complete Streets policies.

(ii) For system preservation:

1. The degree to which the project increases the lifespan of the affected facility;

2. The degree to which the project increases the functionality of the facility; and

3. The degree to which the project renders the facility more resilient.

(iii) For quality of service:

1. The expected change in cumulative job accessibility within an approximately 60–minute commute for highway projects or transit projects;

2. The degree to which the project has a positive impact on travel time reliability; and

3. The degree to which the project supports connections between different modes of transportation and promotes multiple transportation choices.

(iv) For environmental stewardship:

1. The potential of the project to limit or reduce harmful emissions;

2. The degree to which the project avoids impacts on State resources in the project area and adjacent areas; and

3. The degree to which the project advances the State environmental goals.

(v) For community vitality:

1. The degree to which the project is projected to increase the use of walking, biking, and transit;

2. The degree to which the project enhances existing community assets; and

3. The degree to which the project furthers the affected community's and State's plans for revitalization.

(vi) For economic prosperity:

1. The projected increase in the cumulative job accessibility within an approximately 60-minute commute for projects;

2. The extent to which the project is projected to enhance access to critical intermodal locations for the movement of goods and services; and

3. The projected increase in furthering nonspeculative local and State economic development strategies in existing communities.

(vii) For equitable access to transportation:

1. The expected increase in job accessibility for disadvantaged populations within an approximately 60-minute commute for projects; and

2. The projected economic development impact on low-income communities.

(viii) For cost effectiveness and return on investment:

1. The estimated travel time savings divided by the project cost;

2. The degree to which the project leverages additional federal, State, local, and private sector transportation investment; and

3. The degree to which the project will increase transportation alternatives and redundancy.

(ix) For local priorities and planning, the degree to which the project supports local government land use plans and goals.

(X) FOR REDUCING TRAFFIC CONGESTION, THE DEGREE TO WHICH THE PROJECT WILL REDUCE TRAFFIC CONGESTION.

(XI) FOR IMPROVING COMMUTE TIMES, THE DEGREE TO WHICH THE PROJECT WILL IMPROVE COMMUTE TIMES.

(3) The Department shall multiply the total combined score of each major transportation project by a weighting factor equal to one plus the results of dividing the population in the area served by the project, as determined [in regulations adopted] by the Department, by the population of Maryland.

(d) (1) The score of a major transportation project shall be based solely on the goals and measures established under subsection (c) of this section.

(2) [Except as provided under paragraph (3) of this subsection, the Department shall prioritize major transportation projects with higher scores for inclusion in the Consolidated Transportation Program over major transportation projects with lower scores.

(3) The Department may include in the Consolidated Transportation Program a major transportation project with a lower score over a major transportation project with a higher score if it provides in writing a rational basis for the decision.] **THE DEPARTMENT SHALL MAKE THE SCORES OF ALL PROJECTS EVALUATED FOR INCLUSION IN THE CONSOLIDATED TRANSPORTATION PROGRAM AND ASSIGNED A SCORE UNDER THE MODEL AVAILABLE TO THE PUBLIC:**

(I) AS AN APPENDIX TO THE CONSOLIDATED
TRANSPORTATION PROGRAM; AND

(II) ON THE DEPARTMENT'S WEB SITE.

(e) Nothing in this section may be construed to impede or alter:

(1) The priority letter process that outlines local transportation priorities for the Department's consideration for inclusion in the Consolidated Transportation Program under § 2-103.1 of this subtitle; [or]

(2) The Department's visit to each county under § 2-103.1(e) of this subtitle; OR

(3) THE INCLUSION OF LOCAL TRANSPORTATION PRIORITIES IN THE
CONSOLIDATED TRANSPORTATION PROGRAM.”.

AMENDMENT NO. 3

On page 2, strike beginning with “this” in line 23 down through “enacted” in line 27 and substitute “:

(a) There is a Workgroup on the Maryland Open Transportation Investment Decision Act.

(b) The Workgroup consists of the following members:

(1) the Majority Leader of the Senate of Maryland, or the Majority Leader's designee;

(2) the Minority Leader of the Senate of Maryland, or the Minority Leader's designee;

(3) the Majority Leader of the House of Delegates, or the Majority Leader's designee;

(4) the Minority Leader of the House of Delegates, or the Minority Leader's designee;

(5) one representative of the Senate Budget and Taxation Committee, appointed by the President of the Senate;

(6) one representative of the House Appropriations Committee, appointed by the Speaker of the House; and

(7) the Secretary of Transportation, or the Secretary's designee.

(c) The President of the Senate and the Speaker of the House shall each designate a cochair of the Workgroup.

(d) The Department of Legislative Services shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) The Workgroup shall:

(i) evaluate the model required under § 2-103.7(b) of the Transportation Article, as enacted by this Act;

(ii) evaluate how prioritizing major transportation projects with higher scores for inclusion in the Consolidated Transportation Program over major transportation projects with lower scores applies to the Consolidated Transportation Program in fiscal years 2019 and 2020;

(iii) evaluate the prioritization process in Virginia and North Carolina and the applicability of these processes in Maryland;

(iv) evaluate regional prioritization processes and the applicability of these processes in Maryland; and

(v) make recommendations regarding whether modifications or changes to § 2-103.7 of the Transportation Article should be made.

(2) The Workgroup may:

(i) evaluate and test alternative models for prioritizing major transportation projects; and

(ii) evaluate how alternative models would apply to the Consolidated Transportation Program in fiscal years 2019 and 2020.

(3) In conducting its evaluation, the Workgroup shall solicit input from:

(i) local governments;

(ii) transportation planning organizations;

(iii) the Maryland Transit Administration;

(iv) the Maryland Transportation Authority; and

(v) other interested parties.

(g) On or before January 1, 2019, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017. 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 3 amendments were read only.

Senator Kasemeyer 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 318 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Ferguson, Hough, Manno, Mathias, Norman, Ready, Rosapepe, Salling, and Serafini

AN ACT concerning

**Cybersecurity Investment Incentive Tax Credit – Eligibility and Sunset
Extension**

SB0318/589234/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 318

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “company;” 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;”.

AMENDMENT NO. 2

On page 2, in line 1, after “(i)” insert “1.”; and after line 2, insert:

**“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.”.**

AMENDMENT NO. 3

On page 8, in line 8, strike “(2)” and substitute “(3)”; in line 19, after “(2)” insert “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 CYBERSECURITY COMPANY IS
NOT DULY ORGANIZED AND EXISTING UNDER THE LAWS OF ANY JURISDICTION FOR
THE PURPOSES OF CONDUCTING BUSINESS FOR PROFIT.

(3)”;

and in lines 32 and 34, strike “(3)” and “(2)”, respectively, and substitute “(4)” and “(3)”, 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 Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 460 – Senator Conway (By Request – Baltimore City Administration)

AN ACT concerning

**Education – Debt Service for Transferred Schools – County Reimbursement
Grace Period**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 484 – Senators Madaleno, Astle, Conway, Currie, Feldman, Ferguson,
Guzzone, King, Lee, Manno, McFadden, Peters, Pinsky, Robinson,
Rosapepe, Smith, and Zucker**

AN ACT concerning

**Maryland Transit Administration – Farebox Recovery, Goals, and Performance
Indicators**

SB0484/919231/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 484

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Farebox” in line 2 down through “Indicators” in line 3 and substitute “Farebox Recovery Rate – Repeal”; strike beginning with “establishing” in line 6 down through “Administration;” in line 7; strike beginning with “altering” in line 8 down through “change;” in line 10 and substitute “making conforming changes;” and in line 11, after “Administration” insert “and the repeal of the farebox recovery rate”.

AMENDMENT NO. 2

On page 2, in line 7, strike “(1)”; strike beginning with “**THE**” in line 13 down through “**LESS.**” in line 30; and in line 31, strike “(2)”.

On page 3, in lines 1 and 8, strike “(i)” and “(ii)”, respectively, and substitute “**(1)**” and “**(2)**”, respectively; and in lines 2, 4, and 6, strike “1.”, “2.”, and “3.”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively.

On page 4, in line 24, strike “**QUALITY AND**”; and in line 27, strike the brackets.

On pages 4 and 5, strike beginning with the semicolon in line 28 on page 4 down through “**LESS**” in line 11 on page 5.

The preceding 2 amendments were read only.

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

The motion was adopted.

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

Senate Bill 495 – Chair, Budget and Taxation Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

Gaming – Video Lottery Terminals – Transfer of Ownership

SB0495/139139/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 495

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Ownership” insert “and Local Impact Grants”; strike beginning with “if” in line 5 down through “met” in line 6 and substitute “at certain video”

lottery facilities”; in line 6, strike “and leasing” and substitute “, leasing, and proceeds”; and in line 9, after “9-1A-27(a)(7)” insert “and (c)”.

AMENDMENT NO. 2

On page 2, in line 21, strike “**2018**” and substitute “**2019**”.

AMENDMENT NO. 3

On page 2, after line 21, insert:

“(c) (1) For the first 10 years of operations at a video lottery facility in Allegany County, on a properly approved transmittal prepared by the Commission, the Comptroller shall pay the following amounts from the proceeds of video lottery terminals at a video lottery facility in Allegany County:

(i) [2%] 1% to the State Lottery and Gaming Control Agency for costs as defined in § 9-1A-01 of this subtitle;

(ii) to the video lottery operation licensee, the percentage stated in the accepted application for the location, not to exceed 50%;

(iii) [2.75%] 3.75% in local impact grants, in accordance with § 9-1A-31 of this subtitle;

(iv) 2.5% to the Purse Dedication Account established under § 9-1A-28 of this subtitle;

(v) 0.75% to the Small, Minority, and Women-Owned Businesses Account established under § 9-1A-35 of this subtitle; and

(vi) the remainder to the Education Trust Fund established under § 9-1A-30 of this subtitle.

(2) After the first 10 years of operations at a video lottery facility in Allegany County, the proceeds generated at the facility in Allegany County shall be allocated as provided in subsections (a) and (b) of this section.”.

AMENDMENT NO. 4

On page 2, in line 22, strike “June” and substitute “July”.

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 498 – Chair, Budget and Taxation Committee (By Request –
Departmental – Commerce)**

AN ACT concerning

**Video Lottery Terminals – Small, Minority, and Women-Owned Businesses
Account – Transfer of Authority**

SB0498/229332/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 498
(First Reading File Bill)

On page 2, in line 11, after “**ACCOUNT**” insert a period.

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 737 – Senator Waugh

AN ACT concerning

St. Mary’s County – Bonds and Other Evidences of Indebtedness – Limitations

SB0737/219231/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 737

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Limitations” insert “and Repayment”; in line 7, after “limitation” insert “and requiring the responsibility for repayment to remain with the St. Mary’s County Metropolitan Commission”; and in the same line, after “on” insert “and repayment of”.

AMENDMENT NO. 2

On page 2, in line 24, after the period insert “**RESPONSIBILITY FOR REPAYMENT SHALL REMAIN WITH THE ST. MARY’S COUNTY METROPOLITAN COMMISSION.**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 752 – Senator Guzzone

AN ACT concerning

Optional Retirement Program – Annuity Contract Providers**SB0752/299039/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 752

(First Reading File Bill)

AMENDMENT NO. 1

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

“BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 30–211

Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 754 – Senator Guzzone

AN ACT concerning

Law Enforcement Officers’ Pension System – Membership

SB0754/659236/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 754

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “authorizing certain individuals to transfer” and substitute “transferring certain individuals”; strike beginning with “requiring” in line 4 down through “form;” in line 7; in line 7, strike “transfers” and substitute “is transferred”; and in line 11, after “fund” insert “and annuity savings fund”.

AMENDMENT NO. 2

On page 3, in line 18, strike “(1)”; in line 19, strike “may transfer” and substitute “shall be transferred”; strike beginning with “by” in line 20 down through “Agency” in line 21; strike lines 22 and 23 in their entirety; and in line 24, strike “transfers” and substitute “is transferred”.

On page 4, in line 1, strike “transfers” and substitute “is transferred”; and after line 2, insert:

“(e) (1) The Board of Trustees of the State Retirement and Pension System shall transfer the member’s accumulated contributions from the annuity savings fund of the Employees’ Pension System to the annuity savings fund of the Law Enforcement Officers’ Pension System for a member who is transferred into the Law Enforcement Officers’ Pension System under this Act.

(2) The amount a member is required to deposit under subsection (c) of this section shall be reduced by the amount of accumulated contributions transferred under this subsection.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 846 – Senator Conway (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

SB0846/409038/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 846

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Promotion” insert “and Operations”; in line 5, after “purposes,” insert “altering the purposes for which the proceeds shall be appropriated to include the operations of the Baltimore City Convention Center.”; and in line 6, after “marketing” insert “and operations”.

AMENDMENT NO. 2

On page 2, in line 3, strike “specifically”; in the same line, after “for” insert “**THE MARKETING AND OPERATIONS OF THE**”; and in the same line, strike “marketing”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 908 – Senators Ferguson, Benson, Guzzone, Klausmeier, Middleton, Peters, and Young

AN ACT concerning

Maryland Education Development Collaborative – Established

SB0908/639931/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 908

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Currie, DeGrange, Eckardt, Edwards, Kasemeyer, King, Madaleno, 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 with amendments:

Senate Bill 930 – Chair, Anne Arundel County Senators

AN ACT concerning

**Anne Arundel County – Property Tax – Payment in Lieu of Taxes Agreements –
Economic Development Projects**

SB0930/459835/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 930

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “County” insert “, on or before a certain date,”; and in line 9, after “provisions;” insert “authorizing the owner of the economic development project and the county to modify a certain payment in lieu of taxes agreement under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 3, strike “AN EXTRAORDINARY” and substitute “A UNIQUE”; in line 16, after “(2)” insert “ON OR BEFORE JUNE 30, 2020,”; and after line 29, insert:

“(C) THE OWNER OF THE ECONOMIC DEVELOPMENT PROJECT AND THE COUNTY MAY MODIFY ANY PAYMENT IN LIEU OF TAXES AGREEMENT ENTERED INTO ON OR BEFORE JUNE 30, 2020, IF THE MODIFICATION IS APPROVED BY ORDINANCE OF THE COUNTY COUNCIL.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1001 – Senators Guzzone, DeGrange, Kasemeyer, King, Madaleno, McFadden, Miller, and Peters

AN ACT concerning

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

SB1001/499337/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 1001

(First Reading File Bill)

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

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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**

SB1034/889931/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1034

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “to” in line 5 down through “purposes” in line 6; strike beginning with “requiring” in line 8 down through “activities;” in line 9 and substitute “requiring, if certain federal funds are reduced in a fiscal year, the Governor to include a certain appropriation in the next fiscal year; stating the intent of the General Assembly;”; in line 13, strike “and 24–205(d)”; and in line 21, strike the colon and substitute “THE TOTAL AMOUNT OF THE APPROPRIATION FOR THE PRIOR FISCAL YEAR INCREASED BY THE PERCENTAGE BY WHICH THE TOTAL AMOUNT OF GENERAL FUND REVENUES APPROPRIATED IN THE PROPOSED BUDGET BILL EXCEEDS THE TOTAL AMOUNT OF GENERAL FUND REVENUES APPROPRIATED IN THE BUDGET BILL FOR THE PRIOR FISCAL YEAR.”

(2) IF THE AMOUNT OF FEDERAL FUNDS ANTICIPATED FOR THE COMMISSION FOR ANY FISCAL YEAR IS REDUCED, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FOR THE NEXT FISCAL YEAR AN APPROPRIATION EQUAL TO THE DIFFERENCE BETWEEN THE ANTICIPATED FEDERAL FUNDS AND THE ACTUAL FEDERAL FUNDS RECEIVED IN THE PRIOR FISCAL YEAR.”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 10 on page 2, inclusive.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 11 through 18, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, in the interest of transparency and unbiased reporting, the Governor include in the annual budget an appropriation of at least \$500,000 to the Maryland Public Broadcasting Commission to record, archive, distribute, and stream:

- (1) the annual State of the State Address;
- (2) floor sessions during the last 2 weeks of the legislative session; and
- (3) the State of the Judiciary Address.”;

and in line 19, strike “2.” and substitute “3.”.

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.

BUDGET AND TAXATION COMMITTEE REPORT NO. 11

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

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**

HB0092/469333/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 92
(Third Reading File Bill)

On page 2, in line 14, after “**ACCOUNT**” insert a period.

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. 22

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

Senate Bill 534 – Senators Benson, Currie, Ferguson, Lee, Madaleno, Manno, McFadden, Muse, Pinsky, Robinson, Smith, and Young

AN ACT concerning

**Motor Vehicle Insurance – Discrimination in Underwriting and Rating –
Prohibitions**

SB0534/287872/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 534
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Mathias, and Oaks”; and strike beginning with “refusing” in line 5 down through “changes” in line

11 and substitute “increasing the premium for an insured who becomes a surviving spouse based solely on the insured’s change in marital status”.

AMENDMENT NO. 2

On page 2, in lines 14 and 15, strike “**RATE A RISK,**”; in lines 15 and 16, strike “**: A.**”; strike beginning with “**B.**” in line 17 down through the semicolon in line 21; in lines 24, 27, and 29, in each instance, strike the bracket; in line 27, strike “**(II)**”; strike in its entirety line 28 and substitute “**INCLUDES:**”; and in line 29, strike “**1.**”.

On page 3, in lines 1, 3, and 5, in each instance, strike the bracket; in lines 1 and 3, strike “**2.**” and “**3.**”, respectively; and in the same lines, in each instance, strike “**INSURED OR**”.

On page 4, in line 7, strike the bracket; and after line 7, insert:

“(6) WITH RESPECT TO PRIVATE PASSENGER MOTOR VEHICLE INSURANCE, AN INSURER MAY NOT INCREASE THE PREMIUM FOR AN INSURED WHO BECOMES A SURVIVING SPOUSE BASED SOLELY ON THE INSURED’S CHANGE IN MARITAL STATUS.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 562 – Senators Kelley and Lee

AN ACT concerning

**Health Care Decisions Act – Advance Directives and Surrogate Decision Making
– Disqualified Individuals**

SB0562/127679/1

BY: Finance Committee

AMENDMENT NO. 1

On page 1, in line 5, after “circumstances;” insert “establishing a certain exception;”; and strike beginning with “who” in line 6 down through “decision;” in line 7 and substitute “under certain circumstances; providing that a health care provider may only be required to make a certain inquiry under certain circumstances; requiring a person who obtains certain information that would prohibit an individual from serving as a health care agent or making health care decisions for a certain individual to provide that information to a certain health care provider or a certain health care facility;”.

AMENDMENT NO. 2

On page 2, in line 31, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE**”.

On page 3, after line 4, insert:

“(III) AN INDIVIDUAL MAY SERVE AS A HEALTH CARE AGENT FOR A DECLARANT AFTER THE DATE OF THE EXECUTION OF A SEPARATION AGREEMENT OR THE FILING OF AN APPLICATION FOR DIVORCE IF THE DECLARANT:

1. IS ABLE TO MAKE A DECISION ABOUT THE INDIVIDUAL’S APPOINTMENT AS THE DECLARANT’S HEALTH CARE AGENT; OR

2. HAS OTHERWISE INDICATED AN INTENT TO HAVE THE INDIVIDUAL SERVE AS THE DECLARANT’S HEALTH CARE AGENT.”.

AMENDMENT NO. 3

On page 3, after line 7, insert:

“(5) (I) A HEALTH CARE PROVIDER MAY ONLY BE REQUIRED TO MAKE A REASONABLE INQUIRY AT THE TIME OF ADMISSION OF A DECLARANT TO A HEALTH CARE FACILITY OR AT THE TIME A NEW HEALTH CARE AGENT IS IDENTIFIED TO DETERMINE WHETHER AN INDIVIDUAL WOULD BE PROHIBITED FROM SERVING AS A HEALTH CARE AGENT FOR THE DECLARANT UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION.

(II) A PERSON WHO OBTAINS NEW INFORMATION THAT WOULD PROHIBIT AN INDIVIDUAL FROM SERVING AS A DECLARANT’S HEALTH CARE AGENT

UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION SHALL PROVIDE THE INFORMATION TO ANY HEALTH CARE PROVIDER OR HEALTH CARE FACILITY PROVIDING SERVICES TO THE DECLARANT.”.

On page 4, after line 27, insert:

“(6) (I) A HEALTH CARE PROVIDER MAY ONLY BE REQUIRED TO MAKE A REASONABLE INQUIRY AT THE TIME OF ADMISSION OF A PATIENT TO A HEALTH CARE FACILITY OR AT THE TIME A NEW HEALTH CARE AGENT IS IDENTIFIED TO DETERMINE WHETHER AN INDIVIDUAL WOULD BE PROHIBITED FROM MAKING HEALTH CARE DECISIONS FOR THE PATIENT UNDER PARAGRAPH (4) OF THIS SUBSECTION.

(II) A PERSON WHO OBTAINS NEW INFORMATION THAT WOULD PROHIBIT AN INDIVIDUAL FROM MAKING HEALTH CARE DECISIONS FOR A PATIENT UNDER PARAGRAPH (4) OF THIS SUBSECTION SHALL PROVIDE THE INFORMATION TO ANY HEALTH CARE PROVIDER OR HEALTH CARE FACILITY PROVIDING SERVICES TO THE PATIENT.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 671 – Senators Kelley and Lee

AN ACT concerning

Department of Human Resources – Public Assistance Eligibility – Financial Records

SB0671/877379/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 671

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Kelley and Lee” and substitute “Kelley, Lee, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe”; in line 7, strike “public assistance” and substitute “Medicaid benefits”; and in the same line, after “records” insert “; requiring the Department to adopt certain regulations”.

AMENDMENT NO. 2

On page 1, in line 22, after the first “**APPLICANT**” insert “**FOR LONG-TERM CARE MEDICAID BENEFITS**”; and in line 24, after “**RECORDS**” insert “**RELATED TO FINANCIAL AND REAL PROPERTY ASSETS**”.

AMENDMENT NO. 3

On page 2, in line 1, strike “**PUBLIC ASSISTANCE**” and substitute “**MEDICAID BENEFITS**”; in line 2, strike “**AND OBTAIN**”; in line 7, after “shall” insert “;”;

1.;

and in line 8, after “section” insert “; **AND**

2. STATE THE REQUIREMENTS THAT AN APPLICANT MUST SATISFY IN ORDER FOR THE DEPARTMENT TO REQUEST FINANCIAL RECORDS UNDER SUBSECTION (B) OF THIS SECTION”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 700 – Senators Robinson, Bates, Benson, Brochin, Conway, Currie, DeGrange, Eckardt, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Muse, Nathan–Pulliam, Reilly, Salling, Smith, Young, and Zucker

AN ACT concerning

**State Government – Office of Minority Affairs and Interdepartmental Advisory
Committee on Minority Affairs – Renaming**

Favorable report adopted.

FLOOR AMENDMENT

SB0700/723522/1

BY: Senator Oaks

AMENDMENT TO SENATE BILL 700

(First Reading File Bill)

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

The preceding amendment was read and 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 919 – Senator Mathias

AN ACT concerning

President Jimmy Carter Cancer Treatment Access Act

SB0919/157179/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 919

(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 3, in line 20, strike “BEST PRACTICES” and substitute “THE U.S. FOOD AND DRUG ADMINISTRATION-APPROVED INDICATION OR THE NATIONAL COMPREHENSIVE CANCER NETWORK DRUGS & BIOLOGICS COMPENDIUM INDICATION”.

The preceding 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 968 – Senator Klausmeier

AN ACT concerning

**Health Insurance – Coverage Requirements for Behavioral Health Disorders –
Modifications**

SB0968/257073/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 968

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Klausmeier” and substitute “Senators Klausmeier, 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 969 – Senator Feldman

AN ACT concerning

**Electricity – Construction of Overhead Transmission Lines – Condemnation
Authority**

SB0969/787675/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 969
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 7, strike “subject to approval by the Public Service Commission”.

AMENDMENT NO. 2

On page 2, in line 20, strike “AND SUBJECT TO APPROVAL BY THE COMMISSION”.

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. 19**

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

**Senate Bill 365 – Senators Young, Conway, Madaleno, Manno, Nathan–Pulliam,
and Pinsky**

AN ACT concerning

**Forest Conservation Act – Exemption, Reforestation Rate, and Forest
Conservation Fund – Alterations**

SB0365/254131/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 365
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Forest” in line 2 down through “Alterations” in line 3 and substitute “Task Force on the Forest Conservation Act Offset Policy”; and strike beginning with “altering” in line 4 down through “Act” in line 10 and substitute “establishing the Task Force on the Forest Conservation Act Offset Policy; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to review, study, and develop findings and recommendations regarding forest conservation in Maryland; authorizing the Task Force to consult with certain entities in carrying out its duties; requiring the Task Force to report its findings and recommendations to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on the Forest Conservation Act Offset Policy”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 11 through 20, inclusive, and substitute:

“Preamble

WHEREAS, Forests and trees are critical for ameliorating the impacts of climate change and can mitigate greenhouse gas emissions by carbon sequestration; and

WHEREAS, Forests provide habitat for hundreds of wildlife species, including habitat needed for rare, threatened, and endangered species; and

WHEREAS, The ecosystem value of Maryland’s forests is in the tens of billions of dollars; and

WHEREAS, Trees and forests in developed areas provide a plethora of benefits including mitigation of urban stormwater runoff, sequestration of carbon, avoidance of energy-related emissions, mitigation of air pollutants such as ozone and particulate matter, reduction of the urban heat island effect, and contributions to community livability; and

WHEREAS, Forest is the most beneficial land use for water quality by retaining sediment and removing nutrient pollution from air, stormwater runoff, and shallow groundwater; and

WHEREAS, Forests are under intense development–related pressure for residential, commercial, and industrial conversion due to the demands of a growing population; and

WHEREAS, Maryland consistently loses thousands of acres of forest annually to development in accordance with the Forest Conservation Act; and

WHEREAS, Recommendations of the Task Force to Study a No Net Loss of Forest Policy in 2009 and the Sustainable Forestry Council in 2011 identified areas of the Forest Conservation Act that need to be amended to move the State closer to its “no net loss of forests” statutory policy adopted in the Forest Preservation Act of 2013; and

WHEREAS, Multiple recommendations from these groups have not been enacted; now, therefore,”;

and in line 22, strike “the Laws of Maryland read as follows”.

On pages 1 through 3, strike in their entirety the lines beginning with line 23 on page 1 through line 15 on page 3, inclusive, and substitute:

“(a) There is a Task Force on the Forest Conservation Act Offset Policy.

(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 Secretary of Natural Resources, or the Secretary’s designee;

(4) the Secretary of Planning, or the Secretary’s designee;

(5) two municipal government representatives, designated by the Maryland Municipal League;

(6) two county government representatives, designated by the Maryland Association of Counties; and

(7) the following 14 representatives, appointed jointly by the President of the Senate and the Speaker of the House:

(i) four representatives from conservation organizations;

(ii) one representative from a land preservation organization;

(iii) one representative from a wildlife conservation organization;

(iv) one representative from the Sustainable Forestry Council;

(v) one representative from the nursery industry in the State;

(vi) one representative from the public health sector;

(vii) two representatives from the utility industry;

(viii) two representatives from the commercial and residential development industry; and

(ix) one faculty member from a State college or university urban forestry or planning program.

(c) The President of the Senate and the Speaker of the House shall designate jointly the chair or cochairs of the Task Force.

(d) The Department of Legislative Services 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) review and study the following issues:

(i) the amount and nature of historical and projected future changes in forested land due to development under the Forest Conservation Act, including changes due to activities exempt from the Act;

(ii) the amount and nature of forest clearing based on the type and location of development, such as differentiating low-density development from development that is associated with proximity to core public infrastructure and population centers;

(iii) the capacity of Priority Funding Areas to accommodate reforestation efforts, and alternatives for offsetting losses;

(iv) the status and effectiveness of fee-in-lieu programs in offsetting forest loss, considering the actual costs to local jurisdictions to undertake tree plantings; and

(v) mechanisms for ensuring timely reporting and maintenance of public records required annually under the Forest Conservation Act; and

(2) develop findings and recommendations for legislation to implement the findings and recommendations of the Task Force to Study a No Net Loss of Forest Policy's Final Report of 2009 and the Sustainable Forestry Council's Report on Policies to Achieve a No Net Loss of Forests in Maryland of 2011 related to the Forest Conservation Act, which may include:

(i) altering Forest Conservation Act mitigation ratios and allowable exemptions to fully offset all forest loss;

(ii) encouraging forest mitigation banking and other options to more efficiently replace forest lost to development;

(iii) enhancing protection for contiguous forest patches greater than 200 acres; and

(iv) adjusting fee-in-lieu programs as necessary to ensure all forest loss is offset or otherwise benefiting Maryland's forest goals.

(g) The Task Force may consult with the Chesapeake Bay Program, the U.S. Forest Service, and other government agencies or academic institutions to obtain

information about data, models, and policies useful in carrying out the duties of the Task Force.

(h) On or before December 1, 2017, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”.

AMENDMENT NO. 3

On page 3, in line 17, strike “October” and substitute “June”; in the same line, after “2017.” insert “It shall remain effective for a period of 1 year and, at the end of May 31, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 703 – Senator Middleton

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Participation in the Readiness and Environmental Protection Integration Program

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 713 – Senators Young, Madaleno, Manno, Pinsky, and Smith

AN ACT concerning

Products That Contain Mercury – Prohibition on Sale of Electric Switches, Electric Relays, and Gas Valve Switches

Senator Jennings moved to make the Bill and Report a Special Order for March 15, 2017.

The motion was adopted.

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

Senate Bill 885 – Senator Rosapepe

AN ACT concerning

Environment – Recycling – Special Events

SB0885/464839/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 885

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Rosapepe” and substitute “Senators Rosapepe and Kagan”; strike beginning with “altering” in line 3 down through “events;” in line 4; in line 4, after “requiring” insert “the State.”; strike beginning with “requiring” in line 6 down through “event;” in line 7; in line 7, after “altering” insert “a”; in line 8, strike “penalties” and substitute “penalty”; and in the same line, strike “making stylistic changes;”.

AMENDMENT NO. 2

On page 2, in line 1, strike the brackets; in the same line, strike “**100**”; in line 6, after “**EVENT,**” insert “THE STATE,”; in lines 25 and 26, in each instance, strike the bracket; and in line 25, strike “\$50” and substitute “\$300”.

On pages 2 and 3, strike beginning with “**OF**” in line 26 on page 2 down through “**\$500,000**” in line 4 on page 3.

On page 3, strike beginning with “**(1)**” in line 5 down through “**(2)**” in line 8.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 964 – Senators Klausmeier and Eckardt

EMERGENCY BILL

AN ACT concerning

Aquaculture – Leases – Submerged Aquatic Vegetation

SB0964/724233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 964

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “study” and substitute “review”.

AMENDMENT NO. 2

On page 1, in line 16, strike “study” and substitute “review”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1040 – Senators Ready, Bates, Eckardt, Edwards, and Salling

AN ACT concerning

Environment – Water and Sewer Plan Approval

SB1040/974431/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 1040

(First Reading File Bill)

On page 2, in line 20, strike “30” and substitute “45”; in lines 24 and 27, in each instance, strike “60–DAY” and substitute “45–DAY”; and in lines 24 and 30, in each instance, strike “30–DAY” and substitute “45–DAY”.

On page 3, in line 7, strike “, WITHOUT CONDITIONS OR RESERVATIONS,”; and in line 9, strike “THIS SECTION” and substitute “PARAGRAPH (1) OF THIS SUBSECTION”.

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. 20**

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

Senate Bill 88 – Senator Simonaire

AN ACT concerning

General Provisions – State Designations – Great Seal

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 309 – The President (By Request – Administration) and Senators
Hershey, Norman, and Salling**

AN ACT concerning

State Finance and Procurement – Small and Minority Business 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 with amendments:

Senate Bill 310 – The President (By Request – Administration) and Senators Hershey and Salling

AN ACT concerning

Improving the State Procurement Oversight Structure

SB0310/604331/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 310

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “date;” insert “requiring the Department of Transportation, in consultation with the MDDC Press Association, to study the use and costs of certain public announcements and report to certain committees of the General Assembly on or before a certain date; prohibiting the Department of Transportation from adopting a certain regulation before a certain date;”.

AMENDMENT NO. 2

On page 7, after line 20, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Department of Transportation, in consultation with the MDDC Press Association, shall:

(1) study the use and costs of placing public announcements of solicitations of interest for transportation–related architectural and engineering services in The Daily Record or any other printed periodical; and

(2) on or before December 1, 2017, report its findings and recommendations to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article.

SECTION 5. AND BE IT FURTHER ENACTED, That the Department of Transportation may not adopt a regulation to amend COMAR 21.12.02.10A regarding the

placement of public announcements of solicitations of interest for transportation-related architectural and engineering services before March 1, 2018.”;

and in line 21, strike “4.” and substitute “6.”.

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 541 – Senator Conway (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Board of Municipal and Zoning Appeals – Appeals Authority

SB0541/694032/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 541

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “City,” insert “establishing that this Act does not alter or impair the right to appeal provided for under certain provisions of law;”.

AMENDMENT NO. 2

On page 2, after line 21, insert:

“(D) THIS SECTION DOES NOT ALTER OR IMPAIR THE RIGHT TO APPEAL PROVIDED FOR UNDER THIS SUBTITLE.”;

and in line 23, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 971 – Senator Kagan

AN ACT concerning

**Procurement – Nondiscrimination Clauses and State Policy Prohibiting
Discrimination**

SB0971/724232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 971

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “characteristics,” insert “declaring the intent of the State; altering certain language required to be contained in certain nondiscrimination clauses, in a certain certification, and in certain contracts; altering a certain definition;”; and in line 15, strike “and 19–101” and substitute “, 19–101, 19–102, 19–103(j), 19–114, 19–115, and 19–116”.

AMENDMENT NO. 2

On page 3, after line 25, insert:

“19–102.

It is the intent of the State to avoid becoming a passive participant in private sector commercial discrimination:

(1) by refusing to procure goods and services from business entities that:

(I) discriminate in the solicitation, selection, hiring, or commercial treatment of vendors, suppliers, subcontractors, or commercial customers on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or other unlawful forms of discrimination; OR

(II) DISCRIMINATE IN THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS ON THE BASIS OF RACE, COLOR, RELIGION, ANCESTRY OR NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, SEXUAL ORIENTATION, OR ON THE BASIS OF DISABILITY OR OTHER UNLAWFUL FORMS OF DISCRIMINATION; AND

(2) by providing a procedure for receiving, investigating, and resolving complaints of discrimination, AS DESCRIBED IN ITEM (1) OF THIS SUBSECTION, filed against business entities that:

[(1)](I) have submitted a bid or proposal; or

[(2)](II) have been selected to engage in, or are engaged in, providing goods or services to the State.

19-103.

(j) (1) “Discrimination” means any disadvantage, difference, distinction, or preference in:

(I) the solicitation, selection, hiring, or commercial treatment of a vendor, supplier, subcontractor, or commercial customer on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or any otherwise unlawful use of characteristics regarding the vendor’s, supplier’s, or commercial customer’s employees or owners; OR

(II) THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS ON THE BASIS OF RACE, COLOR, RELIGION, ANCESTRY OR NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, SEXUAL ORIENTATION, OR ON THE BASIS OF DISABILITY OR OTHER UNLAWFUL USE OF CHARACTERISTICS REGARDING THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS.

(2) “Discrimination” does not include lawful efforts to remedy the effects of discrimination that have occurred or are occurring in the marketplace.

19-114.

Every contract and subcontract shall contain a nondiscrimination clause that reads as follows:

“As a condition of entering into this agreement, the company represents and warrants that it will comply with the State’s Commercial Nondiscrimination Policy, as described under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland. As part of such compliance, the company may not discriminate on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or other unlawful forms of discrimination in the solicitation, selection, hiring, or commercial treatment of subcontractors, vendors, suppliers, or commercial customers **OR IN THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS**, nor shall the company retaliate against any person for reporting instances of such discrimination. The company shall provide equal opportunity for subcontractors, vendors, and suppliers to participate in all of its public sector and private sector subcontracting and supply opportunities, provided that nothing contained in this clause shall prohibit or limit otherwise lawful efforts to remedy the effects of marketplace discrimination that have occurred or are occurring in the marketplace. The company understands and agrees that a material violation of this clause shall be considered a material breach of this agreement and may result in termination of this agreement, disqualification of the company from participating in State contracts, or other sanctions. This clause is not enforceable by or for the benefit of, and creates no obligation to, any third party.”.

19–115.

All requests for bids or proposals issued for State contracts shall include the following certification to be completed by the bidder:

“The undersigned bidder hereby certifies and agrees that the following information is correct:

In preparing its bid on this project, the bidder has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in “discrimination” as defined in § 19–103 of the State Finance and Procurement Article of the Annotated Code of Maryland; to wit: discrimination in the solicitation, selection, or commercial treatment of any subcontractor, vendor, supplier, or commercial customer **OR IN THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS** on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or other unlawful forms of discrimination. Without limiting the foregoing, “discrimination” also includes retaliating against any person or other entity for reporting any incident of “discrimination”. Without limiting any other provision of the

solicitation for bids on this project, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for the State to reject the bid submitted by the bidder on this project, and terminate any contract awarded based on the bid. As part of its bid or proposal, the bidder shall provide to the State a list of all instances within the immediate past 4 years where there has been a final adjudicated determination in a legal or administrative proceeding in the State of Maryland that the bidder discriminated against its subcontractors, vendors, suppliers, or commercial customers **OR DISCRIMINATED IN THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS**, and a description of the status or resolution of that complaint, including any remedial action taken. As a condition of submitting a bid or proposal to the State, the bidder agrees to comply with the State's Commercial Nondiscrimination Policy as described under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland."

19-116.

Every contract that the State enters into shall include the following language:

"As a condition of entering into this agreement, upon the request of the Commission on Civil Rights, and only after the filing of a complaint against the company under Title 19 of the State Finance and Procurement Article, as amended from time to time, the company agrees to: provide to the State within 60 days after the request a truthful and complete list of the names of all subcontractors, vendors, and suppliers that the company has used in the past 4 years on any of its contracts that were undertaken within the State of Maryland, including the total dollar amount paid by the contractor on each subcontract or supply contract, **OR ANY INFORMATION REQUESTED BY THE COMMISSION TO INVESTIGATE THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS**. The company further agrees to cooperate in any investigation conducted by the State pursuant to the State's Commercial Nondiscrimination Policy as set forth under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland, to provide any documents relevant to any investigation that is requested by the State. The company understands and agrees that violation of this clause shall be considered a material breach of this agreement and may result in contract termination, disqualification by the State from participating in State contracts, and other sanctions." "

The preceding 2 amendments were read only.

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

The motion was adopted.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 21**

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

Senate Bill 452 – Senators Manno, Benson, Brochin, Currie, DeGrange, Edwards, Feldman, Guzzone, Hough, Jennings, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Mathias, Muse, Nathan–Pulliam, Norman, Peters, Ready, Robinson, Rosapepe, Salling, Serafini, Smith, Young, Zirkin, and Zucker

AN ACT concerning

**Education – Accountability Program – Assessments
(Less Testing, More Learning Act of 2017)**

SB0452/824533/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 452
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, and Pinsky”; in line 3, strike “(Less Testing, More Learning” and substitute “(More Learning, Less Testing”; strike beginning with “requiring” in line 4 down through “year;” in line 5; in line 6, after “to” insert “a”; in the same line, strike “assessments” and substitute “assessment”; strike beginning with “requiring” in line 6 down through “assessments” in line 10 and substitute “requiring the State Board of Education, in collaboration with certain stakeholders, to redesign a certain assessment to meet certain criteria when a certain contract expires; requiring certain county boards of education and certain employee representatives to meet and confer regarding certain items and to mutually agree to a certain amount of time that must be devoted to certain assessments, subject to certain conditions, on or before certain dates”; and strike beginning with “requiring” in line 13 down through “assessments” in line 25 and substitute “requiring the State Board to define a certain rubric, on or before a certain date, to be used for a certain purpose”.

AMENDMENT NO. 2

On page 3, in lines 7, 8, 17, and 28, in each instance, strike the bracket; and in lines 7 and 28, in each instance, strike “AND”.

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 4 on page 4, inclusive.

On page 4, in line 15, strike the bracket; in the same line, strike “After the 2014–2015 school year, the” and substitute “THE”; in line 16, strike “at the middle school and high school levels”; in line 22, strike “Department” and substitute “STATE BOARD”; in line 24, strike the bracket; and after line 24, insert:

“(4) AT THE HIGH SCHOOL LEVEL, WHEN THE DEPARTMENT’S CONTRACT FOR THE CURRENT HIGH SCHOOL SOCIAL STUDIES ASSESSMENT EXPIRES, THE STATE BOARD SHALL, IN COLLABORATION WITH COUNTY BOARDS, COUNTY CURRICULUM SPECIALISTS IN SOCIAL STUDIES, HIGH SCHOOL SOCIAL STUDIES TEACHERS, AND ACADEMICS WITH EXPERTISE IN SOCIAL STUDIES EDUCATION, REDESIGN THE HIGH SCHOOL LEVEL SOCIAL STUDIES ASSESSMENT TO:

(I) CONSIST, TO THE GREATEST EXTENT POSSIBLE, OF CRITERION-REFERENCED, PERFORMANCE-BASED TASKS THAT REQUIRE STUDENTS TO UTILIZE CRITICAL AND HISTORICAL THINKING SKILLS AND ANALYZE PRIMARY SOURCES;

(II) BE ADMINISTERED, TO THE GREATEST EXTENT POSSIBLE, WITHIN EXISTING CLASS PERIODS; AND

(III) BE IMPLEMENTED IN THE 2018–2019 SCHOOL YEAR, AND EACH YEAR THEREAFTER.”.

AMENDMENT NO. 3

On pages 5 and 6, strike in their entirety the lines beginning with line 29 on page 5 through line 3 on page 6, inclusive.

On page 6, after line 3, insert:

“(2) (I) ON OR BEFORE AUGUST 1, 2017, AND EACH AUGUST 1 THEREAFTER IN AN ODD-NUMBERED YEAR, A COUNTY BOARD AND THE EXCLUSIVE

EMPLOYEE REPRESENTATIVE FOR THAT LOCAL SCHOOL SYSTEM SHALL MEET AND CONFER REGARDING:

1. A RUBRIC FOR EVALUATING LOCAL ASSESSMENTS;

2. THE TIME REQUIRED TO ADMINISTER EACH LOCAL ASSESSMENT; AND

3. THE PURPOSE OF EACH LOCAL ASSESSMENT.

(II) A COUNTY BOARD MAY ESTABLISH A DISTRICT COMMITTEE ON ASSESSMENTS TO ASSIST AND FACILITATE THE REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT INCLUDES ADMINISTRATORS, TEACHERS, AND PARENTS.

(III) SUBJECT TO SUBPARAGRAPH (IV) OF THIS PARAGRAPH, ON OR BEFORE DECEMBER 1, 2017, AND EACH DECEMBER 1 THEREAFTER IN AN ODD-NUMBERED YEAR, A COUNTY BOARD AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE FOR THAT LOCAL SCHOOL SYSTEM SHALL MUTUALLY AGREE TO THE AMOUNT OF TIME IN THE AGGREGATE THAT SHALL BE DEVOTED TO FEDERAL, STATE, OR LOCALLY MANDATED ASSESSMENTS, ON A GRADE-BY-GRADE BASIS, FOR THE FOLLOWING YEAR.

(IV) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, IF A COUNTY BOARD AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE FAIL TO MUTUALLY AGREE UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE AMOUNT OF TIME IN THE AGGREGATE THAT SHALL BE DEVOTED TO FEDERAL, STATE, OR LOCALLY MANDATED ASSESSMENTS SHALL BE NO MORE THAN 2.2% OF THE MINIMUM REQUIRED ANNUAL INSTRUCTIONAL HOURS IN ACCORDANCE WITH § 7-103 OF THIS TITLE.

(V) IF A COUNTY BOARD AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE FAIL TO MUTUALLY AGREE UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE AMOUNT OF TIME IN THE AGGREGATE THAT SHALL BE DEVOTED TO FEDERAL, STATE, OR LOCALLY MANDATED ASSESSMENTS IN THE EIGHTH GRADE

SHALL BE NO MORE THAN 2.3% OF THE MINIMUM REQUIRED ANNUAL INSTRUCTIONAL HOURS IN ACCORDANCE WITH § 7-103 OF THIS TITLE.”.

AMENDMENT NO. 4

On page 6, strike in their entirety lines 4 through 6, inclusive; after line 6, insert:

“(3) A STUDENT MAY NOT BE SUBJECT TO THE REQUIREMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION IF THE STUDENT PARTICIPATES IN:

(I) AN ADVANCED PLACEMENT OR INTERNATIONAL BACCALAUREATE PROGRAM; OR

(II) THE SCHOLASTIC APTITUDE TEST (SAT), IF ADMINISTERED DURING THE REGULAR SCHOOL DAY.”;

in line 7, after “QUIZZES” insert a comma; in line 8, strike “AND”; in line 9, strike “TESTING LIMIT ESTABLISHED IN” and substitute “REQUIREMENT UNDER”; in line 11, strike “SUPERSEDE” and substitute “INCLUDE”; in line 15, after the semicolon insert “OR”; in line 17, strike “; OR” and substitute a period; after line 17, insert:

“(6) THIS SUBSECTION MAY NOT BE CONSTRUED TO SUPERSEDE THE REQUIREMENTS OF”;

and in line 18, strike “(IV) THE” and substitute “THE”.

AMENDMENT NO. 5

On pages 6 through 8, strike in their entirety the lines beginning with line 20 on page 6 through line 25 on page 8, inclusive.

On page 8, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That on or before July 15, 2017, the State Board of Education shall define a rubric by which a county board of education or a District Committee on Assessments shall evaluate local assessments under § 7-203(h)(2) of the Education Article as enacted by Section 1 of this Act.”;

in line 26, strike “2.” and substitute “3.”; and in the same line, strike “July” and substitute “June”.

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 with amendments:

Senate Bill 667 – Senator Jennings

AN ACT concerning

Education – Prekindergarten Student Assessment – Moratorium

SB0667/764535/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 667

(First Reading File Bill)

On page 1, in line 3, strike the second “the” and substitute “a certain”.

On page 2, in line 17, after “**THE**” insert “**MANDATORY**”; and in line 26, after the second “**THE**” insert “**MANDATORY**”.

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 814 – Senators Rosapepe, Benson, Hershey, Jennings, Klausmeier, and Mathias

AN ACT concerning

Pharmacists – Dispensing of Prescription Drugs – Single Dispensing of Dosage Units

SB0814/474231/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 814

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 7 down through “substance” in line 8 and substitute “certain drugs”.

AMENDMENT NO. 2

On page 1, in line 19, after “TO” insert “:

(1)”;

in the same line, strike “A” and substitute “A”; and in line 20, after “ARTICLE” insert “;

(2) THE FIRST PRESCRIPTION OR CHANGE IN A PRESCRIPTION FOR A MAINTENANCE DRUG THAT AN AUTHORIZED PRESCRIBER PRESCRIBES FOR THE INSURED OR ENROLLEE; OR

(3) FOR A CONTRACEPTIVE, THE FIRST 2-MONTH SUPPLY OF PRESCRIPTION CONTRACEPTIVES DISPENSED UNDER:

(I) THE INITIAL PRESCRIPTION FOR THE CONTRACEPTIVE; OR

(II) ANY SUBSEQUENT PRESCRIPTION FOR A CONTRACEPTIVE THAT IS DIFFERENT THAN THE LAST CONTRACEPTIVE DISPENSED TO THE PATIENT”.

On page 2, in line 7, strike “FOR” and substitute “SUBJECT TO SUBSECTION (A)(3) OF THIS SECTION, FOR”.

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 815 – Senator Rosapepe

AN ACT concerning

State Board of Pharmacy – Registered Pharmacy Technicians – Exemption for Pharmacy Students

SB0815/574134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 815

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Rosapepe” and substitute “Senators Rosapepe and Middleton”.

On page 3, in lines 2 and 4, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 989 – Senators Nathan–Pulliam and Mathias

AN ACT concerning

State Board of Physicians – Physician Licensure – Prohibition on Requiring Specialty Certification

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 997 – Senator Conway

AN ACT concerning

Pharmacists – Substitution and Dispensing of Biological Products

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1012 – Senator Conway (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City Board of School Commissioners – Members – Appointment and Removal

SB1012/994532/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1012

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “establishing the Baltimore City Public School Board Community Panel; providing for the purpose and composition of the panel; authorizing the Mayor of Baltimore City to request the panel to reconvene under certain circumstances; requiring the panel to reconvene for a certain purpose;”; in line 6, strike “of Baltimore City”; in line 7, after “board” insert “and fill certain vacancies”; and strike beginning with “establishing” in line 8 down through “panel;” in line 9.

AMENDMENT NO. 2

On page 1, strike line 21 in its entirety and substitute:

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

(2) “BOARD” MEANS THE BALTIMORE CITY BOARD OF SCHOOL”;

and after line 22, insert:

“(3) “MAYOR” MEANS THE MAYOR OF BALTIMORE CITY.

(4) “PANEL” MEANS THE BALTIMORE CITY PUBLIC SCHOOL BOARD COMMUNITY PANEL.

(B) (1) THERE IS A BALTIMORE CITY PUBLIC SCHOOL BOARD COMMUNITY PANEL.

(2) THE PURPOSE OF THE PANEL IS TO SELECT NOMINEES TO BE RECOMMENDED TO THE MAYOR AS QUALIFIED CANDIDATES FOR APPOINTMENT TO THE BOARD.

(3) THE MAYOR SHALL CONVENE THE PANEL.

(4) THE PANEL MAY INCLUDE A REPRESENTATIVE FROM EACH OF THE FOLLOWING ORGANIZATIONS, APPOINTED BY THE ORGANIZATION:

(I) THE BALTIMORE TEACHERS UNION;

(II) THE MAYOR’S OFFICE;

(III) THE BALTIMORE CITY COUNCIL EDUCATION AND YOUTH COMMITTEE;

(IV) THE BALTIMORE CITY PUBLIC SCHOOL ADMINISTRATORS AND SUPERVISORS ASSOCIATION;

(V) THE MARYLAND ALLIANCE OF PUBLIC CHARTER SCHOOLS;

(VI) THE DOWNTOWN BALTIMORE FAMILY ALLIANCE;

(VII) THE FUND FOR EDUCATIONAL EXCELLENCE;

(VIII) A PARENT MEMBER OF THE PTA COUNCIL OF BALTIMORE CITY;

(IX) THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME);

(X) THE ASSOCIATED STUDENT CONGRESS OF BALTIMORE CITY;

(XI) THE AMERICAN CIVIL LIBERTIES UNION;

(XII) THE PARENT AND COMMUNITY ADVISORY BOARD; AND

(XIII) DISABILITY RIGHTS MARYLAND.

(5) THE MAYOR MAY RECONVENE THE PANEL IF THE MAYOR ELECTS NOT TO APPOINT A MEMBER FROM THE LIST SUBMITTED BY THE PANEL UNDER SUBSECTIONS (D)(1)(I) OR (I)(6) OF THIS SECTION.”;

and in line 23, strike “(b)” and substitute “(C)”.

On page 2, in lines 1, 9, 10, 12, 14, and 27, strike “(c)”, “(d)”, “(e)”, “(f)”, “(g)”, and “(h)”, respectively, and substitute “(D)(1)”, “(E)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively; in line 2, strike “(1) Nine” and substitute “(I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, NINE”; strike beginning with “of” in line 2 down through “City” in line 3; strike beginning with “BALTIMORE” in line 4 down through “PANEL” in line 5 and substitute “PANEL”; in lines 6 and 7, strike “(2)” and “(3)”, respectively, and substitute “(II)” and “(III)”, respectively; after line 8, insert:

“(2) IF THE MAYOR ELECTS NOT TO APPOINT A MEMBER FROM A LIST SUBMITTED BY THE PANEL UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE MAYOR SHALL RECONVENE THE PANEL TO SUBMIT ADDITIONAL NAMES OF QUALIFIED CANDIDATES;”.

On page 3, in line 4, strike “To” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, TO**”; strike beginning with “of” in line 4 down through “City” in line 5; in line 7, strike “State Board” and substitute “**PANEL**”; after line 7, insert:

“(II) IF THE MAYOR ELECTS NOT TO APPOINT A MEMBER FROM A LIST SUBMITTED BY THE PANEL UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE MAYOR SHALL RECONVENE THE PANEL TO SUBMIT ADDITIONAL NAMES OF QUALIFIED CANDIDATES.”;

in lines 12, 20, 21, and 23, strike “(i)”, “(j)”, “(k)”, and “(l)”, respectively, and substitute “**(J)**”, “**(K)**”, “**(L)**”, and “**(M)**”, respectively; in line 12, strike “of Baltimore City”.

On page 4, in line 10, strike “(m)” and substitute “**(N)**”.

On pages 4 and 5, strike in their entirety the lines beginning with line 13 on page 4 through line 7 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.

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE REPORT NO. 22

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

**Senate Bill 13 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Military)**

AN ACT concerning

Public Safety – State Militia

Senator Miller 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 with amendments:

**Senate Bill 44 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Maryland State Archives)**

AN ACT concerning

**Records Management and Preservation – State and Local Government Units –
Responsibilities**

SB0044/354535/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 44

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Local Government Units” and substitute “Units and Public Officials”; strike beginning with “applying” in line 4 down through “municipalities,” in line 5; in line 7, after “unit” insert “of State government”; strike beginning with “requiring” in line 9 down through “records;” in line 12; in line 12, strike “may be considered” and substitute “are required to be offered by a public official to the State Archives”; strike beginning with “authorizing” in line 14 down through “Archives;” in line 15; and in line 16, strike “altering a certain definition;”.

AMENDMENT NO. 2

On page 2, in lines 8 and 14, in each instance, strike the brackets; strike lines 11 and 12 in their entirety; and in line 27, after “UNIT” insert “OF STATE GOVERNMENT”.

On page 3, strike in their entirety lines 19 through 22, inclusive; and in lines 24 and 26, in each instance, strike the bracket.

On pages 3 and 4, strike beginning with the first “THE” in line 26 on page 3 down through “INCLUDE:” in line 2 on page 4.

On page 4, in line 9, after the semicolon, insert “OR”; strike in their entirety lines 10 through 12, inclusive; in line 13, strike “(7)” and substitute “(6)”; in lines 17, 18, and 20, in each instance, strike the bracket; in lines 18 and 20, in each instance, strike “RECORDS OFFICER”; and in line 18, strike “UNIT”.

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 406 – Senators Peters, Benson, Currie, Muse, Ramirez, and Rosapepe

AN ACT concerning

Election Law – Voting System – Optical Scanners in Prince George’s County

SB0406/344733/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 406

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Optical” and substitute “Digital”; in the same line, strike “in Prince George’s County”; in line 3, after “include” insert “, on request by a local board of elections and with the approval of the applicable county governing body,”; in lines 4 and 5, in each instance, strike “optical” and substitute “additional digital”; in line 4, strike “each polling place in Prince George’s County” and substitute “certain polling places”; in line 5, after “places,” insert “requiring certain costs to be apportioned between the State and a county in a certain manner; providing that, except under certain circumstances, a local board shall submit a request to the State Board for additional digital scanners on or before a certain date; requiring that, following each primary and general election, the State Board conduct a statewide independent automated software audit of the ballot images for the election;”; and in line 6, strike “in Prince George’s County”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 2 through 4, inclusive, and substitute:

“(2) (I) ON REQUEST BY A LOCAL BOARD, AND WITH THE APPROVAL OF THE APPLICABLE COUNTY GOVERNING BODY, THE STATE BOARD SHALL INCLUDE WITH THE VOTING SYSTEM ACQUIRED UNDER PARAGRAPH (1)(I) OF THIS

SUBSECTION AT LEAST TWO DIGITAL SCANNERS FOR EACH POLLING PLACE DESIGNATED BY THE LOCAL BOARD TO RECEIVE MULTIPLE DIGITAL SCANNERS.

(II) 1. A LOCAL BOARD SHALL SUBMIT A REQUEST TO THE STATE BOARD FOR ADDITIONAL DIGITAL SCANNERS NO LATER THAN 12 MONTHS BEFORE THE DATE OF THE ELECTION FOR WHICH THE SCANNERS ARE TO BE DEPLOYED.

2. ON A SHOWING OF GOOD CAUSE, THE STATE BOARD MAY WAIVE THE DEADLINE FOR THE SUBMISSION OF A REQUEST BY A LOCAL BOARD FOR ADDITIONAL DIGITAL SCANNERS UNDER THIS SUBPARAGRAPH.

(III) THE COST OF THE ADDITIONAL DIGITAL SCANNERS ACQUIRED BY THE STATE BOARD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE SPLIT EVENLY BETWEEN THE STATE AND THE COUNTY TO WHICH THE DIGITAL SCANNERS ARE DEPLOYED.”.

AMENDMENT NO. 3

On page 3, after line 4, insert:

“(3) FOLLOWING EACH PRIMARY AND GENERAL ELECTION, THE STATE BOARD SHALL CONDUCT A STATEWIDE INDEPENDENT AUTOMATED SOFTWARE AUDIT OF THE BALLOT IMAGES FOR THE ELECTION.”;

and in line 5, strike “(3)” and substitute “(4)”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 450 – Senator Manno

AN ACT concerning

Open Meetings Act – Required Training for Members of Public Bodies

SB0450/964436/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 450

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Required Training for Members of Public Bodies” and substitute “Annual Reporting Requirement, Web Site Postings, and Training”; strike beginning with “repealing” in line 3 down through “regarding” in line 11 and substitute “requiring the Board, in conjunction with the Office of the Attorney General, to distribute certain educational materials to the staff and attorneys for certain entities; adding the Maryland Association of Boards of Education to the entities the Board, in conjunction with the Office of the Attorney General, is required to develop and conduct certain educational programs for; altering the annual reporting requirement of the State Open Meetings Law Compliance Board to require that certain information on certain violations be reported; requiring the Board to post certain information on a certain Web site; repealing a requirement that certain public bodies forward a certain list to the Board; prohibiting a public body from meeting in a closed session unless the public body designates at least a certain number of members to receive the training; requiring that certain designated individuals attend certain meetings or that certain public bodies include a certain checklist in certain minutes; requiring the Board, the University of Maryland’s Institute for Governmental Service and Research, and the Academy for Excellence in Local Governance in the University of Maryland’s School of Public Health to collaborate with certain entities to determine a certain cost–benefit analysis, develop a certain list of contacts, and report to certain committees of the General Assembly on or before a certain date; defining a certain term; and generally relating to the annual reporting requirement, Web site postings, and training under”; after line 11, insert:

“BY adding to

Article – General Provisions

Section 3–101(d–1)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)”;

and in line 14, before “3–213” insert “3–204(d) and (e), 3–211, and”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“3-101.

(D-1) “CLASS ON THE OPEN MEETINGS LAW” MEANS:

(1) AN ONLINE CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW OFFERED BY THE OFFICE OF THE ATTORNEY GENERAL AND THE UNIVERSITY OF MARYLAND’S INSTITUTE FOR GOVERNMENTAL SERVICE AND RESEARCH;

(2) A CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW OFFERED BY THE MARYLAND ASSOCIATION OF COUNTIES OR THE MARYLAND MUNICIPAL LEAGUE THROUGH THE ACADEMY FOR EXCELLENCE IN LOCAL GOVERNANCE; OR

(3) A CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW OFFERED BY THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION THROUGH THE BOARDSMANSHIP ACADEMY PROGRAM.

3-204.

(d) The Board, in conjunction with the Office of the Attorney General and other interested organizations or persons, shall develop and conduct educational programs AND DISTRIBUTE EDUCATIONAL MATERIALS on the requirements of the open meetings law for the staffs and attorneys of:

(1) public bodies;

(2) the Maryland Municipal League; [and]

(3) the Maryland Association of Counties; AND

(4) THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION.

(e) (1) On or before October 1 of each year, the Board shall submit an annual report to the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly.

(2) The report shall:

(i) describe the activities of the Board;

(ii) describe the opinions of the Board;

(iii) state the number and nature of complaints filed with the Board and discuss complaints that reasonable notice of a meeting was not given; [and]

(IV) IDENTIFY THE PROVISIONS OF THIS TITLE THAT THE BOARD HAS FOUND A PUBLIC BODY TO HAVE VIOLATED AND THE NUMBER OF TIMES EACH PROVISION HAS BEEN VIOLATED;

(V) IDENTIFY EACH PUBLIC BODY THAT THE BOARD HAS FOUND TO HAVE VIOLATED A PROVISION OF THIS TITLE; AND

[(iv)](VI) recommend any improvements to this title.

3–211.

(A) THIS SECTION DOES NOT APPLY TO A PUBLIC BODY THAT IS:

(1) IN THE JUDICIAL BRANCH OF STATE GOVERNMENT; OR

(2) SUBJECT TO GOVERNANCE BY RULES ADOPTED BY THE COURT OF APPEALS.

[(a)] (B) If the Board determines that a violation of this title has occurred:

(1) at the next open meeting of the public body after the Board has issued its opinion, a member of the public body shall announce the violation and orally summarize the opinion; and

(2) a majority of the members of the public body shall sign a copy of the opinion and return the signed copy to the Board.

[(b)] (C) The public body may not designate its counsel or another representative to provide the announcement and summary.

[(c)] (D) Compliance by a public body or a member of a public body with subsections [(a) and (b)] (B) AND (C) of this section:

(1) is not an admission to a violation of this title by the public body; and

(2) may not be used as evidence in a proceeding conducted in accordance with § 3-401 of this title.

(E) IF THE BOARD DETERMINES THAT A PUBLIC BODY HAS VIOLATED A PROVISION OF THIS TITLE, THE BOARD SHALL POST ON THE MARYLAND OPEN MEETINGS ACT PAGE OF THE OFFICE OF THE ATTORNEY GENERAL WEB SITE THE NAME OF THE PUBLIC BODY AND THE OPINION THAT DESCRIBES THE VIOLATION.”;

after line 20, insert:

“(A) THIS SECTION DOES NOT APPLY TO A PUBLIC BODY THAT IS:

(1) IN THE JUDICIAL BRANCH OF STATE GOVERNMENT; OR

(2) SUBJECT TO GOVERNANCE BY RULES ADOPTED BY THE COURT OF APPEALS.”;

in line 21, strike “[a)” and substitute “(B)”; and in the same line, strike the colon.

AMENDMENT NO. 3

On page 1, in line 22, strike “(1)”.

On pages 1 and 2, strike beginning with the semicolon in line 24 on page 1 down through “Board” in line 2 on page 2.

On page 2, in line 3, strike “(b)]” and substitute “(C)”; in the same line, in each instance, strike the bracket; in the same line, strike “(a)(1)” and substitute “(B)”; in line 4,

strike “BECOMING A MEMBER OF A PUBLIC BODY”; strike beginning with the colon in line 5 down through “SUBSECTION” in line 14 and substitute “COMPLETE A CLASS ON THE OPEN MEETINGS LAW”; strike in their entirety lines 15 through 19, inclusive, and substitute:

“(D) (1) THIS SUBSECTION APPLIES TO A PUBLIC BODY THAT MEETS IN A CLOSED SESSION ON OR AFTER OCTOBER 1, 2017.

(2) A PUBLIC BODY MAY NOT MEET IN A CLOSED SESSION UNLESS THE PUBLIC BODY HAS DESIGNATED AT LEAST ONE MEMBER OF THE PUBLIC BODY TO RECEIVE TRAINING ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AT LEAST ONE INDIVIDUAL DESIGNATED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE PRESENT AT EACH OPEN MEETING OF THE PUBLIC BODY.

(II) IF AN INDIVIDUAL DESIGNATED UNDER PARAGRAPH (2) OF THIS SUBSECTION CANNOT BE PRESENT AT AN OPEN MEETING OF THE PUBLIC BODY, THE PUBLIC BODY SHALL COMPLETE THE COMPLIANCE CHECKLIST FOR MEETINGS SUBJECT TO THE MARYLAND OPEN MEETINGS ACT DEVELOPED BY THE OFFICE OF THE ATTORNEY GENERAL AND INCLUDE THE COMPLETED CHECKLIST IN THE MINUTES FOR THE MEETING.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2017, the Open Meetings Compliance Board, the University of Maryland’s Institute for Governmental Service and Research, and the Academy for Excellence in Local Governance in the University of Maryland’s School of Public Policy shall:

(1) collaborate with the Maryland Association of Counties, the Maryland Municipal League, the Maryland Association of Boards of Education, Maryland Common Cause, and the Maryland–Delaware–District of Columbia Press Association to determine a cost–benefit analysis of:

(i) the costs to the State associated with tracking the names of individuals who complete a class on the open meetings law as required by § 3–213 of the General Provisions Article, as enacted by Section 1 of this Act, including the public body

with which the individual is affiliated, including the cost to the University of Maryland's Institute for Governmental Service and Research to collect information on individuals who take the online course offered by the Institute; and

(ii) the benefits to the State of tracking the names of individuals who complete a class on the open meetings law as required by § 3–213 of the General Provisions Article, as enacted by Section 1 of this Act, including the public body with which the individual is affiliated;

(2) collaborate with the Maryland Association of Counties, the Maryland Municipal League, and the Maryland Association of Boards of Education to develop a list of contacts for public bodies to which the Board may send educational materials, the Compliance Checklist for Meetings Subject to the Maryland Open Meetings Act, the Board's annual report, and any other information the Board determines would be useful to a public body in assisting compliance with the Open Meetings Act; and

(3) report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on:

(i) the findings of the results of the cost–benefit analysis required by item (1) of this section and any resulting recommendations for legislation; and

(ii) the status of developing the information required under item (2) of this section.”;

and in line 21, 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 Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 857 – Senators Smith and Waugh

AN ACT concerning

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

Senator Waugh moved to make the Bill and Report a Special Order for March 15, 2017.

The motion was adopted.

SPECIAL ORDERS

**Senate Bill 13 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Military)**

AN ACT concerning

Public Safety – State Militia

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

Senator Waugh moved to make the Bill and Report a Special Order for March 15, 2017.

The motion was adopted.

SPECIAL ORDER CALENDAR NO. 29

**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 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 only.

Senator Ferguson moved to make the Bill and Amendments a Special Order for March 16, 2017.

The motion was adopted.

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.

FLOOR AMENDMENT

SB0266/703927/1

BY: Senator Middleton

AMENDMENTS TO SENATE BILL 266

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “– Prohibition”; strike beginning with “prohibiting” in line 4 down through “technology;” in line 8 and substitute “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;”; in line 9, after “law;” insert “requiring the Bay Cabinet, in consultation with the Chesapeake Bay

Commission and other interested parties, to review and make certain recommendations regarding certain matters; requiring the Bay Cabinet to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; and in line 13, after “9–1108” insert “and 9–1605.2(h)(2)(i)1.”.

AMENDMENT NO. 2

On page 2, in line 5, in each instance, strike the brackets; in the same line, strike “BAY WATERSHED, THE”; in line 6, strike “WATERSHED, OR THE WATERSHED OF A NITROGEN–IMPAIRED BODY OF WATER”; in line 13, strike the brackets; in the same line, after “subsection” insert “AND”; in the same line, strike “IN”; 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 FAILING SYSTEMS OUTSIDE THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA;

(III) THIRD, FOR EXISTING SYSTEMS THAT:

1. DO NOT COMPLY WITH STATE OR LOCAL LAWS, REGULATIONS, OR POLICIES; AND

2. ARE IN THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA;

(IV) FOURTH, FOR NEW SYSTEMS IN THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA;

(V) FIFTH, FOR EXISTING SYSTEMS THAT:

1. DO NOT COMPLY WITH STATE OR LOCAL LAWS, REGULATIONS, OR POLICIES; AND

2. ARE OUTSIDE THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA; AND

(VI) SIXTH, FOR NEW SYSTEMS OUTSIDE THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA.”;

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;

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Bay Cabinet, in consultation with the Chesapeake Bay Commission and other interested parties, shall:

(1) review and recommend alternative nitrogen reductions that account for any nitrogen reductions lost due to regulatory changes made to COMAR 26.04.02.07 as adopted on November 1, 2016;

(2) determine the most cost-effective methods for reducing nitrogen to the Chesapeake and Atlantic Coastal Bays Critical Area and other nitrogen-impaired bodies of water in the State; and

(3) recommend a new prioritization for the use of Bay Restoration Funds that is based on the most cost-effective methods for reducing nitrogen as determined under item (2) of this subsection.

(b) On or before December 31, 2017, the Cabinet shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”;

and in line 34, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0266/253122/1

BY: Senator Ready

AMENDMENTS TO SENATE BILL 266

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “law;” insert “decreasing the maximum penalty that may be imposed for a violation of the prohibition against installing, having installed, replacing,

or having replaced certain on-site sewage disposal systems in certain areas of the State unless the on-site sewage disposal systems utilize certain technology;”.

AMENDMENT NO. 2

On page 2, in line 29, strike “\$8,000” and substitute “**\$1,000**”.

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

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 15, 2017.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 546)

SENATE THIRD READING CALENDAR NO. 43 (GENERAL SENATE BILLS)

Senate Bill 230 – Senators Middleton, Astle, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, King, Lee, Madaleno, Manno, McFadden, Peters, Pinsky, Ramirez, Robinson, Nathan–Pulliam, Rosapepe, Smith, Young, and Zucker

SECOND PRINTING

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

Senator Middleton moved to place **Senate Bill 230** back on second reading for the purpose of adding amendments.

The motion was adopted.

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0230/973625/1

BY: Senator Middleton

AMENDMENT TO SENATE BILL 230

(Bill as Printed for Third Reading)

On page 16, in line 12, strike “**FOR MORE THAN TWO CONSECUTIVE SCHEDULED SHIFTS**”; and in line 14, after “**SECTION**” insert “**IF**”

(I) THE LEAVE WAS USED FOR MORE THAN TWO CONSECUTIVE SCHEDULED SHIFTS; OR

(II) 1. THE EMPLOYEE USED THE LEAVE DURING THE PERIOD BETWEEN THE FIRST 107 AND 120 CALENDAR DAYS, BOTH INCLUSIVE, THAT THE EMPLOYEE WAS EMPLOYED BY THE EMPLOYER; AND

2. THE EMPLOYEE AGREED TO PROVIDE VERIFICATION UNDER TERMS MUTUALLY AGREED TO BY THE EMPLOYER AND THE EMPLOYEE AT THE TIME THE EMPLOYEE WAS HIRED BY THE EMPLOYER”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0230/403522/2

BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 230
(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “authorizing an employer to apply to the Department of Labor, Licensing, and Regulation for a certain waiver; requiring the Department to grant a certain waiver, under certain circumstances; specifying the types of evidence that may be provided under a certain provision of this Act; requiring the Department to adopt certain regulations;”.

On page 3, in line 10, strike “3-1311” and substitute “3-1312”.

AMENDMENT NO. 2

On page 4, in line 14, strike “§ 3-1304” and substitute “§ 3-1305”.

On page 7, in line 27, strike “§ 3-1304” and substitute “§ 3-1305”; and in line 28, strike “§ 3-1305” and substitute “§ 3-1306”.

On page 9, in line 15, strike “§ 3-1308” and substitute “§ 3-1309”; after line 16, insert:

“(A) AN EMPLOYER MAY APPLY TO THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION FOR A HARDSHIP WAIVER FROM THE REQUIREMENTS OF THIS SUBTITLE.

(B) (1) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL WAIVE THE REQUIREMENTS OF THIS SUBTITLE FOR AN EMPLOYER THAT CAN PROVIDE SPECIFIC AND DEMONSTRATED EVIDENCE THAT A SIGNIFICANT FINANCIAL HARDSHIP WILL RESULT FROM THE EMPLOYER’S COMPLIANCE WITH THIS SUBTITLE.

(2) EVIDENCE PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE EVIDENCE THAT COMPLIANCE WITH THIS SUBTITLE:

(1) CREATES A RISK THAT THE EMPLOYER WILL HAVE TO CEASE OPERATIONS;

(2) MAY FORCE THE EMPLOYER TO TERMINATE THE EMPLOYMENT OF EMPLOYEES; AND

(3) PLACES THE EMPLOYER AT A COMPETITIVE DISADVANTAGE WITH EMPLOYERS THAT ARE NOT SUBJECT TO THIS SUBTITLE.

(C) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH A PROCESS FOR RECEIVING, PROCESSING, AND REVIEWING WAIVER APPLICATIONS; AND

(2) PROVIDE GUIDANCE ABOUT THE APPLICATION OF THIS SECTION.

3-1305.”;

in line 17, after “PARAGRAPH” insert “AND UNLESS A WAIVER IS GRANTED TO THE EMPLOYER UNDER § 3-1304 OF THIS SUBTITLE”; and in line 21, strike “AN” and

substitute “UNLESS A WAIVER IS GRANTED TO THE EMPLOYER UNDER § 3-1304 OF THIS SUBTITLE, AN”.

On page 12, in line 22, strike “3-1305.” and substitute “3-1306.”.

On page 15, in line 6, strike “§ 3-1304” and substitute “§ 3-1305”.

On page 16, 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”; and in line 31, strike “§ 3-1309” and substitute “§ 3-1310”.

On page 17, in line 2, strike “§ 3-1310” and substitute “§ 3-1311”; in line 7, strike “§ 3-1308(C)” and substitute “§ 3-1309(C)”; and in line 23, strike “3-1307.” and substitute “3-1308.”.

On page 18, in line 13, strike “3-1308.” and substitute “3-1309.”.

On page 19, in line 30, strike “3-1309.” and substitute “3-1310.”.

On page 20, in line 23, strike “3-1310.” and substitute “3-1311.”; and in lines 27 and 28, in each instance, strike “§ 3-1308” and substitute “§ 3-1309”.

On page 21, in line 3, strike “3-1311.” and substitute “3-1312.”.

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.

SPECIAL ORDERS

Senate Bill 746 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court Commissioners – Residency in Contiguous County

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

Senator Ferguson moved to make the Bill and Report a Special Order for March 15, 2017.

The motion was adopted.

INTRODUCTION OF BILLS

Senator Eckardt 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 1190 – Senators Eckardt and Serafini

AN ACT concerning

Bay Restoration Fund – Upgraded Municipal Wastewater Facilities – Grants

FOR the purpose of authorizing the Department of the Environment to use certain funds from the Bay Restoration Fund to provide grants to a municipality that upgraded a municipal wastewater facility to enhanced nutrient removal before a certain date under certain circumstances; providing for the termination of this Act; and generally relating to the use of the Bay Restoration Fund.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(h)(2)(i)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 547)

ADJOURNMENT

At 2:14 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Wednesday, March 15, 2017.

**Annapolis, Maryland
Wednesday, March 15, 2017
10:00 A.M. Session**

The Senate met at 10:11 A.M.

Prayer by Father Charles Corinovic, St. Ambrose Catholic Church, guest of Senator Ramirez.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 549)

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

The Journal of March 14, 2017 was read and approved.

LAID OVER CALENDAR NO. 9

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 AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR ZIRKIN.

FLOOR AMENDMENT

SB0230/403522/2

BY: Senator Zirkkin

AMENDMENTS TO SENATE BILL 230

(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “authorizing an employer to apply to the Department of Labor, Licensing, and Regulation for a certain waiver; requiring the Department to grant a certain waiver, under certain circumstances; specifying the types of evidence that may be provided under a certain provision of this Act; requiring the Department to adopt certain regulations;”.

On page 3, in line 10, strike “3–1311” and substitute “3–1312”.

AMENDMENT NO. 2

On page 4, in line 14, strike “§ 3–1304” and substitute “§ 3–1305”.

On page 7, in line 27, strike “§ 3–1304” and substitute “§ 3–1305”; and in line 28, strike “§ 3–1305” and substitute “§ 3–1306”.

On page 9, in line 15, strike “§ 3–1308” and substitute “§ 3–1309”; after line 16, insert:

“(A) AN EMPLOYER MAY APPLY TO THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION FOR A HARDSHIP WAIVER FROM THE REQUIREMENTS OF THIS SUBTITLE.

(B) (1) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL WAIVE THE REQUIREMENTS OF THIS SUBTITLE FOR AN EMPLOYER THAT CAN PROVIDE SPECIFIC AND DEMONSTRATED EVIDENCE THAT A SIGNIFICANT FINANCIAL HARDSHIP WILL RESULT FROM THE EMPLOYER’S COMPLIANCE WITH THIS SUBTITLE.

(2) EVIDENCE PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE EVIDENCE THAT COMPLIANCE WITH THIS SUBTITLE:

(I) CREATES A RISK THAT THE EMPLOYER WILL HAVE TO CEASE OPERATIONS;

(2) MAY FORCE THE EMPLOYER TO TERMINATE THE EMPLOYMENT OF EMPLOYEES; AND

(3) PLACES THE EMPLOYER AT A COMPETITIVE DISADVANTAGE WITH EMPLOYERS THAT ARE NOT SUBJECT TO THIS SUBTITLE.

(C) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH A PROCESS FOR RECEIVING, PROCESSING, AND REVIEWING WAIVER APPLICATIONS; AND

(2) PROVIDE GUIDANCE ABOUT THE APPLICATION OF THIS SECTION.

3-1305.”;

in line 17, after “PARAGRAPH” insert “AND UNLESS A WAIVER IS GRANTED TO THE EMPLOYER UNDER § 3-1304 OF THIS SUBTITLE”; and in line 21, strike “AN” and substitute “UNLESS A WAIVER IS GRANTED TO THE EMPLOYER UNDER § 3-1304 OF THIS SUBTITLE, AN”.

On page 12, in line 22, strike “3-1305.” and substitute “3-1306.”.

On page 15, in line 6, strike “§ 3-1304” and substitute “§ 3-1305”.

On page 16, 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”; and in line 31, strike “§ 3-1309” and substitute “§ 3-1310”.

On page 17, in line 2, strike “§ 3-1310” and substitute “§ 3-1311”; in line 7, strike “§ 3-1308(C)” and substitute “§ 3-1309(C)”; and in line 23, strike “3-1307.” and substitute “3-1308.”.

On page 18, in line 13, strike “3-1308.” and substitute “3-1309.”.

On page 19, in line 30, strike “3-1309.” and substitute “3-1310.”.

On page 20, in line 23, strike “**3-1310.**” and substitute “**3-1311.**”; and in lines 27 and 28, in each instance, strike “**§ 3-1308**” and substitute “**§ 3-1309**”.

On page 21, in line 3, strike “**3-1311.**” and substitute “**3-1312.**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 20 Negative – 26 (See Roll Call No. 550)

FLOOR AMENDMENT

SB0230/823521/1

BY: Senator Brochin

AMENDMENTS TO SENATE BILL 230

(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances.” insert “authorizing an employer to apply to the Department of Labor, Licensing, and Regulation for a certain waiver; authorizing the Department to grant a certain waiver, under certain circumstances; specifying the types of evidence that may be provided under a certain provision of this Act; requiring the Department to adopt certain regulations;”.

On page 3, in line 10, strike “3-1311” and substitute “**3-1312**”.

AMENDMENT NO. 2

On page 4, in line 14, strike “**§ 3-1304**” and substitute “**§ 3-1305**”.

On page 7, in line 27, strike “**§ 3-1304**” and substitute “**§ 3-1305**”; and in line 28, strike “**§ 3-1305**” and substitute “**§ 3-1306**”.

On page 9, in line 15, strike “**§ 3-1308**” and substitute “**§ 3-1309**”; after line 16, insert:

“(A) AN EMPLOYER MAY APPLY TO THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION FOR A HARDSHIP WAIVER FROM THE REQUIREMENTS OF THIS SUBTITLE.

(B) (1) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION MAY WAIVE THE REQUIREMENTS OF THIS SUBTITLE FOR AN EMPLOYER THAT CAN PROVIDE SPECIFIC AND DEMONSTRATED EVIDENCE THAT A SIGNIFICANT FINANCIAL HARDSHIP WILL RESULT FROM THE EMPLOYER'S COMPLIANCE WITH THIS SUBTITLE.

(2) EVIDENCE PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE EVIDENCE THAT COMPLIANCE WITH THIS SUBTITLE:

(I) CREATES A RISK THAT THE EMPLOYER WILL HAVE TO CEASE OPERATIONS;

(II) MAY FORCE THE EMPLOYER TO TERMINATE THE EMPLOYMENT OF EMPLOYEES; AND

(III) PLACES THE EMPLOYER AT A COMPETITIVE DISADVANTAGE WITH EMPLOYERS THAT ARE NOT SUBJECT TO THIS SUBTITLE.

(C) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH A PROCESS FOR RECEIVING, PROCESSING, AND REVIEWING WAIVER APPLICATIONS; AND

(2) PROVIDE GUIDANCE ABOUT THE APPLICATION OF THIS SECTION.

3-1305.”;

in line 17, after “PARAGRAPH” insert “AND UNLESS A WAIVER IS GRANTED TO THE EMPLOYER UNDER § 3-1304 OF THIS SUBTITLE”; and in line 21, strike “AN” and substitute “UNLESS A WAIVER IS GRANTED TO THE EMPLOYER UNDER § 3-1304 OF THIS SUBTITLE, AN”.

On page 12, in line 22, strike “3-1305.” and substitute “3-1306.”.

On page 15, in line 6, strike “§ 3-1304” and substitute “§ 3-1305”.

On page 16, 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”; and in line 31, strike “§ 3-1309” and substitute “§ 3-1310”.

On page 17, in line 2, strike “§ 3-1310” and substitute “§ 3-1311”; in line 7, strike “§ 3-1308(C)” and substitute “§ 3-1309(C)”; and in line 23, strike “3-1307.” and substitute “3-1308.”.

On page 18, in line 13, strike “3-1308.” and substitute “3-1309.”.

On page 19, in line 30, strike “3-1309.” and substitute “3-1310.”.

On page 20, in line 23, strike “3-1310.” and substitute “3-1311.”; and in lines 27 and 28, in each instance, strike “§ 3-1308” and substitute “§ 3-1309”.

On page 21, in line 3, strike “3-1311.” and substitute “3-1312.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 20 Negative – 27 (See Roll Call No. 551)

FLOOR AMENDMENT

SB0230/863423/1

BY: Senator Brochin

AMENDMENT TO SENATE BILL 230

(Bill as Printed for Third Reading)

On page 10, in line 9, strike “40” and substitute “32”.

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

Affirmative – 17 Negative – 28 (See Roll Call No. 552)

FLOOR AMENDMENT

SB0230/973528/1

BY: Senator Brochin

AMENDMENT TO SENATE BILL 230

(Bill as Printed for Third Reading)

On page 11, strike in their entirety lines 12 through 28, inclusive; and in line 29, strike “(H)” and substitute “(G)”.

On page 12, in lines 2, 14, and 17, strike “(I)”, “(J)”, and “(K)”, respectively, and substitute “(H)”, “(I)”, and “(J)”, respectively.

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

Affirmative – 15 Negative – 32 (See Roll Call No. 553)

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE HOUSE: INTRODUCTORY HOUSE BILLS NO. 16**House Bill 179 – Frederick County Delegation**

AN ACT concerning

Frederick County – Beer and Wine Licenses – Barbershops

FOR the purpose of establishing in Frederick County a barbershop beer and wine license; requiring a recipient of the license to be a holder of a barbershop permit; authorizing a holder of the license to provide beer and wine by the glass for consumption by a certain customer when a certain service is provided or a certain fund-raising event is held; prohibiting the license from being transferred to another location; specifying the hours that the license privilege may be exercised; specifying an annual license fee; providing that an establishment for which the license is issued is subject to certain alcohol awareness training requirements; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 20–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 20–1001.2
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 267 – Delegates B. Wilson, Anderson, Ebersole, Flanagan, Lierman, Mautz, Platt, and M. Washington

AN ACT concerning

Program Open Space – Authorized Transfer to the Maryland Heritage Areas Authority Financing Fund – Increase

FOR the purpose of increasing the maximum amount that may be transferred, in the State budget or through a certain budget amendment process, to the Maryland Heritage Areas Authority Financing Fund from certain funds that are distributed to Program Open Space; requiring that, if more than a certain amount of funding is transferred to the Maryland Heritage Areas Authority Fund in accordance with this Act, a certain amount of the funding be provided from the State's share of funds; and generally relating to an authorization to transfer certain funds distributed to Program Open Space to the Maryland Heritage Areas Authority Financing Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 307 – Montgomery County Delegation

AN ACT concerning

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

MC 6–17

FOR the purpose of authorizing a holder of a Class B or Class D beer, wine, and liquor (on-sale) license in Montgomery County to be issued a Class 9 limited distillery license to sell the distilled products that the license holder manufactures for on- and off-premises consumption; and generally relating to alcoholic beverages licenses 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 25–401
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 25–406
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 538 – St. Mary’s County Delegation

AN ACT concerning

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

FOR the purpose of establishing in St. Mary’s County a beauty salon beer and wine license; authorizing the Board of License Commissioners to issue the license to a person who holds a beauty salon permit and operates a beauty salon; authorizing a holder of the license to sell or serve not more than a certain amount of beer and wine for on–premises consumption by a beauty salon customer under certain circumstances; prohibiting the license from being transferred to another location; establishing certain hours during which beer and wine may be provided; specifying that an establishment for which the license is issued is subject to certain alcohol awareness training requirements; establishing a certain 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)

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 5–101 and 5–501
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 561 – Delegates Jones, B. Barnes, Ciliberti, Hettleman, and Korman

AN ACT concerning

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

FOR the purpose of providing that the authority of the Board of Trustees of St. Mary’s College of Maryland may not be superseded by any State agency or office in certain management affairs except by a provision of law that specifically references the College; and generally relating to the governing authority of St. Mary’s College of Maryland.

BY repealing and reenacting, without amendments,
Article – Education
Section 14–402(a) and 14–404(b)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 14–404(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 591 – Delegate Conaway

AN ACT concerning

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

FOR the purpose of establishing the Task Force to Study the Local Economic Impact of ~~a Bank Near Coppin State University~~ Bank Deserts in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters relating to the local economic ~~effect impact of a bank on or near the Coppin State University campus~~ opening new credit unions or banks in bank deserts in the State; requiring the Task Force to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Local Economic Impact of ~~a Bank Near Coppin State University~~ Bank Deserts in Maryland.

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

House Bill 715 – Chair, Ways and Means Committee (By Request – Departmental – Education)

AN ACT concerning

Institutions of Higher Education – Teacher Preparation Programs – Accreditation and Approval

FOR the purpose of authorizing the State Department of Education to approve the offering of certain teacher preparation programs by certain institutions of higher education under certain circumstances and in addition to certain approval by the Maryland Higher Education Commission; requiring certain institutions of higher education to make certain determinations; requiring the Department and the Commission to consider certain factors when making certain determinations regarding certain accrediting agencies and to jointly agree on certain standards used for certain purposes, and to adopt certain protocols for certain purposes; specifying that a certain program of technical support is available on request; providing for the application of this Act; making certain stylistic and conforming changes; defining certain terms; and generally relating to the accreditation and approval of teacher preparation programs offered by institutions of higher education in the State.

BY repealing and reenacting, without amendments,

Article – Education

Section 1–101(a) and (f)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 11–208

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 752 – Delegate Kelly

AN ACT concerning

Department of Human Resources – Public Assistance Eligibility – Financial Records

FOR the purpose of requiring the Department of Human Resources, on a showing by an applicant that the applicant has been unable to obtain from a certain fiduciary institution financial records necessary to establish the applicant's eligibility or ineligibility for public assistance, to request and obtain the records; requiring the Department to adopt certain regulations; and generally relating to obtaining financial records to establish an individual's eligibility for public assistance.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 5–604

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

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

House Bill 792 – Delegates Barkley, Arentz, Branch, Brooks, S. Howard, Lisanti, and W. Miller

AN ACT concerning

Office of Legislative Audits – Performance Audits ~~of Boards of License Commissioners – Required~~ – Local Alcoholic Beverages Licensing Boards

FOR the purpose of requiring the Office of Legislative Audits, at ~~least once every certain number of years~~ any time on request of certain officers, to conduct a certain performance audit of the ~~Board of License Commissioners~~ local alcoholic beverages licensing board for ~~each a county and or the City of Annapolis, rather than for only Baltimore City~~; ~~altering the frequency with which the Office is required to audit the~~

~~Board of License Commissioners for Baltimore City~~; and generally relating to performance audits conducted by the Office of Legislative Audits.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2-1220(f)
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 852 – Delegates Barkley, Atterbeary, B. Barnes, Frush, McCray, Sanchez, Sydnor, ~~and P. Young~~ P. Young, and Jackson

AN ACT concerning

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

FOR the purpose of establishing a certain limitations period on an action for injunctive relief or damages for a violation of a collective bargaining agreement covering employees of the State or a political subdivision of the State or a breach by an exclusive representative of the duty of fair representation ~~or owed to~~ employees of the State or a political subdivision of the State; providing for the application of this Act; and generally relating to periods of limitations on actions arising from collective bargaining agreements.

BY adding to
Article – Courts and Judicial Proceedings
Section 5-120
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 916 – Delegates Sydnor, Barkley, Brooks, Hettleman, Jameson, Stein, Valderrama, and P. Young

AN ACT concerning

Motor Vehicle Insurance – Discrimination in Underwriting and Rating – Prohibitions

FOR the purpose of prohibiting an insurer, with respect to private passenger motor vehicle insurance, from ~~refusing to underwrite, canceling, refusing to renew, rating a risk, or increasing a renewal premium based, in whole or in part, on the marital status or employment or occupation of or education level attained by the insured or applicant;~~

~~repealing certain provisions of law authorizing an insurer, under certain circumstances, to use the credit history of an applicant to rate a new policy of private passenger motor vehicle insurance; defining a certain term; making conforming changes~~ increasing the premium for an insured who becomes a surviving spouse based solely on the insured's change in marital status; and generally relating to private passenger motor vehicle insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–501(e–2)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

Primary and Secondary Education – School Personnel – Training Requirement

FOR the purpose of requiring the State Board of Education to require, beginning on or before a certain date, certain school personnel to complete training on or before a certain date each year in, by a method determined by each county board of education, certain knowledge and skills required to understand and respond to ~~the social, emotional, and personal development of students~~ youth suicide risk and identify certain resources to help students in crisis; requiring certain training to be provided to certain school personnel during in-service training or to be a professional development requirement; requiring the State Board to adopt certain regulations; requiring certain training for certain certificate holders applying for renewal of a certificate as a school counselor to meet a certain standard or exceed the standard of certain training required of other school personnel; and generally relating to a training requirement for school personnel.

BY adding to
Article – Education
Section 6–122
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 6–704.1
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 950 – Delegates Pena–Melnyk, Angel, Barron, Kelly, and Tarlau

AN ACT concerning

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

FOR the purpose of requiring the Board of Regents of the University System of Maryland, on a certain recommendation from the Chancellor, to establish general standards and guidelines for a collegiate recovery program to be implemented at the constituent institutions; requiring the president of each constituent institution, in collaboration with faculty, staff, and students enrolled at the institution, to develop and implement a collegiate recovery program tailored for the institution; requiring that the program include certain features; defining a term; and generally relating to a collegiate recovery program at constituent institutions of the University System of Maryland.

BY adding to

Article – Education

Section 12–117

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 967 – Delegate Frick

AN ACT concerning

The Textbook Cost Savings Act of 2017

FOR the purpose of requiring the Governor to include a certain amount of general funds in the State budget for a certain fiscal year for the purpose of providing a certain grant to the William E. Kirwan Center for Academic Innovation at the University System of Maryland for a certain initiative; authorizing certain funds to be used for certain purposes; stating a certain policy of the State; requiring the Center and the State Department of Education to explore jointly the possibility of providing access to certain types of learning materials and resources to certain students; requiring the Center and the Department to submit certain reports on or before certain dates; providing for the termination of this Act; and generally relating to the funding of an initiative that supports and promotes the adoption, adaptation, and creation of openly licensed educational resources in higher education.

BY adding to

Article – Education

Section 12–114.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

James W. Hubbard Inclusive Higher Education Grant Program

FOR the purpose of establishing the James W. Hubbard Inclusive Higher Education Grant Program; providing for the purpose of the Program; requiring the Program to be administered ~~jointly~~ by the Maryland Higher Education Commission, in consultation with the Department of Disabilities, the State Department of Education, and the Developmental Disabilities Administration; providing for the duties of the Commission, ~~the Department, and the Administration~~ under the Program; ~~requiring the Governor to include a certain appropriation in the annual budget bill in certain fiscal years~~ providing that funding for the Program shall be as provided in the State budget; establishing qualifications for an institution of higher education to be awarded a grant under the Program; requiring certain institutions of higher education to submit a certain report to the Commission, ~~the Department, and the Administration~~ beginning on a certain date and at certain intervals thereafter, that includes certain information ~~on certain dates~~; requiring the Commission, after consultation with the Department, the State Department of Education, and the Administration to submit a certain report to the General Assembly on or before a certain date and each year thereafter; defining certain terms; and generally relating to the James W. Hubbard Inclusive Higher Education Grant Program.

BY adding to

Article – Education

Section 11–1201 through 11–1205 to be under the new subtitle “Subtitle 12. James W. Hubbard Inclusive Higher Education Grant Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 991 – Delegates Lierman and Brooks

AN ACT concerning

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

FOR the purpose of altering the definition of “qualifying not-for-profit organization”, for purposes of provisions of law that authorize certain qualifying not-for-profit organizations to participate in the State Employee and Retiree Health and Welfare Benefits Program, to include a corporation, a limited liability company, or any other entity that is wholly owned by the Legal Aid Bureau, Inc.; authorizing the employees of the corporation, limited liability company, or other entity to enroll and participate in the Program under certain circumstances; and generally relating to participation of employees of satellite organizations in the State Employee and Retiree Health and Welfare Benefits Program.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–512
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

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

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 Judicial Proceedings.

**House Bill 1061 – Delegates A. Washington, Ebersole, Sanchez, Tarlau,
M. Washington, and Wilkins**

AN ACT concerning

**Task Force to Study Emergency and Evacuation Plans for Students, Staff, and
Visitors With Disabilities in Public School Facilities**
Education – Emergency and Evacuation Plans – Individuals With Disabilities

~~FOR the purpose of establishing the Task Force to Study Emergency and Evacuation Plans for Students, Staff, and Visitors With Disabilities in Public School Facilities; 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 State Department of Education to brief the Task Force on certain emergency planning guidelines and certain procedures for including accommodations for certain students on or before a certain date; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Emergency and Evacuation Plans for Students, Staff, and Visitors With Disabilities in Public School Facilities.~~

FOR the purpose of requiring the State Department of Education, on or before a certain date, in consultation with certain individuals, to update certain guidelines to accommodate, safeguard, and evacuate certain individuals with disabilities on public school grounds; requiring each local school system, on or before a certain date, to update the school system's emergency plan based on a certain update of the Department's guidelines and regulations; requiring a student's IEP to include certain accommodations under certain circumstances; requiring a student's 504 team to discuss and address a student's needs under certain circumstances; and generally relating to emergency plans for public schools.

BY adding to

Article – Education

Section 7-435

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

Shelter Services for Homeless Women – Feminine Hygiene Products

FOR the purpose of requiring the Department of Human Resources to make available to local administering agencies for certain service providers and to certain service providers a certain supply of feminine hygiene products for a certain purpose; providing that certain feminine hygiene products be made available to certain entities and to female residents in shelters for free; defining certain terms; and generally relating to feminine hygiene products and shelter services for homeless women.

BY adding to

Article – Human Services

Section 6–441 to be under the new part “Part V. Homeless Women – Feminine Hygiene Products”

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

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

House Bill 1096 – Allegany County Delegation

AN ACT concerning

Allegany County – Alcoholic Beverages – Sunday Sales and Privileges

FOR the purpose of altering the times of sale on Sunday and license privileges on Sunday for certain alcoholic beverages licenses in Allegany County; repealing a certain requirement for certain Sunday sales; and generally relating to alcoholic beverages licenses in Allegany County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 9–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 9–2002, 9–2003, and 9–2004

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 1136 – Delegates Ali, Oaks, and Rosenberg

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 Education, Health, and Environmental Affairs.

House Bill 1201 – Cecil County Delegation

AN ACT concerning

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

FOR the purpose of establishing a beer, wine, and liquor tasting license in Cecil County; authorizing the Board of License Commissioners for Cecil County to issue the beer, wine, and liquor tasting license to a certain license holder; authorizing the license holder to allow on–premises consumption of beer, wine, and liquor for tasting; specifying the term of the license; requiring a license holder to provide certain notice before exercising certain privileges; specifying the amount of beer, wine, and liquor that an individual may sample at each offering; specifying certain license fees; and generally relating to alcoholic beverages in Cecil County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 17–102 and 17–1301
Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 17–1306

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

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

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

AN ACT concerning

Family Law – Treatment Foster Care Homes – Siblings

FOR the purpose of authorizing the placement of more than two children in a treatment foster care home in order to place siblings together if the local department makes a certain written finding and notifies the Administration of the placement; defining a certain ~~term~~ terms; and generally relating to the placement of siblings in foster care.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–525.2

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1256 – Delegates Jalisi, Haynes, and Proctor

AN ACT concerning

~~Juveniles – Strip Search – Limitations~~

**Department of Juvenile Services – Implementation of Task Force
Recommendations – Report**

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

~~strip searches the Department of Juvenile Services to report on the status of the implementation of certain recommendations of the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System; specifying certain recommendations on which the Department must report; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System and the Department of Juvenile Services.~~

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

~~Article – Human Services
Section 9-227(a) and (b)(3)
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)~~

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

~~Article – Human Services
Section 9-227(b)(2) and 9-237
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)~~

~~BY adding to~~

~~Article – Human Services
Section 9-247
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)~~

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

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

AN ACT concerning

Workers' Compensation – Tiered Rating Plans and Merit Rating Plans

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

BY repealing and reenacting, with amendments,

Article – Insurance
Section 11-329
Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 394 of the Acts of the General Assembly of 2016)

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

House Bill 1422 – Delegates C. Wilson, Aumann, Barkley, Brooks, Buckel, Chang, Fennell, Folden, Hill, Hixson, Hornberger, S. Howard, Jones, McComas, McDonough, McMillan, Morgan, Patterson, Pena–Melnik, Proctor, Queen, Reilly, Rose, Saab, Sanchez, Turner, ~~and Valentino–Smith~~ Valentino–Smith, Afzali, Ali, D. Barnes, Ebersole, C. Howard, Kaiser, J. Lewis, Long, Luedtke, Mosby, Shoemaker, Simonaire, Tarlau, Walker, A. Washington, M. Washington, and Wilkins

AN ACT concerning

Income Tax Checkoff – Maryland Veterans Trust Fund

FOR the purpose of establishing a certain income tax checkoff for voluntary contributions to the Maryland Veterans Trust Fund; requiring the Comptroller to include a checkoff on the individual income tax return; providing that the income tax checkoff include a certain statement; requiring the Comptroller to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff; providing that the Fund may consist of certain contributions from the income tax checkoff and certain other money; providing for the application of this Act; and generally relating to an income tax checkoff for contributions to the Maryland Veterans Trust Fund.

BY adding to

Article – Tax – General
Section 2–115 and 10–804(l)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government
Section 9–913(e), (f), (h), and (i)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–913(g)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

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

FOR the purpose of requiring the Board of License Commissioners for Calvert County, before submitting a legislative proposal to the Calvert County Delegation for introduction as a bill in a session of the General Assembly, to post notice, send certain e-mails, and hold a public hearing on the proposal at least a certain amount of time before the start of the General Assembly session subject to a certain exception; and generally relating to legislative proposals concerning alcoholic beverages in Calvert County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 14–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 14–204.1

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

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

House Bill 1425 – Delegate McKay

AN ACT concerning

Washington County – Alcoholic Beverages – Wineries – Special Event Permits

FOR the purpose of establishing a special event permit in Washington County; authorizing a holder of a Class 3 winery license or a Class 4 limited winery license in the county to sell beer, wine produced by the holder, and liquor for on-premises consumption at certain events; requiring the permit holder to notify the Board of License Commissioners on or before a certain time before using the permit; establishing a certain limit on the number of times the permit may be used; providing for a certain permit fee; providing for the termination of this Act; and generally relating to sales of alcoholic beverages in Washington County.

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

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–401
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 31–402.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1430 – Delegate B. Wilson

AN ACT concerning

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

FOR the purpose of altering the requirements for a Class CT (cinema/theater) license in Washington County so that the license may be issued only for a cinema or theater that is in a stand-alone building with certain characteristics; altering certain requirements for the sale of beer, wine, and liquor by the license holder; altering the days that a license holder may exercise the privileges of the license; establishing a Sunday permit and ~~a~~ an annual Sunday permit fee; repealing the termination provisions of certain Acts regarding cinema/theater licenses; and generally relating to alcoholic beverages licenses in Washington County.

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

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 31–1001.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 586 of the Acts of the General Assembly of 2016
Section 2

BY repealing and reenacting, with amendments,
Chapter 587 of the Acts of the General Assembly of 2016
Section 2

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

House Bill 1450 – Delegate Wivell

AN ACT concerning

Washington County – Alcoholic Beverages – Hotel and Motel Licenses

FOR the purpose of altering the privileges of Class B beer, wine, and liquor hotel and restaurant licenses issued in Washington County so that the privileges may be exercised for on- and off-premises consumption for certain licenses and for on-premises consumption only for all other licenses; requiring the license holder to notify the Board before constructing or altering an area on the premises where beer, wine, and liquor are sold; 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 Education, Health, and Environmental Affairs.

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

AN ACT concerning

State Personnel – Disabled Veterans – Noncompetitive Appointment

FOR the purpose of authorizing an appointing authority to select certain disabled veterans for certain positions in the State Personnel Management System using a certain selection process; requiring an appointing authority for a certain position in a unit in the Executive Branch of State government with an independent personnel system to develop a certain selection process for certain disabled veterans; providing that certain provisions of law relating to appointments to certain positions in the State Personnel Management System do not apply to the selection of certain disabled veterans under certain provisions of this Act; requiring a certain appointing authority to interview certain disabled veterans under certain circumstances; providing that an appointing authority is not required to interview certain applicants under certain circumstances; providing for the effect of certain provisions of this Act; making a conforming change; and generally relating to the appointment of disabled veterans to positions in State government.

BY adding to

Article – State Personnel and Pensions
Section 2–205
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 7–203
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

Residential Boarding Education Programs for At-Risk Youth – Eligibility

FOR the purpose of establishing a certain residential boarding education program for students enrolled in certain grades; providing that certain students shall be eligible to participate in the program if an operator files a certain plan; requiring operators of the program to meet certain qualifications, adopt certain standards, submit a certain charter and bylaws, and conduct certain outreach programs; providing that the program may be part of a certain other program; requiring an operator to submit a certain plan to the State Department of Education that includes certain information; requiring the Department to review and approve a plan if it is consistent with certain educational purposes; and generally relating to residential boarding education programs for at-risk youth in grade 7 or higher.

BY repealing and reenacting, without amendments,
Article – Education
Section 8–701, 8–702, and 8–704
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 8–703
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 8–704.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1480 – Delegate Parrott

AN ACT concerning

Washington County – Alcoholic Beverages – Penalties

FOR the purpose of providing that ~~for a first offense for selling or providing alcoholic beverages to an individual under the age of 21 years, a license holder or an employee of the license holder is guilty of a misdemeanor and is subject to a certain fine; providing that for each subsequent offense, a license holder or an employee of the license holder who violates a certain provision of law is guilty of a misdemeanor and is subject to a certain fine;~~ in Washington County a violation of the prohibition against selling or providing alcoholic beverages to an individual under the age of 21 years is a misdemeanor; authorizing the Board of License Commissioners to impose certain penalties on an employee of a license holder or a license holder who violates the prohibition; authorizing the Board to suspend or revoke a license under certain conditions; and generally relating to alcoholic beverages in Washington County.

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

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages

Section 31-2702
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1484 – Delegates Glenn and W. Miller

AN ACT concerning

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

FOR the purpose of requiring a provider to submit to an employer or an employer's insurer, within a certain period of time, a certain bill ~~and documentation~~ for certain medical services or treatment provided to a covered employee under a certain provision of law; prohibiting the employer or the employer's insurer from being required to pay a certain bill except under certain circumstances; and generally relating to the payment for medical services and treatment provided under the workers' compensation law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9-660
Annotated Code of Maryland
(2016 Replacement Volume)

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

SENATE RULES COMMITTEE REPORT NO. 7

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-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

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:

House Bill 103 – Chair, Appropriations Committee (By Request – Departmental – Human Resources)

AN ACT concerning

**Department of Human Resources and Child Support Enforcement
Administration – Renaming**

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:

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**

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:

House Bill 120 – Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Seafood and Aquaculture Product Marketing

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:

House Bill 121 – Chair, Environment and Transportation Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Hazardous Material Security – Repeal

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:

House Bill 124 – Chair, Environment and Transportation Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Solid Waste and Recycling Facilities

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:

House Bill 125 – Chair, Environment and Transportation Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Emergency Action Plans for Dams

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:

House Bill 130 – Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Wine and Grape Promotion 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 Finance:

**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**

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:

**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

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:

**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**

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:

**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**

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:

**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**

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:

**House Bill 143 – Chair, Ways and Means Committee (By Request – Departmental
– State Board of Elections)**

AN ACT concerning

Elections – Miscellaneous Duties and Procedures

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:

**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**

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:

**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**

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:

**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

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:

**House Bill 155 – Chair, Environment and Transportation Committee (By Request
– Departmental – Agriculture)**

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easement Termination

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:

**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**

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:

House Bill 199 – Chair, Appropriations Committee (By Request – Departmental – Aging)

AN ACT concerning

Capital Grants for Senior Citizen Activities 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:

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

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:

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

AN ACT concerning

Children in Need of Assistance – Sex Trafficking

The Bill was re-referred to the Committee on Judicial Proceedings.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 16

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

**Senate Bill 312 – The President (By Request – Administration) and Senators
Bates, Brochin, Cassilly, Eckardt, Edwards, Ferguson, Jennings, Mathias,
Norman, Ready, Salling, Serafini, Simonaire, and Waugh**

AN ACT concerning

**Vehicle Laws – Drunk and Drugged Driving – Subsequent Offenders – Felonies
(Repeat Drunk Driving Offenders Act of 2017)**

SB0312/478978/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 312

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Vehicle Laws – “; in the same line, strike “ – Felonies” and substitute “and Punitive Damages”; strike beginning with “increasing” in line 4 down through “have” in line 5 and substitute “providing that a person who causes personal injury or wrongful death while operating or attempting to operate a motor vehicle and who has a certain alcohol concentration in the person’s blood or breath or who refuses to submit to a certain test for alcohol concentration is liable for punitive damages under certain circumstances; requiring a party who seeks to recover punitive damages under this Act to plead certain facts with particularity; providing for a standard of proof of clear and convincing evidence for a claim of punitive damages under this Act; providing that punitive damages under this Act may not be awarded in the absence of an award of compensatory damages; providing that evidence of a defendant’s financial means is not admissible until there has been a finding of liability and that punitive damages under this Act are supportable under the facts; limiting liability for punitive damages under this Act to the person operating or attempting to operate the motor vehicle; prohibiting an individual from committing a certain drunk and drugged driving offense if the individual has”; in line 6, after “making” insert “a”; and strike beginning with “offenses” in line 6 down through “offenses” in line 8 and substitute “offense a felony; defining a certain term; making certain conforming changes; providing for the application of certain provisions of this Act; providing for the effective date of this Act”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 10 through 14, inclusive; and in line 17, strike “4–301(b)(26)” and substitute “10–913.1”.

On page 2, after line 9, insert:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–902(a) through (d)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter _____ (S.B. 165) of the Acts of the General Assembly of 2017)

BY adding to

Article – Transportation

Section 21–902(h)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter _____ (S.B. 165) of the Acts of the General Assembly of 2017)”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 13 through 33, inclusive, and substitute:

“10–913.1.

(A) IN THIS SECTION, “MOTOR VEHICLE” HAS THE MEANING STATED IN § 11–135 OF THE TRANSPORTATION ARTICLE.

(B) THIS SECTION DOES NOT AFFECT THE PROVISIONS OF:

(1) THE LOCAL GOVERNMENT TORT CLAIMS ACT UNDER TITLE 5, SUBTITLE 3 OF THIS ARTICLE; OR

(2) THE MARYLAND TORT CLAIMS ACT UNDER TITLE 12, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE.

(C) SUBJECT TO THE PROVISIONS OF THIS SECTION, IN ADDITION TO ANY LIABILITY FOR ACTUAL DAMAGES, A PERSON IS LIABLE FOR PUNITIVE DAMAGES IF THE PERSON:

(1) (I) CAUSES PERSONAL INJURY OR WRONGFUL DEATH WHILE OPERATING OR ATTEMPTING TO OPERATE A MOTOR VEHICLE WHILE HAVING AN

ALCOHOL CONCENTRATION OF 0.15 OR MORE AS MEASURED BY GRAMS OF ALCOHOL PER 100 MILLILITERS OF BLOOD OR GRAMS OF ALCOHOL PER 210 LITERS OF BREATH; OR

(II) 1. CAUSES PERSONAL INJURY OR WRONGFUL DEATH WHILE OPERATING OR ATTEMPTING TO OPERATE A MOTOR VEHICLE;

2. IS DETAINED BY A POLICE OFFICER WHO HAS REASONABLE GROUNDS TO BELIEVE THAT THE PERSON HAS BEEN OPERATING OR ATTEMPTING TO OPERATE A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL, WHILE IMPAIRED BY ALCOHOL, OR IN VIOLATION OF § 16-813 OF THE TRANSPORTATION ARTICLE; AND

3. REFUSES TO SUBMIT TO A CHEMICAL TEST TO DETERMINE ALCOHOL CONCENTRATION; AND

(2) WITHIN THE PAST 10 YEARS, WAS CONVICTED:

(I) UNDER § 21-902 OF THE TRANSPORTATION ARTICLE;

(II) UNDER § 2-503, § 2-504, § 2-505, § 2-506, OR § 3-211 OF THE CRIMINAL LAW ARTICLE; OR

(III) FOR AN OFFENSE COMPARABLE TO THE OFFENSES SPECIFIED IN ITEM (I) OR (II) OF THIS ITEM UNDER A FEDERAL OR OTHER STATE STATUTE.

(D) A CLAIM FOR PUNITIVE DAMAGES UNDER THIS SECTION:

(1) SHALL BE PLEADED, BY COMPLAINT OR AMENDMENT, WITH FACTS SUPPORTING THE CLAIM WITH SUFFICIENT PARTICULARITY TO ESTABLISH THAT THE PARTY MAY BE ENTITLED TO PUNITIVE DAMAGES UNDER THIS SECTION;

(2) SHALL BE PROVEN BY CLEAR AND CONVINCING EVIDENCE;

(3) MAY NOT BE AWARDED IN THE ABSENCE OF AN AWARD OF COMPENSATORY DAMAGES; AND

(4) SHALL COMPLY WITH THE PROVISIONS OF § 10-913 OF THIS SUBTITLE.

(E) LIABILITY FOR PUNITIVE DAMAGES UNDER THIS SECTION SHALL BE LIMITED SOLELY TO THE PERSON OPERATING OR ATTEMPTING TO OPERATE THE MOTOR VEHICLE.

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

AMENDMENT NO. 4

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 2 on page 4, inclusive.

On page 4, strike in their entirety lines 23 through 26, inclusive.

On page 5, strike in their entirety lines 13 through 16, inclusive.

AMENDMENT NO. 5

On page 3, after line 6, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation”.

On page 5, strike beginning with “A” in line 18 down through “BOTH” in line 20 and substitute “A PERSON MAY NOT VIOLATE ANY PROVISION OF § 21-902 OF THIS ARTICLE”; after line 30, insert:

“(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

21-902.

(a) (1) (i) A person may not drive or attempt to drive any vehicle while under the influence of alcohol.

(ii) A person may not drive or attempt to drive any vehicle while the person is under the influence of alcohol per se.

(iii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both;

2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both; and

3. For a third [or subsequent] offense, imprisonment not exceeding 3 years or a fine not exceeding \$3,000 or both.

(iv) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this subsection or subsection (b), (c), or (d) of this section, within 5 years before the conviction for a violation of this paragraph, shall be considered a prior conviction.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both;

2. For a second offense, imprisonment not exceeding 3 years or a fine not exceeding \$3,000 or both; and

3. For a third [or subsequent] offense, imprisonment not exceeding 4 years or a fine not exceeding \$4,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (b)(2), (c)(2), or (d)(2) of this section shall be considered a prior conviction.

(b) (1) (i) A person may not drive or attempt to drive any vehicle while impaired by alcohol.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 months or a fine not exceeding \$500 or both;

2. For a second offense, imprisonment not exceeding 1 year or a fine not exceeding \$500 or both; and

3. For a third [or subsequent] offense, imprisonment not exceeding 3 years or a fine not exceeding \$3,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this subsection or subsection (a), (c), or (d) of this section shall be considered a prior conviction.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both;

2. For a second offense, imprisonment not exceeding 1 year or a fine not exceeding \$2,000 or both; and

3. For a third [or subsequent] offense, imprisonment not exceeding 4 years or a fine not exceeding \$4,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (a)(2), (c)(2), or (d)(2) of this section shall be considered a prior conviction.

(c) (1) (i) A person may not drive or attempt to drive any vehicle while so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person cannot drive a vehicle safely.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 months or a fine not exceeding \$500 or both;

2. For a second offense, imprisonment not exceeding 1 year or a fine not exceeding \$500 or both; and

3. For a third [or subsequent] offense, imprisonment not exceeding 3 years or a fine not exceeding \$3,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this subsection or subsection (a), (b), or (d) of this section shall be considered a prior conviction.

(iv) It is not a defense to any charge of violating this subsection that the person charged is or was entitled under the laws of this State to use the drug, combination of drugs, or combination of one or more drugs and alcohol, unless the person was unaware that the drug or combination would make the person incapable of safely driving a vehicle.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both;

2. For a second offense, imprisonment not exceeding 1 year or a fine not exceeding \$2,000 or both; and

3. For a third [or subsequent] offense, imprisonment not exceeding 4 years or a fine not exceeding \$4,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (a)(2), (b)(2), or (d)(2) of this section shall be considered a prior conviction.

(d) (1) (i) A person may not drive or attempt to drive any vehicle while the person is impaired by any controlled dangerous substance, as that term is defined in § 5–101 of the Criminal Law Article, if the person is not entitled to use the controlled dangerous substance under the laws of this State.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both;

2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both; and

3. For a third [or subsequent] offense, imprisonment not exceeding 3 years or a fine not exceeding \$3,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this subsection or subsection (a), (b), or (c) of this section, within 5 years before the conviction for a violation of this paragraph, shall be considered a prior conviction.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both;

2. For a second offense, imprisonment not exceeding 3 years or a fine not exceeding \$3,000 or both; and

3. For a third [or subsequent] offense, imprisonment not exceeding 4 years or a fine not exceeding \$4,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (a)(2), (b)(2), or (c)(2) of this section shall be considered a prior conviction.

(H) (1) A PERSON MAY NOT VIOLATE SUBSECTION (A), (B), (C), OR (D) OF THIS SECTION IF THE PERSON HAS PREVIOUSLY BEEN CONVICTED OF:

(I) THREE OR MORE VIOLATIONS OF SUBSECTION (A), (B), (C), OR (D) OF THIS SECTION; OR

(II) A VIOLATION OF § 2-209, § 2-210, § 2-503, § 2-504, § 2-505, § 2-506, OR § 3-211 OF THE CRIMINAL LAW ARTICLE.

(2) FOR PURPOSES OF THIS SUBSECTION, A CONVICTION FOR A CRIME UNDER THE LAWS OF ANY STATE OR THE UNITED STATES THAT WOULD BE A CRIME INCLUDED IN PARAGRAPH (1) OF THIS SUBSECTION IF COMMITTED IN THIS STATE SHALL BE CONSIDERED A PRIOR CONVICTION UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of 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 cause of action arising before the effective date of this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect on the taking effect of Chapter _____ (S.B. 165) of the Acts of the General Assembly of 2017. If Chapter _____ (S.B. 165) does not take effect, Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly. If Section 4 of this

Act takes effect, Section 3 shall be null and void without the necessity of further action by the General Assembly.”;

in line 31, strike “2.” and substitute “7.”; and in the same line, after “That” insert “, subject to the provisions of Section 6 of this Act.”.

The preceding 5 amendments were read and adopted.

Senator Kagan moved to make the Bill and Report a Special Order for March 16, 2017.

The motion was adopted.

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

Senate Bill 387 – Senator Lee

AN ACT concerning

Crimes – Solicitation to Commit Murder or Arson – Statute of Limitations

SB0387/838279/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 387

(First Reading File Bill)

On page 1, in line 3, strike “providing that” and substitute “increasing”; strike beginning with “is” in line 5 down through “solicitation” in line 6; and strike beginning with the first “THE” in line 23 down through “SOLICITATION” in line 24 and substitute “3 YEARS”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 509 – Senator Peters

AN ACT concerning

Prince George’s County – Orphans’ Court Judges – Salary

SB0509/688276/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 509

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “repealing” insert “and reenacting, with amendments,”; and strike lines 11 through 15, inclusive.

AMENDMENT NO. 2

On page 1, in lines 20 and 21, in each instance, strike the bracket; in line 21, strike “\$42,000” and substitute “\$50,000”; and in the same line, strike “\$42,500” and substitute “\$55,000”.

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 7 on page 2, 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 574 – Senators Feldman, Lee, Astle, Benson, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Muse, Nathan–Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Robinson, Rosapepe, Salling, Serafini, Smith, Young, and Zucker

AN ACT concerning

**Family Law – Child Conceived Without Consent – Termination of Parental Rights
(Rape Survivor Family Protection Act)**

SB0574/708275/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 574

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 14 down through “child;” in line 15; in line 17, strike “authorizing” and substitute “requiring”; in line 19, after “circumstances;” insert “authorizing the court to stay or postpone a trial on termination of parental rights for good cause;”; and strike beginning with “that” in line 20 down through “respondent” in line 21.

On page 2, strike beginning with “establishing” in line 1 down through the “indigent,” in line 3.

AMENDMENT NO. 2

On page 2, in line 20, strike the first comma and substitute “OR”; and in the same line, strike “, OR § 3-323”.

AMENDMENT NO. 3

On page 2, in line 29, strike “**THE MARYLAND RULES**” and substitute “**§ 5-1403(C) OF THIS SUBTITLE**”.

On page 4, in line 14, strike “**(3)**” and substitute “**(2)**”; in line 15, strike “**WHEN**” and substitute “**THE RESPONDENT SHALL BE SERVED IN ACCORDANCE WITH RULE 2-121(A)(1) OF THE MARYLAND RULES.**”

(2) (I) WHEN;

in line 16, before “**HAVE**” insert “**IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION**”; in line 21, strike “**(2)**” and substitute “**(II)**”; in line 22, strike “**SUBSECTION**” and substitute “**PARAGRAPH**”; and strike in their entirety lines 24 and 25.

AMENDMENT NO. 4

On page 3, in line 13, after the semicolon insert “OR”; and strike beginning with the semicolon in line 16 down through “**CONCEPTION**” in line 20.

AMENDMENT NO. 5

On page 3, strike beginning with the comma in line 29 down through “ATTORNEY” in line 30.

On page 4, in line 1, strike “(1)”; in lines 1 and 2, strike “FILED BY A PARENT”; in line 2, strike “7” and substitute “3”; in lines 4 and 6, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively; strike in their entirety lines 8 through 13, inclusive; and in lines 14 and 26, strike “(D)” and “(E)”, respectively, and substitute “(C)” and “(D)”, respectively.

AMENDMENT NO. 6

On page 5, strike in their entirety lines 1 and 2 and substitute:

“(II) SHALL ADVISE THE RESPONDENT THAT:

1. THE RESPONDENT MAY REFUSE TO TESTIFY OR TO OFFER EVIDENCE; AND

2. NO ADVERSE INFERENCE MAY BE DRAWN FROM THE RESPONDENT’S REFUSAL TO TESTIFY OR TO OFFER EVIDENCE.”;

in line 22, strike “THAT MAY INCRIMINATE THE RESPONDENT”; and strike beginning with “IF” in line 29 down through “IMPEACHMENT” in line 33.

AMENDMENT NO. 7

On page 5, in line 7, strike “PARAGRAPH” and substitute “PARAGRAPHS”; in the same line, after “(2)” insert “AND (3)”; strike beginning with “OR” in line 10 down through “PROCEED” in line 11; in line 16, strike “MAY” and substitute “SHALL”; and after line 18, insert:

“(3) THE COURT MAY STAY OR POSTPONE A TRIAL ON TERMINATION OF PARENTAL RIGHTS FOR GOOD CAUSE.”.

AMENDMENT NO. 8

On page 6, in line 4, strike “(1)”; and strike in their entirety lines 7 through 9, inclusive.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 680 – Senators Lee, Mathias, Eckardt, and Kelley

AN ACT concerning

Adult Protective Services Investigations – Completion Time

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 714 – Senator McFadden

AN ACT concerning

**Criminal Procedure – Indigent Individual – Bail Review and Indigency
Determination**

SB0714/478571/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 714

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “determinations;” in line 5; in line 7, strike “defining a certain term;” and strike in their entirety lines 9 through 13, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 7 on page 2, 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 794 – Senator Smith

AN ACT concerning

Legal Advice to Corporations – Clarification

SB0794/858676/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 794

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “affiliates,” insert “defining certain terms”.

AMENDMENT NO. 2

On page 2, in line 3, after “(1)” insert “(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “AFFILIATE” MEANS A PERSON THAT, DIRECTLY OR INDIRECTLY THROUGH ONE OR MORE INTERMEDIARIES, CONTROLS, IS CONTROLLED BY, OR IS UNDER COMMON CONTROL WITH AN EMPLOYER.

(III) “CONTROL” MEANS THE POSSESSION, DIRECTLY OR INDIRECTLY, OF THE POWER TO DIRECT OR CAUSE THE DIRECTION OF, WHETHER THROUGH THE OWNERSHIP OF VOTING SECURITIES, BY CONTRACT, OR BY SOME OTHER MEANS, THE MANAGEMENT AND POLICIES OF A PERSON.

(2)”;

and in lines 3 and 9, in each instance, strike “(2)” and substitute “(3)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 941 – Senators Smith, Kelley, Lee, Muse, and Ramirez

AN ACT concerning

Public Safety – SWAT Teams – Reporting and Limitations

SB0941/108870/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 941

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Reporting and Limitations” and substitute “Standards”; strike beginning with “requiring” in line 5 down through “Assembly” in line 21 and substitute “requiring the Commission to adopt a certain set of standards for recording data on the deployment of SWAT teams”; in line 22, strike “certain terms” and substitute “a certain term”; and strike in their entirety lines 23 through 27, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Public Safety

Section 3–201(a) and 3–207(a)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – Public Safety

Section 3–201(g) and 3–207(a)(24)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–207(a)(22) and (23)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 2 on page 2 through line 24 on page 4, inclusive, and substitute:

“3–201.

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

(G) “SWAT TEAM” MEANS AN AGENCY–DESIGNATED UNIT OF LAW ENFORCEMENT OFFICERS WHO ARE SELECTED, TRAINED, AND EQUIPPED TO WORK AS A COORDINATED TEAM TO RESOLVE CRITICAL INCIDENTS THAT ARE SO HAZARDOUS, COMPLEX, OR UNUSUAL THAT THEY MAY EXCEED THE CAPABILITIES OF FIRST RESPONDERS OR INVESTIGATIVE UNITS.

3–207.

(a) The Commission has the following powers and duties:

(1) to establish standards for the approval and continuation of approval of schools that conduct police entrance–level and in–service training courses required by the Commission, including State, regional, county, and municipal training schools;

(22) to require:

(i) a statement condemning motorcycle profiling to be included in existing written policies regarding other profiling; and

(ii) for entrance–level police training and for in–service level training conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include, consistent with established law enforcement standards and federal and State constitutional provisions, training related to motorcycle profiling in conjunction with existing training regarding other profiling; [and]

(23) to perform any other act, including adopting regulations, that is necessary or appropriate to carry out the powers and duties of the Commission under this subtitle; AND

(24) TO DEVELOP STANDARDS FOR THE TRAINING AND DEPLOYMENT OF SWAT TEAMS IN THE STATE BASED ON BEST PRACTICES IN THE STATE AND NATIONWIDE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Police Training and Standards Commission, in consultation with commanders of SWAT teams, as defined in § 3-201(g) of the Public Safety Article, shall create standards for the recording of data on the deployment of SWAT teams, including:

(1) the annual number of SWAT team deployments by a law enforcement agency; and

(2) for each SWAT team deployment:

(i) the city, county, and zip code where the deployment occurred;

(ii) the legal authority for the deployment, including the type of any warrant issued;

(iii) the age, gender, and race of any individual detained at the deployment location;

(iv) the number of arrests made at the deployment location;

(v) any property seized from the deployment location;

(vi) whether forcible entry was made at the deployment location;

(vii) whether a weapon was discharged by a SWAT team member at the deployment location;

(viii) whether a weapon was used or discharged by a resident or occupant of the deployment location;

(ix) whether a domestic animal was present at the deployment location;

(x) whether a person or domestic animal was injured or killed by a SWAT team member during a deployment; and

(xi) whether a law enforcement officer or police K–9 was targeted, assaulted, injured, or killed by a resident or occupant of the deployment location.”.

On page 4, in line 25, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 944 – Senator Smith

AN ACT concerning

Criminal Law – Sexual Offenses – Classification

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 979 – Senator Edwards

AN ACT concerning

Vehicle Laws – All-Terrain Vehicles and Snowmobiles

SB0979/608170/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 979

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 18 down through “fee;” in line 20.

On page 2, in line 7, after “21–104.1,” insert “and”; and in the same line, strike “, and 25–102.1”.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 30 on page 4 through line 6 on page 5.

The preceding 2 amendments were read only.

Senator Edwards moved to make the Bill and Amendments a Special Order for March 16, 2017.

The motion was adopted.

SPECIAL ORDER CALENDAR NO. 30

Senate Bill 484 – Senators Madaleno, Astle, Conway, Currie, Feldman, Ferguson, Guzzone, King, Lee, Manno, McFadden, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker

AN ACT concerning

Maryland Transit Administration – Farebox Recovery, Goals, and Performance Indicators

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

SB0484/919231/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 484
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Farebox” in line 2 down through “Indicators” in line 3 and substitute “Farebox Recovery Rate – Repeal”; strike beginning with “establishing” in line 6 down through “Administration;” in line 7; strike beginning with

“altering” in line 8 down through “change;” in line 10 and substitute “making conforming changes;”; and in line 11, after “Administration” insert “and the repeal of the farebox recovery rate”.

AMENDMENT NO. 2

On page 2, in line 7, strike “(1)”; strike beginning with “**THE**” in line 13 down through “**LESS.**” in line 30; and in line 31, strike “(2)”.

On page 3, in lines 1 and 8, strike “(i)” and “(ii)”, respectively, and substitute “**(1)**” and “**(2)**”, respectively; and in lines 2, 4, and 6, strike “1.”, “2.”, and “3.”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively.

On page 4, in line 24, strike “**QUALITY AND**”; and in line 27, strike the brackets.

On pages 4 and 5, strike beginning with the semicolon in line 28 on page 4 down through “**LESS**” in line 11 on page 5.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 713 – Senators Young, Madaleno, Manno, Pinsky, and Smith

AN ACT concerning

**Products That Contain Mercury – Prohibition on Sale of Electric Switches,
Electric Relays, and Gas Valve Switches**

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

Favorable report adopted.

FLOOR AMENDMENT

SB0713/843025/1

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 713

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Act;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 3, in line 13, strike “**2017**” and substitute “**2018**”; and in line 23, strike “2017” and substitute “**2018**”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 857 – Senators Smith and Waugh

AN ACT concerning

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

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

Favorable report adopted.

FLOOR AMENDMENT

SB0857/523627/1

BY: Senator Waugh

AMENDMENTS TO SENATE BILL 857

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “certain”; in the same line, strike “assign a full-time” and substitute “designate an”; in line 9, strike “making the Act applicable to certain units of State government;”; and in line 11, after the semicolon insert “requiring the Department to coordinate certain meetings and submit a certain report;”.

AMENDMENT NO. 2

On page 3, in line 2, strike “**A FULL-TIME EMPLOYEE OF**” and substitute “**AN EMPLOYEE DESIGNATED BY**”; and strike in their entirety lines 6 through 17, inclusive, and substitute:

“(B) EACH GOVERNMENTAL UNIT SHALL:

(1) DESIGNATE AN EMPLOYEE OF THE UNIT, WHO TO THE EXTENT PRACTICABLE IS A VETERAN, AS A VETERANS’ SERVICES SPECIALIST FOR THE UNIT AND WHOSE DUTIES INCLUDE THE COORDINATION OF VETERANS’ SERVICES WITH THE DEPARTMENT;”.

On page 4, in lines 1 and 6, strike “(D)” and “(E)”, respectively, and substitute “(C)” and “(D)”, respectively; and after line 9, insert:

“(E) THE DEPARTMENT SHALL:

(1) COORDINATE A MEETING EACH QUARTER, OR AS OTHERWISE NECESSARY, WITH GOVERNMENTAL UNITS TO DISCUSS AND RECEIVE INFORMATION CONCERNING THE IMPLEMENTATION OF THE REQUIREMENTS OF THIS SECTION; AND

(2) ON OR BEFORE JANUARY 15 EACH YEAR, REPORT ON THE IMPLEMENTATION OF THE REQUIREMENTS OF THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY.”.

The preceding 2 amendments were read only.

Senator Conway moved to make the Bill and Amendment a Special Order for March 16, 2017.

The motion was adopted.

**Senate Bill 13 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Military)**

AN ACT concerning

Public Safety – State Militia

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

Favorable report adopted.

FLOOR AMENDMENT

SB0013/903829/1

BY: Senator Simonaire

AMENDMENTS TO SENATE BILL 13

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “at will and”; and in line 4, after “voluntary” insert “and a member may be dismissed with cause”.

AMENDMENT NO. 2

On page 12, in line 15, strike “AT WILL” and substitute “VOLUNTARILY”; and in the same line, strike “OR WITHOUT”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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 withdrawn.

SUBSTITUTE COMMITTEE AMENDMENT

SB1006/349631/1

BY: Budget and Taxation Committee

SUBSTITUTE AMENDMENTS TO SENATE BILL 1006

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Jennings” and substitute “Senators Jennings and Manno”.

AMENDMENT NO. 2

On page 2, in line 22, strike “OR”; in line 23, strike “AND” and substitute “OR”; and after line 23, insert:

“(VI) THE USE OF A MACHINE, APPARATUS, OR DEVICE EXCEPT ONE THAT:

1. IS A HANDHELD DEVICE THAT DISPLAYS ONLY FACSIMILES OF BINGO CARDS THAT AN INDIVIDUAL USES TO MARK AND MONITOR CONTEMPORANEOUSLY TO A LIVE CALL OF BINGO NUMBERS CALLED ON THE PREMISES BY AN INDIVIDUAL WHERE THE USER IS OPERATING THE MACHINE;

2. DOES NOT PERMIT A USER TO PLAY MORE THAN 54 BINGO CARDS AT THE SAME TIME;

3. DOES NOT RANDOMLY GENERATE ANY NUMBERS; AND

4. IS NOT PART OF AN INTEGRATED SYSTEM; AND”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Jennings moved to make the Bill a Special Order for March 16, 2017.

The motion was adopted.

**Senate Bill 746 – Chair, Judicial Proceedings Committee (By Request – Maryland
Judicial Conference)**

AN ACT concerning

District Court Commissioners – Residency in Contiguous County

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

Favorable report adopted.

FLOOR AMENDMENT

SB0746/913526/1

BY: Senator Ferguson

AMENDMENTS TO SENATE BILL 746

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “that” insert “, subject to a certain exception.”.

AMENDMENT NO. 2

On page 1, in line 15, strike “Commissioners” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, COMMISSIONERS**”; and after line 17, insert:

“(II) IN BALTIMORE CITY, COMMISSIONERS SHALL BE ADULT RESIDENTS OF BALTIMORE CITY, BUT THEY NEED NOT BE LAWYERS.”.

The preceding 2 amendments were read only.

Senator Zirkin moved to make the Bill and Amendment a Special Order for March 16, 2017.

The motion was adopted.

LAID OVER CALENDAR NO. 10

Senate Bill 307 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Hershey, Hough, Jennings, Norman, Ready, Salling, Serafini, Simonaire, and Waugh

EMERGENCY BILL

AN ACT concerning

**Repeal of the Maryland Open Transportation Investment Decision Act of 2016
(Road Kill Bill Repeal)**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0307/849036/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 307

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in the sponsor line, strike “and Waugh” and substitute “Waugh, Kasemeyer, Madaleno, Currie, DeGrange, Ferguson, Guzzone, King, Manno, McFadden, and Peters”; in line 2, strike “Repeal of the”; in lines 2 and 3, strike “of 2016 (Road Kill Bill Repeal)” and substitute “– Application and Evaluation”; strike beginning with the first “repealing” in line 4 down through “measure” in line 14 and substitute “repealing the requirement that the Department of Transportation adopt certain regulations on or before a certain date; requiring the Department to develop a certain model that uses a certain project–based scoring system to rank certain projects; requiring the Department to use the model to rank certain projects; requiring the Department to include a certain ranking and certain project scores in an appendix to the Consolidated Transportation Program and make the ranking and project scores available on the Department’s Web site; expanding the list of the State’s transportation goals and establishing certain measures for the goals; repealing the requirement that the Department prioritize certain projects for inclusion in the Consolidated Transportation Program; repealing the authorization of the Department to include certain projects with a certain score in the Consolidated Transportation Program under certain circumstances;”

specifying that certain provisions of this Act may not be construed to impede or alter the inclusion of local transportation priorities in the Consolidated Transportation Program; establishing the Workgroup on the Maryland Open Transportation Investment Decision Act; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to evaluate and make recommendations regarding certain matters; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act”; strike in their entirety lines 16 and 17, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 2–103.7

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”;

and strike in their entirety lines 19 through 21, inclusive.

On page 2, strike in their entirety lines 13 and 14, inclusive; and strike lines 17 through 20, inclusive, and substitute:

“WHEREAS, Thousands of Marylanders sit in traffic for hours every day as congestion and gridlock prevent them from getting home and getting to and returning from work in a reasonable amount of time; and

WHEREAS, The transportation infrastructure is too important to the quality of life of all Marylanders for the Maryland Department of Transportation to threaten projects across the State due to a purely advisory law intended to shine a public light on the process for making transportation decisions; and

WHEREAS, Legislators voted for an increase in the gas tax because the need for roads and bridges and enhancing our transit systems was nothing short of critical to improving the lives of Marylanders, stimulating the economy, and creating jobs; and

WHEREAS, It remains the intent of General Assembly that a public process for transportation planning that provides Marylanders with a clear and transparent explanation of how their transportation taxes and revenues are allocated to fund major capital transportation projects be developed; now, therefore,”.

AMENDMENT NO. 2

On page 2, in line 22, strike “Chapter 36 of the Acts of the General Assembly of 2016 be repealed.” and substitute “the Laws of Maryland read as follows:”; and after line 22, insert:

“Article – Transportation

2–103.7.

(a) (1) In this section the following words have the meanings indicated.

(2) “Major capital project” has the meaning stated in § 2–103.1 of this subtitle.

(3) (i) “Major transportation project” means a major capital project in the State Highway Administration or the Maryland Transit Administration whose total cost for all phases exceeds \$5,000,000 and that:

1. Increases highway or transit capacity;

2. **REDUCES AREAS OF HEAVY TRAFFIC CONGESTION;**

3. **IMPROVES COMMUTE TIMES IN AREAS OF HEAVY TRAFFIC CONGESTION;**

4. Improves transit stations or station areas; or

[3.] 5. Improves highway capacity through the use of intelligent transportation systems or congestion management systems.

(ii) “Major transportation project” does not include:

1. Projects in the Maryland Aviation Administration, the Maryland Port Administration, or the Maryland Transportation Authority;

2. Maintenance and storage facilities projects;

3. Water quality improvement projects;

4. Projects related to Maryland's priorities for total maximum daily load development;

5. Safety-related projects that do not increase highway or transit capacity; or

6. Roads within the Appalachian Development Highway System.

(b) The Department shall:

(1) In accordance with federal transportation requirements, develop a project-based scoring system using the goals and measures established under subsection (c) of this section;

(2) Develop the weighting metrics for each goal and measure established under subsection (c) of this section;

(3) On or before January 1, [2017] 2018, [adopt regulations to carry out the provisions of this section] DEVELOP AN EXPERIMENTAL MODEL CONSISTENT WITH THE PROVISIONS OF THIS SECTION THAT USES THE PROJECT-BASED SCORING SYSTEM DEVELOPED UNDER THIS SUBSECTION TO RANK MAJOR TRANSPORTATION PROJECTS BEING CONSIDERED FOR INCLUSION IN THE DRAFT AND FINAL CONSOLIDATED TRANSPORTATION PROGRAM; [and]

(4) [In accordance with the project-based scoring system] USE THE MODEL developed under this subsection[,] TO rank major transportation projects BEING CONSIDERED for inclusion in the draft and final Consolidated Transportation Program; AND

(5) MAKE ANY RANKING UNDER ITEM (4) OF THIS PARAGRAPH AVAILABLE TO THE PUBLIC;

(I) AS AN APPENDIX TO THE CONSOLIDATED TRANSPORTATION PROGRAM; AND

(II) ON THE DEPARTMENT'S WEB SITE.

(c) (1) The State transportation goals are:

(i) Safety and security;

(ii) System preservation;

(iii) Quality of service;

(iv) Environmental stewardship;

(v) Community vitality;

(vi) Economic prosperity;

(vii) Equitable access to transportation;

(viii) Cost effectiveness and return on investment; [and]

(ix) Local priorities and planning;

(X) REDUCING TRAFFIC CONGESTION; AND

(XI) IMPROVING COMMUTE TIMES.

(2) In evaluating whether and to what extent a major transportation project satisfies the goals established under paragraph (1) of this subsection, the Department, using a 20–year forecast in the project area, shall assign a score from 1 to 100 for each goal using the following measures:

(i) For safety and security:

1. The expected reduction in total fatalities and severe injuries in all modes affected by the project; and

2. The extent to which the project implements the Maryland State Highway Administration’s Complete Streets policies.

(ii) For system preservation:

- the affected facility;
1. The degree to which the project increases the lifespan of
- of the facility; and
2. The degree to which the project increases the functionality
3. The degree to which the project renders the facility more
- resilient.

(iii) For quality of service:

1. The expected change in cumulative job accessibility within
an approximately 60-minute commute for highway projects or transit projects;
2. The degree to which the project has a positive impact on
travel time reliability; and
3. The degree to which the project supports connections
between different modes of transportation and promotes multiple transportation choices.

(iv) For environmental stewardship:

1. The potential of the project to limit or reduce harmful
emissions;
2. The degree to which the project avoids impacts on State
resources in the project area and adjacent areas; and
3. The degree to which the project advances the State
environmental goals.

(v) For community vitality:

1. The degree to which the project is projected to increase the
use of walking, biking, and transit;
2. The degree to which the project enhances existing
community assets; and

3. The degree to which the project furthers the affected community's and State's plans for revitalization.

(vi) For economic prosperity:

1. The projected increase in the cumulative job accessibility within an approximately 60-minute commute for projects;

2. The extent to which the project is projected to enhance access to critical intermodal locations for the movement of goods and services; and

3. The projected increase in furthering nonspeculative local and State economic development strategies in existing communities.

(vii) For equitable access to transportation:

1. The expected increase in job accessibility for disadvantaged populations within an approximately 60-minute commute for projects; and

2. The projected economic development impact on low-income communities.

(viii) For cost effectiveness and return on investment:

1. The estimated travel time savings divided by the project cost;

2. The degree to which the project leverages additional federal, State, local, and private sector transportation investment; and

3. The degree to which the project will increase transportation alternatives and redundancy.

(ix) For local priorities and planning, the degree to which the project supports local government land use plans and goals.

(X) FOR REDUCING TRAFFIC CONGESTION, THE DEGREE TO WHICH THE PROJECT WILL REDUCE TRAFFIC CONGESTION.

(XI) FOR IMPROVING COMMUTE TIMES, THE DEGREE TO WHICH THE PROJECT WILL IMPROVE COMMUTE TIMES.

(3) The Department shall multiply the total combined score of each major transportation project by a weighting factor equal to one plus the results of dividing the population in the area served by the project, as determined [in regulations adopted] by the Department, by the population of Maryland.

(d) (1) The score of a major transportation project shall be based solely on the goals and measures established under subsection (c) of this section.

(2) [Except as provided under paragraph (3) of this subsection, the Department shall prioritize major transportation projects with higher scores for inclusion in the Consolidated Transportation Program over major transportation projects with lower scores.

(3) The Department may include in the Consolidated Transportation Program a major transportation project with a lower score over a major transportation project with a higher score if it provides in writing a rational basis for the decision.] THE DEPARTMENT SHALL MAKE THE SCORES OF ALL PROJECTS EVALUATED FOR INCLUSION IN THE CONSOLIDATED TRANSPORTATION PROGRAM AND ASSIGNED A SCORE UNDER THE MODEL AVAILABLE TO THE PUBLIC:

(I) AS AN APPENDIX TO THE CONSOLIDATED TRANSPORTATION PROGRAM; AND

(II) ON THE DEPARTMENT'S WEB SITE.

(e) Nothing in this section may be construed to impede or alter:

(1) The priority letter process that outlines local transportation priorities for the Department's consideration for inclusion in the Consolidated Transportation Program under § 2-103.1 of this subtitle; [or]

(2) The Department's visit to each county under § 2-103.1(e) of this subtitle; OR

(3) THE INCLUSION OF LOCAL TRANSPORTATION PRIORITIES IN THE CONSOLIDATED TRANSPORTATION PROGRAM.”.

AMENDMENT NO. 3

On page 2, strike beginning with “this” in line 23 down through “enacted” in line 27 and substitute “:

(a) There is a Workgroup on the Maryland Open Transportation Investment Decision Act.

(b) The Workgroup consists of the following members:

(1) the Majority Leader of the Senate of Maryland, or the Majority Leader’s designee;

(2) the Minority Leader of the Senate of Maryland, or the Minority Leader’s designee;

(3) the Majority Leader of the House of Delegates, or the Majority Leader’s designee;

(4) the Minority Leader of the House of Delegates, or the Minority Leader’s designee;

(5) one representative of the Senate Budget and Taxation Committee, appointed by the President of the Senate;

(6) one representative of the House Appropriations Committee, appointed by the Speaker of the House; and

(7) the Secretary of Transportation, or the Secretary’s designee.

(c) The President of the Senate and the Speaker of the House shall each designate a cochair of the Workgroup.

(d) The Department of Legislative Services shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) The Workgroup shall:

(i) evaluate the model required under § 2-103.7(b) of the Transportation Article, as enacted by this Act;

(ii) evaluate how prioritizing major transportation projects with higher scores for inclusion in the Consolidated Transportation Program over major transportation projects with lower scores applies to the Consolidated Transportation Program in fiscal years 2019 and 2020;

(iii) evaluate the prioritization process in Virginia and North Carolina and the applicability of these processes in Maryland;

(iv) evaluate regional prioritization processes and the applicability of these processes in Maryland; and

(v) make recommendations regarding whether modifications or changes to § 2-103.7 of the Transportation Article should be made.

(2) The Workgroup may:

(i) evaluate and test alternative models for prioritizing major transportation projects; and

(ii) evaluate how alternative models would apply to the Consolidated Transportation Program in fiscal years 2019 and 2020.

(3) In conducting its evaluation, the Workgroup shall solicit input from:

(i) local governments;

(ii) transportation planning organizations;

(iii) the Maryland Transit Administration;

(iv) the Maryland Transportation Authority; and

(v) other interested parties.

(g) On or before January 1, 2019, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017. 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 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0307/983727/1

BY: Senator Kasemeyer

AMENDMENT TO SENATE BILL 307, AS AMENDED

On page 13 of the Budget and Taxation Committee Amendments (SB0307/849036/1), in the third line from the bottom of Amendment No. 3, after “years” insert “and 6 months”; and in the same line, strike “June 30,” and substitute “December 31,”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0307/713728/1

BY: Senator Serafini

AMENDMENTS TO SENATE BILL 307, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SB0307/849036/1), in line 6 of Amendment No. 1, before “repealing” insert “altering the definition of “major transportation project”;”; in line 12, after “site;” insert “altering the manner by which the Department evaluates and scores certain major transportation projects;”; in the same line, after “expanding” insert “and altering”; in line 13, after “establishing” insert “and altering”; and in the same line, after “goals;” insert “repealing a requirement that the Department multiply certain scores by a certain weighting factor;”.

AMENDMENT NO. 2

On pages 1 and 2 of the bill, strike in their entirety the lines beginning with line 18 on page 1 through line 16 on page 2, inclusive.

AMENDMENT NO. 3

On page 2 of the Budget and Taxation Committee Amendments, strike beginning with “WHEREAS” in the fourteenth line from the bottom of Amendment No. 1 down through “therefore,” in the first line from the bottom of Amendment No. 1.

AMENDMENT NO. 4

On page 4 of the Budget and Taxation Committee Amendments, in line 8 of Amendment No. 2, strike “or”; and in line 10, after “System” insert “**; OR**”

7. SYSTEM PRESERVATION PROJECTS”.

AMENDMENT NO. 5

On page 6 of the Budget and Taxation Committee Amendments, in line 2 of Amendment No. 2, strike “and planning”; in line 7, strike “, using a 20 year forecast in the project area,”; strike beginning with “from” in line 7 down through “100” in line 8; and in line 8, after “using” insert “**THE WEIGHTING METRICS DEVELOPED BY THE DEPARTMENT UNDER SUBSECTION (B)(2) OF THIS SECTION AND**”.

AMENDMENT NO. 6

On page 9 of the Budget and Taxation Committee Amendments, in line 5 of Amendment No. 2, strike “and planning”; and strike in their entirety lines 11 through 14, inclusive.

The preceding 6 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB1034/889931/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1034

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “to” in line 5 down through “purposes” in line 6; strike beginning with “requiring” in line 8 down through “activities;” in line 9 and substitute “requiring, if certain federal funds are reduced in a fiscal year, the Governor to include a certain appropriation in the next fiscal year; stating the intent of the General Assembly;”; in line 13, strike “and 24–205(d)”; and in line 21, strike the colon and substitute “THE TOTAL AMOUNT OF THE APPROPRIATION FOR THE PRIOR FISCAL YEAR INCREASED BY THE PERCENTAGE BY WHICH THE TOTAL AMOUNT OF GENERAL FUND REVENUES APPROPRIATED IN THE PROPOSED BUDGET BILL EXCEEDS THE TOTAL AMOUNT OF GENERAL FUND REVENUES APPROPRIATED IN THE BUDGET BILL FOR THE PRIOR FISCAL YEAR.”

(2) IF THE AMOUNT OF FEDERAL FUNDS ANTICIPATED FOR THE COMMISSION FOR ANY FISCAL YEAR IS REDUCED, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FOR THE NEXT FISCAL YEAR AN APPROPRIATION EQUAL TO THE DIFFERENCE BETWEEN THE ANTICIPATED FEDERAL FUNDS AND THE ACTUAL FEDERAL FUNDS RECEIVED IN THE PRIOR FISCAL YEAR.”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 10 on page 2, inclusive.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 11 through 18, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, in the interest of transparency and unbiased reporting, the Governor include in the annual budget an appropriation of at least \$500,000 to the Maryland Public Broadcasting Commission to record, archive, distribute, and stream:

- (1) the annual State of the State Address;
- (2) floor sessions during the last 2 weeks of the legislative session; and
- (3) the State of the Judiciary Address.”;

and in line 19, 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.

Senate Bill 971 – Senator Kagan

AN ACT concerning

**Procurement – Nondiscrimination Clauses and State Policy Prohibiting
Discrimination**

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

SB0971/724232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 971
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “characteristics;” insert “declaring the intent of the State; altering certain language required to be contained in certain nondiscrimination clauses, in

a certain certification, and in certain contracts; altering a certain definition.”; and in line 15, strike “and 19–101” and substitute “, 19–101, 19–102, 19–103(j), 19–114, 19–115, and 19–116”.

AMENDMENT NO. 2

On page 3, after line 25, insert:

“19–102.

It is the intent of the State to avoid becoming a passive participant in private sector commercial discrimination:

(1) by refusing to procure goods and services from business entities that:

(I) discriminate in the solicitation, selection, hiring, or commercial treatment of vendors, suppliers, subcontractors, or commercial customers on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or other unlawful forms of discrimination; OR

(II) DISCRIMINATE IN THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS ON THE BASIS OF RACE, COLOR, RELIGION, ANCESTRY OR NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, SEXUAL ORIENTATION, OR ON THE BASIS OF DISABILITY OR OTHER UNLAWFUL FORMS OF DISCRIMINATION; AND

(2) by providing a procedure for receiving, investigating, and resolving complaints of discrimination, AS DESCRIBED IN ITEM (1) OF THIS SUBSECTION, filed against business entities that:

[(1)](I) have submitted a bid or proposal; or

[(2)](II) have been selected to engage in, or are engaged in, providing goods or services to the State.

19–103.

(j) (1) “Discrimination” means any disadvantage, difference, distinction, or preference in:

(I) the solicitation, selection, hiring, or commercial treatment of a vendor, supplier, subcontractor, or commercial customer on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or any otherwise unlawful use of characteristics regarding the vendor's, supplier's, or commercial customer's employees or owners; OR

(II) THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS ON THE BASIS OF RACE, COLOR, RELIGION, ANCESTRY OR NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, SEXUAL ORIENTATION, OR ON THE BASIS OF DISABILITY OR OTHER UNLAWFUL USE OF CHARACTERISTICS REGARDING THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS.

(2) "Discrimination" does not include lawful efforts to remedy the effects of discrimination that have occurred or are occurring in the marketplace.

19-114.

Every contract and subcontract shall contain a nondiscrimination clause that reads as follows:

"As a condition of entering into this agreement, the company represents and warrants that it will comply with the State's Commercial Nondiscrimination Policy, as described under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland. As part of such compliance, the company may not discriminate on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or other unlawful forms of discrimination in the solicitation, selection, hiring, or commercial treatment of subcontractors, vendors, suppliers, or commercial customers OR IN THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS, nor shall the company retaliate against any person for reporting instances of such discrimination. The company shall provide equal opportunity for subcontractors, vendors, and suppliers to participate in all of its public sector and private sector subcontracting and supply opportunities, provided that nothing contained in this clause shall prohibit or limit otherwise lawful efforts to remedy the effects of marketplace discrimination that have occurred or are occurring in the marketplace. The company understands and agrees that a material violation of this clause shall be considered a material breach of this agreement and may result in termination of this agreement, disqualification of the company from participating in State contracts, or other sanctions.

This clause is not enforceable by or for the benefit of, and creates no obligation to, any third party.”.

19–115.

All requests for bids or proposals issued for State contracts shall include the following certification to be completed by the bidder:

“The undersigned bidder hereby certifies and agrees that the following information is correct:

In preparing its bid on this project, the bidder has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in “discrimination” as defined in § 19–103 of the State Finance and Procurement Article of the Annotated Code of Maryland; to wit: discrimination in the solicitation, selection, or commercial treatment of any subcontractor, vendor, supplier, or commercial customer **OR IN THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS** on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or other unlawful forms of discrimination. Without limiting the foregoing, “discrimination” also includes retaliating against any person or other entity for reporting any incident of “discrimination”. Without limiting any other provision of the solicitation for bids on this project, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for the State to reject the bid submitted by the bidder on this project, and terminate any contract awarded based on the bid. As part of its bid or proposal, the bidder shall provide to the State a list of all instances within the immediate past 4 years where there has been a final adjudicated determination in a legal or administrative proceeding in the State of Maryland that the bidder discriminated against its subcontractors, vendors, suppliers, or commercial customers **OR DISCRIMINATED IN THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS**, and a description of the status or resolution of that complaint, including any remedial action taken. As a condition of submitting a bid or proposal to the State, the bidder agrees to comply with the State’s Commercial Nondiscrimination Policy as described under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland.”.

19–116.

Every contract that the State enters into shall include the following language:

“As a condition of entering into this agreement, upon the request of the Commission on Civil Rights, and only after the filing of a complaint against the company under Title 19 of the State Finance and Procurement Article, as amended from time to time, the company agrees to: provide to the State within 60 days after the request a truthful and complete list of the names of all subcontractors, vendors, and suppliers that the company has used in the past 4 years on any of its contracts that were undertaken within the State of Maryland, including the total dollar amount paid by the contractor on each subcontract or supply contract, OR ANY INFORMATION REQUESTED BY THE COMMISSION TO INVESTIGATE THE FORMATION OR COMPOSITION OF A BOARD OF DIRECTORS. The company further agrees to cooperate in any investigation conducted by the State pursuant to the State’s Commercial Nondiscrimination Policy as set forth under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland, to provide any documents relevant to any investigation that is requested by the State. The company understands and agrees that violation of this clause shall be considered a material breach of this agreement and may result in contract termination, disqualification by the State from participating in State contracts, and other sanctions.”.

The preceding 2 amendments were read and adopted.

Senator Cassilly moved to make the Bill and Report a Special Order for March 16, 2017.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 554)

SENATE THIRD READING CALENDAR NO. 44 (GENERAL SENATE BILLS)

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

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

Affirmative – 35 Negative – 12 (See Roll Call No. 555)

The Bill was then sent to the House of Delegates.

Senate Bill 313 – The President (By Request – Administration) and Senators Astle, Bates, Cassilly, Eckardt, Edwards, Feldman, Ferguson, Hershey, Klausmeier, Manno, Mathias, Middleton, Norman, Reilly, Rosapepe, Salling, Serafini, ~~and Simonaire~~ Simonaire, Benson, and Oaks

AN ACT concerning

Economic Development – Maryland Energy Innovation Institute

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

Affirmative – 47 Negative – 0 (See Roll Call No. 556)

The Bill was then sent to the House of Delegates.

Senate Bill 328 – Senators Nathan–Pulliam, Salling, Benson, Conway, Currie, Eckardt, Edwards, Ferguson, Kagan, Kelley, King, Madaleno, Manno, Mathias, McFadden, Middleton, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, ~~and Zucker~~ Zucker, and Oaks

AN ACT concerning

State Highways – Dedication – Henrietta Lacks Way

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

Affirmative – 47 Negative – 0 (See Roll Call No. 557)

The Bill was then sent to the House of Delegates.

Senate Bill 348 – Senators Kelley, Brochin, Conway, Currie, DeGrange, Ferguson, Lee, Madaleno, McFadden, Muse, Nathan–Pulliam, Ramirez, Robinson, Rosapepe, and Smith

AN ACT concerning

State Compensation for Erroneous Conviction and Imprisonment – ~~Gubernatorial Pardon Requirement~~ – Repeal Certification of Error

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

Affirmative – 47 Negative – 0 (See Roll Call No. 558)

The Bill was then sent to the House of Delegates.

Senate Bill 380 – Senators Feldman ~~and Hershey~~, Hershey, Benson, Oaks, and Rosapepe

AN ACT concerning

**Insurance – ~~Surplus Lines~~ – Short-Term Medical Insurance – ~~Procurement~~
~~From Nonadmitted Insurer~~ Study**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 559)

The Bill was then sent to the House of Delegates.

Senate Bill 625 – Senators Benson, Currie, Madaleno, Pinsky, Robinson, and Young

AN ACT concerning

Public Schools and Shelters – Homeless Girls and Women – Feminine Hygiene Products

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

Affirmative – 47 Negative – 0 (See Roll Call No. 560)

The Bill was then sent to the House of Delegates.

Senate Bill 631 – Senators Madaleno, Kelley, King, and Smith

AN ACT concerning

Criminal Law – Animal Abuse Emergency Compensation Fund – Establishment

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

Affirmative – 47 Negative – 0 (See Roll Call No. 561)

The Bill was then sent to the House of Delegates.

Senate Bill 649 – ~~Senator Middleton~~ Senators Middleton, Benson, and Oaks

AN ACT concerning

Public Utilities – Telephone Lifeline Service – Revisions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 562)

The Bill was then sent to the House of Delegates.

Senate Bill 949 – Senators Smith and Madaleno

AN ACT concerning

Criminal Procedure – Expungement – Possession of Marijuana and Fees

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

Affirmative – 47 Negative – 0 (See Roll Call No. 563)

The Bill was then sent to the House of Delegates.

Senate Bill 966 – Senators Klausmeier ~~and Middleton~~, Middleton, Astle, Benson, Feldman, Hershey, Jennings, Rosapepe, and Oaks

AN ACT concerning

Electric Universal Service Program – Unexpended Funds

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

Affirmative – 47 Negative – 0 (See Roll Call No. 564)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 45 (GENERAL SENATE BILLS)**Senate Bill 85 – ~~Senator Conway~~ Senators Conway, Brochin, Cassilly, Hough, Kelley, Lee, Muse, Norman, Ramirez, Ready, Smith, and Zirkin**

AN ACT concerning

Family Law – Treatment Foster Care Homes – Siblings

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

Affirmative – 47 Negative – 0 (See Roll Call No. 565)

The Bill was then sent to the House of Delegates.

Senate Bill 156 – Senators Brochin and Klausmeier

AN ACT concerning

Baltimore County – Elections for Judges of the Orphans’ Court – Procedures

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

Affirmative – 46 Negative – 0 (See Roll Call No. 566)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 567)

The Bill was then sent to the House of Delegates.

Senate Bill 327 – Senators Young, Klausmeier, Eckardt, Guzzone, Muse, and Rosapepe

AN ACT concerning

Public Senior Higher Education Institutions – Financial Aid – Reduction Restrictions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 568)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 569)

The Bill was then sent to the House of Delegates.

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**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 570)

The Bill was then sent to the House of Delegates.

Senate Bill 549 – Chair, Education, Health, and Environmental Affairs Committee

EMERGENCY BILL

AN ACT concerning

**State Board of Physicians and Allied Health Advisory Committees – Sunset
Extension and Program Evaluation**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 571)

The Bill was then sent to the House of Delegates.

Senate Bill 943 – Senators Smith, Feldman, Ferguson, and Zucker

AN ACT concerning

~~**Family Child Care Homes and Child Care Centers**~~ **Children With Disabilities
and Child Care Providers – Dispute Resolution Process – Regulations**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 572)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 46 (GENERAL SENATE BILLS)

Senate Bill 23 – Senators Klausmeier, Simonaire, ~~and Eckardt~~ Eckardt, Hough, Ready, Norman, and Cassilly

AN ACT concerning

Handgun Permits – Alternative Expiration Date – Private Detectives, Security Guards, and Special Police Officers

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

Affirmative – 47 Negative – 0 (See Roll Call No. 573)

The Bill was then sent to the House of Delegates.

Senate Bill 88 – Senator Simonaire

AN ACT concerning

General Provisions – State Designations – Great Seal

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

Affirmative – 44 Negative – 3 (See Roll Call No. 574)

The Bill was then sent to the House of Delegates.

Senate Bill 309 – The President (By Request – Administration) and Senators Hershey, Norman, and Salling

AN ACT concerning

State Finance and Procurement – Small and Minority Business Participation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 575)

The Bill was then sent to the House of Delegates.

Senate Bill 310 – The President (By Request – Administration) and Senators Hershey and Salling

AN ACT concerning

Improving the State Procurement Oversight Structure

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

Affirmative – 47 Negative – 0 (See Roll Call No. 576)

The Bill was then sent to the House of Delegates.

Senate Bill 365 – Senators Young, Conway, Madaleno, Manno, Nathan-Pulliam, and Pinsky

AN ACT concerning

~~**Forest Conservation Act – Exemption, Reforestation Rate, and Forest Conservation Fund Alterations**~~

Task Force on the Forest Conservation Act Offset Policy

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

Affirmative – 47 Negative – 0 (See Roll Call No. 577)

The Bill was then sent to the House of Delegates.

Senate Bill 539 – The President (By Request – Administration) and Senators Bates, Eckardt, Edwards, Hershey, Jennings, Ready, Salling, Serafini, and Simonaire

EMERGENCY BILL

AN ACT concerning

Criminal Law – ~~Distribution of Opioids Resulting in Death~~ Distribution of Controlled Dangerous Substances – Fentanyl

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

Affirmative – 46 Negative – 1 (See Roll Call No. 578)

The Bill was then sent to the House of Delegates.

Senate Bill 541 – Senator Conway (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Board of Municipal and Zoning Appeals – Appeals Authority

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

Affirmative – 47 Negative – 0 (See Roll Call No. 579)

The Bill was then sent to the House of Delegates.

Senate Bill 703 – Senator Middleton

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Participation in the
Readiness and Environmental Protection Integration Program**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 580)

The Bill was then sent to the House of Delegates.

**Senate Bill 781 – ~~Senator Lee~~ Senators Lee, Zirkin, Hough, Muse, Ready, Smith,
Cassilly, Norman, Brochin, Ramirez, and Kelley**

AN ACT concerning

Criminal Procedure – Testing – HIV and Hepatitis C

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

Affirmative – 47 Negative – 0 (See Roll Call No. 581)

The Bill was then sent to the House of Delegates.

Senate Bill 885 – ~~Senator Rosapepe~~ Senators Rosapepe and Kagan

AN ACT concerning

Environment – Recycling – Special Events

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

Affirmative – 37 Negative – 9 (See Roll Call No. 582)

The Bill was then sent to the House of Delegates.

Senate Bill 964 – Senators Klausmeier and Eckardt

EMERGENCY BILL

AN ACT concerning

Aquaculture – Leases – Submerged Aquatic Vegetation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 583)

The Bill was then sent to the House of Delegates.

Senate Bill 982 – Senators Muse, Benson, Madaleno, Robinson, and Young

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 584)

The Bill was then sent to the House of Delegates.

Senate Bill 1040 – Senators Ready, Bates, Eckardt, Edwards, and Salling

AN ACT concerning

Environment – Water and Sewer Plan Approval

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

Affirmative – 45 Negative – 2 (See Roll Call No. 585)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 47 (GENERAL SENATE BILLS)

Senate Bill 142 – ~~Senator Zirkin~~ Senators Manno and Zirkin

AN ACT concerning

Task Force to Study Bicycle Safety on Maryland Highways

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

Affirmative – 46 Negative – 0 (See Roll Call No. 586)

The Bill was then sent to the House of Delegates.

Senate Bill 274 – Senator Ramirez

AN ACT concerning

Family Law – Divorce – Domestic Violence Order

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

Affirmative – 47 Negative – 0 (See Roll Call No. 587)

The Bill was then sent to the House of Delegates.

Senate Bill 505 – Senators Kelley, Young, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, King, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Salling, Smith, and Zucker

AN ACT concerning

Civil Actions – Child Sexual Abuse – Statute of Limitations and Required Findings

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

Affirmative – 47 Negative – 0 (See Roll Call No. 588)

The Bill was then sent to the House of Delegates.

Senate Bill 534 – Senators Benson, Currie, Ferguson, Lee, Madaleno, Manno, McFadden, Muse, Pinsky, Robinson, Smith, ~~and Young~~ Young, Mathias, and Oaks

AN ACT concerning

Motor Vehicle Insurance – Discrimination in Underwriting and Rating – Prohibitions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 589)

The Bill was then sent to the House of Delegates.

Senate Bill 562 – Senators Kelley and Lee

AN ACT concerning

**Health Care Decisions Act – Advance Directives and Surrogate Decision Making
– Disqualified Individuals**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 590)

The Bill was then sent to the House of Delegates.

**Senate Bill 671 – ~~Senators Kelley and Lee~~ Senators Kelley, Lee, Astle, Benson,
Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly,
and Rosapepe**

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 591)

The Bill was then sent to the House of Delegates.

**Senate Bill 700 – Senators Robinson, Bates, Benson, Brochin, Conway, Currie,
DeGrange, Eckardt, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier,
Lee, Madaleno, Manno, Mathias, McFadden, Muse, Nathan-Pulliam, Reilly,
Salling, Smith, Young, ~~and Zucker~~ Zucker, and Oaks**

AN ACT concerning

**State Government – Office of Minority Affairs and Interdepartmental Advisory
Committee on Minority Affairs – Renaming**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 592)

The Bill was then sent to the House of Delegates.

Senate Bill 811 – Senators Zirkin, Kelley, Lee, Muse, Ramirez, and Smith

AN ACT concerning

**Civil Cases – Maryland Legal Services Corporation Fund – Surcharges – Repeal
of Sunset**

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

Affirmative – 40 Negative – 7 (See Roll Call No. 593)

The Bill was then sent to the House of Delegates.

**Senate Bill 912 – Chair, Judicial Proceedings Committee (By Request – Maryland
Judicial Conference)**

AN ACT concerning

Children in Need of Assistance – Sex Trafficking

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

Affirmative – 47 Negative – 0 (See Roll Call No. 594)

The Bill was then sent to the House of Delegates.

**Senate Bill 919 – ~~Senator Mathias~~ Senators Mathias, Astle, Benson, Feldman,
Hershey, Jennings, Klausmeier, Middleton, Oaks, Reilly, and Rosapepe**

AN ACT concerning

President Jimmy Carter Cancer Treatment Access Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 595)

The Bill was then sent to the House of Delegates.

**Senate Bill 968 – ~~Senator Klausmeier~~ Senators Klausmeier, Astle, Benson,
Feldman, Hershey, Jennings, Mathias, Middleton, Oaks, Reilly, and
Rosapepe**

AN ACT concerning

**Health Insurance – Coverage Requirements for Behavioral Health Disorders –
Modifications**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 596)

The Bill was then sent to the House of Delegates.

Senate Bill 969 – Senator Feldman

AN ACT concerning

**Electricity – Construction of Overhead Transmission Lines – Condemnation
Authority**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 597)

The Bill was then sent to the House of Delegates.

Senate Bill 975 – Senator Ready

AN ACT concerning

Real Property – Agricultural Land Preservation Easements – Separate Parcels

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

Affirmative – 47 Negative – 0 (See Roll Call No. 598)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF BILLS

Senator Manno moved to suspend Rules 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 1191 – Senator Manno

AN ACT concerning

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

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

BY adding to

Article – Education

Section 7–1502.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

Senator Manno moved to suspend Rules 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 1192 – Senators Manno and Middleton

EMERGENCY BILL

AN ACT concerning

**Labor and Employment – Unemployment Insurance – Independent Contractors
and Severance Pay**

FOR the purpose of specifying factors that must be evidenced in order for the Secretary of Labor, Licensing, and Regulation to be satisfied that the work that an individual performs under a certain contract is not covered employment for purposes of the unemployment insurance law; providing for the application of certain provisions of law governing the effect of dismissal payments or wages in lieu of notice on unemployment benefits; making this Act an emergency measure; and generally relating to independent contractors and severance pay under the unemployment insurance law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–205 and 8–1009
Annotated Code of Maryland
(2016 Replacement Volume)

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

Senator Reilly moved to suspend Rules 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 1193 – Senator Reilly

AN ACT concerning

Controlled Water Ski Areas in Maynadier Creek – Operation of Vessel – Prohibition

FOR the purpose of prohibiting a person from operating or giving permission to operate a vessel for certain purposes in a ski slalom course located in a controlled water ski area on certain days and State holidays and during certain times on certain days; providing for the application of this Act; defining a certain term; and generally relating to the operation of a vessel on a ski slalom course in a controlled ski area.

BY renumbering
Article – Natural Resources
Section 8–725.1 through 8–725.7, respectively
to be Section 8–725.2 through 8–725.8, respectively
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Natural Resources
Section 8–725.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 599)

ADJOURNMENT

At 12:32 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Thursday, March 16, 2017.

Annapolis, Maryland
Thursday, March 16, 2017
10:00 A.M. Session

The Senate met at 10:09 A.M.

Prayer by Reverend Paul Sparklin, St. Elizabeth Ann Seton, guest of Senator Reilly

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 601)

The Journal of March 15, 2017 was read and approved.

MESSAGE FROM THE EXECUTIVE

March 7, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H-107 State House
Annapolis, Maryland 21401

Dear Mr. President:

I would like to withdraw Brandon Cooper from nomination for Senate confirmation as a member of the State Board of Education.

Please contact my Appointments Office at 410-974-2611 if you have any questions.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

MESSAGE FROM THE EXECUTIVE

March 10, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H-107 State House
Annapolis, Maryland 21401

Dear Mr. President:

I would like to withdraw Larry Hinton from nomination for Senate confirmation as a member of the Board of Trustees of the Maryland Automobile Insurance Fund.

Please contact my Appointments Office at 410-974-2611 if you have any questions.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

MESSAGE FROM THE EXECUTIVE

March 13, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H-107 State House
Annapolis, Maryland 21401

Dear Mr. President:

I would like to withdraw Wendi W. Peters, Secretary of Planning, from nomination for Senate confirmation.

Please contact my Appointments Office at 410-974-2611 if you have any questions.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

MESSAGE FROM THE EXECUTIVE

March 15, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H-107 State House
Annapolis, Maryland 21401

Dear Mr. President:

I would like to withdraw Day R. Gardner, Ph.D. from nomination for Senate confirmation as a member of the State Board of Physicians.

Please contact my Appointments Office at 410-974-2611 if you have any questions.

Sincerely,

Lawrence J. Hogan, Jr.
Governor

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

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. 7

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. 7
March 16, 2017

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

1. Don Brooks Satterfield District 37
5432 Bates Bank Road
Cambridge, MD 21613

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

College of Southern Maryland, Board of Trustees of the

2. James F. Di Misa District 28
1033 Wiltshire Drive
La Plata, MD 20646

Member of the Board of Trustees of the College of Southern Maryland; appointed to serve a term of five years from July 1, 2017

Correctional Standards, Commission on

3. Montrell Spence District 10
3701 Twin Lakes Court, Apt. 108
Windsor Mills, MD 21244

Member of the Commission on Correctional Standards; appointed to serve a term of three years from July 1, 2016

Correctional Training Commission

4. Deborah J. Richardson District 99
115 Baldsmere Drive
York, PA 17403

Member of the Correctional Training Commission; reappointed to serve a term of three years from July 1, 2016

Economic Development Corporation Board of Directors, Maryland

5. Harry A. Shasho District 28
8055 Applegrove Court
La Plata, MD 20646

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2016

Education, State Board of

6. David Edimo District 19
13213 Rippling Brook Drive
Silver Spring, MD 20906

Student Member of the State Board of Education; appointed to serve a term of one year from July 1, 2016

Historical Trust, Board of Trustees of the Maryland

7. Sakinah Linder District 43
3037 Barclay Street
Baltimore, MD 21218

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve a term of four years from July 1, 2017

Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors

8. Wayne Richard District 36
102 Burton Air Drive
Centreville, MD 21617

Member of the Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors; appointed to serve a term of four years from July 1, 2017

Podiatric Medical Examiners, State Board of

9. Sharon Bunch District 43
2105 Woodbourne Avenue
Baltimore, MD 21214

Member of the State Board of Podiatric Medical Examiners; appointed to serve a term of four years from July 1, 2017

Professional Engineers, State Board for

10. Sallye E. Perrin District 40
225 West Lanvale Street
Baltimore, MD 21217

Member of the State Board for Professional Engineers; reappointed to serve a term of five years from July 1, 2017

Rural Legacy Board, Advisory Committee to the

11. David Albert Foltz, Ph.D. District 2
6500 Sharpsburg Pike
Sharpsburg, MD 21782

Member of the Advisory Committee to the Rural Legacy Board; appointed to serve a term of three years from July 1, 2014, and a term of three years from July 1, 2017

St. Mary's College of Maryland, Board of Trustees

12. John J. Bell District 99
105 Duane Street, Apt. 21G
New York, NY 10007

Member of the Board of Trustees of St. Mary's College of Maryland; appointed to serve a term of six years from June 1, 2015

13. John Bullock, Ph.D. District 40
1405 Hollins Street
Baltimore, MD 21223

Member of the Board of Trustees of St. Mary's College of Maryland; appointed to serve remainder of a term of six years from June 1, 2013

14. Gail Harmon, Esq. District 29
46502 Glen Mary Farm Road
Park Hall, MD 20667

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

15. John Chambers Wobensmith District 99
88 Leonard Street, Apt. PH3
New York, NY 10013

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

Technology Development Corporation Board of Directors, Maryland

16. Jennifer H. Elisseeff, Ph.D. District 43
3007 Saint Paul Street
Baltimore, MD 21218

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2016

Transportation Authority, Maryland

17. William H. Cox District 34
625 Ridgewood Road
Bel Air, MD 21014

Member of the Maryland Transportation Authority; appointed to serve remainder of a term to expire June 30, 2016 and a term of 4 years from July 1, 2016

Workers' Compensation Commission, State

18. R. Karl Aumann, Esq. District 42
538 Wyngate Road
Timonium, MD 21093

Chair of the State Workers' Compensation Commission; reappointed to serve a term of twelve years from February 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.

Amusement Ride Safety Advisory Board, State

- S-1. Karen Y. Bond District 43
1509 Lakeside Avenue
Baltimore, MD 21218

Member of the State Amusement Ride Safety Advisory Board; appointed to serve remainder of a term of four years from July 1, 2016

Apprenticeship and Training Council

- S-2. Grant B. Shmelzer District 16
4977 Battery Lane, Apt. 1019N
Bethesda, MD 20814

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2017

- S-3. William C. Taylor District 26
6218 Dimrill Court
Fort Washington, MD 20744

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2017

Archaeology, Advisory Committee on

- S-4. Richard J. Dent, Ph.D. District 99
P.O. Box 415
Great Cacapon, WV 25422

Member of the Advisory Committee on Archaeology; reappointed to serve a term of three years from July 1, 2017

Arts Council, Maryland State

- S-5. Lily Bengfort District 36
184 Log Canoe Circle
Stevensville, MD 21666

Member of the Maryland State Arts Council; appointed to serve remainder of a term of three years from July 1, 2015

Aviation Commission, Maryland

- S-6. David L. Winstead, Esq. District 18
5505 Kirkside Drive
Chevy Chase, MD 20815

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2017

Boiler Rules, Board of

- S–7. Richard C. Ludlow District 31
7782A West Shore Road
Pasadena, MD 21122

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

- S–8. Brian M. Wodka District 42
808 Walker Station Court
Parkton, MD 21120

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2018

Budget of the State Workers' Compensation Commission, Advisory Committee on the

- S–9. Lisa Y. Settles, Esq. District 42
2 Stillway Court
Cockeysville, MD 21030

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, 2016

Canal Place Preservation and Development Authority

- S–10. Stuart C. Czapski District 1
609 Thompson Avenue
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve a term of four years from July 1, 2017

Community Health Resources Commission, Maryland

- S–11. Elizabeth L. Chung District 4
5924 White Flint Drive
Frederick, MD 21702

Member of the Maryland Community Health Resources Commission; reappointed to serve a term of four years from July 1, 2017

Criminal Injuries Compensation Board

S-12. Jasper R. Clay, Jr. District 12
4964 Moonfall Way
Columbia, MD 21044

Member of the Criminal Injuries Compensation Board; appointed to serve a term of five years from July 1, 2015

S-13. Karin V. Green, Esq. District 41
2208 Clove Terrace
Baltimore, MD 21209

Chair of the Criminal Injuries Compensation Board; reappointed to serve a term of five years from July 1, 2017

S-14. Karen M. Hartz District 33
1799 William Road
Millersville, MD 21108

Member of the Criminal Injuries Compensation Board; appointed to serve a term of five years from July 1, 2016

Deaf and Hard of Hearing, Maryland Advisory Council for the

S-15. Dakota Burgess District 41
3605 W. Saratoga Street
Baltimore, MD 21229

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2017

S-16. Jason Corning District 32
1415 Duckens Street
Odenton, MD 21113

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2017

S-17. Lawrence L. Gray District 24
4105 Byers Street
Capitol Heights, MD 20743

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–18. Eddy F. Laird District 4
6713 Coldstream Drive
New Market, MD 21774

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–19. Gordon M. Outlaw District 44
2214 Southland Road
Gwynn Oak, MD 21207

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–20. Vikki L. Porter District 19
518 Kerwin Road
Silver Spring, MD 20901

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2014, and a term of three years from October 1, 2017

Dental Examiners, State Board of

- S–21. Roslyn L. Chester District 43
1319 Winston Avenue
Baltimore, MD 21239

Member of the State Board of Dental Examiners; reappointed to serve a term of four years from June 1, 2017

- S–22. Arthur Chen–Shu Jee District 16
5425 Moorland Lane
Bethesda, MD 20814

Member of the State Board of Dental Examiners; reappointed to serve a term of four years from June 1, 2017

- S–23. Margaret A. Kern District 30
640 Astern Way, #110
Annapolis, MD 21401

Member of the State Board of Dental Examiners; reappointed to serve a term of four years from June 1, 2017

S-24. Allan J. Kroopnick District 42
1305 Saint Albans Road
Baltimore, MD 21208

Member of the State Board of Dental Examiners; appointed to serve a term of four years from June 1, 2017

S-25. Hari K. Razdan District 10
325 Chamborley Drive
Reisterstown, MD 21136

Member of the State Board of Dental Examiners; appointed to serve a term of four years from June 1, 2017

Dietetic Practice, State Board of

S-26. Laura C. Davis District 42
15208 Priceville Road
Sparks Glenco, MD 21152

Member of the State Board of Dietetic Practice; appointed to serve a term of four years from July 1, 2017

S-27. William A. Hamilton District 10
114 Persimmon Circle
Reisterstown, MD 21136

Member of the State Board of Dietetic Practice; appointed to serve a term of four years from July 1, 2017

S-28. Lauren I. Mirkin District 11
2520 Willow Glen Drive
Baltimore, MD 21209

Member of the State Board of Dietetic Practice; reappointed to serve a term of four years from July 1, 2017

Emergency Number Systems Board

S-30. Richard D. Berg District 32
8288 Elevation Road
Millersville, MD 21108

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2015

S–31. Scott Laurence Brillman District 45
1221 N. Calvert Street
Baltimore, MD 21202

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2014

S–32. Julia M. Fischer District 12
6590 Dovecote Drive
Columbia, MD 21044

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2016

S–33. John E. Markey District 4
7113 Flint Court
Middletown, MD 21769

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2016

S–34. E. Colton O'Donoghue District 46
1406 Lowman Street
Baltimore, MD 21230

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2015

S–35. Colleen M. O'Neill District 5
4049 Rinehart Road
Westminster, MD 21158

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2013, and a term of four years from July 1, 2017

S–36. Stephen H. Souder District 36
804 Bayside Drive
Stevensville, MD 21666

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2015

Environmental Health Specialists, State Board of

S-37. Naomi Renee Howell District 36
10444 Worton Road
Worton, MD 21678

Member of the State Board of Environmental Health Specialists; reappointed to serve a term of four years from July 1, 2017

Food Center Authority, Maryland

S-38. Matthew S. Helminiak District 9
65 Gina Court
Sykesville, MD 21784

Member of the Maryland Food Center Authority; appointed to serve a term of five years from July 1, 2017

Foresters, State Board of

S-39. Michael J. Huneke District 35
2035 Whiteford Road
Whiteford, MD 21160

Member of the State Board of Foresters; reappointed to serve a term of five years from July 1, 2017

Professional Land Surveyors, State Board for

S-40. Thomas L. Frazier, Jr. District 4
6650 Coldstream Drive
New Market, MD 21774

Member of the State Board for Professional Land Surveyors; appointed to serve remainder of a term of five years from July 1, 2012, and a term of five years from July 1, 2017

Professional Standards and Teacher Education Board

S-41. Darren Ray Hornbeck District 12
5423 El Camino
Columbia, MD 21044

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2017

S–42. Maleeta Kitchen District 12
5639 Harpers Farms Road, Unit D
Columbia, MD 21044

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2017

S–43. Christopher W. Lloyd District 4
12260 Weller Road
Monrovia, MD 21770

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2017

Residential Child Care Program Professionals, State Board for Certification of

S–44. Krystal Holland District 24
12714 Gladys Retreat Circle
Bowie, MD 20720

Member of the State Board for Certification of Residential Child Care Program Professionals; appointed to serve a term of four years from July 1, 2017

S–45. Mark Jews District 8
9007 Waltham Woods
Parkville, MD 21234

Member of the State Board for Certification of Residential Child Care Program Professionals; reappointed to serve a term of four years from July 1, 2017

Rural Legacy Board, Advisory Committee to the

S–46. Kyle Landon Murray District 30
1618 Hilltop Road
Edgewater, MD 21037

Member of the Advisory Committee to the Rural Legacy Board; reappointed to serve a term of three years from July 1, 2017

School for the Deaf, Board of Trustees of the Maryland

S-47. Katherine Hoheusle-Wenger District 3
5147 McLauren Lane
Frederick, MD 21703

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

St. Mary's College of Maryland, Board of Trustees

S-48. Peter J. Bruns, Ph.D. District 16
5100 Dorset Avenue, Apt. 404
Chevy Chase, MD 20815

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

S-49. Glen R. Ives District 29
23785 Kingston Creek Road
California, MD 20619

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

S-50. Leonard J. Attman District 11
16 Talton Court
Baltimore, MD 21208

Member of the Maryland Stadium Authority; reappointed to serve a term of four years from July 1, 2017

State Higher Education Labor Relations Board, Maryland

S-51. Aurora M. Carmichael District 26
519 Broad Creek Drive
Fort Washington, MD 20744

Member of the State Higher Education Labor Relations Board; reappointed to serve a term of six years from July 1, 2017

Stationary Engineers, State Board of

- S–52. Brian M. Wodka District 36
808 Walker Station Court
Parkton, MD 21120

Member of the State Board of Stationary Engineers; reappointed to serve a term of three years from July 1, 2017

Technology Development Corporation Board of Directors, Maryland

- S–53. Murray K. Hoy, Ed.D. District 38
3589 Union Church Road
Salisbury, MD 21804

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2017

- S–54. John L. Shetrone, Jr. District 31
341 Eagle Hill Road
Pasadena, MD 21122

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2017

- S–55. Amita Shukla District 16
7111 Woodmont Avenue, Apt. 503
Bethesda, MD 20815

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2017

Tourism Development Board, Maryland

- S–56. Judy Long Bixler District 37
5001 Reed Road
Oxford, MD 21654

Member of the Maryland Tourism Development Board; reappointed to serve a term of three years from July 1, 2017

S-57. Casey Jenkins District 43
1015 Andover Road
Baltimore, MD 21218

Member of the Maryland Tourism Development Board; reappointed to serve a term of three years from July 1, 2017

S-58. Cara Hergan Joyce District 32
110 Sweetser Road
Linthicum Heights, MD 21090

Member of the Maryland Tourism Development Board; reappointed to serve a term of three years from July 1, 2017

S-59. Alexandra Lyn Von Paris District 42
518 Hampton Lane
Towson, MD 21286

Member of the Maryland Tourism Development Board; reappointed to serve a term of three years from July 1, 2017

S-60. Ruth Umbel District 1
1002 Mosser Road
McHenry, MD 21541

Member of the Maryland Tourism Development Board; reappointed to serve a term of three years from July 1, 2017

Veterinary Medical Examiners, State Board of

S-61. Lynne E. Chaput District 33
309 Blue Cedar Court
Millersville, MD 21108

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2017

Wellmobile Program Advisory Board, Governor's

S-62. Jennifer C. Baldwin District 15
13345 Query Mill Road
North Potomac, MD 20878

Member of the Governor's Wellmobile Program Advisory Board; appointed to serve a term of three years from October 1, 2015

- S–63. Dottie Tiejun Li District 47
3000 Parkway
Cheverly, MD 20785

Member of the Governor's Wellmobile Program Advisory Board; reappointed to serve a term of three years from October 1, 2017

Women, Maryland Commission for

- S–64. Nicole Stacy Alicia Ingram District 15
23219 Stringtown Road, #131
Cockeysville, MD 21030

Member of the Maryland Commission for Women; reappointed to serve a term of four years from July 1, 2017

- S–65. Marylou N. Yam, Ph.D. District 43
100 St. Albans Way
Baltimore, MD 21212

Member of the Maryland Commission for Women; reappointed to serve a term of four years from July 1, 2017

Youth Camp Safety, Advisory Council on

- S–66. Anita D. Anderson District 15
13433 Burnt Woods Place
Germantown, MD 20874

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of three years from July 1, 2017

- S–67. Jolanda Josephina Campbell District 29
584 Bafford Road
Lusby, MD 20657

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of three years from July 1, 2017

- S–68. Carla L. DeWitt District 30
432 Penwood Drive
Edgewater, MD 21037

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2017

Senator Ferguson moved to make the Report a Special Order for March 17, 2017.

The motion was adopted.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 17

House Bill 4 – ~~Delegate Simonaire~~ Delegates Simonaire and Metzgar

AN ACT concerning

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

FOR the purpose of authorizing the Department of Natural Resources to issue certain complimentary fishing licenses to an out-of-state person who certifies that the person is a former prisoner of war or a 100% service connected disabled American veteran if the person's state of residence extends similar privileges to former prisoners of war or 100% service connected disabled American veterans of this State; altering a certain exemption from the requirement to obtain a trout stamp; making a certain complimentary hunting license subject to certain provisions of law; making conforming changes; ~~requiring the Department to implement certain programs to provide certain discounted licenses to Maryland residents who are recipients of the Purple Heart Award~~ requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; making stylistic changes; and generally relating to hunting and fishing licenses.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-604(c) ~~and (f)~~, 4-607, 4-614(a)(3), ~~4-745(a), (e),~~ 4-745(c) and (e),
~~10-301(g)~~, and 10-303(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 7 – Delegate Holmes

AN ACT concerning

Environment – ~~Children With Elevated Blood Lead Levels~~ Lead Hazards – Environmental Investigation, Reporting, and Risk Reduction

FOR the purpose of requiring the Department of the Environment, on or before a certain date, to adopt certain regulations to establish certain procedures for conducting

environmental investigations to determine ~~the source of lead exposure for children~~ lead hazards for certain children and pregnant women with certain elevated blood lead levels; requiring the Department to include in a certain annual report certain results from certain environmental investigations; altering the conditions under which an owner of an affected property is required to comply with certain risk reduction standards under certain provisions of law relating to reducing lead risk in housing; providing for the construction of certain provisions of this Act; and generally relating to ~~children with elevated blood lead levels~~ lead hazards.

BY adding to

Article – Environment
Section 6–305
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment
Section 6–819(c)(1)
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 68 – ~~Delegate Carey~~ Delegates Carey and Metzgar

AN ACT concerning

Hunting and Fishing – ~~Complimentary~~ Discounted Licenses – Purple Heart Recipients

FOR the purpose of ~~authorizing the Department of Natural Resources to issue a complimentary angler's license, Chesapeake Bay and coastal sport fishing license, or hunting license and any associated State issued stamps or permits to a State resident who is a recipient~~ requiring the Department of Natural Resources to establish certain programs to provide discounted angler's licenses and trout stamps, Chesapeake Bay and coastal sport fishing licenses, and hunting licenses and associated State-issued stamps and permits to State residents who are recipients of the Purple Heart award; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; making certain stylistic changes; and generally relating to ~~complimentary~~ discounted hunting and fishing licenses for recipients of the Purple Heart award.

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 4–607, 4–745(e), and 10–303

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

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–745(a)(1)
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 133 – Chair, Environment and Transportation Committee (By Request
– Departmental – Environment)**

AN ACT concerning

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

FOR the purpose of requiring the Department of the Environment or a local health department to notify certain persons on receipt of the results of a blood lead test having a certain elevated blood lead level; and generally relating to the reduction of lead risk in housing.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–304 and 6–846
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

**House Bill 169 – Delegates Korman ~~and Buckel~~, Buckel, Pendergrass, Bromwell,
Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough,
Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab,
Szeliga, West, and K. Young**

AN ACT concerning

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

FOR the purpose of requiring the State Board of Elections to create an audio recording of each of its open meetings and, within a certain amount of time after an open meeting, make available to the public on the ~~Internet live video streaming and complete,~~

~~unedited archived video recordings of open meetings; requiring the State Board to make the archived video recordings available for a certain minimum period of time~~
State Board's Web site the audio recording and certain documents and handouts;
requiring the State Board to take any action necessary to ensure an audio recording of an open meeting is understandable by the public; and generally relating to open meetings of the State Board of Elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–102
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 205 – Delegate Dumais

AN ACT concerning

Drivers' Licenses – Learners' Permits – Minimum Duration

FOR the purpose of reducing the period of time that certain individuals who are at least a certain age and who hold a learner's instructional permit are required to wait before taking certain examinations for a provisional driver's license; making a stylistic change; and generally relating to requirements for obtaining a provisional driver's license.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–105(d) and 16–111(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 211 – Delegates Robinson, Atterbeary, Barkley, Carr, Fraser-Hidalgo, Frush, Gutierrez, Korman, Kramer, A. Miller, Morhaim, Patterson, Platt, Sanchez, Tarlau, Turner, Waldstreicher, ~~and K. Young~~ K. Young, and Lisanti

EMERGENCY BILL

AN ACT concerning

Cownose Ray Fishing Contests – Prohibition Fishery Management Plan and Moratorium on Contests

FOR the purpose of ~~prohibiting a person from sponsoring, conducting, or participating in a cownose ray fishing contest in State waters; requiring the Secretary of Natural Resources to adopt certain regulations; defining a certain term; and generally relating to cownose ray fishing contests~~ requiring the Department of Natural Resources to prepare a certain fishery management plan for the cownose ray species; requiring the Department to prepare a certain fishery management plan for the cownose ray species on or before a certain date, subject to available funding; prohibiting a person from sponsoring, conducting, or participating in a certain cownose ray fishing contest in State waters until a certain date; establishing certain penalties for certain violations; making this Act an emergency measure; and generally relating to the cownose ray fishery.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-215(b)(23) and (24)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Natural Resources

Section ~~4-748~~ 4-215(b)(25)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

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

FOR the purpose of establishing the State Occupational Mechanical Licensing Boards' Fund as a special, nonlapsing fund in the Department of Labor, Licensing, and Regulation; specifying the contents of the Fund; requiring that the Fund be used for certain purposes; requiring the Secretary of Labor, Licensing, and Regulation, or a designee of the Secretary, to administer the Fund; providing for an audit of the Fund; requiring any unspent and unencumbered portion of the Fund in excess of a certain amount to revert to the General Fund at the end of each fiscal year; crediting certain earnings to the General Fund; requiring the Secretary, in consultation with the State Board of Master Electricians, the State Board of Stationary Engineers, the State Board of Plumbing, and the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, to calculate annually certain costs; authorizing the

State Board of Master Electricians, the State Board of Stationary Engineers, the State Board of Plumbing, and the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors to set by regulation certain fees based on certain calculations; requiring certain boards to publish certain fee schedules; repealing provisions of law requiring certain boards to pay certain money into the General Fund of the State; repealing a provision of law requiring the Secretary to monitor revenues of the State Board of Master Electricians for a certain purpose; requiring certain boards to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the Fund; prohibiting certain fees from being increased by more than a certain amount each year; altering certain fees; requiring that certain fees in effect on a certain date shall remain in full force and effect until certain other fees are adopted and become effective; providing for a delayed effective date; and generally relating to the State Occupational Mechanical Licensing Boards' Fund.

BY repealing

Article – Business Occupations and Professions
Section 6–207, 6–606, and 12–209
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to

Article – Business Occupations and Professions
Section 6–207 and 12–209
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section 6–309(a)(2)(i), 6–310(c)(2), 6–311(d)(3)(ii), (4)(ii), and (f)(3), 6–312(a)(3) and (b), 6–313(d)(2), 6–401(c)(3)(iii), 6–402(b)(2), 6–503(c)(3), 6.5–207, 6.5–304(a)(2)(i), 6.5–313(a)(3) and (b)(2)(iii), 12–303(2), 12–306(a)(2)(ii), 12–308(c)(2), and 12–503(d)(3)(ii)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to

Article – Business Regulation
Section 2–106.9 and 2–106.10
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 9A–207
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

Maryland Home Improvement Commission – Special Fund and Fees

FOR the purpose of establishing the Maryland Home Improvement Commission Special Fund as a special, nonlapsing fund in the Department of Labor, Licensing, and Regulation; specifying the contents of the Special Fund; requiring that the Special Fund be used for a certain purpose; requiring the Secretary of Labor, Licensing, and Regulation, or a designee of the Secretary, to administer the Special Fund; providing for an audit of the Special Fund; requiring any unspent and unencumbered portion of the Special Fund in excess of a certain amount to revert to the General Fund at the end of each fiscal year; crediting certain earnings to the General Fund; requiring the Secretary, in consultation with the Maryland Home Improvement Commission, annually to calculate certain costs; authorizing the Commission to set by regulation certain fees based on certain calculations; requiring the Commission to publish a certain fee schedule; repealing a provision of law requiring the Commission to pay certain money into the General Fund of the State; requiring the Commission to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the Special Fund; prohibiting certain fees from being increased by more than a certain amount each year; altering certain fees; requiring the Commission to pay certain penalties into the General Fund of the State; defining certain terms; requiring that certain fees in effect on a certain date remain in full force and effect until certain other fees are adopted and become effective; providing for a delayed effective date; and generally relating to the Maryland Home Improvement Commission Special Fund.

BY adding to

Article – Business Regulation
Section 2–106.9, 2–106.10, and 8–213
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 8–210, 8–303(a) and (f), 8–308(d), 8–308.1(a), (e), and (f), and 8–620(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – Business Regulation
Section 8–213

Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

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

FOR the purpose of establishing the State Barbers and Cosmetologists Boards' Fund as a special, nonlapsing fund in the Department of Labor, Licensing, and Regulation; specifying the contents of the Fund; requiring that the Fund be used for certain purposes; requiring the Secretary of Labor, Licensing, and Regulation, or a designee of the Secretary, to administer the Fund; providing for an audit of the Fund; requiring any unspent and unencumbered portion of the Fund in excess of a certain amount to revert to the General Fund at the end of each fiscal year; crediting certain earnings to the General Fund; requiring the Secretary, in consultation with the State Board of Barbers and the State Board of Cosmetologists, to annually calculate certain costs; authorizing the State Board of Barbers and the State Board of Cosmetologists to set by regulation certain fees based on certain calculations; requiring each board to publish a certain fee schedule; repealing provisions of law requiring each board to pay certain money into the General Fund of the State; requiring each board to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the Fund; prohibiting certain fees from increasing by more than a certain amount each year; altering certain fees; requiring that certain fees in effect on a certain date shall remain in full force and effect until certain other fees are adopted and become effective; providing for a delayed effective date; and generally relating to the State Barbers and Cosmetologists Boards' Fund.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 4–205(a), 4–206, 4–304(a), 5–205, and 5–206
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing
Article – Business Occupations and Professions
Section 4–207 and 5–208
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to
Article – Business Occupations and Professions

Section 4–207 and 5–208
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY adding to
Article – Business Regulation
Section 2–106.9 and 2–106.10
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 279 – Delegates Moon, Afzali, Anderson, Atterbeary, Cluster, Conaway, Dumais, Gutierrez, Hettleman, Kelly, Korman, Lierman, Luedtke, Malone, McComas, Morales, Morhaim, Platt, Queen, Reznik, Rosenberg, Sanchez, Sydnor, Valentino–Smith, M. Washington, B. Wilson, C. Wilson, and P. Young

AN ACT concerning

Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court

FOR the purpose of authorizing the juvenile court to direct the provision of certain services to a certain child during a certain disposition hearing; requiring the juvenile court to direct the provision of certain services to a certain child during a certain permanency planning hearing or guardianship hearing; providing that, if the juvenile court enters an order directing the provision of certain services to a certain child, the juvenile court retains jurisdiction for a certain time period and for a certain purpose, notwithstanding certain provisions of law; providing that a certain order shall remain effective for a certain period of time; defining a certain term; and generally relating to the jurisdiction and authority of the juvenile court.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(a) and (l)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–804, 3–819(c), and 3–823(h)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Courts and Judicial Proceedings

Section 3–819(m) and 3–823(k)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–301, 5–324(b), and 5–328
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Family Law
Section 5–324(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

**Maryland Transportation Authority – ~~Vehicles Not Using Bridge Toll~~
~~Prohibition~~ Third Generation–Electronic Toll Collection System**

FOR the purpose of ~~prohibiting the Maryland Transportation Authority from charging a toll at a toll plaza adjacent to a bridge that is a transportation facilities project for a vehicle that does not traverse the bridge; requiring the Authority to direct, by physical traffic management measures, vehicles that do not traverse the bridge into a toll-free lane through the toll plaza or construct a lane bypassing the toll plaza for use by vehicles that do not traverse the bridge; and generally relating to tolls and Maryland Transportation Authority bridges~~ requiring the Maryland Transportation Authority, on or before a certain date each year, to submit a certain report to the Governor and certain committees of the General Assembly on certain matters related to the Third Generation–Electronic Toll Collection System, including information related to efforts to review and analyze the location of certain toll plazas for certain purposes; providing for the termination of this Act; and generally relating to the Third Generation–Electronic Toll Collection System.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 4–101(h) and ~~4–312(a)(2)~~
Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

~~BY repealing and reenacting, with amendments,
Article — Transportation
Section 4-312(e)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)~~

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

House Bill 304 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

Optional Retirement Program – Annuity Contracts – Employee Rights

FOR the purpose of repealing a certain requirement that annuity contracts purchased under the optional retirement program shall be issued to and become the property of certain employees; clarifying that, in accordance with the Internal Revenue Code, the rights of certain employees who purchase annuity contracts under the program are fully vested and not subject to forfeit; authorizing the Board of Trustees for the State Retirement and Pension System to transfer existing balances of participating employees in the optional retirement program to a new annuity contract under certain circumstances; authorizing a participating employee in the optional retirement program to select certain annuity contracts for the transfer of existing balances; establishing that, under certain circumstances, a certain election is deemed to have been made by a participating employee in the optional retirement program; and generally relating to the rights of employees to annuity contracts purchased under the optional retirement program.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 30-101(a), (b), (d), (f), and (h)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 30-206 and 30-208
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 328 – Delegate B. Barnes

AN ACT concerning

Optional Retirement Program – Annuity Contract Providers

FOR the purpose of repealing a default inclusion as an optional retirement program annuity contract provider of a company designated by a governing board of an employing institution on or before a certain date; ~~repealing a requirement that a designated company provide certain information regarding compensation of certain employees of the company~~; altering a certain definition; and generally relating to companies designated to offer annuity contracts in the optional retirement program.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 30-101(c), ~~30-202, and 30-211~~ and 30-202
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 30-211
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 352 – Delegates Reznik, Dumais, C. Howard, ~~and Krebs~~ Krebs, Jackson, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

AN ACT concerning

Health Care Practitioners – Use of Teletherapy

FOR the purpose of authorizing certain health care practitioners to use teletherapy for a certain patient under certain circumstances; ~~establishing certain requirements for the technology a health care practitioner uses for teletherapy; requiring a health care practitioner to make a certain identification and establish certain safety protocols before a certain teletherapy session; requiring a health care practitioner and a patient to execute an informed consent agreement that includes certain information and establish certain protocols to be used under certain circumstances before a certain teletherapy session; prohibiting a health occupations board from refusing to issue a certain license or certificate to a certain individual who intends to provide certain services to a certain patient only by using teletherapy if the individual satisfies certain requirements~~; requiring certain health occupations boards to adopt certain regulations on or before a certain date; defining certain terms; providing for a delayed effective date; and generally relating to the use of teletherapy by health care practitioners.

BY adding to

Article – Health Occupations

Section 1–901 through ~~1–905~~ 1–903 to be under the new subtitle “Subtitle 9.
Teletherapy”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

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

FOR the purpose of altering the definition of “qualified Maryland biotechnology company”
to extend a certain period of time from a certain date that an active business may
claim the biotechnology tax credit; providing for the application of this Act; and
generally relating to credits against certain State taxes based on certain investments
in biotechnology companies.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–725(a)(1)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–725(a)(7)

Annotated Code of Maryland

(2016 Replacement Volume)

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

**House Bill 390 – The Speaker (By Request – Administration) and Delegates
Cassilly, Kipke, McConkey, ~~and West~~ West, Pendergrass, Bromwell, Angel,
Barron, Cullison, Hayes, Hill, Kelly, Krebs, McDonough, Metzgar, Miele,
Morales, Morgan, Pena–Melnyk, Platt, Rosenberg, Saab, Sample–Hughes,
Szeliga, and K. Young**

AN ACT concerning

Improving the State Procurement Oversight Structure

FOR the purpose of ~~renaming the Procurement Advisory Council and altering the membership and duties of the Council; altering a certain duty of the Procurement Advisor; repealing a certain provision of law relating to prequalification of certain bidders and offerors; increasing the total value of certain contracts, leases, or other agreements that require a business to file a specified disclosure with the Secretary of State; requiring a certain reviewing authority to approve, disapprove, or modify a certain decision of a procurement officer relating to a contract claim within a certain period of time; providing that a decision not to pay a contract claim is a final action for the purpose of a certain appeal; providing that failure to reach a certain decision within a certain period of time may be deemed a decision not to pay a contract claim; requiring a reviewing authority to comply with a certain provision of law on or before a certain date for certain pending decisions; requiring the Office of the Attorney General to report to the Board of Public Works and certain committees of the General Assembly on or before a certain date; requiring the Department of Transportation, in consultation with a certain association, to study a certain issue and report to certain committees of the General Assembly on or before a certain date; and generally relating to requirements of the procurement law.~~

~~BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 12-102(a)(2)(xv), 12-105, 13-221, and 15-218
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)~~

BY repealing
Article – State Finance and Procurement
Section 13-204
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13-221 and 15-218
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 398 – Delegates K. Young, Fennell, Barron, Barve, Carr, Chang, Cullison, Ebersole, Gutierrez, Hayes, Healey, Hixson, Kelly, Korman, Krimm, Luedtke, A. Miller, Moon, Morales, Pena-Melnyk, Platt, Queen, Robinson, Stein, Tarlau, Turner, and M. Washington

AN ACT concerning

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

FOR the purpose of ~~requiring certain employers to include certain information in a job announcement to recruit an employee or independent contractor to fill a position within the employer's organization; prohibiting certain employers from paying less than the minimum rate of pay included in a certain job announcement to a certain employee; prohibiting certain employers from seeking salary history information by certain methods for an employee; and screening an applicant for employment based on the applicant's salary history by taking certain actions; and providing, except under certain circumstances, salary history information to a prospective employer; authorizing certain employers to seek the salary history of an applicant for employment for a certain purpose under certain circumstances; prohibiting an employer from violating a certain provision of law; specifying that an employer is not subject to a certain criminal penalty for a violation of certain provisions of this Act; requiring the Commissioner of Labor and Industry to issue a certain order under certain circumstances; authorizing the Commissioner to assess a certain penalty not exceeding a certain amount under certain circumstances; requiring the Commissioner to consider certain factors when determining the amount of a certain penalty; specifying that, if the Commissioner assesses a certain penalty, the penalty shall be subject to certain hearing and notice provisions of law; providing for the application of certain provisions of this Act; providing for the construction of certain provisions of this Act; providing for a delayed effective date; making a conforming change; and generally relating to job announcements and salary history information disclosures.~~

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 3–304.1 ~~and 3–308~~
Annotated Code of Maryland
(2016 Replacement Volume)

BY adding to

Article – Labor and Employment
Section 3–304.2
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 456 – Delegates Kaiser, Barve, Buckel, Chang, Ebersole, Frick, Hornberger, Jalisi, Jones, Kelly, Korman, Lierman, McDonough, Patterson, Queen, Reznik, Sophocleus, Turner, A. Washington, M. Washington, and K. Young

AN ACT concerning

**Family Child Care Homes and Child Care Centers Children With Disabilities
and Child Care Providers – Dispute Resolution Process – Regulations**

FOR the purpose of requiring the State Board of Education to develop certain regulations ~~relating to the establishment of a certain dispute resolution process to be used in certain disputes related to certain family child care homes and child care centers; providing guidelines for the content of the regulations; requiring a certain dispute resolution process to be developed by a certain workgroup composed of certain members; and generally relating to regulations for family child care homes and child care centers in the State~~ Department of Education to develop a dispute resolution process to be used by families of children with disabilities and child care providers for resolving complaints of discrimination based on a child's disability; requiring the Department, in developing the specific components of the dispute resolution process, to convene a workgroup that includes representatives of certain entities; requiring the dispute resolution process to include certain components; authorizing the dispute resolution process to include certain components; requiring the Department to submit a certain report to the General Assembly on or before a certain date; and generally relating to the State Department of Education and a process for resolving disputes regarding the care of children with disabilities.

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

~~BY repealing and reenacting, with amendments,
Article – Education
Section 9.5–303(e) and 9.5–404
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)~~

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

House Bill 492 – Delegates Carr, Anderton, Cullison, Dumais, Flanagan, Fraser-Hidalgo, Gutierrez, Healey, McCray, and Stein

AN ACT concerning

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

FOR the purpose of requiring that an application for a certificate of title of a motor vehicle contain certain information on ~~beneficiaries~~ a beneficiary under certain

circumstances; requiring that a certificate of title issued for a motor vehicle by the Motor Vehicle Administration contain ~~certain information on a certain notation indicating beneficiaries~~ a beneficiary under certain circumstances; authorizing a sole owner of a motor vehicle to ~~apply for a certificate of title designating~~ designate a beneficiary ~~or beneficiaries~~ on the death of the owner; providing that a beneficiary ~~or beneficiaries~~ may be indicated on a motor vehicle certificate of title in a certain manner; providing that designating a beneficiary ~~or beneficiaries~~ does not affect ownership of a motor vehicle until the owner's death; authorizing the owner of a motor vehicle to remove or alter the designation of a beneficiary ~~on the motor vehicle's certificate of title~~ without the consent of the beneficiary; providing that the designation of a beneficiary ~~or beneficiaries on a certificate of title~~ is not required to be supported by consideration ~~or~~ and the certificate of title for which the designation is made is not required to be delivered to a designated beneficiary for the designation to be effective; establishing that, on the death of an owner of a motor vehicle who has designated a beneficiary ~~or beneficiaries~~, ownership passes to the surviving beneficiary ~~or beneficiaries~~; ~~providing that multiple beneficiaries hold a motor vehicle as tenants in common on the death of the owner~~; requiring a beneficiary to apply for a new certificate of title on the death of the owner; establishing certain requirements for an application for a certificate of title by a beneficiary; providing for the disposition of a motor vehicle if ~~no designated beneficiaries~~ a designated beneficiary does not survive the owner of a motor vehicle; authorizing the Administration to charge a certain fee for issuing a certificate of title to a beneficiary ~~or beneficiaries~~; authorizing the Administration to adopt certain regulations; providing for the construction of this Act; and generally relating to certificates of title for a motor vehicle.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–104(c) and 13–107(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation

Section 13–115

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 585 – Delegates Carozza, Atterbeary, Kramer, McComas, Valentino-Smith, and B. Wilson

AN ACT concerning

**Criminal Law – Life-Threatening Injury Involving a Vehicle or Vessel –
Criminal Negligence**

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 Judicial Proceedings.

House Bill 586 – Delegates Hettleman, Anderson, Frick, Gutierrez, Hixson, R. Lewis, Lierman, McIntosh, A. Miller, Queen, M. Washington, and West

AN ACT concerning

Maryland Farms and Families Act

FOR the purpose of establishing the Maryland Farms and Families Program in the Department of Agriculture; establishing the purpose of the Program; establishing a Maryland Farms and Families Fund in accordance with certain requirements; requiring the Fund to be used for a certain purpose and in a certain manner; requiring the Governor to include a certain appropriation to the Fund each fiscal year subject to certain limitations; establishing certain qualifications for certain nonprofit organizations to receive a certain grant under the Program; requiring certain grant recipients to report certain information to the Department; authorizing the Department to adopt certain regulations; defining certain terms; and generally relating to grants to nonprofit organizations to match federal nutrition benefits.

BY adding to

Article – Agriculture

Section 10-2001 through 10-2005 to be under the new subtitle “Subtitle 20.
Maryland Farms and Families Program”

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 635 – Delegates Valentino-Smith, Carozza, Angel, Atterbeary, Dumais, Lisanti, Malone, and Sanchez

AN ACT concerning

**Criminal Law – Homicide by Motor Vehicle or Vessel While Impaired by a
Controlled Dangerous Substance – Penalties**

FOR the purpose of altering penalties for the crime of homicide by motor vehicle or vessel while impaired by a controlled dangerous substance; and generally relating to homicide.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–506
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

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

FOR the purpose of ~~requiring each~~ authorizing a county board of education to establish an anonymous two-way ~~text messaging~~ electronic tip program; establishing the purpose of the program; requiring each county board of education that establishes an anonymous two-way electronic tip program to publicize the program in certain locations and venues; requiring the completion of a victim of bullying, harassment, or intimidation report form and the provision of a certain transcript to a certain person on receipt of a report of any act of bullying, harassment, or intimidation from an anonymous two-way ~~text messaging~~ electronic tip; authorizing the Governor to include funding in the State budget to provide grants to county boards to establish a certain program; establishing that information received from an anonymous two-way ~~text messaging~~ electronic tip is confidential and may not be made a part of a student's permanent educational record; requiring a certain model policy to include information regarding the availability and use of the program; and generally relating to the establishment of anonymous two-way ~~text messaging~~ electronic tip programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–424 and 7–424.1(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.

House Bill 721 – Delegate Dumais

AN ACT concerning

Juvenile Services – Services and Programs for Females

FOR the purpose of requiring the Department of Juvenile Services to serve children in the juvenile services system with programming that provides females with certain services and programs; altering the duties of the State Advisory Board for Juvenile Services; requiring the Department of Juvenile Services to submit certain reports to the Governor and the General Assembly on or before certain dates; and generally relating to juvenile services.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–215 and 9–238.1
Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

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

House Bill 740 – Delegates Angel, Carr, Kipke, Morgan, Oaks, and Wilkins

AN ACT concerning

President Jimmy Carter Cancer Treatment Access Act

FOR the purpose of prohibiting a certain insurer, nonprofit health service plan, or health maintenance organization from imposing a step therapy or fail–first protocol on an insured or an enrollee for a certain prescription drug used in the treatment of a certain cancer under certain circumstances; providing for the application of this Act; making stylistic and conforming changes; and generally relating to step therapy or fail–first protocols for prescription drugs to treat cancer under health insurance policies and contracts.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–142
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 757 – Delegate Dumais

AN ACT concerning

Evidence – Violation of Ignition Interlock System Requirement

FOR the purpose of providing for the admissibility of a certain report of an approved service provider in a criminal proceeding to prove a violation of a certain requirement imposed by a court that the defendant use an ignition interlock system; defining certain terms; and generally relating to the admissibility of a certain report of an approved service provider of an ignition interlock system.

BY adding to

Article – Courts and Judicial Proceedings

Section 10–313

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–404.1(a)(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 760 – Delegates Arentz, Brooks, Cluster, Krebs, Long, Mautz, McComas, McDonough, and Rose

AN ACT concerning

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

FOR the purpose of specifying that a licensee of the State Real Estate Commission does not breach a certain duty or obligation by showing a lessee certain properties or by discussing certain properties with certain buyers or lessees under certain circumstances; repealing a certain defined term; and generally relating to the duties and obligations of licensees of the State Real Estate Commission when providing real estate brokerage services.

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

~~Article – Business Occupations and Professions~~

~~Section 17–532(a) and (b)~~

~~Annotated Code of Maryland~~

~~(2010 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section ~~17-532(d)~~ 17-532
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 793 – Delegates Angel and Malone

AN ACT concerning

Family Law – Divorce – Restoration of Former Name

FOR the purpose of authorizing the court, on motion of a party filed within a certain period of time after a final decree of absolute divorce is entered, to change the name of the requesting party to a certain former name under certain circumstances; specifying that certain provisions of law relating to a change of name do not apply to a change of name in connection with a decree of absolute divorce; and generally relating to divorce and the restoration of a former name.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 7-105
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

State Retirement and Pension System – Membership Elections

FOR the purpose of limiting optional membership in the Employees' Pension System to certain individuals who have not previously been a member of a certain pension and retirement program or who have not had certain previous employment; requiring certain elections for membership in the Employees' Pension System to be made at the commencement of employment; requiring the Secretary of State Police to be a member of the State Police Retirement System as a condition of employment; requiring an individual who is employed by a participating governmental unit as a local detention center officer on or after a certain date to elect membership in the Correctional Officers' Retirement System before a certain event; requiring an election to join the Correctional Officers' Retirement System to be made in a certain manner; providing that an election to join the Correctional Officers' Retirement System is a one-time, irrevocable election; requiring certain individuals who are

employed by a participating governmental unit on or after a certain date to elect membership in the Law Enforcement Officers' Pension System before a certain event; requiring a certain election to join the Law Enforcement Officers' Pension System to be made in a certain manner; providing that an election to join the Law Enforcement Officers' Pension System is a one-time, irrevocable election; altering the eligibility for participation in the Optional Retirement Program; requiring an election to participate in the Optional Retirement Program to be made at the commencement of employment; prohibiting certain individuals from participating in the Optional Retirement Program; providing that an election to join the Optional Retirement Program is a one-time, irrevocable election; requiring an employee who is participating in the Optional Retirement Program to participate in the State Retirement and Pension System under certain circumstances; establishing requirements for employees of an eligible governmental unit to participate in the Employees' Pension System; authorizing an eligible governmental unit to operate a certain local plan after the effective date of participation in the Employees' Pension System under certain circumstances; establishing requirements for employees of an eligible governmental unit to participate in the Law Enforcement Officers' Pension System; authorizing an eligible governmental unit to operate a certain local plan after the effective date of participation in the Law Enforcement Officers' Pension System under certain circumstances; establishing requirements for employees of an eligible governmental unit to participate in the Correctional Officers' Retirement System; authorizing an eligible governmental unit to operate a certain local plan after the effective date of participation in the Correctional Officers' Retirement System under certain circumstances; authorizing an eligible governmental unit that does not satisfy certain requirements to participate in certain State systems to submit a certain request to the Board of Trustees for the State Retirement and Pension System; requiring the Board of Trustees to consider certain requests and make certain recommendations to the Joint Committee on Pensions; establishing certain limitations on the withdrawal of a participating governmental unit from the State Retirement and Pension System; making technical changes; making conforming changes; altering certain definitions; and generally relating to the election of membership in the State Retirement and Pension System.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 20–101(a) and (pp), 31–101(a), 31–2A–01(a), 31–2B–01(a), and 31–301(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 23–204, 24–202, 24–203, 25–202, 26–202, 30–301, 30–302, 30–303, 30–305,

30–307, 31–101(h), 31–102, 31–113, 31–2A–01(f), 31–2A–05, 31–2B–01(e),

31–2B–05, 31–301(d), and 31–302

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – State Personnel and Pensions
Section 31–109, 31–2A–03, and 31–2B–03
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Personnel and Pensions
Section 31–109, 31–2A–03, and 31–2B–03
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 857 – Delegates Angel, Cullison, Knotts, Miele, Morales, and Saab

AN ACT concerning

Maryland Mental Health Law – Small Private Group Home – Definition

FOR the purpose of altering the definition of “small private group home” to increase the maximum number of individuals who may be admitted by a small private group home for the purposes of certain provisions of law governing residences in which individuals who have been or are being treated for a mental disorder may be provided care or treatment in a homelike environment; making a conforming change; and generally relating to the regulation of small private group homes under the Maryland Mental Health Law.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 10–514
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 951 – ~~Delegate Lisanti~~ Delegates Lisanti, McComas, and Glass

AN ACT concerning

State Highway Administration – Alfred B. Hilton Memorial ~~Highway~~ Bridge – Dedication

FOR the purpose of requiring the State Highway Administration to dedicate the ~~portion of Maryland Route 462 bridge located between~~ at the intersection of Maryland Route ~~155~~ 22 and Interstate Highway 95 as the Alfred B. Hilton Memorial ~~Highway~~ 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 Finance.

House Bill 1109 – Delegate B. Barnes

AN ACT concerning

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

FOR the purpose of providing that, for a certain fiscal year, county boards of education shall be relieved of a certain portion of a contribution for certain local employees of the Teachers’ Retirement and Pension Systems; providing for a certain allocation of payment relief for county boards of education; requiring the Governor to provide a certain amount in a certain fiscal year to be paid into certain accumulation funds of the State Retirement and Pension System if a certain condition is not met; defining a certain term; and generally relating to county board of education payments to the Teachers’ Retirement and Pension Systems.

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

House Bill 1178 – Delegates Ghrist, Krebs, and McKay

AN ACT concerning

Employees’ Pension System – ~~Incorrect Enrollments~~ Membership – Study

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~~ the State Retirement Agency and the Department of Legislative Services to conduct a certain study regarding membership in the Employees’ Pension System for certain individuals who are employed in positions for which the budgeted hours are less than a certain number of hours per fiscal year; requiring the study to include certain elements; requiring the State

Retirement Agency and the Department of Legislative Services to report their findings and recommendations to the Joint Committee on Pensions on or before a certain date; providing for the termination of this Act; and generally relating to a study regarding the membership of certain individuals in the Employees' Pension System.

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

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

AN ACT concerning

Police Training Commission – Training Requirements – Human Trafficking

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

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

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

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

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

AN ACT concerning

Vehicle Laws – School Crossing Guards – Authority to Direct Traffic

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

nonschool vehicles in entering and leaving school grounds; providing for the application of this Act; and generally relating to the authority of school crossing guards to direct traffic.

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

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

House Bill 1446 – Delegates Hayes, Angel, Bromwell, Krebs, Morgan, Morhaim, and Platt

AN ACT concerning

**Procurement Preferences – Blind Industries and Services of Maryland –
Janitorial Products**

FOR the purpose of clarifying that the requirement that a State or State aided or controlled entity include in certain maintenance contracts a requirement that a prime contractor procure certain products from the Blind Industries and Services of Maryland under certain circumstances applies to products made ~~or~~^{or} manufactured, remanufactured, or assembled 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 Education, Health, and Environmental Affairs.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 18

House Bill 134 – Chair, Appropriations Committee and Chair, Environment and Transportation Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Homelessness and Supportive Services – Transfer to Department of Housing and Community Development

FOR the purpose of transferring certain responsibilities relating to the Interagency Council on Homelessness and the Homeless Women – Crisis Shelter Home Program from the Department of Human Resources to the Department of Housing and Community Development; making technical corrections; providing for the transfer of the functions, powers, and duties of the Bureau of Homeless Services on a certain date; providing for the transfer of certain employees to the Department of Housing and Community Development without diminution of certain rights, benefits, or employment or retirement status; providing that this Act may not be construed to diminish certain powers or duties of the Department of Human Resources; providing for the continuity of the terms of certain officials; providing for the transfer of certain records, credits, assets, liabilities, obligations, rights, privileges, and appropriations to the Department of Housing and Community Development 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 Interagency Council on Homelessness to appoint a certain transition team; providing for the membership and chair of the transition team; requiring the transition team to provide a certain evaluation and recommendations on or before a certain date to the Secretary of Housing and Community Development and the Joint Committee on Ending Homelessness; 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 certain Acts and to describe any such corrections in an editor’s note following the section affected; providing for the termination of certain provisions of this Act; and generally relating to homelessness and supportive services.

BY transferring

Article – Human Services

Section 6–417 through 6–424, respectively, and the part “Part III. Interagency Council on Homelessness”; and 6–430 through 6–438, respectively, and the part “Part IV. Homeless Women – Crisis Shelter Home Program”

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

to be

Article – Housing and Community Development

Section 4–2101 through 4–2108, respectively, and the subtitle “Subtitle 21. Interagency Council on Homelessness”; and 4–2201 through 4–2209, respectively, and the subtitle “Subtitle 22. Homeless Women – Crisis Shelter Home Program”

Annotated Code of Maryland

(2006 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

Section 4–2101, 4–2103, 4–2201, and 4–2208
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)
(As enacted by Section 1 of this Act)

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

House Bill 210 – Delegate Simonaire

AN ACT concerning

Anne Arundel County – Board of License Commissioners

FOR the purpose of altering the membership of the Board of License Commissioners for Anne Arundel County; requiring that each member of the Board represent a different legislative district in the county; requiring that the Governor appoint members who have lived in their district for a certain time period; specifying that a member's seat be declared vacant under certain circumstances; requiring that no more than a certain number of members may belong to the same political party; providing that the term of a member continues for a certain number of years and ends on a certain date; providing for the termination of the terms of members of the Board serving on a certain date; and generally relating to the Board of License Commissioners for 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 11–202
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 231 – Delegates Impallaria and Jackson

AN ACT concerning

Property Tax Credit – Disabled or Fallen Law Enforcement Officers and Rescue Workers – Alteration

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant a certain property tax credit for certain residential real property owned by certain surviving spouses or certain cohabitants of certain fallen law enforcement officers and rescue workers; making conforming changes; providing for the application of this Act; and generally relating to a property tax credit for certain residential real property owned by certain disabled law enforcement officers and rescue workers or the surviving spouses or cohabitants of certain fallen law enforcement officers and rescue workers.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–210
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 245 – Chair, Economic Matters Committee (By Request – Departmental – Commerce)

AN ACT concerning

Department of Commerce – Maryland Advisory Commission on Manufacturing Competitiveness – Renaming and Restructuring

FOR the purpose of renaming the Maryland Advisory Commission on Manufacturing Competitiveness in the Department of Commerce to be the Maryland Manufacturing Advisory Board; altering the composition of the Board; and generally relating to the Maryland Manufacturing Advisory Board.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 3–101 and 3–103 through 3–109 to be under the amended subtitle “Subtitle 1. Maryland Manufacturing Advisory Board”
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

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

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

AN ACT concerning

Local Government – Sexual Assault Cases – Local Audits

FOR the purpose of authorizing a county or municipality to conduct a third-party audit of certain sexual assault cases; requiring a county or municipality to arrange a third-party audit of sexual assault cases under certain circumstances, subject to certain guidelines; establishing the requirements for a third-party audit of sexual assault cases; requiring the Office of the Attorney General to establish and maintain certain guidelines for certain third-party audits of sexual assault cases; defining certain terms; and generally relating to audits of sexual assault cases.

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 Judicial Proceedings.

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

AN ACT concerning

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

FOR the purpose of ~~regulating how public senior higher education institutions may adjust funds awarded by the institution when the total amount of financial aid awarded to a student exceeds the student's demonstrated financial need;~~ authorizing financial aid awarded by a public senior higher education institution to be reduced only under certain circumstances; ~~and up to a certain amount; prohibiting financial aid awarded by a public senior higher education institution from being reduced under certain circumstances; requiring certain financial aid to be reduced in a specific order;~~ authorizing financial aid awarded by a public senior higher education institution to be reduced up to a certain amount under certain circumstances; defining certain terms; providing for the construction of this Act; making the provisions of this Act severable; and generally relating to financial aid at public senior higher education institutions.

BY adding to

Article – Education
Section 15–121
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 271 – Delegates Lierman, Anderson, Barron, Beidle, Branch, Clippinger, Ebersole, Glenn, Hayes, Hettleman, Korman, Lafferty, R. Lewis, McCray, Oaks, Robinson, ~~and M. Washington~~ M. Washington, and Ali

AN ACT concerning

Maryland Transit Administration – ~~Farebox Recovery, Goals, and Performance Indicators~~ Farebox Recovery Rate – Repeal

FOR the purpose of repealing the requirement that a certain percentage of operating costs for certain public transit services must be recovered by the Maryland Transit Administration from certain revenues; ~~establishing certain goals for the Administration;~~ altering requirements for certain annual reports submitted by the Administration to certain committees of the General Assembly; ~~altering requirements relating to the Administration's implementation of performance indicators; making a stylistic change;~~ making conforming and stylistic changes; and generally relating to the Maryland Transit Administration and the repeal of the farebox recovery rate.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–208
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 289 – Delegates Hayes ~~and Conaway~~, Conaway, and Mosby

AN ACT concerning

Baltimore City – Alcoholic Beverages – Marketplace License

FOR the purpose of establishing a marketplace license in a certain alcoholic beverages district in Baltimore City; authorizing the Baltimore City Board of License Commissioners to issue the license; specifying the scope, hours for sale, and fees for the license; authorizing a license holder to obtain a refillable container permit under certain conditions; specifying certain capacity standards to be met by the marketplace; authorizing a holder of a Class B beer, wine, and liquor license to surrender the license to the Board under certain circumstances; requiring the Board to issue a substitute marketplace license under certain circumstances; defining a certain term; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 12–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 12–1001.1
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 294 – Delegates Dumais, B. Wilson, Anderson, Atterbeary, Fennell, Hettleman, Kittleman, McComas, Moon, Morhaim, Proctor, Queen, Sanchez, and Tarlau

AN ACT concerning

Public Safety – Regulated Firearms – Definition of Convicted of a Disqualifying Crime

FOR the purpose of altering a certain definition of “convicted of a disqualifying crime” to include a case in which a person received probation before judgment for assault in the second degree that is a domestically related crime; and generally relating to regulated firearms.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–101(b–1)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 295 – Delegate Kramer

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Impaired Boating

FOR the purpose of making victims of a certain offense involving the operation of a vessel while under the influence of or impaired by alcohol or drugs eligible for payment through the Criminal Injuries Compensation Board; ~~providing for the retroactive application of this Act; authorizing the refiling of certain previously denied claims;~~

~~authorizing the late filing of certain unfiled claims; providing for the prospective application of this Act; and generally relating to the Criminal Injuries Compensation Board.~~

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–801(a), (b), and (c)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–801(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 300 – Delegates Fennell, D. Barnes, Luedtke, ~~and Tarlau~~ Tarlau, and C. Howard

AN ACT concerning

Video Lottery Terminals – Disposition of Unclaimed Winnings

FOR the purpose of specifying that a jackpot won at a video lottery terminal that is not claimed by the winner within a certain number of days after the jackpot is won shall become the property of the State and be distributed in a certain manner; and generally relating to video lottery gaming in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–26
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 351 – Delegate Carr

AN ACT concerning

Property Tax – Homestead Property Tax Credit Percentage and Constant Yield Tax Rate – Deadlines

FOR the purpose of authorizing the Department of Assessments and Taxation to amend a constant yield tax rate when a county or municipal corporation alters the homestead

tax credit percentage; altering the deadline by which the Mayor and City Council of Baltimore City and the governing body of a county or municipal corporation must set or alter the homestead property tax percentage in a taxable year and notify the Department of Assessments and Taxation; requiring a notice of assessment to include a certain statement; providing for the application of this Act; and generally relating to the homestead property tax credit and the constant yield tax rate.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~2–205(c)~~ and 9–105(e)
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 355 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Discrimination – Prohibited

MC/PG 102–17

FOR the purpose of prohibiting the Washington Suburban Sanitary Commission from discriminating against a person on the basis of religion, marital status, or gender identity; altering a nondiscrimination clause required in all contracts entered into by the Commission to require the contractor not to discriminate in any manner against an employee or applicant for employment on the basis of religion, marital status, or gender identity and require the contractor to include a similar nondiscrimination clause in all subcontracts; and generally relating to the prohibition against discrimination based on religion, marital status, or gender identity by the Washington Suburban Sanitary Commission and nondiscrimination clauses in contracts entered into by the Commission.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 17–402 and 20–106
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 455 – Delegates Atterbeary, Anderson, Chang, Frush, Kramer, McComas, Moon, Morhaim, Parrott, Patterson, Robinson, Sanchez, Sydnor, Turner, and C. Wilson

AN ACT concerning

Criminal Law – Animal Cruelty – Applicability

FOR the purpose of clarifying that a person who has charge or custody of an animal and who unnecessarily fails to provide the animal with proper air, proper space, proper shelter, or proper protection from the weather is guilty of violating a certain prohibition against abuse or neglect of an animal; clarifying that a person who intentionally mutilates, intentionally tortures, intentionally cruelly beats, or intentionally cruelly kills an animal is guilty of violating a certain prohibition against aggravated cruelty to animals; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–604 and 10–606
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 493 – Delegates Kramer, Aumann, Barkley, Carey, Chang, Fennell, Fraser-Hidalgo, Frush, Krimm, Morales, Stein, ~~and Valderrama~~ Valderrama, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morgan, Pena-Melnyk, Pendergrass, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

AN ACT concerning

Long-Term Care Insurance – Premium Rates

FOR the purpose of requiring the Maryland Insurance Commissioner to ~~establish by regulation, and post~~ provide information on the Maryland Insurance Administration's Web site, site describing certain factors and a certain process relating to premium rates for policies or contracts of long-term care insurance ~~certain rate tables to be used by certain carriers that offer, issue, or deliver policies, contracts, or certificates of long term care insurance in the State to determine certain premium rates; prohibiting a carrier from imposing certain premium rate increases under certain circumstances; prohibiting a carrier from charging a premium to an insured or changing a premium before the applicable premium rate or premium rate change is filed with and approved by the Commissioner; requiring any applicable premium rate or premium rate change of a carrier to be filed with the Commissioner in accordance with certain regulations; requiring the Commissioner to disapprove or modify a proposed premium rate filing under certain circumstances; requiring the Commissioner to consider, to the extent appropriate, certain factors in determining whether to disapprove or modify a premium rate filing; requiring each premium rate filing and certain supporting information to be open to public~~

inspection; authorizing a carrier to request a certain finding by the Commissioner; authorizing a person to obtain copies of a premium rate filing and any supporting information under certain circumstances; ~~authorizing the Commissioner to require a carrier to demonstrate that, based on certain analysis and assumptions, its premium rates for a policy or contract of long-term care insurance are not inadequate, unfairly discriminatory, or excessive in relation to benefits, notwithstanding the Commissioner's previous approval of the carrier's premium rate filing; requiring the Commissioner to issue a certain order to a carrier under certain circumstances; requiring the Commissioner to hold a hearing before issuing a certain order and to provide written notice of the hearing; providing that an order does not affect a certain policy, contract, or certificate of long-term care insurance;~~ requiring the Commissioner, at certain intervals and with a certain exception, to hold a public hearing for a certain purpose; requiring the Commissioner to provide certain individuals an opportunity to testify at certain hearings, subject to a certain limitation; providing that each decision or finding of the Commissioner about certain premium rates is subject to judicial review; requiring a carrier to provide a certain notice to its insureds ~~each year; requiring a carrier to post a certain notice on the carrier's Web site;~~ requiring an insurance producer who offers or sells policies or contracts of long-term care insurance in the State to advise certain individuals about the availability and benefits of certain policies that qualify under the Qualified State Long-Term Care Insurance Partnership; requiring the insurance producer to ~~maintain certain statements in a certain location and make the statements available to the Commissioner for inspection~~ provide a certain statement to each applicant for long-term care insurance; ~~authorizing the Commissioner to take certain actions for a violation of a certain provision of this Act; requiring a carrier to provide an insured a certain nonforfeiture benefit under certain circumstances~~ requiring the Administration to make a certain assessment and a certain determination relating to nonforfeiture benefits and to report on its assessment and determination to certain legislative committees on or before a certain date; defining certain terms; providing for the application of this Act; and generally relating to premium rates for long-term care insurance.

BY adding to

Article – Insurance

Section 11–701 through 11–704 to be under the new subtitle “Subtitle 7. Long-Term Care Insurance Premium Rate Review”; and 18–103(d) ~~and 18–116.1~~

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

**Mortgages and Deeds of Trust – ~~Certification Requirement for Recordation~~
~~Repeal Prerequisites to Recording~~**

FOR the purpose of repealing the requirement that a mortgage or deed of trust bear a certain ~~attorney~~ certification ~~or a certification~~ that the instrument was prepared by a certain ~~party~~ person in order to be recorded; providing that a deed other than a mortgage, deed of trust, or an assignment or release of a mortgage or deed of trust may not be recorded unless the instrument bears certain certification of preparation; providing that a mortgage, deed of trust, or an assignment or release of a mortgage or deed prepared by any attorney or one of the parties named in the instrument may be recorded without certain certification; making a certain stylistic change; defining a certain term; and generally relating to the recording of mortgages and deeds of trust.

BY repealing and reenacting, without amendments,

Article – Real Property

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

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 3–104(f)(1)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

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

FOR the purpose of clarifying the authority of certain units of local government to adopt certain forest conservation thresholds and afforestation and reforestation requirements that are more stringent than certain forest conservation thresholds and reforestation requirements in State law; and generally relating to forest conservation thresholds and afforestation and reforestation requirements under the Forest Conservation Act.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–1606

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

AN ACT concerning

Education – ~~Grant~~ State Grants for ~~Declining~~ Education Aid

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~~ certain State grants in certain fiscal years; specifying the calculation of certain amounts in certain fiscal years for certain State grants; requiring certain State grants to be distributed at the same time as certain other State funding; stating the intent of the General Assembly; requiring certain State grants in a certain fiscal year to include a certain amount under a certain circumstance; making certain grants to Baltimore City Public Schools subject to Baltimore City providing certain local contributions in certain fiscal years; requiring a certain calculation to include a certain amount in a certain fiscal year; prohibiting a certain amount from being included in a certain calculation in a certain fiscal year; defining certain terms; and 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)

BY adding to

Article – Education

Section 5–218

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 746 – Delegate M. Washington

AN ACT concerning

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

FOR the purpose of requiring the Attorney General to assign an assistant Attorney General to provide legal services to the Public School Labor Relations Board, the Higher Education Labor Relations Board, and the State Labor Relations Board; providing that, in connection with the Public School Labor Relations Board's administration and enforcement of certain provisions of law, certain references to written communications shall include electronic communications and certain time limits may be extended for good cause; requiring a party subject to an order of the Board to comply with the order without need for judicial enforcement; authorizing a court to grant certain relief and remedies requested by the Board; requiring the chair of the Board to be a certain member of the Board; defining a certain term; and generally relating to the Public School Labor Relations Board.

BY repealing and reenacting, without amendments,
Article – Education
Section 6–401(a) and (b), 6–501(a) through (c), and 6–803(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to
Article – Education
Section 6–401(b–1) and 6–501(c–1)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 6–803(c), 6–805, and 6–806
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 767 – Delegates Sydnor, Conaway, Dumais, and Reilly

AN ACT concerning

**Public Information Act – Inspection of Records From Body–Worn Digital
Recording Devices**

FOR the purpose of requiring, except under certain circumstances, a custodian of records to deny inspection of the part of a recording from a certain body–worn digital recording device worn by a law enforcement officer regarding certain individuals; requiring certain notification of certain individuals ~~under certain circumstances~~; requiring the Police Training and Standards Commission to develop certain uniform standards and policies in consultation with certain groups; requiring a custodian of records to allow inspection by certain individuals of a recording from a certain

body–worn digital recording device worn by a law enforcement officer; prohibiting a custodian of records from allowing copying of records by certain individuals from a certain body–worn digital recording device worn by a law enforcement officer; providing for the construction and application of this Act; defining a certain term; and generally relating to the inspection of recordings from body–worn digital recording devices worn by law enforcement officers.

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 4–101

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY adding to

Article – General Provisions

Section 4–356

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

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

House Bill 781 – Delegate Kramer

AN ACT concerning

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

FOR the purpose of requiring a retail pet store to ensure that a certain person from whom the retail pet store obtains a cat or dog has not received a certain citation on a certain report for a critical violation within a certain period of time; requiring certain information to be posted on or near each dog’s cage in a retail pet store; requiring a certain written record about each dog in the possession of a retail pet store to include certain information; making certain conforming changes; and generally relating to requirements for retail pet stores.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 19–702.1(b) and 19–703

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 789 – Delegate Cullison

AN ACT concerning

Condominiums and Homeowners Associations – Amendment of Governing Documents

FOR the purpose of altering the minimum percentage of affirmative votes of unit owners required to amend the bylaws of a condominium under certain circumstances; repealing certain provisions concerning the minimum percentage of votes needed to amend a governing document of a homeowners association created before a certain date; establishing the minimum percentage of affirmative votes of lot owners required to amend certain governing documents of a homeowners association under certain circumstances; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to the amendment of the governing documents of condominiums and homeowners associations.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–104(e) and 11B–116
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

Apprenticeships – Apprenticeship and Training Council – Revisions

FOR the purpose of requiring the Division of Workforce Development and Adult Learning to adopt regulations to carry out certain provisions of law; providing that the Division is the designated State Apprenticeship Agency under certain provisions of federal law; altering the duties of the Apprenticeship and Training Council; prohibiting certain persons from taking certain actions regarding apprenticeship programs for certain occupations unless the program is first approved by the Division, rather than the Council; requiring that a certain certificate be issued by the Division, rather than jointly by the Council and the Division; providing for certain judicial review if the Division does not issue a certain certificate; authorizing the Division, ~~rather than the Council, to suspend or revoke approval of~~ to deregister a program or course, ~~rather than the Council suspending or revoking the approval of a program or course,~~ under certain circumstances; authorizing certain persons to request a hearing before the United States Department of Labor under certain circumstances; authorizing the Division, rather than the Council, to adopt certain rules and regulations under certain circumstances; ~~authorizing the Council to recommend that the Division apply to a certain court for a certain injunction;~~ authorizing the Division to apply to a certain court for a certain injunction under certain circumstances; requiring the Division to accord reciprocal approval to certain apprentices, apprenticeship

programs, and standards that are registered in other states under certain circumstances; prohibiting the Division from according reciprocal approval to a program sponsor that does not meet certain requirements and standards; authorizing the Council to recommend that the Division negotiate and adopt certain reciprocity agreements; authorizing the Division to negotiate and adopt certain reciprocity agreements; repealing certain provisions of law rendered obsolete by certain provisions of this Act; requiring the Division, rather than the Council, to report certain information to the General Assembly; providing that the Division will request certain recognition from the Office of Apprenticeship in the U.S. Department of Labor and make certain adjustments; making conforming changes; and generally relating to apprenticeships.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–103, 11–403, 11–405, and 11–408
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 846 – Delegate Bromwell

AN ACT concerning

Pricing and Selection Committee for Blind Industries and Services of Maryland and the Employment Works Program – Staff

FOR the purpose of requiring ~~the Department of General Services~~ Blind Industries and Services of Maryland to provide staff for the Pricing and Selection Committee for Blind Industries and Services of Maryland and the Employment Works Program; establishing certain requirements for certain staff; and generally relating to the Pricing and Selection Committee for Blind Industries and Services of Maryland and the Employment Works Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–106
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 860 – Delegates Lierman, Anderson, Angel, Carr, Conaway, Dumais, Gaines, Glenn, Haynes, Hettleman, Hill, Jackson, Jones, R. Lewis, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Patterson, Pena–Melnik,

Platt, Queen, Reznik, Rosenberg, Sydnor, Valentino-Smith, A. Washington, M. Washington, Wilkins, and K. Young

AN ACT concerning

**Transitional Supports for Ex-Offenders – ~~Repeal~~ Alteration of Restrictions
(Maryland Equal Access to Food Act of 2017)**

FOR the purpose of repealing certain provisions of law subjecting certain individuals convicted of certain felonies involving a controlled dangerous substance who apply for temporary cash assistance or food stamps to certain testing and treatment requirements and sanctions; altering the criminal violations that make certain recipients ineligible for temporary cash assistance or food stamps for a certain period of time after a certain date and subject to certain testing and treatment requirements and sanctions; altering the conditions under which certain recipients are subject to certain testing and treatment or become ineligible for temporary cash assistance or food stamps; and generally relating to participation in the temporary cash assistance and food stamp programs.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 5–601

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

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

House Bill 899 – Delegates Anderson, Atterbeary, D. Barnes, Barron, Branch, Brooks, Conaway, Davis, Fennell, Glenn, Gutierrez, Hayes, Haynes, Holmes, C. Howard, Jackson, Jalisi, Jones, McCray, Oaks, Patterson, Pena-Melnyk, Proctor, Queen, Sample-Hughes, Sanchez, Stein, Sydnor, Turner, A. Washington, M. Washington, C. Wilson, and R. Lewis

AN ACT concerning

**Public Safety – Maryland Police Training and Standards Commission –
~~Psychological Evaluations~~ Assessments of Law Enforcement Officers**

FOR the purpose of requiring the Maryland Police Training and Standards Commission to develop standards for the periodic psychological ~~evaluation~~ assessment of all law enforcement officers, if determined by the Commission to be appropriate; and generally relating to the Maryland Police Training and Standards Commission.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–207(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

House Bill 926 – Delegates McComas, Glass, Impallaria, Jalisi, Krebs, Malone, McDonough, McKay, Morgan, Parrott, Patterson, Reilly, Sophocleus, and Vogt

AN ACT concerning

Child Support – Health Insurance – Definition

FOR the purpose of defining the term “health insurance” for purposes of calculating a child support obligation under the child support guidelines; and generally relating to child support.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 12–201
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 972 – Delegates Dumais, Barron, Anderson, Atterbeary, Conaway, Moon, Morales, Proctor, Queen, Rosenberg, Sanchez, Sydnor, and B. Wilson

AN ACT concerning

Civil Cases – Maryland Legal Services Corporation Fund – Surcharges – Repeal of Sunset

FOR the purpose of repealing the termination date of certain provisions of law altering certain surcharges on certain fees, charges, and costs in certain civil cases and requiring a certain informational budget to be prepared for the Maryland Legal Services Corporation and submitted to the General Assembly; and generally relating to the Maryland Legal Services Corporation Fund.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 7–202(a)(1), (d), and (g) and 7–301(c)(1), (2), and (5)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 11–208

Annotated Code of Maryland
(2007 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 486 of the Acts of the General Assembly of 2010, as amended by Chapters
71 and 72 of the Acts of the General Assembly of 2013
Section 2

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

House Bill 997 – Delegates Fraser–Hidalgo and Kramer

AN ACT concerning

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

FOR the purpose of providing that, subject to certain provisions of law, a person has certain rights and is subject to certain restrictions applicable to pedestrians while the person is lawfully operating a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area or in or through a crosswalk; providing that, at an intersection, a person operating a bicycle, play vehicle, or unicycle is subject to certain traffic control signals; providing that a certain provision of law does not apply to a person operating a bicycle, play vehicle, or unicycle; altering a certain definition; and generally relating to the operation of bicycles, play vehicles, and unicycles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–101(a), (i), ~~(m)~~, (o), and (w) and 21–506
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–101(m) and 21–1202
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1015 – Delegates Fraser–Hidalgo, Dumais, and A. Miller

AN ACT concerning

**Criminal Law – Allowing Underage Drinker at Residence to Possess or Consume
Alcohol – Penalties**

FOR the purpose of altering the penalty for certain violations of the prohibition against an adult knowingly and willfully allowing an individual under a certain age to possess or consume an alcoholic beverage at a certain residence or within the curtilage of a certain residence; repealing a prohibition against and certain penalties for furnishing alcohol or allowing an individual under a certain age to possess or consume alcohol if the violation involves certain circumstances; and generally relating to underage consumption of alcohol.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–116
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–117 and 10–121
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1021 – ~~Delegate Reznik~~ Delegates Reznik, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

AN ACT concerning

Reorganization of State Procurement

FOR the purpose of reorganizing State procurement by establishing a Chief Procurement Officer to control and oversee ~~all~~ State procurement activity for which certain provisions of law apply; ~~repealing~~ altering the definition and role of primary procurement units; ~~requiring a procurement by a unit to replace or supplement certain energy-consuming equipment to be under the oversight of the Chief Procurement Officer; requiring the Board of Public Works to ensure that regulations for State procurement provide for procedures that are consistent with certain provisions of law; authorizing the Board to require Board approval for procurement actions of more than a certain dollar amount; requiring the Chief Procurement Officer to retain oversight of certain procurements that are conducted under certain authority or do not require certain Board approval; requiring certain actions of the Board to prevail if the action conflicts with the action of certain units; repealing the position of Procurement Advisor, transferring altering the duties of the Procurement Advisor ~~to the Chief Procurement Officer, and clarifying certain duties; requiring the Chief Procurement Officer to develop regulations to implement certain provisions of law, and requiring a certain report to include a summary of certain procurement~~~~

activity; renaming the Procurement Advisory Council, altering the membership of the Council, altering the duties of the Council, requiring the Council to advise the General Assembly on certain legislation, and providing that the Chief Procurement Officer is the Chair and principal staff of the Council; transferring the authority of certain primary procurement units to the Department of General Services; authorizing the Department of General Services to delegate control of certain procurement activities to certain units, develop certain metrics and implement strategic sourcing under certain circumstances, ~~advise the General Assembly on certain legislation, manage eMaryland Marketplace, compile certain statistics, effect and enhance communication on certain procurement matters, assist units with certain questions, oversee certain training and implementation of certain risk analysis and insurance requirements, and~~ coordinate with certain governmental entities and certain local entities to maximize use of certain intergovernmental cooperative purchasing agreements; ~~and employ certain staff in accordance with the State budget; requiring a certain reporting requirement to include a summary of certain procurement activity; requiring the Chief Procurement Officer a unit to consult with the Maryland Energy Administration and the Chief Procurement Officer before issuing a request for proposals for an energy performance contract; providing that eMaryland Market Place is jointly managed by the Department of General Services and the Department of Information Technology; authorizing the Chief Procurement Officer to establish certain fees for eMaryland Marketplace as approved~~ subject to approval by the Board; establishing a certain fund in the Department of General Services; providing that certain fees for the use of electronic means to conduct procurement be determined in consultation with the Chief Procurement Officer; requiring that certain fees be deposited in a certain fund; requiring a unit to make small procurements in accordance with regulations developed by the Chief Procurement Officer and adopted by the Board; authorizing a unit to become a party or participate in an intergovernmental cooperative purchasing agreement if a certain determination is made under the oversight of the Chief Procurement Officer; authorizing a unit to seek bids for certain procurements by issuing an invitation for auction bids under the oversight of the Chief Procurement Officer; authorizing a procurement officer to award a procurement based on revised bids under certain circumstances and the oversight of the Chief Procurement Officer; authorizing a unit under the oversight of the Chief Procurement Officer to provide for prequalification of certain persons for procurement other than leases of real property; authorizing a unit to enter into multi-year contracts subject to certain regulations developed by the Chief Procurement Officer and approved by the Board; requiring that multi-year contracts be subject to review and approval by the Chief Procurement Officer; requiring procurement contracts to include clauses covering certain termination by the State if the head of a unit, under the oversight of the Chief Procurement Officer, determines that termination is appropriate; authorizing a unit under the oversight of the Chief Procurement Officer to withhold certain payment under certain circumstances; authorizing a unit, under the oversight of the Chief Procurement Officer, to conduct procurement by electronic means as provided under certain provisions of law; requiring a unit to submit a certain report to the Governor and General Assembly within a certain period of time each fiscal year; requiring certain

~~protests or contract claims to be submitted within a certain time required under certain regulations developed by the Chief Procurement Officer and adopted by the Board; repealing provisions of law requiring certain jurisdiction and control by certain units over certain types of procurement; repealing provisions of law requiring the adoption of certain regulations by certain units; repealing an obsolete provisions provision of law; altering certain definitions; requiring the Chief Procurement Officer to report to the Governor and certain committees of the General Assembly on or before a certain date; requiring the General Counsel to the Board and the Office of the Attorney General to report to the Governor Board and certain committees of the General Assembly on or before a certain date; requiring the Board and the Department of Budget and Management to review certain job titles, classifications, and compensation for certain procurement-related positions and rename and reclassify those positions for certain purposes subject to certain requirements on or before a certain date; requiring the Board, in consultation with the University System of Maryland and the Maryland Department of Transportation, to report to the Governor and the General Assembly on certain strategies to govern procurement staff employed under independent personnel management systems; requiring the Chief Procurement Officer to use certain staff and transfer certain staff, subject to certain conditions, to assist in carrying out certain duties; requiring the Department of General Services, in consultation with the Department of Budget and Management, the Department of Information Technology, the Department of Public Safety and Correctional Services, the Department of Transportation, and the Maryland Port Commission to report a certain administrative work plan to the Governor, the Board, and the General Assembly; establishing certain conditions for transferring certain staff; stating the intent of the General Assembly in relation to procurement staff at certain State agencies; providing for a delayed effective date for certain provisions of this Act; and generally relating to State procurement.~~

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section ~~4-801(g), 4-804, 11-101, 12-101(b)(7), 12-102(a)(2), 12-105, 12-107, 12-110, 12-301, 13-101, 13-102.1, 13-109, 13-110, 13-111(g), 13-204, 13-217, 13-218, 13-225, and 13-226, 13-226(c) 15-111, 15-216, and 15-217~~

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – State Finance and Procurement

Section ~~12-107 and 12-108~~ 12-101(b)(6)

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 1071 – Delegates Valentino-Smith, Holmes, Kramer, McComas, McCray, ~~and Sanchez~~ Sanchez, and Fraser-Hidalgo

AN ACT concerning

**Vehicle Laws – Victim’s Representative Notification – License Suspension
Hearing**

FOR the purpose of requiring the Maryland Police Training and Standards Commission to ~~develop and, as necessary, update~~ distribute a certain form; requiring a law enforcement officer to provide certain information and a certain form to a victim’s representative in certain situations ~~and within a certain period of time after a certain event; requiring a law enforcement officer to certify certain facts to the Motor Vehicle Administration under certain circumstances; requiring the Administration to contact a certain State’s Attorney in certain situations in order to obtain certain information; altering the period of time during which a victim’s representative may file a certain form; altering the circumstances under which the Motor Vehicle Administration is required to provide notice of a certain hearing to a victim’s representative; requiring the Administration to notify the Office of Administrative Hearings if a certain form is filed; requiring the Administration to provide certain materials to a certain individual without cost; providing that a certain individual must only provide certain notice to the Administration when it is practicable to do so; requiring the Administration to make certain materials available on the Administration’s Web site; requiring the Administration to track certain statistics; requiring the Governor’s Office of Crime Control and Prevention to develop and, as necessary, update a certain form;~~ and generally relating to a victim’s representative notification.

BY adding to

Article – Public Safety

Section 3–207(h)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12–206.1

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–206(a)(5)(i) and (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 1150 – Delegates McMillan and Folden

AN ACT concerning

Vehicle Laws – Off-Highway Recreational Vehicles

FOR the purpose of altering the definition of “off-highway recreational vehicle” as it applies to the Maryland Vehicle Law to include a side-by-side utility vehicle; altering the fee for a certificate of title for an off-highway recreational vehicle; and generally relating to off-highway recreational vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11-140.1 and 13-802
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1156 – Delegate Stein

AN ACT concerning

Residential Property – Foreclosed Property Registry – Notice of Registration

FOR the purpose of authorizing a homeowners association or condominium council of unit owners to file with the Department of Labor, Licensing, and Regulation a request for notice of an initial registration in the Foreclosed Property Registry; requiring the Department to maintain a current list of certain requests for notice and to promptly send certain written notice after receiving an initial registration in the Registry to a homeowners association or condominium under certain circumstances; ~~requiring the Department to provide certain access to the Registry to an officer of a homeowners association or condominium under certain circumstances;~~ and generally relating to the Foreclosed Property Registry.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14-126.1(g)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1163 – Delegates A. Miller, Angel, Dumais, Frush, Gutierrez, Queen, and K. Young

AN ACT concerning

**Criminal Procedure – Conditional Release – Electronic Monitoring
(Amber’s Law)**

FOR the purpose of requiring a certain judicial officer to consider including, if requested by a victim, electronic monitoring that provides a certain victim notification as a condition of pretrial release; authorizing a judge to order that a defendant be subject to electronic monitoring that provides a certain victim notification as a condition of pretrial release under certain circumstances; authorizing a court to order a defendant to pay a certain fee; authorizing a court to waive a certain monitoring fee under certain circumstances; prohibiting a person who commits a crime from violating certain release conditions regarding contacting a certain victim; requiring a judicial officer to provide a certain individual with the opportunity to request certain reasonable protections at a certain time; specifying that the court may include electronic monitoring that provides a certain victim notification as a condition of probation; requiring that a certain victim impact statement identify a request by a victim that a person be placed on electronic monitoring with certain victim notification; requiring that the State Board of Victim Services include in a certain pamphlet information on how a victim may request that a person be placed on electronic monitoring with certain victim notification; defining a certain term; and generally relating to conditions of release for victim protection.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 5–201, 5–202(e), 5–213.1, 6–220(b), 11–203, 11–402(e)(6), and 11–914(9)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–101(a), 11–104(b), 11–402(e)(1), and 11–914(1), (2), and (3)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY adding to

Article – Criminal Procedure

Section 11–101(f) and 11–105

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law

Section 4–509(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 1414 – Delegate Jameson

AN ACT concerning

Renewable Energy Portfolio Standard – Study

FOR the purpose of requiring the ~~Maryland Clean Energy Center and the University of Maryland Energy Research Center jointly~~ Power Plant Research Program 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~~ Program in the conduct of the study; requiring the ~~centers~~ Program 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 Finance.

House Bill 1433 – Delegates Valentino-Smith, Fennell, Adams, Anderton, D. Barnes, Beitzel, Frush, Ghrist, McComas, McKay, Sanchez, Tarlau, Waldstreicher, ~~and A. Washington~~ A. Washington, Afzali, Ali, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Kaiser, Long, Luedtke, Mautz, Patterson, Reilly, Rose, Shoemaker, Simonaire, Turner, Walker, M. Washington, and Wilkins

AN ACT concerning

**Local Income Tax Overpayments – Local Reserve Account Repayment –
Forgiveness**

FOR the purpose of repealing a requirement that a county or municipal corporation that receives a certain overpayment of local income tax revenue reimburse a certain account for its share of the overpayment; repealing a certain requirement that the

Comptroller withhold, under certain circumstances, the amount certain counties or municipal corporations owe to a certain account from certain distributions; prohibiting the Comptroller from requiring a county or municipal corporation that receives an overpayment to reimburse a certain account; repealing a certain requirement that the Comptroller perform a certain analysis before requiring a county or municipal corporation to make a certain reimbursement; stating the intent of the General Assembly; and generally relating to the requirement that certain counties or municipal corporations repay certain overpayments of local income tax revenue.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–611
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing
Chapter 24 of the Acts of the General Assembly of 2016
Section 2

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

House Bill 1492 – Delegates Hayes, Ali, Anderson, Conaway, Glenn, R. Lewis, McCray, McIntosh, Mosby, and Rosenberg

AN ACT concerning

Housing and Community Development – Food Deserts – Small Loans

FOR the purpose of authorizing the Department of Housing and Community Development to meet certain funding obligations under the Business Development Program by using certain financial assistance under certain circumstances; authorizing financial assistance under the Business Development Program to be used for certain small loans; authorizing the Department ~~of Housing and Community Development~~ to provide small loans that are not more than a certain amount to certain entities for a certain purpose; authorizing the Department to work with intermediaries to administer small loans under certain circumstances; and generally relating to small loans for food desert projects under the Business Development Program.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section ~~6–307~~ 6–305(e), 6–307, and 6–308.3
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development

Section 6–308(c) and 6–308.1(a)
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

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

House Bill 1506 – Delegates Glenn, Conaway, Hayes, Haynes, R. Lewis, McCray, Oaks, and M. Washington

AN ACT concerning

State Government – Office of Minority Affairs and Interdepartmental Advisory Committee on Minority Affairs – Renaming

FOR the purpose of renaming the Governor’s Office of Minority Affairs to be the Governor’s Office of Small, Minority, and Women Business Affairs; renaming the Special Secretary for the Office of Minority Affairs to be the Special Secretary for the Office of Small, Minority, and Women Business Affairs; renaming the Interdepartmental Advisory Committee on Minority Affairs to be the Interdepartmental Advisory Committee on Small, Minority, and Women Business Affairs; making conforming changes; requiring the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct any cross–references or terminology rendered incorrect by this Act and to describe any corrections made in an editor’s note following the section affected; and generally relating to the renaming of the Office of Minority Affairs and the Interdepartmental Advisory Committee on Minority Affairs.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 14–103(d) and (e)
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 11–1001(d) and (e)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–345(d)(5), 9–421(d)(5), 9–1605.2(i)(4), and 9–1605.3(f)(2)(v)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 20–1004(21)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–501.1(d) and (e)
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–303(c)(3) and (4) and 24–310(d) and (e)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–704.1(d)(4)(iii)
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–222(f)(3) and (4), 12–105(c)(1), 12–110(c)(1), 14–302(a)(9)(iv) and (v) and
(11)(iii)2., 14–303(b)(19), 14–305, 14–308(c), 14–503, and 14–505
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–10(b), 9–1A–23(d), 9–1A–36(l); 9–301 through 9–303.1 to be under the
amended subtitle “Subtitle 3. Office of Small, Minority, and Women Business
Affairs”; 9–306, and 9–20C–02(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–116(d)(3) and (4) and 35–302(b)(3) and (4)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

SPECIAL ORDER CALENDAR NO. 31

Senate Bill 857 – Senators Smith and Waugh

AN ACT concerning

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2)
OFFERED FROM THE FLOOR BY SENATOR WAUGH.

FLOOR AMENDMENT

SB0857/523627/1

BY: Senator Waugh

AMENDMENTS TO SENATE BILL 857

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “certain”; in the same line, strike “assign a full-time” and substitute “designate an”; in line 9, strike “making the Act applicable to certain units of State government;”; and in line 11, after the semicolon insert “requiring the Department to coordinate certain meetings and submit a certain report.”.

AMENDMENT NO. 2

On page 3, in line 2, strike “A FULL-TIME EMPLOYEE OF” and substitute “AN EMPLOYEE DESIGNATED BY”; and strike in their entirety lines 6 through 17, inclusive, and substitute:

“(B) EACH GOVERNMENTAL UNIT SHALL:

(1) DESIGNATE AN EMPLOYEE OF THE UNIT, WHO TO THE EXTENT PRACTICABLE IS A VETERAN, AS A VETERANS’ SERVICES SPECIALIST FOR THE UNIT AND WHOSE DUTIES INCLUDE THE COORDINATION OF VETERANS’ SERVICES WITH THE DEPARTMENT;”.

On page 4, in lines 1 and 6, strike “(D)” and “(E)”, respectively, and substitute “(C)” and “(D)”, respectively; and after line 9, insert:

“(E) THE DEPARTMENT SHALL:

(1) COORDINATE A MEETING EACH QUARTER, OR AS OTHERWISE NECESSARY, WITH GOVERNMENTAL UNITS TO DISCUSS AND RECEIVE INFORMATION CONCERNING THE IMPLEMENTATION OF THE REQUIREMENTS OF THIS SECTION; AND

(2) ON OR BEFORE JANUARY 15 EACH YEAR, REPORT ON THE IMPLEMENTATION OF THE REQUIREMENTS OF THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY.”.

The preceding 2 amendments were withdrawn.

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 only.

Senator Guzzone moved to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senate Bill 312 – The President (By Request – Administration) and Senators Bates, Brochin, Cassilly, Eckardt, Edwards, Ferguson, Jennings, Mathias, Norman, Ready, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

**Vehicle Laws – Drunk and Drugged Driving – Subsequent Offenders – Felonies
(Repeat Drunk Driving Offenders Act of 2017)**

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

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 979 – Senator Edwards

AN ACT concerning

Vehicle Laws – All-Terrain Vehicles and Snowmobiles

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

SB0979/608170/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 979

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 18 down through “fee;” in line 20.

On page 2, in line 7, after “21–104.1,” insert “and”; and in the same line, strike “, and 25–102.1”.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 30 on page 4 through line 6 on page 5.

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 1006 – Senator Jennings

AN ACT concerning

Senior Citizen Activities Centers – Bingo Games – Authorization

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR COMMITTEE AMENDMENT

SB1006/649536/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 1006, AS AMENDED

[Click here to enter text.](#)

In the Budget and Taxation Committee Amendments (SB1006/349631/1), strike beginning with “EXCEPT” in line 3 of Amendment No. 2 down through “SYSTEM” in line 13 of Amendment No. 2 and substitute “BY A PLAYER”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 746 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court Commissioners – Residency in Contiguous County

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR FERGUSON.

FLOOR AMENDMENT

SB0746/913526/1

BY: Senator Ferguson

AMENDMENTS TO SENATE BILL 746

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “that” insert “. subject to a certain exception.”.

AMENDMENT NO. 2

On page 1, in line 15, strike “Commissioners” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, COMMISSIONERS**”; and after line 17, insert:

“(II) IN BALTIMORE CITY, COMMISSIONERS SHALL BE ADULT RESIDENTS OF BALTIMORE CITY, BUT THEY NEED NOT BE LAWYERS.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 971 – Senator Kagan

AN ACT concerning

**Procurement – Nondiscrimination Clauses and State Policy Prohibiting
Discrimination**

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

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

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 602)

SENATE THIRD READING CALENDAR NO. 51 (GENERAL SENATE BILLS)

Senate Bill 230 – Senators Middleton, Astle, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, King, Lee, Madaleno, Manno, McFadden, Peters, Pinsky, Ramirez, Robinson, Nathan–Pulliam, Rosapepe, Smith, Young, and Zucker

SECOND PRINTING

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

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

Affirmative – 29 Negative – 18 (See Roll Call No. 603)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 48 (GENERAL SENATE BILLS)

Senate Bill 235 – Senator Guzzone

AN ACT concerning

Sales and Use Tax – ~~Exemption – Service Performed by Person Practicing Engineering~~ Declaration of Legislative Intent – Services

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

Affirmative – 46 Negative – 0 (See Roll Call No. 604)

The Bill was then sent to the House of Delegates.

Senate Bill 251 – ~~Senator Simonaire Anne Arundel County Senators~~ Senators Simonaire, Astle, DeGrange, Reilly, and Rosapepe

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 605)

The Bill was then sent to the House of Delegates.

Senate Bill 273 – Senators Edwards, Mathias, Middleton, ~~and Serafini~~ Serafini, Eckardt, Ferguson, Manno, McFadden, and Peters

AN ACT concerning

State Forest, State Park, and Wildlife Management Area Revenue Equity Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 606)

The Bill was then sent to the House of Delegates.

Senate Bill 318 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Ferguson, Hough, Manno, Mathias, Norman, Ready, Rosapepe, Salling, and Serafini

AN ACT concerning

Cybersecurity Investment Incentive Tax Credit – Eligibility and Sunset Extension

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

Affirmative – 46 Negative – 0 (See Roll Call No. 607)

The Bill was then sent to the House of Delegates.

Senate Bill 460 – Senator Conway (By Request – Baltimore City Administration)

AN ACT concerning

Education – Debt Service for Transferred Schools – County Reimbursement Grace Period

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

Affirmative – 46 Negative – 0 (See Roll Call No. 608)

The Bill was then sent to the House of Delegates.

**Senate Bill 495 – Chair, Budget and Taxation Committee (By Request –
Departmental – Lottery and Gaming Control Agency)**

AN ACT concerning

**Gaming – Video Lottery Terminals – Transfer of Ownership and Local Impact
Grants**

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

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

The Bill was then sent to the House of Delegates.

**Senate Bill 498 – Chair, Budget and Taxation Committee (By Request –
Departmental – Commerce)**

AN ACT concerning

**Video Lottery Terminals – Small, Minority, and Women–Owned Businesses
Account – Transfer of Authority**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 610)

The Bill was then sent to the House of Delegates.

Senate Bill 737 – Senator Waugh

SECOND PRINTING

AN ACT concerning

**St. Mary’s County – Bonds and Other Evidences of Indebtedness
– Limitations and Repayment**

Senator Waugh moved to make the Bill a Special Order for March 17, 2017.

The motion was adopted.

Senate Bill 752 – Senator Guzzone

AN ACT concerning

Optional Retirement Program – Annuity Contract Providers

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

Affirmative – 46 Negative – 0 (See Roll Call No. 611)

The Bill was then sent to the House of Delegates.

Senate Bill 754 – Senator Guzzone

AN ACT concerning

Law Enforcement Officers’ Pension System – Membership

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

Affirmative – 46 Negative – 0 (See Roll Call No. 612)

The Bill was then sent to the House of Delegates.

Senate Bill 846 – Senator Conway (By Request – Baltimore City Administration)

AN ACT concerning

**Baltimore City – Hotel Room Tax – Convention Center Promotion and
Operations**

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

Affirmative – 44 Negative – 2 (See Roll Call No. 613)

The Bill was then sent to the House of Delegates.

**Senate Bill 908 – Senators Ferguson, Benson, Guzzone, Klausmeier, Middleton,
Peters, ~~and Young~~ Young, Currie, DeGrange, Eckardt, Edwards,
Kasemeyer, King, Madaleno, Manno, McFadden, and Serafini**

AN ACT concerning

Maryland Education Development Collaborative – Established

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

Affirmative – 46 Negative – 0 (See Roll Call No. 614)

The Bill was then sent to the House of Delegates.

Senate Bill 930 – Chair, Anne Arundel County Senators

AN ACT concerning

**Anne Arundel County – Property Tax – Payment in Lieu of Taxes Agreements –
Economic Development Projects**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 615)

The Bill was then sent to the House of Delegates.

**Senate Bill 1001 – Senators Guzzone, DeGrange, Kasemeyer, King, Madaleno,
McFadden, Miller, and Peters**

AN ACT concerning

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

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

Affirmative – 32 Negative – 14 (See Roll Call No. 616)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 49 (GENERAL SENATE BILLS)

**Senate Bill 44 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Maryland State Archives)**

AN ACT concerning

**Records Management and Preservation – State ~~and Local Government Units~~
Units and Public Officials – Responsibilities**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 617)

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~~

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

Affirmative – 27 Negative – 18 (See Roll Call No. 618)

The Bill was then sent to the House of Delegates.

Senate Bill 406 – Senators Peters, Benson, Currie, Muse, Ramirez, and Rosapepe

AN ACT concerning

Election Law – Voting System – ~~Optical Digital Scanners in Prince George’s County~~

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

Affirmative – 46 Negative – 0 (See Roll Call No. 619)

The Bill was then sent to the House of Delegates.

Senate Bill 450 – Senator Manno

AN ACT concerning

Open Meetings Act – ~~Required Training for Members of Public Bodies~~ Annual Reporting Requirement, Web Site Postings, and Training

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

Affirmative – 46 Negative – 0 (See Roll Call No. 620)

The Bill was then sent to the House of Delegates.

Senate Bill 452 – Senators Manno, Benson, Brochin, Currie, DeGrange, Edwards, Feldman, Guzzone, Hough, Jennings, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Mathias, Muse, Nathan–Pulliam, Norman, Peters, Ready, Robinson, Rosapepe, Salling, Serafini, Smith, Young, Zirkin, ~~and Zucker~~ Zucker, and Pinsky

AN ACT concerning

Education – Accountability Program – Assessments
~~(Less Testing, More Learning)~~ (More Learning, Less Testing Act of 2017)

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

Affirmative – 46 Negative – 0 (See Roll Call No. 621)

The Bill was then sent to the House of Delegates.

Senate Bill 667 – Senator Jennings

AN ACT concerning

Education – Prekindergarten Student Assessment – Moratorium

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

Affirmative – 44 Negative – 2 (See Roll Call No. 622)

The Bill was then sent to the House of Delegates.

Senate Bill 814 – Senators Rosapepe, Benson, Hershey, Jennings, Klausmeier, and Mathias

AN ACT concerning

Pharmacists – Dispensing of Prescription Drugs – Single Dispensing of Dosage Units

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

Affirmative – 46 Negative – 0 (See Roll Call No. 623)

The Bill was then sent to the House of Delegates.

Senate Bill 815 – ~~Senator Rosapepe~~ Senators Rosapepe and Middleton

AN ACT concerning

State Board of Pharmacy – Registered Pharmacy Technicians – Exemption for Pharmacy Students

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

Affirmative – 46 Negative – 0 (See Roll Call No. 624)

The Bill was then sent to the House of Delegates.

Senate Bill 989 – Senators Nathan–Pulliam and Mathias

AN ACT concerning

**State Board of Physicians – Physician Licensure – Prohibition on Requiring
Specialty Certification**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 625)

The Bill was then sent to the House of Delegates.

Senate Bill 997 – Senator Conway

AN ACT concerning

Pharmacists – Substitution and Dispensing of Biological Products

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

Affirmative – 46 Negative – 0 (See Roll Call No. 626)

The Bill was then sent to the House of Delegates.

Senate Bill 1012 – Senator Conway (By Request – Baltimore City Administration)

AN ACT concerning

**Baltimore City Board of School Commissioners – Members – Appointment and
Removal**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 627)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 50 (GENERAL SENATE BILLS)

**Senate Bill 13 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Military)**

AN ACT concerning

Public Safety – State Militia

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

Affirmative – 45 Negative – 2 (See Roll Call No. 628)

The Bill was then sent to the House of Delegates.

Senate Bill 307 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Hershey, Hough, Jennings, Norman, Ready, Salling, Serafini, Simonaire, ~~and Waugh~~ Waugh, Kasemeyer, Madaleno, Currie, DeGrange, Ferguson, Guzzone, King, Manno, McFadden, and Peters

EMERGENCY BILL

AN ACT concerning

**~~Repeal of the~~ Maryland Open Transportation Investment Decision Act ~~of 2016~~ –
Application and Evaluation
~~(Road Kill Bill Repeal)~~**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 629)

The Bill was then sent to the House of Delegates.

Senate Bill 387 – Senator Lee

AN ACT concerning

Crimes – Solicitation to Commit Murder or Arson – Statute of Limitations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 630)

The Bill was then sent to the House of Delegates.

Senate Bill 484 – Senators Madaleno, Astle, Conway, Currie, Feldman, Ferguson, Guzzone, King, Lee, Manno, McFadden, Peters, Pinsky, Robinson, Rosapepe, Smith, and Zucker

AN ACT concerning

Maryland Transit Administration – ~~Farebox Recovery, Goals, and Performance Indicators~~ Farebox Recovery Rate – Repeal

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

Affirmative – 30 Negative – 17 (See Roll Call No. 631)

The Bill was then sent to the House of Delegates.

Senate Bill 509 – Senator Peters

AN ACT concerning

Prince George’s County – Orphans’ Court Judges – Salary

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

Affirmative – 47 Negative – 0 (See Roll Call No. 632)

The Bill was then sent to the House of Delegates.

Senate Bill 574 – Senators Feldman, Lee, Astle, Benson, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Muse, Nathan–Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Robinson, Rosapepe, Salling, Serafini, Smith, Young, and Zucker

AN ACT concerning

**Family Law – Child Conceived Without Consent – Termination of Parental Rights
(Rape Survivor Family Protection Act)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 633)

The Bill was then sent to the House of Delegates.

Senate Bill 680 – Senators Lee, Mathias, Eckardt, and Kelley

AN ACT concerning

Adult Protective Services Investigations – Completion Time

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

Affirmative – 47 Negative – 0 (See Roll Call No. 634)

The Bill was then sent to the House of Delegates.

Senate Bill 713 – Senators Young, Madaleno, Manno, Pinsky, and Smith

AN ACT concerning

**Products That Contain Mercury – Prohibition on Sale of Electric Switches,
Electric Relays, and Gas Valve Switches**

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

Affirmative – 33 Negative – 14 (See Roll Call No. 635)

The Bill was then sent to the House of Delegates.

Senate Bill 714 – Senator McFadden

AN ACT concerning

**Criminal Procedure – Indigent Individual – Bail Review and Indigency
Determination**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 636)

The Bill was then sent to the House of Delegates.

Senate Bill 794 – Senator Smith

AN ACT concerning

Legal Advice to Corporations – Clarification

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

Affirmative – 47 Negative – 0 (See Roll Call No. 637)

The Bill was then sent to the House of Delegates.

Senate Bill 941 – Senators Smith, Kelley, Lee, Muse, and Ramirez

AN ACT concerning

Public Safety – SWAT Teams – ~~Reporting and Limitations~~ Standards

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

Affirmative – 47 Negative – 0 (See Roll Call No. 638)

The Bill was then sent to the House of Delegates.

Senate Bill 944 – Senator Smith

AN ACT concerning

Criminal Law – Sexual Offenses – Classification

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

Affirmative – 47 Negative – 0 (See Roll Call No. 639)

The Bill was then sent to the House of Delegates.

Senate Bill 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**

Senator Ready moved to place **Senate Bill 1034** back on second reading for the purpose of adding amendments.

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

Affirmative – 15 Negative – 32 (See Roll Call No. 640)

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

Affirmative – 47 Negative – 0 (See Roll Call No. 641)

The Bill was then sent to the House of Delegates.

House Bill 92 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

**Video Lottery Terminals – Small, Minority, and Women-Owned Businesses
Account – Transfer of Authority**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 642)

The Bill was then returned to the House of Delegates.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 23**

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

Senate Bill 131 – Senators Simonaire and Astle

AN ACT concerning

Anne Arundel County – Board of Education – Selection of Members

SB0131/524833/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 131

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “board” insert “and ensure, to the extent practicable, that the total makeup of the county board reflects a certain diversity”.

AMENDMENT NO. 2

On page 6, after line 31, insert:

“(4) IN APPOINTING MEMBERS TO THE COUNTY BOARD, THE COMMISSION SHALL ENSURE, TO THE EXTENT PRACTICABLE, THAT THE TOTAL

MAKEUP OF THE COUNTY BOARD REFLECTS GENDER, ETHNIC, AND RACIAL DIVERSITY.”.

AMENDMENT NO. 3

On page 7, in line 1, strike “9” and substitute “11”; in line 16, after “(V)” strike the opening bracket; in the same line, strike “appointed] ONE MEMBER”; in line 17, strike “WHO” and substitute “EACH OF WHOM”; and in line 29, strike “and”.

On page 8, in line 7, after “Commerce” insert “;AND”

(X) ONE MEMBER DESIGNATED BY THE CHESAPEAKE REGIONAL ASSOCIATION OF STUDENT COUNCILS WHO IS A STUDENT ENROLLED IN THE ANNE ARUNDEL COUNTY PUBLIC SCHOOL SYSTEM”;

in line 18, after “(ii)” insert “1.”; after line 19, insert:

“2. THE TERM OF A MEMBER DESIGNATED BY THE CHESAPEAKE REGIONAL ASSOCIATION OF STUDENT COUNCILS UNDER PARAGRAPH (1)(X) OF THIS SUBSECTION IS 1 YEAR.”;

and in line 24, strike “SIX” and substitute “SEVEN”.

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 422 – Senators Pinsky, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Madaleno, Manno, Muse, Nathan–Pulliam, Ramirez, Robinson, Rosapepe, Smith, Young, and Zucker

AN ACT concerning

Keep Antibiotics Effective Act of 2017

SB0422/124736/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 422

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Nathan–Pulliam,”; in the same line, after “Pinsky,” insert “Nathan–Pulliam,”; in the same line, strike “and Zucker” and substitute “Zucker, and Astle”; in line 10, strike “owner” and substitute “veterinarian”; in line 12, after “manner” insert “, with a certain exception”; in line 17, strike “providing for the application of this Act;”; and in line 21, strike “3–1006” and substitute “3–1005”.

AMENDMENT NO. 2

On page 2, in line 8, strike “A BARN OR EQUIVALENT ANIMAL HOUSING UNIT” and substitute“:

(1) A GROUP OF ANIMALS IN CONTACT WITH EACH OTHER; OR

(2) A BARN OR EQUIVALENT ANIMAL HOUSING UNIT.

(C) “DOCUMENTED” MEANS ACKNOWLEDGED AND RECORDED”;

and in lines 9, 18, and 29, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “**(D)**”, “**(E)**”, and “**(F)**”, respectively.

On page 3, in line 8, strike “(F)” and substitute “**(G)**”.

AMENDMENT NO. 3

On page 3, strike lines 17 through 26, inclusive, and substitute “**3–1002.**”.

AMENDMENT NO. 4

On page 4, in line 6, after “**REGULATIONS;**” insert “**AND**”; strike in their entirety lines 7 and 8, inclusive; in line 9, strike “**(3)**” and substitute “**(2)**”; in line 12, after “**CONTROL;**” insert “**OR**”; in line 13, strike “; **OR**” and substitute a period; and in line 14, strike “**(IV) TO**” and substitute “**(B) AN OWNER OF CATTLE, SWINE, OR POULTRY MAY ADMINISTER OR AUTHORIZE AN AGENT TO ADMINISTER A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG TO THE CATTLE, SWINE, OR POULTRY WITH A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG PRESCRIPTION OR A VETERINARY**”.

FEED DIRECTIVE ISSUED BY A LICENSED VETERINARIAN WHO HAS DETERMINED THAT THE MEDICALLY IMPORTANT ANTIMICROBIAL DRUG IS NECESSARY TO.

AMENDMENT NO. 5

On page 4, in line 17, strike “(B)” and substitute “(C)”; in the same line, strike “A” and substitute “UNLESS A VETERINARIAN DETERMINES THAT THE MEDICALLY IMPORTANT ANTIMICROBIAL DRUG IS NECESSARY IN ACCORDANCE WITH SUBSECTION (A)(2) OF THIS SECTION, A”; in line 18, after “ADMINISTERED” insert “IN A ROUTINE OR REGULAR PATTERN”; in the same line, after “POULTRY” insert a period; strike beginning with “FOR” in line 18 down through “PREVENTION.” in line 21; in line 23, after “ADMINISTERED” insert “IN ACCORDANCE WITH THE LABEL AND”; and after line 26, insert:

“(D) A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY NOT BE ADMINISTERED TO CATTLE, SWINE, OR POULTRY FOR:

(1) GROWTH PROMOTION; OR

(2) FEED EFFICIENCY OR WEIGHT GAIN PURPOSES.”.

AMENDMENT NO. 6

On page 4, in line 27, strike “3-1004” and substitute “3-1003”; strike beginning with “ON” in line 28 down through “OWNER” in line 29, and substitute “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A VETERINARIAN”; and in line 29, after “DEPARTMENT” insert “ANNUALLY”.

On page 5, after line 6, insert:

“(B) THE REQUIREMENTS IN SUBSECTION (A) OF THIS SECTION DO NOT APPLY IN A PARTICULAR YEAR FOR A PARTICULAR SPECIES IF THE DEPARTMENT RECEIVES MARYLAND-SPECIFIC MEDICALLY IMPORTANT ANTIMICROBIAL DRUG USE DATA FOR NOT LESS THAN 90% OF THAT SPECIES IN THE STATE FROM A NATIONAL TRADE ORGANIZATION, ASSOCIATION, OR COUNCIL THAT COLLECTS MEDICALLY IMPORTANT ANTIMICROBIAL DRUG USE DATA FOR CATTLE, SWINE, OR POULTRY ANNUALLY IN THE UNITED STATES.”;

in lines 7 and 15, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; and in lines 19 and 22, strike “3-1005.” and “3-1006.”, respectively, and substitute “3-1004.” and “3-1005.”, respectively.

The preceding 6 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 with amendments:

Senate Bill 429 – Senators Klausmeier, Benson, Cassilly, Eckardt, Madaleno, Muse, Ready, Rosapepe, Salling, Smith, and Young

AN ACT concerning

Higher Education – Student Loan Notification Letter

SB0429/404133/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 429

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the comma in line 5 down through “and” in line 8 and substitute “; providing that certain information may be included in a certain notice; providing that certain information”; in line 8, after “include” insert “a”; in the same line, strike “statements” and substitute “statement”; in line 9, after “liability” insert “, under certain circumstances”; and in line 10, after “term;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 1, in line 21, after “(A)” insert “(1)”; strike beginning with “OR” in line 21 down through “PROGRAM” in line 22 and substitute “ADMINISTERED BY THE U.S. DEPARTMENT OF EDUCATION”; after line 23, insert:

“(2) “EDUCATION LOAN” DOES NOT INCLUDE A PARENT PLUS LOAN OR A PRIVATE STUDENT LOAN.”.

On page 2, in line 4, strike “FOR A STUDENT ENROLLED IN THE INSTITUTION” and substitute “FROM THE U.S. DEPARTMENT OF EDUCATION”; strike beginning with “THE” in line 5 down through “AND” in line 16 and substitute “EACH UNDERGRADUATE STUDENT ENROLLED IN THE INSTITUTION WHO APPLIES FOR FEDERAL STUDENT AID IN THE APPLICABLE AWARD YEAR:”

(1) THE INFORMATION REPORTED ON THE STUDENT’S STUDENT AID REPORT ISSUED BY THE U.S. DEPARTMENT OF EDUCATION FROM THE MOST RECENT AWARD YEAR, INCLUDING:

(I) THE TOTAL AMOUNT OF OUTSTANDING LOANS; AND

(II) THE MONTHLY PAYMENT AMOUNT FOR A 10-YEAR PERIOD FOR EVERY \$1,000 OWED BY THE BORROWER;

(2) THE LIFETIME LOAN LIMIT FOR UNDERGRADUATE STUDENT BORROWERS;

(3) A STATEMENT THAT THE ACTUAL REPAYMENT AMOUNT IS DEPENDENT ON THE FOLLOWING FACTORS:

(I) THE TOTAL AMOUNT A STUDENT BORROWS;

(II) THE INTEREST RATE AT THE TIME THE FUNDS ARE BORROWED AND THE AMOUNT OF INTEREST THAT ACCRUES OVER THE COURSE OF THE LOAN;

(III) THE LENGTH OF THE REPAYMENT TERM OF THE LOAN; AND

(IV) THE DECISIONS A STUDENT MAKES RELATING TO:

1. INCOME-BASED REPAYMENT PLANS;

2. DEFERMENTS; AND

3. LOAN FORGIVENESS;

(4) A LINK TO THE NATIONAL STUDENT LOAN DATA SYSTEM FOR STUDENTS WEB SITE AND AN INCOME-DRIVEN REPAYMENT PLAN WEB SITE; AND;

in line 17, strike “(4)” and substitute “(5)”; strike beginning with the comma in line 21 down through “AND” in line 30 and substitute “**ON RECEIPT OF A STUDENT’S FREE APPLICATION FOR FEDERAL STUDENT AID.**”

(2) THE INFORMATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION MAY BE INCLUDED WITH THE STUDENT’S FINANCIAL AID AWARD NOTICE.

(E) THE INFORMATION PROVIDED UNDER THIS SECTION MAY INCLUDE THE FOLLOWING STATEMENT:

“THE INFORMATION PROVIDED BY THE INSTITUTION OF HIGHER EDUCATION WAS OBTAINED FROM YOUR STUDENT AID REPORT ISSUED BY THE U.S. DEPARTMENT OF EDUCATION FOR THE MOST RECENT AWARD YEAR. IT IS BASED ON ASSUMPTIONS MADE BY THE U.S. DEPARTMENT OF EDUCATION AS REPORTED IN YOUR STUDENT AID REPORT AND IS”;

and in line 31, after “PROMISE.” insert “**THIS INFORMATION DOES NOT INCLUDE PARENT PLUS LOANS OR PRIVATE STUDENT LOANS.**”.

On page 3, in line 1, strike “AN” and substitute “**IF AN INSTITUTION OF HIGHER EDUCATION INCLUDES THE STATEMENT UNDER SUBSECTION (E) OF THIS SECTION WITH THE INFORMATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE**”; in line 2, after “ANY” insert “**INACCURATE**”; in the same line, after “SECTION” insert “**IF THE REPRESENTATIONS WERE:**

(1) MADE BASED ON INCORRECT INFORMATION PROVIDED BY THE U.S. DEPARTMENT OF EDUCATION; AND

(2) REASONABLY RELIED ON IN GOOD FAITH BY THE INSTITUTION OF HIGHER EDUCATION”;

and in line 4, strike “2017” and substitute “**2018**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 817 – Cecil County Senators

AN ACT concerning

Public Safety – Agritourism – Permit Exemption

SB0817/514533/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 817

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 6, in each instance, after “County” insert “and Garrett County”.

AMENDMENT NO. 2

On page 1, in line 22, after the second comma insert “GARRETT COUNTY,”.

On page 2, in line 11, after “**COUNTY**” insert “AND GARRETT COUNTY”; in line 13, after “**IF**” insert“:

(1)”;

and in line 14, after “**TIME**” insert “;**AND**

(2) THE TOTAL WIDTH OF MEANS OF EGRESS MEETS OR EXCEEDS THE INTERNATIONAL BUILDING CODE STANDARD OF 0.2 INCHES OF EGRESS WIDTH PER OCCUPANT”.

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 866 – Senator Klausmeier

AN ACT concerning

Adult High School Pilot Program

SB0866/284631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 866

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Klausmeier” and substitute “Senators Klausmeier and Ferguson”.

On page 4, in line 10, after “AREA” insert “LOCATED WITHIN A COUNTY”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 12

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

Senate Bill 304 – The President (By Request – Administration)

AN ACT concerning

Taxpayer Protection Act

SB0304/299335/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 304

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, after “offenses;” insert “providing for the application of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 9, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That § 5–106(l) of the Courts and Judicial Proceedings Article as enacted by Section 1 of 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 offense arising before the effective date of this Act.”;

and in line 10, 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.

SPECIAL ORDERS

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.

FLOOR AMENDMENT

SB0476/843621/2

BY: Senator Guzzone

AMENDMENTS TO SENATE BILL 476, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with “requiring,” in line 3 down through “budget;” in line 6; in line 6, strike “a”; in the same line, strike “year,” and substitute “years”; in line 7, strike “and for each fiscal year thereafter;” in the same line, after “include” insert “certain”; in the same line, strike “adjustments” and substitute “increases”; in line 8, strike “based on” and substitute “over”; strike beginning with “requiring” in line 9 down through “period;” in line 10 and substitute “requiring the Behavioral Health Administration and the Medical Care Programs Administration jointly to conduct a certain study, develop and implement a certain payment system, and consult with stakeholders in conducting a certain study and developing a certain payment system; requiring the Administration to complete a certain study on or before a certain date; requiring the”.

Administration to adopt certain regulations;"; in lines 12 and 13, strike "of reimbursement"; and in line 19, strike "rate of reimbursement" and substitute "rates".

In the Finance Committee Amendments (SB0476/437871/1), in line 3 of Amendment No. 1, after "Act" insert "under certain circumstances".

AMENDMENT NO. 2

On page 2 of the bill, strike in their entirety lines 12 through 14, inclusive; in line 15, strike "**(4)**" and substitute "**(3)**"; strike beginning with "**(1)**" in line 22 down through "**YEAR.**" in line 26; in line 27, strike "**(2)**" and substitute "**(1)**"; in the same line, strike "**(I)**"; in line 28, after "**2019**" insert "**AND FISCAL YEAR 2020**"; in the same line, strike "**, AND FOR EACH FISCAL YEAR THEREAFTER,**"; strike beginning with "**RATE**" in line 28 down through "**ON**" in line 29 and substitute "**A 3.5% RATE INCREASE FOR COMMUNITY PROVIDERS OVER**"; and in line 32, strike "**1.**" and substitute "**(I)**".

On page 3 of the bill, in lines 1 and 3, strike "**2.**" and "**3.**", respectively, and substitute "**(II)**" and "**(III)**", respectively; after line 5, insert:

"(2) THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2021, AND FOR EACH FISCAL YEAR THEREAFTER UNTIL THE PAYMENT SYSTEM REQUIRED UNDER SUBSECTION (D) OF THIS SECTION HAS BEEN IMPLEMENTED, SHALL INCLUDE A 3% RATE INCREASE FOR COMMUNITY PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR FOR EACH OF THE FOLLOWING:

(I) OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00Q01.10 MEDICAID BEHAVIORAL HEALTH PROVIDER REIMBURSEMENT – MEDICAL CARE PROGRAMS ADMINISTRATION;

(II) OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00L01.02 COMMUNITY SERVICES – BEHAVIORAL HEALTH ADMINISTRATION; AND

(III) OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00L01.03 COMMUNITY SERVICES FOR MEDICAID STATE FUND RECIPIENTS – BEHAVIORAL HEALTH ADMINISTRATION."

strike in their entirety lines 6 through 10, inclusive; after line 14, insert:

“(D) (1) THE BEHAVIORAL HEALTH ADMINISTRATION AND THE MEDICAL CARE PROGRAMS ADMINISTRATION JOINTLY SHALL:

(I) CONDUCT AN INDEPENDENT COST-DRIVEN, RATE-SETTING STUDY TO SET COMMUNITY PROVIDER RATES FOR COMMUNITY-BASED BEHAVIORAL HEALTH SERVICES THAT INCLUDES A RATE ANALYSIS AND AN IMPACT STUDY THAT CONSIDERS THE ACTUAL COST OF PROVIDING COMMUNITY-BASED BEHAVIORAL HEALTH SERVICES;

(II) DEVELOP AND IMPLEMENT A PAYMENT SYSTEM INCORPORATING THE FINDINGS OF THE RATE-SETTING STUDY CONDUCTED UNDER ITEM (I) OF THIS PARAGRAPH, INCLUDING PROJECTED COSTS OF IMPLEMENTATION AND RECOMMENDATIONS TO ADDRESS ANY POTENTIAL SHORTFALL IN FUNDING; AND

(III) CONSULT WITH STAKEHOLDERS, INCLUDING COMMUNITY PROVIDERS AND INDIVIDUALS RECEIVING SERVICES, IN CONDUCTING THE RATE-SETTING STUDY AND DEVELOPING THE PAYMENT SYSTEM REQUIRED BY THIS PARAGRAPH.

(2) THE ADMINISTRATION, ON OR BEFORE SEPTEMBER 30, 2019, SHALL COMPLETE THE STUDY REQUIRED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.

(3) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO IMPLEMENT THE PAYMENT SYSTEM REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION.”;

in lines 15 and 24, strike “(D)” and “(E)”, respectively, and substitute “(E)” and “(F)”, respectively; in line 21, strike “OF REIMBURSEMENT”; in line 23, strike “SUBSECTION (C)(2)(II) OF”; in line 28, strike “REIMBURSEMENT”; and in the same line, strike “ADJUSTMENT” and substitute “ADJUSTMENTS AND THE PAYMENT SYSTEM”.

In the Finance Committee Amendments, strike Amendment No. 2 in its entirety.

On page 4 of the bill, after line 6, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of Health and Mental Hygiene shall notify the Department of Legislative Services within 5 days after the payment system required under § 16–201.3(d) of the Health – General Article, as enacted by Section 1 of this Act, has been implemented.

(b) If the notice required under subsection (a) of this section is not received by the Department of Legislative Services on or before June 30, 2023, this Act shall be null and void without the necessity of further action by the General Assembly.”;

and in line 7, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0476/943123/1

BY: Senator Guzzone

AMENDMENTS TO SENATE BILL 476
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “Act;” insert “requiring that increased funding provided under certain provisions of this Act may be used only to increase the rates paid to certain community providers and certain health care providers;”; and in line 19, after “Department;” insert “requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; stating the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, after line 21, insert:

“(C) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT A SUBSTANTIAL PORTION OF THE RATE ADJUSTMENT PROVIDED UNDER SUBSECTION (D) OF THIS SECTION BE USED TO:

(1) COMPENSATE DIRECT CARE STAFF AND LICENSED CLINICIANS EMPLOYED BY COMMUNITY PROVIDERS; AND

(2) IMPROVE THE QUALITY OF PROGRAMMING PROVIDED BY COMMUNITY PROVIDERS.”;

and in line 22, strike “(C)” and substitute “(D)”.

On page 3, in line 15, strike “(D)” and substitute “(E)”; in line 23, strike “(C)(2)(II)” and substitute “(D)(2)(II)”; after line 23, insert:

“(F) INCREASED FUNDING PROVIDED UNDER SUBSECTION (D) OF THIS SECTION MAY BE USED ONLY TO INCREASE THE RATES PAID TO:

(1) COMMUNITY PROVIDERS ACCREDITED BY A STATE-APPROVED ACCREDITING BODY AND LICENSED BY THE STATE; AND

(2) HEALTH CARE PROVIDERS WHO ARE ACTING WITHIN THE SCOPES OF PRACTICE OF THE HEALTH CARE PROVIDERS’ LICENSES OR CERTIFICATES AS SPECIFIED UNDER THE HEALTH OCCUPATIONS ARTICLE.”;

and in line 24, strike “(E)” and substitute “(G)”.

On page 4, after line 6, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2019, the Department of Health and Mental Hygiene shall submit a report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly that:

(1) details outcome measures that reasonably can be collected for each treatment modality offered by community providers for which the rate of reimbursement would be adjusted under § 16–201.3 of the Health – General Article, as enacted by Section 1 of this Act; and

(2) includes recommendations regarding how reimbursement rates can be tied to outcomes, such as:

(i) differential payment for implementation of, and adherence to, evidence-based and promising practices;

(ii) differential payment based on outcomes;

(iii) payments made to align incentives with the goals of the State's all-payer model contract; and

(iv) any other financial payment system linking reimbursement to outcomes.”;

and in line 7, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 971 – Senator Kagan

AN ACT concerning

Procurement – Nondiscrimination Clauses and State Policy Prohibiting Discrimination

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

Senator Rosapepe moved to make the Bill and Amendments a Special Order for March 17, 2017.

The motion was adopted.

INTRODUCTION OF BILLS

Senator Klausmeier 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 1194 – Senator Klausmeier

AN ACT concerning

Public Health – Substance Abuse Treatment Outcome Partnership Fund

FOR the purpose of altering the definition of “eligible functions” to allow funds from the Substance Abuse Treatment Outcome Partnership Fund to be used for recovery and post–recovery support systems; altering the definition of “eligible population” to allow funds from the Fund to be used for services provided to individuals in recovery; requiring, beginning in a certain fiscal year, the Governor to annually include a certain appropriation in the State budget; repealing a certain provision of law rendered obsolete by a certain provision of this Act; and generally relating to the Substance Abuse Treatment Outcome Partnership Fund.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–6C–01 and 8–6C–02
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 643)

ADJOURNMENT

At 1:40 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Friday, March 17, 2017.

**Annapolis, Maryland
Friday, March 17, 2017
10:00 A.M. Session**

The Senate met at 10:06 A.M.

Prayer by Pastor Vic Harner, Perry Hall United Methodist 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. 645)

The Journal of March 16, 2017 was read and approved.

FINANCE COMMITTEE REPORT NO. 23

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

Senate Bill 178 – Senators Peters, Astle, and Middleton

AN ACT concerning

**Horse Racing – Bowie Race Course Training Center – State Purchase or
Condemnation**

SB0178/177575/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 178
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Middleton” and substitute “Middleton, Benson, Feldman, Hershey, Jennings, Klausmeier, Oaks, Reilly, and Rosapepe”; strike

beginning with “Bowie” in line 2 down through “Condemnation” in line 3 and substitute “Racetrack Facility Renewal Account – Eligibility and Capital Expenditures”; strike beginning with “authorizing” in line 4 down through “procedure” in line 9 and substitute “altering certain conditions of eligibility for funding from the Racetrack Facility Renewal Account by specifying certain minimum amounts to be spent on capital maintenance and expenditures by certain race tracks; authorizing certain funding for the Bowie Race Course Training Center from the Account under certain conditions; authorizing the Maryland Racing Commission to consider certain expenditures made by the owner of the Bowie Race Course Training Center as part of a certain matching fund requirement for funds from the Account”; strike beginning with the first “the” in line 10 down through “Center” in line 11 and substitute “horse racing and the Racetrack Facility Renewal Account”; strike in their entirety lines 17 through 21, inclusive; and after line 21, insert:

“BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–09(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–09(b) and 9–1A–29(d)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Government

Section 9–1A–09(f)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 14 on page 3, inclusive.

On page 3, after line 14, insert:

“Article – State Government

9-1A-09.

(a) In this section, “racing licensee” means the holder of a license issued by the State Racing Commission to hold a race meeting in the State under Title 11 of the Business Regulation Article.

(b) As a condition of eligibility for funding under § 9-1A-29 of this subtitle, a racing licensee shall:

(1) (i) for Laurel Park and Pimlico Race Course, conduct a minimum of 220 annual live racing days combined between Laurel Park and Pimlico Race Course unless otherwise agreed to by the racing licensee and the organization that represents the majority of licensed thoroughbred owners and trainers in the State or unless the racing licensee is prevented by weather, acts of God, or other circumstances beyond the racing licensee’s control;

(ii) for Rosecroft Raceway, conduct a minimum of 90 annual live racing days unless otherwise agreed to by the racing licensee and the organization that represents the majority of licensed standardbred owners and trainers in the State or unless the racing licensee is prevented by weather, acts of God, or other circumstances beyond the racing licensee’s control; and

(iii) for Ocean Downs Racetrack, conduct a minimum of 40 annual live racing days unless otherwise agreed to by the racing licensee and the organization that represents the majority of licensed standardbred owners and trainers in the State or unless the racing licensee is prevented by weather, acts of God, or other circumstances beyond the racing licensee’s control;

(2) if the racing licensee holds the racing license for Pimlico Race Course, retain in the State of Maryland the name, common law and statutory copyrights, service marks, trademarks, trade names, and horse racing events that are associated with the Preakness Stakes and the Woodlawn Vase;

(3) if the racing licensee holds the racing license for the Pimlico Race Course, promote and conduct the Preakness Stakes each year at:

(i) the Pimlico Race Course; or

(ii) if the Pimlico Race Course no longer exists, the Preakness Stakes Race is prevented from being conducted at the Pimlico Race Course, or the State Racing Commission, under § 11-513 of the Business Regulation Article, deems an emergency exists, another track located in the State that is approved by the State Racing Commission;

(4) if the racing licensee holds the racing license for Laurel Park, permit the event known as the Maryland Million to be run annually at Laurel Park unless:

(i) the racing licensee is prevented from doing so by weather, acts of God, or other circumstances beyond the control of the racing licensee; or

(ii) the racing licensee and the Maryland Million LLC agree to another location that is approved by the State Racing Commission;

(5) develop and submit to the State Racing Commission a multiyear plan to improve the quality and marketing of horse racing at racetrack locations owned or operated by the racing licensee in Maryland, which shall include:

(i) goals, indicators, and timelines for specific actions that will be taken by the racing licensee to improve the quality and marketing of the horse racing industry in Maryland; and

(ii) a master plan for capital improvements that reflects, at a minimum:

1. commitments that have been made to the State Racing Commission; and

2. an ongoing investment in capital maintenance and improvements in the horse racing facilities [of at least \$1,500,000 annually, which may include amounts provided as a matching fund as required under § 9–1A–29(e)(2) of this subtitle]; [and]

(6) develop with other racing industry representatives a multiyear plan to improve the quality and marketing of the horse racing industry in Maryland, which shall include goals, indicators, and timelines for specific actions that will be taken by the thoroughbred and harness racing industries to improve the quality and marketing of the horse racing industry in Maryland, including joint marketing efforts; AND

(7) FOR EACH YEAR THAT FUNDING IS REQUESTED, SPEND AT LEAST THE FOLLOWING MINIMUM AMOUNTS FOR CAPITAL MAINTENANCE AND IMPROVEMENTS, WHICH MAY INCLUDE AMOUNTS PROVIDED AS A MATCHING FUND AS REQUIRED UNDER § 9–1A–29(E)(2) OF THIS SUBTITLE:

(I) FOR LAUREL PARK AND PIMLICO RACE COURSE, A COMBINED TOTAL OF \$1,500,000;

(II) FOR ROSECROFT RACEWAY, \$300,000; AND

(III) FOR OCEAN DOWNS RACETRACK, \$300,000.

(F) AS A CONDITION OF ELIGIBILITY FOR FUNDING UNDER § 9-1A-29 OF THIS SUBTITLE, THE BOWIE RACE COURSE TRAINING CENTER SHALL SUBMIT A CAPITAL IMPROVEMENT REQUEST TO THE STATE RACING COMMISSION FOR APPROVAL.

9-1A-29.

(d) The amount of funds made available from the Racetrack Facility Renewal Account shall be allocated as follows:

(1) 80% to the Pimlico Race Course, Laurel Park, **THE BOWIE RACE COURSE TRAINING CENTER**, and the racecourse at Timonium; and

(2) 20% to Rosecroft Raceway and Ocean Downs Race Course.”;

after line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the State Racing Commission may consider, as part or all of the required matching funds for a project to be approved at the Bowie Race Course Training Center under § 9-1A-29(e)(2) of the State Government Article, capital expenditures made by the owner of the Center prior to the effective date of this Act.”;

in line 15, strike “2.” and substitute “3.”; and in line 16, strike “October” and substitute “July”.

The preceding 2 amendments were read only.

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

The motion was adopted.

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

Senate Bill 426 – Senator Klausmeier

AN ACT concerning

Workers’ Compensation – Permanent Total Disability – Survival of Claim

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 867 – Senators Klausmeier, Benson, Middleton, and Robinson

AN ACT concerning

**Workers' Compensation – Failure to Report Accident or Action to Deter or
Dissuade From Filing a Claim – Penalties**

SB0867/637571/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 867

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Accident” in line 2 down through “Penalties” in line 3 and substitute “Accidental Personal Injury – Penalty”; in line 4, after “altering” insert “a certain violation relating to an employer failing to report an accidental personal injury within a certain time required under the workers’ compensation law to require the violation to be a knowing violation; increasing”; in the same line, strike “penalties” and substitute “penalty”; strike beginning with “who” in line 4 down through “law” in line 6 and substitute “for a certain violation”; and strike beginning with “providing” in line 6 down through “term;” in line 10.

AMENDMENT NO. 2

On page 1, strike beginning with “(A)” in line 20 down through “(1)” in line 22; and in line 22, after “who” insert “KNOWINGLY”.

On pages 1 and 2, strike beginning with “OR” in line 23 on page 1 down through “TITLE” in line 1 on page 2.

On page 2, in line 2, strike “**OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH**”; and strike in their entirety lines 3 through 8, 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 884 – Senators Rosapepe, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, Zirkin, and Zucker

AN ACT concerning

Maryland Financial Consumer Protection Commission

SB0884/777074/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 884

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Mathias, and Oaks”; in line 8, strike “hold public meetings across the State and”; in line 11, strike “a”; and in line 12, strike “date” and substitute “dates”.

AMENDMENT NO. 2

On page 2, in line 32, strike “Secretary of Labor, Licensing, and Regulation, or the Secretary’s” and substitute “Commissioner of Financial Regulation, or the Commissioner’s”; and in line 34, strike “and”.

On page 3, in line 1, strike “of the public,”; in line 2, after “House” insert “, as follows:”

(i) one member of the public;

(ii) one representative of a consumer advocacy organization with general knowledge about financial banking and lending services;

(iii) one representative of a financial institution operating in the State;

(iv) one member with knowledge about the structure of the federal financial regulatory system, including the units of the federal government with regulatory oversight over the financial banking and lending industry; and

(v) one member with knowledge about:

1. federal laws and regulations that impact the financial banking and lending industry; and

2. financial products and practices that impact consumers;
and

(6) two members, appointed by the Governor, as follows:

(i) one member of the public; and

(ii) one member with general knowledge about financial banking and lending services in the State”.

and strike beginning with the colon in line 25 down through “(2)” in line 27.

On page 4, in line 1, after “2017,” insert “and on or before December 31, 2018,”; in line 5, strike “1 year” and substitute “2 years”; and in line 6, strike “2018” and substitute “2019”.

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 924 – Senator Serafini

AN ACT concerning

**Commissioner of Financial Regulation and State Collection Agency Licensing
Board – Surety Bond Requirements for Licensees and Registrants**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 24

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

Senate Bill 290 – Senator Middleton

AN ACT concerning

Maryland Automobile Insurance Fund – Motor Vehicle Liability Insurance Policies – Eligibility and Producer Charge

SB0290/877273/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 290

(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, Reilly, Rosapepe, and Oaks”; in line 2, strike “Maryland Automobile Insurance Fund –”; in line 3, strike “Eligibility and Producer Charge” and substitute “Placement and Reinstatement”; strike beginning with “authorizing” in line 4 down through “policy” in line 9 and substitute “authorizing a certain motor vehicle insurer and the Maryland Automobile Insurance Fund to reinstate a certain private passenger motor vehicle liability insurance policy in a certain manner under certain circumstances; requiring a policyholder to provide to a certain insurer and the Fund a certain certification in a certain form and manner and at a certain time; requiring a certain reinstatement to be implemented in accordance with certain guidelines; providing that a certain reinstatement is subject to certain provisions of law; providing that a premium finance company is not required to reinstate a policy under certain circumstances”; in line 11, after “Fund;” insert “providing that a certain provision of law does not prohibit a certain insurer or the Fund from charging and collecting a certain fee for a certain reinstatement of a private passenger motor vehicle liability insurance policy; providing that a certain provision of law does not prohibit a licensed insurance”

producer or a fund producer from charging and collecting a certain fee for a certain reinstatement of a private passenger motor vehicle liability insurance policy; requiring the Maryland Insurance Commissioner to review certain expenses; authorizing the Commissioner to approve certain reinstatement fees;; in line 12, strike “Fund and” and substitute “placement and reinstatement of”; in line 15, strike “20–502(a) and (b) and”; in line 20, strike “20–502(d) and”; in the same line, after “27–216(b)(1)” insert “and 27–501(a)”; and after line 12, insert:

“BY adding to

Article – Insurance

Section 19–519, 23–311, and 27–216(b)(4)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 26 on page 1 through line 12 on page 3, inclusive, and substitute:

“19–519.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN AUTHORIZED MOTOR VEHICLE INSURER AND THE MARYLAND AUTOMOBILE INSURANCE FUND MAY REINSTATE, WITHOUT A LAPSE IN COVERAGE, A PRIVATE PASSENGER MOTOR VEHICLE LIABILITY INSURANCE POLICY THAT WAS CANCELED BY THE INSURER OR THE FUND FOR NONPAYMENT OF PREMIUM ON PAYMENT BY THE POLICYHOLDER OF:

(1) ALL EARNED PREMIUMS OWED TO THE INSURER OR THE FUND;
AND

(2) ANY REASONABLE FEE APPROVED BY THE COMMISSIONER UNDER § 27–216(B)(4) OF THIS ARTICLE.

(B) BEFORE AN AUTHORIZED MOTOR VEHICLE INSURER OR THE MARYLAND AUTOMOBILE INSURANCE FUND REINSTATES A POLICY UNDER THIS SECTION, THE POLICYHOLDER SHALL PROVIDE TO THE INSURER OR THE FUND A WRITTEN CERTIFICATION, IN THE FORM AND MANNER SPECIFIED BY THE INSURER OR THE FUND, THAT NO LOSSES WERE INCURRED BY THE POLICYHOLDER FROM THE TIME

AND DATE THE POLICY WAS CANCELED THROUGH THE TIME AND DATE THE POLICY IS REINSTATED.

(C) A REINSTATEMENT OF A POLICY BY AN AUTHORIZED MOTOR VEHICLE INSURER OR THE MARYLAND AUTOMOBILE INSURANCE FUND UNDER THIS SECTION:

(1) SHALL BE IMPLEMENTED IN ACCORDANCE WITH WRITTEN UNDERWRITING GUIDELINES ADOPTED BY THE INSURER OR THE FUND; AND

(2) IS SUBJECT TO THE REQUIREMENTS OF § 27-501(A) OF THIS ARTICLE IN THE SAME MANNER AS A CANCELLATION, A REFUSAL TO UNDERWRITE, OR A REFUSAL TO RENEW A RISK OR CLASS OF RISK.

23-311.

A PREMIUM FINANCE COMPANY IS NOT REQUIRED TO REINSTATE A POLICY IF:

(1) THE INSURER REQUIRES A REINSTATEMENT FEE, AS AUTHORIZED UNDER § 27-216(B)(4) OF THIS ARTICLE, TO BE PAID BY THE INSURED; AND

(2) THE INSURED DOES NOT TIMELY PAY THE REINSTATEMENT FEE.”;

and after line 28, insert:

“(4) (I) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT PROHIBIT AN AUTHORIZED MOTOR VEHICLE INSURER OR THE MARYLAND AUTOMOBILE INSURANCE FUND FROM CHARGING AND COLLECTING A REASONABLE FEE APPROVED BY THE COMMISSIONER UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH FOR THE REINSTATEMENT OF A PRIVATE PASSENGER MOTOR VEHICLE LIABILITY INSURANCE POLICY IN ACCORDANCE WITH § 19-519 OF THIS ARTICLE.

(II) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT PROHIBIT A LICENSED INSURANCE PRODUCER OR A FUND PRODUCER FROM CHARGING AND COLLECTING A REASONABLE FEE APPROVED BY THE COMMISSIONER UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH FOR THE REINSTATEMENT OF A PRIVATE

PASSENGER MOTOR VEHICLE LIABILITY INSURANCE POLICY IN ACCORDANCE WITH
§ 19-519 OF THIS ARTICLE.

(III) THE COMMISSIONER:

1. SHALL REVIEW THE ADMINISTRATIVE EXPENSES
SUBMITTED BY AN AUTHORIZED MOTOR VEHICLE INSURER OR THE MARYLAND
AUTOMOBILE INSURANCE FUND THAT ARE ASSOCIATED WITH REINSTATEMENTS
UNDER § 19-519 OF THIS ARTICLE; AND

2. MAY APPROVE A REINSTATEMENT FEE NOT TO
EXCEED:

A. \$10 TO BE CHARGED AND COLLECTED BY THE
INSURER OR THE FUND; AND

B. \$15 TO BE CHARGED AND COLLECTED BY THE
INSURANCE PRODUCER OR THE FUND PRODUCER.

27-501.

(a) (1) An insurer or insurance producer may not cancel or refuse to
underwrite or renew a particular insurance risk or class of risk for a reason based wholly
or partly on race, color, creed, sex, or blindness of an applicant or policyholder or for any
arbitrary, capricious, or unfairly discriminatory reason.

(2) Except as provided in this section, an insurer or insurance producer
may not cancel or refuse to underwrite or renew a particular insurance risk or class of risk
except by the application of standards that are reasonably related to the insurer's economic
and business 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:

Senate Bill 355 – Senators Serafini and Astle

AN ACT concerning

Gas Companies – Rate Regulation – Environmental Remediation Costs

Senator Madaleno moved to make the Bill and Report a Special Order for March 20, 2017.

The motion was adopted.

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

Senate Bill 666 – Senators Hough, Zucker, and Smith

AN ACT concerning

**Disclosure of Medical Records – Guardian Ad Litem – Victims of Crime or
Delinquent Acts**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 858 – Senator Smith

AN ACT concerning

Commercial Law – Maryland Antitrust Act – Indirect Purchasers

SB0858/457570/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 858

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Smith” and substitute “Senators Smith, 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 910 – Senator Middleton

AN ACT concerning

Maryland Automobile Insurance Fund – Operations

SB0910/797376/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 910

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “an exception for” and substitute “a provision of law subjecting”; in line 4, strike “from certain provisions of law governing” and substitute “to”; in line 14, after the second “that” insert “has had a motor vehicle liability insurance policy but”; strike beginning with “authorizing” in line 16 down through “amount” in line 21 and substitute “requiring the Maryland Insurance Commissioner to require the Fund to file certain reports with the Commissioner on or before certain dates; requiring the Commissioner to review the Fund’s reports and make certain determinations; requiring the Commissioner to report the Commissioner’s findings to certain committees of the General Assembly on or before certain dates; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act”; and in line 26, strike “20–514, and 20–516” and substitute “and 20–514”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

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

Article – Insurance”.

On page 4, in line 28, after “(III)” insert “HAS HAD A MOTOR VEHICLE LIABILITY INSURANCE POLICY BUT”; in the same line, strike “6” and substitute “12”; and in line 30, after “POLICY” insert “, AS VERIFIED BY A COMMERCIAL THIRD-PARTY DATABASE OR A STATE AGENCY”.

On pages 7 and 8, strike in their entirety the lines beginning with line 3 on page 7 through line 5 on page 8, inclusive.

On page 8, after line 5, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Insurance Commissioner shall:

(1) require the Maryland Automobile Insurance Fund to file a premium tax exemption report with the Commissioner on or before October 1, 2019, October 1, 2020, and October 1, 2021, that specifies, since the premium tax exemption provided for in § 6–101 of the Insurance Article, as enacted by Section 1 of this Act, became effective:

(i) the amount of the premium tax subject to the exemption;

(ii) the year-over-year change in the Fund’s surplus;

(iii) the increase or decrease in the Fund’s overall premium rate structure;

(iv) the impact of the premium tax exemption on the Fund’s surplus;
and

(v) the surplus to assessment threshold ratio;

(2) review the Fund’s premium tax exemption reports and determine whether, since the premium tax exemption provided for in § 6–101 of the Insurance Article, as enacted, by Section 1 of this Act, became effective:

(i) the Fund’s surplus has increased or decreased;

(ii) any additions to the Fund’s surplus due to the premium tax exemption has allowed the surplus to become excessive;

(iii) the Fund has decreased its overall premium rate structure; and

(iv) the Fund's premium rates have been subsidized by the premium tax exemption; and

(3) report the findings to the Senate Finance Committee and the House Economic Matters Committee on or before December 1, 2019, December 1, 2020, and December 1, 2021.

SECTION 4. AND BE IT FURTHER ENACTED, That Sections 1 and 3 of this Act shall take effect January 1, 2018. Sections 1 and 3 of this Act shall remain effective for a period of 4 years and 6 months and, at the end of June 30, 2022, with no further action required by the General Assembly, Sections 1 and 3 of this Act shall be abrogated and of no further force and effect.”.

On page 8, in line 6, strike “2.” and substitute “5.”; in the same line, after “That” insert “, except as provided in Section 4 of this Act.”; and in line 7, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 925 – Senators Madaleno, King, and Manno

AN ACT concerning

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

SB0925/487072/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 925

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Manno” and substitute “Manno, 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:

Senate Bill 1075 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Nonprofit Health Entity – Acquisition – Waiver of Waiting Period

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 25

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

Senate Bill 571 – Senators Middleton, Rosapepe, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, Zirkin, and Zucker

AN ACT concerning

Maryland Health Insurance Coverage Protection Act

SB0571/177871/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 571

(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 “chair” and substitute “cochairs”; in line 7, strike “study” and substitute “monitor and assess the impact of certain changes to certain laws and programs”; in the same line, after “matters;” insert “requiring the duties of the Commission to include a certain study;”; in line 8, after “purpose;” insert “authorizing the Commission to convene certain workgroups;”; and in line 10, after “date” insert “each year”.

On page 2, in line 9, strike “would” and substitute “could”; and in line 11, strike “hundreds of”.

AMENDMENT NO. 2

On page 2, in line 30, after “Hygiene” insert “, or the Secretary’s designee”; in line 31, after “Commissioner” insert “, or the Commissioner’s designee”; in the same line, strike “and”; and after line 31, insert:

“(5) the Attorney General, or the Attorney General’s designee; and”.

On page 3, in line 1, strike “(5)” and substitute “(6)”; in the same line, strike “five” and substitute “the following”; strike beginning with the first “of” in line 1 down through “House” in line 2 and substitute “:

(i) one representative of a hospital, appointed jointly by the President of the Senate and the Speaker of the House;

(ii) one representative of a managed care organization, appointed jointly by the President of the Senate and the Speaker of the House;

(iii) one consumer of health care services, appointed jointly by the President of the Senate and the Speaker of the House;

(iv) one representative of a health insurance carrier, appointed by the Governor;

(v) one representative who is an employer, appointed by the Governor;

(vi) one representative of the nursing home industry, appointed by the Governor; and

(vii) two members of the public:

1. one of whom shall be appointed jointly by the President of the Senate and the Speaker of the House; and

2. one of whom shall be appointed by the Governor”.

AMENDMENT NO. 3

On page 3, in line 3, strike “chair of the Commission shall be designated jointly by the”; in line 4, after “House” insert “of Delegates shall designate a member who is a Senator and a member who is a Delegate, respectively, to serve as cochairs of the Commission”; and in line 5, after “Services” insert “, the Department of Health and Mental Hygiene, and the Maryland Insurance Administration jointly”.

AMENDMENT NO. 4

On page 3, after line 11, insert:

“(i) monitor potential and actual federal changes to the ACA, Medicaid, the Maryland Children’s Health Program, and Medicare;”;

in lines 12 and 14, strike “(i)” and “(ii)”, respectively, and substitute “(ii)” and “(iii)”, respectively; in line 12, strike “conduct a study to”; in the same line, after “potential” insert “and actual”; in lines 13, 20, 22, 25, and 30, in each instance, after “Medicaid,” insert “the Maryland Children’s Health Program,”; in line 16, strike “study conducted” and substitute “duties of the Commission”; and in line 17, after “include” insert “a study that includes”.

AMENDMENT NO. 5

On page 4, in line 1, after “may” insert “:

(1)”;

and strike beginning with “conduct” in line 1 down through “study” in line 2 and substitute “carry out the duties of the Commission; and

(2) convene workgroups to solicit input from stakeholders”.

AMENDMENT NO. 6

On page 4, in line 3, strike “, 2017” and substitute “each year”; in line 7, strike “1 year” and substitute “3 years”; and in line 8, strike “2018” and substitute “2020”.

The preceding 6 amendments were read and adopted.

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

The motion was adopted.

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

Senate Bill 772 – Senators Madaleno, Benson, Feldman, Guzzone, and Manno

AN ACT concerning

Department of Health and Mental Hygiene – Employees – Job Titles, Position Descriptions, and Compensation Levels

SB0772/837871/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 772

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Manno” and substitute “Manno, Astle, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe”; and in line 6, after “rate;” insert “authorizing the Director to develop a certain plan to carry out a certain pay rate increase for certain employees of the Clifton T. Perkins Hospital Center;”.

AMENDMENT NO. 2

On page 2, in line 8, strike “**THE**” and substitute “**(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**”; and after line 12, insert:

“(2) THE DIRECTOR MAY ADOPT A PLAN UNDER WHICH THE INCREASE IN THE PAY RATE OF THE EMPLOYEES AT THE CLIFTON T. PERKINS HOSPITAL CENTER REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS CARRIED OUT

ON AN INCREMENTAL BASIS, PROVIDED THE FULL PAY RATE INCREASE IS IMPLEMENTED ON OR BEFORE JULY 1, 2020.”.

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 818 – Senator Hershey

AN ACT concerning

Maryland Occupational Safety and Health Act – Voluntary Protection Program

SB0818/177077/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 818

(First Reading File Bill)

On page 1, in line 11, after “inspections” insert “to the extent allowed under certain provisions of law.”.

On page 3, in line 2, strike “**THE LABOR AND EMPLOYMENT ARTICLE**” and substitute “**THIS ARTICLE, TO THE EXTENT ALLOWED BY FEDERAL LAW AND REGULATIONS**”.

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 853 – Senators Madaleno, Benson, Currie, Ferguson, Kagan, Kelley, Manno, McFadden, Nathan–Pulliam, and Smith

AN ACT concerning

**Transitional Supports for Ex-Offenders – Repeal of Restrictions
(Maryland Equal Access to Food Act of 2017)**

Senator Brochin moved to make the Bill and Report a Special Order for March 20, 2017.

The motion was adopted.

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

Senate Bill 909 – Charles County Senators (By Request)

AN ACT concerning

Charles County – Collective Bargaining for Public Safety Officials

SB0909/767679/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 909
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering the definition of “employer” to include Charles County for the purpose of certain provisions of law;”; in line 4, strike “of Charles County”; strike beginning with “the” in line 4 down through “matters” in line 5 and substitute “certain counties and municipal corporations; altering a certain provision of law to provide that, with respect to Charles County, a certain memorandum of understanding between Charles County and a certain exclusive representative is subject to provisions concerning budgetary and fiscal procedures contained in local law, regulation, or policy;”; strike beginning with “providing” in line 5 down through “definition;” in line 30; and strike beginning with “providing” in line 30 down through “Act;” in line 31.

On page 2, in line 1, strike “the County Commissioners of”; and after line 7, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 4–502 and 4–503

Annotated Code of Maryland

(2016 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, after line 24, insert:

“4–502.

Each employer covered by this subtitle shall have the authority to enact a local law or ordinance to permit voluntary collective bargaining between the employer and any employee organization that the employer has recognized as an exclusive representative of its employees.

4–503.

Once authorized by a local law or ordinance, collective bargaining between an employer covered by this subtitle and an exclusive representative may include in a memorandum of understanding between the employer and the employee organization specific terms and conditions of employment.”;

in line 26, strike “(A)”; and in line 27, after “charter” insert “OR, WITH RESPECT TO CHARLES COUNTY, LOCAL LAW, REGULATION, OR POLICY”.

On pages 3 through 10, strike in their entirety the lines beginning with line 1 on page 3 through line 20 on page 10, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 929 – Senator Astle

AN ACT concerning

Commercial Law – Consumer Protection – Door-to-Door Sales

SB0929/367276/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 929

(First Reading File Bill)

On page 3, in line 24, strike “(A)”.

On page 5, strike in their entirety lines 7 through 17, inclusive; and in line 18, strike “(6)” and substitute “(5)”.

On page 6, in line 10, strike “(7)” and substitute “(6)”.

On pages 6 and 7, strike in their entirety the lines beginning with line 16 on page 6 through line 21 on page 7, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1009 – Senators Jennings, Astle, Eckardt, Edwards, Feldman, Guzzone, Hershey, King, Klausmeier, Manno, Ramirez, Ready, Rosapepe, Salling, Smith, and Zucker

AN ACT concerning

Public Assistance – Family Investment Program – Child Support Pass Through

SB1009/927870/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1009

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “received;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 1, in lines 19 and 20, strike “\$100” and “\$200”, respectively, and substitute “\$50” and “\$100”, respectively.

On page 2, in line 5, strike “October 1, 2017” and substitute “July 1, 2019”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1042 – Senator Feldman

AN ACT concerning

**Behavioral Health Administration – Outpatient Civil Commitment Pilot
Program**

SB1042/427378/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 1042
(First Reading File Bill)

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”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 17

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

Senate Bill 224 – Senators Lee, Kelley, Muse, Ramirez, Ready, and Smith

AN ACT concerning

Public Safety – Regulated Firearms – Definition of Convicted of a Disqualifying Crime

SB0224/968671/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 224

(First Reading File Bill)

On page 1, in the sponsor line, strike “Ready” and substitute “Brochin”.

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 487 – Senator McFadden (By Request – Baltimore City Administration) and Senators Conway, Ferguson, Nathan–Pulliam, and Robinson

AN ACT concerning

Baltimore City – Residential Ground Leases – Abandoned Property

SB0487/448371/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 487

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “Baltimore City” and substitute “the owner of the leasehold interest”; in the same line, after “circumstances;” insert “making conforming changes;”; and in line 9, strike “8–806(c)(1)” and substitute “8–806(c)”.

AMENDMENT NO. 2

On page 1, in lines 16, 17, and 19, in each instance, strike the bracket; and strike beginning with “NOT” in line 19 down through “TITLE” in line 21.

On page 2, strike beginning with “Abandoned” in line 3 down through “distressed” in line 4 and substitute “**DISTRESSED**”; in line 5, strike the bracket; and after line 5, insert:

“(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A GROUND LEASE HOLDER MAY NOT BRING ANY SUIT, ACTION, PROCEEDING, OR OTHER EFFORT TO RECOVER THE GROUND RENT THAT WAS DUE AND OWING BEFORE THE DATE THAT THE OWNER OF THE LEASEHOLD INTEREST ACQUIRED TITLE, IF THE PROPERTY IS:

(I) OWNED OR ACQUIRED BY ANY MEANS BY THE OWNER OF THE LEASEHOLD INTEREST; AND

(II) ABANDONED PROPERTY, AS DEFINED IN § 21–17(A)(2) OF THE PUBLIC LOCAL LAWS OF BALTIMORE CITY.

(3) With regard to property described under [paragraph] PARAGRAPHS (1) AND (2) of this subsection, a ground lease holder may request in writing that the [Mayor and City Council of Baltimore] OWNER OF THE LEASEHOLD INTEREST acquire the reversionary interest under the ground lease for the market value established at the time of the acquisition by the [Mayor and City Council] OWNER of the leasehold interest under the ground lease.”.

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 792 – Senator Smith

AN ACT concerning

Maryland Trust Act – Notice and Reporting Requirements – Exemptions

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 793 – Senator Smith

AN ACT concerning

Maryland Trust Act – Representatives of Beneficiaries

SB0793/458973/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 793

(First Reading File Bill)

On page 3, in line 18, after “PERSON” insert “**DESIGNATED UNDER SUBSECTION (A) OF THIS SECTION**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 799 – Senators Muse, Currie, Smith, and Young

AN ACT concerning

Driver’s License Suspensions – Penalties and Assessment of Points

SB0799/838572/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 799

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Driver’s” and substitute “Driver Improvement Program and Failure to Pay Child Support – Driver’s”; strike beginning with “repealing” in line 3 down through “circumstances;” in line 14 and substitute “altering the assessment of points and the penalties associated with the suspension of a driver’s license or privilege to drive for failure to attend a certain driver improvement program or make certain child support payments;”; strike beginning with “providing” in line 15 down through the second “Act;” in line 16; in line 17, after “suspensions” insert “for failure to attend a certain driver improvement program or make certain child support payments”; after line 17, insert:

“BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–203(b), 16–206(a)(2), and 16–402(a)(14)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)”;

strike beginning with the first comma in line 20 down through “(3)(i)” in line 21; and in line 24, strike “with” and substitute “without”.

On page 2, strike in their entirety lines 1 through 6, inclusive.

AMENDMENT NO. 2

On page 2, after line 9, insert:

“16–203.

(b) On notification by the Child Support Enforcement Administration in accordance with § 10–119 of the Family Law Article that an obligor is 60 days or more out of compliance with the most recent order of the court in making child support payments, the Administration:

(1) Shall suspend an obligor’s license or privilege to drive in the State; and

(2) May issue a work–restricted license or work–restricted privilege to drive.

16–206.

(a) (2) The Administration may suspend a license to drive of an individual who fails to attend:

(i) A driver improvement program or an alcohol education program required under § 16–212 of this subtitle; or

(ii) A private alternative program or an alternative program that is provided by a political subdivision of this State under § 16–212 of this subtitle.”;

in lines 17, 20, 23, 26, 29, and 32, in each instance, strike the bracket; in lines 23, 29, and 32, strike “(D)”, “(E)”, and “(F)”, respectively; and in line 33, strike the colon.

On page 3, in line 1, strike “(1)”; in the same line, strike “THE”; in the same line, after “under §” insert “**16–203, § 16–206(A)(2) FOR FAILURE TO ATTEND A DRIVER IMPROVEMENT PROGRAM, §**”; in lines 1, 2, 12, 22, 25, and 26, in each instance, strike the bracket; strike beginning with “IN” in line 2 down through “STATE” in line 11; and in lines 22 and 26, strike “(G)” and “(F)”, respectively.

On page 4, in line 1, strike the brackets; in the same line, strike “§ 16–303(F)”; and after line 1, insert:

“27–101.

(gg) A person who is convicted of a violation of § 16–303(h) (“Licenses suspended under certain provisions of Code”) or § 16–303(i) (“Licenses suspended under certain provisions of the traffic laws or regulations of another state”) of this article:

(1) is subject to a fine of not more than \$500;

(2) must appear in court; and

(3) may not prepay the fine.”.

On pages 4 through 7, strike in their entirety the lines beginning with line 2 on page 4 through line 16 on page 7, inclusive.

On page 7, in line 17, strike “8.” and substitute “2.”; and in lines 17 and 18, strike “, subject to the provisions of Sections 5, 6, and 7 of this Act,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 809 – Senators Muse, Currie, Lee, Manno, Miller, Ramirez, Rosapepe, and Young

AN ACT concerning

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

SB0809/758275/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 809

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “condominium” insert “or, under certain circumstances, the developer.”; and in line 6, after “association” insert “or, under certain circumstances, the declarant.”.

AMENDMENT NO. 2

On page 2, in line 13, strike “COUNTY” and substitute “CONDOMINIUM OR, IF A GOVERNING BODY IS NOT YET FORMED, THE DEVELOPER.”; and in line 19, strike “COUNTY” and substitute “HOMEOWNERS ASSOCIATION OR, IF A GOVERNING BODY IS NOT YET FORMED, THE DECLARANT”.

On page 3, in lines 12 and 14, in each instance, strike “HOMEOWNER’S” and substitute “HOMEOWNERS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0809/183324/1

BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 809

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “imposing the lien” and substitute “of a certain condominium or homeowners association or, under certain circumstances, a certain developer or declarant.”.

AMENDMENT NO. 2

On page 3, in line 13, strike “IMPOSING THE LIEN” and substitute “OF THE CONDOMINIUM ASSOCIATION OR HOMEOWNERS ASSOCIATION OR, IF A GOVERNING BODY IS NOT YET FORMED, THE DEVELOPER OR DECLARANT”.

The preceding 2 amendments were 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 946 – Senators Smith, Madaleno, Benson, Currie, Guzzone, Kagan, King, Lee, McFadden, Nathan–Pulliam, Robinson, Rosapepe, and Zucker

AN ACT concerning

Weapon–Free Higher Education Zones

SB0946/878776/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 946

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 3 down through “penalty” in line 5 and substitute “altering a certain exception relating to law enforcement officers to the prohibition on carrying or possessing certain weapons on school property; prohibiting the carrying or possession of certain firearms on the property of public institutions of higher education; providing for certain exceptions to the prohibition on carrying or possessing a firearm on the property of an institution of higher education; providing that a certain violation is a civil offense punishable by a certain fine; requiring a law enforcement officer to issue a citation to a person who commits a certain violation; requiring a citation to contain certain information; prohibiting a certain person from prepaying a certain fine; requiring a certain case to be scheduled for trial; establishing certain procedures for a certain Code violation proceeding; authorizing the court to impose a certain fine and costs against a certain person and find the person is guilty of a Code violation; authorizing a defendant to appeal or file a certain motion; authorizing the State’s Attorney to prosecute a certain violation in a certain manner; providing that a person under a certain age who commits a certain violation is subject to certain procedures and dispositions; requiring the Board of Regents for the University System of Maryland to incorporate the current weapons practice on their campuses into their bylaws, policies, and procedures”; and after line 6, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4–102

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 19 on page 2, inclusive, and substitute:

“4–102.

(a) This section does not apply to:

(1) a law enforcement officer in the regular course of the officer’s duty;

(2) an off-duty law enforcement officer or a person who has retired as a law enforcement officer in good standing from a law enforcement agency of the United States, the State, or a local unit in the State [who is a parent, guardian, or visitor of a student attending a school located on the public school property], provided that:

(i) the officer or retired officer is [displaying] IN POSSESSION OF the officer's or retired officer's badge or credential;

(ii) the weapon carried or possessed by the officer or retired officer is concealed; and

(iii) the officer or retired officer is authorized to carry a concealed handgun in the State;

(3) a person hired by a county board of education OR A PUBLIC INSTITUTION OF HIGHER EDUCATION specifically for the purpose of guarding public school OR INSTITUTION property;

(4) a person engaged in organized shooting activity for educational purposes; [or]

(5) a person who, with a written invitation from the school principal OR THE PRESIDENT OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION, displays or engages in a historical demonstration using a weapon or a replica of a weapon for educational purposes;

(6) A PERSON CARRYING OR POSSESSING A FIREARM ON THE PROPERTY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION WHO IS REQUIRED OR AUTHORIZED BY POLICIES OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION TO POSSESS A FIREARM;

(7) AN EMPLOYEE OF AN ARMORED CAR COMPANY WHO IS:

(I) AUTHORIZED TO CARRY A FIREARM IN THE STATE IN THE REGULAR COURSE OF EMPLOYMENT; AND

(II) CARRYING OR POSSESSING A FIREARM ON THE PROPERTY OF A PUBLIC INSTITUTION OR HIGHER EDUCATION; OR

(8) PROPERTY USED BY A PUBLIC INSTITUTION OF HIGHER EDUCATION THAT IS OWNED BY AN INDIVIDUAL OR A PRIVATE ENTITY, UNLESS THE PROPERTY IS USED FOR STUDENT HOUSING.

(b) (1) A person may not carry or possess a firearm, knife, or deadly weapon of any kind on public school property.

(2) A PERSON MAY NOT KNOWINGLY CARRY OR POSSESS A FIREARM ON THE PROPERTY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates SUBSECTION (B)(1) OF this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$1,000 or both.

(2) A person who is convicted of carrying or possessing a handgun in violation of SUBSECTION (B)(1) OF this section shall be sentenced under Subtitle 2 of this title.

(D) A PERSON WHO VIOLATES SUBSECTION (B)(2) OF THIS SECTION IS SUBJECT TO A CIVIL FINE NOT EXCEEDING \$1,000.

4-102.1.

(A) A POLICE OFFICER SHALL ISSUE A CITATION TO A PERSON WHO THE POLICE OFFICER HAS PROBABLE CAUSE TO BELIEVE HAS COMMITTED A VIOLATION OF § 4-102(B)(2) OF THIS SUBTITLE.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE FORM OF A CITATION SHALL BE AS PRESCRIBED BY THE DISTRICT COURT AND SHALL BE UNIFORM THROUGHOUT THE STATE.

(2) A CITATION ISSUED FOR A VIOLATION OF § 4-102(B)(2) OF THIS SUBTITLE SHALL CONTAIN:

- (I) THE NAME AND ADDRESS OF THE PERSON CHARGED;
- (II) THE STATUTE ALLEGEDLY VIOLATED;
- (III) THE LOCATION, DATE, AND TIME THAT THE VIOLATION OCCURRED;
- (IV) THE FINE THAT MAY BE IMPOSED;
- (V) A NOTICE STATING THAT PREPAYMENT OF THE FINE IS NOT ALLOWED;
- (VI) A NOTICE THAT THE DISTRICT COURT PROMPTLY SHALL SEND THE PERSON CHARGED A SUMMONS TO APPEAR FOR TRIAL;
- (VII) THE SIGNATURE OF THE PERSON ISSUING THE CITATION;
- AND
- (VIII) A SPACE FOR THE PERSON CHARGED TO SIGN THE CITATION.
- (C) (1) EXCEPT FOR A CITATION SUBJECT TO THE JURISDICTION OF A CIRCUIT COURT, THE ISSUING JURISDICTION SHALL FORWARD A COPY OF THE CITATION AND A REQUEST FOR TRIAL TO THE DISTRICT COURT IN THE DISTRICT HAVING VENUE.
- (2) (I) THE DISTRICT COURT PROMPTLY SHALL SCHEDULE THE CASE FOR TRIAL AND SUMMON THE DEFENDANT TO APPEAR.
- (II) WILLFUL FAILURE OF THE DEFENDANT TO RESPOND TO THE SUMMONS IS CONTEMPT OF COURT.
- (D) (1) FOR PURPOSES OF THIS SECTION, A VIOLATION OF § 4-102(B)(2) OF THIS SUBTITLE IS A CODE VIOLATION AND IS A CIVIL OFFENSE.

(2) A PERSON CHARGED WHO IS AT LEAST 18 YEARS OLD SHALL BE SUBJECT TO THE PROVISIONS OF THIS SECTION.

(3) ADJUDICATION OF A CODE VIOLATION UNDER § 4-102(B)(2) OF THIS SUBTITLE IS NOT A CRIMINAL CONVICTION FOR ANY PURPOSE, AND IT DOES NOT IMPOSE ANY OF THE CIVIL DISABILITIES ORDINARILY IMPOSED BY A CRIMINAL CONVICTION.

(E) IN ANY PROCEEDING FOR A CODE VIOLATION UNDER § 4-102(B)(2) OF THE SUBTITLE:

(1) THE STATE HAS THE BURDEN TO PROVE THE GUILT OF THE DEFENDANT TO THE SAME EXTENT AS IS REQUIRED BY LAW FOR THE TRIAL OF CRIMINAL CAUSES, AND IN ANY SUCH PROCEEDING, THE COURT SHALL APPLY THE EVIDENTIARY STANDARDS AS PRESCRIBED BY LAW OR RULE FOR THE TRIAL OF CRIMINAL CAUSES;

(2) THE COURT SHALL ENSURE THAT THE DEFENDANT HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT THE DEFENDANT UNDERSTANDS THOSE CHARGES;

(3) THE DEFENDANT IS ENTITLED TO CROSS-EXAMINE ALL WITNESSES WHO APPEAR AGAINST THE DEFENDANT, TO PRODUCE EVIDENCE OR WITNESSES ON BEHALF OF THE DEFENDANT, OR TO TESTIFY ON THE DEFENDANT'S OWN BEHALF IF THE DEFENDANT CHOOSES TO DO SO;

(4) THE DEFENDANT IS ENTITLED TO BE REPRESENTED BY COUNSEL OF THE DEFENDANT'S CHOICE AND AT THE EXPENSE OF THE DEFENDANT;

(5) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT GUILTY, AND THE VERDICT OF THE COURT IN THE CASE SHALL BE:

(I) GUILTY OF A CODE VIOLATION; OR

(II) NOT GUILTY OF A CODE VIOLATION; AND

(6) BEFORE RENDERING JUDGMENT, THE COURT MAY PLACE THE DEFENDANT ON PROBATION IN THE SAME MANNER AND TO THE SAME EXTENT AS IS ALLOWED BY LAW IN THE TRIAL OF A CRIMINAL CASE.

(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF THE DISTRICT COURT FINDS THAT A PERSON HAS COMMITTED A CODE VIOLATION, THE COURT SHALL REQUIRE THE PERSON TO PAY A FINE NOT EXCEEDING \$1,000.

(2) THE CHIEF JUDGE OF THE DISTRICT COURT MAY NOT ESTABLISH A SCHEDULE FOR THE PREPAYMENT OF FINES FOR A CODE VIOLATION UNDER THIS PART.

(G) WHEN A DEFENDANT HAS BEEN FOUND GUILTY OF A CODE VIOLATION UNDER § 4-102(B)(2) OF THIS SUBTITLE AND A FINE HAS BEEN IMPOSED BY THE COURT:

(1) THE COURT MAY DIRECT THAT THE PAYMENT OF THE FINE BE SUSPENDED OR DEFERRED UNDER CONDITIONS THAT THE COURT MAY ESTABLISH; AND

(2) IF THE DEFENDANT WILLFULLY FAILS TO PAY THE FINE IMPOSED BY THE COURT, THE WILLFUL FAILURE MAY BE TREATED AS A CRIMINAL CONTEMPT OF COURT, FOR WHICH THE DEFENDANT MAY BE PUNISHED BY THE COURT AS PROVIDED BY LAW.

(H) (1) THE DEFENDANT IS LIABLE FOR THE COSTS OF THE PROCEEDINGS IN THE DISTRICT COURT AND FOR PAYMENT TO THE CRIMINAL INJURIES COMPENSATION FUND.

(2) THE COURT COSTS IN A CODE VIOLATION CASE IN WHICH COSTS ARE IMPOSED ARE \$5.

(I) (1) A DEFENDANT WHO HAS BEEN FOUND GUILTY OF A CODE VIOLATION UNDER § 4-102(B)(2) OF THIS SUBTITLE HAS THE RIGHT TO APPEAL OR TO FILE A MOTION FOR A NEW TRIAL OR A MOTION FOR A REVISION OF A JUDGMENT PROVIDED BY LAW IN THE TRIAL OF A CRIMINAL CASE.

(2) A MOTION SHALL BE MADE IN THE SAME MANNER AS PROVIDED IN THE TRIAL OF CRIMINAL CASES, AND THE COURT, IN RULING ON THE MOTION HAS THE SAME AUTHORITY PROVIDED IN THE TRIAL OF CRIMINAL CASES.

(J) (1) THE STATE'S ATTORNEY FOR ANY COUNTY MAY PROSECUTE A CODE VIOLATION IN THE SAME MANNER AS PROSECUTION OF A VIOLATION OF THE CRIMINAL LAWS OF THIS STATE.

(2) IN A CODE VIOLATION CASE, THE STATE'S ATTORNEY MAY:

(I) ENTER A NOLLE PROSEQUI OR PLACE THE CASE ON THE STET DOCKET; AND

(II) EXERCISE AUTHORITY IN THE SAME MANNER AS PRESCRIBED BY LAW FOR VIOLATION OF THE CRIMINAL LAWS OF THE STATE.

(K) A PERSON ISSUED A CITATION FOR A VIOLATION OF § 4-102(B)(2) OF THIS SUBTITLE WHO IS UNDER THE AGE OF 18 YEARS SHALL BE SUBJECT TO THE PROCEDURES AND DISPOSITIONS PROVIDED IN TITLE 3, SUBTITLE 8A OF THE COURTS ARTICLE.”.

AMENDMENT NO. 3

On page 2, in line 20, after “That” insert “the Board of Regents for the University System of Maryland shall incorporate the current weapons practice on their campuses into their bylaws, policies, and procedures.

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

The preceding 3 amendments were read only.

Senator Edwards moved to make the Bill and Amendments a Special Order for March 20, 2017.

The motion was adopted.

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

Senate Bill 951 – Senator Smith

AN ACT concerning

Maryland Securities Act – Vulnerable Adults**SB0951/678673/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 951

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Smith” and substitute “Senators Smith, Kelley, and Lee”; in line 15, after “individuals;” insert “requiring that a certain notification be given within a certain time period or, under certain circumstances, immediately; providing for the construction of certain provisions of this Act;”; and in line 21, strike “within a certain number of days after a disbursement request,” and substitute “on request, a status report of”.

AMENDMENT NO. 2

On page 3, in line 33, strike “**18(B)(4)(E)**” and substitute “**18(B)(4)(F)**”.

On page 10, in line 12, after the closing bracket insert “**WILLFULLY**”.

AMENDMENT NO. 3

On page 11, in line 22, after “**(B)**” insert “**(1)**”; in the same line, after “**A**” insert “**BROKER–DEALER, AN INVESTMENT ADVISER, OR A**”; in lines 25 and 29, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in line 25, strike “**PROMPTLY**”; in lines 26 and 27, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively; in line 30, after “**ADULT**” insert “**AND ANY OTHER THIRD PARTY PERMITTED UNDER STATE OR FEDERAL LAWS OR REGULATIONS, OR THE RULES OF A SELF–REGULATORY ORGANIZATION,**”; and after line 31, insert:

“(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL BE GIVEN:

(I) WITHIN 5 DAYS AFTER THE BROKER-DEALER, INVESTMENT ADVISER, OR QUALIFIED INDIVIDUAL DEVELOPS THE REASONABLE BELIEF THAT THE ELIGIBLE ADULT HAS BEEN, IS CURRENTLY, OR WILL BE THE SUBJECT OF FINANCIAL EXPLOITATION OR ATTEMPTED FINANCIAL EXPLOITATION; OR

(II) IMMEDIATELY ON CONFIRMATION THAT THE ELIGIBLE ADULT HAS BEEN, IS CURRENTLY, OR WILL BE THE SUBJECT OF FINANCIAL EXPLOITATION OR ATTEMPTED FINANCIAL EXPLOITATION IF THE CONFIRMATION IS MADE BEFORE THE 5-DAY PERIOD SPECIFIED IN ITEM (I) OF THIS PARAGRAPH EXPIRES.

(3) THIS SUBSECTION MAY NOT BE CONSTRUED TO REQUIRE MORE THAN ONE NOTIFICATION UNDER PARAGRAPH (1)(I) FOR EACH OCCURRENCE.”.

On page 12, strike beginning with “WITHIN” in line 27 down through “RESULT” in line 28 and substitute “ON REQUEST, A STATUS REPORT”.

On page 13, in line 11, strike “OR UNTIL” and substitute “UNLESS”; in line 12, after “JURISDICTION” insert “ENTERS AN ORDER THAT”; in the same line, after “TERMINATES” insert “OR EXTENDS”; in lines 12 and 13, strike “, WHICHEVER HAPPENS FIRST”; and in line 14, after “A” insert “BROKER-DEALER, AN INVESTMENT ADVISER, OR A”.

AMENDMENT NO. 4

On page 15, in line 32, after “PERSON” insert “WHO IS NOT A FEDERAL COVERED ADVISER”.

On page 24, strike beginning with “MATERIALLY” in line 25 down through “AID” in line 26 and substitute “KNOWINGLY OR RECKLESSLY PROVIDED SUBSTANTIAL ASSISTANCE, IS KNOWINGLY OR RECKLESSLY PROVIDING SUBSTANTIAL ASSISTANCE, OR IS ABOUT TO KNOWINGLY OR RECKLESSLY PROVIDE SUBSTANTIAL ASSISTANCE TO ANOTHER PERSON IN CONNECTION WITH”.

On page 25, in line 7, strike “MATERIALLY AIDED” and substitute “KNOWINGLY OR RECKLESSLY PROVIDED SUBSTANTIAL ASSISTANCE TO ANOTHER PERSON IN CONNECTION WITH”; in line 21, after “title” insert “OR THAT THE PERSON IS ABOUT TO KNOWINGLY OR RECKLESSLY PROVIDE SUBSTANTIAL ASSISTANCE TO ANOTHER”.

PERSON IN CONNECTION WITH AN ACT, A PRACTICE, OR A COURSE OF BUSINESS CONSTITUTING A VIOLATION OF THIS TITLE OR A RULE ADOPTED OR AN ORDER ISSUED UNDER THIS TITLE"; and strike beginning with the first "MATERIALLY" in line 27 down through "AID" in line 28 and substitute "KNOWINGLY OR RECKLESSLY PROVIDED SUBSTANTIAL ASSISTANCE, IS KNOWINGLY OR RECKLESSLY PROVIDING SUBSTANTIAL ASSISTANCE, OR IS ABOUT TO KNOWINGLY OR RECKLESSLY PROVIDE SUBSTANTIAL ASSISTANCE TO ANOTHER PERSON IN CONNECTION WITH".

The preceding 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 983 – Senator Muse

AN ACT concerning

Criminal Procedure – Pretrial Release

SB0983/868574/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 983

(First Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with "altering" in line 3 on page 1 down through "term" in line 17 on page 2 and substitute "requiring a judicial officer to make a certain determination regarding release or detention of a defendant before trial; requiring a judicial officer who makes a certain determination to impose certain pretrial conditions for certain reasons; prohibiting a judicial officer from giving preference to certain conditions; requiring a judicial officer to consider certain information; prohibiting a judicial officer from setting financial conditions of release for certain reasons".

On page 2, in line 21, after "5–101" insert "and 5–201"; and strike in their entirety lines 24 through 33, inclusive.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 37 on page 2 through line 11 on page 6, inclusive.

On pages 6 through 17, strike in their entirety the lines beginning with line 27 on page 6 through line 8 on page 17, inclusive.

AMENDMENT NO. 3

On page 6, after line 11, insert:

“5–101.

(a) This section shall be liberally construed to carry out the purpose of relying on criminal sanctions instead of financial loss to ensure the appearance of a defendant in a criminal case before verdict or pending a new trial.

(b) A JUDICIAL OFFICER SHALL MAKE AN INDIVIDUALIZED DETERMINATION REGARDING THE RELEASE OR DETENTION OF A DEFENDANT BEFORE TRIAL.

(C) (1) Except as provided in subsection [(c)] (D) of this section, if, from all the circumstances, the court believes that a minor or adult defendant in a criminal case will appear as required for trial before verdict or pending trial, the defendant may be released on personal recognizance.

(2) A failure to appear as required by personal recognizance is subject to the penalties provided in § 5–211 of this title.

[(c)] (D) A defendant may not be released on personal recognizance if the defendant is charged with:

(1) a crime listed in § 5–202(d) of this title after having been convicted of a crime listed in § 5–202(d) of this title; or

(2) a crime punishable by life imprisonment without parole.”;

in lines 12 and 26, in each instance, strike the bracket; after line 12, insert:

“(A) (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, IF A JUDICIAL OFFICER DETERMINES THAT A DEFENDANT MAY BE RELEASED BEFORE TRIAL SUBJECT TO CONDITIONS, THE JUDICIAL OFFICER SHALL IMPOSE ON THE DEFENDANT THE LEAST RESTRICTIVE PRETRIAL CONDITIONS THAT ARE REASONABLY NECESSARY TO ENSURE:

(I) THE APPEARANCE OF THE DEFENDANT AS REQUIRED; AND

(II) THE SAFETY OF EACH ALLEGED VICTIM, OTHER PERSON, OR THE COMMUNITY.

(2) IN MAKING A DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE JUDICIAL OFFICER MAY NOT GIVE PREFERENCE TO A PARTICULAR PRETRIAL CONDITION AND SHALL TAKE INTO CONSIDERATION ALL AVAILABLE INFORMATION, INCLUDING:

(I) THE DEFENDANT’S ABILITY TO PAY A FINANCIAL CONDITION OF RELEASE;

(II) THE COST OF IMPOSING NONFINANCIAL CONDITIONS OF RELEASE; AND

(III) THE RESTRICTIONS ON THE INDIVIDUAL LIBERTY OF THE DEFENDANT CAUSED BY IMPOSING CONDITIONS.

(B) A JUDICIAL OFFICER MAY NOT SET A FINANCIAL CONDITION OF RELEASE:

(1) SOLELY FOR THE PURPOSE OF DETAINING THE DEFENDANT;

(2) TO PUNISH THE DEFENDANT;

(3) TO PLACATE PUBLIC OPINION;

(4) HIGHER THAN NECESSARY TO ENSURE THE APPEARANCE OF THE DEFENDANT AS REQUIRED OR THE SAFETY OF AN ALLEGED VICTIM, OTHER PERSON, OR THE COMMUNITY; OR

(5) BY REFERENCE TO A PREDETERMINED SCHEDULE OF AMOUNTS FIXED ACCORDING TO THE NATURE OF THE CHARGE.”;

and in lines 13 and 20, strike “(a)” and “(b)”, respectively, and substitute “**(C)**” and “**(D)**”, respectively.

The preceding 3 amendments were read and adopted.

Senator Pinsky moved to make the Bill and Report a Special Order for March 20, 2017.

The motion was adopted.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 18

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

Senate Bill 501 – Senator Norman

AN ACT concerning

Real Property – Wrongful Detainer Actions – Trial by Jury

SB0501/118772/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 501

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “elect” and substitute “demand”; in line 4, strike “the Maryland Rules” and substitute “certain provisions of law, subject to a certain provision of law”; strike beginning with “authorizing” in line 5 down through “court,” in line 7 and substitute “making certain provisions of law regarding jury demands applicable to wrongful detainer actions;”; after line 8, insert:

“BY repealing and reenacting, without amendments,

Article – Real Property

Section 8–118.1(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”;

and in line 11, after “Section” insert “8–601 and”.

AMENDMENT NO. 2

On page 1, after line 16, insert:

“8–118.1.

(a) (1) In an action under § 14–132 of this article in which a party demands a jury trial, the District Court immediately shall enter an order directing the person or entity in possession to pay the monthly fair rental value of the premises that is subject to the action, or such other amount as the court may determine is proper, starting as of the date the action was filed, as required in subsection (b) of this section.

(2) The order shall require the amount determined by the court to be paid within 5 days of the date of the order.

8–601.

Any party to an action brought in the District Court under this title OR § 14–132 OF THIS ARTICLE in which the amount in controversy meets the requirements for a trial by jury may, in accordance with this subtitle, demand a trial by jury.”.

AMENDMENT NO. 3

On page 3, in line 7, strike “A” and substitute “**SUBJECT TO § 8–118.1 OF THIS ARTICLE, A**”; in line 8, strike “ELECT” and substitute “**DEMAND**”; in line 9, strike “THE MARYLAND RULES” and substitute “**TITLE 8, SUBTITLE 6 OF THIS ARTICLE**”; in line 10, strike the second set of brackets; in the same line, after “judgment” strike the bracket; in line 11, strike the bracket; in the same line, strike “IN AN ACTION UNDER THIS SECTION”; strike beginning with the colon in line 11 down through “COURT,” in line 12; and strike beginning with the semicolon in line 13 down through “APPEALS” in line 15.

On page 4, in line 3, strike the second set of brackets; and in the same line, strike “APPELLATE”.

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 with amendments:

Senate Bill 705 – Senators Muse, Kelley, Lee, Ramirez, and Smith

AN ACT concerning

Award of Attorney’s Fees and Expenses – Violation of Maryland Constitutional Right

SB0705/948179/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 705

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 11, in each instance, before “Maryland” insert “certain”.

AMENDMENT NO. 2

On page 2, strike beginning with “**THE**” in line 9 down through “**RIGHTS.**” in line 10 and substitute “:

**(1) ARTICLE 7 OF THE MARYLAND DECLARATION OF RIGHTS
(ELECTIONS TO BE FREE AND FREQUENT; RIGHT OF SUFFRAGE);**

**(2) ARTICLE 10 OF THE MARYLAND DECLARATION OF RIGHTS
(FREEDOM OF SPEECH AND DEBATE AND PROCEEDINGS IN LEGISLATURE);**

**(3) ARTICLE 13 OF THE MARYLAND DECLARATION OF RIGHTS
(RIGHT TO PETITION THE LEGISLATURE FOR REDRESS OF GRIEVANCES);**

(4) ARTICLE 14 OF THE MARYLAND DECLARATION OF RIGHTS (NO TAX, ETC., TO BE LEVIED WITHOUT CONSENT OF LEGISLATURE);

(5) ARTICLE 19 OF THE MARYLAND DECLARATION OF RIGHTS (REMEDY FOR INJURY TO PERSON OR PROPERTY);

(6) ARTICLE 21 OF THE MARYLAND DECLARATION OF RIGHTS (RIGHTS OF ACCUSED; INDICTMENT; COUNSEL; CONFRONTATION; SPEEDY TRIAL; IMPARTIAL AND UNANIMOUS JURY);

(7) ARTICLE 22 OF THE MARYLAND DECLARATION OF RIGHTS (SELF INCRIMINATION);

(8) ARTICLE 23 OF THE MARYLAND DECLARATION OF RIGHTS (JURY JUDGES OF LAW AND FACT; RIGHT OF TRIAL BY JURY IN CIVIL PROCEEDINGS);

(9) ARTICLE 24 OF THE MARYLAND DECLARATION OF RIGHTS (DUE PROCESS);

(10) ARTICLE 26 OF THE MARYLAND DECLARATION OF RIGHTS (WARRANTS);

(11) ARTICLE 36 OF THE MARYLAND DECLARATION OF RIGHTS (RELIGIOUS FREEDOM);

(12) ARTICLE 40 OF THE MARYLAND DECLARATION OF RIGHTS (FREEDOM OF PRESS AND SPEECH);

(13) ARTICLE 46 OF THE MARYLAND DECLARATION OF RIGHTS (EQUALITY OF RIGHTS NOT ABRIDGED BECAUSE OF SEX);

(14) ARTICLE VIII OF THE MARYLAND CONSTITUTION (EDUCATION);
OR

(15) ARTICLE XVI OF THE MARYLAND CONSTITUTION (THE REFERENDUM).”;

in line 14, after “BY” insert “**A PROVISION OF**”; and in the same line, after “**RIGHTS**” insert “**LISTED IN SUBSECTION (A) OF THIS SECTION**”.

The preceding 2 amendments were read only.

Senator Reilly moved to make the Bill and Amendments a Special Order for March 20, 2017.

The motion was adopted.

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

Senate Bill 783 – Senator Cassilly

AN ACT concerning

Patient Early Intervention Programs

SB0783/488676/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 783

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “program;” insert “**authorizing a patient or the patient’s family to void a certain settlement agreement within a certain statute of limitations under certain circumstances;**”.

AMENDMENT NO. 2

On page 3, after line 14, insert:

“(E) UNDER A PATIENT SAFETY EARLY INTERVENTION PROGRAM, IF A SETTLEMENT AGREEMENT IS REACHED WITHOUT COUNSEL, THE PATIENT OR, IF THE PATIENT IS DECEASED OR UNABLE TO PARTICIPATE, THE PATIENT’S FAMILY SHALL HAVE THE RIGHT TO VOID THE AGREEMENT WITHIN THE STATUTE OF LIMITATIONS APPLICABLE TO THE UNDERLYING CLAIM.”;

and in lines 15 and 20, strike “(E)” and “(F)”, respectively, and substitute “(F)” and “(G)”, respectively.

The preceding 2 amendments were read only.

Senator Feldman moved to make the Bill and Amendments a Special Order for March 20, 2017.

The motion was adopted.

BUDGET AND TAXATION COMMITTEE REPORT NO. 13

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

Senate Bill 202 – Senators King, Benson, Currie, Feldman, Ferguson, Kagan, Kelley, Manno, Peters, Rosapepe, Smith, Young, and Zucker

AN ACT concerning

Higher Education – University System of Maryland – Quasi-Endowment Funds

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 282 – Senators Ready, Bates, Eckardt, Edwards, Klausmeier, and Salling

AN ACT concerning

Property Tax Credit – Disabled or Fallen Law Enforcement Officers and Rescue Workers – Acquisition of Dwelling

SB0282/609731/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 282

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Acquisition of Dwelling” and substitute “Alterations”; in line 4, after the first “of” insert “authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant a certain property tax credit for certain residential real property owned by certain surviving spouses or certain cohabitants of certain fallen law enforcement officers and rescue workers;”; in line 5, after “spouse” insert “or certain cohabitants”; and in line 8, after “property,” insert “making conforming changes;”.

AMENDMENT NO. 2

On page 3, in line 7, strike “(i)”; in line 10, strike the second “or”; in the same line, after “spouse” insert “, OR THE COHABITANT”; in line 14, after “spouse” insert “OR COHABITANT”; strike beginning with the second “or” in line 15 down through the semicolon in line 24; and in line 25, strike “in Harford County,”.

AMENDMENT NO. 3

On page 3, in line 33, strike “and”; after line 33, insert:

“(2) ANY ADDITIONAL LIMITATION TO THE NUMBER OF YEARS THE DWELLING WAS ACQUIRED WITHIN THE DATE OF BEING ADJUDGED TO BE DISABLED OR OF DEATH; AND”;

and in line 34, 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 295 – Senators Peters, Astle, Benson, Cassilly, Currie, DeGrange, Edwards, Guzzone, Kagan, Kelley, King, Klausmeier, Manno, Mathias, Middleton, Muse, Ready, Rosapepe, Simonaire, Smith, Young, and Zucker

AN ACT concerning

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

SB0295/699235/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 295

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Eckardt, Ferguson, Kasemeyer, Madaleno, McFadden, Norman, and Serafini”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0295/713829/1

BY: Senator Salling

AMENDMENT TO SENATE BILL 295, AS AMENDED

In line 2 of the Budget and Taxation Committee Amendment (SB0295/699235/1), strike “and Serafini” and substitute “Serafini, and Salling”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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**SB0540/399936/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 540

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute “Study of Retirement Plan Alternatives”; strike beginning with “establishing” in line 3 down through “Plan.” in line 29 and substitute “requiring the Department of Legislative Services to examine potential retirement plan options that may be offered to employees as an alternative to certain defined benefit pension plans; requiring the study to include certain elements; requiring the Department of Legislative Services to report its findings and recommendations to the Joint Committee on Pensions on or before a certain date; providing for the termination of this Act; and generally relating to a study of alternative retirement plans.”.

AMENDMENT NO. 2

On pages 2 through 10, strike in their entirety the lines beginning with line 1 on page 2 through line 20 on page 10, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(a) The Department of Legislative Services shall examine potential retirement plan options that may be offered to new employees as an alternative to the defined benefit pension plans of the State Retirement and Pension System.

(b) The study shall examine:

(1) retirement plan alternatives, such as defined contribution (401k) plans and cash balance plans;

(2) the costs and benefits of offering retirement plan alternatives, including:

(i) recruitment and retention of employees;

(ii) retirement security for employees;

(iii) the effect on the State’s contribution rate for the defined benefit plans of the State Retirement and Pension System; and

(iv) the effect on the asset allocation policy and projected investment returns of the State Retirement and Pension System;

(3) the experiences of other states that currently offer or have previously offered alternative retirement plans to employees; and

(4) the legal requirements to set up an alternative retirement plan.

(c) On or before December 1, 2017, the Department of Legislative Services shall report its findings and recommendations to the Joint Committee on Pensions.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017. It shall remain effective for a period of 1 year and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 587 – Senators King, Benson, Currie, Eckardt, Edwards, Feldman, Jennings, Kagan, Klausmeier, Lee, Madaleno, Manno, Mathias, Middleton, Muse, Norman, Peters, Ready, Serafini, Waugh, and Zucker

AN ACT concerning

Education – Libraries – Reorganization of Governance Structure

SB0587/679033/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 587

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, and Ferguson”; in line 7, after “Board,” insert “making the appointment of the State Librarian”

subject to the advice and consent of the Senate;” and in line 17, after “Board,” insert “requiring the Governor to ensure geographic diversity when making appointments to the State Library Board.”.

AMENDMENT NO. 2

On page 4, in line 3, after “Board” insert “**WITH THE ADVICE AND CONSENT OF THE SENATE**”.

AMENDMENT NO. 3

On page 7, in line 16, after “(3)” insert “**(I)**”; in lines 17, 18, and 19, strike “(i)”, “(ii)”, and “(iii)”, respectively, and substitute “**1.**”, “**2.**”, and “**3.**”, respectively; and after line 19, insert:

“(II) THE GOVERNOR SHALL ENSURE GEOGRAPHIC DIVERSITY WHEN APPOINTING MEMBERS.”.

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 597 – Senators Guzzone and Peters

AN ACT concerning

Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel

SB0597/359233/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 597

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Peters” and substitute “Peters, DeGrange, Kasemeyer, King, Madaleno, and McFadden”; and in line 7, after “personnel;” insert “defining a certain term;”.

AMENDMENT NO. 2

On page 1, in line 21, after “(a)” insert “**(1)**”; in the same line, strike the colon and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2) “EMERGENCY SERVICES PERSONNEL” MEANS EMERGENCY MEDICAL TECHNICIANS OR PARAMEDICS.;

in lines 22 and 23, strike “(1)” and “(i)”, respectively, and substitute “**(3)**” and “**(1)**” and “**1.**”, respectively; and in line 22, strike ““employee” and substitute “**“EMPLOYEE”**”.

On page 2, in lines 1, 4, 6, 8, 9, and 11, strike “(ii)”, “(i)”, “(ii)”, “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**2.**”, “**1.**”, “**2.**”, “**3.**”, “**4.**”, and “**5.**”, respectively; in line 2, strike “; and” and substitute a period; in line 3, strike “(2)” and substitute “**(II)**”; and in the same line, strike ““employee” and substitute “**“EMPLOYEE”**”.

AMENDMENT NO. 3

On page 2, in line 16, strike “**55**” and substitute “**60**”.

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 650 – Senators Guzzone, DeGrange, Kasemeyer, King, Madaleno, Manno, and Zucker

AN ACT concerning

Correctional Officers’ Retirement System – Membership

SB0650/719038/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 650

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Ferguson, and Peters”; and in line 5, strike “and the Department of Juvenile Services”.

AMENDMENT NO. 2

On page 2, in line 19, after the semicolon, insert “AND”.

On pages 2 and 3, strike beginning with “; AND” in line 21 on page 2 down through “TRAINEE” in line 16 on page 3.

On page 4 in lines 22 and 23, and on page 5 in lines 17 and 18, in each instance, strike “§ 25–201(A)(8) OR (9)” and substitute “§ 25–201(A)(8)”.

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 664 – Senators Edwards and Serafini

AN ACT concerning

Correctional Officers’ Retirement System – Membership

SB0664/829133/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 664

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Serafini” and substitute “, Serafini, Manno, and McFadden”.

AMENDMENT NO. 2

On page 3, in line 5, strike “OR”; and in line 7, after the second “SUPERVISOR” insert “; **OR**

(V) A RECREATION OFFICER OR SUPERVISOR”.

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 913 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Death Benefits

SB0913/169132/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 913

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 4, strike the second set of brackets; in the same line, strike the comma; strike beginning with “before” in line 5 down through “CHILD” in line 6; in line 6, strike the brackets; in lines 6 and 7, strike “IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION” and substitute “**OR DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION**”; in line 8, strike “PARAGRAPH (2)” and substitute “**PARAGRAPHS (2) AND (3)**”; in line 10, strike “EQUALLY”; in line 13, strike “ALL SURVIVING CHILDREN HAVE” and substitute “**EACH CHILD HAS**”; in line 14, strike “THE YOUNGEST SURVIVING” and substitute “**EACH**”; in the same line, strike “26” and substitute “**18**”; in line 15, after “(2)” insert “**NOTWITHSTANDING PARAGRAPH (1)(II) OF THIS SUBSECTION, A SURVIVING CHILD WHO IS DISABLED SHALL CONTINUE TO RECEIVE AN ALLOWANCE UNDER**

PARAGRAPH (1) OF THIS SUBSECTION PAST THE AGE OF 18 YEARS, IF THE CHILD CONTINUES TO BE DISABLED.

(3)”;

and in line 23, strike “**26**” and substitute “**18**”.

AMENDMENT NO. 2

On page 4, in line 2, strike the brackets; in the same line, strike the comma; strike beginning with “before” in line 2 down through “ANY” in line 4 and substitute “**, TO ANY**”; in line 4, strike the brackets; in the same line, strike “18” and substitute “**26**”; in lines 4 and 5, strike “IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION” and substitute “**OR DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE,**”; in line 6, strike “PARAGRAPH (2)” and substitute “**PARAGRAPHS (2) AND (3)**”; in line 8, strike “EQUALLY”; in line 10, strike “ALL SURVIVING CHILDREN HAVE” and substitute “**EACH CHILD HAS**”; in line 11, strike “THE YOUNGEST SURVIVING” and substitute “**EACH**”; and in line 12, after “(2)” insert “**NOTWITHSTANDING PARAGRAPH (1)(II) OF THIS SUBSECTION, A SURVIVING CHILD WHO IS DISABLED SHALL CONTINUE TO RECEIVE AN ALLOWANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION PAST THE AGE OF 26 YEARS, IF THE CHILD CONTINUES TO BE DISABLED.**”

(3)”.

AMENDMENT NO. 3

On page 5, in lines 15 and 16, strike the brackets; in line 16, strike “18” and substitute “**26**”; in the same line, before the second “the” insert “**OR ARE DISABLED**”; in lines 17 and 18, strike “**, SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION**”; in line 19, strike “SUBPARAGRAPH (II)” and substitute “**SUBPARAGRAPHS (II) AND (III)**”; in line 24, strike “ALL SURVIVING CHILDREN HAVE” and substitute “**EACH CHILD HAS**”; in line 25, strike “THE YOUNGEST SURVIVING” and substitute “**EACH**”; and in line 27, after “(II)” insert “**NOTWITHSTANDING PARAGRAPH (3)(I)2 OF THIS SUBSECTION, A SURVIVING CHILD WHO IS DISABLED SHALL CONTINUE TO RECEIVE AN ALLOWANCE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH PAST THE AGE OF 26 YEARS, IF THE CHILD CONTINUES TO BE DISABLED.**”

(III)”.

AMENDMENT NO. 4

On page 7, in line 24, strike beginning with “before” through “old”; in the same line, strike the second set of brackets; in the same line, strike “ALL”; in line 25, strike the brackets; in the same line, strike “18” and substitute “26”; in the same line, strike the semicolon; in lines 25 and 26, strike “IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION;” and substitute “DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; OR”; and strike beginning with “IF” in line 27 down through “D.” in line 30.

On page 8, in line 22, strike beginning with “before” through “old”; in line 23, strike the brackets; in the same line, strike the semicolon; in lines 23 and 24, strike “IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION;” and substitute “DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; OR”; and strike beginning with “IF” in line 25 down through “D.” in line 28.

On page 10, in line 16, strike beginning with “before” through “old”; in the same line, strike “all” and substitute “ANY”; strike beginning with “IN” in line 17 down through “SECTION;” in line 18 and substitute “WHO ARE UNDER THE AGE OF 26 YEARS OR DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; OR”; and strike beginning with “IF” in line 19 down through “D.” in line 22.

On page 11, in line 12, strike beginning with “before” through “old”; in the same line, strike “all” and substitute “ANY”; strike beginning with “IN” in line 13 down through “SECTION;” in line 14 and substitute “WHO ARE UNDER THE AGE OF 26 YEARS OR DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; OR”; and strike beginning with “IF” in line 15 down through “D.” in line 18.

On page 13, in line 2, strike beginning with “before” through “old”; in the same line, strike the second set of brackets; in the same line, strike “ALL”; in line 3, strike the brackets; in the same line, strike “18” and substitute “26”; in the same line, strike the semicolon; in lines 3 and 4, strike “IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION;” and substitute “DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; OR”; and strike beginning with “IF” in line 5 down through “4.” in line 8.

On page 14, in line 26, strike beginning with “before” through “old”; in the same line, strike “all” and substitute “ANY”; in line 27, strike the brackets; in the same line, strike “18” and substitute “26”; in the same line, strike the semicolon; in lines 27 and 28, strike “IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION;” and substitute “DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; OR”; and strike beginning with “IF” in line 29 down through “OR” in line 31.

On page 15, in line 1, strike “4.”.

AMENDMENT NO. 5

On page 9, in line 4, strike “PARAGRAPH (2)” and substitute “PARAGRAPHS (2) AND (3)”; in line 9, strike “ALL SURVIVING CHILDREN HAVE” and substitute “EACH CHILD HAS”; in line 10, strike “THE YOUNGEST SURVIVING” and substitute “EACH”; and in line 11, after “(2)” insert “NOTWITHSTANDING PARAGRAPH (1)(II) OF THIS SUBSECTION, A SURVIVING CHILD WHO IS DISABLED SHALL CONTINUE TO RECEIVE AN ALLOWANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION PAST THE AGE OF 26 YEARS, IF THE CHILD CONTINUES TO BE DISABLED.”

(3)”.

AMENDMENT NO. 6

On page 11, in line 24, strike “PARAGRAPH (2)” and substitute “PARAGRAPHS (2) AND (3)”; in line 29, strike “ALL SURVIVING CHILDREN HAVE” and substitute “EACH CHILD HAS”; in line 30, strike “THE YOUNGEST SURVIVING” and substitute “EACH”; and in line 31, after “(2)” insert “NOTWITHSTANDING PARAGRAPH (1)(II) OF THIS SUBSECTION, A SURVIVING CHILD WHO IS DISABLED SHALL CONTINUE TO RECEIVE AN ALLOWANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION PAST THE AGE OF 26 YEARS, IF THE CHILD CONTINUES TO BE DISABLED.”

(3)”.

AMENDMENT NO. 7

On page 13, in line 15, strike “PARAGRAPH (2)” and substitute “PARAGRAPHS (2) AND (3)”; in line 20, strike “ALL SURVIVING CHILDREN HAVE” and substitute “EACH CHILD HAS”; in line 21, strike “THE YOUNGEST SURVIVING” and substitute “EACH”; and

in line 22, after “(2)” insert “NOTWITHSTANDING PARAGRAPH (1)(II) OF THIS SUBSECTION, A SURVIVING CHILD WHO IS DISABLED SHALL CONTINUE TO RECEIVE AN ALLOWANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION PAST THE AGE OF 26 YEARS, IF THE CHILD CONTINUES TO BE DISABLED.

(3)”.

AMENDMENT NO. 8

On page 15, in line 7, strike “PARAGRAPH (2)” and substitute “PARAGRAPHS (2) AND (3)”; in line 12, strike “ALL SURVIVING CHILDREN HAVE” and substitute “EACH CHILD HAS”; in line 13, strike “THE YOUNGEST SURVIVING” and substitute “EACH”; and in line 14, after “(2)” insert “NOTWITHSTANDING PARAGRAPH (1)(II) OF THIS SUBSECTION, A SURVIVING CHILD WHO IS DISABLED SHALL CONTINUE TO RECEIVE AN ALLOWANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION PAST THE AGE OF 26 YEARS, IF THE CHILD CONTINUES TO BE DISABLED.

(3)”.

AMENDMENT NO. 9

On page 6, in line 3, strike “(III)” and substitute “(IV)”; in line 10, after “(1)” insert “(I)”; in the same line, strike “When” and substitute “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, WHEN”; and after line 13, insert:

“(II) IF A MEMBER DESIGNATES MORE THAN ONE BENEFICIARY, ON THE DEATH OF THE MEMBER, THE BOARD OF TRUSTEES SHALL PAY THE AMOUNTS SPECIFIED IN THIS SUBSECTION IN EQUAL SHARES TO EACH OF THE DESIGNATED BENEFICIARIES.”.

AMENDMENT NO. 10

On page 16, in line 1, after “member” insert “or retiree”.

The preceding 10 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. 24**

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

Senate Bill 1057 – Senator Lee

AN ACT concerning

**Public Information Act – Denials of Inspection – Explanation Regarding
Redaction**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1085 – Senator Conway

AN ACT concerning

**Morgan State University – Designation as the State’s Preeminent Public Urban
Research Institution**

SB1085/444638/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1085

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 8, in each instance, strike “institution” and substitute “university”.

AMENDMENT NO. 2

On page 1, in line 21, strike “INSTITUTION” and substitute “UNIVERSITY”.

On page 2, in lines 5 and 26, in each instance, strike “INSTITUTION” and substitute “UNIVERSITY”.

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 1086 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Residency and Registered Voter Requirements

SB1086/104233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1086
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “requirements;” insert “establishing certain requirements for the issuance of an alcoholic beverages license to a partnership, corporation, or club in Baltimore City;”.

AMENDMENT NO. 2

On page 2, in line 18, strike “Section” and substitute “**THE FOLLOWING SECTIONS OF TITLE 4, SUBTITLE 1 (“APPLICATIONS FOR LOCAL LICENSES”) OF DIVISION I OF THIS ARTICLE DO NOT APPLY IN THE CITY:**

(1) § 4–103 (“APPLICATION ON BEHALF OF PARTNERSHIP”), WHICH IS SUPERSEDED BY § 12–1401.1 OF THIS SUBTITLE;

(2) § 4–104 (“APPLICATION ON BEHALF OF CORPORATION OR CLUB”), WHICH IS SUPERSEDED BY §§ 12–1401.1 AND 12–1402 OF THIS SUBTITLE; AND

(3) §;

in line 19, strike “of Division I of this article does not apply in the City and” and substitute “, WHICH”; and strike in their entirety lines 23 through 26, inclusive.

AMENDMENT NO. 3

On page 3, in lines 1, 3, and 5, in each instance, strike the brackets; in the same lines, strike “(3)”, “(4)”, and “(5)”, respectively; and strike in their entirety lines 8 through 10, inclusive, and substitute:

“(A) AN APPLICATION FOR A LICENSE FOR THE USE OF A PARTNERSHIP SHALL BE MADE BY AND THE LICENSE ISSUED TO ALL PARTNERS AS INDIVIDUALS.

“(B) EACH OF THE PARTNERS MUST HAVE RESIDED IN THE STATE FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS FILED.

“(C) THE APPLICATION FOR A LICENSE SHALL STATE THE NAME AND ADDRESS OF THE PARTNERSHIP AND THE NAME AND ADDRESS OF EACH APPLICANT.

“(D) (1) THIS SUBSECTION APPLIES TO:

“(I) A CORPORATION; AND

“(II) A CLUB, WHETHER INCORPORATED OR UNINCORPORATED.

“(2) EXCEPT AS PROVIDED IN PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, A LICENSE ON BEHALF OF A CORPORATION OR CLUB SHALL BE APPLIED FOR AND ISSUED TO THREE OFFICERS OF THE CORPORATION OR CLUB AS INDIVIDUALS.

“(3) AT LEAST ONE OF THE THREE OFFICERS MUST HAVE RESIDED IN THE STATE FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS FILED.

“(4) IF A CORPORATION HAS FEWER THAN THREE OFFICERS OR DIRECTORS, ALL OFFICERS OR DIRECTORS SHALL APPLY FOR A LICENSE.

“(5) IN A CLOSE CORPORATION, AT LEAST ONE INDIVIDUAL STOCKHOLDER MAY APPLY FOR A LICENSE IF:

(I) THE CLOSE CORPORATION DOES NOT HAVE OFFICERS OR DIRECTORS; AND

(II) THERE IS AN AFFIRMATIVE VOTE OF A MAJORITY OF THE STOCKHOLDERS.

(6) AN APPLICATION FOR A CORPORATION OR A CLUB LICENSE SHALL INCLUDE:

(I) THE NAME AND ADDRESS OF EACH OFFICER;

(II) THE NAME AND ADDRESS OF THE CORPORATION OR CLUB;
AND

(III) THE SIGNATURES OF THE PRESIDENT OR VICE PRESIDENT OF THE CORPORATION OR CLUB AND OF THE THREE OFFICERS TO WHOM THE LICENSE SHALL BE ISSUED.”.

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 1088 – Senator Astle

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Class B Beer, Wine, and Liquor
Licenses – Fees**

SB1088/574339/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1088

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “– Fees”; in line 4, strike “annual fee” and substitute “requirements”; in line 5, after “County” insert “to authorize the license to be issued for use by a certain restaurant that regularly prepares, sells, and serves certain meals and has certain equipment and employees rather than to the owner of a certain hotel”; and in the same line, after “beverages” insert “licenses”.

AMENDMENT NO. 2

On page 2, strike beginning with “to” in line 1 down through “seating” in line 9 and substitute “FOR USE BY A RESTAURANT THAT:”

(1) HAS AMPLE SPACE AND ACCOMMODATIONS FOR REGULARLY PREPARING, SELLING, AND SERVING HOT MEALS TO THE PUBLIC AT LEAST TWICE DAILY;

(2) IS EQUIPPED WITH A PUBLIC DINING ROOM WITH SUFFICIENT TABLES, CHAIRS, CUTLERY, AND GLASSWARE TO SERVE THE MEALS PREPARED IN THE RESTAURANT;

(3) IS EQUIPPED WITH A KITCHEN THAT HAS COMPLETE FACILITIES AND UTENSILS FOR PREPARING AND SERVING HOT AND COLD MEALS TO THE PUBLIC; AND

(4) EMPLOYS A SUFFICIENT NUMBER OF COOKS AND WAIT STAFF TO SERVE THE NUMBER OF CUSTOMERS ACCOMMODATED IN THE DINING ROOM”;

in line 11, strike “at a hotel or restaurant”; in line 13, strike the brackets; and in the same line, strike “\$1,296”.

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 1102 – Senator Mathias

AN ACT concerning

Worcester County – Ocean City Convention Center – Beer and Wine 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 1138 – Senator Zucker

AN ACT concerning

Alcoholic Beverages – Family Beer and Wine Facility Permit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 25**

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

Senate Bill 1080 – Senator Simonaire

AN ACT concerning

State Boat Act – Privilege to Operate a Vessel – Suspension Authority

SB1080/894230/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1080
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “Act;” insert “making this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect contingent on:

(1) the taking effect of Chapter (S.B. 81)(7lr0848) of the Acts of the General Assembly of 2017; and

(2) the State of Maryland entering into the Interstate Boating Violator Compact authorized under Chapter (S.B. 81)(7lr0848) of the Acts of the General Assembly of 2017.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Natural Resources shall notify the Department of Legislative Services within 5 days of the State of Maryland entering into the Interstate Boating Violator Compact. If notice of entering into the compact is not received by the Department of Legislative Services on or before October 1, 2020, this Act shall be null and void without the necessity of further action by the General Assembly.”;

in line 9, strike “2.” and substitute “4.”; and in the same line, after “That” insert “. subject to Sections 2 and 3 of this Act.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1084 – Senator Waugh

AN ACT concerning

**State Finance and Procurement – Veteran-Owned Small Business Enterprises –
Definitions**

SB1084/834632/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1084

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Task Force on Veteran–Owned Small Business Enterprise Participation in Procurement”; strike beginning with “defining” in line 4 down through “enterprises” in line 7 and substitute “establishing the Task Force on Veteran–Owned Small Business Enterprise Participation in Procurement; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; establishing the duties of the Task Force; requiring the Task Force to report its findings and recommendations to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on Veteran–Owned Small Business Enterprise Participation in Procurement”; strike lines 8 through 12, inclusive; and in line 14, strike “the Laws of Maryland read as follows”.

On pages 1 and 2, strike beginning with line 15 on page 1 through line 4 on page 2 and substitute:

“(a) There is a Task Force on Veteran–Owned Small Business Enterprise Participation in Procurement.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Veterans Affairs, or the Secretary’s designee;

(4) the Secretary of Commerce, or the Secretary’s designee;

(5) the Secretary of General Services, or the Secretary’s designee;

- (6) the Secretary of Information Technology, or the Secretary's designee;
 - (7) the Secretary of Budget and Management, or the Secretary's designee;
 - (8) the Secretary of Transportation, or the Secretary's designee;
 - (9) the Chancellor of the University System of Maryland, or the Chancellor's designee;
 - (10) the Special Secretary of the Governor's Office of Minority Affairs, or the Special Secretary's designee;
 - (11) the Procurement Advisor to the Board of Public Works;
 - (12) one Maryland resident veteran owner of a veteran-owned small business enterprise, as defined in § 14-601 of the State Finance and Procurement Article, appointed by the Governor; and
 - (13) one Maryland resident veteran owner of a small business, as defined in § 14-501 of the State Finance and Procurement Article, that is not a veteran-owned small business enterprise, as defined in § 14-601 of the State Finance and Procurement Article, appointed by the Governor.
- (c) The Governor shall designate the chair of the Task Force.
- (d) The State agencies represented on the Task Force shall provide staff for the Task Force, as directed by the chair of 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 methods to increase veteran-owned small business enterprise participation in State procurement and ensure compliance with the State's 1% purchasing goal;

(2) investigate and analyze barriers to veteran-owned small business enterprise participation that hinder compliance with the State's 1% purchasing goal, including the requirement in § 14-601 of the State Finance and Procurement Article for verification by the Center for Veterans Enterprise of the United States Department of Veterans Affairs;

(3) compare and contrast the current Veteran-Owned Small Business Enterprise Participation Program to similar programs in the federal government and other state governments, focusing on ease of access by interested firms, and methods of verification, certification, and fraud protection;

(4) compare and contrast the current Veteran-Owned Small Business Enterprise Participation Program to similar programs in Maryland, such as the Small Business Reserve Program and the Minority Business Enterprise Participation Program, focusing on ease of access by interested firms, and methods of verification, certification, and fraud prevention; and

(5) make specific recommendations for legislative and regulatory changes to increase compliance with the State's 1% purchasing goal for veteran-owned small business enterprise participation in State procurement.

(g) On or before December 31, 2017, the Task Force shall report its findings and recommendations, including specific proposals for legislation or regulation, to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”.

AMENDMENT NO. 2

On page 2, in line 6, strike “October 1, 2017.” and substitute “June 1, 2017. It shall remain effective for a period of 1 year and, at the end of May 31, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1144 – Senator Robinson

AN ACT concerning

**Procurement Preferences – Blind Industries and Services of Maryland –
Janitorial Products**

SB1144/334139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1144

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “or” and substitute a comma; in the same line, after “manufactured” insert “, remanufactured, or assembled”; and strike beginning with “providing” in line 8 down through “law;” in line 9 and substitute “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 16, strike “(1)”; in line 19, strike “OR” and substitute a comma; in line 20, after “MANUFACTURED” insert “, **REMANUFACTURED, OR ASSEMBLED,**”; strike in their entirety lines 22 through 24, inclusive; and in line 26, strike “October 1, 2017” and substitute “May 1, 2018”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

March 16, 2017

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

HB 7 Delegate Holmes

Environment – Lead Hazards – Environmental Investigation, Reporting,
and Risk Reduction

Reassigned to Judicial Proceedings

Read and ordered journalized.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 19

**House Bill 106 – Chair, Environment and Transportation Committee (By Request
– Departmental – Housing and Community Development)**

AN ACT concerning

Department of Housing and Community Development – Homebuyer Education Requirements

FOR the purpose of altering certain homebuyer education requirements for a loan recipient in the Down Payment and Settlement Expense Loan Program in the Department of Housing and Community Development; establishing certain requirements for the Department's homebuyer education requirements; providing that certain provisions do not alter or preempt the authority of a political subdivision to establish homebuyer education or counseling requirements for a down payment assistance program operated by the political subdivision; altering certain purposes of the Housing Counseling and Foreclosure Mediation Fund in the Department to include support of certain homebuyer education for low- and moderate-income households; and generally relating to homebuyer education and the Department of Housing and Community Development.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4-302
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4-308 and 4-507
Annotated Code of Maryland
(2006 Volume and 2016 Supplement)

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

House Bill 112 – Delegates Fraser–Hidalgo, Brooks, and A. Miller

AN ACT concerning

Interest Rate on Tax Deficiencies and Refunds – Rounding

FOR the purpose of repealing a requirement that the Comptroller, when setting the annual interest rate for tax deficiencies and refunds, round the interest rate to the nearest whole number; and generally relating to the annual interest rate on tax deficiencies and refunds.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–604
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 150 – The Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2018)

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2018, in accordance with Article III, Section 52 of the Maryland Constitution; and generally relating to appropriations and budgetary provisions made pursuant to that section.

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

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

AN ACT concerning

Budget Reconciliation and Financing Act of 2017

FOR the purpose of authorizing or altering the distribution of certain revenue; altering or repealing certain required appropriations; authorizing the use of certain funds for certain purposes; ~~altering the Special Fund from which the Maryland International thoroughbred race purse and a related bonus award program shall be funded;~~ repealing a requirement that the Comptroller pay certain amounts from a certain Special Fund for certain purposes; repealing a requirement that the State Racing

Commission establish a certain bonus award program; repealing a requirement that the purse for a certain horse race be funded by a certain Special Fund; reducing the maximum amount of certain teacher stipends for a certain fiscal year; providing a certain amount of aid to certain institutions of higher education in accordance with a certain action by the Board of Public Works; providing a certain amount of funding for certain local health services and certain income tax disparity grants in accordance with a certain action by the Board of Public Works; altering a certain rate increase for community service providers; repealing a certain condition on the use of certain funds; altering a certain condition on the use of certain funds; funds for a certain fiscal year; prohibiting certain excess funds from being used for certain purposes after a certain fiscal year; altering a certain condition on the use of certain funds for a certain fiscal year; repealing the use of certain funds for certain projects or initiatives after a certain fiscal year; altering the amount the Department of Health and Mental Hygiene is authorized to charge the Maryland Health Care Commission for a certain fiscal year; altering the amount the Department of Health and Mental Hygiene is authorized to charge the State Health Services Cost Review Commission for a certain fiscal year; clarifying the sources from which certain funds may be appropriated; requiring the State Racing Commission to pay certain expenses from a certain account; requiring the State Racing Commission to establish a certain bonus award program; altering a certain reimbursement by each county and Baltimore City to the State for certain costs incurred by the State Department of Assessments and Taxation; requiring the Department of Budget and Management to review certain interagency agreements at certain intervals; requiring the Department of Budget and Management to make certain determinations in the review of certain interagency agreements; requiring the Department of Budget and Management to establish a certain cycle to review certain interagency agreements; requiring the Department of Budget and Management to report certain information and certain findings on or before a certain date each year to certain committees of the General Assembly and the Department of Legislative Services; altering certain provisions of law relating to budget books; requiring the Governor to provide a certain number of copies of the budget books to members of the General Assembly and the Department of Legislative Services; requiring certain information in the budget books to be provided in a certain format on the Department of Budget and Management's Web site at a certain time; requiring the Department of Budget and Management to archive certain information in a certain format on a certain Web site; altering the regular commissions of a State lottery sales agent; authorizing the State Racing Commission to provide, from the amount provided for certain purses, up to a certain amount each year to a purse for a certain horse race; requiring the Comptroller to administer the Maryland Emergency Medical System Operations Fund; establishing a certain budgeted Medicaid Deficit Assessment amount in a certain fiscal year; authorizing the transfer of certain funds; limiting certain rate increases; limiting increases in certain mandated spending under certain circumstances; authorizing the Department of General Services to process a certain budget amendment in a certain amount for a certain fiscal year from certain fees that were recorded as a deferred revenue at the close of a certain fiscal year; prohibiting certain eligibility and benefits rules in place on a certain date for certain programs from being altered unless certain conditions are met; prohibiting the

Comptroller from withholding a certain amount for a certain fiscal year to be deposited into a certain fund and instead requiring the amount to be credited to a certain fund to satisfy a certain portion of a certain required payment; requiring the Baltimore City Public School System to report certain information to the Governor and certain committees of the General Assembly on or before certain dates; making the provisions of this Act severable; 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; defining certain terms; altering a certain definition; providing for the termination of certain provisions of this Act; making stylistic changes; and generally relating to the financing of State and local government.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 11–402, 11–403, and 11–522.1(b)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 6–117.1(a)(1) and (3), ~~7–123(a)(1), 7–1702(a), and 18–303.1(a)(1) and (3)~~ and 7–1702(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing

Article – Education

Section 6–117.1(e)(1), ~~7–123(e), 7–1704, and 18–303.1(g)~~ and 7–1704

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 6–117.1(e)(1), ~~7–123(e), 7–1704, 17–104(a)(5), and 18–303.1(g)~~ and 7–1704

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 6–306(b) and (c), ~~17–104(a)(1), 18–303.1(h), and 23–402(a)~~

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 2–302(a), 15–1004(a), 19–101, 19–201(b), and 19–2201(a) and (e)(1)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 2–302(b)(2) and (3), ~~7–307(d)(2)~~, 15–1004(f), 19–111(c), 19–208(b), and
19–2201(e)(2)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health – General

Section 2–302(b)(4) and (5)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

~~Article – Health – General~~

~~Section 19–2401(a)(1)~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2016 Supplement)~~

~~(As enacted by Chapter 13 of the Acts of the General Assembly of 2016)~~

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

Section 4–216, 4–508(j), ~~and 4–509(j)~~ 4–509(j), and 6–510(j)

Annotated Code of Maryland

(2006 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Housing and Community Development

Section 4–508(a), 4–509(a)(1) and (4), and 6–510(a)

Annotated Code of Maryland

(2006 Volume and 2016 Supplement)

~~BY repealing~~

~~Article – Housing and Community Development~~

~~Section 6–510(j)~~

~~Annotated Code of Maryland~~

~~(2006 Volume and 2016 Supplement)~~

~~BY adding to~~

~~Article – Housing and Community Development~~

~~Section 6–510(j)~~

~~Annotated Code of Maryland~~

~~(2006 Volume and 2016 Supplement)~~

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

~~Article — Labor and Employment~~
~~Section 11-1302(a)~~
~~Annotated Code of Maryland~~
~~(2016 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~
~~Article — Labor and Employment~~
~~Section 11-1302(e)~~
~~Annotated Code of Maryland~~
~~(2016 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~
~~Article — Local Government~~
~~Section 16-501(e)~~
~~Annotated Code of Maryland~~
~~(2013 Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5-212(g)(3)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 4-506(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 2-202; 7-115, 7-118, 7-121, and 7-122 to be under the amended part “Part
III. Supporting Materials”; and 7-311(j)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3-207 and 7-116
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing
Article – State Finance and Procurement
Section 7-116, 7-117, 7-119, and 7-120
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section ~~9–120(b) and 9–1A–28(e)~~ 9–117(a)(1), 9–120(b), and 9–1A–28(f)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–202

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section ~~2–106(b) and~~ 13–209(g)(1)(i)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–955

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Chapter 397 of the Acts of the General Assembly of 2011, as amended by Chapter 425 of the Acts of the General Assembly of 2013, Chapter 464 of the Acts of the General Assembly of 2014, and Chapter 489 of the Acts of the General Assembly of 2015

Section 16(c)

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

~~Chapter 25 of the Acts of the General Assembly of 2016~~

~~Section 4~~

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

House Bill 381 – Delegates McCray, Beidle, Carr, Cassilly, Fraser–Hidalgo, Frick, Frush, Gilchrist, Glenn, Hayes, Healey, Hill, Holmes, Hornberger, Jackson, Jalisi, Knotts, Lafferty, Robinson, Rose, Stein, Tarlau, Turner, P. Young, and R. Lewis

AN ACT concerning

Railroad Company – Movement of Freight – Required Crew

FOR the purpose of prohibiting a train or light engine used in connection with the movement of freight from being operated in the State unless it has a certain number of crew members; providing for the application of this Act; establishing certain penalties; prohibiting a county or municipal corporation from enacting and enforcing more stringent measures regarding certain crew requirements; requiring the Commissioner of Labor and Industry to provide certain notice to the Department of Legislative Services under certain circumstances; providing for the termination of this Act under certain circumstances; and generally relating to the crew for a train or light engine used in connection with the movement of freight.

BY adding to

Article – Labor and Employment
Section 5.5–110(e)
Annotated Code of Maryland
(2016 Replacement Volume)

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

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

AN ACT concerning

Public Schools – Suspensions and Expulsions

FOR the purpose of prohibiting the suspension or expulsion of prekindergarten, kindergarten, first grade, or second grade students from public schools except if required by federal law; prohibiting the suspension of certain students for a certain time period except under certain circumstances; requiring the principal or school administration to contact a student's parent or guardian; ~~authorizing the suspension or expulsion of students in kindergarten, first grade, or second grade under certain circumstances; requiring the school to return a suspended student to school under a certain manner;~~ requiring the school to provide certain supports to address the student's behavior; requiring the school system to remedy the impact of the student's behavior through certain intervention methods; requiring the State Department of Education to adopt certain regulations on or before a certain date; defining certain terms; and generally relating to the suspension and expulsion of students in public schools.

BY repealing and reenacting, with amendments,

Article – Education
Section 4–319(d) and 7–305
Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 7–305.1

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 485 – Delegate Impallaria

AN ACT concerning

**Harford County – Alcoholic Beverages – ~~Interest in More Than One License~~
Common Direct or Indirect Sharing of Profit**

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;~~
repealing in Harford County a provision of law stating that a condition of a common direct or indirect sharing between certain persons of profit from the sale of alcoholic beverages gives rise to a presumption of indirect ownership interest in an alcoholic beverages license; 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 Education, Health, and Environmental Affairs.

House Bill 554 – Delegates Carey, Beidle, Chang, and Sophocleus

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Board of License Commissioners
– Attorneys**

FOR the purpose of increasing by a certain amount the salary of an attorney employed by the Board of License Commissioners for Anne Arundel County; authorizing the Board to hire an attorney on a contractual basis to perform certain work under certain conditions; prohibiting the Board from spending more than a certain amount each year to hire a certain attorney; and generally relating to the Board of License Commissioners for Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 11–101(a) and (b) and 11–102
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 11–204(b)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 627 – Delegates C. Howard, Beitzel, Buckel, Hayes, Jameson, Mautz, McCray, McKay, Metzgar, and ~~Proctor~~ Proctor, and Adams

AN ACT concerning

Motor Fuel Tax Refund – Demand Response Trips

FOR the purpose of adding certain vehicles used to provide certain services to those vehicles that qualify for a certain motor fuel tax refund; limiting the amount of a motor fuel tax refund for certain vehicles used to provide certain services to a certain percentage of motor fuel tax paid; defining a certain term; and generally relating to claims for motor fuel tax refunds.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–101 and 13–901(f)
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 725 – ~~Delegate Cullison~~ Delegates Cullison, Angel, Barron, Bromwell, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Pendergrass, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and ~~K. Young~~ K. Young, and Mautz

AN ACT concerning

State Board of Dental Examiners – Death of a Licensed Dentist – Ownership of a Dental Practice

FOR the purpose of authorizing, under certain circumstances, an heir or a personal representative of a deceased licensed dentist who was the owner of a dental practice to serve as an owner of the dental practice for a certain period of time; authorizing the State Board of Dental Examiners to extend a certain time period under certain circumstances; requiring that all patient care be provided by certain individuals and in accordance with certain scopes of practice during the temporary ownership of a dental practice by an heir or a representative of a deceased licensed dentist; prohibiting the temporary ownership of a dental practice by an heir or a representative of a deceased licensed dentist to affect the exercise of independent judgment by certain licensed dentists; and generally relating to the death of a licensed dentist and the ownership of the practice of the licensed dentist.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–301
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 771 – Delegates W. Miller, Adams, Anderton, Arentz, Aumann, Barkley, Bromwell, Brooks, Carey, Clark, Fisher, Flanagan, Folden, Hill, S. Howard, Jacobs, Jameson, Kelly, Kipke, Kramer, Krebs, Mautz, McComas, McConkey, Metzgar, Morgan, Pena–Melnik, Rose, Saab, Shoemaker, Turner, Valderrama, Vogt, ~~and B. Wilson~~ B. Wilson, Pendergrass, Angel, Barron, Cullison, Hayes, McDonough, Miele, Morales, Platt, Rosenberg, Sample–Hughes, Szeliga, West, and K. Young

EMERGENCY BILL

AN ACT concerning

Public Health – Mobile Food Service Facilities – Licensing and Inspection by County Health Departments

FOR the purpose of requiring a county health department to issue a mobile reciprocity license to a certain mobile food service facility; authorizing a county health department to charge a certain fee for a mobile reciprocity license; providing that a mobile reciprocity license is valid for a certain period of time; prohibiting a county, under certain circumstances, from requiring that a mobile food service facility be

inspected before a county health department issues a mobile reciprocity license; authorizing a county health department that issued a mobile reciprocity license to inspect the mobile food service facility while the mobile food service facility is operating in the county; requiring a mobile food service facility that is issued a mobile reciprocity license to comply with all applicable State and local laws and regulations; authorizing a county health department to take certain enforcement action against a certain mobile food service facility; requiring a county health department, under certain circumstances, to notify the county of origin of certain action taken; providing for the application of this Act; defining certain terms; making this Act an emergency measure; and generally relating to the licensing and inspection of mobile food service facilities by county health departments.

BY adding to

Article – Health – General

Section 21–304(f)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 773 – Delegates Korman, Clippinger, Barkley, Buckel, Carr, Cassilly, Chang, Fennell, Fraser–Hidalgo, Frick, Jalisi, Jameson, Kelly, Kramer, Lafferty, Lam, Lierman, Mautz, McComas, Miele, Morhaim, Patterson, Pena–Melnyk, Platt, Reznik, Valderrama, Waldstreicher, M. Washington, West, and K. Young

AN ACT concerning

Clean Energy – Energy Storage Technology Study

FOR the purpose of requiring the ~~Maryland Clean Energy Center~~ Power Plant Research Program to conduct a study of regulatory reforms and market incentives that may be necessary to increase the use of energy storage devices in the State; requiring the ~~Center~~ Program to consult with certain entities and interests in conducting the study; providing certain required considerations and criteria to be used in conducting the study; requiring the ~~Center~~ Program to consider certain benefits for certain purposes; requiring the ~~Center~~ Program to submit an interim report and a final report on the study to certain standing committees on or before certain dates; and generally relating to the ~~Maryland Clean Energy Center~~ Power Plant Research Program and the study of energy storage systems.

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

House Bill 775 – Delegates Kelly, Angel, Cullison, Hayes, Hill, Kipke, Lam, A. Miller, Morales, Morhaim, Pena–Melnyk, Platt, Reznik, Robinson, Rosenberg, Turner, Valderrama, and M. Washington

AN ACT concerning

Public Health – Maternal Mental Health

FOR the purpose of requiring the Department of Health and Mental Hygiene, in consultation with stakeholders, to identify certain information about perinatal mood and anxiety disorders; requiring the Department to make available certain information on the Department's Web site and to provide certain information to certain health care facilities and certain health care providers; requiring the Department, in collaboration with certain professional associations and public health entities, to identify and develop certain training programs; requiring the Department to ~~identify methods~~ develop a plan to expand the Maryland Behavioral Health Integration in Pediatric Primary Care Program (BHIPP) program for a certain purpose; requiring the Department, in collaboration with certain affected stakeholders, to develop the plan; requiring the Department, in developing the plan, to identify and address certain issues; requiring the Department to submit the plan to certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to maternal mental health.

BY adding to

Article – Health – General

Section 20-1801 ~~through 20-1803~~ and 20-1802 to be under the new subtitle
“Subtitle 18. Maternal Mental Health”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 795 – ~~Delegate Impallaria~~ Harford County Delegation

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; requiring certain hearings to be held, certain recommendations to be made, and certain recommendations and comments to be considered before a certain waiver can be issued; 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 Education, Health, and Environmental Affairs.

House Bill 836 – Delegates Folden, Afzali, Kittleman, McComas, and Metzgar

AN ACT concerning

Criminal Procedure – Expungement – Common Law Battery

FOR the purpose of authorizing a person to file a petition for expungement based on a conviction of common law battery; providing that a petition for expungement based on a conviction of common law battery may not be filed within a certain time period ~~after the person was convicted of a certain crime~~; providing for the effective date of this Act; and generally relating to expungement.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section ~~10–105~~ 10–110(a) and (c)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

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

House Bill 887 – Delegates Pena–Melnik, Angel, Barron, Kelly, McMillan, ~~and Tarlau~~ Tarlau, Bromwell, Cullison, Hayes, Hill, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pendergrass, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young K. Young, and Frick

EMERGENCY BILL

AN ACT concerning

Health Insurance – ~~Preauthorization for Drug Products to Treat Substance Use Disorders~~ Prior Authorization for Drug Products to Treat an Opioid Use Disorder – Prohibition

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from applying a preauthorization requirement for certain drug products under certain circumstances; providing for the application of

this Act; ~~providing for a delayed effective date~~ making this Act an emergency measure; and generally relating to health insurance coverage for drug products to treat ~~substance use disorders~~ opioid use disorders.

BY adding to

Article – Insurance

Section 15–850

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

House Bill 889 – Delegate Stein

AN ACT concerning

Vehicle Laws – HOV Lanes – Tow Trucks

FOR the purpose of authorizing a tow truck to be driven in a high occupancy vehicle (HOV) lane at all times regardless of the number of passengers in the vehicle under certain circumstances; and generally relating to the use of HOV lanes by tow trucks.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–314

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 924 – Delegates Gilchrist, Barve, Carr, Frush, Lafferty, Robinson, ~~and Stein~~ Stein, Beidle, Fraser-Hidalgo, Healey, Holmes, and McCray

AN ACT concerning

Natural Resources – Oyster Management – Prohibited Actions

FOR the purpose of prohibiting the Department of Natural Resources from reducing or altering the boundaries of certain oyster sanctuaries until the Department develops a certain plan; providing for the construction of this Act; and generally relating to oyster management.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4–215(e)(3)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Natural Resources

Section 4–215(e)(4)

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 952 – Delegates Healey, Anderton, Frush, and Jalisi

AN ACT concerning

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

FOR the purpose of authorizing certain waste or recycling collection vehicles to be equipped with or display certain lights or signal devices; and generally relating to lighting equipment on waste or recycling collection vehicles.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 22–218(c)(11)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 22–218(c)(6)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 970 – Delegates Fraser-Hidalgo, Holmes, Reznik, and West

AN ACT concerning

Real Property – New Home Sales – Information on Energy-Efficient Options

FOR the purpose of requiring a home builder registrant to provide a purchaser with certain information on energy-efficient options available for installation in a new home under certain circumstances; requiring a contract for the initial sale of a new home to contain a certain acknowledgment that the purchaser was ~~informed about certain~~ provided with certain information about energy-efficient options; and generally relating to new home sales and energy-efficient ~~alternatives~~ options for the home.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 4.5–603
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Real Property
Section 14–117(m)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 987 – Delegates W. Miller, Arentz, Brooks, Carey, and S. Howard

AN ACT concerning

**Alcoholic Beverages – Direct Wine Shipper’s Permit – ~~Qualification Standards~~
Application and Renewal Requirements**

FOR the purpose of requiring an applicant for a direct wine shipper’s permit ~~that is a person licensed outside the State to directly engage in the manufacture of wine in order to qualify for the permit~~ or a direct wine shipper who seeks to renew a permit to identify the wines manufactured by the applicant or direct wine shipper intended for shipment into the State; and generally relating to alcoholic beverages.

BY repealing and reenacting, ~~with~~ without amendments,
Article – Alcoholic Beverages
Section 2–144
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 2–145(a) and 2–149(a)
Annotated Code of Maryland
(2016 Volume and 2016 Supplement)

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

House Bill 1083 – Delegates Pendergrass, Anderson, Angel, Atterbeary, Barkley, B. Barnes, Barron, Barve, Beidle, Branch, Bromwell, Brooks, Carr, Clippinger, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes,

Hettleman, Hill, Hixson, Holmes, C. Howard, Jones, Kaiser, Kelly, Korman, Kramer, Krimm, Lafferty, Lam, R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena–Melnik, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample–Hughes, Sanchez, Sophocleus, Stein, Tarlau, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, Wilkins, C. Wilson, K. Young, and Mosby

AN ACT concerning

Health – Family Planning Services – Continuity of Care

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 Budget and Taxation.

House Bill 1104 – Delegates Hixson, Gutierrez, and M. Washington

AN ACT concerning

Inheritance Tax – Exemption – Evidence of Domestic Partnership

FOR the purpose of establishing that a certain affidavit ~~is not required~~ or certain other proof may be provided as evidence of a domestic partnership to qualify for an exemption from the inheritance tax on the receipt of an interest in certain real property held in joint tenancy that passes from a decedent to a domestic partner; altering a certain definition; and generally relating to the inheritance tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–203(l)
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 1200 – Delegate Mautz

EMERGENCY BILL

AN ACT concerning

Aquaculture – Leases – Submerged Aquatic Vegetation

FOR the purpose of requiring the Department of Natural Resources, in consultation with interested stakeholders, to study certain conflicts that arise related to aquaculture and submerged aquatic vegetation, develop certain solutions to these conflicts, and report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the Department of Natural Resources, notwithstanding certain provisions of law, to adopt regulations that establish standards and a process under which the Department may assess and evaluate certain aquaculture leases in order to make certain determinations; making this Act an emergency measure; providing for the termination of this Act; and generally relating to aquaculture leases and submerged aquatic vegetation.

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

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

AN ACT concerning

Barbers – Criminal Penalties for Violations of Barbering Law – Repeal

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

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

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

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

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

AN ACT concerning

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

FOR the purpose of providing that certain fees and charges permitted to be imposed on a certain consumer borrower under a certain unsecured open end credit plan, when combined with any interest charged under the plan, may not exceed a certain effective rate of interest; making a conforming change; and generally relating to the regulation of fees and charges under unsecured open end credit plans.

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

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

House Bill 1408 – Delegates Sanchez and Vallario

AN ACT concerning

Criminal Law – Controlled Dangerous Substances – Places of Use

FOR the purpose of altering the prohibition against keeping a dwelling, a building, a vehicle, a vessel, an aircraft, or any other place resorted to by individuals for the purpose of administering illegally controlled dangerous substances to remove the

prohibition from provisions relating to common nuisance; altering a certain penalty; and generally relating to controlled dangerous substances.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601(a) and 5–605
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Joint Resolution 9 – Delegates Moon, Busch, Ali, Barkley, Barve, Brooks, Carr, Cullison, Fraser–Hidalgo, Frick, Glenn, Gutierrez, Hettleman, Hill, Hixson, Holmes, Kelly, Kramer, Lam, R. Lewis, Lierman, Luedtke, McIntosh, A. Miller, Morales, Morhaim, Mosby, Pena–Melnyk, Pendergrass, Platt, Queen, Reznik, Robinson, Rosenberg, Sanchez, Stein, Sydnor, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, ~~and P. Young~~ P. Young, Branch, Bromwell, Gaines, Healey, C. Howard, Jameson, Jones, Kaiser, and Walker

A House Joint Resolution concerning

The Protection of the Federal Affordable Care Act

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 Finance.

SENATE RULES COMMITTEE REPORT NO. 8

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Finance:

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

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:

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

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 1037 – Senator Ramirez

AN ACT concerning

Health Care Malpractice Qualified Expert – Limitation on Testimony in Personal Injury Claims – 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 Education, Health, and Environmental Affairs:

Senate Bill 1123 – Senator Conway

AN ACT concerning

State Lottery and Gaming Control Agency – Procurements

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 Judicial Proceedings:

Senate Bill 1147 – Senator Mathias

EMERGENCY BILL

AN ACT concerning

**State Boat Act – Vessel Operation – Prohibition When Individual on the Bow,
Gunwale, or Transom**

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs and 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 1150 – Senator Young

AN ACT concerning

**Hearing- or Speech-Impaired Children – Sign Language Instruction for Parents
and Guardians**

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 1156 – Senator Reilly

AN ACT concerning

**Health Insurance – Coverage for Male Sterilization – High-Deductible Health
Plans**

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 1164 – Senators Salling, Astle, Bates, Cassilly, DeGrange, Eckardt,
Hershey, Manno, Norman, Rosapepe, Serafini, Simonaire, Waugh, and
Young**

AN ACT concerning

Maryland Transportation Authority – Membership

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 1165 – Senator Waugh

AN ACT concerning

**Maryland Longitudinal Data System – Student and Workforce Data Linkage –
Extension of Time Limit**

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 1168 – Senator Eckardt

AN ACT concerning

Pharmacists – Administration of the Influenza Vaccination – Age Requirement

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 1187 – Senators Cassilly, Brochin, Hough, Norman, and Ready

AN ACT concerning

Criminal Procedure – Life Without Parole – Repeal of Sentencing Proceeding

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 1190 – Senators Eckardt and Serafini

AN ACT concerning

Bay Restoration Fund – Upgraded Municipal Wastewater Facilities – Grants

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 1191 – Senator Manno

AN ACT concerning

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

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 1192 – Senators Manno and Middleton

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Unemployment Insurance – Independent Contractors and Severance Pay

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 1193 – Senator Reilly

AN ACT concerning

Controlled Water Ski Areas in Maynadier Creek – Operation of Vessel – Prohibition

The Bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

INTRODUCTION OF BILLS

Senator Oaks 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 1195 – Senator Oaks

AN ACT concerning

Environment – Reduction of Lead Risk in Housing – Blood Lead Level

FOR the purpose of altering a certain elevated blood lead level at which a certain owner of affected property is required to satisfy certain risk reduction standards; altering a certain elevated blood lead level at which a local health department is required to notify certain persons; and generally relating to reducing lead risk in housing.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–819(c)(1) and 6–846(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 646)

SENATE THIRD READING CALENDAR NO. 52 (GENERAL SENATE BILLS)

Senate Bill 131 – Senators Simonaire and Astle

AN ACT concerning

Anne Arundel County – Board of Education – Selection of Members

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

Affirmative – 45 Negative – 1 (See Roll Call No. 647)

The Bill was then sent to the House of Delegates.

Senate Bill 304 – The President (By Request – Administration)

AN ACT concerning

Taxpayer Protection Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 648)

The Bill was then sent to the House of Delegates.

Senate Bill 312 – The President (By Request – Administration) and Senators Bates, Brochin, Cassilly, Eckardt, Edwards, Ferguson, Jennings, Mathias, Norman, Ready, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

~~Vehicle Laws~~ **Drunk and Drugged Driving – Subsequent Offenders – Felonies and Punitive Damages**
(Repeat Drunk Driving Offenders Act of 2017)

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

Affirmative – 46 Negative – 1 (See Roll Call No. 649)

The Bill was then sent to the House of Delegates.

Senate Bill 429 – Senators Klausmeier, Benson, Cassilly, Eckardt, Madaleno, Muse, Ready, Rosapepe, Salling, Smith, and Young

AN ACT concerning

Higher Education – Student Loan Notification Letter

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

Affirmative – 46 Negative – 0 (See Roll Call No. 650)

The Bill was then sent to the House of Delegates.

Senate Bill 476 – Senators Guzzone, Zucker, Astle, Benson, Conway, Currie, DeGrange, Eckardt, Feldman, Ferguson, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Muse, Nathan-Pulliam, Peters, Pinsky, Ramirez, Robinson, Rosapepe, Serafini, Smith, Waugh, Young, ~~and Zirkin~~ Zirkin, Edwards, Hershey, Jennings, and Oaks

AN ACT concerning

Behavioral Health Community Providers – Keep the Door Open Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 651)

The Bill was then sent to the House of Delegates.

Senate Bill 746 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court Commissioners – Residency in Contiguous County

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

Affirmative – 32 Negative – 15 (See Roll Call No. 652)

The Bill was then sent to the House of Delegates.

Senate Bill 817 – Cecil County Senators

AN ACT concerning

Public Safety – Agritourism – Permit Exemption

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

Affirmative – 47 Negative – 0 (See Roll Call No. 653)

The Bill was then sent to the House of Delegates.

Senate Bill 857 – Senators Smith and Waugh

AN ACT concerning

State Government – Department of Veterans Affairs – Veterans’ Services Specialists

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

Affirmative – 47 Negative – 0 (See Roll Call No. 654)

The Bill was then sent to the House of Delegates.

Senate Bill 866 – ~~Senator Klausmeier~~ Senators Klausmeier and Ferguson

AN ACT concerning

Adult High School Pilot Program

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

Affirmative – 47 Negative – 0 (See Roll Call No. 655)

The Bill was then sent to the House of Delegates.

Senate Bill 979 – Senator Edwards

AN ACT concerning

Vehicle Laws – All-Terrain Vehicles and Snowmobiles

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

Affirmative – 47 Negative – 0 (See Roll Call No. 656)

The Bill was then sent to the House of Delegates.

Senate Bill 1006 – ~~Senator Jennings~~ Senators Jennings and Manno

AN ACT concerning

Senior Citizen Activities Centers – Bingo Games – Authorization

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

Affirmative – 47 Negative – 0 (See Roll Call No. 657)

The Bill was then sent to the House of Delegates.

SPECIAL ORDER CALENDAR NO. 32

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 7

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. 7
March 16, 2017

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

1. Don Brooks Satterfield District 37
5432 Bates Bank Road
Cambridge, MD 21613

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

College of Southern Maryland, Board of Trustees of the

2. James F. Di Misa District 28
1033 Wiltshire Drive
La Plata, MD 20646

Member of the Board of Trustees of the College of Southern Maryland; appointed to serve a term of five years from July 1, 2017

Correctional Standards, Commission on

3. Montrell Spence District 10
3701 Twin Lakes Court, Apt. 108
Windsor Mills, MD 21244

Member of the Commission on Correctional Standards; appointed to serve a term of three years from July 1, 2016

Correctional Training Commission

4. Deborah J. Richardson District 99
115 Baldsmere Drive
York, PA 17403

Member of the Correctional Training Commission; reappointed to serve a term of three years from July 1, 2016

Economic Development Corporation Board of Directors, Maryland

5. Harry A. Shasho District 28
8055 Applegrove Court
La Plata, MD 20646

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2016

Education, State Board of

6. David Edimo District 19
13213 Rippling Brook Drive
Silver Spring, MD 20906

Student Member of the State Board of Education; appointed to serve a term of one year from July 1, 2016

Historical Trust, Board of Trustees of the Maryland

7. Sakinah Linder District 43
3037 Barclay Street
Baltimore, MD 21218

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve a term of four years from July 1, 2017

Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors

8. Wayne Richard District 36
102 Burton Air Drive
Centreville, MD 21617

Member of the Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors; appointed to serve a term of four years from July 1, 2017

Podiatric Medical Examiners, State Board of

9. Sharon Bunch District 43
2105 Woodbourne Avenue
Baltimore, MD 21214

Member of the State Board of Podiatric Medical Examiners; appointed to serve a term of four years from July 1, 2017

Professional Engineers, State Board for

10. Sallye E. Perrin District 40
225 West Lanvale Street
Baltimore, MD 21217

Member of the State Board for Professional Engineers; reappointed to serve a term of five years from July 1, 2017

Rural Legacy Board, Advisory Committee to the

11. David Albert Foltz, Ph.D. District 2
6500 Sharpsburg Pike
Sharpsburg, MD 21782

Member of the Advisory Committee to the Rural Legacy Board; appointed to serve a term of three years from July 1, 2014, and a term of three years from July 1, 2017

St. Mary's College of Maryland, Board of Trustees

12. John J. Bell District 99
105 Duane Street, Apt. 21G
New York, NY 10007

Member of the Board of Trustees of St. Mary's College of Maryland; appointed to serve a term of six years from June 1, 2015

13. John Bullock, Ph.D. District 40
1405 Hollins Street
Baltimore, MD 21223

Member of the Board of Trustees of St. Mary's College of Maryland; appointed to serve remainder of a term of six years from June 1, 2013

14. Gail Harmon, Esq. District 29
46502 Glen Mary Farm Road
Park Hall, MD 20667

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

15. John Chambers Wobensmith District 99
88 Leonard Street, Apt. PH3
New York, NY 10013

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

Technology Development Corporation Board of Directors, Maryland

16. Jennifer H. Elisseeff, Ph.D. District 43
3007 Saint Paul Street
Baltimore, MD 21218

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2016

Transportation Authority, Maryland

17. William H. Cox District 34
625 Ridgewood Road
Bel Air, MD 21014

Member of the Maryland Transportation Authority; appointed to serve remainder of a term to expire June 30, 2016 and a term of 4 years from July 1, 2016

Workers' Compensation Commission, State

18. R. Karl Aumann, Esq. District 42
538 Wyngate Road
Timonium, MD 21093

Chair of the State Workers' Compensation Commission; reappointed to serve a term of twelve years from February 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.

Amusement Ride Safety Advisory Board, State

- S-1. Karen Y. Bond District 43
1509 Lakeside Avenue
Baltimore, MD 21218

Member of the State Amusement Ride Safety Advisory Board; appointed to serve remainder of a term of four years from July 1, 2016

Apprenticeship and Training Council

- S-2. Grant B. Shmelzer District 16
4977 Battery Lane, Apt. 1019N
Bethesda, MD 20814

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2017

- S-3. William C. Taylor District 26
6218 Dimrill Court
Fort Washington, MD 20744

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2017

Archaeology, Advisory Committee on

- S-4. Richard J. Dent, Ph.D. District 99
P.O. Box 415
Great Cacapon, WV 25422

Member of the Advisory Committee on Archaeology; reappointed to serve a term of three years from July 1, 2017

Arts Council, Maryland State

- S-5. Lily Bengfort District 36
184 Log Canoe Circle
Stevensville, MD 21666

Member of the Maryland State Arts Council; appointed to serve remainder of a term of three years from July 1, 2015

Aviation Commission, Maryland

- S–6. David L. Winstead, Esq. District 18
5505 Kirkside Drive
Chevy Chase, MD 20815

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2017

Boiler Rules, Board of

- S–7. Richard C. Ludlow District 31
7782A West Shore Road
Pasadena, MD 21122

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

- S–8. Brian M. Wodka District 42
808 Walker Station Court
Parkton, MD 21120

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2018

Budget of the State Workers' Compensation Commission, Advisory Committee on the

- S–9. Lisa Y. Settles, Esq. District 42
2 Stillway Court
Cockeysville, MD 21030

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, 2016

Canal Place Preservation and Development Authority

- S–10. Stuart C. Czapski District 1
609 Thompson Avenue
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve a term of four years from July 1, 2017

Community Health Resources Commission, Maryland

S-11. Elizabeth L. Chung District 4
5924 White Flint Drive
Frederick, MD 21702

Member of the Maryland Community Health Resources Commission; reappointed to serve a term of four years from July 1, 2017

Criminal Injuries Compensation Board

S-12. Jasper R. Clay, Jr. District 12
4964 Moonfall Way
Columbia, MD 21044

Member of the Criminal Injuries Compensation Board; appointed to serve a term of five years from July 1, 2015

S-13. Karin V. Green, Esq. District 41
2208 Clove Terrace
Baltimore, MD 21209

Chair of the Criminal Injuries Compensation Board; reappointed to serve a term of five years from July 1, 2017

S-14. Karen M. Hartz District 33
1799 William Road
Millersville, MD 21108

Member of the Criminal Injuries Compensation Board; appointed to serve a term of five years from July 1, 2016

Deaf and Hard of Hearing, Maryland Advisory Council for the

S-15. Dakota Burgess District 41
3605 W. Saratoga Street
Baltimore, MD 21229

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2017

- S–16. Jason Corning District 32
1415 Duckens Street
Odenton, MD 21113

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;
reappointed to serve a term of three years from October 1, 2017

- S–17. Lawrence L. Gray District 24
4105 Byers Street
Capitol Heights, MD 20743

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–18. Eddy F. Laird District 4
6713 Coldstream Drive
New Market, MD 21774

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–19. Gordon M. Outlaw District 44
2214 Southland Road
Gwynn Oak, MD 21207

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–20. Vikki L. Porter District 19
518 Kerwin Road
Silver Spring, MD 20901

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;
appointed to serve remainder of a term of three years from October 1, 2014, and a
term of three years from October 1, 2017

Dental Examiners, State Board of

- S–21. Roslyn L. Chester District 43
1319 Winston Avenue
Baltimore, MD 21239

Member of the State Board of Dental Examiners; reappointed to serve a term of four
years from June 1, 2017

S-22. Arthur Chen-Shu Jee District 16
5425 Moorland Lane
Bethesda, MD 20814

Member of the State Board of Dental Examiners; reappointed to serve a term of four years from June 1, 2017

S-23. Margaret A. Kern District 30
640 Astern Way, #110
Annapolis, MD 21401

Member of the State Board of Dental Examiners; reappointed to serve a term of four years from June 1, 2017

S-24. Allan J. Kroopnick District 42
1305 Saint Albans Road
Baltimore, MD 21208

Member of the State Board of Dental Examiners; appointed to serve a term of four years from June 1, 2017

S-25. Hari K. Razdan District 10
325 Chamborley Drive
Reisterstown, MD 21136

Member of the State Board of Dental Examiners; appointed to serve a term of four years from June 1, 2017

Dietetic Practice, State Board of

S-26. Laura C. Davis District 42
15208 Priceville Road
Sparks Glenco, MD 21152

Member of the State Board of Dietetic Practice; appointed to serve a term of four years from July 1, 2017

S-27. William A. Hamilton District 10
114 Persimmon Circle
Reisterstown, MD 21136

Member of the State Board of Dietetic Practice; appointed to serve a term of four years from July 1, 2017

- S–28. Lauren I. Mirkin District 11
2520 Willow Glen Drive
Baltimore, MD 21209

Member of the State Board of Dietetic Practice; reappointed to serve a term of four years from July 1, 2017

Emergency Number Systems Board

- S–30. Richard D. Berg District 32
8288 Elevation Road
Millersville, MD 21108

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2015

- S–31. Scott Laurence Brillman District 45
1221 N. Calvert Street
Baltimore, MD 21202

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2014

- S–32. Julia M. Fischer District 12
6590 Dovecote Drive
Columbia, MD 21044

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2016

- S–33. John E. Markey District 4
7113 Flint Court
Middletown, MD 21769

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2016

- S–34. E. Colton O'Donoghue District 46
1406 Lowman Street
Baltimore, MD 21230

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2015

S–35. Colleen M. O'Neill District 5
4049 Rinehart Road
Westminster, MD 21158

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2013, and a term of four years from July 1, 2017

S–36. Stephen H. Souder District 36
804 Bayside Drive
Stevensville, MD 21666

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2015

Environmental Health Specialists, State Board of

S–37. Naomi Renee Howell District 36
10444 Worton Road
Worton, MD 21678

Member of the State Board of Environmental Health Specialists; reappointed to serve a term of four years from July 1, 2017

Food Center Authority, Maryland

S–38. Matthew S. Helminiak District 9
65 Gina Court
Sykesville, MD 21784

Member of the Maryland Food Center Authority; appointed to serve a term of five years from July 1, 2017

Foresters, State Board of

S–39. Michael J. Huneke District 35
2035 Whiteford Road
Whiteford, MD 21160

Member of the State Board of Foresters; reappointed to serve a term of five years from July 1, 2017

Professional Land Surveyors, State Board for

- S–40. Thomas L. Frazier, Jr. District 4
6650 Coldstream Drive
New Market, MD 21774

Member of the State Board for Professional Land Surveyors; appointed to serve remainder of a term of five years from July 1, 2012, and a term of five years from July 1, 2017

Professional Standards and Teacher Education Board

- S–41. Darren Ray Hornbeck District 12
5423 El Camino
Columbia, MD 21044

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2017

- S–42. Maleeta Kitchen District 12
5639 Harpers Farms Road, Unit D
Columbia, MD 21044

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2017

- S–43. Christopher W. Lloyd District 4
12260 Weller Road
Monrovia, MD 21770

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2017

Residential Child Care Program Professionals, State Board for Certification of

- S–44. Krystal Holland District 24
12714 Gladys Retreat Circle
Bowie, MD 20720

Member of the State Board for Certification of Residential Child Care Program Professionals; appointed to serve a term of four years from July 1, 2017

S-45. Mark Jews District 8
9007 Waltham Woods
Parkville, MD 21234

Member of the State Board for Certification of Residential Child Care Program Professionals; reappointed to serve a term of four years from July 1, 2017

Rural Legacy Board, Advisory Committee to the

S-46. Kyle Landon Murray District 30
1618 Hilltop Road
Edgewater, MD 21037

Member of the Advisory Committee to the Rural Legacy Board; reappointed to serve a term of three years from July 1, 2017

School for the Deaf, Board of Trustees of the Maryland

S-47. Katherine Hoheusle-Wenger District 3
5147 McLauren Lane
Frederick, MD 21703

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

St. Mary's College of Maryland, Board of Trustees

S-48. Peter J. Bruns, Ph.D. District 16
5100 Dorset Avenue, Apt. 404
Chevy Chase, MD 20815

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

S-49. Glen R. Ives District 29
23785 Kingston Creek Road
California, MD 20619

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

- S–50. Leonard J. Attman District 11
16 Talton Court
Baltimore, MD 21208

Member of the Maryland Stadium Authority; reappointed to serve a term of four years from July 1, 2017

State Higher Education Labor Relations Board, Maryland

- S–51. Aurora M. Carmichael District 26
519 Broad Creek Drive
Fort Washington, MD 20744

Member of the State Higher Education Labor Relations Board; reappointed to serve a term of six years from July 1, 2017

Stationary Engineers, State Board of

- S–52. Brian M. Wodka District 36
808 Walker Station Court
Parkton, MD 21120

Member of the State Board of Stationary Engineers; reappointed to serve a term of three years from July 1, 2017

Technology Development Corporation Board of Directors, Maryland

- S–53. Murray K. Hoy, Ed.D. District 38
3589 Union Church Road
Salisbury, MD 21804

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2017

- S–54. John L. Shetrone, Jr. District 31
341 Eagle Hill Road
Pasadena, MD 21122

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2017

S-55. Amita Shukla District 16
7111 Woodmont Avenue, Apt. 503
Bethesda, MD 20815

Member of the Maryland Technology Development Corporation Board of Directors;
reappointed to serve a term of four years from July 1, 2017

Tourism Development Board, Maryland

S-56. Judy Long Bixler District 37
5001 Reed Road
Oxford, MD 21654

Member of the Maryland Tourism Development Board; reappointed to serve a term
of three years from July 1, 2017

S-57. Casey Jenkins District 43
1015 Andover Road
Baltimore, MD 21218

Member of the Maryland Tourism Development Board; reappointed to serve a term
of three years from July 1, 2017

S-58. Cara Hergan Joyce District 32
110 Sweetser Road
Linthicum Heights, MD 21090

Member of the Maryland Tourism Development Board; reappointed to serve a term
of three years from July 1, 2017

S-59. Alexandra Lyn Von Paris District 42
518 Hampton Lane
Towson, MD 21286

Member of the Maryland Tourism Development Board; reappointed to serve a term
of three years from July 1, 2017

S-60. Ruth Umbel District 1
1002 Mosser Road
McHenry, MD 21541

Member of the Maryland Tourism Development Board; reappointed to serve a term
of three years from July 1, 2017

Veterinary Medical Examiners, State Board of

- S–61. Lynne E. Chaput District 33
309 Blue Cedar Court
Millersville, MD 21108

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2017

Wellmobile Program Advisory Board, Governor's

- S–62. Jennifer C. Baldwin District 15
13345 Query Mill Road
North Potomac, MD 20878

Member of the Governor's Wellmobile Program Advisory Board; appointed to serve a term of three years from October 1, 2015

- S–63. Dottie Tiejun Li District 47
3000 Parkway
Cheverly, MD 20785

Member of the Governor's Wellmobile Program Advisory Board; reappointed to serve a term of three years from October 1, 2017

Women, Maryland Commission for

- S–64. Nicole Stacy Alicia Ingram District 15
23219 Stringtown Road, #131
Cockeysville, MD 21030

Member of the Maryland Commission for Women; reappointed to serve a term of four years from July 1, 2017

- S–65. Marylou N. Yam, Ph.D. District 43
100 St. Albans Way
Baltimore, MD 21212

Member of the Maryland Commission for Women; reappointed to serve a term of four years from July 1, 2017

Youth Camp Safety, Advisory Council on

S-66. Anita D. Anderson District 15
13433 Burnt Woods Place
Germantown, MD 20874

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of three years from July 1, 2017

S-67. Jolanda Josephina Campbell District 29
584 Bafford Road
Lusby, MD 20657

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of three years from July 1, 2017

S-68. Carla L. DeWitt District 30
432 Penwood Drive
Edgewater, MD 21037

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2017

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. 658)

Senate Bill 737 – Senator Waugh

SECOND PRINTING

AN ACT concerning

**St. Mary's County – Bonds and Other Evidences of Indebtedness
– Limitations and Repayment**

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

Senator Waugh moved to place **Senate Bill 737** back on second reading for the purpose of adding amendments.

The motion was adopted.

FLOOR AMENDMENT

SB0737/813225/1

BY: Senator Waugh

AMENDMENTS TO SENATE BILL 737
(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, strike beginning with “to” in line 4 down through “assessments” in line 6.

AMENDMENT NO. 2

On page 2, in line 9, strike “ONE AND EIGHT–TENTHS (1.8)” and substitute “TWO AND FIFTEEN HUNDREDTHS (2.15)”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 971 – Senator Kagan

AN ACT concerning

**Procurement – Nondiscrimination Clauses and State Policy Prohibiting
Discrimination**

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

Favorable report, as amended, adopted by roll call vote as follows:

Affirmative – 27 Negative – 18 (See Roll Call No. 659)

FLOOR AMENDMENT

SB0971/213324/1

BY: Senators Kagan and Rosapepe

AMENDMENTS TO SENATE BILL 971, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0971/724232/1), strike Amendment No. 1 in its entirety.

AMENDMENT NO. 2

On page 1 of the bill, strike beginning with “requiring” in line 6 down through “characteristics;” in line 11 and substitute “requiring the Maryland Commission on Civil Rights, in conjunction with the Department of Commerce, to conduct a certain study and report to the General Assembly on or before a certain date;”; and in line 15, strike “19–101” and substitute “19–102”.

AMENDMENT NO. 3

On page 2 of the bill, in lines 2 and 3, strike “:

(I);

and strike beginning with “AND” in line 7 down through “**DIRECTORS;**” in line 12.

On page 3 of the bill, strike in their entirety lines 8 through 25, inclusive.

AMENDMENT NO. 4

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in line 6 of Amendment No. 2, strike “:”; in line 7, strike “**(I)**”.

On pages 1 and 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “:” in line 10 on page 1 down through “**DISCRIMINATION;**” in line 1 on page 2.

On pages 2 through 5 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “19–103.” in line 9 on page 2 down through “sanctions.” in line 17 on page 5.

AMENDMENT NO. 5

On page 3 of the bill, before line 26, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Commission on Civil Rights, in conjunction with the Department of Commerce, shall:

(1) study strategies for increasing the diversity on boards of directors of for-profit and nonprofit entities in Maryland; and

(2) on or before December 1, 2017, report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on their findings and recommendations.”;

and in line 26, strike “2.” and substitute “3.”.

The preceding 5 amendments were read only.

Senator Jennings moved to make the Bill and Amendment a Special Order for March 20, 2017.

The motion was adopted.

LAID OVER CALENDAR NO. 11

Senate Bill 422 – Senators Pinsky, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Madaleno, Manno, Muse, Nathan–Pulliam, Ramirez, Robinson, Rosapepe, Smith, Young, and Zucker

AN ACT concerning

Keep Antibiotics Effective Act of 2017

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

SB0422/124736/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 422

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Nathan–Pulliam,”; in the same line, after “Pinsky,” insert “Nathan–Pulliam.”; in the same line, strike “and Zucker” and substitute “Zucker, and Astle”; in line 10, strike “owner” and substitute “veterinarian”; in line 12, after “manner” insert “, with a certain exception”; in line 17, strike “providing for the application of this Act;” and in line 21, strike “3–1006” and substitute “3–1005”.

AMENDMENT NO. 2

On page 2, in line 8, strike “A BARN OR EQUIVALENT ANIMAL HOUSING UNIT” and substitute “;”

(1) A GROUP OF ANIMALS IN CONTACT WITH EACH OTHER; OR

(2) A BARN OR EQUIVALENT ANIMAL HOUSING UNIT.

(C) “DOCUMENTED” MEANS ACKNOWLEDGED AND RECORDED”;

and in lines 9, 18, and 29, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively.

On page 3, in line 8, strike “(F)” and substitute “(G)”.

AMENDMENT NO. 3

On page 3, strike lines 17 through 26, inclusive, and substitute “3-1002.”.

AMENDMENT NO. 4

On page 4, in line 6, after “**REGULATIONS;**” insert “AND”; strike in their entirety lines 7 and 8, inclusive; in line 9, strike “**(3)**” and substitute “(2)”; in line 12, after “**CONTROL;**” insert “OR”; in line 13, strike “**; OR**” and substitute a period; and in line 14, strike “**(IV) TO**” and substitute “(B) AN OWNER OF CATTLE, SWINE, OR POULTRY MAY ADMINISTER OR AUTHORIZE AN AGENT TO ADMINISTER A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG TO THE CATTLE, SWINE, OR POULTRY WITH A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG PRESCRIPTION OR A VETERINARY FEED DIRECTIVE ISSUED BY A LICENSED VETERINARIAN WHO HAS DETERMINED THAT THE MEDICALLY IMPORTANT ANTIMICROBIAL DRUG IS NECESSARY TO”.

AMENDMENT NO. 5

On page 4, in line 17, strike “**(B)**” and substitute “(C)”; in the same line, strike “**A**” and substitute “UNLESS A VETERINARIAN DETERMINES THAT THE MEDICALLY IMPORTANT ANTIMICROBIAL DRUG IS NECESSARY IN ACCORDANCE WITH SUBSECTION (A)(2) OF THIS SECTION, A”; in line 18, after “**ADMINISTERED**” insert “IN A ROUTINE OR REGULAR PATTERN”; in the same line, after “**POULTRY**” insert a period; strike beginning with “**FOR**” in line 18 down through “**PREVENTION.**” in line 21; in line 23, after “**ADMINISTERED**” insert “IN ACCORDANCE WITH THE LABEL AND”; and after line 26, insert:

“(D) A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY NOT BE ADMINISTERED TO CATTLE, SWINE, OR POULTRY FOR:

(1) GROWTH PROMOTION; OR

(2) FEED EFFICIENCY OR WEIGHT GAIN PURPOSES.”.

AMENDMENT NO. 6

On page 4, in line 27, strike “**3-1004**” and substitute “**3-1003**”; strike beginning with “**ON**” in line 28 down through “**OWNER**” in line 29, and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A VETERINARIAN**”; and in line 29, after “**DEPARTMENT**” insert “**ANNUALLY**”.

On page 5, after line 6, insert:

“(B) THE REQUIREMENTS IN SUBSECTION (A) OF THIS SECTION DO NOT APPLY IN A PARTICULAR YEAR FOR A PARTICULAR SPECIES IF THE DEPARTMENT RECEIVES MARYLAND-SPECIFIC MEDICALLY IMPORTANT ANTIMICROBIAL DRUG USE DATA FOR NOT LESS THAN 90% OF THAT SPECIES IN THE STATE FROM A NATIONAL TRADE ORGANIZATION, ASSOCIATION, OR COUNCIL THAT COLLECTS MEDICALLY IMPORTANT ANTIMICROBIAL DRUG USE DATA FOR CATTLE, SWINE, OR POULTRY ANNUALLY IN THE UNITED STATES.”;

in lines 7 and 15, strike “**(B)**” and “**(C)**”, respectively, and substitute “**(C)**” and “**(D)**”, respectively; and in lines 19 and 22, strike “**3-1005.**” and “**3-1006.**”, respectively, and substitute “**3-1004.**” and “**3-1005.**”, respectively.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0422/163426/1

BY: Senator Pinsky

AMENDMENTS TO SENATE BILL 422, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0422/124736/1), in line 3 of Amendment No. 1, strike “veterinarian”; in line 4, strike “, with a certain exception”; in lines 4 and 5, strike “providing for the application of this Act;”; and in line 5, strike “3-1005”.

On page 1 of the bill, strike beginning with “prohibiting” in line 3 down through “conditions;” in line 7 and substitute “authorizing, on or after a certain date, the administration of certain antimicrobial drugs to certain cattle, swine, or poultry if, in the professional judgment of a licensed veterinarian, the administration is necessary for certain purposes;”; in line 8, strike “and” and substitute “or”; in the same line, after “poultry” insert “in a certain pattern or”; and strike beginning with “requiring” in line 10 down through “manner;” in line 13 and substitute “requiring the Department to collect certain publicly available data from certain federal agencies and other appropriate entities;”.

AMENDMENT NO. 2

In the Education, Health, and Environmental Affairs Committee Amendments, strike in their entirety Amendment Nos. 3, 4, 5, and 6.

On pages 3 through 5 of the bill, strike in their entirety the lines beginning with line 26 on page 3 through line 14 on page 5, inclusive, and substitute:

“3-1003.

(A) (1) ON OR AFTER JANUARY 1, 2018, AND SUBJECT TO SUBSECTION (B) OF THIS SECTION, A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY BE ADMINISTERED TO CATTLE, SWINE, OR POULTRY IF, IN THE PROFESSIONAL JUDGMENT OF A LICENSED VETERINARIAN, THE MEDICALLY IMPORTANT ANTIMICROBIAL DRUG IS NECESSARY:

(I) TO TREAT A DISEASE OR INFECTION;

(II) TO CONTROL THE SPREAD OF A DISEASE OR INFECTION; OR

(III) FOR A SURGERY OR MEDICAL PROCEDURE.

(2) ON OR AFTER JANUARY 1, 2018, A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY BE ADMINISTERED TO CATTLE, SWINE, OR POULTRY IF, IN THE PROFESSIONAL JUDGMENT OF A LICENSED VETERINARIAN, THE MEDICALLY IMPORTANT ANTIMICROBIAL DRUG IS NECESSARY FOR PROPHYLAXIS TO ADDRESS AN ELEVATED RISK OF CONTRACTION OF A PARTICULAR DISEASE OR INFECTION.

(B) UNLESS ADMINISTRATION OF A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG IS CONSISTENT WITH SUBSECTION (A)(1) OF THIS SECTION, A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY NOT BE ADMINISTERED IN A REGULAR PATTERN TO CATTLE, SWINE, OR POULTRY.

(C) A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY NOT BE ADMINISTERED TO CATTLE, SWINE, OR POULTRY SOLELY FOR THE PURPOSE OF:

(1) PROMOTING WEIGHT GAIN; OR

(2) IMPROVING FEED EFFICIENCY.

3-1004.

(A) EACH YEAR THE DEPARTMENT SHALL COLLECT PUBLICLY AVAILABLE DATA ON THE USE IN THE STATE OF MEDICALLY IMPORTANT ANTIMICROBIAL DRUGS IN CATTLE, SWINE, AND POULTRY FROM:

(1) THE U.S. DEPARTMENT OF AGRICULTURE;

(2) THE CENTERS FOR DISEASE CONTROL AND PREVENTION;

(3) THE U.S. FOOD AND DRUG ADMINISTRATION; AND

(4) APPROPRIATE NATIONAL TRADE ASSOCIATIONS, ORGANIZATIONS, AND COUNCILS.

On page 5 of the bill, in line 15, strike “(C)” and substitute “(B)”; and in line 18, strike “INFORMATION SUBMITTED” and substitute “DATA COLLECTED”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

Senate Bill 178 – Senators Peters, Astle, and Middleton

AN ACT concerning

Horse Racing – Bowie Race Course Training Center – State Purchase or Condemnation

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

SB0178/177575/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 178

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Middleton” and substitute “Middleton, Benson, Feldman, Hershey, Jennings, Klausmeier, Oaks, Reilly, and Rosapepe”; strike beginning with “Bowie” in line 2 down through “Condemnation” in line 3 and substitute “Racetrack Facility Renewal Account – Eligibility and Capital Expenditures”; strike beginning with “authorizing” in line 4 down through “procedure” in line 9 and substitute “altering certain conditions of eligibility for funding from the Racetrack Facility Renewal Account by specifying certain minimum amounts to be spent on capital maintenance and expenditures by certain race tracks; authorizing certain funding for the Bowie Race Course Training Center from the Account under certain conditions; authorizing the Maryland Racing Commission to consider certain expenditures made by the owner of the Bowie Race Course Training Center as part of a certain matching fund requirement for funds from the Account”; strike beginning with the first “the” in line 10 down through “Center” in line 11 and substitute “horse racing and the Racetrack Facility Renewal Account”; strike in their entirety lines 17 through 21, inclusive; and after line 21, insert:

“BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–09(a)

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

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–1A–09(b) and 9–1A–29(d)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Government
Section 9–1A–09(f)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 14 on page 3, inclusive.

On page 3, after line 14, insert:

“Article – State Government

9–1A–09.

(a) In this section, “racing licensee” means the holder of a license issued by the State Racing Commission to hold a race meeting in the State under Title 11 of the Business Regulation Article.

(b) As a condition of eligibility for funding under § 9–1A–29 of this subtitle, a racing licensee shall:

(1) (i) for Laurel Park and Pimlico Race Course, conduct a minimum of 220 annual live racing days combined between Laurel Park and Pimlico Race Course unless otherwise agreed to by the racing licensee and the organization that represents the majority of licensed thoroughbred owners and trainers in the State or unless the racing licensee is prevented by weather, acts of God, or other circumstances beyond the racing licensee’s control;

(ii) for Rosecroft Raceway, conduct a minimum of 90 annual live racing days unless otherwise agreed to by the racing licensee and the organization that

represents the majority of licensed standardbred owners and trainers in the State or unless the racing licensee is prevented by weather, acts of God, or other circumstances beyond the racing licensee's control; and

(iii) for Ocean Downs Racetrack, conduct a minimum of 40 annual live racing days unless otherwise agreed to by the racing licensee and the organization that represents the majority of licensed standardbred owners and trainers in the State or unless the racing licensee is prevented by weather, acts of God, or other circumstances beyond the racing licensee's control;

(2) if the racing licensee holds the racing license for Pimlico Race Course, retain in the State of Maryland the name, common law and statutory copyrights, service marks, trademarks, trade names, and horse racing events that are associated with the Preakness Stakes and the Woodlawn Vase;

(3) if the racing licensee holds the racing license for the Pimlico Race Course, promote and conduct the Preakness Stakes each year at:

(i) the Pimlico Race Course; or

(ii) if the Pimlico Race Course no longer exists, the Preakness Stakes Race is prevented from being conducted at the Pimlico Race Course, or the State Racing Commission, under § 11-513 of the Business Regulation Article, deems an emergency exists, another track located in the State that is approved by the State Racing Commission;

(4) if the racing licensee holds the racing license for Laurel Park, permit the event known as the Maryland Million to be run annually at Laurel Park unless:

(i) the racing licensee is prevented from doing so by weather, acts of God, or other circumstances beyond the control of the racing licensee; or

(ii) the racing licensee and the Maryland Million LLC agree to another location that is approved by the State Racing Commission;

(5) develop and submit to the State Racing Commission a multiyear plan to improve the quality and marketing of horse racing at racetrack locations owned or operated by the racing licensee in Maryland, which shall include:

(i) goals, indicators, and timelines for specific actions that will be taken by the racing licensee to improve the quality and marketing of the horse racing industry in Maryland; and

(ii) a master plan for capital improvements that reflects, at a minimum:

1. commitments that have been made to the State Racing Commission; and

2. an ongoing investment in capital maintenance and improvements in the horse racing facilities [of at least \$1,500,000 annually, which may include amounts provided as a matching fund as required under § 9–1A–29(e)(2) of this subtitle]; [and]

(6) develop with other racing industry representatives a multiyear plan to improve the quality and marketing of the horse racing industry in Maryland, which shall include goals, indicators, and timelines for specific actions that will be taken by the thoroughbred and harness racing industries to improve the quality and marketing of the horse racing industry in Maryland, including joint marketing efforts; AND

(7) FOR EACH YEAR THAT FUNDING IS REQUESTED, SPEND AT LEAST THE FOLLOWING MINIMUM AMOUNTS FOR CAPITAL MAINTENANCE AND IMPROVEMENTS, WHICH MAY INCLUDE AMOUNTS PROVIDED AS A MATCHING FUND AS REQUIRED UNDER § 9–1A–29(E)(2) OF THIS SUBTITLE:

(I) FOR LAUREL PARK AND PIMLICO RACE COURSE, A COMBINED TOTAL OF \$1,500,000;

(II) FOR ROSECROFT RACEWAY, \$300,000; AND

(III) FOR OCEAN DOWNS RACETRACK, \$300,000.

(F) AS A CONDITION OF ELIGIBILITY FOR FUNDING UNDER § 9–1A–29 OF THIS SUBTITLE, THE BOWIE RACE COURSE TRAINING CENTER SHALL SUBMIT A CAPITAL IMPROVEMENT REQUEST TO THE STATE RACING COMMISSION FOR APPROVAL.

9–1A–29.

(d) The amount of funds made available from the Racetrack Facility Renewal Account shall be allocated as follows:

(1) 80% to the Pimlico Race Course, Laurel Park, THE BOWIE RACE COURSE TRAINING CENTER, and the racecourse at Timonium; and

(2) 20% to Rosecroft Raceway and Ocean Downs Race Course.”;

after line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the State Racing Commission may consider, as part or all of the required matching funds for a project to be approved at the Bowie Race Course Training Center under § 9–1A–29(e)(2) of the State Government Article, capital expenditures made by the owner of the Center prior to the effective date of this Act.”;

in line 15, strike “2.” and substitute “3.”; and in line 16, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 571 – Senators Middleton, Rosapepe, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, Zirkin, and Zucker

AN ACT concerning

Maryland Health Insurance Coverage Protection Act

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

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0571/263327/1

BY: Senator Ready

AMENDMENTS TO SENATE BILL 571, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2 of the bill, strike in their entirety the lines beginning with line 13 on page 1 through line 19 on page 2, inclusive.

On page 1 of the Finance Committee Amendments (SB0571/177871/1), in line 8 of Amendment No. 1, strike “could”.

AMENDMENT NO. 2

On page 3 of the bill, in lines 20, 22, 25, and 30, in each instance, strike “a repeal or weakening of” and substitute “changes to”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 33 (See Roll Call No. 660)

FLOOR AMENDMENT

SB0571/683229/1

BY: Senator Salling

AMENDMENT TO SENATE BILL 571

(First Reading File Bill)

On page 2, in lines 26 and 28, in each instance, strike “two” and substitute “three”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0571/243121/3

BY: Senator Hershey

AMENDMENT TO SENATE BILL 571

(First Reading File Bill)

On page 3, in lines 20, 22, 25, and 30, in each instance, strike “a repeal or weakening of” and substitute “changes to”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Senator Middleton 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 1196 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

**Tri-County Council for Southern Maryland – Financing Purchase or Lease of
Property – Exemption From Procurement Law**

FOR the purpose of exempting from the State procurement law the purchase or lease of property for a certain purpose by certain persons if the Tri-County Council for Southern Maryland makes a certain determination; providing that existing obligations or contract rights may not be impaired by this Act; making this Act an emergency measure; and generally relating to an exemption from the State procurement law for the purchase or lease of property by certain persons under a certain determination made by the Tri-County Council for Southern Maryland.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 13-601(a) and (c)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 13-612.1

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 661)

RECESS

At 1:44 P.M. on motion of Senator Peters the Senate recessed until 7:00 P.M. on Legislative Day, March 17, 2017, Calendar Day, Monday, March 20, 2017.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 17, 2017
Calendar Day: Monday, March 20, 2017

At 7:06 P.M. the Senate resumed its session.

Prayer by Father Chris LaBarge, St. Francis DeSales, 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. 667)

The Journal of March 17, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 505 – Senator Victor R. Ramirez and Senator Joanne C. Benson:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Fairmont Heights Varsity Basketball Team
in recognition of
your winning the 1A Men's State Basketball Championship. We applaud your
outstanding season and wish you many more. Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 20th day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 668)

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 20

House Bill 12 – ~~Delegate S. Howard~~ Delegates S. Howard, Barve, Folden, Ghrist, Hill, Jalisi, Jameson, Krebs, Saab, Turner, Afzali, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Long, Luedtke, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Walker, and Wilkins

AN ACT concerning

Senatorial and Delegate Scholarships – ~~Veterans~~ Individuals on Active Duty – Eligibility and Use of Funds

FOR the purpose of authorizing certain senatorial and delegate scholarships to be used at certain out-of-state institutions of higher education if a certain scholarship applicant is a certain ~~veteran~~ individual on active duty who is domiciled in the State; authorizing a certain ~~veteran~~ individual on active duty to be domiciled in the State in order to retain a certain senatorial scholarship; making certain stylistic changes; and generally relating to qualifications for senatorial and delegate scholarships.

BY repealing and reenacting, without amendments,

Article – Education

Section 18–402(a), 18–406(a), and 18–501(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 18–402(b), 18–405(d), 18–406(b), and 18–501(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 18–406(f)

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 94 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

Maryland E-Innovation Initiative Program – Requirements for Matching Funds

FOR the purpose of authorizing a nonprofit institution of higher education to deposit certain available institutional funds into the research endowment of the institution

under certain circumstances to satisfy a certain deposit requirement to receive matching funds under the Maryland E–Nnovation Initiative Program; and generally relating to the Maryland E–Nnovation Initiative Program.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 6–601(a), (b), (d), (g), (j), and (l) and 6–613
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 6–619
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

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

House Bill 108 – St. Mary’s County Delegation

AN ACT concerning

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

FOR the purpose of altering the person in the St. Mary’s County government that is required to perform certain duties relating to dog licenses and dog tags; requiring the general shape of dog tags to remain unchanged from year to year; and generally relating to the regulation of dogs in St. Mary’s County.

BY repealing and reenacting, with amendments,
Article – Local Government
Section 13–129(a) and (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 109 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Farm Fences – Repeal

FOR the purpose of repealing certain provisions of law that relate to joint fences for adjoining farms in St. Mary’s County.

BY repealing

The Public Local Laws of St. Mary's County
Section 43–1 through 43–5 and the chapter “Chapter 43. Fences”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2014 Supplement, as amended)

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

House Bill 163 – St. Mary's County Delegation

AN ACT concerning

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

FOR the purpose of repealing certain provisions of law that relate to the licensing and operation of mobile home parks in St. Mary's County; and generally relating to the repeal of certain provisions of law on the licensing and operation of mobile home parks in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County
Section 136–1 through 136–4, 136–7, 136–11, and 136–13 through 136–19 and the
Chapter “Chapter 136. Trailers”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2015 Supplement, as amended)

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

House Bill 174 – Delegates Luedtke, M. Washington, Afzali, D. Barnes, Buckel, Ebersole, Hixson, Hornberger, Kelly, Vogt, Walker, and A. Washington

AN ACT concerning

Education – Children With Disabilities – Individualized Education Program Process – Parental Consent

FOR the purpose of requiring an individualized education program team to obtain written consent from the parent of a child with a disability if the team proposes certain actions regarding the individualized education program of the child; requiring an individualized education program team, under certain circumstances, to send a parent certain written notice within a certain time frame that informs the parent of certain rights to consent or refuse to consent to certain actions; authorizing an individualized education program team to implement a certain action regarding an individualized education program if a parent does not provide certain written consent or a written refusal to consent to a certain action within a certain time frame;

authorizing an individualized education program team to use certain dispute resolution options to resolve a certain matter under certain circumstances; and generally relating to parental consent in the individualized education program process.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–405
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 194 – St. Mary’s County Delegation

AN ACT concerning

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

FOR the purpose of repealing certain provisions of law that relate to the licensing and operation of certain amusement devices in St. Mary’s County.

BY repealing
The Public Local Laws of St. Mary’s County
Section 77–1 through 77–4 and the chapter “Chapter 77. Licenses”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2014 Supplement, as amended)

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

House Bill 209 – St. Mary’s County Delegation

AN ACT concerning

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

FOR the purpose of repealing a certain provision of law that relates to the authority of the County Commissioners of St. Mary’s County to establish a certain board of directors for the purposes of establishing and overseeing a vocational training facility for certain purposes; and generally relating to the repeal of an obsolete provision of law relating to a vocational training facility in St. Mary’s County.

BY repealing
The Public Local Laws of St. Mary’s County
Section 144–1 and the chapter “Chapter 144 Vocational Training Facility”
Article 19 – Public Local Laws of Maryland

(2007 Edition and March 2015 Supplement, as amended)

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

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

AN ACT concerning

Washington Suburban Sanitary Commission – Office of Supplier Diversity and Inclusion and Minority Business Enterprise Program

MC/PG 106–17

FOR the purpose of continuing until a certain date certain provisions relating to procurement from minority business enterprises by the Washington Suburban Sanitary Commission; altering the name of the Office of Small, Local, and Minority Business Enterprise in the Commission to be the Office of Supplier Diversity and Inclusion; altering a certain definition; and generally relating to procurement by the Washington Suburban Sanitary Commission from minority business enterprises and the Office of Supplier Diversity and Inclusion.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 20–201, 20–202, 20–208, and 20–302
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 350 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Gaming – Bingo Games

MC 16–17

FOR the purpose of allowing, in Montgomery County, an individual who is at least a certain age to conduct a bingo game involving cash prizes if the game is conducted at a certain residential property in a certain manner; and generally relating to gaming in Montgomery County.

BY adding to
Article – Criminal Law

Section 13–1803(c)
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 404 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Land Records – Repeal

FOR the purpose of repealing a certain provision of law concerning the preparation of certain documents submitted for inclusion in the land records of St. Mary’s County; and generally relating to land records in St. Mary’s County.

BY repealing

The Public Local Laws of St. Mary’s County
Section 73–1 and the chapter “Chapter 73. Land Records”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2015 Supplement, as amended)

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

House Bill 410 – The Speaker (By Request – Administration) and Delegates Adams, Afzali, Anderton, ~~Arentz~~, Beitzel, Buckel, Carozza, Cassilly, Ciliberti, Clark, Flanagan, Folden, ~~Grammer~~, Hornberger, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McKay, Metzgar, Miele, Reilly, Rose, Shoemaker, Simonaire, Szeliga, Vogt, West, B. Wilson, ~~and Wivell~~ Wivell, Jameson, and Clippinger

AN ACT concerning

Economic Development – Maryland Energy Innovation Institute

FOR the purpose of establishing a Maryland Energy Innovation Institute for certain purposes; providing that the Institute is a part of the A. James Clark School of Engineering of the University of Maryland; providing that the School shall manage the Institute according to certain policies with advice of the Advisory Board of the Institute; establishing the purposes of the Institute; providing that the exercise of certain powers by the Institute is an essential governmental function; establishing an Advisory Board of the Institute for certain purposes; providing for the membership, ~~terms~~, powers, and officers of the Institute Board; providing that the Director of the University of Maryland Energy Research Center is the Director of the Institute; providing for the appointment of an Associate Director; establishing the duties of the Institute Director; authorizing the Institute to retain certain staff and

consultants; establishing the powers of the Institute; establishing the Maryland Energy Innovation Fund as a special, nonlapsing revolving fund in the University System of Maryland to be used by the Institute and the Maryland Clean Energy Center; specifying the purposes and uses of the Fund; providing that the Institute shall manage and supervise the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in the Fund; requiring interest earnings of the Fund to be credited to the Fund; providing for the audit of the books and records of the Institute in a certain manner; providing that the Institute and the Center are independent entities that are not responsible for each other's debts, liabilities, bonds, or obligations; requiring the Institute to report each year to the Governor, the Maryland Energy Administration, and the General Assembly on certain matters; stating the intent of the General Assembly regarding coordination of functions and avoidance of duplication of effort between the Center and the Administration; altering the purposes of the Maryland Clean Energy Center; altering the membership of the Board of Directors of the Center; providing that the Governor shall appoint the chair of the Board; ~~repealing the function of requiring the Board to establish a Financing Investment Advisory Committee for certain purposes~~; providing for the membership of the Advisory Committee; requiring the Advisory Committee to review certain matters and make certain recommendations; authorizing certain State economic development units to provide representatives, resources, and expertise to the Advisory Committee for certain purposes; authorizing the Center to disseminate, rather than to act as a clearinghouse, for certain information and materials for certain purposes; providing that the Center ~~shall~~ may consult with the Administration when cooperating with certain entities and coordinating certain activities with certain programs and persons; requiring certain State economic development units to cooperate with the Center and authorizing those units to provide certain resources and expertise for certain purposes; requiring the Center to publish certain audits on its Web site; repealing the Maryland Clean Energy Technology Incubator Program in the Center; exempting the Fund from a certain provision of law requiring interest earnings of State money to accrue to the General Fund of the State; providing that the Institute is exempt from State and local taxes; providing for the transfer of certain funds in each of certain fiscal years to the Fund from the Strategic Energy Investment Fund; ~~providing for the initial terms of the members of the Institute Board~~ requiring the Center to prepare a certain work plan for certain purposes; requiring the Center to report to the Governor, the Administration, and the General Assembly on certain matters on or before a certain date; requiring the Institute to conduct a certain study and report on its findings and recommendations to the Governor, the Administration, and the General Assembly on or before a certain date; defining certain terms; providing that certain obligations or contracts may not be impaired by this Act; providing that certain loan obligations be converted to grants from the Administration to the Center; and generally relating to the Maryland Energy Innovation Institute, the Maryland Clean Energy Center, and economic development.

BY repealing

Article – Economic Development

Section 10–829 through 10–837 and the part “Part III. Maryland Clean Energy Technology Incubator Program”
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–801(a), (b), (c), (e), (f), (h), and (i)
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–806, 10–807, 10–808, 10–810, 10–823, and 10–825
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)

BY adding to
Article – Economic Development
Section 10–828 through ~~10–838~~ 10–839 to be under the new part “Part III. Maryland Energy Innovation Institute”
Annotated Code of Maryland
(2008 Volume and 2016 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

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

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

House Bill 431 – St. Mary’s County Delegation

AN ACT concerning

St. Mary's County – Tax Exemptions – Repeal of Local Provisions

FOR the purpose of repealing provisions of local law that relate to exemptions for certain persons engaged in the business of manufacturing in St. Mary's County from certain taxes under certain circumstances; and generally relating to the repeal of provisions of local law that relate to tax exemptions in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County
Section 131–1 and 131–2 and the chapter “Chapter 131. Tax Exemptions”
Article 19 – Public Local Laws of Maryland
(2007 Edition and October 2014 Supplement, as amended)

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

House Bill 477 – Delegate Beitzel

AN ACT concerning

Natural Resources – Protection and Restoration of State-Owned Lakes

FOR the purpose of establishing the State Lakes Protection and Restoration Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Natural Resources to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; requiring interest earnings of the Fund to be credited to the Fund; requiring the Department of Natural Resources to develop a certain budget; requiring the Department to develop, in coordination with local governments, organizations, and citizens, a certain annual work plan; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; defining a certain term; and generally relating to the protection and restoration of State-owned lakes.

BY adding to

Article – Natural Resources
Section 8–205 and 8–206
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

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

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

House Bill 494 – Delegates Stein, Beidle, Gilchrist, Healey, Holmes, Jacobs, and Otto

AN ACT concerning

Motor Vehicles – Use of Fog Lights When Windshield Wipers Operating – Repeal

FOR the purpose of repealing the authority of a driver to use a vehicle's fog lights instead of the vehicle's headlamps during the continuous operation of the vehicle's windshield wipers under certain circumstances; and generally relating to the use of vehicle lamps and lights when the windshield wipers are operating.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–201.2
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 530 – ~~Delegate M. Washington~~ Delegates M. Washington, Afzali, Ali, D. Barnes, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Kaiser, Long, Mosby, Patterson, Reilly, Rose, Shoemaker, Simonaire, Tarlau, Turner, Walker, A. Washington, and Wilkins

AN ACT concerning

Sales and Use Tax – Tax-Free Period for Back-to-School Shopping – Sale of Backpacks and Bookbags

FOR the purpose of altering a certain sales and use tax exemption to include a certain portion of the taxable price of certain backpacks and bookbags, subject to certain limitations; and generally relating to the designation of a certain annual sales tax-free period in the State.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–228
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 578 – Delegates Kramer, Carr, Barkley, Chang, Cullison, Fraser-Hidalgo, Gutierrez, C. Howard, Jackson, Korman, Krimm, Morales, and Valentino-Smith

AN ACT concerning

Vehicle Laws – Pedestrian Hybrid ~~Signals~~ Beacons

FOR the purpose of ~~requiring the driver of a vehicle to obey a pedestrian hybrid signal as provided in this Act; specifying the manner in which vehicular traffic is required to obey a pedestrian hybrid signal; establishing that a pedestrian hybrid signal may be placed only at certain locations; establishing a penalty for a violation of certain provisions of this Act; establishing that certain provisions of law relating to traffic control signal monitoring systems apply to pedestrian hybrid signals; establishing the manner in which a pedestrian or bicyclist is required to obey a pedestrian hybrid signal; establishing that a pedestrian hybrid beacon is a traffic control signal; establishing that certain provisions of law do not apply to pedestrian hybrid signals~~ beacons; authorizing the State Highway Administration or a local jurisdiction to install a pedestrian hybrid beacon in accordance with a certain federal manual; requiring the State Highway Administration to update a certain manual to conform with the provisions of this Act within a certain period of time; defining “pedestrian hybrid ~~signal~~ beacon”; making stylistic and conforming changes; and generally relating to pedestrian hybrid ~~signals~~ beacons.

BY renumbering
Article – Transportation
Section 11–145.1
to be Section 11–145.2
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section ~~21–101(a), 21–201(a)(1), and 21–202(a)~~

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

BY adding to

Article – Transportation

Section ~~21-101(d-1), 21-201(e)~~ 11-145.1, 21-202(n), and 21-204.2, and ~~21-204.3~~

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11-168, 21-202(m), 21-202.1, 21-204, 21-209, and 21-502(a), and ~~26-305(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 621 – Cecil County Delegation

AN ACT concerning

Cecil County Board of Education – Members – Salary

FOR the purpose of altering the amount of compensation of the president and other voting members of the Cecil County Board of Education; making conforming changes; providing that this Act does not apply to the compensation of the president or other voting members of the board during a certain term of office; and generally relating to the compensation of the members of the Cecil County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 3-4A-04

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 629 – Cecil County Delegation

AN ACT concerning

Cecil County – Orphans' Court Judges – Travel Expense Allowance

FOR the purpose of increasing the allowance for traveling expenses for the judges of the Orphans' Court for Cecil County; specifying that the allowance is to be paid by the county; providing for the application of this Act; making stylistic changes; and

generally relating to traveling expense allowances for judges of the Orphans' Court for Cecil County.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–108(a) and (i)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

**House Bill 642 – Delegates C. Wilson, Angel, Atterbeary, Bromwell, Folden,
C. Howard, and Moon**

AN ACT concerning

Civil Actions – Child Sexual Abuse – Statute of Limitations and Required Findings

FOR the purpose of altering the statute of limitations in certain civil actions relating to child sexual abuse; establishing a statute of repose for certain civil actions relating to child sexual abuse; providing that, in a certain action filed more than a certain number of years after the victim reaches the age of majority, damages may be awarded against a person or governmental entity that is not an alleged perpetrator only under certain circumstances; providing that a certain action is exempt from certain provisions of the Local Government Torts Claims Act; providing that a certain action is exempt from certain provisions of the Maryland Torts Claims Act; defining a certain term; making certain stylistic changes; providing for the application of this Act; and generally relating to child sexual abuse.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–117 and 5–304(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 5–304(b)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

BY repealing and reenacting, without amendments,
Article – State Government
Section 12–106(b)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 655 – Frederick County Delegation

AN ACT concerning

Frederick County – Hunting – Nongame Birds and Mammals

FOR the purpose of repealing a prohibition in Frederick County against hunting or attempting to hunt nongame birds and mammals without first obtaining a hunting license; making certain stylistic changes; and generally relating to hunting nongame birds and mammals in Frederick County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–301(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 679 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Metropolitan Commission – Personnel

FOR the purpose of altering the type of position of certain personnel in the St. Mary's County Metropolitan Commission; establishing certain personnel positions in the Commission as contractual positions; establishing that the Director of the Commission is the immediate supervisor of certain personnel; and generally relating to personnel in the St. Mary's County Metropolitan Commission.

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 113–1C.
Article 19 – Public Local Laws of Maryland
(2007 Edition and October 2014 Supplement, as amended)

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

House Bill 682 – St. Mary’s County Delegation

AN ACT concerning

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

FOR the purpose of altering the salary of the Sheriff of St. Mary’s County, the County Treasurer of St. Mary’s County, and the State’s Attorney for St. Mary’s County; providing for the application of this Act; and generally relating to the salaries of public officials of St. Mary’s County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(t)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–419(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–419(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 16–203
Annotated Code of Maryland
(2013 Volume and 2016 Supplement)

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

House Bill 713 – Chair, Ways and Means Committee (By Request – Departmental – Transportation)

AN ACT concerning

Sales and Use Tax – Light Rail Vehicles – Exemption

FOR the purpose of providing an exemption from the sales and use tax for the sale of certain light rail vehicles and related equipment if the vehicle will be used to provide service on the Purple Line; and generally relating to a sales and use tax exemption for the sale of certain light rail vehicles.

BY adding to

Article – Tax – General

Section 11–233

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

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

House Bill 716 – ~~Delegates Beidle, McMillan, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Board of Education – ~~Selection of Members~~

FOR the purpose of requiring that, beginning with a certain election, certain members of the Anne Arundel County Board of Education be elected by councilmanic districts ~~and a certain member be elected at large~~; repealing certain provisions of law governing the appointment of members of the county board; establishing the composition of the county board; providing for the residency requirements, terms of office, and filling of a vacancy in the office of certain members of the county board; establishing certain procedures for the election of certain members of the county board; renaming the School Board Nominating Commission of Anne Arundel County to be the School Board Appointment Commission of Anne Arundel County; altering the membership, purpose, and duties of the Commission; providing for the term of office of a certain member of the Commission; repealing certain provisions of law relating to the approval or rejection of the retention of certain members of the county board by county voters in a certain general election; requiring the affirmative vote of a certain number of members for the approval of any action by the county board; altering the compensation of the members of the county board; altering the amount of the scholarship granted a certain student member of the county board; providing for the removal of, and hearings and appeal procedures for, certain members of the county board; altering the manner of filling a vacancy in the office of certain members of the county board; repealing certain provisions of law establishing and relating to the School Board Appointment Commission of Anne Arundel County; providing for the expiration of the terms of certain appointed members of the county board; making certain conforming changes; providing for the application of this Act; providing for the effective dates of this Act; and generally relating to ~~the election of the members of~~ the Anne Arundel County Board of Education.

BY renumbering

Article – Education

Section 3–2A–01 through 3–2A–10, respectively, and the subtitle “Subtitle 2A. Baltimore County”

to be Section 3–2B–01 through 3–2B–10, respectively, and the subtitle “Subtitle 2B. Baltimore County”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–108(a), 3–110, and 3–114(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 3–114(g) and (h)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 3–2A–02, 3–2A–03, 3–2A–06, and 3–2A–08 to be under the new subtitle “Subtitle 2A. Anne Arundel County”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 3–2B–01(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–2B–01(b)(2)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–2A–03(c)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

(As enacted by Section 2 of this Act)

BY repealing

Article – Education

Section 3–2A–04

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

(As enacted by Section 2 of this Act)

BY adding to

Article – Education

Section 3–2A–04

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 822 – ~~Delegate Kipke~~ Delegates Kipke, Afzali, Ali, C. Howard, Long, Reilly, Rose, and Simonaire

AN ACT concerning

Income Tax – Subtraction Modification – Police Auxiliaries and Reserve Volunteers

FOR the purpose of altering eligibility for and the amount of a subtraction modification under the State income tax for certain qualifying police auxiliaries and reserve volunteers; and generally relating to a subtraction modification under the State income tax for police auxiliaries and reserve volunteers.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–208(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–208(l)

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 842 – Delegates Folden, Anderton, Bromwell, Buckel, Ciliberti, Ghrist, Hornberger, Jacobs, McComas, McDonough, Metzgar, Miele, Vogt, B. Wilson, C. Wilson, and K. Young

AN ACT concerning

Admissions and Amusement Tax – Exemption for School Field Trips

FOR the purpose of ~~establishing that the admissions and amusement tax may not be imposed by a county or municipal corporation on gross receipts derived from any charge for admission to participate in certain State public school activities authorizing a county or a municipal corporation to exempt from the admissions and amusement tax gross receipts from any charge for admission to participate in certain State public school activities; and generally relating to exemptions from the admissions and amusement tax.~~

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

Article – Tax – General

Section ~~4-103(b)~~ 4-104(g)

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 873 – Delegates Carey and Lisanti

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs – Extension

FOR the purpose of extending the number of taxable years for which an individual or corporation may claim a credit against the State income tax for certain costs incurred to obtain federal security clearances, to rent certain spaces, and to construct or renovate certain sensitive compartmented information facilities in the State; making certain stylistic changes; and generally relating to a credit against the State income tax for costs related to federal security clearances.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10-732

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 913 – Delegates Rosenberg, Barve, Busch, Davis, Frick, Jones, Kaiser, McIntosh, Pendergrass, ~~and Vallario~~ Vallario, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Morales, Pena-Melnyk, Platt, Sample-Hughes, and K. Young

AN ACT concerning

Attorney General – Powers – Maryland Defense Act of 2017

FOR the purpose of authorizing the Attorney General to employ certain assistant counsel under certain circumstances; authorizing 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; requiring the Governor's proposed budget for a certain fiscal year and annually thereafter to appropriate at least a certain amount to the Attorney General to be used only for certain purposes; requiring the Attorney General to submit a certain report to the Governor and the Legislative Policy Committee on or before a certain date each year; stating the findings of the General Assembly; providing for the construction of this Act; making the provisions of this Act severable; and generally relating to the powers of the Attorney General.

BY adding to

Article – State Government

Section ~~6–105(f)~~ and 6–106.1

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 1037 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Conaway, Glenn, and Oaks

AN ACT concerning

Baltimore City – Civilian Review Board

FOR the purpose of ~~altering certain procedures for filing a complaint with the Baltimore City Civilian Review Board; repealing certain time limits on filing a complaint; authorizing the Board to review an incomplete complaint; authorizing a complainant to request that a complaint be confidential; providing that a certain report, under certain circumstances, remains subject to a certain review and certain recommendations by the Board; repealing a certain period of time within which the Board is required to submit a certain statement to the head of a certain law enforcement unit; repealing certain references to the Secretary of the Board; making certain stylistic and technical changes; altering certain definitions~~ modifying a certain time limit on the filing of a certain complaint with the Baltimore City Civilian

Review Board; repealing a requirement that a certain complaint be witnessed by a notary public; requiring a certain complaint to be sworn to, under penalty of perjury, by the complainant; making a certain stylistic change; and generally relating to the Baltimore City Civilian Review Board.

~~BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–41
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006, as amended
by Chapter 130 of the Acts of the General Assembly of 2015)~~

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–42(a)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–43(b), ~~16–44(e) through (e)~~, and ~~16–48(a)~~ and 16–44(b) and (c)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

~~BY repealing
The Public Local Laws of Baltimore City
Section 16–44(b)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)~~

~~BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–45
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)~~

~~BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–46
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)~~

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

House Bill 1047 – Delegates Moon, Dumais, Sanchez, and Sydnor

AN ACT concerning

~~**Child Support – Suspension of Employment Related License for Arrears –
Hardship Exception and Reinstatement**~~
Child Support – Noncompliance With Court Order – License Suspension

FOR the purpose of extending the period of time that an individual with a commercial driver's license may be out of compliance with the most recent order of the court in making child support payments before the Child Support Enforcement Administration may notify the Motor Vehicle Administration to suspend the individual's driver's license; altering the circumstances under which the Child Support Enforcement Administration may request that a certain licensing authority suspend or deny a certain license under certain circumstances; requiring that a notice of a certain proposed action to suspend or deny a business, occupational, or professional license for failure to pay child support contain certain information on grounds for requesting a certain investigation; ~~authorizing the Child Support Enforcement Administration to choose temporarily not to request a suspension of a certain license under certain circumstances~~ altering the circumstances under which the Child Support Enforcement Administration may not send a notification about an individual to a certain licensing authority; providing certain additional circumstances under which a certain license suspended for failure to pay child support may be reinstated; making a certain stylistic change; and generally relating to the suspension of ~~employment-related~~ licenses for the failure to pay child support.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 10–119(a) and 10–119.3(a)(1) and (2)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section ~~10–119.3(f)~~ 10–119(b)(1) and 10–119.3(e)(1)(i), (f), and (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 1065 – Delegate Sydnor

AN ACT concerning

~~**State Government – State Commission on Surveillance Technology and Civil
Rights**~~
Task Force to Study Law Enforcement Surveillance Technologies

FOR the purpose of ~~requiring law enforcement agencies in the State to report certain purchases and uses of certain surveillance technology to a certain commission; establishing the State Commission on Surveillance Technology and Civil Rights in the Executive Department; providing for the composition, chair, quorum, meetings, reimbursement, and terms of the Commission; requiring the Office of the Attorney General to provide staffing for the Commission; establishing the purposes and powers of the Commission; requiring all State departments, agencies, and offices and the departments, agencies, and offices of a political subdivision of the State to provide certain information and materials when requested by the Commission; providing for the Commission's annual reporting to the General Assembly; defining certain terms; and generally relating to the State Commission on Surveillance Technology and Civil Rights~~ establishing the Task Force to Study Law Enforcement Surveillance Technologies; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Law Enforcement Surveillance Technologies.

~~BY adding to~~

~~Article — Public Safety~~

~~Section 3-520~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2016 Supplement)~~

~~BY adding to~~

~~Article — State Government~~

~~Section 9-3301 to be under the new subtitle “Subtitle 33. State Commission on Surveillance Technology and Civil Rights”~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2016 Supplement)~~

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

House Bill 1145 – Delegates Tarlau, Angel, B. Barnes, D. Barnes, Ebersole, Fennell, Frush, Hayes, C. Howard, Luedtke, Morales, Mosby, Patterson, Pena-Melnyk, Sanchez, Shoemaker, Turner, Walker, A. Washington, M. Washington, Wilkins, K. Young, ~~and Ali~~ Ali, and Afzali

AN ACT concerning

Public School Employee Whistleblower Protection Act

FOR the purpose of prohibiting a public school employer from taking or refusing to take certain personnel actions against public school employees who disclose certain behavior or refuse to participate in certain behavior; providing that certain protections under this Act apply only if certain public school employees have a good faith belief that the public school employer is engaged or has engaged in unlawful activity and that the unlawful activity poses a substantial and specific danger to public health or safety; requiring that prior to reporting to a supervisor the public school employee report the unlawful activity in writing to the public school employer and provide the employer a reasonable opportunity to correct the unlawful activity; requiring a public school employee to exhaust administrative remedies before instituting a certain civil action; authorizing certain public school employees to institute a civil action in the county where a certain violation occurred, where the employee resides, or where the public school employer maintains its principal office in the State; requiring that a public school employee file a civil action under this Act within 6 months after the retaliatory personnel action occurred or within 6 months after the employee first became aware of the retaliatory personnel action; establishing the remedies a court may impose; providing a defense that the personnel action was based on grounds other than those protected under this Act; and generally relating to the Public School Employee Whistleblower Protection Act.

BY adding to

Article – Education

Section 6–901 through 6–906 to be under the new subtitle “Subtitle 9. Public School Employee Whistleblower Protection Act”

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 1240 – ~~Delegates Kaiser~~ Delegates Kaiser, A. Washington, Atterbeary, Ebersole, Frick, Haynes, Healey, Hill, Jalisi, Korman, Krimm, Lam, Lierman, Luedtke, McComas, Moon, Mosby, Patterson, Rey, Turner, Valentino-Smith, M. Washington, and K. Young K. Young, Kittleman, C. Howard, Afzali, Wilkins, Rose, Simonaire, Tarlau, Walker, Ali, and Hornberger

AN ACT concerning

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

FOR the purpose of requiring certain complaining parties to bear a certain burden of proof in due process hearings that are held to resolve a dispute relating to the provision of a free appropriate public education to children with disabilities; providing a certain exception that if a parent or guardian files a due process complaint against a public agency concerning a dispute over the delivery of certain services or certain changes

~~at a certain meeting, the public agency is required to bear a certain burden of proof; providing a certain exception that requires a parent or guardian seeking tuition reimbursement for a unilateral placement of a student by the parent or guardian to bear a certain burden of proof; authorizing a certain administrative law judge to shift a certain burden of proof under certain circumstances;~~ requiring the State Department of Education, in consultation with each local school system, to study and make recommendations regarding certain matters; requiring the Department to report its findings and recommendations to the General Assembly on or before a certain date; requiring the Department to contract with a public or private entity to conduct a certain study of the individualized education program process in the State and to make certain recommendations regarding the process; requiring the Governor to include sufficient funds in the State budget for certain fiscal years to cover the costs of a certain study; requiring the Department to report the findings and recommendations of a certain study to the General Assembly on or before a certain date; providing for a delayed effective date for a certain provision of this Act; providing for the termination of certain provisions of this Act; and generally relating to the burden of proof in due process hearings and the study of the individualized education program process.

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

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

House Bill 1263 – Delegate Dumais

AN ACT concerning

Family Law – Child Abuse and Neglect – Definitions

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

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

(2012 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

Domestic Violence – Petitioner – Attorney for Child

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

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

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

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

House Bill 1299 – Howard County Delegation

AN ACT concerning

Howard County Board of Education – Elected School Board

Ho. Co. 11–17

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

providing for the termination of the terms of certain members of the county board; providing for the terms of certain members of the county board; providing for the application of this Act; and generally relating to the election of the members of the Howard County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–701
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

Cable Service – Broadband Connection Requirement – Enforcement

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

BY repealing and reenacting, with amendments,
Article – Local Government
Section 1–708
Annotated Code of Maryland
(2013 Volume and 2016 Supplement)

BY adding to

Article – Public Utilities

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

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

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

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

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

House Bill 1314 – Delegates Jacobs, Arentz, Mautz, ~~and Otto~~ Otto, and S. Howard

AN ACT concerning

**Crabs – ~~Holiday Harvest Times – Trotlines and Crab Pots~~ Harvest Times –
Holidays**

FOR the purpose of requiring the Department of Natural Resources to adopt regulations that ~~allow~~ provide a tidal fish licensee authorized to catch crabs using ~~trotlines or crab pots~~ all legal gear to work ~~certain hours during certain time periods~~ 1 additional early hour on certain days; and generally relating to harvest times for catching crabs ~~using trotlines and crab pots.~~

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–803

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1317 – Prince George’s County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George’s County ~~Delegation – Appointment of Board of License Commissioners~~ Alcoholic Beverages Regulation Reform Act of 2017

FOR the purpose of ~~repealing the requirement that~~ requiring the County Executive for Prince George's County, instead of the Governor, to appoint all of the members of the Board of License Commissioners for Prince George's County; requiring the County Executive to make the appointments; to be made subject to confirmation by the Prince George's County Council; requiring a confirmation hearing before the Prince George's County Council to be held within a certain time; requiring members of the Board to have a certain type of experience; repealing certain appointment procedures for members of the Board; requiring the County Executive to consider the need for certain types of diversity when evaluating an applicant for membership on the Board; prohibiting a member of the Board from soliciting or receiving certain benefits; prohibiting certain individuals from soliciting or receiving certain benefits from certain individuals; prohibiting a member of the Board from being appointed to more than a certain number of terms; requiring the County Executive, rather than the Governor, to make an appointment appoint an eligible individual to fill a vacancy under certain circumstances; providing that a vacancy appointment is subject to a certain confirmation hearing; authorizing the County Executive rather than the Governor to remove a member under certain conditions; requiring a certain certification letter to be addressed to the County Executive rather than the Governor; requiring the County Executive rather than the Governor to appoint the chair of the Board; repealing a provision of law prohibiting the County Executive and County Council from adopting a certain policy; authorizing the Board to set the compensation of the Board employees in accordance with the county's classification plan; replacing the position of Board administrator with the position of executive director of the Board; requiring the County Executive to appoint the executive director, subject to confirmation by the County Council; providing for the salary of the executive director; allowing the executive director to participate in the county's supplemental retirement plan; requiring that the attorney whom the Board appoints shall receive an amount as specified in the county budget; repealing certain provisions of law regarding the compensation of the attorney; requiring that an employee of the Board be subject to the county ethics laws; specifying that the expenses of the Board be contained in the county budget; repealing certain provisions of law regarding the payment of certain expenses; altering the number of full-time inspectors and the number of part-time inspectors; altering the salary of a part-time inspector; providing that the terms of office of the members of the Board or successor members who are in office as of the effective date of this Act shall terminate on a certain date requiring the Board to appoint a director, rather than an administrator; altering certain provisions relating to the salary and expenses of certain members and employees of the Board; altering the number of full-time and part-time inspectors of the Board; authorizing, except under certain circumstances, certain individuals to hold certain employment; providing that a member of the Board is subject to the same restrictions on earned income as certain individuals are under a certain provision of law; authorizing the Prince George's County Board of Ethics to exempt a member of the Board from the restriction on earned income; requiring certain individuals to comply with certain public ethics laws; requiring that certain financial disclosure provisions for the Board be equivalent to or exceed the requirements of a certain provision of law; providing that the members, employees,

and inspectors of the Board are subject to certain public ethics laws to the same extent as certain local officials; authorizing a person to file a complaint with the county's Office of Ethics and Accountability under certain circumstances; requiring the Office of Ethics and Accountability to take certain action if a complaint is filed; requiring that the Office of Legislative Audits conduct a certain audit of the Board and focus on certain matters; authorizing the employees and authorized representatives of the Office of Legislative Audits to have access to certain records for a certain purpose; exempting certain audit reports from the requirement that the Legislative Auditor send copies of audit reports to certain individuals; requiring that certain audit reports be sent to certain persons; providing for the termination of certain terms of office; requiring the County Executive to employ an outside professional consultant to review certain standard operating procedures, make a certain comparison, and recommend certain changes; making conforming changes; defining a certain term; altering a certain definition; making this Act an emergency measure; and generally relating to the Board of License Commissioners for Prince George's County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 26–102

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 26–202 through 26–206

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 26–206.1 and 26–209

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – General Provisions

Section 5–809(a)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 5–809(b)

Annotated Code of Maryland

(2014 Volume and 2016 Supplement)

BY adding to

Article – State Government
Section 2–1220(g)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 2–1223(a) and 2–1224(a), (d), and (e)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government
Section 2–1224(b) and (c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

Natural Resources – Gill Nets – Stretched Mesh Size

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

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 4–710(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1343 – Howard County Delegation

AN ACT concerning

Howard County – Fire and Explosive Investigator – Authority

Ho. Co. 24-17

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

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

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

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

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

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 3–101(a) and 3–201(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

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

House Bill 1344 – Delegates C. Wilson and McComas

EMERGENCY BILL

AN ACT concerning

**~~Charles and~~ Baltimore City and Charles, Prince George’s, and Harford Counties
– Recall of Former Judge for Temporary Assignment – Eligibility**

FOR the purpose of altering the eligibility requirements for recall of a former judge in Baltimore City, Charles County, Harford County, and Prince George’s County for temporary assignment; making this Act an emergency measure; and generally relating to the recall of former judges for temporary assignment.

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

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

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

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

AN ACT concerning

Adult High School Pilot Program

FOR the purpose of establishing an Adult High School Pilot Program; providing for the purpose of the Program; providing that the Program is under the authority and supervision of the State Department of Education and the Department of Labor, Licensing, and Regulation; authorizing the Department, in consultation with the Department of Labor, Licensing, and Regulation, to approve up to a certain number of pilots; establishing requirements for a pilot under the Program; requiring the Department and the Department of Labor, Licensing, and Regulation to consider certain items when considering whether to approve a certain pilot; providing that a certain pilot is not a public school for certain purposes; requiring an applicant to submit a certain plan to the Department and the Department of Labor, Licensing, and Regulation that includes certain information; requiring the Department, in consultation with the Department of Labor, Licensing, and Regulation, to approve or disapprove certain items within a certain period of time; requiring the State Board of Education to grant a certain pilot a waiver from certain regulations; prohibiting the State Board from granting a waiver of a certain assessment requirement in a certain regulation; requiring a pilot to be subject to the requirements of a certain federal law and provide certain accommodations; requiring the Department and the Department of Labor, Licensing, and Regulation to establish qualifications for operators of pilots under the Program; providing for the minimum content of certain qualifications; requiring certain operators to adopt certain written standards; requiring certain standards to be submitted to the Department and Department of Labor, Licensing, and Regulation for approval; authorizing an operator to partner with certain entities; requiring an Advisory Board to govern a pilot; providing for the membership, appointments, officers, and filling of vacancies for an Advisory Board; authorizing the operator or the Advisory Board to apply for and accept certain funding from certain entities; requiring an operator to conduct a certain evaluation each year; requiring an operator, after receiving certain approval from the Advisory Board, to submit a certain evaluation report to certain departments; requiring, beginning on a certain date, a certain operator to submit certain information to certain departments; requiring the Department and the Department of Labor, Licensing, and Regulation to jointly submit to the Governor and the General Assembly a certain report on or before a certain date; requiring the Department and the Department of Labor, Licensing, and Regulation to send a certain written notice to certain pilots under certain circumstances; requiring the Department and the Department of Labor, Licensing, and Regulation to jointly adopt certain regulations; defining certain terms; and generally relating to the Adult High School Pilot Program.

BY adding to

Article – Education

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

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1382 – Delegate Barron

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,
Article – Election Law
Section 5–706
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

House Bill 1386 – Delegates Lisanti, Barkley, ~~and C. Wilson~~ C. Wilson, Anderton, Beidle, Cassilly, Clark, Flanagan, Folden, Healey, Holmes, Jacobs, and McMillan

AN ACT concerning

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

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

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

BY repealing and reenacting, with amendments,

Article – General Provisions

Section ~~5–101(y) and 5–103(b)~~ 5–101(m)(2) and (y), 5–103(b), 5–601(d), and 5–801

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 1456 – Delegate Parrott

AN ACT concerning

Vehicle Laws – Passing to the Right – Use of Shoulder

FOR the purpose of authorizing the driver of a vehicle to pass to the right of another vehicle making or about to make a left turn under certain circumstances; making a certain technical correction and certain conforming changes; and generally relating to the use of the shoulder to pass on the right.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–304

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1478 – Calvert County Delegation

AN ACT concerning

Calvert County – Competitive Bidding Process

FOR the purpose of altering the method by which the County Commissioners of Calvert County or the official authorized to contract for the county shall invite proposals for certain contracts; authorizing the Commissioners or the official authorized to contract for the county to use other methods to invite proposals for certain contracts; and generally relating to the competitive bidding process in Calvert County.

BY repealing and reenacting, with amendments,

The Public Local Laws of Calvert County

Section 6–101

Article 5 – Public Local Laws of Maryland

(2002 Edition and May 2015 Supplement, as amended)

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

House Bill 1498 – Delegates A. Washington and Tarlau

AN ACT concerning

Campaign Finance – Political Organizations – Compliance and Disclosure

FOR the purpose of authorizing a political action committee to establish one compliance account; providing that disbursements from a political action committee compliance account may be made only for purposes of complying with certain campaign finance laws; providing that donations to a political action committee compliance account may be made only if the donor consents to the use of the donation for certain purposes; providing that donations to a political action committee compliance account are not subject to certain limits; prohibiting a campaign finance entity from making a transfer to a political action committee compliance account; requiring the State Board of Elections to adopt regulations defining permissible disbursements from a political action committee compliance account and requiring disclosure of donations to a political action committee compliance account and disbursements from a political action committee compliance account; requiring certain persons that make independent expenditures or disbursements for electioneering communications to identify a registered agent located in the State for service of process; providing that certain civil penalties for failure to file certain reports concerning independent expenditures and electioneering communications are the joint and several liability of certain persons; prohibiting certain individuals making independent expenditures or disbursements for electioneering communications who have failed to pay certain civil penalties or late fees from serving in certain roles in certain political organizations; requiring certain political action committees to include certain information concerning contributions and expenditures in certain disclosure reports; requiring a registration form filed by certain participating organizations to include certain information; repealing certain provisions concerning the deadlines and contents of certain reports filed by participating organizations; defining certain terms; requiring a participating organization to file a report with the State Board of Elections within a certain period of time after making aggregate political disbursements of more than a certain amount; requiring a participating organization to file an additional report with the State Board within a certain period of time after making aggregate political disbursements of more than a certain amount after the closing date of the participating organization's previous report; requiring a report filed by a participating organization to include certain information; requiring a participating organization's reports to cover certain periods; providing that a participating organization is not required to file any reports if the participating organization provides a link to certain information on its Web site; requiring a participating organization report to be signed and filed by the treasurer or another individual designated by the participating organization; requiring certain participating organizations to identify a registered agent located in the State for service of process; requiring a participating organization to file an amended report

under certain circumstances; authorizing the State Board to assess certain civil penalties for failure to file certain participating organization reports; providing for the payment and distribution of certain civil penalties; authorizing a participating organization to seek relief from certain civil penalties under certain circumstances; prohibiting certain individuals holding certain positions in a participating organization who have failed to pay certain civil penalties or late fees from serving in certain roles in certain political organizations; requiring a participating organization to keep certain records; authorizing the State Board to adopt certain regulations; and generally relating to compliance with campaign finance laws and disclosure requirements for political organizations.

BY adding to

Article – Election Law

Section 13–220.2

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–306, 13–307, 13–309.1, and 13–309.2

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

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

House Bill 1565 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County Board of Education – ~~Academic Revitalization and Management Effectiveness Initiative~~ Repeal Election of Vice Chair, Voting Procedures, and Final Report

PG 402–17

FOR the purpose of ~~revising the composition of the Prince George’s County Board of Education from an elected and appointed board to an elected board; altering the number of members on the county board; altering the method by which a vacancy on the county board is filled; requiring the county board to hold a certain annual meeting; altering the number of affirmative votes necessary for the passage of a motion by the county board under certain circumstances; repealing certain provisions relating to the position, powers, and responsibilities of the Chief Executive Officer of the Prince George’s County public school system; providing that in Prince George’s County the county superintendent is the executive officer, secretary, and treasurer of the county board; subjecting the county superintendent of Prince George’s County to the statutory requirements of a county superintendent; requiring~~

~~the county board to employ certain individuals in certain circumstances; requiring the county superintendent to nominate certain positions for appointment by the county board; repealing the requirement that the County Executive of Prince George's County and the Prince George's County Council appoint certain members to the county board on or before a certain date; repealing the requirement that a certain search committee be appointed; repealing the requirement that the Chief Executive Officer and the county board hire a certain consultant and make certain recommendations on or before a certain date; repealing the requirement that the County Executive, Chief Executive Officer, and the county board submit certain reports on or before certain dates; repealing the requirement that the General Assembly deliberate and determine whether certain provisions of law should be terminated during a certain session; providing that the terms of certain appointed members of the county board terminate on a certain date; repealing a certain definition; making conforming changes~~ altering the procedure for the selection of the vice chair of the Prince George's County Board of Education; altering a certain percentage of the voting members of the county board that is required to take a certain action that is contrary to an action of the Chief Executive Officer; altering the date of submission of a certain final report to certain committees, the Prince George's County Senators, and the Prince George's County Delegation; and generally relating to the Prince George's County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section ~~3-105, 3-114, 3-1002 through 3-1004~~ 3-1004(a) and 4-403, 4-101, 4-102, 4-120, 4-201, 4-202, 4-204, 4-206, and 6-201(a) and (b)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

~~BY repealing~~

~~Article – Education~~

~~Section 4-201.1; and 4-401 through 4-403 and the subtitle “Subtitle 4. Prince George's County”~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,

Chapter 147 of the Acts of the General Assembly of 2013

Section ~~2 through~~ 4

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

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 21

House Bill 83 – Delegates Luedtke, Afzali, D. Barnes, Buckel, Ebersole, Fennell, Glass, Hill, Hixson, Hornberger, C. Howard, Kaiser, Patterson, Reilly, Reznik, Rose, Sanchez, Shoemaker, Simonaire, Tarlau, Turner, A. Washington, and M. Washington

AN ACT concerning

Income Tax – Subtraction Modification – Discharged Student Loan Debt

FOR the purpose of altering a subtraction modification under the Maryland income tax for certain income of certain individuals resulting from the discharge of student loan indebtedness by repealing a requirement that the discharge must be due to total and permanent disability or death; making a conforming change; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain income resulting from the discharge of certain indebtedness.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–207(aa)

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 144 – Chair, Health and Government Operations Committee (By Request – Departmental – General Services)

AN ACT concerning

Procurement – Department of General Services – Exemption for Historic Structures

FOR the purpose of providing that certain provisions of law do not apply to procurement by the Department of General Services for the renovation of a structure ~~built during certain centuries or~~ listed in or eligible for listing in the National Register of Historic Places, to the extent necessary to preserve the historic fabric of the structure, as determined by the Department in consultation with the Maryland Historic Trust; 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)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 183 – ~~Delegates Grammer, Afzali, Buckel, Cluster, Ebersole, Hornberger, Long, Metzgar, Miele, Rose, Shoemaker, Simonaire, and Tarlau~~ Baltimore County Delegation

AN ACT concerning

**Education – Career Exploration and Development Activities – Coffee
(Java Act)**

FOR the purpose of authorizing an Executive Branch agency to ban or regulate the sale of coffee in conjunction with a career exploration and development activity in a public high school in Baltimore County; providing a certain exception; repealing a certain termination provision relating to prohibiting an Executive Branch agency from banning or regulating the sale of coffee in conjunction with a career exploration and development activity in certain public high schools; and generally relating to the sale of coffee in conjunction with a career exploration and development activity in public high schools in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Education
Section 7–423.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 717 of the Acts of the General Assembly of 2016
Section 2

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

House Bill 220 – ~~Delegates Grammer, Aumann, Cluster, Impallaria, McDonough, Metzgar, Miele, Morhaim, Stein, Szeliga, West, and P. Young~~ Baltimore County Delegation

AN ACT concerning

**Foreclosures – Baltimore County – Certificate of Vacancy or Certificate of
Property Unfit for Human Habitation**

FOR the purpose of requiring Baltimore 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 Baltimore 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 Baltimore 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 Judicial Proceedings.

House Bill 243 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Auditing Requirements – Repeal

FOR the purpose of repealing certain provisions of law that relate to the appointment, salary, removal, and powers of a county auditor for St. Mary’s County; repealing certain provisions of law concerning a certain annual audit and an accounting system in the county; and generally relating to auditing in St. Mary’s County.

BY repealing
The Public Local Laws of St. Mary’s County
Section 8–1, 8–2, and 8–4 and the chapter “Chapter 8. Auditor”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2015 Supplement, as amended)

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

House Bill 251 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$25,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency–related equipment, buildings, and other facilities of volunteer fire

departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

House Bill 263 – Delegates Carr, Beidle, and Stein

AN ACT concerning

School Bus Monitoring Cameras – Exclusion of Vehicle Rental Companies – Repeal and Notification Requirement

FOR the purpose of altering a certain definition to repeal the exclusion of motor vehicle rental companies as owners of motor vehicles for the purpose of the enforcement of violations of overtaking and passing school vehicles operating alternately flashing red lights that are recorded by school bus monitoring cameras; requiring a law enforcement agency to provide a certain notice to a motor vehicle rental company before issuing a certain citation; prohibiting a law enforcement agency from mailing a motor vehicle rental company a certain citation if the motor vehicle rental company provides the law enforcement agency with certain information or pays a certain penalty; making conforming changes; and generally relating to vehicle rental companies and school bus monitoring cameras.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–706.1(a)(3) and (f)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–706.1(e) and (h)(5)

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

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

House Bill 346 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Property Tax Credit – Public Safety Officers

MC 1–17

FOR the purpose of authorizing the governing body of Montgomery County to grant, by law, a certain property tax credit against the county property tax imposed on a certain dwelling in Montgomery County that is owned by a certain public safety officer under certain circumstances; providing that the credit may not exceed a certain amount per dwelling and the amount of property tax imposed on the dwelling; requiring the State Department of Assessments and Taxation to be responsible for certain administrative duties relating to the credit; requiring Montgomery County to reimburse the Department for certain administrative costs; authorizing the governing body of Montgomery County to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain public safety officers in Montgomery County.

BY adding to

Article – Tax – Property

Section 9–317(h)

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 386 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Economic Development – Business Improvement
Districts**

MC 12–17

FOR the purpose of removing Montgomery County from the scope of law governing the establishment of business improvement districts; authorizing Montgomery County or a municipal corporation in Montgomery County to create certain business improvement districts; providing for the legislative purposes of a district; requiring

the county or a municipal corporation in the county to adopt certain local laws to provide for the creation and organization of a district; providing for the governance of the business improvement district corporation; providing that the net earnings of a district corporation may benefit only the district corporation; authorizing a district corporation to receive certain money, charge certain fees, have certain employees, and use certain services; providing for the creation of a district; requiring that before a district may be created a certain public hearing must be held; providing for the imposition of a certain tax in a certain manner under certain circumstances; providing for the expansion of a district; requiring the governing body of the county or a municipal corporation in the county in which a district is established to review and evaluate the desirability of continuing the existence of a district at certain times and to develop policies; and generally relating to business improvement districts and district corporations in Montgomery County.

BY adding to

Article – Economic Development

Section 12–402.1; and 12–601 through 12–612 to be under the new subtitle “Subtitle 6. Montgomery County – Business Improvement Districts”

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

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

House Bill 406 – The Speaker (By Request – Administration) and Delegates Fraser-Hidalgo, Afzali, Anderton, Aumann, Beitzel, Carozza, Cassilly, Ciliberti, Clark, Cluster, Davis, Flanagan, Folden, Hornberger, S. Howard, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McKay, McMillan, Metzgar, Miele, Otto, Reilly, Simonaire, Szeliga, Vogt, West, B. Wilson, and Wivell Wivell, Beidle, Jalisi, and McCray

AN ACT concerning

Clean Cars Act of 2017

FOR the purpose of extending and altering, for certain fiscal years, the Electric Vehicle Recharging Equipment Rebate Program and authorization to issue motor vehicle excise tax credits for certain qualified plug-in electric drive vehicles; increasing the total amount of rebates that the Maryland Energy Administration may issue each fiscal year; altering how the rebate is calculated; altering the type of qualified plug-in electric drive vehicle eligible for a certain motor vehicle excise tax credit; altering the calculation of a certain motor vehicle excise tax credit; extending and increasing, for certain fiscal years, the amount required to be transferred from the Strategic Energy Investment Fund to the Transportation Trust Fund to offset certain revenue reductions; extending and increasing, for certain fiscal years, the total amount of motor vehicle excise tax credits that may be issued; and generally relating to the Electric Vehicle Recharging Equipment Rebate Program and motor vehicle excise tax credits for certain qualified plug-in electric drive vehicles.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2009
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–815
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 359 of the Acts of the General Assembly of 2014
Section 2

BY repealing and reenacting, with amendments,
Chapter 360 of the Acts of the General Assembly of 2014
Section 2

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

House Bill 467 – Delegates McCray, Anderson, Barkley, B. Barnes, Barve, Carey, Chang, Clippinger, Conaway, Ebersole, Fennell, Frick, Glenn, Hayes, Haynes, Healey, Hettleman, Hill, Holmes, Hornberger, C. Howard, Jackson, Jalisi, Kelly, Lafferty, Lam, R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, Moon, Morales, Patterson, Platt, Robinson, Rosenberg, Sanchez, Sophocleus, Tarlau, Turner, Valderrama, Waldstreicher, M. Washington, and P. Young

AN ACT concerning

Providing Our Workers Education and Readiness (POWER) – Apprenticeship Act

FOR the purpose of requiring a contractor or subcontractor awarded a certain contract for a certain construction project that receives certain funding from the State capital budget to be affiliated with, and to use apprentices from, an apprenticeship program that is registered with and approved by the Department of Labor, Licensing, and Regulation or the United States Department of Labor, or requiring the contractor or subcontractor to make certain payments to the State Apprenticeship Training Fund or to certain apprenticeship programs under certain circumstances; providing that, under a certain circumstance, certain contractors and subcontractors are not subject to the requirement; requiring certain contractors and subcontractors to make certain payments in a certain manner under certain circumstances; authorizing a contractor

or subcontractor to make a certain request; requiring the Secretary of Labor, Licensing, and Regulation to make a good-faith effort to accommodate a certain request; requiring registered apprenticeship programs that receive certain funds to certify to the Secretary that the funds are used solely for the purpose of improving or expanding apprenticeship training; authorizing the State Apprenticeship Training Fund to include certain payments made in accordance with this Act; requiring the Secretary to use the money in the Fund to pay certain costs; requiring the Secretary to adopt certain regulations; ~~establishing a certain penalty; providing that a certain contractor or subcontractor that fails to meet certain requirements shall be liable for a certain amount; establishing a certain penalty; authorizing the Secretary to file suit to enforce certain provisions in a certain court; requiring a certain court to require a certain contractor or subcontractor to pay certain amounts;~~ defining certain terms; providing for the application of this Act; and generally relating to a requirement that certain contractors and subcontractors awarded certain contracts be affiliated with certain apprenticeship programs and use certain registered apprentices or make certain payments to the State Apprenticeship Training Fund or to certain apprenticeship programs.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 17-602
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – State Finance and Procurement
Section 17-6A-01 through ~~17-6A-05~~ 17-6A-06 to be under the new subtitle
“Subtitle 6A. Apprenticeship Requirements for Capital Construction Projects”
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 498 – Delegate Hettleman

AN ACT concerning

Health Care Decisions Act – Advance Directives and Surrogate Decision Making – Disqualified Individuals

FOR the purpose of prohibiting certain individuals from serving as a health care agent under certain circumstances; establishing a certain exception; prohibiting certain individuals from making decisions about health care for certain individuals ~~who have been certified to be incapable of making an informed decision;~~ under certain circumstances; requiring a person who obtains certain information that would prohibit an individual from serving as a health care agent or making health care

decisions for a certain individual to provide the information to a certain health care provider or a certain health care facility; defining a certain term; and generally relating to the Health Care Decisions Act and decision making by health care agents and surrogates.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 5–602(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–602(b) and 5–605(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 509 – Delegates Hettleman, Barron, Jones, Korman, Lierman, McIntosh, Rosenberg, Stein, M. Washington, ~~and P. Young~~ P. Young, Afzali, Ciliberti, and Vogt

AN ACT concerning

Higher Education – Student Loan Notification Letter

FOR the purpose of requiring institutions of higher education that receive State funds to provide certain information to students regarding their education loans; requiring the education loan information to be provided annually, ~~concurrent with the student's first tuition bill of a calendar year; authorizing students to choose the delivery method for education loan information; providing that the information shall include certain assumptions and;~~ providing that certain information may be included in a certain notice; providing that certain information may include a certain statements statement; prohibiting an institution of higher education from incurring a certain liability under certain circumstances; defining a certain term; providing for a delayed effective date; and generally relating to notification of education loans to students by institutions of higher education.

BY adding to
Article – Education
Section 18–115
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 656 – Delegates Barve, Carr, Fraser–Hidalgo, Frush, Gilchrist, Krimm, Lafferty, McCray, McIntosh, Platt, Robinson, Stein, and Valentino–Smith

AN ACT concerning

Environment – ~~Municipal~~ Stormwater Remediation Fees and Stormwater Charges – Property Subject to Fees and Charges

FOR the purpose of providing a certain exception to an exemption from certain taxes, user charges, and utility fees relating to stormwater for property owned by a county; exempting a public college or university or a local school system from being charged a stormwater remediation fee by a county or municipality, subject to a certain exception; repealing certain provisions of law authorizing a county or municipality to impose stormwater remediation fees and stormwater charges on property owned by the State or a unit of State government; ~~providing~~ establishing that property owned by the State or a unit of State government, a county, a public college or university, or a local school system is subject to certain stormwater remediation fees and stormwater charges imposed by the governing body of the municipality within which the property is located under certain circumstances; making a stylistic change; repealing obsolete language; and generally relating to ~~municipal~~ stormwater remediation fees and stormwater charges.

BY repealing and reenacting, with amendments,

Article – Local Government

Section 21–626

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 4–202.1(e)(2) and 4–204(a) and (d)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 4–204(e)(1)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing

Article – Environment

Section 4–204(e)(3)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – Environment

Section 4–204(e)(3)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

House Bill 824 – Chair, Health and Government Operations Committee

AN ACT concerning

State Board of Morticians and Funeral Directors – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Morticians and Funeral Directors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; altering the circumstances under which a body of a decedent may be transported for preparation or storage to a facility that is not within the jurisdiction of the State, licensed by the Board, or permitted by the Office of Cemetery Oversight; requiring the Board to conduct a certain workload analysis and a certain fiscal analysis and submit a certain report to the Department of Legislative Services and certain committees of the General Assembly on or before a certain date; requiring the Board to report on or before certain dates to certain committees of the General Assembly on certain Board action and efforts ~~and the comparability of a certain provision of law to certain laws and regulations in other states;~~ and generally relating to the State Board of Morticians and Funeral Directors.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–513(g)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 7–702

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 8–405(b)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 874 – Delegates Cassilly and Szeliga

AN ACT concerning

Air Navigation Protection From Hazards Act of 2017

FOR the purpose of creating an exemption under the Forest Conservation Act for the cutting or clearing of trees to comply with a certain provision of law relating to obstructions to air navigation, under certain circumstances; providing that the exemption does not apply to the cutting or clearing of trees to facilitate the expansion or extension of the boundaries of any airport or runway; and generally relating to the applicability of the Forest Conservation Act.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1602
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 892 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Facility Bonds

FOR the purpose of authorizing and empowering the County Commissioners of St. Mary’s County, from time to time, to borrow not more than \$26,300,000 in order to finance the construction, improvement, or development of certain public facilities in St. Mary’s County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the

payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; ~~making this Act subject to a certain contingency;~~ and generally relating to the issuance and sale of such bonds.

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

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

AN ACT concerning

Election Law – Campaign Finance – Coordinated Expenditures

FOR the purpose of prohibiting a person from making a coordinated expenditure in excess of certain limits or making a donation to a person for the purpose of furthering a coordinated expenditure in excess of certain limits; prohibiting a candidate or political party from being the beneficiary of a coordinated expenditure in excess of certain limits; providing that a person may not be considered to have made a coordinated expenditure solely on certain grounds; providing that a person that makes a disbursement to promote the success or defeat of a candidate or political party at an election is presumed to have made a coordinated expenditure under certain circumstances; providing that a person may rebut the presumption that the person made a coordinated expenditure by obtaining a declaratory ruling from the State Board of Elections; providing that a person, candidate, or political party that willfully and knowingly violates this Act is guilty of a misdemeanor and on conviction is subject to certain fines; authorizing the State Board to investigate a potential violation of this Act in a certain manner; authorizing the State Board to impose a certain civil penalty for an unintentional violation of this Act or refer a suspected willful and knowing violation of this Act to the State Prosecutor; requiring a fine or penalty under this Act to be paid by certain persons and distributed to the Fair Campaign Financing Fund; authorizing the State Board to adopt regulations to implement this Act; altering certain definitions; defining certain terms; making a clarifying change; and generally relating to coordinated expenditures.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101(o) and (bb) and 13–604.1(d)

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

BY adding to

Article – Election Law

Section 13–249
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 13–306(a)(6)
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 923 – Allegany County Delegation

AN ACT concerning

Allegany County – Property Tax Credit – ~~Allegany County Animal Shelter Management Foundation, Inc.~~ Community Organizations

FOR the purpose of authorizing the governing body of Allegany County and of a municipal corporation in Allegany County to grant a property tax credit against the county or municipal corporation property tax imposed on certain property owned by ~~the Allegany County Animal Shelter Management Foundation, Inc.;~~ certain organizations; providing for the application of this Act; and generally relating to property tax credits for certain organizations in Allegany County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–302(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 979 – ~~Delegate Luedtke~~ Delegates Luedtke, Rose, Simonaire, Hornberger, Ebersole, Afzali, Hixson, Buckel, Long, Reilly, Tarlau, Shoemaker, and Mosby

AN ACT concerning

Property Tax Credit – Public Safety Officers

FOR the purpose of authorizing the governing body of a county or municipal corporation to grant, by law, a certain property tax credit against the county or municipal corporation property tax imposed on a certain dwelling that is owned by a certain public safety officer under certain circumstances; providing that the credit may not

exceed a certain amount per dwelling and the amount of property tax imposed on the dwelling; requiring the State Department of Assessments and Taxation to be responsible for certain administrative duties relating to the credit; requiring a county or municipal corporation to reimburse the Department for certain administrative costs; authorizing the governing body of a county or municipal corporation to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain public safety officers.

BY adding to

Article – Tax – Property

Section 9–259

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 983 – Delegates Pena–Melnik, Angel, Frush, ~~and Tarlau~~ Tarlau, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pendergrass, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young

AN ACT concerning

**Health Insurance – ~~Telemedicine~~ Health Care Services Delivered Through
Telehealth – ~~Counseling for Substance Use Disorders~~ Coverage**

FOR the purpose of requiring the health care services delivered through ~~telemedicine~~ telehealth under health insurance to include counseling for substance use disorders; altering a certain definition; making conforming changes; providing for the application of this Act; and generally relating to coverage of and reimbursement for ~~counseling for substance use disorders~~ health care services delivered through ~~telemedicine~~ telehealth under health insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–139

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

House Bill 1022 – Delegate West

AN ACT concerning

Health Occupations – Violations of the Maryland Dentistry Act – Penalties and Cease and Desist Orders

FOR the purpose of authorizing the State Board of Dental Examiners to issue a cease and desist order for certain violations; establishing certain penalties for a person who aids or abets a person who practices or attempts to practice dentistry without a license; altering certain penalties for certain acts related to the unauthorized practice of dentistry or dental hygiene; authorizing the Board to levy certain civil fines for certain violations; 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; providing for a delayed effective date; repealing certain provisions of law that specify certain places of imprisonment; and generally relating to cease and desist orders and penalties for violations of the Maryland Dentistry Act.

BY adding to

Article – Health Occupations

Section 4–321

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 4–606

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 1054 – Delegates West, Carozza, Hill, Reznik, ~~and Stein~~ Stein, Krebs, and Metzgar

AN ACT concerning

State Board of Physicians – Physician Licensure – Prohibition on Requiring Specialty Certification

FOR the purpose of prohibiting the State Board of Physicians from requiring, as a qualification to obtain a license or as a condition to renew a license, certification by a certain accrediting organization that specializes in a specific area of medicine or maintenance of certification by a certain accrediting organization that includes certain reexamination as a requirement for maintaining certification; and generally relating to physician licensure by the State Board of Physicians.

BY adding to

Article – Health Occupations

Section ~~14-205(d)~~ 14-322
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 1055 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Bonds and Other Evidences of Indebtedness – Limitations and Repayment

FOR the purpose of altering certain limits on debt in St. Mary’s County ~~to reflect the changes in the computation of assessments as a result of the transition to full value assessments~~; subjecting certain bonds and other evidences of indebtedness issued under the authority of the St. Mary’s County Sanitary Commission Act to a certain limitation and requiring the responsibility for repayment to remain with the St. Mary’s County Metropolitan Commission; and generally relating to limitations on and repayment of debt issued under the approval of the County Commissioners of St. Mary’s County.

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary’s County
Section 27–11
Article 19 – Public Local Laws of Maryland
(2007 Edition and October 2014 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary’s County
Section 113–6
Article 19 – Public Local Laws of Maryland
(2007 Edition and October 2014 Supplement, as amended)
(As enacted by Chapter 284 of the Acts of the General Assembly of 2016)

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

**House Bill 1094 – Delegates Hixson, Haynes, Jameson, Kramer, Lierman, Moon,
Pena-Melnyk, Proctor, Sophocleus, Turner, Valderrama, ~~and~~
~~M. Washington~~ M. Washington, and Rose**

AN ACT concerning

Education – Libraries – Reorganization of Governance Structure

FOR the purpose of establishing the Maryland State Library Agency and the Maryland State Library Board; transferring the duties and responsibilities of the Division of Library Development and Services in the State Department of Education to the State Library Agency; transferring the duties and responsibilities of the State Board of Education pertaining to libraries to the State Library Board; making the appointment of the State Librarian subject to the advice and consent of the Senate; providing that the Maryland State Library Agency is the central State library agency; providing that the head of the State Library Agency is the State Librarian; providing for the appointment, term, qualifications, and salary of the State Librarian; authorizing the State Library Agency to employ certain individuals; requiring the State Library Agency to be funded annually in the State budget; requiring certain employees of the State Library Agency to join the Teachers' Pension System of the State of Maryland or the Employees' Pension System of the State of Maryland; requiring the State Library Agency to provide certain professional and technical advice to certain higher education and special library officials; transferring the duties and responsibilities of the Maryland Advisory Council on Libraries to the State Library Board; requiring the Governor to ensure geographic diversity when making appointments to the State Library Board; requiring the State Library Board to meet a certain number of times each year; authorizing the State Library Board to be funded within the budget of the State Library Agency; authorizing the State Library Board to include in its budget operating funds for the Deaf Culture Digital Library; requiring county public libraries, the State Library Resource Center, and regional resource centers to pay certain costs; requiring the State Library Board and the State Library Agency to collect certain costs; providing for the transfer of certain services, appropriations, funding, and grants on a certain date; providing for the transfer of certain property, records, fixtures, appropriations, credits, assets, liabilities, obligations, rights, and privileges; abolishing the Division of Library Development and Services in the State Department of Education and providing that the State Library Agency and the State Library Board shall be the successors to the Division; providing that the State Library Board shall be the successor to the Maryland Advisory Council on Libraries; providing that certain employees transferred to the State Library Agency and State Library Board as a result of this Act shall be transferred without diminution of certain rights, benefits, or employment or retirement status; providing for the continuity of certain transactions affected by or flowing from this Act; providing for the continuity of certain laws, rules and regulations, standards and guidelines, policies, orders, and other directives, forms, plans, memberships, contracts, property, investigations, and administrative and judicial responsibilities; providing that this Act may not affect the terms of certain members of the Maryland Advisory Council on Libraries; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct cross-references and terminology in the Code that are rendered incorrect by this Act; making the provisions of this Act severable; defining certain terms; making certain technical changes; making certain conforming changes; and generally relating to a reorganization of the library governance structure in Maryland.

BY adding to

Article – Education
Section 23–101
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 23–101 through 23–108, 23–202 through 23–205, 23–302, 23–402(a)(4),
23–405, 23–406, 23–504, 23–506, 23–506.1, 23–507, 23–509, 23–510, and
25–302
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 23–201, 23–206, and 23–301(a) and (c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing
Article – Education
Section 23–508
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–606
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1183 – Delegate West

AN ACT concerning

State Board of Social Work Examiners – Revisions

FOR the purpose of renaming the graduate social worker license issued by the State Board of Social Work Examiners to be the master social worker license; limiting the number of terms a certain licensed social worker member of the Board may serve; requiring a certain licensed bachelor social worker or licensed master social worker to submit certain information to the Board to obtain approval by the Board to engage in independent practice; requiring the Board to approve an individual, under certain circumstances, to engage in independent practice; authorizing the Board to reject a

certain application and require certain additional supervision if the Board makes a certain determination; repealing a provision of law authorizing the Board to accept an alternate method of criminal history records check under certain circumstances; requiring the Criminal Justice Information System Central Repository to provide the Board with a certain revised statement under certain circumstances; altering the factors the Board is required to consider in using certain information obtained from the Central Repository to determine whether to issue a license; requiring the Board to include whether a certain licensee is approved to engage in independent practice on a certain electronic license record; clarifying that certain licensees are prohibited from engaging in independent practice except under certain circumstances; prohibiting a licensed master social worker from engaging in independent practice on or after a certain date; altering certain requirements for the supervision of licensed master social workers and licensed certified social workers; prohibiting a licensed certified social worker from engaging in independent practice; requiring, beginning in a certain calendar year and except under certain circumstances, a licensee that renews a license to ~~submit certain evidence of having completed~~ attest that the licensee has submitted to a State and national criminal history records check in accordance with certain provisions of law; requiring the Board, in using information obtained from the Central Repository to determine whether to take disciplinary action against a certain licensee, to consider certain factors; authorizing the Board to renew a license only if a licensee attests that the licensee has submitted to a State and national criminal history records check; requiring a certain individual applying to the Board for reactivation, reinstatement, or reissuance of a license to submit certain evidence of having completed a State and national criminal history records check in accordance with certain provisions of law; requiring the Board, in using information obtained from the Central Repository to determine whether to ~~renew~~, reactivate, reinstate, or reissue a license, to consider certain factors; prohibiting the Board from ~~renewing~~, reactivating, reinstating, or reissuing a license if the Board has not received certain criminal history records information; altering the circumstances under which the Board is required to place a licensee on nonrenewed status; clarifying that certain individuals who have been on inactive status or nonrenewed status for more than a certain number of years or who otherwise fail to apply for reactivation or renewal are required to apply for reissuance; altering the circumstances under which the Board is required to reissue a license to an individual; authorizing the Board to issue a cease and desist order or obtain injunctive relief for a violation of certain provisions of law; altering the manner by which certain licensees are required to make certain disclosures before providing social work services; establishing certain penalties; altering certain penalties; prohibiting the use of a certain abbreviation under certain circumstances; providing for continuity of licensure for certain licensees licensed by the Board on a certain date; authorizing certain individuals to apply for the reactivation, reinstatement, or reissuance of a certain license under certain circumstances; requiring the Board to adopt certain regulations on or before a certain date; providing for a delayed effective date; defining certain terms; altering certain definitions; making conforming changes; providing for the construction of certain provisions of this Act; and generally relating to the State Board of Social Work Examiners.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 19–101, 19–202(a)(2) and (3), (d), and (g)(5), 19–302, 19–302.2, 19–306
through 19–309, 19–318, 19–402, and 19–407

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 19–316.1

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 1234 – Delegates Wilkins, Kaiser, Hixson, Hornberger, Patterson, ~~and Walker~~ Walker, Rose, Simonaire, D. Barnes, Ebersole, Afzali, Turner, C. Howard, Luedtke, A. Washington, M. Washington, Buckel, Long, Reilly, Tarlau, Shoemaker, and Mosby

AN ACT concerning

Property Tax – Credit for Retired Military Service Members – Eligibility

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

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–258

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1300 – Charles County Delegation

AN ACT concerning

Charles County – Garbage Disposal Services – Provider Displacement

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

BY repealing and reenacting, without amendments,

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

BY adding to

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

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

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

AN ACT concerning

Property Tax – Credit for Revitalization Districts

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

BY adding to

Article – Tax – Property

Section 9–259

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1383 – ~~Delegates Barron and Kipke~~, Kipke, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Krebs, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

AN ACT concerning

Behavioral Health Administration – Outpatient Civil Commitment Pilot Program

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 Finance.

House Bill 1439 – Calvert County Delegation

AN ACT concerning

Calvert County – Bonding Authority

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$17,620,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering

the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

House Bill 1573 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Tax Sales – Limited Auction and Foreclosure for Abandoned Property

PG 411–17

FOR the purpose of requiring the tax collector in Prince George’s County to conduct a certain limited auction prior to conducting a public auction for property subject to tax liens; specifying the individuals who may participate in a limited auction; requiring a purchaser of property at a limited auction to occupy the property as the purchaser’s dwelling; requiring the tax collector to include the date, time, and location of a limited auction in certain notices; establishing that a limited auction shall be subject to the same requirements as a certain public auction; establishing that the purchase of property at a limited auction shall be treated the same as the purchase of property at a certain public auction; requiring the tax collector to establish a system to verify that individuals who place bids at a limited auction are eligible to place bids; establishing that a certificate of sale for property purchased at a limited auction is void if it is not purchased by an individual who meets certain criteria; requiring property offered for sale at a limited auction that is not sold at the limited auction to be offered for sale at a public auction; establishing certain remedies when a certificate of sale for property sold at a limited auction is void; authorizing a holder of a certificate of sale for certain property sold at a limited auction to file a complaint to foreclose all rights of redemption in the property at any time after the date of sale; and generally relating to tax sales of property in Prince George’s County.

BY repealing and reenacting, with amendments,
Article – Tax – Property

Section 14–817 and 14–833(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–833(d)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Tax – Property
Section 14–833(h)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1578 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Property Tax Exemption for Economic Development Projects – Sunset ~~Repeal~~ Extension

PG 407–17

FOR the purpose of ~~repealing~~ extending a certain termination provision relating to certain exemptions from the county real property tax in Prince George’s County for certain economic development projects located in certain areas; ~~repealing as obsolete~~ altering a certain date of a certain reporting requirement; and generally relating to a property tax exemption for certain economic development projects located in Prince George’s County.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 7–516
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Chapter 402 of the Acts of the General Assembly of 2012
Section 2 and 3

~~BY repealing and reenacting, with amendments,
Chapter 402 of the Acts of the General Assembly of 2012
Section 3~~

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

House Bill 1604 – Howard County Delegation

AN ACT concerning

**Howard County – Transfer Tax Exemption and Rate Reduction – Law
Enforcement Officers and Fire and Rescue Services Members**

Ho. Co. 17-17

FOR the purpose of exempting from the Howard County transfer tax the sale of residential real property to certain law enforcement officers and fire and rescue services members under certain circumstances; establishing the maximum Howard County transfer tax rate applied to the sale of residential real property to certain law enforcement officers and fire and rescue services members under certain circumstances; establishing certain qualifications for the transfer tax exemption or rate reduction; providing for the recapture of the transfer tax exempted or reduced under this Act under certain circumstances; defining a certain term; and generally relating to the transfer tax in Howard County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Howard County
Section 20.300
Article 14 – Public Local Laws of Maryland
(1977 Edition and August 2008 Supplement, as amended)

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

**House Bill 1632 – Delegates Kipke ~~and Kelly~~, Kelly, Pendergrass, Bromwell,
Angel, Cullison, Hayes, Hill, Krebs, Metzgar, Miele, Morales, Morgan,
Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and
K. Young**

EMERGENCY BILL

AN ACT concerning

Public Health – Certificates of Birth – Births Outside an Institution

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 Finance.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 22

House Bill 22 – Delegate Conaway

AN ACT concerning

Baltimore City Fire Department – Motorized Fire Equipment – Report

FOR the purpose of requiring the Baltimore City Fire Department to submit a report at certain intervals to the members of the Baltimore City delegation to the General Assembly on the condition of motorized fire equipment of the Department and the anticipated needs of the Department for motorized fire equipment for a certain period of time; and generally relating to the Baltimore City Fire Department.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (7)
(2007 Replacement Volume, as amended)

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

House Bill 105 – Chair, Appropriations Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Program Open Space – Apportionment Formula and Committee

FOR the purpose of repealing a requirement that a certain committee adopt a certain apportionment formula; requiring the Department of Natural Resources, in consultation with a certain committee, to adopt an apportionment formula relating to certain funds each subdivision will receive; altering the membership of a certain committee; altering the date by which a certain committee must meet; altering a certain factor that the apportionment formula must take into account for each subdivision; repealing the authority of a certain committee, under certain circumstances, to reallocate certain funds; repealing a requirement that a certain committee provide certain notification and opportunity for a hearing before adopting an apportionment formula and allocating certain funds; and generally relating to a requirement that a certain committee develop a certain apportionment formula.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 5–902(a) and (b)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–903(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 349 – Delegates Miele, Afzali, Angel, Aumann, Barkley, Brooks, Cassilly, Chang, Ciliberti, Cluster, Ebersole, Folden, Frush, Grammer, Hixson, Holmes, Hornberger, S. Howard, Jalisi, Krebs, Long, McConkey, Metzgar, Pena–Melnik, Queen, Rose, Saab, Shoemaker, Sophocleus, Szeliga, Turner, Valentino–Smith, C. Wilson, ~~and P. Young~~ P. Young, Ali, D. Barnes, Buckel, C. Howard, Kaiser, Luedtke, McMillan, Mosby, Patterson, Reilly, Simonaire, Tarlau, Walker, and Wilkins

AN ACT concerning

**Income Tax Credit – Wages Paid to Qualified Veteran Employees
(Hire Our Veterans Act of 2017)**

FOR the purpose of allowing a credit against the State income tax for certain wages paid by certain small businesses to certain qualified veteran employees; providing for the calculation of the credit; prohibiting a small business from claiming the credit under certain circumstances; ~~requiring the small business to submit certain documentation to qualify for the credit;~~ requiring the Department of Veterans Affairs, on application of a small business, to issue a tax credit certificate under certain circumstances; requiring the application to contain certain information; requiring the Department

to approve applications on a first-come, first-served basis and notify applicants of approval or denial of an application within a certain number of days after receipt of the application; providing that the total amount of tax credit certificates issued by the Department may not exceed a certain amount for each taxable year; requiring the Department to report certain information to the Comptroller on or before a certain date each year; requiring the Department to adopt certain regulations; requiring the Secretary of Veterans Affairs to report to the General Assembly on or before a certain date; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for wages paid to qualified veteran employees.

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 353 – Delegates Rosenberg and Luedtke

AN ACT concerning

Election Law – Change in Administrative Policy Affecting Voting Rights – Notice

FOR the purpose of requiring the State Board of Elections or a local board of elections to provide certain public notice in advance of a meeting at which a change in an administrative policy affecting voting rights will be considered; requiring the State Board of Elections or a local board of elections that adopts a change in an administrative policy affecting voting rights to provide certain public notice of the change; providing for the form, content, and timing of the public notice; ~~providing that an individual's right to vote may not be denied or abridged because the individual failed to comply with a change in an administrative policy affecting voting rights if the State Board or local board did not provide public notice of the change; clarifying that existing prohibitions on voter fraud and voter suppression apply to a person acting under color of law;~~ defining a certain term; and generally relating to notice of changes in administrative policies affecting voting rights.

BY adding to

Article – Election Law

Section 1-101(b-2) and 1-305

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

~~BY repealing and reenacting, with amendments,
Article – Election Law~~

~~Section 16-201~~
~~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 441 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate McIntosh

AN ACT concerning

Education – Debt Service for Transferred Schools – County Reimbursement Grace Period

FOR the purpose of establishing a certain period of time during which a county government is not required to reimburse the State for certain outstanding debt service for certain school buildings that are transferred to a county government; requiring a county government to reimburse the State for a certain amount of outstanding debt service for certain school buildings after a certain period of time has elapsed; and generally relating to a grace period for counties for debt service for schools transferred to a county.

BY repealing and reenacting, with amendments,
Article – Education
Section 5-308
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 453 – Delegates M. Washington, Anderson, Angel, D. Barnes, Barron, Brooks, Clippinger, Conaway, Cullison, Glass, Glenn, Hayes, Hettleman, Kelly, R. Lewis, Lierman, Luedtke, McIntosh, A. Miller, Morales, Patterson, Platt, ~~and Rosenberg~~ Rosenberg, Mosby, Tarlau, A. Washington, C. Howard, Walker, Ebersole, Hornberger, Wilkins, Ali, and Turner

AN ACT concerning

Tax Sales – Water Liens – Moratorium

FOR the purpose of prohibiting a tax sale of real property solely to enforce liens for unpaid water, sewer, and sanitary system services during a certain period; ~~providing an exception to the prohibition on certain tax sales of real property; repealing a certain prohibition on certain tax sales made obsolete by this Act; making a technical change;~~ defining a certain term; providing for the application of this Act; and generally relating to tax sales of real property.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–801(d), 14–808, and 14–849.1
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

~~BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–808
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)~~

~~BY repealing
Article – Tax – Property
Section 14–849.1
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 483 – Delegates B. Wilson and Atterbeary

AN ACT concerning

**Criminal Procedure – Victims and Witnesses – Out of Court Statement of Child
Victim**

FOR the purpose of expanding a certain evidentiary rule to render admissible a certain statement made by a certain child victim to a certain adult describing a certain offense; and generally relating to out of court statements of child victims.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–304(a) and (b)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–304(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 523 – Delegates Jameson, Barron, Chang, Frick, Frush, Healey, Hixson, Jalisi, Kelly, Kramer, Krimm, Lafferty, Lam, Luedtke, Morales, Morhaim, Patterson, Rosenberg, Sanchez, Sophocleus, Stein, Valderrama, Valentino-Smith, ~~and Waldstreicher~~ Waldstreicher, Aumann, Barkley, Brooks, Fennell, Glenn, Lisanti, and C. Wilson

AN ACT concerning

Electronic Nicotine Delivery Systems and Vaping Liquid – Licensing

FOR the purpose of requiring a person to have an appropriate license whenever the person acts in the State as an electronic nicotine delivery systems manufacturer, retailer, storage warehouse, vape shop vendor, ~~or~~ wholesaler distributor, or wholesaler importer; providing for a certain exception for certain retailers and wholesalers; requiring a license to act as an electronic nicotine delivery system retailer or vape shop vendor for each place of business of the retailer or vape shop vendor; making holders of electronic nicotine delivery systems licenses subject to certain restrictions and requirements; providing for certain application procedures and fees; requiring the display of a license in a certain manner; prohibiting a person from reapplying for a license within a certain period after the person's license was revoked; requiring ~~the Comptroller~~ certain clerks of the circuit court to issue electronic nicotine delivery systems licenses to manufacturers, storage warehouses, ~~and wholesalers~~ wholesaler distributors, and wholesaler importers in the State under certain circumstances; requiring certain clerks of the circuit court to issue electronic nicotine delivery systems products licenses to retailers and vape shop vendors under certain circumstances; requiring certain clerks of the circuit court to forward certain applications to the Comptroller within a certain time; specifying the scope of the licenses; providing for the renewal of a license; ~~authorizing the Comptroller to delegate certain powers and duties; providing for certain disciplinary actions and proceedings; authorizing the Comptroller to adopt certain regulations; granting certain rights to judicial review under certain circumstances~~; prohibiting a person from acting, attempting to act, or offering to act in the State as an electronic nicotine delivery systems manufacturer, retailer, storage warehouse, vape shop vendor, ~~or~~ wholesaler distributor, or wholesaler importer unless the person has an appropriate license; ~~requiring the Comptroller to pay certain fees into the General Fund of the State; stating the intent of the General Assembly; requiring a person who transports electronic nicotine delivery systems by vehicle on a public road to have certain information; authorizing the Comptroller by regulation to require a common carrier that brings electronic nicotine delivery systems products into the State to submit certain information~~; prohibiting a person from shipping, importing, or selling electronic nicotine delivery systems into or within the State except under certain circumstances; requiring a person that ships, imports, or sells electronic nicotine delivery systems to take certain actions; placing certain restrictions on the sale, storage, and distribution of electronic nicotine delivery systems; establishing certain penalties; prohibiting the sale, distribution, or offer for sale of electronic nicotine delivery systems to minors; defining certain terms; and generally relating to licenses for electronic nicotine distribution systems manufacturers, retailers, storage

warehouses, vape shop vendors, ~~and wholesalers~~ wholesaler distributors, and wholesaler importers in the State.

BY adding to

Article – Business Regulation

Section 16.7–101 through ~~16.7–218~~ 16.7–214 to be under the new title “Title 16.7. Electronic Nicotine Delivery Systems Licenses”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 24–305(b)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 545 – ~~Delegates Shoemaker, Aumann, Grammer, Malone, McComas, W. Miller, Reilly, and Rose~~ Carroll County Delegation

AN ACT concerning

Carroll County – Gaming – Home Games – Bingo

FOR the purpose of adding bingo in Carroll County to the list of home games that an individual may conduct in a common area of a residential property under certain circumstances; and generally relating to gaming.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1C–01

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 645 – Frederick County Delegation

AN ACT concerning

Frederick County – Gaming Events – Sunday Hours of Operation

FOR the purpose of specifying that, in Frederick County, a gaming permit authorizes a gaming event to be conducted on a Sunday during the hours of sale for the alcoholic beverages sold at the establishment where the gaming event is conducted; and generally relating to gaming in Frederick County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–1301 and 13–1302
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–1304
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 650 – Delegates Morhaim, Atterbeary, Dumais, Krebs, Rose, Shoemaker, and P. Young

AN ACT concerning

**Criminal Procedure – Incompetency and Criminal
Responsibility – Court-Ordered ~~Medication~~ Evaluation**

FOR the purpose of authorizing a court to order ~~administration of certain medication to a certain defendant for a certain amount of time~~ a certain defendant's doctor to develop a treatment plan within a certain period of time after a certain finding of incompetency or not criminally responsible under certain circumstances; providing that ~~a certain medication may be administered to a certain individual before the decision of a certain panel for a certain amount of time under certain circumstances; requiring a certain panel to issue a certain decision within a certain amount of time under certain circumstances~~ if a certain defendant refuses medication, the court may order a certain panel to convene within a certain period of time; prohibiting a certain panel from being postponed under certain circumstances; and generally relating to incompetency and criminal responsibility.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 3–106(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 3–106(b) and 3–112
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–708
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

**House Bill 659 – Delegates Angel, Carr, Davis, Hill, Jackson, Oaks, Tarlau,
A. Washington, M. Washington, and Wilkins**

AN ACT concerning

Task Force to Study Tax Sales in Maryland

FOR the purpose of establishing the Task Force to Study Tax Sales in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Tax Sales in Maryland.

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

House Bill 694 – Delegates McIntosh and Barron

AN ACT concerning

**Higher Education – Admissions Process – Criminal History
(Maryland Fair Access to Education Act of 2017)**

FOR the purpose of prohibiting certain institutions of higher education from ~~inquiring into or considering~~ using information about the criminal history of applicants on certain admissions applications; providing for ~~a certain exception~~ exceptions to the ban on ~~inquiring into or considering~~ using certain criminal history information; allowing certain institutions of higher education to inquire into or consider the criminal history of students for purposes of admission and access to campus residency, offering certain counseling or services, and deciding whether students may participate in certain activities or aspects of campus life; prohibiting certain institutions of higher education from ~~using information on a student's criminal history to rescind admission or unreasonably restrict a student's~~ automatically or unreasonably restricting a student's admission and access to certain activities or aspects of campus life; requiring certain institutions of higher education to adopt ~~an individualized~~ a process when denying or limiting certain students' access to campus residency or a particular activity, academic program, or aspect of campus life;

requiring ~~an individualized~~ the process to be set forth in writing and include certain considerations; ~~requiring that certain negatively affected students have the right to appeal a denial or limitation of access to campus residency or a particular activity or aspect of campus life; requiring certain institutions of higher education to inform accepted students of their individualized processes and the students' right to present certain evidence in writing;~~ requiring certain institutions of higher education to consider the State's policy of promoting the admission of students with criminal records; providing for the application of this Act; defining certain terms; providing for a delayed effective date; and generally relating to the prohibition against institutions of higher education considering criminal history during the admissions process consideration of criminal history in the admissions process.

BY adding to

Article – Education

Section 26–501 through 26–506 to be under the new subtitle “Subtitle 5. ~~Prohibition on Considering~~ Consideration of Criminal History During in the Admissions Process”

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 702 – ~~Delegate Holmes~~ Delegates Holmes, Parrott, Angel, Proctor, Anderton, Barve, Beidle, Cassilly, Clark, Flanagan, Folden, Fraser-Hidalgo, Frush, Healey, Jalisi, Lafferty, McCray, McMillan, Robinson, Stein, and Wivell

AN ACT concerning

Residential Property – Vacant and Abandoned Property – Expedited Foreclosure

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 secured party to send a copy of a certain petition to certain persons 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 grant a certain petition for leave to file an action for

immediate foreclosure under certain circumstances; providing that, if a court grants a certain petition, certain foreclosure process provisions do not apply to an action to foreclose residential property found to be vacant and abandoned under certain circumstances; requiring a secured party to serve certain foreclosure documents in a certain manner under certain circumstances; requiring the Commissioner of Financial Regulation to adopt certain regulations; requiring a challenge to a certain finding regarding residential property being vacant and abandoned to be filed within a certain period of time; requiring a secured party to comply with certain foreclosure process provisions if a certain challenge is upheld; 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 Judicial Proceedings.

House Bill 758 – Delegate Beitzel

AN ACT concerning

Garrett County – Payment to Rescue Squads –~~Repeal~~

FOR the purpose of ~~repealing from~~ altering the Public Local Laws of Garrett County ~~certain provisions of law relating to certain payments to rescue squads by~~ to require the Board of County Commissioners of Garrett County to appropriate certain funds for the benefit of certain rescue squads; authorizing the County Commissioners to pay the value of a certain appropriation to a rescue squad by in-kind payment of personnel, equipment, or services; repealing certain provisions concerning the use and withholding of county funds and certain reporting requirements under certain circumstances; and generally relating to the payment of rescue squads in Garrett County.

BY repealing and reenacting, with amendments,

The Public Local Laws of Garrett County

Section 35.05

Article 12 – Public Local Laws of Maryland

(2005 Edition and September 2015 Supplement, as amended)

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

House Bill 774 – Delegates Kipke and Bromwell

AN ACT concerning

Insurance – ~~Surplus Lines~~ – Short-Term Medical Insurance – ~~Procurement~~ ~~From Nonadmitted Insurer~~ Study

FOR the purpose of ~~altering the scope of certain provisions of law governing surplus lines insurance as the provisions relate to short term medical insurance; altering the conditions under which short term medical insurance may be procured from a nonadmitted insurer; providing for the application of this Act requiring the~~ Maryland Insurance Administration to conduct a study to assess the need in the State for short-term medical insurance offered by nonadmitted insurers; establishing certain requirements for the study; requiring the Administration to solicit input from certain persons in conducting the study; requiring the Administration to submit a certain report to the Governor and certain legislative committees on or before a certain date; defining a certain term; and generally relating to surplus lines insurance and the procurement of a study of the need for short-term medical insurance from a ~~offered by nonadmitted insurer insurers.~~

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

~~Article – Insurance~~

~~Section 3 – 301(a), (e), and (g)~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2016 Supplement)~~

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

~~Article – Insurance~~

~~Section 3 – 302(e) and 3 – 306.2(e)~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2016 Supplement)~~

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

House Bill 858 – Allegany County Delegation

AN ACT concerning

Allegany County – Sheriff's Deputies – Salary and Duties

FOR the purpose of altering the salary of a Sheriff's deputy in Allegany County; clarifying that at least one of the Sheriff's deputies is required to be assigned to certain duties; and generally relating to Sheriff's deputies in Allegany County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(b)(2)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 880 – Delegates Morales, Carr, Angel, Cullison, Hill, Kelly, R. Lewis, Morgan, Mosby, Pena–Melnik, Platt, Tarlau, ~~and K. Young~~ K. Young, and Krebs

AN ACT concerning

Open Meetings Act – ~~Required Training for Members of Public Bodies~~ Annual Reporting Requirement, Web Site Postings, and Training

FOR the purpose of ~~repealing the requirement that a public body designate a certain individual to receive training on the Open Meetings Act and forward a certain list to the Open Meetings Compliance Board; requiring that certain individuals complete certain classes or submit a letter stating certain information to the Board within a certain period of time after becoming a member of a public body; requiring an individual who is a member of a public body on the effective date of this Act to comply with certain provisions of this Act on or before a certain date except under certain circumstances; and generally relating to required training for members of public bodies regarding~~ requiring the Board, in conjunction with the Office of the Attorney General, to distribute certain educational materials to the staff and attorneys for certain entities; adding the Maryland Association of Boards of Education to the entities the Board, in conjunction with the Office of the Attorney General, is required to develop and conduct certain educational programs for; altering the annual reporting requirement of the State Open Meetings Law Compliance Board to require that certain information on certain violations be reported; requiring the Board to post certain information on a certain Web site; repealing a requirement that certain public bodies forward a certain list to the Board; prohibiting a public body from meeting in a closed session unless the public body designates at least a certain number of members to receive the training; requiring that certain designated individuals attend certain meetings or that certain public bodies include a certain checklist in certain minutes; requiring the Board, the University of Maryland's Institute for Governmental Service and Research, and the Academy for Excellence in Local Governance in the University of Maryland's School of Public Health to

collaborate with certain entities to determine a certain cost–benefit analysis, develop a certain list of contacts, and report to certain committees of the General Assembly on or before a certain date; defining a certain term; and generally relating to the annual reporting requirement, Web site postings, and training under the Open Meetings Act.

BY adding to

Article – General Provisions
Section 3–101(d–1)
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions
Section 3–204(d) and (e), 3–211, and 3–213
Annotated Code of Maryland
(2014 Volume and 2016 Supplement)

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

House Bill 914 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Metropolitan Commission – Authority to Borrow Money

FOR the purpose of requiring the Board of County Commissioners of St. Mary’s County, when the St. Mary’s County Metropolitan Commission plans to borrow any money, to review and approve any loan application before the Commission submits the loan application to a lender; and generally relating to the authority to borrow money of the St. Mary’s County Metropolitan Commission.

BY repealing and reenacting, with amendments,

The Public Local Laws of St. Mary’s County
Section 113–2
Article 19 – Public Local Laws of Maryland
(2007 Edition and October 2014 Supplement, as amended)

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

House Bill 941 – Delegates A. Miller, Atterbeary, Barkley, Bromwell, Chang, Dumais, Frush, Gilchrist, Kaiser, Kipke, Luedtke, McMillan, Moon, Robinson, Sanchez, Vogt, and Waldstreicher

AN ACT concerning

Criminal Law – Animal Abuse Emergency Compensation Fund – Establishment

FOR the purpose of requiring certain fines to be remitted to the Animal Abuse Emergency Compensation Fund; establishing the Animal Abuse Emergency Compensation Fund; providing for the uses, purposes, sources of funding, investment of money, and auditing of the Fund; requiring the Executive Director of the Governor's Office of Crime Control and Prevention (GOCCP) to administer the Fund; providing that the Fund is a continuing, nonlapsing fund not subject to certain provisions of law; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining certain terms; providing for the termination of this Act; and generally relating to the Animal Abuse Emergency Compensation Fund.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–302(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 7–302(h)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Criminal Law
Section 10–626
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

BY adding to
Article – State Finance and Procurement

Section 6–226(a)(2)(ii)96.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 959 – Delegate Kramer

AN ACT concerning

Commercial Law – Consumer Protection – Door-to-Door Sales

FOR the purpose of recodifying, in part, the definition of “door-to-door sale” as provisions that establish the application of the Maryland Door-to-Door Sales Act; altering the transactions to which the Maryland Door-to-Door Sales Act applies; making stylistic and clarifying changes; and generally relating to the Maryland Door-to-Door Sales Act.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–301
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to
Article – Commercial Law
Section 14–301.1
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 990 – Harford County Delegation

AN ACT concerning

Harford County – Bingo

FOR the purpose of allowing an individual in Harford County who is at least a certain age to conduct a bingo game without a bingo license if the bingo game is conducted in a certain manner; prohibiting an individual from conducting more than a certain number of bingo games in a certain period of time; prohibiting a bingo game from involving certain devices, advertising, fees, or use of money; establishing a certain monetary limit that may be wagered in a certain period of time; and generally relating to bingo games in Harford County.

BY repealing and reenacting, without amendments,

Article – Criminal Law
Section 13–1502(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to
Article – Criminal Law
Section 13–1504.1
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 1030 – Delegate Anderson

AN ACT concerning

**Baltimore City – Hotel Room Tax – Convention Center Promotion and
Operations**

FOR the purpose of extending to a certain date provisions requiring that for certain fiscal years certain amounts measured by proceeds from a hotel room tax imposed by Baltimore City be appropriated to a certain association for certain purposes; altering the purposes for which the proceeds shall be appropriated to include the operations of the Baltimore City Convention Center; and generally relating to hotel room taxes and convention center marketing and operations and tourism promotion in Baltimore City.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (40)(e)
(2007 Replacement Volume, as amended)
(As enacted by Chapter 151 of the Acts of the General Assembly of 2007, as amended by Chapter 197 of the Acts of the General Assembly of 2012)

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

House Bill 1043 – Delegates Valentino-Smith, B. Wilson, Afzali, Anderton, Atterbeary, Beidle, Carozza, Folden, Ghrist, Jackson, Kipke, Krebs, Lisanti, McMillan, Otto, Parrott, Rose, Shoemaker, Sophocleus, Vallario, and Vogt

AN ACT concerning

~~Criminal Law~~ **Vehicle Laws – Smoking Marijuana in Public and in Vehicles –
Prohibition**

FOR the purpose of ~~prohibiting a person from smoking marijuana in certain public places subject to a certain exception; providing for the expungement of a conviction for smoking marijuana in a public place; providing that a conviction for smoking marijuana in a public place is a shieldable conviction for a certain purpose;~~ prohibiting a driver of a motor vehicle from smoking or consuming marijuana in the passenger area of a motor vehicle on a highway; prohibiting an occupant of a motor vehicle from smoking marijuana in the passenger area of the motor vehicle on a highway; ~~establishing certain penalties; defining certain terms;~~ and generally relating to smoking marijuana.

~~BY repealing and reenacting, without amendments,
Article — Criminal Law
Section 5-601(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Criminal Law
Section 5-601(e)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)~~

~~BY repealing
Article — Criminal Law
Section 5-601(e)(4)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)~~

~~BY adding to
Article — Criminal Law
Section 5-601.2
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Criminal Procedure
Section 10-105(a) and 10-301(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — Criminal Procedure
Section 10-301(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Transportation
Section 21-903
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1058 – ~~Delegate W. Miller~~ Delegates W. Miller and Adams

AN ACT concerning

**Business Regulation – ~~Home Improvement Retailers~~ – Home Improvement
Contracts**

FOR the purpose of ~~authorizing certain home improvement retailers to obtain a certain contract price of a home improvement contract at certain times under certain circumstances; requiring certain home improvement retailers to post an irrevocable letter of credit in a certain amount; authorizing certain owners to file a complaint with the Division of Consumer Protection in the Office of the Attorney General under certain circumstances; providing an exception for home improvement retailers to the requirement that a person may not receive a deposit of more than one third of a home improvement contract price before or at the time of execution of a home improvement contract; requiring the Division of Consumer Protection to notify the home improvement retailer, investigate a certain complaint, and make certain determinations under certain circumstances; authorizing the Division to draw on a certain letter of credit under certain circumstances; prohibiting a certain home improvement retailer from posting a certain letter of credit for a certain period of time under certain circumstances; providing the Division with the power to investigate a certain home improvement retailer and draw on a certain letter of credit in accordance with a certain provision of law; defining certain terms increasing the maximum portion of a home improvement contract price that a person may receive as a deposit before or at the time of execution of a home improvement contract; and generally relating to home improvement retailers and home improvement contracts.~~

~~BY adding to~~

~~Article – Business Regulation
Section 8-501.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 8-617
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

~~BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 13–201
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–204(a)(14) and (15)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)~~

~~BY adding to
Article – Commercial Law
Section 13–204(a)(16)
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 1093 – Delegates K. Young, Afzali, Barron, Ciliberti, Folden, Krimm, ~~and Vogt~~ Vogt, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and West

AN ACT concerning

**Substance Use Treatment – Inpatient and Intensive Outpatient Programs –
Consent by Minor**

FOR the purpose of authorizing a parent or a guardian of the person of a minor to apply, on behalf of the minor, for admission of the minor to a certified intensive outpatient alcohol and drug abuse program; requiring certain programs to note certain information on a certain application in order for an individual to be retained for certain treatment; providing that certain programs have the right to discharge an individual admitted for certain treatment under certain circumstances; providing that the capacity of a minor to consent to treatment for drug abuse or alcoholism does not include the capacity to refuse certain treatment for drug abuse or alcoholism in a certain intensive outpatient treatment program; making a stylistic change; and generally relating to consent of minors for alcohol and drug abuse treatment.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–502.1 and 20–102
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1107 – Delegate Rosenberg

AN ACT concerning

Procurement – Intergovernmental Cooperative Purchasing Agreements

FOR the purpose of requiring a certain procurement officer to make a certain determination before a primary procurement unit is authorized to take certain action regarding an intergovernmental cooperative purchasing agreement; requiring a certain determination to include certain evidence and a certain statement; requiring a primary procurement unit to post certain determinations on the primary procurement unit's Web site; clarifying that a certain contract be awarded in a certain manner, including compliance with certain notice requirements; and generally relating to intergovernmental cooperative purchasing agreements.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 13–110(a)(1) and (4)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–110(b)
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 1110 – Delegate B. Barnes

AN ACT concerning

Law Enforcement Officers' Pension System – Membership

FOR the purpose of ~~authorizing certain individuals to transfer~~ transferring certain individuals into the Law Enforcement Officers' Pension System; ~~requiring an individual who transfers into the Law Enforcement Officers' Pension System to submit a certain application to the State Retirement Agency; requiring the State Retirement Agency to provide a certain application form;~~ requiring an individual who ~~transfers~~ is transferred into the Law Enforcement Officers' Pension System to make certain deposits in the annuity savings fund of the Law Enforcement Officers' Pension System; requiring the Board of Trustees for the State Retirement and

Pension System to make certain transfers to the accumulation fund and annuity savings fund of the Law Enforcement Officers' Pension System; providing for the termination of this Act; and generally relating to membership in the Law Enforcement Officers' Pension System.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 26–201(a)(22), 26–202(b)(1)(xix), (2), and (3), and 26–203.4

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1122 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Death Benefits

FOR the purpose of allowing a certain surviving dependent parent of a member of the Correctional Officers' Retirement System to participate in the State Employee and Retiree Health and Welfare Benefits Program if the surviving dependent parent receives a certain allowance; altering the requirements for a certain surviving minor child to participate in the State Employee and Retiree Health and Welfare Benefits Program if the surviving child receives a certain allowance; altering the distribution of certain survivor benefits to surviving children of certain members of the State Retirement and Pension System; requiring a surviving disabled child to receive certain survivor benefits; allowing a certain death benefit to be paid if certain special death benefits are waived by certain individuals; altering the distribution of certain special death benefits to certain surviving children of certain members of the State Retirement and Pension System; requiring a surviving disabled child to receive certain special death benefits; providing for the distribution of certain special death benefits to surviving children; requiring a surviving dependent parent to receive certain special death benefits; requiring certain death benefits to be paid if the payment of certain special death benefits are waived by certain individuals; making conforming changes; providing for the application of this Act; and generally relating to death benefits in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–507, 24–403, 26–402, 27–403, 29–202, 29–203, 29–204, 29–204.1, and 29–204.2

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 29-201
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

House Bill 1138 – Delegates Ali, Oaks, and Rosenberg

AN ACT concerning

Baltimore City – Table Games Proceeds – Distribution and Recreational Facilities

FOR the purpose of altering the distribution of certain table game proceeds paid to Baltimore City for certain purposes; 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 Budget and Taxation.

House Bill 1143 – Delegates Lierman, Barkley, Brooks, Clippinger, Davis, Fennell, Glenn, Valderrama, and Waldstreicher

AN ACT concerning

Maryland Pay Stub Transparency Act of 2017

FOR the purpose of altering the information that employers are required to give to employees within a certain time of hiring ~~and for each pay period~~; requiring employers to provide employees with an explanation of how certain wages were calculated under certain circumstances; ~~authorizing certain employees to recover certain liquidated damages under certain circumstances;~~ and generally relating to employer requirements concerning ~~wage records, wages, and paydays~~ notice and explanation of wages.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–504 ~~and 3–507.2~~
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 1154 – Delegates Hayes, Conaway, and Mosby

AN ACT concerning

Program Open Space – Baltimore City Grants – Use of Grant Funds

FOR the purpose of altering the capital projects for which a certain statutory minimum grant to Baltimore City, payable from the State’s share of the proceeds of Program Open Space, may be used; and generally relating to the use of a certain grant to Baltimore City under Program Open Space.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–903(a)(2)(ii)1.
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(a)(2)(ii)4.
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 1182 – Frederick County Delegation

AN ACT concerning

Frederick County – State’s Attorney – Annual Salary

FOR the purpose of altering the annual salary of the State’s Attorney for Frederick County; requiring the salary of the State’s Attorney for Frederick County to increase annually by a certain amount; providing for the application of this Act; and generally relating to the State’s Attorney for Frederick County.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–411(a)
Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 15–411(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

The Problem Gambling Funding and Treatment Act of 2017

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

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–33

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1283 – ~~Delegate Branch~~ Delegates Branch, Brooks, Barkley, Adams, Arentz, Aumann, Clippinger, Fennell, S. Howard, Lisanti, W. Miller, and Waldstreicher

AN ACT concerning

Alcoholic Beverages – Class 5 Brewery License

FOR the purpose of ~~repealing~~ altering a certain provision of law authorizing a holder of a Class 5 brewery license to serve certain samples of beer brewed at the brewery to certain individuals at no charge; specifying that beer sold by a holder of a Class 5 brewery license at retail to a certain individual for off-premises consumption must be in a container other than a keg; ~~repealing~~ altering certain provisions of law ~~requiring to authorize rather than require~~ a local licensing board to grant an on-site consumption permit to a certain applicant ~~and to take certain related actions;~~ ~~repealing a certain provision of law authorizing a local licensing board to charge a certain fee;~~ ~~authorizing a local licensing board to issue in a certain manner a Class D beer license for on-premises consumption to a holder of a Class 5 brewery license;~~ establishing certain requirements for the beer that the holder of a Class 5 brewery license serves for on-premises consumption; altering the maximum amount of beer that the license holder may sell for on-premises consumption each year; authorizing the license holder to file a request to sell up to a certain additional amount of beer in a single year under certain circumstances; requiring that beer sold in excess of a certain amount be purchased from a licensed wholesaler; providing that a certain Class D beer license entitles the holder to sell beer brewed at the brewery under a certain trade name to a certain individual for on-premises consumption; requiring a holder of a ~~Class D beer~~ certain permit or license ~~or a certain employee~~ to comply with certain alcohol awareness training requirements; requiring a holder of a ~~Class D beer~~ certain permit or license to abide by certain trade practice restrictions; ~~repealing a certain provision of law authorizing a holder of a brewery promotional event permit to provide certain samples to consumers;~~ authorizing the holder of certain licenses and permits to exercise the certain privileges of the licenses and permits only during certain hours on certain days; requiring the Comptroller to report certain information to certain committees each year; authorizing the Comptroller to include certain information in a certain report; requiring certain license holders to report certain information for certain purposes; making conforming and clarifying changes; providing for the termination of certain provisions of this Act; and generally relating to Class 5 brewery licenses.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2-207

Annotated Code of Maryland

(2016 Volume and 2016 Supplement)

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

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

AN ACT concerning

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

FOR the purpose of establishing the Commission on the School-to-Prison Pipeline and Restorative Practices; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to study and make recommendations regarding certain matters; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before certain dates; defining certain terms; providing for the termination of this Act; and generally relating to the Commission on the School-to-Prison Pipeline and Restorative Practices.

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

House Bill 1294 – Delegate Valderrama

AN ACT concerning

Workers’ Compensation – Permanent Total Disability – Survival of Claim

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

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

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

House Bill 1309 – Delegates Frush ~~and Waldstreicher~~, Waldstreicher, and Carr

AN ACT concerning

Environment – Recycling – Special Events

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

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

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

House Bill 1345 – ~~Delegate A. Washington~~ Delegates A. Washington and Healey

AN ACT concerning

National Capital Strategic Economic Development Fund

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

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

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

BY adding to
Article – State Finance and Procurement

Section 6–226(a)(2)(ii)96.
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

Criminal Procedure – Testing – HIV and Hepatitis C

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

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–107(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–107(e) and (f), 11–109, 11–110, 11–112(a), 11–113(a), and 11–117 to be
under the amended part “Part II. Right to HIV and Hepatitis C Testing”
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY adding to
Article – Criminal Procedure
Section 11–110.1

Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

**House Bill 1411 – Delegates Dumais, Barron, Hayes, R. Lewis, Lierman, McCray,
A. Miller, Moon, Pena–Melnik, Rosenberg, and M. Washington**

AN ACT concerning

DNA Testing – Postconviction Review

FOR the purpose of clarifying the group of persons who may file a certain petition for postconviction DNA testing or a database or log search; requiring a court to order a new trial under certain circumstances for certain classes of persons filing for postconviction DNA testing and having received favorable results; altering the remedy for intentional and willful destruction of DNA evidence; defining a certain term; and generally relating to postconviction review of DNA evidence.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–201
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1431 – ~~Delegates Lisanti and Impallaria~~ Harford County Delegation

AN ACT concerning

**Harford County Sheriff – Deputy Sheriffs and Correctional Officers – Collective
Bargaining**

FOR the purpose of authorizing the representatives of certain deputy sheriffs and certain correctional officers in the Office of the Sheriff of Harford County to bargain collectively with the Harford County Sheriff and the Harford County Executive on certain issues; authorizing certain deputy sheriffs and certain correctional officers to take certain actions in connection with certain labor organizations with regard to certain collective bargaining activities; providing for the procedures for certifying a labor organization as a certified labor organization for certain collective bargaining negotiations; requiring the certified labor organization, the Sheriff, and the County Executive to follow certain procedures for collective bargaining; providing for a certain method to resolve a dispute if the certified labor organization and the Sheriff are unable to negotiate a certain agreement; providing that any additional funding required as a result of a certain agreement is subject to approval by the County Executive and County Council; providing a certain method for requesting certain

additional funding; requiring a collective bargaining agreement to contain certain matters; prohibiting a collective bargaining agreement that impairs certain rights and responsibilities of the Sheriff; providing for the construction of this Act; and generally relating to the salaries and collective bargaining rights of sworn law enforcement officers and correctional officers of the Harford County Sheriff's Office.

BY adding to

Article – Courts and Judicial Proceedings

Section 2–309(n)(9) and (10)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1440 – Calvert County Delegation

AN ACT concerning

Calvert County – Solid Waste Disposal Contracts

FOR the purpose of authorizing Calvert County to enter into a contract for solid waste disposal that may include transportation, may require payment of certain funds or receipt of certain payment, and is for an initial term of not more than a certain number of years; making a certain stylistic change; and generally relating to contracts for solid waste disposal entered into by Calvert County.

BY repealing and reenacting, with amendments,

The Public Local Laws of Calvert County

Section 6–103

Article 5 – Public Local Laws of Maryland

(2002 Edition and May 2015 Supplement, as amended)

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

House Bill 1465 – Delegate Hayes

AN ACT concerning

Baltimore City – Police Community Policing Steering Committee

FOR the purpose of establishing the Baltimore City Police Community Policing Steering Committee; providing for the composition, terms of office, quorum, chair, governance procedures, subcommittee structure, meetings, and duties of the Committee; providing that the Committee is subject to open meetings laws; requiring the Committee, in cooperation with the Baltimore City Police Department, to develop annually a Baltimore City Police Department Community Interaction ~~Plan~~

Recommendations Report; specifying the focus of the ~~Plan~~ Report; requiring the ~~Plan~~ Report to include certain elements; requiring the Committee to submit the ~~Plan~~ Report to the Mayor of Baltimore, the Baltimore City Council, and the members of the Baltimore City Senate and House Delegations to the General Assembly on or before a certain date annually; defining certain terms; and generally relating to the Baltimore City Police Community Policing Steering Committee.

BY adding to

The Public Local Laws of Baltimore City

Section 16–15

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

House Bill 1469 – Delegates P. Young, Angel, Atterbeary, B. Barnes, Chang, Clippinger, Ebersole, Gutierrez, Haynes, Hettelman, Jackson, Korman, Krimm, Lam, Lierman, McConkey, McKay, A. Miller, Mosby, Platt, Reznik, Rosenberg, Sophocleus, Sydnor, Valentino–Smith, Waldstreicher, M. Washington, West, and Wivell

AN ACT concerning

Public Assistance – Family Investment Program – Child Support Pass Through

FOR the purpose of requiring that a certain amount of child support received in a month pass through to a family seeking assistance under the Family Investment Program and prohibiting the consideration of that child support in computing the amount of assistance received; providing for a delayed effective date; and generally relating to the Family Investment Program.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 5–310(a)

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

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

House Bill 1476 – Delegates Glenn, Anderson, Barkley, Clippinger, Frick, Hayes, McCray, Stein, Tarlau, and Waldstreicher

AN ACT concerning

~~Workers' Compensation – Failure to Report Accident or Action to Deter or Dissuade From Filing a Claim – Penalties~~ Accidental Personal Injury – Penalty

FOR the purpose of altering a certain violation relating to an employer failing to report an accidental personal injury within a certain time required under the workers' compensation law to require the violation to be a knowing violation; increasing the penalties penalty imposed on an employer who fails to report an accidental personal injury within the time required under the workers' compensation law for a certain violation; providing that an employer who takes an action to deter or dissuade a covered employee from filing a certain claim application form is guilty of a misdemeanor and on conviction is subject to certain penalties; requiring an employer to pay to a covered employee a certain amount of compensation or benefits under certain circumstances; defining a certain term; and generally relating to workers' compensation claims.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–1102

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 1500 – Harford County Delegation

AN ACT concerning

Sheriff of Harford County – Salary

FOR the purpose of altering the annual salary of the Sheriff of Harford County beginning on a certain date; providing for the application of this Act; and generally relating to the salary of the Sheriff of Harford County.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2–309(n)(1)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1503 – Delegates Haynes, Anderson, Angel, Atterbeary, Brooks, Carr, Conaway, Davis, Fennell, Gaines, Glass, Glenn, Gutierrez, Hayes, Hill, Holmes, C. Howard, Jalisi, Jones, McCray, Morales, Oaks, Patterson, Proctor, Queen, Sample-Hughes, Sydnor, Turner, Valderrama, A. Washington, Ali, Mosby, Wilkins, and R. Lewis

AN ACT concerning

**Public Safety – ~~State Funding – Requirement for~~ Use of Force De-Escalation
Training of Law Enforcement Officers – Reports**

FOR the purpose of requiring a certain law enforcement agency to ~~meet a certain eligibility requirement to receive money from certain funds and grant programs; requiring certain individuals employed by a certain law enforcement agency to meet certain use of force de-escalation training requirements as a precondition to the law enforcement agency receiving certain funding; and generally relating to State funding for public safety.~~ report at a certain interval to the Governor's Office of Crime Control and Prevention on certain policies and procedures related to use of force de-escalation training for its law enforcement officers; requiring the Governor's Office of Crime Control and Prevention to adopt procedures for the collection, analysis, and compilation of certain use of force de-escalation training information received from a certain law enforcement agency; requiring the Governor's Office of Crime Control and Prevention to submit a certain report at a certain interval that compiles certain information received from a certain law enforcement agency; and generally relating to use of force de-escalation training.

~~BY adding to~~

~~Article – Public Safety~~

~~Section 4–801 to be under the new subtitle “Subtitle 8. Eligibility Criteria”~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2016 Supplement)~~

~~BY adding to~~

~~Article – State Finance and Procurement~~

~~Section 7–214~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2016 Supplement)~~

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 1522 – Delegate Hill

AN ACT concerning

**Needs Assessment for Student School Based Behavioral Health ~~Counseling~~
Services ~~Throughout the Year~~**

FOR the purpose of requiring the Department of ~~Mental~~ Health and Mental Hygiene and the ~~Maryland~~ State Department of Education to conduct a needs assessment for

student school based behavioral health ~~counseling~~ services ~~throughout the school year~~; requiring the assessment to include certain matters; and generally relating to an assessment of student school based behavioral ~~counseling~~ services ~~throughout the school year~~.

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

House Bill 1525 – Delegates J. Lewis, Sanchez, and Vallario

AN ACT concerning

Criminal Procedure – Victim Notification – Dissemination and National Standards

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

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

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

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

House Bill 1526 – Delegates Angel and Vallario

AN ACT concerning

Criminal Procedure – Postsentencing – Victim Notification

FOR the purpose of expanding the types of crimes for which a victim may receive certain notification regarding a certain offender’s mandatory supervision, parole, commutation of sentence, pardon, or remission of sentence; expanding the types of

crimes for which a victim may submit a certain impact statement to the Parole Commission or the Division of Parole and Probation; making stylistic changes; defining certain terms; and generally relating to victim notification.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–505(b), 7–801, 7–803, 7–804, and 7–805
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–104(a)(4) and (5)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing
Article – Criminal Procedure
Section 11–502
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–505
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1537 – ~~Delegate Bromwell~~ Delegates Bromwell, Buckel, Hornberger, Long, Mosby, Rose, and Simonaire

AN ACT concerning

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

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 Budget and Taxation.

House Bill 1560 – Delegates Kelly and Morales

AN ACT concerning

Education – Family Life and Human Sexuality Curriculum – Consent

FOR the purpose of requiring a county board of education to provide age appropriate instruction on consent as part of the Family Life and Human Sexuality curriculum ~~in all grades in which the curriculum is taught~~ in grades 5 and higher in public schools in the county beginning in a certain school year; ~~authorizing a county board to provide age appropriate instruction on consent as part of the Family Life and Human Sexuality curriculum in grades below grade 5 in which the curriculum is taught in public schools in the county~~; defining a certain term; and generally relating to the Family Life and Human Sexuality curriculum in public schools in the State.

BY adding to
Article – Education
Section 7–440
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1574 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Pretrial Release, Work Release, and Diversion
Programs Task Force**

PG 305–17

FOR the purpose of establishing the Prince George’s County Pretrial Release, Work Release, and Diversion Programs Task Force; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses;

requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor, members of the Prince George's County Delegation to the General Assembly, and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Prince George's County Pretrial Release, Work Release, and Diversion Programs Task Force.

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

House Bill 1626 – Delegates Ali, Mosby, Turner, M. Washington, and Wilkins

AN ACT concerning

Election Law – Early Voting – Registered Voter Updating the Voter's Address on an Existing Registration

FOR the purpose of altering a certain provision of the election law concerning a registered voter updating the voter's address during early voting to conform to other provisions of the election law applicable to a registered voter updating the voter's address and voting; repealing the requirement that a registered voter updating the voter's address on an existing registration during early voting must provide proof of residency; and generally relating to a registered voter updating the voter's address on an existing registration during early voting.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–305
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 23

House Bill 302 – Delegates Jacobs, Arentz, and Ghrist

AN ACT concerning

Kent County – Property Tax Credit – Commerce Zones

FOR the purpose of authorizing a certain property tax credit for certain business entities that obtain certain new, improved, or expanded premises in a certain commerce zone in Kent County; providing for the amount and duration of the property tax credit;

authorizing the governing body of Kent County to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Kent County for real property located in certain commerce zones.

BY adding to

Article – Tax – Property

Section 9–316

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 310 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Deer Hunting – Sundays

MC 21–17

FOR the purpose of authorizing the Department of Natural Resources to allow a person to hunt deer on certain property during a certain time period on certain Sundays in Montgomery County, subject to certain provisions of law; establishing that the authority of the Department to allow deer hunting on certain Sundays does not apply in Montgomery County; making certain conforming changes; providing for the termination of this Act; and generally relating to Sunday deer hunting in Montgomery 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 313 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Archery Hunting – Safety Zone

MC 10–17

FOR the purpose of altering the size of the safety zone for archery hunters in Montgomery County within which archery hunting may not take place except under certain circumstances; requiring archery hunters in Montgomery County to use a tree stand when hunting certain animals within a certain distance of certain buildings; and generally relating to archery hunting in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(g)
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 320 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – ~~Polybutylene~~ Connection Pipe Emergency Replacement Loan Program

MC/PG 109–17

FOR the purpose of requiring the Washington Suburban Sanitary Commission to establish a ~~Polybutylene~~ Connection Pipe Emergency Replacement Loan Program for replacement of certain pipes on certain property; requiring the Program to provide for certain eligibility requirements; requiring the Program to include a requirement regarding notification or certification of an active leak; requiring the Program to provide for loan terms and conditions, including a certain interest rate; requiring that the replacement of certain pipes be performed by a ~~licensed~~ plumber licensed by the Commission; prohibiting the Commission from replacing certain pipes; requiring the Program to provide loans on a first-come, first-served basis; prohibiting a loan made under the Program from exceeding a certain amount; prohibiting a customer from receiving more than one loan at a time under the Program; requiring the Program to require certain customers to repay the loan through a charge on the customer’s water and sewer bill or in another method determined by the Commission; prohibiting the Commission from setting a charge greater than an amount that allows the Commission to cover certain costs; providing that a person who acquires property subject to a certain charge assumes the obligation to pay the charge; providing that each loan provided under the Program is a lien against certain property and that the Commission is the sole holder of the lien; requiring the Commission to record a certain lien in the land records of the county where the property is located; ~~prohibiting a certain lien for a certain loan with a certain principal amount from being established without a certain express consent~~; providing that a certain lien shall secure payment of a certain loan; providing that

enforcement of a certain lien shall be in accordance with a certain act; prohibiting a certain lien from taking priority over a certain existing lien, mortgage, deed of trust, or other security interest; prohibiting the Program from providing more than a certain amount in loans or having more than a certain amount of outstanding loans; requiring the Commission to provide a certain amount of funding in the Commission's budget for certain fiscal years; establishing a ~~Polybutylene~~ Connection Pipe Emergency Replacement Fund; specifying the purpose of the Fund; requiring the Commission to administer the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; defining ~~a certain term~~ terms; providing for the termination of this Act; and generally relating to the ~~Polybutylene~~ Connection Pipe Emergency Replacement Loan Program of the Washington Suburban Sanitary Commission or the Commission's designee.

BY adding to

Article – Public Utilities

Section 23–205

Annotated Code of Maryland

(2010 Replacement Volume and 2016 Supplement)

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

House Bill 321 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

~~Washington Suburban Sanitary Commission and~~ Maryland–National Capital Park and Planning Commission – Audit Committee and Office of the Inspector General

MC/PG 110–17

FOR the purpose of ~~establishing an Office of the Inspector General in the Maryland National Capital Park and Planning Commission; authorizing the Inspector General to conduct certain investigations; requiring the Inspector General to conduct a certain audit; authorizing the Inspector General or a designated Assistant Inspector General to subpoena certain persons or evidence, administer oaths, and take depositions and other testimony for certain purposes; authorizing a certain court to compel compliance with a certain order or subpoena or compel certain testimony or the production of evidence under certain circumstances; requiring the Inspector General to submit certain information to the Maryland National Capital Park and Planning Commission and the county executives of Montgomery County and Prince George's County each year; establishing an Office of the Inspector General in the Washington Suburban Sanitary Commission; authorizing the Inspector General to conduct certain investigations; requiring the Inspector General to conduct a certain audit; authorizing the Inspector General or a designated Assistant Inspector General to~~

~~subpoena certain persons or evidence, administer oaths, and take depositions and other testimony for certain purposes; authorizing a certain court to compel compliance with a certain order or subpoena or compel certain testimony or the production of evidence under certain circumstances; requiring the Inspector General to submit certain information to the Washington Suburban Sanitary Commission and the county executives of Montgomery County and Prince George's County each year; and generally relating to the establishment of Offices of the Inspector General in the Maryland National Capital Park and Planning Commission and the Washington Suburban Sanitary Commission~~ establishing an Audit Committee in the Maryland National Capital Park and Planning Commission; providing for the membership, terms, chair, and duties of the Audit Committee; providing for the appointment of certain members of the Audit Committee; requiring the Commission to adopt certain regulations regarding the Audit Committee; authorizing the Commission to adopt certain rules of procedure and delegate certain other functions to the Audit Committee; establishing an Office of the Inspector General in the Commission; providing for the appointment, qualifications, and term of the Inspector General; prohibiting the Inspector General from participating in a certain merit system but authorizing the Inspector General to participate in a certain employee benefits program under certain terms and conditions; authorizing the Commission to offer a certain supplemental employee benefits program to an Inspector General under certain circumstances; authorizing the Commission to remove an Inspector General under certain circumstances; prohibiting the Inspector General from holding secondary employment during the term as Inspector General; authorizing the Inspector General to select certain employees as subordinate staff of the Office subject to certain conditions; authorizing the Inspector General to dismiss certain subordinate staff for certain causes; authorizing the Inspector General, subject to certain conditions, to retain consultants; setting forth the duties of the Office; authorizing the Office to conduct certain investigations, analyses, audits, and reviews, provide management advisories, and utilize the assistance of certain other persons; requiring the Inspector General to comply with generally accepted government auditing standards under certain circumstances; requiring the Inspector General to submit certain written reports to the Audit Committee and the Commission for publication on the Commission's Web site; prohibiting the Inspector General from disclosing certain information that is protected from disclosure; authorizing the Inspector General to make certain oral reports under certain circumstances; requiring the Inspector General to establish and follow procedures for safeguarding the identity of confidential sources and protecting confidential information; requiring the Commission to publish certain reports on its Web site; requiring the Inspector General to report certain allegations to certain persons under certain circumstances; requiring the Inspector General to coordinate with the Audit Committee to develop a certain work plan and establish certain goals and priorities for the Office; requiring the Inspector General to make the work plan available to the public, subject to certain laws; requiring the Inspector General to coordinate with certain persons for certain purposes under certain circumstances; requiring the Commission to include in its annual budget proposal certain amounts for the Office; requiring the Commission's general counsel to provide certain legal services to the Inspector General under certain circumstances; authorizing the Inspector General

to employ and be represented by a special legal counsel without the consent of the general counsel under certain circumstances; requiring a Commission employee or official or a vendor of the Commission to promptly provide certain information to the Inspector General under certain circumstances; requiring the Inspector General to notify certain persons if a Commission employee or official fails to provide certain information; requiring the Commission chair, vice-chair, or executive director to take certain action under certain circumstances; requiring the Commission officers to take certain action under certain circumstances; providing that a Commission employee should report any fraud, waste, or abuse to the Office; prohibiting a Commission employee, vendor, or employee of a vendor from being retaliated against, penalized, or threatened with retaliation for certain actions; prohibiting the Inspector General from disclosing the identity of a certain person under certain circumstances; authorizing the Inspector General or a designated assistant Inspector General to administer an oath or affirmation or take an affidavit from any person under certain circumstances; authorizing the Commission to adopt certain regulations; authorizing the Inspector General or a staff member authorized by the Inspector General to administer oaths and take depositions and other testimony for certain purposes; authorizing the Inspector General to subpoena any person or evidence for a certain purpose; authorizing a court of competent jurisdiction to compel compliance with a certain order or subpoena or testimony or the production of evidence; exempting certain employees of the Commission from a certain merit system; setting the terms of the initial voting members of the Audit Committee; transferring the functions, powers, and duties of the Office of Internal Audit of the Commission to the Office of the Inspector General of the Commission on a certain date; providing that certain employees who are transferred to the Office of the Inspector General shall be transferred without any diminution of their rights; defining certain terms; and generally relating to the Audit Committee and the Office of the Inspector General in the Maryland–National Capital Park and Planning Commission.

BY repealing and reenacting, without amendments,

Article – Land Use

Section 15–101

Annotated Code of Maryland

(2012 Volume and 2016 Supplement)

BY adding to

Article – Land Use

Section 15–401 through 15–405 to be under the new subtitle “Subtitle 4. ~~Office of the Inspector General~~ Audit Committee”; and 15–501 through 15–508 to be under the new subtitle “Subtitle 5. Office of the Inspector General”

Annotated Code of Maryland

(2012 Volume and 2016 Supplement)

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

~~Article – Public Utilities~~

~~Section 17–101~~

~~Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)~~

~~BY adding to~~

~~Article – Public Utilities~~

~~Section 17-601 to be under the new subtitle “Subtitle 6. Office of the Inspector General”~~

~~Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Land Use

Section 16-102 and 16-201(a)

Annotated Code of Maryland
(2012 Volume and 2016 Supplement)

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

House Bill 342 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Property Tax Credit for Qualified Enterprise Zone Property – Extension

MC 3-17

FOR the purpose of extending the eligibility period during which a certain business entity may claim a certain property tax credit for improvements made to certain enterprise zone property in Montgomery County; and generally relating to a property tax credit in Montgomery County for improvements made to qualified enterprise zone property.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9-317(f)(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 379 – Delegates Moon, Gutierrez, Hettleman, Korman, Queen, Sanchez, and Sydnor

AN ACT concerning

Criminal Procedure – Expungement – Possession of Marijuana

FOR the purpose of authorizing a person to file a certain petition for expungement at a certain time if the person was convicted of possession of marijuana ~~before a certain time; requiring that filing fees for petitions for expungement collected by the District Court be remitted to the Administrative Office of the Courts to be used only for a certain purpose; making a certain conforming change; providing for the effective date of certain provisions of this Act; and generally relating to expungement of records.~~

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

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–110(a)(8)
Annotated Code of Maryland
(2008 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

~~BY adding to~~
~~Article – Courts and Judicial Proceedings~~
~~Section 7–302(h)~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2016 Supplement)~~

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

House Bill 447 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Board of Municipal and Zoning Appeals – Appeals Authority

FOR the purpose of limiting the authority of the Baltimore City Board of Municipal and Zoning Appeals to hear and decide certain appeals to instances when the Board is authorized to hear and decide the appeals by the Mayor and City Council of Baltimore City by local law or the Charter of Baltimore City; stating that this Act does not prohibit an administrative official or unit from making a certain decision when authorized by the Mayor and City Council of Baltimore City by local law or the Charter of Baltimore City; establishing that this Act does not alter or impair the right to appeal provided for under certain provisions of law; and generally relating to Baltimore City zoning.

BY repealing and reenacting, with amendments,
Article – Land Use

Section 10–404
Annotated Code of Maryland
(2012 Volume and 2016 Supplement)

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

House Bill 482 – ~~Delegate Cullison~~ Delegates Cullison, Pendergrass, Bromwell, Angel, Hayes, Kelly, Kipke, Krebs, McDonough, Metzgar, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Sample-Hughes, West, and K. Young

AN ACT concerning

Maryland Nurse Practice Act – Revisions

FOR the purpose of altering the membership of the State Board of Nursing; requiring that certain petitions for membership on the Board have at least a certain number of signatures of support from nurses with a certain license; altering the requirements for the election of Board officers; requiring the Board to hold a special election within a certain time period to fill a certain vacancy under certain circumstances; altering the requirements for a quorum of the Board; authorizing the Board to employ a deputy director; authorizing the Board to set standards for the practice of advanced practice registered nursing, electrology, and direct-entry midwifery; altering the requirement that the Board keep a list of certain nurses and other professionals regulated by the Board; authorizing the Board to appoint certain committees of the Board, to delegate certain duties to the executive director, and to hold the executive director accountable to the Board; renaming the Rehabilitation Program to be the Safe Practice Program; renaming the Rehabilitation Committee to be the Safe Practice Committee; repealing the authority of a certain committee to review and designate certain treatment facilities and services to which certain individuals may be referred; altering the reporting requirements of the Safe Practice Committee; requiring the Program to transfer to the Board certain records; authorizing the Board to summarily suspend the license or certificate of certain licensees and certificate holders; requiring a certain nursing education program in another state or country to be substantially equivalent to an education program in this State at the time of the applicant's graduation for a certain purpose; requiring certain applicants to demonstrate written and oral competency in the English language as part of the Board's examination and licensing procedures; repealing certain testing requirements relating to a certain English language competency requirement for certain applicants; repealing certain references to nurse psychotherapists; repealing the requirement that the Board determine certain matters relating to certain licensing examinations; repealing an obsolete date by which the Board was required to begin requiring criminal history records checks; repealing the authority of the Board to issue a temporary practice letter to certain nurses under certain circumstances; altering the grounds for denying an applicant or licensee a license, reprimanding a licensee, placing a licensee on probation, or suspending or revoking the license of an applicant or licensee if the individual has a substance use disorder;

requiring the Board to determine the Maryland passing rate for a certain examination; requiring certain advanced practice registered nurses to report certain information relating to knowledge of certain nurses with a substance use disorder; repealing the requirement that the Board, in consultation with the State Board of Pharmacy and the State Board of Physicians, establish a certain drug formulary for the practice of nurse midwifery; repealing the Board's authority to issue a certain replacement registration certificate and to set a certain fee; repealing the Board's authority to deny the issuance of a certain temporary practice certificate to a certain applicant under certain circumstances; requiring the Board to consider certain information before the Board initiates a disciplinary action against a certain certificate holder or licensee based on information received from a criminal history records check at the time of renewal of a certain certificate or license; prohibiting the Board from renewing a certain certificate without certain documentation that a certain applicant has submitted to a criminal history records check; providing that members of a certain advisory committee are entitled to receive certain compensation and reimbursement for certain expenses; requiring an applicant for a license to practice electrology to take a certain written examination; authorizing the Board or a designee of the Board to give clinical examinations and reexaminations to certain applicants; requiring the Board to provide a certain notice and determine the passing score for a certain examination; repealing the authority of the Board to take certain action against a certain licensee for failing to display a certain notice; repealing the requirement that an electrologist display a certain notice; prohibiting an individual from representing to the public that the individual is authorized to practice advanced practice registered nursing unless authorized to practice advanced practice registered nursing; prohibiting an individual from practicing advanced practice registered nursing under color of a fraudulent diploma, license, certificate, or record; prohibiting an individual from knowingly employing an individual to practice advanced practice registered nursing if the individual is not authorized to practice advanced practice registered nursing; defining certain terms; altering certain defined terms and definitions of certain terms; updating certain terminology; repealing an obsolete provision of law; making conforming and stylistic changes; and generally relating to revisions to the Maryland Nurse Practice Act.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8–101, 8–202(a) through (d), 8–203, 8–204, 8–205(a), 8–208, 8–302, 8–304, 8–305, 8–306, 8–312(g), 8–315, 8–316(a), 8–401, 8–505, 8–601, 8–6A–07, 8–6A–08(k), 8–6A–10(a), 8–6B–10, 8–6B–14(k), 8–6B–18, 8–701 through 8–703, 8–705(a) and (b), and 8–706

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 8–302.1 and 8–6A–13(g)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 8–6A–13(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing
Article – Health Occupations
Section 8–6B–26
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 566 – Howard County Delegation

AN ACT concerning

Howard County – Property Tax – Exemption for Personal Property of Business Located in Historic District

Ho. Co. 10–17

FOR the purpose of authorizing the governing body of Howard County to exempt certain personal property from the Howard County property tax under certain circumstances; defining a certain term; providing for the application of this Act; providing for the termination of this Act; and generally relating to a certain property tax exemption in Howard County.

BY adding to
Article – Tax – Property
Section 7–520
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 593 – Delegate Dumais

AN ACT concerning

State Compensation for Erroneous Conviction and Imprisonment – ~~Gubernatorial Pardon Requirement~~ – Repeal Certification of Error

FOR the purpose of ~~repealing a requirement that an erroneously convicted individual must receive a gubernatorial pardon to be eligible for certain payments by the Board of Public Works;~~ authorizing a certain individual to request that a State's Attorney certify that a conviction was made in error under certain circumstances; providing that an individual is eligible for a certain grant from the Board of Public Works if a State's Attorney has certified that the individual's conviction was made in error; establishing the Task Force to Study Erroneous Conviction and Imprisonment; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations on certain issues related to erroneous convictions and establishing innocence; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; making conforming changes; and generally relating to State compensation for erroneously convicted and imprisoned individuals.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 8–301(a), (f), and (g)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY adding to

Article – Criminal Procedure

Section 8–301(h)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 10–501

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 912 – Delegates Morales, Cullison, Hayes, Hill, Kelly, Lam, Miele, Oaks, Pena-Melnyk, and Platt

AN ACT concerning

**State Board of Examiners of Psychologists – Criminal History Records Checks –
Renewals and Reinstatements**

FOR the purpose of requiring the State Board of Examiners of Psychologists to begin, by a certain date, a process of requiring criminal history records checks on selected

renewal applicants as determined by regulations adopted by the Board and certain former licensees and registrants who file for reinstatement of a license or registration; requiring an additional criminal history records check to be performed on a certain schedule; requiring the Board to consider certain factors in determining whether to renew certain licenses and registrations; prohibiting the Board from renewing a license or registration under certain circumstances; and generally relating to the requirement by the State Board of Examiners of Psychologists for a criminal history records check.

BY adding to

Article – Health Occupations
Section 18–309(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 1127 – Delegate Kelly

AN ACT concerning

**Health Insurance – Coverage Requirements for Behavioral Health Disorders –
Modifications**

FOR the purpose of altering certain coverage requirements applicable to certain health benefit plans for the diagnosis and treatment of mental illness and emotional, drug use, and alcohol use disorders; altering certain definitions; and generally relating to health insurance coverage for the diagnosis and treatment of mental illness and emotional, drug use, and alcohol use disorders.

BY repealing and reenacting, with amendments,

Article – Insurance
Section 15–802
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

**House Bill 1172 – Delegates K. Young, Chang, Krimm, Lisanti, McComas, A. Miller,
Moon, and Robinson**

AN ACT concerning

Department of Health and Mental Hygiene – Biosafety Level 3 Laboratories

FOR the purpose of requiring the Department of Health and Mental Hygiene to develop and make available a certain form; requiring certain biosafety level 3 (BSL–3) laboratories to report annually, on or before a certain date, certain information to the Department; requiring the Department to report annually, on or before a certain date, the number and location of the laboratories, in total and by local jurisdiction, to certain officials in each local jurisdiction in the State, and the total number of the laboratories to the Governor and the General Assembly; providing that certain information is confidential and not subject to inspection under certain provisions of law; establishing certain penalties; requiring the Department to develop a strategy for a certain purpose; defining a certain term; providing for the application of this Act; and generally relating to biosafety level 3 (BSL–3) laboratories.

BY adding to

Article – Health – General

Section 17–701 to be under the new subtitle “Subtitle 7. Biosafety Level 3 (BSL–3) Laboratories”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

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

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

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 5–1101(a) and (g), 5–1104, 5–1106, 5–1108, and 10–411

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–1109

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1269 – ~~Delegate Simonaire~~ Anne Arundel County Delegation

AN ACT concerning

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

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

BY adding to

Article – Tax – Property

Section 9–303(b)(7)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

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

AN ACT concerning

Pharmacists – Substitution and Dispensing of Biological Products

FOR the purpose of authorizing a pharmacist to substitute an interchangeable biological product for a certain prescribed product under certain circumstances; requiring a pharmacist or the pharmacist's designee, except under certain circumstances, to inform certain consumers of the availability of an interchangeable biological product and the approximate cost difference as compared to a certain drug; requiring the State Board of Pharmacy to maintain on its Web site a link to certain lists of biological products; requiring a pharmacist who makes a certain substitution to notify the patient in writing that a certain product is interchangeable and to record and keep a record of certain information relating to the substitution; authorizing the Department of Health and Mental Hygiene to disqualify an interchangeable

biological product from being used as a substitute in the State under certain circumstances; requiring the Department to provide an opportunity for public comment under certain circumstances; providing that a pharmacist who substitutes an interchangeable biological product in compliance with certain provisions of law incurs no greater liability than would be incurred in filling the prescription by dispensing a certain drug or device; requiring, within a certain period of time after dispensing a biological product to a patient, the dispensing pharmacist or the pharmacist's designee to communicate the specific biological product dispensed, including certain information, to the prescriber except under certain circumstances; specifying the methods by which the communication must be provided except under certain circumstances; defining certain terms; and generally relating to the substitution and dispensing of biological products.

BY renumbering

Article – Health Occupations

Section 12–101(c) through (j) and (k) through (aa), respectively
to be Section 12–101(d) through (k) and (n) through (dd), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–101(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 12–101(c), (l), and (m) and 12–504.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–504
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

**House Bill 1275 – Delegates Vogt, Brooks, Folden, C. Wilson, ~~and P. Young~~
P. Young, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Kipke,
Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt,
Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young**

AN ACT concerning

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

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

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–943
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

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

House Bill 1468 – Delegates Valentino–Smith, Kelly, ~~and West~~ West, and Morales

AN ACT concerning

**Medical Records – Disclosure of Directory Information and Medical Records –
~~Mental Health Services~~**

FOR the purpose of altering the circumstances under which a health care provider may disclose a medical record developed primarily in connection with mental health services ~~to certain family members of a patient or other individuals without the authorization of a person in interest~~; authorizing a health care provider to disclose directory information about a patient to a certain individual except under certain circumstances; requiring a health care provider to inform a patient of health care information that the health care provider may include in a certain directory and the persons to whom the information may be disclosed; requiring a health care provider to provide a patient, at a certain time, with an opportunity to restrict or prohibit the disclosure of directory information; authorizing a health care provider to disclose a patient’s directory information under certain circumstances if providing an

opportunity for a patient to restrict or prohibit the disclosure is not practicable for certain reasons; altering the circumstances under which a health care provider may disclose a medical record and the types of records that may be disclosed to certain family members of a patient or other individuals without the authorization of a person in interest; altering the definition of “directory information” as it relates to confidentiality of medical records to include health care information developed primarily in connection with mental health services; stating the intent of the General Assembly; and generally relating to confidentiality of directory information and medical records relating to mental health services.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–301(a) and 4–302(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–301(b) and 4–305(b)(7)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

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

**House Bill 1513 – Delegates Jones, Atterbeary, Gaines, Gutierrez, Hixson,
C. Howard, McIntosh, Oaks, M. Washington, K. Young, and P. Young**

AN ACT concerning

Maryland Historic Trust Grant Fund Improvement Act

FOR the purpose of authorizing the Maryland Historic Trust Grant Fund to be used to pay for certain reasonable and necessary administrative costs, not to exceed a certain amount; requiring the Governor, beginning in a certain fiscal year, to include a certain appropriation to the Fund in the annual State budget bill, subject to certain limitations; 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 Budget and Taxation.

House Bill 1517 – Delegates Glenn and M. Washington

AN ACT concerning

Maryland Nonprofit Development Center Program and Fund – Bridge Loans

FOR the purpose of renaming the Maryland Not-For-Profit Development Center Program and the Maryland Not-For-Profit Development Center Program Fund to be the Maryland Nonprofit Development Center Program and the Maryland Nonprofit Development Center Program Fund; expanding the scope of the Program to include bridge loans for certain expenses for certain nonprofit entities; establishing the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account within the Fund; providing that the Account consists of certain money from the Small, Minority, and Women-Owned Businesses Account; prohibiting money in the Account from exceeding a certain amount; requiring certain money in the Account to be transferred to the Small, Minority, and Women-Owned Businesses Account under certain circumstances; expanding the Fund to include certain ~~proceeds of video lottery terminals~~ money in the Account; authorizing the Department of Commerce to provide a certain bridge loan under certain circumstances; requiring the Department to establish a certain application process and receive a certain written confirmation before providing a bridge loan; ~~requiring a bridge loan to be repaid within a certain period of time~~ requiring the Department to establish a certain schedule and terms of repayment for a bridge loan; requiring the Comptroller to pay a certain ~~amount from the proceeds of certain video lottery terminals to the Fund~~ percentage, up to a certain amount, from the Small, Minority, and Women-Owned Businesses Account to the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account; requiring the Department to report to the Governor and the General Assembly on or before a certain date on certain matters; altering certain definitions; making certain conforming changes; and generally relating to the Maryland Nonprofit Development Center Program.

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 5-1201 through 5-1205 to be under the amended subtitle “Subtitle 12.
Maryland Nonprofit Development Center Program”

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9-1A-27(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government
Section 9–1A–27(b) and (c)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1568 – Prince George’s County Delegation

AN ACT concerning

Workgroup on Transportation for Middle and High School Students in Prince George’s County

PG 415–17

FOR the purpose of establishing the Workgroup on Transportation for Middle and High School Students in Prince George’s County; providing for the composition and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its findings and recommendations to the Prince George’s County House Delegation and the Prince George’s County Senators on or before a certain date; providing for the termination of this Act; and generally relating to the Workgroup on Transportation for Middle and High School Students in Prince George’s County.

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

House Bill 1576 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Student Loan Refinancing Authority

PG 419–17

FOR the purpose of expressing the intent of the General Assembly for Prince George’s County to study whether a higher education financial assistance program should be offered in the county; requiring Prince George’s County, on or before a certain date, to perform certain actions related to a study of a student loan refinancing program in Prince George’s County, including reviewing the Prince George’s County Supplemental Higher Educational Loan Authority and performing a certain feasibility and demand study; requiring the Authority to meet certain requirements if a certain loan authority is reestablished or established; providing for the

termination of this Act; and generally relating to a student loan refinancing authority in Prince George's County.

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

House Bill 1579 – ~~Delegates Sydnor and P. Young~~ Baltimore County Delegation

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2016 – Baltimore County –
Morning Star Family Life Center**

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 Budget and Taxation.

House Bill 1652 – Delegates Pena–Melnik and West

EMERGENCY BILL

AN ACT concerning

**Health Occupations – Certified Supervised Counselors–Alcohol and Drug –
Qualifications**

FOR the purpose of authorizing an applicant, in order to qualify as a certified supervised counselor–alcohol and drug, to complete supervised work experience as specified in regulation in lieu of satisfying a certain internship requirement; making this Act an emergency measure; and generally relating to qualifications of certified supervised counselors–alcohol and drug.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–404
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 24

House Bill 187 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Foxes and Hounds – Repeal of Provisions

FOR the purpose of repealing certain provisions of law that relate to trapping or shooting certain foxes or shooting or molesting certain hounds in St. Mary’s County.

BY repealing

The Public Local Laws of St. Mary’s County
Section 54–1 and 54–2 and the chapter “Chapter 54. Foxes”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2014 Supplement, as amended)

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

House Bill 364 – Delegate Conaway

AN ACT concerning

**Baltimore City – Public Art – ~~Verification of Location by Legislative Auditor~~
Report on Identification, Protection, and Maintenance**

FOR the purpose of requiring ~~that Baltimore City include with a certain financial report an inventory of all public art owned by Baltimore City; requiring that the Legislative Auditor each year verify that each piece of public art included in the inventory is at the location specified in the inventory; defining a certain term; the City of Baltimore and the Baltimore City Public School System to report to the Baltimore City delegation to the General Assembly on or before a certain date on the status of the implementation of certain recommendations concerning the identification, protection, and maintenance of public art located on certain campuses and within certain buildings; and generally relating to the verification of the location~~ identification, protection, and maintenance of public art owned by Baltimore City.

~~BY adding to~~

~~Article – Local Government
Section 16–310~~

~~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 433 – The Speaker (By Request – Administration) and Delegates Kipke, McConkey, and West

AN ACT concerning

State Finance and Procurement – Small and Minority Business Participation

FOR the purpose of clarifying what constitutes good cause for the purpose of removal of a certified minority business enterprise after the execution of a contract; prohibiting the failure of a certified minority business to provide a certain bond from being considered nonperformance; authorizing a certain unit to apply a certain percentage of certain costs toward achieving certain goals under certain circumstances; authorizing a certain unit to apply the total amount of certain fees or commissions toward certain goals under certain circumstances; prohibiting a certain unit from applying any portion of certain costs toward certain goals; repealing the definition of “designated procurement unit” in the Small Business Reserve Program; altering a requirement that certain units structure certain procurement procedures to achieve a certain minimum percentage of the unit’s total dollar value of certain contracts to be made directly to small businesses; providing that a certain unit may apply only certain payments toward its overall annual Small Business Reserve payment; requiring the Special Secretary of Minority Affairs, in consultation with the Attorney General, to establish certain standards and guidelines at a certain regular interval; defining a certain term; making conforming changes; and generally relating to small and minority business participation in State procurement.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–302 and 14–502 through 14–505
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–501
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)
(As enacted by Chapter 8 of the Acts of the General Assembly of 2016)

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

House Bill 503 – Delegate McIntosh

AN ACT concerning

State Budget – Appropriations – Income Tax Revenue Estimate Cap and Revenue Stabilization Account

FOR the purpose of requiring the Bureau of Revenue Estimates, beginning with the revenue estimate for a certain fiscal year, to calculate a certain share of General Fund revenues represented by certain nonwithholding income tax revenues; specifying how the Bureau shall make the calculation; requiring the Bureau to make a certain adjustment to a certain revenue estimate relating to nonwithholding income tax revenues under certain circumstances; prohibiting the adjustment made by the Bureau from exceeding a certain percentage of General Fund revenues; requiring the Consensus Revenue Monitoring and Forecasting Group to develop and recommend to the Bureau a certain methodology for determining a certain share of certain nonwithholding income tax revenues; requiring the Board of Revenue Estimates to approve a certain methodology for determining a certain share of certain nonwithholding income tax revenues; altering the required contents of certain reports from the Bureau and the Board; ~~altering the circumstances under which the Governor is required to include certain appropriations in the budget bill to the Revenue Stabilization Account; altering the amount of the appropriations to the Account that the Governor is required to include under certain circumstances; altering the circumstances under which the Governor is authorized to transfer funds from the Account to General Fund revenues;~~ stating a certain goal of the State for certain revenues retained in the Revenue Stabilization Account; establishing the ~~Extraordinary Nonwithholding Income Tax Revenues~~ Fiscal Responsibility Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the State Comptroller to administer the Fund; requiring the State Treasurer to hold the Fund and the State 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, under certain circumstances, to include in the budget bill for a certain fiscal year certain appropriations from the Fund for certain purposes; requiring the State Comptroller to make certain distributions of certain nonwithholding income tax revenues to the Fund and the Revenue Stabilization Account in certain fiscal years; defining certain terms; requiring the Consensus Revenue Monitoring and Forecasting Group to study a certain methodology and, if necessary, make certain recommendations to the General Assembly on or before a certain date; and generally relating to appropriations of certain income tax revenues and appropriations to the Revenue Stabilization Account.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement

Section 6–104 through 6–106 and 7–311
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Finance and Procurement
Section 7–329 and 7–330
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 2–609
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 504 – Delegates Robinson, Carr, Fraser–Hidalgo, Lafferty, Lam, and R. Lewis

AN ACT concerning

**Products That Contain Mercury – Prohibition on Sale of Electric Switches,
Electric Relays, and Gas Valve Switches**

FOR the purpose of prohibiting a certain marketer from knowingly selling or providing certain electric switches, electric relays, and gas valve switches that contain mercury to a consumer on or after a certain date; establishing certain penalties for certain violations; authorizing the Department of the Environment to impose certain penalties in a certain manner for certain violations; providing for the application of this Act; and generally relating to products that contain mercury.

BY renumbering

Article – Environment
Section 6–905.3 through 6–905.6, respectively
to be Section 6–905.4 through 6–905.7, respectively
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment
Section 6–905(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – Environment

Section 6–905(b–1), (b–2), and (c–1) and 6–905.3

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 6–905(e) and (f)

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

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

**House Bill 522 – Delegates Barron, Cullison, Pena–Melnik, ~~and Rosenberg~~
Rosenberg, Hill, Metzgar, McDonough, Angel, and Morales**

AN ACT concerning

~~**Food Service Facilities – Maryland Institute for Emergency Medical Services
Systems – Automated External Defibrillator Program**~~ **Defibrillators – Study**
(The Joe Sheya Act)

FOR the purpose of ~~requiring the owner and operator of a certain food service facility to develop and, beginning on a certain date, implement an automated external defibrillator program that meets certain requirements; requiring the Department of Health and Mental Hygiene and the Maryland Institute for Emergency Medical Services Systems jointly to adopt certain regulations to conduct a certain study regarding the location of automated external defibrillators; requiring the Maryland Institute for Emergency Medical Services Systems to compile certain information and provide a certain summary; requiring the Maryland Institute for Emergency Medical Services Systems to use certain data in conducting the study; requiring the Maryland Institute for Emergency Medical Services Systems to report its findings and recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to~~ a study regarding automated external defibrillator program for food service facilities defibrillators.

~~BY adding to~~

~~Article – Health – General~~

~~Section 21–330.3~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2016 Supplement)~~

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

**House Bill 584 – Delegates K. Young, Pena–Melnik, Anderton, Frush, Grammer,
Gutierrez, Hixson, Jalisi, Kaiser, Krebs, Lierman, Lisanti, McComas,**

McCray, McMillan, Metzgar, Rose, Turner, ~~and Vogt~~ Vogt, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Miele, Morales, Morgan, Pendergrass, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and West

AN ACT concerning

Investigational Drugs, Biological Products, and Devices – Right to Try Act

FOR the purpose of authorizing a manufacturer of an investigational drug, biological product, or device to provide the investigational drug, biological product, or device to certain patients; specifying the manner in which an investigational drug, biological product, or device may be provided to certain patients; authorizing a manufacturer of an investigational drug, biological product, or device to require an eligible patient to pay certain costs, subject to certain limitations; ~~establishing that the heirs of certain patients are not liable for certain debts~~ requiring a manufacturer of an investigational drug, biological product, or device to notify a certain patient and a certain health care provider of certain side effects or risks; requiring the Office of the Attorney General to develop an informed consent form that meets certain requirements; providing for the construction of certain provisions of this Act; establishing that a certain manufacturer may enforce a certain claim against the estate of a certain patient, but not the patient's heirs or legatees, except under certain circumstances; prohibiting a health occupations board, under certain circumstances, from revoking, failing to renew, suspending, or taking certain action against a health care provider's license based solely on a certain recommendation of the health care provider; prohibiting the Department of Health and Mental Hygiene from taking action against a health care provider's Medicare certification based solely on a certain recommendation of the health care provider or certain treatment provided by a health care provider; prohibiting an official, employee, or agent of the State from blocking or attempting to block a certain patient's access to an investigational drug, biological product, or device; establishing that this Act does not create a certain cause of action; providing for the effect of certain provisions of this Act; defining certain terms; and generally relating to the provision of investigational drugs, biological products, and devices in the State.

BY adding to

Article – Health – General

Section 21–2B–01 through 21–2B–07 to be under the new subtitle “Subtitle 2B. Right to Try Act”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 613 – Delegates Hettleman, Barron, Barkley, B. Barnes, Barve, Clippinger, Ebersole, Frick, Kelly, Korman, Kramer, Lierman, A. Miller, Moon, Morales, Patterson, Pena-Melnyk, Platt, Queen, Robinson,

**Rosenberg, Sanchez, Tarlau, Waldstreicher, M. Washington, K. Young,
P. Young, ~~and R. Lewis~~ R. Lewis, Angel, and Cullison**

AN ACT concerning

Pharmacists – Contraceptives – Prescribing and Dispensing

FOR the purpose of authorizing a pharmacist who meets the requirements of certain regulations to prescribe and dispense certain contraceptives; requiring the State Board of Pharmacy, on or before a certain date and in consultation with the State Board of Physicians, the State Board of Nursing, and certain stakeholders, to adopt regulations for pharmacists to prescribe and dispense certain contraceptives; establishing certain requirements for the regulations; requiring the Maryland Medical Assistance Program and the Maryland Children's Health Program to provide coverage for certain contraceptive services rendered by a licensed pharmacist to the same extent as the contraceptive services rendered by any other licensed health care practitioner; ~~requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain contraceptive services rendered by a licensed pharmacist to the same extent as the contraceptive services rendered by any other licensed health care practitioner;~~ altering and adding certain definitions; providing for a delayed effective date; and generally relating to the prescribing and dispensing of contraceptives by pharmacists.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 15–101(a), (b), and (h)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health – General

Section 15–148(c)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapters 436 and 437 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–101(u)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 12–511

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

~~BY adding to~~

~~Article – Insurance~~

~~Section 15–716~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2016 Supplement)~~

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

House Bill 649 – Charles County Delegation

AN ACT concerning

Charles County – Property Tax Credit – ~~Commerce Zones~~ Priority Funding Areas

FOR the purpose of authorizing a certain property tax credit for certain business entities that obtain certain new or expanded premises in a certain ~~commerce-zone~~ area in Charles County; providing for the amount and duration of the property tax credit; authorizing the governing body of Charles County to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Charles County for real property located in certain ~~commerce-zones~~ areas.

BY adding to

Article – Tax – Property

Section 9–310(k)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 685 – ~~Delegate Conaway~~ Delegates Conaway, Ali, Anderson, Clippinger, Gibson, Glenn, Hayes, Haynes, R. Lewis, Lierman, McCray, McIntosh, Rosenberg, and M. Washington

EMERGENCY BILL

AN ACT concerning

~~**Baltimore City Board of School Commissioners – Use of Funds**~~
Baltimore City – Public Schools and City Council – Logistical and Financial Assistance

FOR the purpose of ~~authorizing the Governor to provide funds to the Baltimore City Board of School Commissioners that exceed a certain required amount; requiring the Baltimore City Board of School Commissioners to spend certain funds for certain purposes; and generally relating to education funds~~ stating the intent of the General Assembly that the Baltimore City Council provide logistical and financial assistance to Baltimore City Public Schools for certain shared services; requiring the Baltimore City Council to report certain information to the General Assembly; making this Act an emergency measure; and generally relating to the assistance by the Baltimore City Council to Baltimore City Public Schools.

~~BY adding to
Article — Education
Section 5-218
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 695 – ~~Delegate Beidle (By Request — Anne Arundel County Administration) and Delegates Carey, Chang, Frush, S. Howard, Malone, McConkey, Pena Melnyk, Saab, Simonaire, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

**Anne Arundel County – Property Tax – Payment in Lieu of Taxes Agreements –
Economic Development Projects**

FOR the purpose of authorizing the governing body of Anne Arundel County, on or before a certain date, to enter into an agreement with the owner of a certain economic development project for payment in lieu of the county real and personal property tax; exempting certain property of an economic development project in Anne Arundel County from county property tax under certain circumstances; requiring that a payment in lieu of taxes agreement include certain provisions; authorizing the owner of the economic development project and the county to modify a certain payment in lieu of taxes agreement under certain circumstances; and generally relating to authorizing certain payment in lieu of taxes agreements in Anne Arundel County.

BY adding to
Article – Tax – Property
Section 7-520
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 750 – ~~Delegates Long, Bromwell, Cluster, and Miele~~ Baltimore County Delegation

AN ACT concerning

Baltimore County – Property Tax Credit – Fallen or Disabled Law Enforcement Officers and Rescue Workers – Acquisition of Dwelling

FOR the purpose of altering eligibility for a certain property tax credit against the county or municipal corporation property tax imposed on certain residential property in Baltimore County to include certain residential property owned or acquired by a certain cohabitant of a certain fallen law enforcement officer or rescue worker under certain circumstances; altering the time period within which a disabled law enforcement officer or rescue worker, or the cohabitant or surviving spouse of a fallen law enforcement officer or rescue worker, shall have acquired certain residential property in Baltimore County in order to qualify for the credit; providing for the application of this Act; and generally relating to a property tax credit for certain residential property owned by certain disabled law enforcement officers or rescue workers or the cohabitants or surviving spouses of certain fallen law enforcement officers or rescue workers.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–210
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 762 – Delegates Platt, D. Barnes, Buckel, Ebersole, Hettleman, Hornberger, C. Howard, Luedtke, Moon, Patterson, Tarlau, Turner, Walker, A. Washington, and M. Washington

AN ACT concerning

Income Tax – Earned Income Tax Credit – Eligibility Awareness Campaign Pilot Program

FOR the purpose of requiring the Department of Human Resources, in consultation with the Office of the Comptroller, to implement and administer an earned income tax credit eligibility awareness pilot program in Baltimore City and Somerset County for a certain purpose; establishing the Earned Income Tax Credit Eligibility Awareness Campaign Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Human Resources to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller, in conjunction

with the Secretary, 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; beginning in a certain fiscal year, requiring the Governor to include in the annual budget bill an appropriation of not less than a certain amount to the Fund; requiring the Department to ensure that certain individuals are informed about certain information; requiring the Department to request certain taxpayer information from the Comptroller, to identify certain individuals who may be eligible for but failed to claim certain credits, and to contact individuals identified under this Act by mail for certain purposes; authorizing the Department to award certain grants from the Fund to certain private entities; requiring a private entity that is awarded a grant to enter into a certain memorandum of understanding with the Department; requiring the private entity to submit proof of certain grant expenditures; requiring the Department, in consultation with the Comptroller, to adopt certain regulations; requiring the Department to report certain information to the General Assembly on or before a certain date each year; requiring the Comptroller to establish a checkoff on the individual income tax return through which certain individuals may authorize the Comptroller to disclose certain information to the Department; authorizing the Comptroller to disclose the information to the Department notwithstanding certain provisions of law; defining certain terms; providing for the application of certain provisions of this Act; providing for the termination of this Act; and generally relating to the earned income tax credit.

BY adding to

Article – Human Services

Section 2–501 through ~~2–504~~ 2–505 to be under the new subtitle “Subtitle 5. Earned Income Tax Credit Eligibility Awareness Campaign”

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

BY adding to

Article – Tax – General

Section 2–115

Annotated Code of Maryland

(2016 Replacement Volume)

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

House Bill 764 – ~~Delegate West~~ Delegates West, Hill, and Metzgar

AN ACT concerning

Requirements for Filial Support – Repeal

FOR the purpose of repealing the prohibition on the neglect or refusal, by an adult child who has or is able to earn sufficient means, to provide a destitute parent with food, shelter, care, and clothing; repealing the authority of an individual to make a certain

complaint relating to the neglect or refusal of a certain adult child to provide a destitute parent with necessary food, shelter, care, and clothing; repealing the authority of the State's Attorney to file a certain information relating to certain nonsupport of a destitute parent; repealing a requirement that a court order a certain individual to pay support to the individual's destitute parent under certain circumstances; repealing a requirement that a certain individual pay certain support until a certain occurrence; repealing the authority of a court to order payment of certain forfeited recognizance to a destitute parent or certain agency under certain circumstances; repealing the authority of a court to release a certain individual and a certain surety from the terms of a certain order, bond, or recognizance under certain circumstances; altering the definition of "responsible relative", as it relates to responsibility for the cost of certain services provided in a facility or program operated or funded by the Department of Health and Mental Hygiene, to exclude from the definition the children of a recipient of certain services; repealing a certain definition; making conforming changes; and generally relating to the repeal of laws requiring filial support and financial responsibility.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 13–101 through 13–103 and 13–106 through 13–109

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 16–101(a) and (c) and 16–102

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 16–101(f) and 16–203(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 799 – Delegates Atterbeary, Anderson, Cluster, Conaway, Dumais, Frick, Glass, Hettleman, Hill, Kaiser, Kelly, Kittleman, Lierman, Lisanti, Malone, McComas, McIntosh, Moon, Morhaim, Proctor, Rey, Reznik, Sanchez, Sydnor, Turner, Valderrama, B. Wilson, and C. Wilson

AN ACT concerning

Family Law – Marriage – Age Requirements

FOR the purpose of repealing certain provisions authorizing certain individuals under the age of majority to marry under certain circumstances; making certain conforming changes; and generally relating to marriage.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–301, 2–402(e), and 2–405
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 830 – Delegates Healey and Frush

AN ACT concerning

Pollinator Habitat Plans – Plan Contents – ~~Requirement~~ Requirements and Prohibition

FOR the purpose of requiring a certain pollinator habitat plan to include certain best management practices for the designation of certain habitat areas; requiring that a certain pollinator habitat plan established by the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration be as protective of pollinators as the Department of Agriculture’s managed pollinator protection plan; prohibiting the use of certain pesticides, ~~seeds, or plants~~ in the ~~pollinator habitat plan~~ a certain pollinator habitat area, subject to certain exceptions; defining ~~a certain term~~ certain terms; making conforming changes; and generally relating to pollinator habitat plans.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–1801
Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 877 – Delegates McComas, Carey, Cassilly, Glass, Hornberger, Impallaria, Krebs, Malone, McDonough, McKay, Parrott, Reilly, Rey, Saab, Sophocleus, B. Wilson, and C. Wilson

AN ACT concerning

Handgun Permits – Alternative Expiration Date – Private Detectives, Security Guards, and Special Police Officers

FOR the purpose of authorizing the Secretary of State Police to establish an alternative expiration date for a permit to carry, wear, or transport a handgun that coincides with the expiration of a certain license, certification, or commission that the holder has been issued; and generally relating to handgun permits.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–309(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY adding to
Article – Public Safety
Section 5–309(d)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

House Bill 894 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Deer Hunting – Sundays

FOR the purpose of authorizing a person in Wicomico County to hunt deer on private property on certain Sundays; and generally relating to Sunday deer hunting in Wicomico 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 1079 – Delegate McMillan

AN ACT concerning

Roadways – Crossing by Pedestrians of Roadways – Authority of Local Jurisdictions

FOR the purpose of authorizing local jurisdictions to regulate the crossing by pedestrians of roadways between adjacent intersections at which traffic control signals are not

in operation and establish a certain civil penalty; and generally relating to the authority of local jurisdictions to regulate the crossing by pedestrians of roadways.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–503
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 25–102
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1113 – Delegates Lam, Barve, Brooks, Hill, Jones, Krimm, Patterson, Turner, ~~and K. Young~~ K. Young, Pendergrass, Bromwell, Angel, Cullison, Hayes, Kelly, Kipke, Metzgar, Morales, Pena–Melnyk, Platt, Rosenberg, Sample–Hughes, and West

AN ACT concerning

Health Occupations – Maryland Community Health Worker Act

FOR the purpose of establishing the State Board of Community Health Workers in the Department of Health and Mental Hygiene; specifying the purpose and composition of the Board; specifying the term of a Board member; requiring the Governor to appoint Board members with the advice and consent of the Senate of Maryland; requiring the Governor to appoint a new Board member, within a certain time period, if a vacancy on the Board occurs; authorizing the Governor to remove a member of the Board under certain circumstances; requiring the Secretary of Health and Mental Hygiene to serve as the chair of the Board; requiring the Board to elect certain officers from among its members; requiring the Board to make certain determinations relating to its officers; specifying that a majority of the members then serving on the Board is a quorum; requiring the Board to meet with a certain frequency and determine the times and places of its meetings; specifying that a Board member is entitled to certain reimbursement; authorizing the Board to employ staff in accordance with its budget; requiring the Board to adopt certain regulations; requiring the Board to establish a process for approving certain training and experience; specifying the duties of the Board; establishing the State Board of Community Health Workers Fund; authorizing the Board to set reasonable fees for a certain purpose; requiring the Board to pay the fees to the Comptroller and requiring the Comptroller to distribute the fees to the Fund; requiring the Fund to be used for certain purposes; specifying that the Fund is a continuing, nonlapsing fund, not subject to a certain provision of law; prohibiting unspent portions of the

Fund from reverting to the General Fund; specifying that no other State money may be used to support the Fund, that a designee of the Board is to administer the Fund, and that money in the Fund may be used only for certain purposes; specifying that a person who gives information to the Board or otherwise participates in its activities has a certain immunity from liability; ~~requiring, beginning on a certain date,~~ authorizing certain individuals to be certified by the Board ~~before practicing to practice~~ as a community health worker in the State; providing for the application of a certain provision of this Act; requiring an individual to meet certain requirements to qualify for certification; requiring the Board to waive a certain requirement under certain circumstances; requiring an applicant to apply to the Criminal Justice Information System Central Repository for a State and national criminal history records check; establishing certain procedures to apply for a criminal history records check; requiring the Central Repository to forward criminal history record information to the Board and to the individual; requiring the Central Repository to provide revised criminal history record information under certain circumstances; providing that certain information is confidential, may not be redisseminated, and may be used only for certain purposes; authorizing an individual who is the subject of a criminal history records check under this Act to contest the contents of certain criminal history record information; requiring an applicant for certification to submit an application to the Board, pay a certain fee, and submit to a criminal history records check; requiring the Board to consider certain factors in determining whether to grant a certification on receipt of the criminal history record information; providing that a renewal applicant is not required to complete a criminal history records check under certain circumstances; authorizing the Board to waive certain qualifications for a certain certification for an applicant who pays a certain fee, holds a certain certification or similar credential in another state under certain circumstances, and submits to a criminal history records check; requiring the Board to issue a certificate to any applicant who meets the requirements of certain provisions of this Act; requiring the Board to include certain information on each certificate; ~~providing that certification authorizes an individual to practice as a community health worker~~; specifying the term of a certificate; providing for the renewal of a certificate; requiring the Board to renew a certificate of a certificate holder who meets certain requirements; requiring a certificate holder to notify the Board of a certain change; requiring the Board to place a certificate holder on inactive status for a certain time period, under certain circumstances; requiring the Board to provide certain written notification to certain community health workers; requiring the Board to reactivate the certificate of a certified community health worker who is on inactive status under certain circumstances; requiring the Board to place a certified community health worker on nonrenewed status, for a certain time period under certain circumstances; requiring the Board to reactivate the certificate of a certified community health worker who is placed on nonrenewed status under certain circumstances; requiring the Board to reactivate the certificate of a certificate holder who was placed on inactive or nonrenewed status under certain circumstances; authorizing the Board to take certain disciplinary action against an applicant or a certificate holder for certain reasons; requiring the Board to give a certain individual an opportunity for a hearing before the Board and to give certain notice and hold the hearing in accordance with certain provisions of law; authorizing

the Board to issue subpoenas and administer oaths under certain circumstances; authorizing a certain court to take certain action against an individual who disobeys a subpoena from the Board or a certain order by the Board; authorizing the Board to hear and determine a matter, under certain circumstances; authorizing a person aggrieved by a decision of the Board to take certain action under certain circumstances; authorizing the Board to reinstate the certificate of an individual whose certificate has been revoked; ~~prohibiting an individual from practicing as a community health worker in the State without a certificate~~; establishing certain penalties for violations of this Act; establishing a certain short title; providing for the termination of this Act under certain circumstances; providing for a certain evaluation of the Board; providing for the terms of the initial appointed Board members; requiring the Board to hold its first Board meeting within a certain time period after the Governor has appointed the initial Board members; declaring the intent of the General Assembly regarding the initial funding of the Board and reimbursement of the General Fund under certain circumstances; requiring that the fee for an application for a certain initial certification be a certain amount for a certain period of time; requiring the Board to set a certain application fee on or after a certain date; defining certain terms; and generally relating to the establishment of the State Board of Community Health Workers and the certification of community health workers.

BY renumbering

Article – State Government
Section 8–403(b)(13) through (58), respectively
to be Section 8–403(b)(14) through (59), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations
Section 3.5–101 through 3.5–502 to be under the new title “Title 3.5. Community Health Workers”
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Government
Section 8–403(b)(13)
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 1144 – Delegates Jones, Haynes, Anderson, Anderton, Angel, Barkley, B. Barnes, D. Barnes, Branch, Buckel, Carr, Chang, Clippinger, Cullison, Dumais, Ebersole, Fennell, Frick, Glenn, Gutierrez, Healey, Hettleman, Hornberger, C. Howard, Jackson, Korman, Krimm, Lam, Lierman, Luedtke, McCray, A. Miller, Moon, Morales, Patterson, Pena–Melnyk, Platt, Reznik, Rosenberg, Sophocleus, Sydnor, Tarlau, Turner, Valderrama, Valentino–Smith, Waldstreicher, K. Young, and P. Young

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 each appointing authority to calculate and report certain payroll information to the Central Payroll Bureau; ~~requiring the Bureau each appointing authority to provide each employee a notice of certain information and;~~ requiring the Bureau to provide to each employee 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~~ appointing authority does not report certain payroll information in a certain manner; authorizing the grievance to be initiated up to a certain ~~number of years~~ period of time after the failure to pay occurs; establishing the damages ~~the Bureau~~ an appointing authority is required to pay under certain circumstances; defining a certain term; 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 for an action that occurred during a certain period of time; 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 Finance.

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

AN ACT concerning

State Highway Administration – Traffic Control Devices – Decorative Treatments

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

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

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

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

House Bill 1349 – Delegate Robinson

AN ACT concerning

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

FOR the purpose of prohibiting a person from selling in the State a certain plastic product that is labeled as biodegradable, degradable, or decomposable on or after a certain date subject to a certain exception; prohibiting a person from selling a certain plastic product in the State labeled as compostable, ~~marine degradable~~, or home compostable on or after a certain date unless the plastic product meets certain standards; prohibiting a person from selling in the State a certain film plastic

product labeled as soil degradable ag mulch film or biodegradable mulch film on or after a certain date unless the product meets certain standards; requiring a person that distributes or sells a certain compostable plastic bag for certain purposes to ensure that the compostable plastic bag is labeled in a certain manner; requiring a person that distributes or sells a certain compostable food or beverage product for certain purposes to ensure that the food or beverage product is labeled in a certain manner; specifying certain provisions of this Act apply to a certain extent; establishing certain penalties for certain violations; providing for the disposition of certain penalties collected under this Act; and generally relating to compostable, degradable, and biodegradable plastic products.

BY adding to

Article – Environment

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

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

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

House Bill 1394 – Delegates McMillan, Hornberger, Reilly, Simonaire, Tarlau, A. Washington, ~~and M. Washington~~ M. Washington, and Afzali

AN ACT concerning

Property Tax – Reassessment After Appeal

FOR the purpose of ~~prohibiting the supervisor or the State Department of Assessments and Taxation from automatically resetting the assessment of a property to its value before an appeal during a subsequent reassessment; authorizing the supervisor or the Department to increase the assessment of a property above the level determined during an appeal only if circumstances arising after the appeal justify an increase in the assessment; prohibiting the supervisor or the State Department of Assessments and Taxation from automatically eliminating a reduction in the assessment of a property that was granted by a property tax assessment appeal board or the Maryland Tax Court during a subsequent reassessment; authorizing the supervisor or the Department to eliminate a reduction in the assessment granted by a property tax assessment appeal board or the Maryland Tax Court if the specific reason for the reduction no longer applies; and generally relating to reassessments of properties after appeals.~~

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 8–205

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1402 – Delegates McMillan, Hornberger, Reilly, Simonaire, Tarlau, ~~and A. Washington~~ A. Washington, and Afzali

AN ACT concerning

Property Tax Appeals – Payment of Refunds – Deadline

FOR the purpose of requiring a tax collector to issue a refund of excess property tax to a taxpayer within a certain period of time after the State Department of Assessments and Taxation notifies the tax collector that a certain appeal authority ~~issues~~ has issued a decision reducing the taxpayer's assessment; defining a certain term; and generally relating to the deadline for paying refunds in property tax appeals.

BY adding to

Article – Tax – Property

Section 14–516

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1427 – Delegates McMillan, Clark, Holmes, Jacobs, Jalisi, and Stein

AN ACT concerning

Natural Resources – Apprentice Hunting License – Establishment

FOR the purpose of establishing an apprentice hunting license that confers certain rights on a purchaser of the license; authorizing a person to obtain an apprentice hunting license on completion of a certain course; authorizing certain persons to hunt under an apprentice hunting license only if accompanied and directly supervised by certain other persons; requiring a person who accompanies and directly supervises an apprentice hunting licensee to maintain certain contact with, provide certain direction to, and be in a certain physical position related to the apprentice hunting licensee; authorizing certain apprentice hunting licensees to hunt without supervision under certain circumstances; limiting to a certain amount the number of apprentice hunting licenses that may be issued to a person in the person's lifetime; prohibiting the renewal of an apprentice hunting license; prohibiting the issuance of an apprentice hunting license to certain persons; establishing certain fees for resident and nonresident apprentice hunting licenses; and generally relating to the establishment of the apprentice hunting license.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 10–301(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–301(g)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1463 – Delegates Frush, Angel, Chang, Ciliberti, Healey, Luedtke, Malone, Robinson, Rosenberg, Saab, Vogt, and Waldstreicher

AN ACT concerning

Veterinary Practitioners – Animal Cruelty and Animal Fighting – Reporting

FOR the purpose of repealing certain provisions of law requiring the State Board of Veterinary Medical Examiners to adopt regulations encouraging a veterinary practitioner to report suspected instances of certain animal cruelty to certain agencies; repealing certain provisions of law providing immunity from civil liability for a veterinary practitioner who reports suspected animal cruelty to certain agencies; requiring a veterinary practitioner who has reason to believe that an animal that has been treated by the veterinary practitioner has been subjected to cruelty or fighting in violation of certain provisions of law to report the suspected animal cruelty or animal fighting to a certain law enforcement agency or county animal control agency in a certain manner; authorizing the Board to impose certain disciplinary actions on a veterinary practitioner for failure to comply with certain animal cruelty and animal fighting reporting requirements; providing immunity from civil liability or criminal prosecution for a veterinary practitioner who reports suspected animal cruelty or animal fighting or participates in an investigation of suspected animal cruelty or animal fighting; requiring the Board to adopt certain regulations; and generally relating to the reporting of animal cruelty and animal fighting by veterinary practitioners.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–301(a), (d), (h), and (i)
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing
Article – Agriculture
Section 2–304(f)

Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–310(10) and (11)
Annotated Code of Maryland
(2016 Replacement Volume)

BY adding to
Article – Agriculture
Section 2–310(12) and 2–313.1
Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–424
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

House Bill 1464 – Delegates Waldstreicher and Barkley

AN ACT concerning

Make Office Vacancies Extinct Program

FOR the purpose of establishing the Make Office Vacancies Extinct Program in the Department of Commerce; providing for the purposes of the Program; establishing qualifications for participation in the Program; ~~providing for authorizing the Program to provide~~ certain grants to certain businesses ~~under the Program on a first-come, first-served basis, subject to a certain limitation~~; providing for the coordination of certain activities of the Program with comparable county programs; providing that a certain grant recipient may be required to return certain funds under certain circumstances; establishing a Make Office Vacancies Extinct Matching Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Commerce to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; requiring the Secretary to review and evaluate the Program on a periodic basis; authorizing the Secretary to submit certain recommendations to the Governor

and the General Assembly; authorizing the Secretary to adopt certain regulations; defining certain terms; and generally relating to the Make Office Vacancies Extinct Program.

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 5–102

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY adding to

Article – Economic Development

Section 5–1501 through 5–1507 to be under the new subtitle “Subtitle 15. Make Office Vacancies Extinct Program”

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)94. and 95.

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)96.

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE REPORT NO. 26

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

Senate Bill 651 – Senators Smith, Astle, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Klausmeier, Lee,

Madaleno, Manno, Mathias, McFadden, Middleton, Nathan-Pulliam,
Norman, Peters, Ramirez, Robinson, Salling, Young, and Zucker

AN ACT concerning

Public Schools – Suspensions and Expulsions

SB0651/484035/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 651

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “prekindergarten” insert “. kindergarten, first grade, or second grade”; in line 4, after “schools” insert “with certain exceptions for an expulsion required by federal law or a suspension for not more than a certain number of days under certain circumstances; requiring the principal or school administration to contact a student’s parent or guardian under certain circumstances”; and strike beginning with “authorizing” in line 4 down through “manner;” in line 6.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“Preamble

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

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

AMENDMENT NO. 3

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

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

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

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

(II) SUSPENDED FOR NOT MORE THAN 5 SCHOOL DAYS IF THE SCHOOL ADMINISTRATION, IN CONSULTATION WITH A SCHOOL PSYCHOLOGIST OR OTHER MENTAL HEALTH PROFESSIONAL, DETERMINES THAT THERE IS AN IMMINENT THREAT OF SERIOUS HARM TO OTHER STUDENTS OR STAFF THAT CANNOT BE REDUCED OR ELIMINATED THROUGH INTERVENTIONS AND SUPPORTS.

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

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

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

The preceding 3 amendments were read only.

Senator Cassilly moved to make the Bill and Amendments 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 with amendments:

**Senate Bill 760 – Senators Guzzone, Benson, Feldman, King, Madaleno, Manno,
Mathias, Middleton, Ramirez, Young, and Zucker**

AN ACT concerning

Education – Grounds for Discipline

SB0760/864532/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 760
(First Reading File Bill)

On page 3, in line 22, strike “COUNTY BOARD SHALL PAY THE FULL” and substitute “INDIVIDUAL SHALL PAY 25% OF THE COST AND EXPENSES OF THE ARBITRATION AND THE COUNTY BOARD SHALL PAY 75% OF THE”.

The preceding amendment was read only.

Senator Hough 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 with amendments:

Senate Bill 995 – Senator Rosapepe

AN ACT concerning

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

SB0995/564438/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 995
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “beverages,” insert “establishing an investment requirement for a license applicant if the movie theater is located in a certain area;” and

in line 8, after “license;” insert “providing that the holder of a Class BLX movie theater license may serve only certain customers;”.

AMENDMENT NO. 2

On page 3, in line 26, strike “(I)”; and strike in their entirety lines 29 through 31, inclusive.

On page 4, after line 6, insert:

“(3) (I) AN APPLICANT FOR A CLASS BLX MOVIE THEATER LICENSE SHALL SUBMIT DOCUMENTATION TO THE BOARD THAT THE OWNER OR OPERATOR OF THE MOVIE THEATER HAS INVESTED A MINIMUM OF \$2,000,000 IN RENOVATING OR REMODELING THE MOVIE THEATER IF THE MOVIE THEATER IS LOCATED WITHIN AN AREA BOUNDED BY:

1. BREEZEWOOD DRIVE, EDMONSTON ROAD, GREENBELT ROAD, AND CHERRYWOOD LANE; OR

2. THE CAPITAL BELTWAY, LIVINGSTON ROAD, AND OXON HILL ROAD.

(II) THE HOLDER OF A CLASS BLX MOVIE THEATER LICENSE MAY:

1. SELL BEER, WINE, AND LIQUOR FOR ON-PREMISES CONSUMPTION FROM NOON TO 12:30 A.M. THE FOLLOWING DAY; AND

2. SERVE ONLY CUSTOMERS WHO HAVE PROOF OF ADMISSION TO THE THEATER.”.

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 1106 – Senator Zucker

AN ACT concerning

Health Care Practitioners – Use of Teletherapy

SB1106/914735/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1106

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 4 down through “requirements;” in line 13; in line 14, after “terms;” insert “providing for a delayed effective date for certain provisions of this Act;”; and in line 18, strike “1–905” and substitute “1–903”.

AMENDMENT NO. 2

On page 2, in line 4, strike “CLINICAL”; in line 6, after “LICENSED” insert “IN THE STATE”; and in line 13, after “MEANS” insert “TELEMEDICINE, AS DEFINED IN § 15–139 OF THE INSURANCE ARTICLE, USED TO DELIVER BEHAVIORAL HEALTH SERVICES.”.

On pages 2 and 3, strike beginning with “THE” in line 13 on page 2 down through “SERVICE.” in line 3 on page 3.

On page 3, strike beginning with “THE” in line 6 down through “(2)” in line 8; strike beginning with “THE” in line 8 down through “AND” in line 9; and in line 10, after “SUBTITLE” insert “; AND”

(2) THE HEALTH CARE PRACTITIONER:

(I) ESTABLISHES A PATIENT–PRACTITIONER RELATIONSHIP WITH THE PATIENT FOR WHOM TELETHERAPY IS BEING USED;

(II) PROVIDES FOR THE PRIVACY OF COMMUNICATIONS MADE THROUGH TELETHERAPY; AND

(III) ADDRESSES, TO THE EXTENT PRACTICABLE, THE NEED TO MAINTAIN THE SAFETY AND WELL-BEING OF PATIENTS FOR WHOM TELETHERAPY IS BEING USED.

On pages 3 through 5, strike in their entirety the lines beginning with line 11 on page 3 through line 2 on page 5, inclusive.

On page 5, in line 3, strike “1-905.” and substitute “**1-903.**”; in line 5, after the second “SUBTITLE” insert “**THAT, TO THE EXTENT PRACTICABLE, ARE UNIFORM AND NOT RELATED TO SCOPE OF PRACTICE**”; in line 9, after “regulations” insert “that, to the extent practicable, are uniform and not related to scope of practice”; and in line 10, strike “through 1-904” and substitute “and 1-902”.

AMENDMENT NO. 3

On page 5, in line 12, after “That” insert “Section 1 of”; in line 13, strike “2017” and substitute “2018”; and after line 13, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect October 1, 2017.”

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1171 – Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Waiver From School Distance Restrictions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 14

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

Senate Bill 167 – Senator Conway

AN ACT concerning

Tax Sales – Reimbursement for Expenses

SB0167/219137/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 167

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “clarifying” in line 3 down through “property;” in line 4; in line 5, after “reimbursement” insert “for costs related to certain foreclosure actions”; strike beginning with “prohibiting” in line 5 down through “collector;” in line 6; in line 7, strike “shall” and substitute “may”; in line 9, strike “amount as” and substitute “those fees may be deemed”; and strike beginning with “providing” in line 9 down through “filed;” in line 11.

AMENDMENT NO. 2

On page 2, strike beginning with the third “**THE**” in line 7 down through “**NOT**” in line 9; and in line 9, after “**COLLECTOR**” insert “**IF THE COLLECTOR COLLECTS THE EXPENSES DESCRIBED UNDER THIS SECTION**”.

AMENDMENT NO. 3

On page 2, in lines 20 and 32, in each instance, strike the brackets; in lines 21 and 33, in each instance, strike “**ATTORNEY’S FEES IN THE AMOUNT OF \$500**”; and in the same lines, in each instance, strike “**AMOUNT SHALL**” and substitute “**MAY**”.

AMENDMENT NO. 4

On page 2, in lines 2 and 14, in each instance, strike the brackets; in lines 2 and 15, in each instance, strike “**SHALL**”.

On page 3, in line 4, strike the brackets; and in the same line, strike “**SHALL**”.

On page 4, in line 10, strike the brackets; and in the same line, strike “SHALL”.

The preceding 4 amendments were read only.

Senator Conway 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 522 – Senators King, DeGrange, Feldman, Ferguson, Guzzone, Manno, Mathias, Peters, Rosapepe, and Smith

AN ACT concerning

Income Tax Credit – Eligible Employers – Eligible Internships

SB0522/489839/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 522

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “regulations;” insert “requiring the Comptroller, in consultation with the Department, to report to the General Assembly on or before a certain date;”; in line 13, after “application” insert “and termination”; in line 11, strike “providing for” and substitute “prohibiting”; in line 18, strike “(2010” and substitute “(2016”; and in the same line, strike “and 2016 Supplement”.

AMENDMENT NO. 2

On page 2, in line 15, strike “FEDERAL” and substitute “STATE”.

AMENDMENT NO. 3

On page 3, after line 9, insert:

“(4) THE UNUSED AMOUNT OF THE CREDIT FOR ANY TAXABLE YEAR MAY NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.”.

On page 4, strike in their entirety lines 5 through 11, inclusive; and in line 12, strike “(F)” and substitute “(E)”.

AMENDMENT NO. 4

On page 4, in line 4, strike “\$500,000” and substitute “\$300,000”.

AMENDMENT NO. 5

On page 4, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before July 1, 2020, the Comptroller, in consultation with the Department of Labor, Licensing, and Regulation, shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the utilization of the income tax credit enacted under Section 1 of this Act.”;

and in line 16, strike “2.” and substitute “3.”.

AMENDMENT NO. 6

On page 4, in line 17, strike “2016.” and substitute “2017, but before January 1, 2021. 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 6 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 622 – Senators Eckardt, Bates, Cassilly, Edwards, Hershey, Hough, Jennings, Klausmeier, Middleton, Muse, Ready, Salling, Serafini, Simonaire, Waugh, and Young

AN ACT concerning

Sales and Use Tax – Tax-Free Period for Back-to-School Shopping – Sale of Backpacks and Bookbags

SB0622/759138/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 622

(First Reading File Bill)

On page 2, in line 6, strike “\$100” and substitute “\$30”.

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 641 – Senator Manno

AN ACT concerning

Income Tax Credit – Endow Maryland – Credit Amounts

SB0641/729136/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 641

(First Reading File Bill)

On page 3, in line 16, strike “\$1,000,000” and substitute “\$500,000”.

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 823 – Senator Eckardt

AN ACT concerning

Task Force to Study Tax Sales in Maryland**SB0823/229733/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 823

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Eckardt” and substitute “Senators Eckardt and Ferguson”.

AMENDMENT NO. 2

On page 2, in line 15, strike “and”; and in line 17, after “Maryland” insert “:

(11) one member appointed by the Maryland Multi-Housing Association;

(12) one member appointed by the Maryland State Bar Association; and

(13) one member appointed by the National Tax Lien Association”.

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 873 – Senator Madaleno (By Request – Tax Credit Evaluation Committee)

AN ACT concerning

Economic Development – Job Creation Tax Credit – Alteration**SB0873/839930/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 873

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Committee)” insert “and Senators Kasemeyer, Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, King, Manno, McFadden, Peters, and Serafini”; and in line 10, after “eligible,” insert “altering the calculation of the credits earned under the program.”.

AMENDMENT NO. 2

On page 2, in line 8, strike “150%” and substitute “**120%**”.

AMENDMENT NO. 3

On page 3, strike beginning with the second “A” in line 14 down through “**50,000**” in line 15 and substitute “:

1. AN ANNUAL AVERAGE EMPLOYMENT THAT IS LESS THAN 75,000; OR

2. A MEDIAN HOUSEHOLD INCOME THAT IS LESS THAN TWO-THIRDS OF THE STATEWIDE MEDIAN HOUSEHOLD INCOME”.

AMENDMENT NO. 4

On page 4, strike beginning with “the” in line 26 down through “\$1,000” in line 27 and substitute “**\$3,000**”; and strike in their entirety lines 29 and 30.

AMENDMENT NO. 5

On page 5, strike beginning with “the” in line 2 down through “\$1,500” in line 3 and substitute “**\$5,000**”; and strike beginning with the semicolon in line 4 down through “employees” in line 6.

The preceding 5 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 1099 – Senator Nathan–Pulliam

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2016 – Baltimore County –
Morning Star Family Life Center**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 15

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

House Bill 150 – The Speaker (By Request – Administration)

**Budget Bill
(Fiscal Year 2018)**

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

(See Exhibit E of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 150 – THE BUDGET BILL

(See Exhibit F of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
SUMMARY REPORT ON HOUSE BILL 150 – THE BUDGET BILL AND
HOUSE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit G of Appendix III)

The preceding 76 amendments were read only.

Senator Kasemeyer 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:

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

AN ACT concerning

Budget Reconciliation and Financing Act of 2017

SENATE BUDGET AND TAXATION COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 152 – BUDGET RECONCILIATION
AND FINANCING ACT OF 2017

(See Exhibit H of Appendix III)

HB0152/129234/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 152

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 7 down through “Fund;” in line 10; in line 23, strike “for a certain fiscal year;” and substitute “and altering the maximum amount of certain fees assessed by the Commission;”; and in line 25, strike “for a certain fiscal year;” and substitute “and altering the maximum amount of certain fees assessed by the Commission;”.

On page 2, strike beginning with “information” in line 15 down through “books” in line 16 and substitute “personnel detail and strategic plan information”; strike beginning with “altering” in line 19 down through “race;” in line 21 and substitute “prohibiting the Consolidated Transportation Program from including certain capital transportation grants beyond a certain period except as authorized by law; requiring a certain financial forecast for a certain period to maximize the use of certain funds; prohibiting a certain financial forecast for a certain period from withholding or reserving certain funds for a certain purpose except as authorized by law;”; in line 24, after “year;” insert “clarifying that certain funds distributed to the Maryland State Arts Council from certain revenue distributed from the State admissions and amusement tax on electronic bingo and electronic tip jars are in addition to a certain base amount for purposes of a certain calculation;”; in line 30, after “met;” insert “requiring the Department of Health and Mental Hygiene and the Department of Human Resources to establish a certain group of stakeholders to collaborate on changes to, or redesign of, certain programs under certain circumstances; stating the intent of the General Assembly that certain actions may not be taken after a certain fiscal”

year;"; in line 35, after "dates;" insert "requiring the State Secretary of Transportation to engage certain entities and seek agreement on certain matters; requiring the Secretary to report to and consult with, at least a certain number of times a year, the chairs of certain committees;"; in line 39, strike "certain terms" and substitute "a certain term"; in the same line, after "definition;" insert "stating certain findings of the General Assembly; repealing a certain contingency provision; extending the termination date of a certain provision of law;"; and strike in their entirety lines 42 through 46, inclusive, and substitute:

"BY repealing and reenacting, with amendments,

Article – Economic Development

Section 4–512(a) and 4–801(f)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 4–801(a)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)".

On page 3, in line 3, after "6–117.1(a)(1) and (3)" insert ", 7–123(a)(1),"; in line 9, after "6–117.1(e)(1)" insert ", 7–123(c),"; in line 14, after "6–117.1(e)(1)" insert ", 7–123(c),"; in line 19, after "6–306(b)" insert "and (c)"; in line 24, after "19–201(b)," insert "19–213(a) and (b),"; and in line 29, after "19–208(b)," insert "19–213(c),".

On page 4, after line 4, insert:

"BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–2401

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 13 of the Acts of the General Assembly of 2016)";

after line 34, insert:

"BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 11–1302(a)

Annotated Code of Maryland
(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 11–1302(e)
Annotated Code of Maryland
(2016 Replacement Volume)”;

and after line 39, insert:

“BY repealing and reenacting, with amendments,

Article – Local Government
Section 16–501(e)
Annotated Code of Maryland
(2013 Volume and 2016 Supplement)”.

On page 5, in line 29, strike “9–117(a)(1), 9–120(b), and 9–1A–28(f)” and substitute “9–120(b)”.

On page 6, after line 1, insert:

“BY repealing and reenacting, without amendments,

Article – Transportation
Section 2–103.1(c)(1)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation
Section 2–103.1(c)(9)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)”;

in line 4, after “Section” insert “2–103.1(m)(2) and”; and after line 15, insert:

“BY repealing

Chapter 13 of the Acts of the General Assembly of 2016
Section 3

BY repealing and reenacting, with amendments,

Chapter 13 of the Acts of the General Assembly of 2016

Section 5

BY repealing and reenacting, with amendments,

Chapter 145 of the Acts of the General Assembly of 2016

Section 2”.

On page 40, in line 1, strike “16.” and substitute “14.”.

On page 41, in lines 1, 18, and 31, strike “17.”, “18.”, and “19.”, respectively, and substitute “15.”, “16.”, and “17.”, respectively.

On page 42, in lines 19, 24, 31, and 35, strike “20.”, “21.”, “22.”, and “23.”, respectively, and substitute “19.”, “20.”, “21.”, and “22.”, respectively; and in lines 31 and 33, in each instance, strike “17” and substitute “15”.

On page 43, in line 1, strike “22” and substitute “21”.

AMENDMENT NO. 2

On pages 6 through 8, strike in their entirety the lines beginning with line 18 on page 6 through line 17 on page 8, inclusive.

On page 32, in line 11, strike “AND”; in lines 12 and 18, in each instance, strike the bracket; in line 15, strike “\$1,000,000 in each fiscal year; and” and substitute “**\$500,000;**

(V) AFTER JUNE 30, 2017, AND BEFORE JULY 1, 2019, INTO THE RACING SPECIAL FUND ESTABLISHED UNDER § 11-401 OF THE BUSINESS REGULATION ARTICLE FROM MONEY THAT REMAINS IN THE STATE LOTTERY FUND AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND ITEMS (I), (II), (III), AND (IV) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO \$1,000,000 IN EACH FISCAL YEAR; AND”;

in line 16, strike “(v)]” and substitute “**(VI)**”; in line 18, strike “AND”; in the same line, strike “and (iv)” and substitute “**(IV), AND (V)**”; and strike in its entirety line 21.

On page 33, strike in their entirety lines 7 through 13, inclusive.

AMENDMENT NO. 3

On page 8, after line 17, insert:

“Article – Economic Development

4–512.

(a) The Council is entitled to:

(1) revenue distributed under [§ 2–202(a)(1)(ii)2] § 2–202(A)(1)(II)1A of the Tax – General Article; and

(2) funding in accordance with the State budget.

4–801.

(a) In this section, “Fund” means the Special Fund for Preservation of Cultural Arts in Maryland.

(f) The Fund consists of:

(1) revenue distributed to the Fund under [§ 2–202(a)(1)(ii)1] § 2–202(A)(1)(II)1B AND 2 of the Tax – General Article; and

(2) any other money from any other source accepted for the benefit of the Fund.”.

On page 33, in line 23, after “Article;” insert “AND”; in line 26, after “(ii)” insert “1. FOR FISCAL YEARS 2019 THROUGH 2021,”; strike beginning with “1.” in line 27 down through “2.” in line 30 and substitute “A.”; in line 30, strike “the remainder”; in line 31, after “Article” insert “, \$1,000,000 IN EACH FISCAL YEAR”; and after line 31, insert:

“B. THE REMAINDER TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4–801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

2. IN FISCAL YEAR 2022 AND IN EACH FISCAL YEAR THEREAFTER, THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 5% TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4-801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND”.

On page 38, before line 8, insert:

“Chapter 145 of the Acts of 2016

SECTION 2. AND BE IT FURTHER ENACTED, That any funds distributed to the Maryland State Arts Council in accordance with § 2-202 of the Tax – General Article as enacted in this Act shall be included in the Maryland State Arts Council’s prior fiscal year appropriation IN ADDITION TO THE AMOUNT OF THE GENERAL FUND APPROPRIATION FOR THE PRIOR FISCAL YEAR AND THE SUM SHALL BE USED for purposes of calculating the required appropriation under § 7-325 of the State Finance and Procurement Article.”.

AMENDMENT NO. 4

On page 10, after line 23, insert:

“(c) (1) This subsection applies only in Anne Arundel County.

(2) In this subsection, “county grant for teaching in an economically disadvantaged school” means an annual grant distributed to a teacher who teaches in an economically disadvantaged school established:

(i) Outside of the collective bargaining process; or

(ii) As part of a collective bargaining agreement with the local employee representative.

(3) For fiscal years 2017 through 2019, the Governor shall include in the State operating budget funding for the stipends provided in this subsection.

(4) (I) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A classroom teacher shall receive a stipend from the State in an amount equal to the county grant for teaching in an economically disadvantaged school, up to a maximum of \$1,500 if the teacher:

[(i)] 1. Teaches in a public middle or high school in which at least 30% of the students as a percentage of full-time equivalent students as defined in § 5–202 of this article qualify for free and reduced price meals under the National School Lunch Program;

[(ii)] 2. Holds a standard or advanced professional certificate; and

[(iii)] 3. Is employed by the county board.

(II) FOR FISCAL YEAR 2018, THE MAXIMUM STIPEND A TEACHER MAY RECEIVE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS \$750.”.

AMENDMENT NO. 5

On page 10, after line 30, insert:

“7–123.

(a) (1) There is a Robotics Grant Program in the State.

[(c) The Governor shall include in the State budget an annual appropriation of at least \$250,000 to the Program.]

(C) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE PROGRAM.”.

AMENDMENT NO. 6

On page 11, in line 7, strike “**\$5,000,000**” and substitute “**\$500,000**”.

AMENDMENT NO. 7

On page 16, in line 10, strike “**\$12,000,000**” and substitute “**\$16,000,000**”; in line 16, strike “**1.**”; in the same line, strike the brackets; strike beginning with “**EXCEPT**” in line 16 down through “**THE**” in line 17; in line 18, strike “**18%**” and substitute “**30.5%**”; and strike in their entirety lines 21 through 23, inclusive.

On page 17, in line 7, strike “**(I)**”; in the same line, strike the brackets; strike beginning with “**EXCEPT**” in line 7 down through “**THE**” in line 8; in line 9, strike “**18%**”

and substitute “30.5%”; and strike in their entirety lines 12 through 14, inclusive, and substitute:

“19–213.

(a) (1) In this section the following words have the meanings indicated.

(2) “Facilities” means hospitals and related institutions whose rates have been approved by the Commission.

(b) The Commission shall assess and collect user fees on facilities as defined in this section.

(c) (1) The total fees assessed by the Commission may not exceed [\$12,000,000] **\$16,000,000**.

(2) The total user fees assessed by the Commission may not exceed the Special Fund appropriation for the Commission by more than 20%.

(3) The user fees assessed by the Commission shall be used exclusively to cover the actual documented direct costs of fulfilling the statutory and regulatory duties of the Commission in accordance with the provisions of this subtitle and any administrative costs for services to the Commission provided by the Department.

(4) The Commission shall pay all funds collected from fees assessed in accordance with this section into the Health Services Cost Review Commission Fund.

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

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

AMENDMENT NO. 8

On page 18, in line 9, strike “**\$4,000,000**” and substitute “**\$5,750,000**”.

AMENDMENT NO. 9

On page 18, after line 33, insert:

“19–2401.

(a) THE GENERAL ASSEMBLY FINDS THAT:

(1) THE FINANCIAL VIABILITY OF THE PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER AND THE STATE’S INVESTMENT IN THE CENTER IS CONTINGENT ON HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE GEORGE’S HOSPITAL CENTER AND THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER;

(2) THE ABILITY OF THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM TO DEVELOP AND MAINTAIN HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE GEORGE’S HOSPITAL CENTER AND TO TRANSITION TO THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER IS CONTINGENT ON STATE OPERATING AND CAPITAL FUNDING IN SPECIFIC YEARS;

(3) THE ABILITY TO PROTECT THE STATE’S INVESTMENT IN THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER IS JEOPARDIZED BY THE PROVISIONS OF THE BUDGET RECONCILIATION AND FINANCING ACT OF 2017, AS INTRODUCED, THAT ALTER BOTH THE OPERATING AND CAPITAL OBLIGATIONS MANDATED BY CHAPTER 13 OF THE ACTS OF 2016; AND

(4) THE CHANGED CIRCUMSTANCES AND THE NEED TO PROTECT THE STATE’S INVESTMENT REQUIRE ADDITIONAL SUPPORT IN FUTURE YEARS TO ENSURE THE FINANCIAL VIABILITY OF THE PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER AND ULTIMATELY THE ABILITY OF THE STATE TO END STATE SUPPORT FOR THE CENTER.

(B) (1) Subject to subsection [(b)] (C) of this section, for the purpose of providing an operating grant to ensure and assist in the transition of a new Prince George’s County Regional Medical System to the University of Maryland Medical System Corporation:

(i) For fiscal year 2018, the Governor shall include in the budget bill an appropriation of[:

1. \$15,000,000; or

2. \$30,000,000, if a grant of \$15,000,000 is not provided in a fiscal 2016 deficiency appropriation to the University of Maryland Medical System Corporation on or before June 30, 2016] \$28,000,000;

(ii) For fiscal year 2019, the Governor shall include in the budget bill an appropriation of [\$15,000,000] \$27,000,000; [and]

(iii) For fiscal years 2020 and 2021, the Governor shall include in the budget bill an appropriation of [\$5,000,000] \$15,000,000; AND

(IV) FOR FISCAL YEARS 2022 THROUGH 2028, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF \$10,000,000.

(2) Subject to subsection [(b)] (C) of this section, Prince George's County shall provide a combination of matching funds and other financial assistance to the University of Maryland Medical System Corporation that constitutes total financial assistance as follows:

(i) \$15,000,000 annually for fiscal year 2017 through fiscal year 2019; and

(ii) \$5,000,000 annually for fiscal years 2020 and 2021.

[(b)] (C) The State and county funds described in subsection [(a)] (B) of this section:

(1) Shall be used to support the transition of the Prince George's County Regional Medical Center from operation under the Dimensions Health Care System to operation as a participating institution of the University of Maryland Medical System Corporation; and

(2) May be used only for:

(i) Providing increased access to critical health care services for the region served by the Prince George's County Regional Medical Center and improving the quality of the services provided; and

(ii) Facilitating cost containment measures to prevent additional operating losses for the Prince George’s County Regional Medical Center and its affiliated institutions.

[(c)] (D) (1) The Governor shall include in the capital or operating budget bill the following amounts that are equal to the capital funds committed by Prince George’s County to be used for the construction of the Prince George’s County Regional Medical Center:

(i) [\$67,500,000] **\$11,300,000** for fiscal year 2018; [and]

(ii) \$48,000,000 for fiscal year 2019; AND

(III) \$56,200,000 FOR FISCAL YEAR 2020.

(2) Prince George’s County shall provide matching funds of \$208,000,000 for the capital construction of the Prince George’s County Regional Medical Center.”.

On page 38, after line 7, insert:

“Chapter 13 of the Acts of 2016

[SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect contingent on the University of Maryland Medical System Corporation becoming the sole corporate member of Dimensions Health Care Corporation and the University of Maryland Medical System Corporation assuming responsibility of the governance structure of the entity.]

SECTION 5. AND BE IT FURTHER ENACTED, That[, subject to Section 3 of this Act,] this Act shall take effect June 1, 2016. It shall remain effective for a period of [5] **12** years and 1 month and, at the end of June 30, [2021] **2028**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 10

On page 20, after line 15, insert:

“Article – Labor and Employment

11-1302.

(a) There is a Construction Education and Innovation Fund.

(e) For fiscal year [2018] **2019** and each fiscal year thereafter, the Governor [shall] **MAY** include in the annual State budget an appropriation to the Fund [of \$250,000] to support the operation of the Center.”.

AMENDMENT NO. 11

On page 21, after line 7, insert:

“Article – Local Government

16-501.

(e) (1) Except as provided in paragraph (2) of this subsection, for fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (i) If a county or Baltimore City has a county income tax rate of at least 2.8% but less than 3%, the county or Baltimore City may receive a minimum of 20% of the amount determined under subsection (c)(3) of this section.

(ii) If a county or Baltimore City has a county income tax rate of at least 3% but less than 3.2%, the county or Baltimore City may receive a minimum of 40% of the amount determined under subsection (c)(3) of this section.

(iii) If a county or Baltimore City has a county income tax rate of at least 3.2%:

1. on or before June 30, 2017, the county or Baltimore City may receive a minimum of 60% of the amount determined under subsection (c)(3) of this section; and

2. in fiscal years 2018 and 2019, the county or Baltimore City may receive a minimum of [67.5%] **63.75%** of the amount determined under subsection (c)(3) of this section.”.

AMENDMENT NO. 12

On page 24, in line 23, after “IN” insert “SUBSECTIONS (C) AND (F) OF”.

On page 25, in lines 8 and 29, in each instance, strike “BUDGET BOOKS” and substitute “SUPPORTING MATERIALS”.

On page 26, strike in their entirety lines 17 and 18; in lines 19, 25, and 29, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(A)”, “(B)”, and “(C)”, respectively; and in line 25, strike “§ 7–115” and substitute “§ 7–115(D) AND (E)”.

AMENDMENT NO. 13

On page 31, strike in their entirety lines 25 through 27, inclusive.

AMENDMENT NO. 14

On page 36, after line 1, insert:

“2–103.1.

(c) (1) The Consolidated Transportation Program shall:

(i) Be revised annually; and

(9) EXCEPT AS AUTHORIZED BY LAW, THE CONSOLIDATED TRANSPORTATION PROGRAM MAY NOT INCLUDE CAPITAL TRANSPORTATION GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS FOR ANY PERIOD BEYOND THE BUDGET REQUEST YEAR.

(m) (2) (i) The financial forecast supporting the Consolidated Transportation Program to be submitted to the General Assembly under paragraph (1) of this subsection shall include the following components:

1. A schedule of operating expenses for each specific modal administration;

2. A schedule of revenues, including tax and fee revenues, deductions from revenues for other agencies, Department program and fees, Motor Vehicle Administration cost recovery, deductions for highway user revenues, operating revenues by modal administration, and miscellaneous revenues; and

3. A summary schedule for the Transportation Trust Fund that includes the opening and closing Fund balance, revenues, transfers, bond sales, bond premiums, any other revenues, expenditures for debt service, operating expenses, amounts available for capital expenses, bond interest rates, bond coverage ratios, total bonds outstanding, federal capital aid, and the total amount for the Transportation Capital Program.

(ii) The financial forecast shall include, for each of the components specified in subparagraph (i) of this paragraph:

1. Actual information for the last full fiscal year; and

2. Forecasts of the information for each of the six subsequent fiscal years, including the current fiscal year, the fiscal year for the proposed budget, and the next four subsequent fiscal years.

(iii) **FOR THE PERIOD BEYOND THE BUDGET REQUEST YEAR, THE FINANCIAL FORECAST:**

1. **SHALL MAXIMIZE THE USE OF FUNDS FOR THE CAPITAL PROGRAM; AND**

2. **EXCEPT AS AUTHORIZED BY LAW, MAY NOT WITHHOLD OR RESERVE FUNDS FOR CAPITAL TRANSPORTATION GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS.**

(IV) The Department shall incorporate in the financial forecast the most recent estimates by the Board of Revenue Estimates of the revenues from:

1. The corporate income tax and the sales and use tax for each of the six subsequent years, including the current fiscal year and the fiscal year for the proposed budget; and

2. Motor fuel taxes and motor vehicle titling taxes for the current fiscal year and the fiscal year for the proposed budget.”.

AMENDMENT NO. 15

On page 37, in line 18, strike “**\$359,825,000**” and substitute “**\$364,825,000**”.

AMENDMENT NO. 16

On page 39, in line 27, strike “\$2,561,757” and substitute “\$15,688,068”.

AMENDMENT NO. 17

On page 39, strike in their entirety lines 29 through 38, inclusive.

AMENDMENT NO. 18

On page 40, in lines 9, 13, and 15, in each instance, strike “\$11,000,000” and substitute “\$12,000,000”.

AMENDMENT NO. 19

On page 41, after line 17, insert:

“(c) In developing any changes or redesign to the Medical Assistance Program or the Supplemental Nutrition Assistance Program, the Department of Health and Mental Hygiene and the Department of Human Resources shall establish a group of interested stakeholders to collaborate on any changes or program redesign.”.

AMENDMENT NO. 20

On page 41, in line 18, strike “, notwithstanding” and substitute “:”

(a) Notwithstanding”;

in line 28, strike “Section” and substitute “§”; and after line 30, insert:

“(b) It is the intent of the General Assembly that the actions taken in accordance with subsection (a) of this section may not be taken in any fiscal year after fiscal year 2018.”.

AMENDMENT NO. 21

On page 41, in line 32, strike “November 1, 2018, and” and substitute “and quarterly until”.

AMENDMENT NO. 22

On page 42, after line 18, insert:

“SECTION 18. AND BE IT FURTHER ENACTED, That:

(a) The State Secretary of Transportation, in coordination with the Montgomery County and Prince George's County Departments of Transportation, shall engage the Secretary's counterparts in Virginia and Washington, D.C., and the appropriate officials in the federal government for the purpose of revising the Washington Metropolitan Area Transit Authority Compact of 1966 and implementing other reforms necessary to ensure the near-term and long-term viability of the Washington Metropolitan Area Transit Authority (WMATA). In doing so, the Secretary shall develop, propose, and seek agreement on reforms related to the following:

- (1) the legal and organizational structure of WMATA;
- (2) the composition and qualifications of the WMATA Board of Directors and the length of terms of its members;
- (3) labor costs and labor relations;
- (4) measures necessary to resolve WMATA's unfunded pension liability and other postemployment benefits;
- (5) measures necessary to better ensure the safety of ridership and employees, including safety in the event of a homeland security emergency in the national capital area; and
- (6) financial and operational improvements necessary to ensure that WMATA's performance is at least as efficient as its closest comparable transit systems in the United States.

(b) The Secretary shall report to and consult quarterly beginning June 30, 2017, with the Chairs of the Senate Budget and Taxation Committee, House Appropriations Committee, and House Environment and Transportation Committee."

The preceding 22 amendments were read only.

Senator Kasemeyer moved to suspend Rule 52(c)(1) to allow the reprint to be considered as the official bill on second reading.

The motion was adopted.

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

The motion was adopted.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 25

House Bill 151 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2017, and the Maryland Consolidated Capital Bond Loans of ~~2009~~, 2006, 2009, 2010, 2012, 2013, 2014, 2015, and 2016

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~One Billion, Thirteen Million, Two Hundred Sixty Seven Thousand Dollars (\$1,013,267,000),~~ One Billion, Eighty-Three Million, Three Hundred and Seven Thousand Dollars (\$1,083,307,000), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to certain requirements that certain matching funds be provided and expended by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt in certain years to be used for certain purposes; imposing a certain tax on all assessable property in the State; requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; providing that the proceeds of certain loans must be expended or encumbered by a certain date; authorizing the Board of Public Works, under certain circumstances, to approve certain appropriations, notwithstanding certain technical differences; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization acts; specifying the use of certain project funds; altering the authorized uses of certain grants; altering the authorized purpose of certain grants; altering the authorized scope of certain grants; altering the names of certain grantees; altering the matching fund requirements of certain grants; extending the deadline for certain grantees to present evidence of certain matching funds; extending the termination date of certain grants; reducing certain grants; requiring a certain report before certain funds are released; altering the location of certain capital projects; making certain technical corrections; providing for a delayed

effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 430 of the Acts of the General Assembly of 2013 and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item ZA01(CE)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 707 of the Acts of the General Assembly of 2009, Chapter 430 of the Acts of the General Assembly of 2013, and Chapter 495 of the Acts of the General Assembly of 2015

Section 1(3) Item ZA02(BI)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009

Section 1(3) Item RB23(B), RM00(D), and ZA00(C)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, Chapter 463 of the Acts of the General Assembly of 2014, Chapter 495 of the Acts of the General Assembly of 2015, and Chapter 27 of the Acts of the General Assembly of 2016

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item RM00(B)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 27 of the Acts of the General Assembly of 2016

Section 1(3) Item DW01.08(A)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010

Section 1(1) and (3) Item ZA00(C)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012

Section 1(3) Item DE02.01(F)

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 463 of the Acts of the General Assembly of 2014, Chapter 495 of the Acts of the General Assembly of 2015, and Chapter 27 of the Acts of the General Assembly of 2016
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 27 of the Acts of the General Assembly of 2016
Section 1(3) Item DH01.04(A), ZA02(Q), and ZA03(N)

BY adding to
Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 27 of the Acts of the General Assembly of 2016
Section 1(3) Item ZA02(Q–1)

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013
Section 1(3) Item DE02.01(A) and RB29(B)

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter 463 of the Acts of the General Assembly of 2014, Chapter 495 of the Acts of the General Assembly of 2015, and Chapter 27 of the Acts of the General Assembly of 2016
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter 27 of the Acts of the General Assembly of 2016
Section 1(3) Item RB26(A)

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item RB27(A) ~~and RM00(D)~~, RM00(D), and ZA02(AJ) and (BC–1)

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014, as amended by Chapter 495 of the Acts of the General Assembly of 2015, and Chapter 27 of the Acts of the General Assembly of 2016
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 463 of the Acts of the General Assembly of 2014, as amended by Chapter 27 of the Acts of the General Assembly of 2016

Section 1(3) Item ZA02(Q) and (AS) and ZA03(S) and (AR)

BY repealing and reenacting, with amendments,
Chapter 495 of the Acts of the General Assembly of 2015
Section 1(3) Item ~~ZA01(B)~~ ZA00(AA) and ZA01(B)

BY repealing and reenacting, with amendments,
Chapter 495 of the Acts of the General Assembly of 2015, as amended by Chapter 27
of the Acts of the General Assembly of 2016
Section 1(1) and (3) Item ZA01(E)

BY repealing and reenacting, with amendments,
Chapter 27 of the Acts of the General Assembly of 2016
Section 1(1) and (3) Item MA01(C), QR02.01(A), RB21(A), UA01(A), and ZA00(C) and
~~(AR)~~ ZA00(C), (AR), (S), (AA), (AE), and (AR), ZA02(AP), (AS), (AU), (BX), and
(BZ), and ZA03(B), (H), (AJ), (AN), and (BQ)

BY repealing
Chapter 27 of the Acts of the General Assembly of 2016
Section 12, 13, and 14

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

House Bill 153 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

FOR the purpose of authorizing the creation of a State Debt in the amount of \$4,823,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required matching fund; providing that, after a certain date, any bonds authorized under this Act shall be canceled and be of no further effect; providing that the proceeds of the loan under this Act shall be expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 270 – Delegates Lafferty, Platt, Bromwell, Glenn, Hettleman, Lierman, McIntosh, Oaks, Rosenberg, ~~and M. Washington~~ M. Washington, Hayes, Ali, Ebersole, Mosby, Turner, and Wilkins

AN ACT concerning

Environment – Testing for Lead in Drinking Water – Public and Nonpublic Schools

FOR the purpose of requiring the Department of the Environment, in consultation with the State Department of Education, the Department of General Services, and Maryland Occupational Safety and Health, to adopt certain regulations, ~~on or before a certain date~~ under certain circumstances, to require periodic testing for the presence of lead in each drinking water outlet located in an occupied public or nonpublic school building; requiring the Department of the Environment, before adopting certain regulations, to gather information about certain testing processes, protocols, and efforts to establish safe and lead-free school environments; authorizing the Department of the Environment, in consultation with the State Department of Education, to provide a waiver from certain testing requirements under certain circumstances; requiring the Department of the Environment and the State Department of Education jointly to submit a report to the Governor and the General Assembly on or before a certain date each year, beginning on or before a certain date; requiring the Department of the Environment to establish a certain stakeholder group to provide advice and make recommendations regarding the development of certain regulations; providing for the application of this Act; defining certain terms; and generally relating to testing for lead in drinking water in public and nonpublic schools.

BY adding to

Article – Environment

Section 6–1501 and 6–1502 to be under the new subtitle “Subtitle 15. Lead in Drinking Water”

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 332 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Maximum Speed Limits Outside Urban Districts

FOR the purpose of decreasing the lowest maximum speed limit that Montgomery County may establish for a highway outside an urban district under certain circumstances; making conforming changes; and generally relating to maximum speed limits outside urban districts in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–803(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 335 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – System Development Charge – Exemptions

MC/PG 104–17

FOR the purpose of authorizing the Montgomery County Council and the Prince George’s County Council to grant an exemption from a system development charge imposed by the Washington Suburban Sanitary Commission under certain circumstances for certain properties that are exempt from federal taxation and the primary mission and purpose of which are to provide programs and services to youth, for properties that are primarily used for child care or after–school care, or for ~~distilleries, breweries, and wineries~~ properties that are primarily used for programs and services for developmentally disabled individuals; and generally relating to the Washington Suburban Sanitary District and the system development charge.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 25–403
Annotated Code of Maryland
(2010 Replacement Volume and 2016 Supplement)

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

House Bill 338 – Delegates Tarlau, Sydnor, Angel, Barkley, D. Barnes, Barron, Buckel, Ebersole, Fennell, Frush, Hettleman, Jackson, Kelly, Knotts, Korman, Lam, Lierman, Luedtke, Morales, Platt, Queen, Sanchez, Shoemaker, Sophocleus, Valderrama, and R. Lewis

AN ACT concerning

Property Tax – Renters’ Property Tax Relief Program – Assets

FOR the purpose of excluding certain items from the definition of “assets” for purposes of certain property tax relief provided to certain renters; providing for the application of this Act; and generally relating to the renters’ property tax relief program.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 9–102(a)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–102(a)(2)

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 469 – Delegate Sydnor

AN ACT concerning

**Recordation and Transfer Tax – Principal Residence Surrendered in
Bankruptcy – Exemption**

FOR the purpose of exempting from recordation and State and county transfer taxes certain instruments of writing that transfer certain residential real property surrendered in bankruptcy under certain circumstances; and generally relating to an exemption from recordation and transfer taxes for certain instruments of writing.

BY adding to

Article – Tax – Property

Section 12–108(gg), 13–207(a)(25), and 13–413

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 13–207(a)(23) and (24)

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 717 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

FOR the purpose of approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; approving the issuance of bonds by the University System of Maryland in a certain total principal amount for financing the projects; providing that the bonds issued under the authority of this Act are not a debt or obligation of the State or any of its subdivisions; and generally relating to academic facilities bonding authority of the University System of Maryland and certain projects.

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

House Bill 786 – Delegates Angel, Morales, Branch, Cullison, Davis, Glenn, C. Howard, Korman, A. Miller, Mosby, Pena–Melnik, Platt, Queen, Sanchez, A. Washington, and Wilkins

AN ACT concerning

Education – Individualized or Group Behavioral Counseling Services – Requirements Establishment

FOR the purpose of ~~authorizing school based personnel to recommend a student to a certain guidance counselor or a certain counseling program to determine whether the student needs a behavioral health assessment; requiring a certain guidance counselor or a certain counseling program to obtain certain permission to assist a certain student in obtaining a behavioral health assessment, under certain circumstances; requiring a certain guidance counselor or a certain counseling program, subject to a certain provision of law, to obtain certain permission of the parent or guardian of a certain student to arrange certain services; requiring a public school, subject to certain conditions, to provide space in the public school building for a certain purpose and to work with a certain student and a certain health care provider to schedule certain services at a certain time in a certain manner; requiring, in accordance with a certain provision of law, an insurer, nonprofit health service plan, or health maintenance organization to pay benefits for covered services provided by a health care provider to an individual under certain circumstances~~ requiring the State Department of Education, in conjunction with the Department of Health and Mental Hygiene, to recommend best practices for county boards of education to provide to students certain needs assessments and certain behavioral health counseling services; prohibiting certain insurance policies or contracts from denying a covered medically necessary behavioral health care service to a student

under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to requirements for individualized behavioral health counseling services in public schools.

BY adding to

Article – Education
Section 7–440
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Insurance
Section ~~15–716~~ 15–510
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 965 – Delegates S. Howard, Arentz, Chang, Clark, Ghrist, Jacobs, Malone, McDonough, Metzgar, Saab, Sophocleus, and B. Wilson

AN ACT concerning

Maryland Personal Information Protection Act – Security Breach Notification Requirements – Modifications

FOR the purpose of altering the applicability of certain security breach investigation and notification requirements to certain businesses; authorizing a certain business to elect to provide a certain notification; prohibiting a certain business from charging a certain business a fee for providing information needed to provide a certain notification or requiring or compelling a certain business to make a certain election; prohibiting a certain business from using certain information for certain purposes; altering the provisions of law with which certain businesses and affiliates shall be deemed to be in compliance by being subject to and in compliance with certain federal laws and guidelines; and generally relating to the Maryland Personal Information Protection Act.

BY repealing and reenacting, without amendments,

Article – Commercial Law
Section 14–3504(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 14–3504(b) and (c) and 14–3507

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

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

House Bill 1208 – Delegates Morales, Sanchez, Cullison, Dumais, Glenn, Kelly, Lam, R. Lewis, Lierman, A. Miller, Moon, Proctor, Robinson, Sydnor, Tarlau, Valderrama, and M. Washington

AN ACT concerning

Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness

FOR the purpose of authorizing, for purposes of filing a certain petition for certain immigration status, a certain victim or victim's family member to request a certain certifying official to certify victim helpfulness on a Form I-918, Supplement B certification under certain circumstances; providing that, for the purpose of this Act, a victim shall be considered to be helpful, to have been helpful, or likely to be helpful under certain circumstances; requiring the certifying official to sign and complete the certification in a certain manner and within a certain period of time under certain circumstances; providing that certain conditions are not required in order to request or obtain the certification; authorizing the certifying official to withdraw the certification only under certain circumstances; authorizing a certifying entity to disclose the immigration status of a victim or person requesting the certification only under certain circumstances; defining certain terms; and generally relating to certain certifications of victim helpfulness for U Nonimmigrant Status certification.

BY adding to

Article – Criminal Procedure

Section 11-929 and 11-930 to be under the new part “Part IV. Petition for U Nonimmigrant Status”

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

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

House Bill 1286 – ~~Delegate Lisanti~~ Delegates Lisanti, Szeliga, and Impallaria

AN ACT concerning

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

FOR the purpose of providing that the admissions and amusement tax may not be imposed by a municipal corporation in Harford County on gross receipts derived from certain

admissions and amusement charges; and generally relating to certain limitations on the admissions and amusement tax.

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

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

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

AN ACT concerning

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

FOR the purpose of defining the term “conviction” as it relates to the standard required to file a petition for writ of actual innocence by a person convicted at trial; establishing a standard required to file a petition for writ of actual innocence by a person convicted as a result of a guilty plea, an Alford plea, or a plea of nolo contendere; requiring that a petition for actual innocence require a sworn affirmation by the petitioner that the petitioner is innocent; and generally relating to a petition for writ of actual innocence.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–301(a) and (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 1418 – Delegate Dumais

AN ACT concerning

Justice Reinvestment Act – Modifications

FOR the purpose of requiring a certain designee who may conduct a certain assessment to be certified or licensed, rather than certified and licensed; ~~providing that a certain court may grant a certain application without a hearing, but may not deny an application without a hearing~~; authorizing a certain person serving a certain term of confinement for an offense relating to ~~drug distribution or~~ volume dealing in cocaine base imposed on or before a certain date to file a certain motion to modify or reduce

the sentence under certain circumstances; ~~repealing a provision of law excluding certain sex offender registrants from eligibility for a certain geriatric parole;~~ repealing a certain incorrect statutory reference; altering a certain incorrect statutory reference; repealing a requirement that a certain person file a certain petition in a certain court under certain circumstances; altering the membership of the Justice Reinvestment Oversight Board; altering a provision relating to the expiration of the terms of certain members of the Justice Reinvestment Oversight Board; making conforming changes; making clarifying changes; making a certain technical correction; providing for the effective date of certain provisions of this Act; and generally relating to justice reinvestment.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section ~~5–601(e)(1), 5–609.1, and 14–101(f)~~ 5–601(e)(1) and 5–609.1

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

BY adding to

Article – Criminal Law

Section 5–612.1

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–110(a) and (b)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Chapter 515 of the Acts of the General Assembly of 2016

Section 10

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–3202

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–3203(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 27–101(gg)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–303(k)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter (S.B. 165) of the Acts of the General Assembly of 2017)

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

House Bill 1447 – Delegates McMillan, Folden, Holmes, Jacobs, Jalisi, and Stein

AN ACT concerning

Motor Vehicle Administration – Registration Plates – Return ~~and Expiration~~

FOR the purpose of providing that certain registration plates required to be returned to the Motor Vehicle Administration may be returned through the mail; ~~providing that certain registration plates may not expire until the Administration makes a determination on a certain application;~~ and generally relating to the return ~~and expiration~~ of motor vehicle registration plates.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–101 and 11–131

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation

Section 13–410(h) ~~and (i)~~

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

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

House Bill 1487 – Delegate Rosenberg

AN ACT concerning

Landlord and Tenant – Repossession for Failure to Pay Rent – Procedures

FOR the purpose of requiring an action for repossession for failure to pay rent to contain a certain statement on whether the property is an affected property under certain lead-based paint abatement laws; ~~authorizing~~ requiring a court to dismiss an action for repossession for failure to pay rent that does not include certain information on the status of the property as an affected property under certain circumstances; altering certain time frames for scheduling a trial date and serving a summons in an action for repossession for failure to pay rent under certain circumstances; requiring a constable or sheriff to refund service fees under certain circumstances; authorizing a court to adjourn a certain trial to obtain documents or other proof of a claim or defense; repealing a certain prohibition against raising as an issue of fact a landlord's compliance with certain requirements related to lead-based paint abatement; ~~authorizing a court to take certain actions pending a decision on a certain appeal~~; prohibiting a landlord from seeking a certain judgment for unpaid rent when there is an existing judgment or warrant of restitution in effect for the same rent; prohibiting a landlord from filing an action for repossession for failure to pay rent after a certain time; providing that certain provisions relating to an action for repossession for failure to pay rent preempt certain public local laws or ordinances; and generally relating to actions for repossession for failure to pay rent.

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

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

SPECIAL ORDER CALENDAR NO. 33

Senate Bill 355 – Senators Serafini and Astle

AN ACT concerning

Gas Companies – Rate Regulation – Environmental Remediation Costs

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

Favorable report adopted by roll call vote as follows:

Affirmative – 33 Negative – 13 (See Roll Call No. 669)

Read the second time and ordered prepared for Third Reading.

Senate Bill 853 – Senators Madaleno, Benson, Currie, Ferguson, Kagan, Kelley, Manno, McFadden, Nathan–Pulliam, and Smith

AN ACT concerning

**Transitional Supports for Ex–Offenders – Repeal of Restrictions
(Maryland Equal Access to Food Act of 2017)**

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

Favorable report adopted.

FLOOR AMENDMENT

SB0853/393120/1

BY: Senator Brochin

AMENDMENTS TO SENATE BILL 853

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Repeal” and substitute “Alteration”; and strike beginning with “repealing” in line 4 down through “sanctions;” in line 7.

AMENDMENT NO. 2

On page 2, in lines 4, 10, 24, and 28, in each instance, strike the bracket; in line 24, strike “**(2)**”; in the same line, strike “**A**”; and in line 28, strike “**(3)**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 32 (See Roll Call No. 670)

Read the second time and ordered prepared for Third Reading.

**Senate Bill 946 – Senators Smith, Madaleno, Benson, Currie, Guzzone, Kagan,
King, Lee, McFadden, Nathan–Pulliam, Robinson, Rosapepe, and Zucker**

AN ACT concerning

Weapon–Free Higher Education Zones

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE
AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0946/878776/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 946

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 3 down through “penalty” in line 5 and substitute “altering a certain exception relating to law enforcement officers to the prohibition on carrying or possessing certain weapons on school property; prohibiting the carrying or possession of certain firearms on the property of public institutions of higher education; providing for certain exceptions to the prohibition on carrying or possessing a firearm on the property of an institution of higher education; providing that a certain violation is a civil offense punishable by a certain fine; requiring a law enforcement officer to issue a citation to a person who commits a certain violation; requiring a citation to contain certain information; prohibiting a certain person from prepaying a certain fine; requiring a certain case to be scheduled for trial; establishing certain procedures for a certain Code violation proceeding; authorizing the court to impose a certain fine and costs against a certain person and find the person is guilty of a Code violation; authorizing a defendant to appeal or file a certain motion; authorizing the State’s Attorney to prosecute a certain violation in a certain manner; providing that a person under a certain age who commits a certain violation is subject to certain procedures and dispositions; requiring the Board of Regents for the University System of Maryland to incorporate the current weapons practice on their campuses into their bylaws, policies, and procedures”; and after line 6, insert:

“BY repealing and reenacting, with amendments,Article – Criminal LawSection 4–102Annotated Code of Maryland(2012 Replacement Volume and 2016 Supplement)”.AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 19 on page 2, inclusive, and substitute:

“4–102.(a) This section does not apply to:

- (1) a law enforcement officer in the regular course of the officer's duty;
- (2) an off-duty law enforcement officer or a person who has retired as a law enforcement officer in good standing from a law enforcement agency of the United States, the State, or a local unit in the State [who is a parent, guardian, or visitor of a student attending a school located on the public school property], provided that:

 - (i) the officer or retired officer is [displaying] IN POSSESSION OF the officer's or retired officer's badge or credential;
 - (ii) the weapon carried or possessed by the officer or retired officer is concealed; and
 - (iii) the officer or retired officer is authorized to carry a concealed handgun in the State;
- (3) a person hired by a county board of education OR A PUBLIC INSTITUTION OF HIGHER EDUCATION specifically for the purpose of guarding public school OR INSTITUTION property;
- (4) a person engaged in organized shooting activity for educational purposes; [or]
- (5) a person who, with a written invitation from the school principal OR THE PRESIDENT OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION, displays or engages in a historical demonstration using a weapon or a replica of a weapon for educational purposes;
- (6) A PERSON CARRYING OR POSSESSING A FIREARM ON THE PROPERTY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION WHO IS REQUIRED OR AUTHORIZED BY POLICIES OF THE PUBLIC INSTITUTION OF HIGHER EDUCATION TO POSSESS A FIREARM;
- (7) AN EMPLOYEE OF AN ARMORED CAR COMPANY WHO IS:

 - (I) AUTHORIZED TO CARRY A FIREARM IN THE STATE IN THE REGULAR COURSE OF EMPLOYMENT; AND

(II) CARRYING OR POSSESSING A FIREARM ON THE PROPERTY OF A PUBLIC INSTITUTION OR HIGHER EDUCATION; OR

(8) PROPERTY USED BY A PUBLIC INSTITUTION OF HIGHER EDUCATION THAT IS OWNED BY AN INDIVIDUAL OR A PRIVATE ENTITY, UNLESS THE PROPERTY IS USED FOR STUDENT HOUSING.

(b) (1) A person may not carry or possess a firearm, knife, or deadly weapon of any kind on public school property.

(2) A PERSON MAY NOT KNOWINGLY CARRY OR POSSESS A FIREARM ON THE PROPERTY OF A PUBLIC INSTITUTION OF HIGHER EDUCATION.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates SUBSECTION (B)(1) OF this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$1,000 or both.

(2) A person who is convicted of carrying or possessing a handgun in violation of SUBSECTION (B)(1) OF this section shall be sentenced under Subtitle 2 of this title.

(D) A PERSON WHO VIOLATES SUBSECTION (B)(2) OF THIS SECTION IS SUBJECT TO A CIVIL FINE NOT EXCEEDING \$1,000.

4-102.1.

(A) A POLICE OFFICER SHALL ISSUE A CITATION TO A PERSON WHO THE POLICE OFFICER HAS PROBABLE CAUSE TO BELIEVE HAS COMMITTED A VIOLATION OF § 4-102(B)(2) OF THIS SUBTITLE.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE FORM OF A CITATION SHALL BE AS PRESCRIBED BY THE DISTRICT COURT AND SHALL BE UNIFORM THROUGHOUT THE STATE.

(2) A CITATION ISSUED FOR A VIOLATION OF § 4-102(B)(2) OF THIS SUBTITLE SHALL CONTAIN:

- (I) THE NAME AND ADDRESS OF THE PERSON CHARGED;
- (II) THE STATUTE ALLEGEDLY VIOLATED;
- (III) THE LOCATION, DATE, AND TIME THAT THE VIOLATION OCCURRED;
- (IV) THE FINE THAT MAY BE IMPOSED;
- (V) A NOTICE STATING THAT PREPAYMENT OF THE FINE IS NOT ALLOWED;
- (VI) A NOTICE THAT THE DISTRICT COURT PROMPTLY SHALL SEND THE PERSON CHARGED A SUMMONS TO APPEAR FOR TRIAL;
- (VII) THE SIGNATURE OF THE PERSON ISSUING THE CITATION;
AND
- (VIII) A SPACE FOR THE PERSON CHARGED TO SIGN THE CITATION.
- (C) (1) EXCEPT FOR A CITATION SUBJECT TO THE JURISDICTION OF A CIRCUIT COURT, THE ISSUING JURISDICTION SHALL FORWARD A COPY OF THE CITATION AND A REQUEST FOR TRIAL TO THE DISTRICT COURT IN THE DISTRICT HAVING VENUE.
- (2) (I) THE DISTRICT COURT PROMPTLY SHALL SCHEDULE THE CASE FOR TRIAL AND SUMMON THE DEFENDANT TO APPEAR.
- (II) WILLFUL FAILURE OF THE DEFENDANT TO RESPOND TO THE SUMMONS IS CONTEMPT OF COURT.
- (D) (1) FOR PURPOSES OF THIS SECTION, A VIOLATION OF § 4-102(B)(2) OF THIS SUBTITLE IS A CODE VIOLATION AND IS A CIVIL OFFENSE.

(2) A PERSON CHARGED WHO IS AT LEAST 18 YEARS OLD SHALL BE SUBJECT TO THE PROVISIONS OF THIS SECTION.

(3) ADJUDICATION OF A CODE VIOLATION UNDER § 4-102(B)(2) OF THIS SUBTITLE IS NOT A CRIMINAL CONVICTION FOR ANY PURPOSE, AND IT DOES NOT IMPOSE ANY OF THE CIVIL DISABILITIES ORDINARILY IMPOSED BY A CRIMINAL CONVICTION.

(E) IN ANY PROCEEDING FOR A CODE VIOLATION UNDER § 4-102(B)(2) OF THE SUBTITLE:

(1) THE STATE HAS THE BURDEN TO PROVE THE GUILT OF THE DEFENDANT TO THE SAME EXTENT AS IS REQUIRED BY LAW FOR THE TRIAL OF CRIMINAL CAUSES, AND IN ANY SUCH PROCEEDING, THE COURT SHALL APPLY THE EVIDENTIARY STANDARDS AS PRESCRIBED BY LAW OR RULE FOR THE TRIAL OF CRIMINAL CAUSES;

(2) THE COURT SHALL ENSURE THAT THE DEFENDANT HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT THE DEFENDANT UNDERSTANDS THOSE CHARGES;

(3) THE DEFENDANT IS ENTITLED TO CROSS-EXAMINE ALL WITNESSES WHO APPEAR AGAINST THE DEFENDANT, TO PRODUCE EVIDENCE OR WITNESSES ON BEHALF OF THE DEFENDANT, OR TO TESTIFY ON THE DEFENDANT'S OWN BEHALF IF THE DEFENDANT CHOOSES TO DO SO;

(4) THE DEFENDANT IS ENTITLED TO BE REPRESENTED BY COUNSEL OF THE DEFENDANT'S CHOICE AND AT THE EXPENSE OF THE DEFENDANT;

(5) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT GUILTY, AND THE VERDICT OF THE COURT IN THE CASE SHALL BE:

(I) GUILTY OF A CODE VIOLATION; OR

(II) NOT GUILTY OF A CODE VIOLATION; AND

(6) BEFORE RENDERING JUDGMENT, THE COURT MAY PLACE THE DEFENDANT ON PROBATION IN THE SAME MANNER AND TO THE SAME EXTENT AS IS ALLOWED BY LAW IN THE TRIAL OF A CRIMINAL CASE.

(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF THE DISTRICT COURT FINDS THAT A PERSON HAS COMMITTED A CODE VIOLATION, THE COURT SHALL REQUIRE THE PERSON TO PAY A FINE NOT EXCEEDING \$1,000.

(2) THE CHIEF JUDGE OF THE DISTRICT COURT MAY NOT ESTABLISH A SCHEDULE FOR THE PREPAYMENT OF FINES FOR A CODE VIOLATION UNDER THIS PART.

(G) WHEN A DEFENDANT HAS BEEN FOUND GUILTY OF A CODE VIOLATION UNDER § 4-102(B)(2) OF THIS SUBTITLE AND A FINE HAS BEEN IMPOSED BY THE COURT:

(1) THE COURT MAY DIRECT THAT THE PAYMENT OF THE FINE BE SUSPENDED OR DEFERRED UNDER CONDITIONS THAT THE COURT MAY ESTABLISH; AND

(2) IF THE DEFENDANT WILLFULLY FAILS TO PAY THE FINE IMPOSED BY THE COURT, THE WILLFUL FAILURE MAY BE TREATED AS A CRIMINAL CONTEMPT OF COURT, FOR WHICH THE DEFENDANT MAY BE PUNISHED BY THE COURT AS PROVIDED BY LAW.

(H) (1) THE DEFENDANT IS LIABLE FOR THE COSTS OF THE PROCEEDINGS IN THE DISTRICT COURT AND FOR PAYMENT TO THE CRIMINAL INJURIES COMPENSATION FUND.

(2) THE COURT COSTS IN A CODE VIOLATION CASE IN WHICH COSTS ARE IMPOSED ARE \$5.

(I) (1) A DEFENDANT WHO HAS BEEN FOUND GUILTY OF A CODE VIOLATION UNDER § 4-102(B)(2) OF THIS SUBTITLE HAS THE RIGHT TO APPEAL OR TO FILE A MOTION FOR A NEW TRIAL OR A MOTION FOR A REVISION OF A JUDGMENT PROVIDED BY LAW IN THE TRIAL OF A CRIMINAL CASE.

(2) A MOTION SHALL BE MADE IN THE SAME MANNER AS PROVIDED IN THE TRIAL OF CRIMINAL CASES, AND THE COURT, IN RULING ON THE MOTION HAS THE SAME AUTHORITY PROVIDED IN THE TRIAL OF CRIMINAL CASES.

(J) (1) THE STATE'S ATTORNEY FOR ANY COUNTY MAY PROSECUTE A CODE VIOLATION IN THE SAME MANNER AS PROSECUTION OF A VIOLATION OF THE CRIMINAL LAWS OF THIS STATE.

(2) IN A CODE VIOLATION CASE, THE STATE'S ATTORNEY MAY:

(I) ENTER A NOLLE PROSEQUI OR PLACE THE CASE ON THE STET DOCKET; AND

(II) EXERCISE AUTHORITY IN THE SAME MANNER AS PRESCRIBED BY LAW FOR VIOLATION OF THE CRIMINAL LAWS OF THE STATE.

(K) A PERSON ISSUED A CITATION FOR A VIOLATION OF § 4-102(B)(2) OF THIS SUBTITLE WHO IS UNDER THE AGE OF 18 YEARS SHALL BE SUBJECT TO THE PROCEDURES AND DISPOSITIONS PROVIDED IN TITLE 3, SUBTITLE 8A OF THE COURTS ARTICLE.”.

AMENDMENT NO. 3

On page 2, in line 20, after “That” insert “the Board of Regents for the University System of Maryland shall incorporate the current weapons practice on their campuses into their bylaws, policies, and procedures.

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

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0946/163423/1

BY: Senator Edwards

AMENDMENTS TO SENATE BILL 946, AS AMENDEDAMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0946/878776/1), in line 4 of Amendment No. 1, after “firearms” insert “while knowingly on”; in the same line, strike “property” and substitute “campus”; and in line 5, after “education” insert “or on certain property owned by public institutions of higher education”.

AMENDMENT NO. 2

On page 3 of the Judicial Proceedings Committee Amendments, in line 19 of Amendment No. 2, strike “KNOWINGLY”; in line 20, after “FIREARM” insert “WHILE KNOWINGLY”; in the same line, strike “PROPERTY” and substitute “CAMPUS”; and in the same line, after “EDUCATION” insert “OR ON PROPERTY OWNED BY THE PUBLIC INSTITUTION OF HIGHER EDUCATION THAT IS CONTIGUOUS TO THE CAMPUS”.

The preceding 2 amendments were read only.

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

The motion was adopted.

Senate Bill 983 – Senator Muse

AN ACT concerning

Criminal Procedure – Pretrial Release

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

Favorable report, as amended, adopted by roll call vote as follows:

Affirmative – 26 Negative – 20 (See Roll Call No. 671)

FLOOR AMENDMENT

SB0983/553029/2

BY: Senator Muse

AMENDMENTS TO SENATE BILL 983
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 17, before the second “and” insert “establishing the Pretrial Services Workgroup; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 17, strike beginning with “this” in line 9 down through “2017” in line 10, and substitute “:

(a) There is a Pretrial Services Workgroup.

(b) The Workgroup 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, or the Public Defender’s designee;

(4) one member of the Judiciary, appointed by the Chief Judge of the Court of Appeals;

(5) one member of the Maryland State’s Attorneys’ Association, appointed by the States’ Attorney Coordinator;

(6) one member of the Maryland Sheriff’s Association, appointed by the President of the Maryland Sheriff’s Association;

(7) one member of the National Bar Association, appointed by the President of the National Bar Association;

(8) one member representing the Maryland Hispanic Bar Association, appointed by the President of the Maryland Hispanic Bar Association;

(9) one member representing the Maryland Chapter of the National Association for the Advancement of Colored People, appointed by the President of the Maryland Chapter of the National Association for the Advancement of Colored People; and

(10) one member of a victims advocacy organization, appointed by the Governor.

(c) The Governor shall designate the chair of the Workgroup.

(d) The Governor's Office of Crime Control and Prevention shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) examine the financial impacts of different types of pretrial release conditions;

(2) conduct hearings across the State to seek citizen input; and

(3) study what pretrial release services were assigned to defendants in the State.

(g) On or before December 31, 2017, the Workgroup shall report its findings to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017. Section 2 of this Act shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect".

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.

Senate Bill 705 – Senators Muse, Kelley, Lee, Ramirez, and Smith

AN ACT concerning

Award of Attorney's Fees and Expenses – Violation of Maryland Constitutional Right

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

SB0705/948179/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 705

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 11, in each instance, before “Maryland” insert “certain”.

AMENDMENT NO. 2

On page 2, strike beginning with “**THE**” in line 9 down through “**RIGHTS.**” in line 10 and substitute “:

**(1) ARTICLE 7 OF THE MARYLAND DECLARATION OF RIGHTS
(ELECTIONS TO BE FREE AND FREQUENT; RIGHT OF SUFFRAGE);**

**(2) ARTICLE 10 OF THE MARYLAND DECLARATION OF RIGHTS
(FREEDOM OF SPEECH AND DEBATE AND PROCEEDINGS IN LEGISLATURE);**

**(3) ARTICLE 13 OF THE MARYLAND DECLARATION OF RIGHTS
(RIGHT TO PETITION THE LEGISLATURE FOR REDRESS OF GRIEVANCES);**

(4) ARTICLE 14 OF THE MARYLAND DECLARATION OF RIGHTS (NO TAX, ETC., TO BE LEVIED WITHOUT CONSENT OF LEGISLATURE);

(5) ARTICLE 19 OF THE MARYLAND DECLARATION OF RIGHTS (REMEDY FOR INJURY TO PERSON OR PROPERTY);

(6) ARTICLE 21 OF THE MARYLAND DECLARATION OF RIGHTS (RIGHTS OF ACCUSED; INDICTMENT; COUNSEL; CONFRONTATION; SPEEDY TRIAL; IMPARTIAL AND UNANIMOUS JURY);

(7) ARTICLE 22 OF THE MARYLAND DECLARATION OF RIGHTS (SELF INCRIMINATION);

(8) ARTICLE 23 OF THE MARYLAND DECLARATION OF RIGHTS (JURY JUDGES OF LAW AND FACT; RIGHT OF TRIAL BY JURY IN CIVIL PROCEEDINGS);

(9) ARTICLE 24 OF THE MARYLAND DECLARATION OF RIGHTS (DUE PROCESS);

(10) ARTICLE 26 OF THE MARYLAND DECLARATION OF RIGHTS (WARRANTS);

(11) ARTICLE 36 OF THE MARYLAND DECLARATION OF RIGHTS (RELIGIOUS FREEDOM);

(12) ARTICLE 40 OF THE MARYLAND DECLARATION OF RIGHTS (FREEDOM OF PRESS AND SPEECH);

(13) ARTICLE 46 OF THE MARYLAND DECLARATION OF RIGHTS (EQUALITY OF RIGHTS NOT ABRIDGED BECAUSE OF SEX);

(14) ARTICLE VIII OF THE MARYLAND CONSTITUTION (EDUCATION);
OR

(15) ARTICLE XVI OF THE MARYLAND CONSTITUTION (THE REFERENDUM).”;

in line 14, after “BY” insert “A PROVISION OF”; and in the same line, after “RIGHTS” insert “LISTED IN SUBSECTION (A) 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.

Senate Bill 783 – Senator Cassilly

AN ACT concerning

Patient Early Intervention Programs

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

SB0783/488676/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 783

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “program;” insert “authorizing a patient or the patient’s family to void a certain settlement agreement within a certain statute of limitations under certain circumstances;”.

AMENDMENT NO. 2

On page 3, after line 14, insert:

“(E) UNDER A PATIENT SAFETY EARLY INTERVENTION PROGRAM, IF A SETTLEMENT AGREEMENT IS REACHED WITHOUT COUNSEL, THE PATIENT OR, IF THE PATIENT IS DECEASED OR UNABLE TO PARTICIPATE, THE PATIENT’S FAMILY SHALL HAVE THE RIGHT TO VOID THE AGREEMENT WITHIN THE STATUTE OF LIMITATIONS APPLICABLE TO THE UNDERLYING CLAIM.”;

and in lines 15 and 20, strike “(E)” and “(F)”, respectively, and substitute “(F)” and “(G)”, respectively.

The preceding 2 amendments were read only.

Senator Zirkin moved to make the Bill and Amendments a Special Order for March 22, 2017.

The motion was adopted.

Senate Bill 971 – Senator Kagan

AN ACT concerning

Procurement – Nondiscrimination Clauses and State Policy Prohibiting Discrimination

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (5) OFFERED FROM THE FLOOR BY SENATOR KAGAN.

FLOOR AMENDMENT

SB0971/793223/1

BY: Senator Kagan

AMENDMENT TO SENATE BILL 971, AS AMENDED

(First Reading File Bill)

On page 2 of the bill, in line 5, after “SEX,” insert “**GENDER IDENTITY,**”; and in line 10, after “SEX,” insert “**GENDER IDENTITY,**”.

On page 3 of the bill, in line 13, after “sex,” insert “**GENDER IDENTITY,**”; and in line 17, after “SEX,” insert “**GENDER IDENTITY,**”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0971/724232/1), in line 9 of Amendment No. 2, after “sex,” insert “**GENDER IDENTITY,**”; and in line 14, after “SEX,” insert “**GENDER IDENTITY,**”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 14 of Amendment No. 2, after “sex,” insert “**GENDER IDENTITY,**”; and in line 19, after “SEX,” insert “**GENDER IDENTITY,**”.

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in line 8 of Amendment No. 2, after “sex,” insert “**GENDER IDENTITY,**”.

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments, in line 9 of Amendment No. 2, after “sex,” insert “**GENDER IDENTITY,**”.

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

Affirmative – 21 Negative – 22 (See Roll Call No. 674)

FLOOR AMENDMENT

SB0971/213324/1

BY: Senators Kagan and Rosapepe

AMENDMENTS TO SENATE BILL 971, AS AMENDED (First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0971/724232/1), strike Amendment No. 1 in its entirety.

AMENDMENT NO. 2

On page 1 of the bill, strike beginning with “requiring” in line 6 down through “characteristics;” in line 11 and substitute “requiring the Maryland Commission on Civil Rights, in conjunction with the Department of Commerce, to conduct a certain study and report to the General Assembly on or before a certain date;”; and in line 15, strike “19–101” and substitute “19–102”.

AMENDMENT NO. 3

On page 2 of the bill, in lines 2 and 3, strike “:

(I)”;

and strike beginning with “AND” in line 7 down through “**DIRECTORS;**” in line 12.

On page 3 of the bill, strike in their entirety lines 8 through 25, inclusive.

AMENDMENT NO. 4

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in line 6 of Amendment No. 2, strike “;”; in line 7, strike “**(I)**”.

On pages 1 and 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “;” in line 10 on page 1 down through “**DISCRIMINATION;**” in line 1 on page 2.

On pages 2 through 5 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “19–103.” in line 9 on page 2 down through “sanctions.” in line 17 on page 5.

AMENDMENT NO. 5

On page 3 of the bill, before line 26, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Commission on Civil Rights, in conjunction with the Department of Commerce, shall:

(1) study strategies for increasing the diversity on boards of directors of for-profit and nonprofit entities in Maryland; and

(2) on or before December 1, 2017, report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on their findings and recommendations.”;

and in line 26, strike “2.” and substitute “3.”.

The preceding amendments 2 and 5 were read and adopted by a roll call vote as follows:

Affirmative – 26 Negative – 19 (See Roll Call No. 675)

The preceding amendments 1, 3 and 4 were read and adopted.

Read the second time and ordered prepared for Third Reading.

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

March 20, 2017

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

HB 1234 Delegate Wilkins, et al
Property Tax – Credit for Retired Military Service Members – Eligibility
Reassigned to Budget and Taxation

Read and ordered journalized.

ADJOURNMENT

At 10:04 P.M. on motion of Senator Peters the Senate adjourned until 10:05 P.M. on Legislative Day March 18, 2017, Calendar Day, Monday, March 20, 2017.

Annapolis, Maryland
Legislative Day: March 18, 2017
Calendar Day: Monday, March 20, 2017
10:05 P.M. Session

The Senate met at 10:05 P.M.

QUORUM CALL

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

(See Roll Call No. 678)

SENATE THIRD READING CALENDAR NO. 53 (GENERAL SENATE BILLS)

Senate Bill 290 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, Rosapepe, and Oaks

AN ACT concerning

~~Maryland Automobile Insurance Fund –~~ Motor Vehicle Liability Insurance Policies – ~~Eligibility and Producer Charge~~ Placement and Reinstatement

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

Affirmative – 47 Negative – 0 (See Roll Call No. 679)

The Bill was then sent to the House of Delegates.

Senate Bill 426 – Senator Klausmeier

AN ACT concerning

Workers' Compensation – Permanent Total Disability – Survival of Claim

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

Affirmative – 47 Negative – 0 (See Roll Call No. 680)

The Bill was then sent to the House of Delegates.

Senate Bill 666 – Senators Hough, Zucker, and Smith

AN ACT concerning

**Disclosure of Medical Records – Guardian Ad Litem – Victims of Crime or
Delinquent Acts**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 681)

The Bill was then sent to the House of Delegates.

**Senate Bill 858 – ~~Senator Smith~~ Senators Smith, Astle, Benson, Feldman, Hershey,
Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe**

AN ACT concerning

Commercial Law – Maryland Antitrust Act – Indirect Purchasers

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

Affirmative – 47 Negative – 0 (See Roll Call No. 682)

The Bill was then sent to the House of Delegates.

Senate Bill 867 – Senators Klausmeier, Benson, Middleton, and Robinson

AN ACT concerning

**~~Workers' Compensation – Failure to Report Accident or Action to Deter or
Dissuade From Filing a Claim – Penalties~~ Accidental Personal Injury – Penalty**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 683)

The Bill was then sent to the House of Delegates.

**Senate Bill 884 – Senators Rosapepe, Astle, Benson, Conway, Currie, DeGrange,
Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier,
Lee, Madaleno, Manno, McFadden, Middleton, Miller, Muse,
Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, Zirkin,
~~and Zucker~~ Zucker, Mathias, and Oaks**

AN ACT concerning

Maryland Financial Consumer Protection Commission

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

Affirmative – 33 Negative – 14 (See Roll Call No. 684)

The Bill was then sent to the House of Delegates.

Senate Bill 910 – Senator Middleton

AN ACT concerning

Maryland Automobile Insurance Fund – Operations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 685)

The Bill was then sent to the House of Delegates.

Senate Bill 924 – Senator Serafini

AN ACT concerning

**Commissioner of Financial Regulation and State Collection Agency Licensing
Board – Surety Bond Requirements for Licensees and Registrants**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 686)

The Bill was then sent to the House of Delegates.

**Senate Bill 925 – Senators Madaleno, King, ~~and Manne~~ Manno, Astle, Benson,
Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly,
and Rosapepe**

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 687)

The Bill was then sent to the House of Delegates.

Senate Bill 1075 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Nonprofit Health Entity – Acquisition – Waiver of Waiting Period

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

Affirmative – 46 Negative – 0 (See Roll Call No. 688)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 54 (GENERAL SENATE BILLS)

Senate Bill 178 – Senators Peters, Astle, ~~and Middleton~~ Middleton, Benson, Feldman, Hershey, Jennings, Klausmeier, Oaks, Reilly, and Rosapepe

AN ACT concerning

~~Horse Racing – Bowie Race Course Training Center – State Purchase or Condemnation~~ Racetrack Facility Renewal Account – Eligibility and Capital Expenditures

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

Affirmative – 47 Negative – 0 (See Roll Call No. 690)

The Bill was then sent to the House of Delegates.

Senate Bill 224 – Senators Lee, Kelley, Muse, Ramirez, ~~Ready~~, Brochin, and Smith

AN ACT concerning

Public Safety – Regulated Firearms – Definition of Convicted of a Disqualifying Crime

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

Affirmative – 26 Negative – 21 (See Roll Call No. 691)

The Bill was then sent to the House of Delegates.

Senate Bill 422 – Senators Pinsky, Nathan–Pulliam, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Madaleno, Manno, Muse, ~~Nathan–Pulliam~~, Ramirez, Robinson, Rosapepe, Smith, Young, ~~and Zucker~~ Zucker, and Astle

AN ACT concerning

Keep Antibiotics Effective Act of 2017

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

Affirmative – 35 Negative – 12 (See Roll Call No. 692)

The Bill was then sent to the House of Delegates.

Senate Bill 487 – Senator McFadden (By Request – Baltimore City Administration) and Senators Conway, Ferguson, Nathan–Pulliam, and Robinson

AN ACT concerning

Baltimore City – Residential Ground Leases – Abandoned Property

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

Affirmative – 47 Negative – 0 (See Roll Call No. 693)

The Bill was then sent to the House of Delegates.

Senate Bill 571 – Senators Middleton, Rosapepe, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Robinson, Smith, Young, Zirkin, ~~and Zucker~~ Zucker, and Oaks

AN ACT concerning

Maryland Health Insurance Coverage Protection Act

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

Affirmative – 33 Negative – 14 (See Roll Call No. 694)

The Bill was then sent to the House of Delegates.

Senate Bill 792 – Senator Smith

AN ACT concerning

Maryland Trust Act – Notice and Reporting Requirements – Exemptions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 695)

The Bill was then sent to the House of Delegates.

Senate Bill 793 – Senator Smith

AN ACT concerning

Maryland Trust Act – Representatives of Beneficiaries

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

Affirmative – 47 Negative – 0 (See Roll Call No. 696)

The Bill was then sent to the House of Delegates.

Senate Bill 799 – Senators Muse, Currie, Smith, and Young

AN ACT concerning

**~~Driver's~~ Driver Improvement Program and Failure to Pay Child Support –
Driver's License Suspensions – Penalties and Assessment of Points**

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

Affirmative – 45 Negative – 2 (See Roll Call No. 697)

The Bill was then sent to the House of Delegates.

**Senate Bill 809 – Senators Muse, Currie, Lee, Manno, Miller, Ramirez, Rosapepe,
and Young**

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 698)

The Bill was then sent to the House of Delegates.

Senate Bill 951 – ~~Senator Smith~~ Senators Smith, Kelley, and Lee

AN ACT concerning

Maryland Securities Act – Vulnerable Adults

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

Affirmative – 47 Negative – 0 (See Roll Call No. 699)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 55 (GENERAL SENATE BILLS)

Senate Bill 737 – Senator Waugh

SECOND PRINTING

AN ACT concerning

**St. Mary’s County – Bonds and Other Evidences of Indebtedness
– Limitations and Repayment**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 700)

The Bill was then sent to the House of Delegates.

**Senate Bill 772 – Senators Madaleno, Benson, Feldman, Guzzone, ~~and Manno~~
Manno, Astle, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks,
Reilly, and Rosapepe**

AN ACT concerning

**Department of Health and Mental Hygiene – Employees – Job Titles, Position
Descriptions, and Compensation Levels**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 701)

The Bill was then sent to the House of Delegates.

Senate Bill 818 – Senator Hershey

AN ACT concerning

Maryland Occupational Safety and Health Act – Voluntary Protection Program

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

Affirmative – 47 Negative – 0 (See Roll Call No. 702)

The Bill was then sent to the House of Delegates.

Senate Bill 909 – Charles County Senators (By Request)

AN ACT concerning

Charles County – Collective Bargaining for Public Safety Officials

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

Affirmative – 47 Negative – 0 (See Roll Call No. 703)

The Bill was then sent to the House of Delegates.

Senate Bill 929 – Senator Astle

AN ACT concerning

Commercial Law – Consumer Protection – Door-to-Door Sales

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

Affirmative – 47 Negative – 0 (See Roll Call No. 704)

The Bill was then sent to the House of Delegates.

**Senate Bill 1009 – Senators Jennings, Astle, Eckardt, Edwards, Feldman,
Guzzone, Hershey, King, Klausmeier, Manno, Ramirez, Ready, Rosapepe,
Salling, Smith, and Zucker**

AN ACT concerning

Public Assistance – Family Investment Program – Child Support Pass Through

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

Affirmative – 47 Negative – 0 (See Roll Call No. 705)

The Bill was then sent to the House of Delegates.

Senate Bill 1042 – ~~Senator Feldman~~ Senators Feldman, Astle, Benson, Hershey, Jennings, Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe

AN ACT concerning

Behavioral Health Administration – Outpatient Civil Commitment Pilot Program

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

Affirmative – 47 Negative – 0 (See Roll Call No. 706)

The Bill was then sent to the House of Delegates.

Senate Bill 1057 – Senator Lee

AN ACT concerning

Public Information Act – Denials of Inspection – Explanation Regarding Redaction

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

Affirmative – 47 Negative – 0 (See Roll Call No. 707)

The Bill was then sent to the House of Delegates.

Senate Bill 1085 – Senator Conway

AN ACT concerning

Morgan State University – Designation as the State’s Preeminent Public Urban Research Institution

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

Affirmative – 46 Negative – 0 (See Roll Call No. 708)

The Bill was then sent to the House of Delegates.

Senate Bill 1086 – Senator Conway

AN ACT concerning

Baltimore City – Alcoholic Beverages – Residency and Registered Voter Requirements

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

Affirmative – 47 Negative – 0 (See Roll Call No. 709)

The Bill was then sent to the House of Delegates.

Senate Bill 1088 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Class B Beer, Wine, and Liquor Licenses – ~~Fees~~

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

Affirmative – 45 Negative – 0 (See Roll Call No. 710)

The Bill was then sent to the House of Delegates.

Senate Bill 1102 – Senator Mathias

AN ACT concerning

Worcester County – Ocean City Convention Center – Beer and Wine Tasting License

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

Affirmative – 47 Negative – 0 (See Roll Call No. 711)

The Bill was then sent to the House of Delegates.

Senate Bill 1138 – Senator Zucker

AN ACT concerning

Alcoholic Beverages – Family Beer and Wine Facility Permit

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

Affirmative – 47 Negative – 0 (See Roll Call No. 712)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 56 (GENERAL SENATE BILLS)

Senate Bill 202 – Senators King, Benson, Currie, Feldman, Ferguson, Kagan, Kelley, Manno, Peters, Rosapepe, Smith, Young, and Zucker

AN ACT concerning

Higher Education – University System of Maryland – Quasi-Endowment Funds

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

Affirmative – 47 Negative – 0 (See Roll Call No. 713)

The Bill was then sent to the House of Delegates.

Senate Bill 282 – Senators Ready, Bates, Eckardt, Edwards, Klausmeier, and Salling

AN ACT concerning

Property Tax Credit – Disabled or Fallen Law Enforcement Officers and Rescue Workers – ~~Acquisition of Dwelling Alterations~~

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

Affirmative – 47 Negative – 0 (See Roll Call No. 714)

The Bill was then sent to the House of Delegates.

Senate Bill 295 – Senators Peters, Astle, Benson, Cassilly, Currie, DeGrange, Edwards, Guzzone, Kagan, Kelley, King, Klausmeier, Manno, Mathias, Middleton, Muse, Ready, Rosapepe, Simonaire, Smith, Young, ~~and Zucker~~ Zucker, Eckardt, Ferguson, Kasemeyer, Madaleno, McFadden, Norman, and Serafini Serafini, and Salling

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 715)

The Bill was then sent to the House of Delegates.

Senate Bill 501 – Senator Norman

AN ACT concerning

Real Property – Wrongful Detainer Actions – Trial by Jury

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

Affirmative – 47 Negative – 0 (See Roll Call No. 716)

The Bill was then sent to the House of Delegates.

**Senate Bill 540 – The President (By Request – Administration) and Senators
Bates, Eckardt, Edwards, Hershey, Hough, Jennings, Ready, Salling,
Serafini, and Simonaire**

AN ACT concerning

~~**State Retirement Choice for the 21st Century Workforce**~~
Study of Retirement Plan Alternatives

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

Affirmative – 42 Negative – 5 (See Roll Call No. 717)

The Bill was then sent to the House of Delegates.

**Senate Bill 587 – Senators King, Benson, Currie, Eckardt, Edwards, Feldman,
Jennings, Kagan, Klausmeier, Lee, Madaleno, Manno, Mathias, Middleton,
Muse, Norman, Peters, Ready, Serafini, Waugh, ~~and Zucker~~ Zucker, and
Ferguson**

AN ACT concerning

Education – Libraries – Reorganization of Governance Structure

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

Affirmative – 47 Negative – 0 (See Roll Call No. 718)

The Bill was then sent to the House of Delegates.

Senate Bill 597 – Senators Guzzone ~~and Peters~~, Peters, DeGrange, Kasemeyer, King, Madaleno, and McFadden

AN ACT concerning

Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel

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

Affirmative – 47 Negative – 0 (See Roll Call No. 719)

The Bill was then sent to the House of Delegates.

Senate Bill 650 – Senators Guzzone, DeGrange, Kasemeyer, King, Madaleno, Manno, ~~and Zucker~~ Zucker, Ferguson, and Peters

AN ACT concerning

Correctional Officers' Retirement System – Membership

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

Affirmative – 47 Negative – 0 (See Roll Call No. 720)

The Bill was then sent to the House of Delegates.

Senate Bill 664 – Senators Edwards ~~and Serafini~~, Serafini, Manno, and McFadden

AN ACT concerning

Correctional Officers' Retirement System – Membership

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

Affirmative – 47 Negative – 0 (See Roll Call No. 721)

The Bill was then sent to the House of Delegates.

Senate Bill 913 – Senator Guzzone (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Death Benefits

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

Affirmative – 47 Negative – 0 (See Roll Call No. 722)

The Bill was then sent to the House of Delegates.

Senate Bill 1080 – Senator Simonaire

AN ACT concerning

State Boat Act – Privilege to Operate a Vessel – Suspension Authority

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

Affirmative – 46 Negative – 0 (See Roll Call No. 723)

The Bill was then sent to the House of Delegates.

Senate Bill 1084 – Senator Waugh

AN ACT concerning

~~State Finance and Procurement – Veteran-Owned Small Business Enterprises –~~
Definitions
Task Force on Veteran-Owned Small Business Enterprise Participation in
Procurement

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

Affirmative – 47 Negative – 0 (See Roll Call No. 724)

The Bill was then sent to the House of Delegates.

Senate Bill 1144 – Senator Robinson

AN ACT concerning

Procurement Preferences – Blind Industries and Services of Maryland –
Janitorial Products

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

Affirmative – 47 Negative – 0 (See Roll Call No. 725)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

Senate Bill 651 – Senators Smith, Astle, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Nathan–Pulliam, Norman, Peters, Ramirez, Robinson, Salling, Young, and Zucker

AN ACT concerning

Public Schools – Suspensions and Expulsions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0651/484035/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 651

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “prekindergarten” insert “, kindergarten, first grade, or second grade”; in line 4, after “schools” insert “with certain exceptions for an expulsion required by federal law or a suspension for not more than a certain number of days under certain circumstances; requiring the principal or school administration to contact a student’s parent or guardian under certain circumstances”; and strike beginning with “authorizing” in line 4 down through “manner;” in line 6.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“Preamble

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

WHEREAS, It is the intent of the General Assembly that school systems shall utilize restorative practices as an alternative to traditional school disciplinary practices to ensure that developmentally appropriate, age-appropriate, and proportional consequences are

applied to a child's misbehavior in a way that supports personal growth and positive learning opportunities for all students; now, therefore."

AMENDMENT NO. 3

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

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

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

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

(II) SUSPENDED FOR NOT MORE THAN 5 SCHOOL DAYS IF THE SCHOOL ADMINISTRATION, IN CONSULTATION WITH A SCHOOL PSYCHOLOGIST OR OTHER MENTAL HEALTH PROFESSIONAL, DETERMINES THAT THERE IS AN IMMINENT THREAT OF SERIOUS HARM TO OTHER STUDENTS OR STAFF THAT CANNOT BE REDUCED OR ELIMINATED THROUGH INTERVENTIONS AND SUPPORTS.

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

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

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

The preceding 3 amendments were read only.

Senator Cassilly moved to make the Bill and Amendments a Special Order for March 21, 2017.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 726)

ADJOURNMENT

At 10:41 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Legislative Day March 19, 2017, Calendar Day, Tuesday, March 21, 2017.

Annapolis, Maryland
Legislative Day: March 19, 2017
Calendar Day: Tuesday, March 21, 2017
10:00 A.M. Session

The Senate met at 10:11 A.M.

Prayer by Father Larry Young, Ascension Catholic Church, guest of Senator Peters.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 728)

The Journal of March 20, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 483 – Senator Michael J. Hough:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Middletown High School Wrestling Team
in recognition of
your winning the State Championship. We applaud your outstanding season and wish
you many more. Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 729)

Senate Resolution No. 154 – The President and All Members:

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

Farmland Elementary
Montgomery County
in recognition of

having won the great honor of being a 2016–2017 Blue Ribbon School. We are very proud
of your achievements. Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 730)

Senate Resolution No. 482 – Senator Katherine Klausmeier:

Be it hereby known to all that

The Senate of Maryland

offers its sincerest congratulations to

The Regional Manufacturing Institute of Maryland

in recognition of

your outstanding service and accomplishments of manufacturing companies and their
employees throughout the state of Maryland.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 731)

Senate Resolution No. 515 – Senator Guy Guzzone:

Be it hereby known to all that

The Senate of Maryland

offers its sincerest congratulations to

The Links, Inc.

in recognition of

their participation in improving the health and education for children in the State of
Maryland.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 732)

QUORUM CALL

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

(See Roll Call No. 733)

SENATE THIRD READING CALENDAR NO. 57 (GENERAL SENATE BILLS)

Senate Bill 355 – Senators Serafini and Astle

AN ACT concerning

Gas Companies – Rate Regulation – Environmental Remediation Costs

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

Affirmative – 32 Negative – 12 (See Roll Call No. 734)

The Bill was then sent to the House of Delegates.

Senate Bill 522 – Senators King, DeGrange, Feldman, Ferguson, Guzzone, Manno, Mathias, Peters, Rosapepe, and Smith

AN ACT concerning

Income Tax Credit – Eligible Employers – Eligible Internships

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

Affirmative – 45 Negative – 0 (See Roll Call No. 735)

The Bill was then sent to the House of Delegates.

Senate Bill 622 – Senators Eckardt, Bates, Cassilly, Edwards, Hershey, Hough, Jennings, Klausmeier, Middleton, Muse, Ready, Salling, Serafini, Simonaire, Waugh, and Young

AN ACT concerning

Sales and Use Tax – Tax-Free Period for Back-to-School Shopping – Sale of Backpacks and Bookbags

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

Affirmative – 45 Negative – 0 (See Roll Call No. 736)

The Bill was then sent to the House of Delegates.

Senate Bill 641 – Senator Manno

AN ACT concerning

Income Tax Credit – Endow Maryland – Credit Amounts

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

Affirmative – 45 Negative – 0 (See Roll Call No. 737)

The Bill was then sent to the House of Delegates.

Senate Bill 705 – Senators Muse, Kelley, Lee, Ramirez, and Smith

AN ACT concerning

Award of Attorney’s Fees and Expenses – Violation of Maryland Constitutional Right

Senator Kagan moved to make the Bill a Special Order for March 22, 2017.

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

Affirmative – 24 Negative – 20 (See Roll Call No. 738)

Senate Bill 823 – ~~Senator Eckardt~~ Senators Eckardt and Ferguson

AN ACT concerning

Task Force to Study Tax Sales in Maryland

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

Affirmative – 46 Negative – 0 (See Roll Call No. 739)

The Bill was then sent to the House of Delegates.

Senate Bill 853 – Senators Madaleno, Benson, Currie, Ferguson, Kagan, Kelley, Manno, McFadden, Nathan–Pulliam, and Smith

AN ACT concerning

Transitional Supports for Ex–Offenders – Repeal of Restrictions

(Maryland Equal Access to Food Act of 2017)

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

Affirmative – 31 Negative – 15 (See Roll Call No. 740)

The Bill was then sent to the House of Delegates.

Senate Bill 873 – Senator Madaleno (By Request – Tax Credit Evaluation Committee) and Senators Kasemeyer, Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, King, Manno, McFadden, Peters, and Serafini

AN ACT concerning

Economic Development – Job Creation Tax Credit – Alteration

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

Affirmative – 45 Negative – 0 (See Roll Call No. 741)

The Bill was then sent to the House of Delegates.

Senate Bill 971 – Senator Kagan

AN ACT concerning

Procurement – Nondiscrimination Clauses and State Policy Prohibiting Discrimination

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

Affirmative – 29 Negative – 18 (See Roll Call No. 742)

The Bill was then sent to the House of Delegates.

Senate Bill 995 – Senator Rosapepe

AN ACT concerning

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

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

Affirmative – 45 Negative – 1 (See Roll Call No. 743)

The Bill was then sent to the House of Delegates.

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**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 744)

The Bill was then sent to the House of Delegates.

Senate Bill 1106 – Senator Zucker

AN ACT concerning

Health Care Practitioners – Use of Teletherapy

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

Affirmative – 47 Negative – 0 (See Roll Call No. 745)

The Bill was then sent to the House of Delegates.

Senate Bill 1171 – Harford County Senators

AN ACT concerning

**Harford County – Alcoholic Beverages – Waiver From School Distance
Restrictions**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 746)

The Bill was then sent to the House of Delegates.

PETITIONS, MEMORIALS AND OTHER PAPERS

MESSAGE FROM THE OFFICE OF THE ATTORNEY GENERAL

January 5, 2017

The Honorable Thomas V. Mike Miller, Jr. President of the Senate

Re: Appointment of People's Insurance Counsel

Dear President Miller:

Pursuant to my authority under State Government Article, 6–302 (A)(1) and (2), I am pleased to appoint Ilene J. Nathan, Esquire, as People's Insurance Counsel. Ms. Nathan previously served as the People's Insurance Counsel from February 1, 2006 through March 25, 2008.

I request that the Senate grant its advice and consent to this appointment.

Very truly yours,

Brian E. Frosh
Attorney General

Read and referred to Executive Nominations.

LAID OVER CALENDAR NO. 12

**Senate Bill 760 – Senators Guzzone, Benson, Feldman, King, Madaleno, Manno,
Mathias, Middleton, Ramirez, Young, and Zucker**

AN ACT concerning

Education – Grounds for Discipline

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE
AMENDMENT (1) AND THE FAVORABLE REPORT.

SB0760/864532/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 760
(First Reading File Bill)

On page 3, in line 22, strike “COUNTY BOARD SHALL PAY THE FULL” and substitute “INDIVIDUAL SHALL PAY 25% OF THE COST AND EXPENSES OF THE ARBITRATION AND THE COUNTY BOARD SHALL PAY 75% OF THE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted by roll call vote as follows:

Affirmative – 32 Negative – 14 (See Roll Call No. 747)

Read the second time and ordered prepared for Third Reading.

Senate Bill 167 – Senator Conway

AN ACT concerning

Tax Sales – Reimbursement for Expenses

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0167/219137/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 167

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “clarifying” in line 3 down through “property;” in line 4; in line 5, after “reimbursement” insert “for costs related to certain foreclosure actions”; strike beginning with “prohibiting” in line 5 down through “collector;” in line 6; in line 7, strike “shall” and substitute “may”; in line 9, strike “amount as” and substitute “those fees may be deemed”; and strike beginning with “providing” in line 9 down through “filed;” in line 11.

AMENDMENT NO. 2

On page 2, strike beginning with the third “**THE**” in line 7 down through “**NOT**” in line 9; and in line 9, after “**COLLECTOR**” insert “**IF THE COLLECTOR COLLECTS THE EXPENSES DESCRIBED UNDER THIS SECTION**”.

AMENDMENT NO. 3

On page 2, in lines 20 and 32, in each instance, strike the brackets; in lines 21 and 33, in each instance, strike “**ATTORNEY’S FEES IN THE AMOUNT OF \$500**”; and in the same lines, in each instance, strike “**AMOUNT SHALL**” and substitute “**MAY**”.

AMENDMENT NO. 4

On page 2, in lines 2 and 14, in each instance, strike the brackets; in lines 2 and 15, in each instance, strike “SHALL”.

On page 3, in line 4, strike the brackets; and in the same line, strike “SHALL”.

On page 4, in line 10, strike the brackets; and in the same line, strike “SHALL”.

The preceding 4 amendments were read only.

Senator Ferguson moved to make the Bill and Amendments a Special Order for March 22, 2017.

The motion was adopted.

House Bill 150 – The Speaker (By Request – Administration)

**Budget Bill
(Fiscal Year 2018)**

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

(See Exhibit E of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 150 – THE BUDGET BILL

(See Exhibit F of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
SUMMARY REPORT ON HOUSE BILL 150 – THE BUDGET BILL AND
HOUSE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit G of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (76) AND THE FAVORABLE REPORT.

Senator Kasemeyer moved to make the Bill and Amendments a Special Order for March 22, 2017.

The motion was adopted.

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

AN ACT concerning

Budget Reconciliation and Financing Act of 2017

SENATE BUDGET AND TAXATION COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 152 – BUDGET RECONCILIATION
AND FINANCING ACT OF 2017

(See Exhibit H of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (22) AND THE FAVORABLE REPORT.

HB0152/129234/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 152
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 7 down through “Fund;” in line 10; in line 23, strike “for a certain fiscal year;” and substitute “and altering the maximum amount of certain fees assessed by the Commission;”; and in line 25, strike “for a certain fiscal year;” and substitute “and altering the maximum amount of certain fees assessed by the Commission;”.

On page 2, strike beginning with “information” in line 15 down through “books” in line 16 and substitute “personnel detail and strategic plan information”; strike beginning with “altering” in line 19 down through “race;” in line 21 and substitute “prohibiting the Consolidated Transportation Program from including certain capital transportation grants beyond a certain period except as authorized by law; requiring a certain financial forecast for a certain period to maximize the use of certain funds; prohibiting a certain financial forecast for a certain period from withholding or reserving certain funds for a certain purpose except as authorized by law;”; in line 24, after “year;” insert “clarifying that certain funds distributed to the Maryland State Arts Council from certain revenue distributed from the State admissions and amusement tax on electronic bingo and electronic tip jars are in addition to a certain base amount for purposes of a certain calculation;”; in line 30, after

“met;” insert “requiring the Department of Health and Mental Hygiene and the Department of Human Resources to establish a certain group of stakeholders to collaborate on changes to, or redesign of, certain programs under certain circumstances; stating the intent of the General Assembly that certain actions may not be taken after a certain fiscal year;”; in line 35, after “dates;” insert “requiring the State Secretary of Transportation to engage certain entities and seek agreement on certain matters; requiring the Secretary to report to and consult with, at least a certain number of times a year, the chairs of certain committees;”; in line 39, strike “certain terms” and substitute “a certain term”; in the same line, after “definition;” insert “stating certain findings of the General Assembly; repealing a certain contingency provision; extending the termination date of a certain provision of law;”; and strike in their entirety lines 42 through 46, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Economic Development

Section 4–512(a) and 4–801(f)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 4–801(a)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)”.

On page 3, in line 3, after “6–117.1(a)(1) and (3)” insert “, 7–123(a)(1).”; in line 9, after “6–117.1(e)(1)” insert “, 7–123(c).”; in line 14, after “6–117.1(e)(1)” insert “, 7–123(c).”; in line 19, after “6–306(b)” insert “and (c).”; in line 24, after “19–201(b).” insert “19–213(a) and (b).”; and in line 29, after “19–208(b).” insert “19–213(c).”.

On page 4, after line 4, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–2401

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 13 of the Acts of the General Assembly of 2016)”;

after line 34, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 11–1302(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 11–1302(e)

Annotated Code of Maryland

(2016 Replacement Volume)”;

and after line 39, insert:

“BY repealing and reenacting, with amendments,

Article – Local Government

Section 16–501(e)

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)”.

On page 5, in line 29, strike “9–117(a)(1), 9–120(b), and 9–1A–28(f)” and substitute “9–120(b)”.

On page 6, after line 1, insert:

“BY repealing and reenacting, without amendments,

Article – Transportation

Section 2–103.1(c)(1)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation

Section 2–103.1(c)(9)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”;

in line 4, after “Section” insert “2–103.1(m)(2) and”; and after line 15, insert:

“BY repealingChapter 13 of the Acts of the General Assembly of 2016Section 3BY repealing and reenacting, with amendments,Chapter 13 of the Acts of the General Assembly of 2016Section 5BY repealing and reenacting, with amendments,Chapter 145 of the Acts of the General Assembly of 2016Section 2”.

On page 40, in line 1, strike “16.” and substitute “14.”.

On page 41, in lines 1, 18, and 31, strike “17.”, “18.”, and “19.”, respectively, and substitute “15.”, “16.”, and “17.”, respectively.

On page 42, in lines 19, 24, 31, and 35, strike “20.”, “21.”, “22.”, and “23.”, respectively, and substitute “19.”, “20.”, “21.”, and “22.”, respectively; and in lines 31 and 33, in each instance, strike “17” and substitute “15”.

On page 43, in line 1, strike “22” and substitute “21”.

AMENDMENT NO. 2

On pages 6 through 8, strike in their entirety the lines beginning with line 18 on page 6 through line 17 on page 8, inclusive.

On page 32, in line 11, strike “AND”; in lines 12 and 18, in each instance, strike the bracket; in line 15, strike “\$1,000,000 in each fiscal year; and” and substitute “**\$500,000;**

(V) AFTER JUNE 30, 2017, AND BEFORE JULY 1, 2019, INTO THE RACING SPECIAL FUND ESTABLISHED UNDER § 11-401 OF THE BUSINESS REGULATION ARTICLE FROM MONEY THAT REMAINS IN THE STATE LOTTERY FUND AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND ITEMS (I), (II), (III), AND (IV) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO \$1,000,000 IN EACH FISCAL YEAR; AND”;

in line 16, strike “(v)]” and substitute “**(VI)**”; in line 18, strike “AND”; in the same line, strike “and (iv)” and substitute “**(IV), AND (V)**”; and strike in its entirety line 21.

On page 33, strike in their entirety lines 7 through 13, inclusive.

AMENDMENT NO. 3

On page 8, after line 17, insert:

“Article – Economic Development

4–512.

(a) The Council is entitled to:

(1) revenue distributed under [§ 2–202(a)(1)(ii)2] **§ 2–202(A)(1)(II)1A** of the Tax – General Article; and

(2) funding in accordance with the State budget.

4–801.

(a) In this section, “Fund” means the Special Fund for Preservation of Cultural Arts in Maryland.

(f) The Fund consists of:

(1) revenue distributed to the Fund under [§ 2–202(a)(1)(ii)1] **§ 2–202(A)(1)(II)1B AND 2** of the Tax – General Article; and

(2) any other money from any other source accepted for the benefit of the Fund.”.

On page 33, in line 23, after “Article,” insert “**AND**”; in line 26, after “(ii)” insert “**1. FOR FISCAL YEARS 2019 THROUGH 2021,**”; strike beginning with “1.” in line 27 down through “2.” in line 30 and substitute “**A.**”; in line 30, strike “the remainder”; in line 31, after “Article” insert “**, \$1,000,000 IN EACH FISCAL YEAR**”; and after line 31, insert:

“B. THE REMAINDER TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4–801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

2. IN FISCAL YEAR 2022 AND IN EACH FISCAL YEAR THEREAFTER, THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 5% TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4–801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND”.

On page 38, before line 8, insert:

“Chapter 145 of the Acts of 2016

SECTION 2. AND BE IT FURTHER ENACTED, That any funds distributed to the Maryland State Arts Council in accordance with § 2–202 of the Tax – General Article as enacted in this Act shall be included in the Maryland State Arts Council’s prior fiscal year appropriation IN ADDITION TO THE AMOUNT OF THE GENERAL FUND APPROPRIATION FOR THE PRIOR FISCAL YEAR AND THE SUM SHALL BE USED for purposes of calculating the required appropriation under § 7–325 of the State Finance and Procurement Article.”.

AMENDMENT NO. 4

On page 10, after line 23, insert:

“(c) (1) This subsection applies only in Anne Arundel County.

(2) In this subsection, “county grant for teaching in an economically disadvantaged school” means an annual grant distributed to a teacher who teaches in an economically disadvantaged school established:

(i) Outside of the collective bargaining process; or

(ii) As part of a collective bargaining agreement with the local employee representative.

(3) For fiscal years 2017 through 2019, the Governor shall include in the State operating budget funding for the stipends provided in this subsection.

(4) (I) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A classroom teacher shall receive a stipend from the State in an amount equal to the county grant for teaching in an economically disadvantaged school, up to a maximum of \$1,500 if the teacher:

[(i)] 1. Teaches in a public middle or high school in which at least 30% of the students as a percentage of full-time equivalent students as defined in § 5–202 of this article qualify for free and reduced price meals under the National School Lunch Program;

[(ii)] 2. Holds a standard or advanced professional certificate; and

[(iii)] 3. Is employed by the county board.

(II) FOR FISCAL YEAR 2018, THE MAXIMUM STIPEND A TEACHER MAY RECEIVE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS \$750.”.

AMENDMENT NO. 5

On page 10, after line 30, insert:

“7–123.

(a) (1) There is a Robotics Grant Program in the State.

[(c) The Governor shall include in the State budget an annual appropriation of at least \$250,000 to the Program.]

(C) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE PROGRAM.”.

AMENDMENT NO. 6

On page 11, in line 7, strike “\$5,000,000” and substitute “\$500,000”.

AMENDMENT NO. 7

On page 16, in line 10, strike “\$12,000,000” and substitute “\$16,000,000”; in line 16, strike “1.”; in the same line, strike the brackets; strike beginning with “EXCEPT” in

line 16 down through “THE” in line 17; in line 18, strike “18%” and substitute “30.5%”; and strike in their entirety lines 21 through 23, inclusive.

On page 17, in line 7, strike “(I)”; in the same line, strike the brackets; strike beginning with “EXCEPT” in line 7 down through “THE” in line 8; in line 9, strike “18%” and substitute “30.5%”; and strike in their entirety lines 12 through 14, inclusive, and substitute:

“19–213.

(a) (1) In this section the following words have the meanings indicated.

(2) “Facilities” means hospitals and related institutions whose rates have been approved by the Commission.

(b) The Commission shall assess and collect user fees on facilities as defined in this section.

(c) (1) The total fees assessed by the Commission may not exceed ~~[\$12,000,000]~~ \$16,000,000.

(2) The total user fees assessed by the Commission may not exceed the Special Fund appropriation for the Commission by more than 20%.

(3) The user fees assessed by the Commission shall be used exclusively to cover the actual documented direct costs of fulfilling the statutory and regulatory duties of the Commission in accordance with the provisions of this subtitle and any administrative costs for services to the Commission provided by the Department.

(4) The Commission shall pay all funds collected from fees assessed in accordance with this section into the Health Services Cost Review Commission Fund.

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

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

AMENDMENT NO. 8

On page 18, in line 9, strike “\$4,000,000” and substitute “\$5,750,000”.

AMENDMENT NO. 9

On page 18, after line 33, insert:

“19–2401.

(a) THE GENERAL ASSEMBLY FINDS THAT:

(1) THE FINANCIAL VIABILITY OF THE PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER AND THE STATE’S INVESTMENT IN THE CENTER IS CONTINGENT ON HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE GEORGE’S HOSPITAL CENTER AND THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER;

(2) THE ABILITY OF THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM TO DEVELOP AND MAINTAIN HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE GEORGE’S HOSPITAL CENTER AND TO TRANSITION TO THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER IS CONTINGENT ON STATE OPERATING AND CAPITAL FUNDING IN SPECIFIC YEARS;

(3) THE ABILITY TO PROTECT THE STATE’S INVESTMENT IN THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER IS JEOPARDIZED BY THE PROVISIONS OF THE BUDGET RECONCILIATION AND FINANCING ACT OF 2017, AS INTRODUCED, THAT ALTER BOTH THE OPERATING AND CAPITAL OBLIGATIONS MANDATED BY CHAPTER 13 OF THE ACTS OF 2016; AND

(4) THE CHANGED CIRCUMSTANCES AND THE NEED TO PROTECT THE STATE’S INVESTMENT REQUIRE ADDITIONAL SUPPORT IN FUTURE YEARS TO ENSURE THE FINANCIAL VIABILITY OF THE PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER AND ULTIMATELY THE ABILITY OF THE STATE TO END STATE SUPPORT FOR THE CENTER.

(B) (1) Subject to subsection [(b)] (C) of this section, for the purpose of providing an operating grant to ensure and assist in the transition of a new Prince George’s County Regional Medical System to the University of Maryland Medical System Corporation:

(i) For fiscal year 2018, the Governor shall include in the budget bill an appropriation of:

1. \$15,000,000; or

2. \$30,000,000, if a grant of \$15,000,000 is not provided in a fiscal 2016 deficiency appropriation to the University of Maryland Medical System Corporation on or before June 30, 2016] \$28,000,000;

(ii) For fiscal year 2019, the Governor shall include in the budget bill an appropriation of [\$15,000,000] \$27,000,000; [and]

(iii) For fiscal years 2020 and 2021, the Governor shall include in the budget bill an appropriation of [\$5,000,000] \$15,000,000; AND

(IV) FOR FISCAL YEARS 2022 THROUGH 2028, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF \$10,000,000.

(2) Subject to subsection [(b)] (C) of this section, Prince George's County shall provide a combination of matching funds and other financial assistance to the University of Maryland Medical System Corporation that constitutes total financial assistance as follows:

(i) \$15,000,000 annually for fiscal year 2017 through fiscal year 2019; and

(ii) \$5,000,000 annually for fiscal years 2020 and 2021.

[(b)] (C) The State and county funds described in subsection [(a)] (B) of this section:

(1) Shall be used to support the transition of the Prince George's County Regional Medical Center from operation under the Dimensions Health Care System to operation as a participating institution of the University of Maryland Medical System Corporation; and

(2) May be used only for:

(i) Providing increased access to critical health care services for the region served by the Prince George’s County Regional Medical Center and improving the quality of the services provided; and

(ii) Facilitating cost containment measures to prevent additional operating losses for the Prince George’s County Regional Medical Center and its affiliated institutions.

[(c)] (D) (1) The Governor shall include in the capital or operating budget bill the following amounts that are equal to the capital funds committed by Prince George’s County to be used for the construction of the Prince George’s County Regional Medical Center:

(i) [\$67,500,000] **\$11,300,000** for fiscal year 2018; [and]

(ii) \$48,000,000 for fiscal year 2019; AND

(III) \$56,200,000 FOR FISCAL YEAR 2020.

(2) Prince George’s County shall provide matching funds of \$208,000,000 for the capital construction of the Prince George’s County Regional Medical Center.”.

On page 38, after line 7, insert:

“Chapter 13 of the Acts of 2016

[SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect contingent on the University of Maryland Medical System Corporation becoming the sole corporate member of Dimensions Health Care Corporation and the University of Maryland Medical System Corporation assuming responsibility of the governance structure of the entity.]

SECTION 5. AND BE IT FURTHER ENACTED, That[, subject to Section 3 of this Act,] this Act shall take effect June 1, 2016. It shall remain effective for a period of [5] **12** years and 1 month and, at the end of June 30, [2021] **2028**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 10

On page 20, after line 15, insert:

“Article – Labor and Employment

11–1302.

(a) There is a Construction Education and Innovation Fund.

(e) For fiscal year [2018] 2019 and each fiscal year thereafter, the Governor [shall] MAY include in the annual State budget an appropriation to the Fund [of \$250,000] to support the operation of the Center.”.

AMENDMENT NO. 11

On page 21, after line 7, insert:

“Article – Local Government

16–501.

(e) (1) Except as provided in paragraph (2) of this subsection, for fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (i) If a county or Baltimore City has a county income tax rate of at least 2.8% but less than 3%, the county or Baltimore City may receive a minimum of 20% of the amount determined under subsection (c)(3) of this section.

(ii) If a county or Baltimore City has a county income tax rate of at least 3% but less than 3.2%, the county or Baltimore City may receive a minimum of 40% of the amount determined under subsection (c)(3) of this section.

(iii) If a county or Baltimore City has a county income tax rate of at least 3.2%:

1. on or before June 30, 2017, the county or Baltimore City may receive a minimum of 60% of the amount determined under subsection (c)(3) of this section; and

2. in fiscal years 2018 and 2019, the county or Baltimore City may receive a minimum of [67.5%] **63.75%** of the amount determined under subsection (c)(3) of this section.”.

AMENDMENT NO. 12

On page 24, in line 23, after “IN” insert “SUBSECTIONS (C) AND (F) OF”.

On page 25, in lines 8 and 29, in each instance, strike “BUDGET BOOKS” and substitute “SUPPORTING MATERIALS”.

On page 26, strike in their entirety lines 17 and 18; in lines 19, 25, and 29, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(A)”, “(B)”, and “(C)”, respectively; and in line 25, strike “§ 7–115” and substitute “§ 7–115(D) AND (E)”.

AMENDMENT NO. 13

On page 31, strike in their entirety lines 25 through 27, inclusive.

AMENDMENT NO. 14

On page 36, after line 1, insert:

“2–103.1.

(c) (1) The Consolidated Transportation Program shall:

(i) Be revised annually; and

(9) EXCEPT AS AUTHORIZED BY LAW, THE CONSOLIDATED TRANSPORTATION PROGRAM MAY NOT INCLUDE CAPITAL TRANSPORTATION GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS FOR ANY PERIOD BEYOND THE BUDGET REQUEST YEAR.

(m) (2) (i) The financial forecast supporting the Consolidated Transportation Program to be submitted to the General Assembly under paragraph (1) of this subsection shall include the following components:

1. A schedule of operating expenses for each specific modal administration;

2. A schedule of revenues, including tax and fee revenues, deductions from revenues for other agencies, Department program and fees, Motor Vehicle Administration cost recovery, deductions for highway user revenues, operating revenues by modal administration, and miscellaneous revenues; and

3. A summary schedule for the Transportation Trust Fund that includes the opening and closing Fund balance, revenues, transfers, bond sales, bond premiums, any other revenues, expenditures for debt service, operating expenses, amounts available for capital expenses, bond interest rates, bond coverage ratios, total bonds outstanding, federal capital aid, and the total amount for the Transportation Capital Program.

(ii) The financial forecast shall include, for each of the components specified in subparagraph (i) of this paragraph:

1. Actual information for the last full fiscal year; and

2. Forecasts of the information for each of the six subsequent fiscal years, including the current fiscal year, the fiscal year for the proposed budget, and the next four subsequent fiscal years.

(iii) **FOR THE PERIOD BEYOND THE BUDGET REQUEST YEAR, THE FINANCIAL FORECAST:**

1. **SHALL MAXIMIZE THE USE OF FUNDS FOR THE CAPITAL PROGRAM; AND**

2. **EXCEPT AS AUTHORIZED BY LAW, MAY NOT WITHHOLD OR RESERVE FUNDS FOR CAPITAL TRANSPORTATION GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS.**

(IV) The Department shall incorporate in the financial forecast the most recent estimates by the Board of Revenue Estimates of the revenues from:

1. The corporate income tax and the sales and use tax for each of the six subsequent years, including the current fiscal year and the fiscal year for the proposed budget; and

2. Motor fuel taxes and motor vehicle titling taxes for the current fiscal year and the fiscal year for the proposed budget.”.

AMENDMENT NO. 15

On page 37, in line 18, strike “\$359,825,000” and substitute “\$364,825,000”.

AMENDMENT NO. 16

On page 39, in line 27, strike “\$2,561,757” and substitute “\$15,688,068”.

AMENDMENT NO. 17

On page 39, strike in their entirety lines 29 through 38, inclusive.

AMENDMENT NO. 18

On page 40, in lines 9, 13, and 15, in each instance, strike “\$11,000,000” and substitute “\$12,000,000”.

AMENDMENT NO. 19

On page 41, after line 17, insert:

“(c) In developing any changes or redesign to the Medical Assistance Program or the Supplemental Nutrition Assistance Program, the Department of Health and Mental Hygiene and the Department of Human Resources shall establish a group of interested stakeholders to collaborate on any changes or program redesign.”.

AMENDMENT NO. 20

On page 41, in line 18, strike “, notwithstanding” and substitute “:”

(a) Notwithstanding”;

in line 28, strike “Section” and substitute “§”; and after line 30, insert:

“(b) It is the intent of the General Assembly that the actions taken in accordance with subsection (a) of this section may not be taken in any fiscal year after fiscal year 2018.”.

AMENDMENT NO. 21

On page 41, in line 32, strike “November 1, 2018, and” and substitute “and quarterly until”.

AMENDMENT NO. 22

On page 42, after line 18, insert:

“SECTION 18. AND BE IT FURTHER ENACTED, That:

(a) The State Secretary of Transportation, in coordination with the Montgomery County and Prince George’s County Departments of Transportation, shall engage the Secretary’s counterparts in Virginia and Washington, D.C., and the appropriate officials in the federal government for the purpose of revising the Washington Metropolitan Area Transit Authority Compact of 1966 and implementing other reforms necessary to ensure the near-term and long-term viability of the Washington Metropolitan Area Transit Authority (WMATA). In doing so, the Secretary shall develop, propose, and seek agreement on reforms related to the following:

- (1) the legal and organizational structure of WMATA;
- (2) the composition and qualifications of the WMATA Board of Directors and the length of terms of its members;
- (3) labor costs and labor relations;
- (4) measures necessary to resolve WMATA’s unfunded pension liability and other postemployment benefits;
- (5) measures necessary to better ensure the safety of ridership and employees, including safety in the event of a homeland security emergency in the national capital area; and
- (6) financial and operational improvements necessary to ensure that WMATA’s performance is at least as efficient as its closest comparable transit systems in the United States.

(b) The Secretary shall report to and consult quarterly beginning June 30, 2017, with the Chairs of the Senate Budget and Taxation Committee, House Appropriations Committee, and House Environment and Transportation Committee.”.

The preceding 22 amendments were read only.

Senator Kasemeyer moved to make the Bill and Amendments a Special Order for March 22, 2017.

The motion was adopted.

Senate Bill 946 – Senators Smith, Madaleno, Benson, Currie, Guzzone, Kagan, King, Lee, McFadden, Nathan–Pulliam, Robinson, Rosapepe, and Zucker

AN ACT concerning

Weapon–Free Higher Education Zones

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR EDWARDS.

FLOOR AMENDMENT

SB0946/163423/1

BY: Senator Edwards

AMENDMENTS TO SENATE BILL 946, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0946/878776/1), in line 4 of Amendment No. 1, after “firearms” insert “while knowingly on”; in the same line, strike “property” and substitute “campus”; and in line 5, after “education” insert “or on certain property owned by public institutions of higher education”.

AMENDMENT NO. 2

On page 3 of the Judicial Proceedings Committee Amendments, in line 19 of Amendment No. 2, strike “KNOWINGLY”; in line 20, after “FIREARM” insert “WHILE KNOWINGLY”; in the same line, strike “PROPERTY” and substitute “CAMPUS”; and in the same line, after “EDUCATION” insert “OR ON PROPERTY OWNED BY THE PUBLIC INSTITUTION OF HIGHER EDUCATION THAT IS CONTIGUOUS TO THE CAMPUS”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 22 Negative – 24 (See Roll Call No. 748)

FLOOR AMENDMENT

SB0946/113720/1

BY: Senator Edwards

AMENDMENT TO SENATE BILL 946, AS AMENDED

On page 3 of the Judicial Proceedings Committee Amendments (SB0946/878776/1), in line 13 of Amendment No. 2, strike “OR”; and in line 16, after “HOUSING” insert “; OR

(9) (I) THE UNIVERSITY OF MARYLAND EXTENSION 4-H EDUCATION CENTER LOCATED IN GARRETT COUNTY; AND

(II) THE WYE RESEARCH & EDUCATION CENTER AND THE MARYLAND AGRICULTURAL EXPERIMENT STATION LOCATED IN QUEEN ANNE’S COUNTY”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0946/713625/1

BY: Senator Eckardt

AMENDMENT TO SENATE BILL 946, AS AMENDED

On page 3 of the Judicial Proceedings Committee Amendments (SB0946/878776/1), in line 13 of Amendment No. 2, strike “OR”; and in line 14, after “(8)” insert “A PERSON, UNLESS OTHERWISE PROHIBITED BY LAW, TRANSPORTING IN A MOTOR VEHICLE A FIREARM IN A CASE, WHEN THE GUN IS UNLOADED AND ANY AMMUNITION IS STOWED SEPARATELY;

(9) A PERSON ISSUED A VALID HUNTING LICENSE UNDER TITLE 10, SUBTITLE 3 OF THE NATURAL RESOURCES ARTICLE;

(10) A PERSON ISSUED A VALID DEER MANAGEMENT PERMIT UNDER § 10-415 OF THE NATURAL RESOURCES ARTICLE;

(11) PROPERTY OF THE UNIVERSITY SYSTEM OF MARYLAND THAT IS NOT A CAMPUS OF THE UNIVERSITY SYSTEM OF MARYLAND; OR

(12)”.

The preceding amendment was read only.

Senator Eckardt moved to make the Bill and Amendment a Special Order for March 22, 2017.

The motion was adopted.

Senate Bill 983 – Senator Muse

AN ACT concerning

Criminal Procedure – Pretrial Release

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR MUSE.

FLOOR AMENDMENT

SB0983/553029/2

BY: Senator Muse

AMENDMENTS TO SENATE BILL 983

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 17, before the second “and” insert “establishing the Pretrial Services Workgroup; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 17, strike beginning with “this” in line 9 down through “2017” in line 10, and substitute “;

(a) There is a Pretrial Services Workgroup.

(b) The Workgroup 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, or the Public Defender's designee;
- (4) one member of the Judiciary, appointed by the Chief Judge of the Court of Appeals;
- (5) one member of the Maryland State's Attorneys' Association, appointed by the States' Attorney Coordinator;
- (6) one member of the Maryland Sheriff's Association, appointed by the President of the Maryland Sheriff's Association;
- (7) one member of the National Bar Association, appointed by the President of the National Bar Association;
- (8) one member representing the Maryland Hispanic Bar Association, appointed by the President of the Maryland Hispanic Bar Association;
- (9) one member representing the Maryland Chapter of the National Association for the Advancement of Colored People, appointed by the President of the Maryland Chapter of the National Association for the Advancement of Colored People; and
- (10) one member of a victims advocacy organization, appointed by the Governor.
- (c) The Governor shall designate the chair of the Workgroup.
- (d) The Governor's Office of Crime Control and Prevention shall provide staff for the Workgroup.
- (e) A member of the Workgroup:

 - (1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) examine the financial impacts of different types of pretrial release conditions;

(2) conduct hearings across the State to seek citizen input; and

(3) study what pretrial release services were assigned to defendants in the State.

(g) On or before December 31, 2017, the Workgroup shall report its findings to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017. Section 2 of this Act shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect”.

The preceding 2 amendments were read only.

Senator Benson moved to make the Bill and Amendments a Special Order for March 23, 2017.

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

Affirmative – 13 Negative – 33 (See Roll Call No. 749)

FLOOR AMENDMENT

SB0983/553029/2

BY: Senator Muse

AMENDMENTS TO SENATE BILL 983

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 17, before the second “and” insert “establishing the Pretrial Services Workgroup; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the Workgroup to report its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 17, strike beginning with “this” in line 9 down through “2017” in line 10, and substitute “:

(a) There is a Pretrial Services Workgroup.

(b) The Workgroup 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, or the Public Defender’s designee;

(4) one member of the Judiciary, appointed by the Chief Judge of the Court of Appeals;

(5) one member of the Maryland State’s Attorneys’ Association, appointed by the States’ Attorney Coordinator;

(6) one member of the Maryland Sheriff’s Association, appointed by the President of the Maryland Sheriff’s Association;

(7) one member of the National Bar Association, appointed by the President of the National Bar Association;

(8) one member representing the Maryland Hispanic Bar Association, appointed by the President of the Maryland Hispanic Bar Association;

(9) one member representing the Maryland Chapter of the National Association for the Advancement of Colored People, appointed by the President of the Maryland Chapter of the National Association for the Advancement of Colored People; and

(10) one member of a victims advocacy organization, appointed by the Governor.

(c) The Governor shall designate the chair of the Workgroup.

(d) The Governor's Office of Crime Control and Prevention shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) examine the financial impacts of different types of pretrial release conditions;

(2) conduct hearings across the State to seek citizen input; and

(3) study what pretrial release services were assigned to defendants in the State.

(g) On or before December 31, 2017, the Workgroup shall report its findings to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017. Section 2 of this Act shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0983/413226/1

BY: Senator Ferguson

AMENDMENT TO SENATE BILL 983

On page 4 of the Judicial Proceedings Committee Amendments (SB0983/868574/1), in Amendment No. 3, strike beginning with “AS” in line 2 down through “COMMUNITY” in line 3.

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

Affirmative – 21 Negative – 26 (See Roll Call No. 750)

FLOOR AMENDMENT

SB0983/983925/1

BY: Senator Feldman

AMENDMENTS TO SENATE BILL 983, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0983/868574/1), in line 8 of Amendment No. 1, after “reasons” insert “; prohibiting a judicial officer from imposing certain financial conditions of release on a defendant for a certain reason; requiring a judicial officer to consider certain resources when making a certain determination”.

AMENDMENT NO. 2

On page 4 of the Judicial Proceedings Committee Amendments, in Amendment No. 3, in line 5, after “CHARGE” insert “.

(C) (1) A JUDICIAL OFFICER MAY NOT IMPOSE A FINANCIAL CONDITION OF RELEASE IN FORM OR AMOUNT THAT RESULTS IN THE PRETRIAL DETENTION OF THE DEFENDANT SOLELY DUE TO THE FACT THAT THE DEFENDANT IS FINANCIALLY INCAPABLE OF MEETING THE CONDITION.

(2) A JUDICIAL OFFICER MAKING A DETERMINATION OF PARAGRAPH (1) OF THIS SUBSECTION MAY CONSIDER ALL RESOURCES AVAILABLE TO THE DEFENDANT FROM ANY LAWFUL SOURCE”;

and in line 6, strike “**(C)**” and “**(D)**”, respectively, and substitute “**(D)**” and “**(E)**”, respectively.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0983/323322/1

BY: Senator Manno

AMENDMENTS TO SENATE BILL 983, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0983/868574/1), in line 8 of Amendment No. 1, after “**reasons**” insert “**; requiring a judicial officer to waive certain fees under certain circumstances**”.

AMENDMENT NO. 2

On page 6 of the bill, after line 26, insert:

“(E) ANY COSTS AND FEES ASSOCIATED WITH THE IMPLEMENTATION OF NONFINANCIAL CONDITIONS ON A DEFENDANT SHALL BE WAIVED FOR AN INDIGENT DEFENDANT.”

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 29 (See Roll Call No. 751)

FLOOR AMENDMENT

SB0983/293429/1

BY: Senator Ferguson

AMENDMENT TO SENATE BILL 983, AS AMENDED

On page 3 of the Judicial Proceedings Committee Amendments (SB0983/868574/1), in lines 6 and 7 of Amendment No. 3, strike “MAY NOT GIVE PREFERENCE TO A PARTICULAR PRETRIAL CONDITION AND”.

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

Affirmative – 17 Negative – 30 (See Roll Call No. 752)

FLOOR AMENDMENT

SB0983/923724/1

BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 983

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 17, before the second “and” insert “providing for an abnormal effective date;”.

AMENDMENT NO. 2

On page 17, in lines 9 and 10, strike “June 1” and substitute “July 2”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0983/263922/1

BY: Senator Conway

AMENDMENTS TO SENATE BILL 983

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 17, before “; and” insert “; providing for the construction of this Act”.

AMENDMENT NO. 2

On page 17, in line 9, after “Act” insert “may not be construed to abrogate, preempt, or otherwise invalidate the Rules Order issued by the Court of Appeals on February 16, 2017, which adopted Rule 4–216.1, amended Rules 4–212, 4–213, 4–213.1, 4–214, 4–215, 4–216, 4–216.2, 4–349, 5–101, and 15–303, and amended Form 4–217.2.”

SECTION 3. AND BE IT FURTHER ENACTED, That this Act”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 19 Negative – 27 (See Roll Call No. 753)

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 27**

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

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**

SB1023/294532/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1023
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “circumstances;” insert “providing that a member may be removed from the commission under certain circumstances and in a certain manner; providing that the commission is subject to certain laws governing open meetings and access to public records; requiring the commission to hold certain hearings to receive public testimony at certain times, in certain places, and in certain geographic areas to accommodate the public and to reflect certain demographics and characteristics of the”

population of the State;"; in line 18, after "terms;" insert "directing the Secretary of State to send copies of this Act to the presiding officers of both Houses of the legislature of certain states with a request that each of the states join Maryland in the enactment of a certain congressional redistricting process;"; and in line 23, strike "8-6A-06" and substitute "8-6A-09".

AMENDMENT NO. 2

On page 2, in line 14, after the first "THE" insert "ADJUSTED"; strike beginning with "FROM" in line 14 down through "94-171" in line 15 and substitute "FOR THE STATE FOR THAT CENSUS"; in line 15, after the semicolon insert "AND"; strike in their entirety lines 16 through 18, inclusive; in line 19, strike "(3)" and substitute "(2)"; strike beginning with the first "THE" in line 20 down through "SECTION" in line 21 and substitute "THE DEPARTMENT RECEIVES THE DATA"; in line 24, strike "FIVE" and substitute "NINE"; in line 26, strike "FOUR" and substitute "EIGHT"; and in line 27, strike "ONE" and substitute "TWO".

On page 3, in lines 1, 3, and 5, in each instance, strike "ONE" and substitute "TWO"; in line 9, strike "THREE" and substitute "FIVE"; in lines 10 and 11, in each instance, strike "FIFTH" and substitute "NINTH"; in line 10, after "WHO" insert ":

1.";

and in the same line, after "CHAIR" insert ";AND

2. MAY NOT BE AFFILIATED WITH EITHER OF THE PRINCIPAL POLITICAL PARTIES IN THE STATE";

in lines 12 and 13, strike ", THE CHIEF JUDGE OF THE COURT OF APPEALS SHALL MAKE THE APPOINTMENT" and substitute ":

1. THE COMMISSION SHALL SUBMIT A LIST OF THREE NAMES FOR THE APPOINTMENT OF THAT MEMBER TO:

A. THE CHIEF ADMINISTRATIVE LAW JUDGE OF THE OFFICE OF ADMINISTRATIVE HEARINGS;

B. THE CHAIR OF THE STATE ETHICS COMMISSION; AND

C. THE COCHAIRS OF THE JOINT COMMITTEE ON LEGISLATIVE ETHICS; AND

2. NO LATER THAN 10 DAYS AFTER RECEIPT OF THE LIST SUBMITTED BY THE COMMISSION TO THE ENTITIES DESIGNATED UNDER ITEM 1 OF THIS SUBPARAGRAPH, THE ENTITIES SHALL SELECT THE NINTH MEMBER AND CHAIR OF THE COMMISSION”.

AMENDMENT NO. 3

On page 3, strike lines 14 through 20, inclusive; after line 20, insert:

“8-6A-04.

(A) EACH MEMBER OF THE COMMISSION:

(1) (I) SHALL BE A VOTER WHO, FOR 5 OR MORE YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL’S APPOINTMENT, HAS BEEN REGISTERED CONTINUOUSLY IN THE STATE WITH THE SAME POLITICAL PARTY OR HAS BEEN UNAFFILIATED WITH A POLITICAL PARTY AND HAS NOT CHANGED POLITICAL PARTY AFFILIATION; AND

(II) IN THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL’S APPOINTMENT, HAS VOTED IN AT LEAST TWO ELECTIONS; AND

(2) (I) MAY NOT HAVE BEEN A CANDIDATE FOR ELECTION TO OR SERVED AS GOVERNOR, AS A MEMBER OF THE GENERAL ASSEMBLY, OR AS A REPRESENTATIVE OF THE UNITED STATES CONGRESS FROM THIS STATE DURING THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL’S APPOINTMENT, OR BE AN IMMEDIATE FAMILY MEMBER ESTABLISHED THROUGH BLOOD OR LEGAL RELATION OF SUCH CANDIDATE OR MEMBER;

(II) MAY NOT BE A REGULATED LOBBYIST IN THIS STATE, AS DESCRIBED IN § 5-702(A) OF THE GENERAL PROVISIONS ARTICLE, REGISTERED AS A LOBBYIST BEFORE A COUNTY OR MUNICIPAL GOVERNMENT IN THE STATE, OR REGISTERED AS A LOBBYIST BEFORE THE FEDERAL GOVERNMENT;

(III) MAY NOT BE OR HAVE SERVED AS STAFF OR A CONSULTANT TO A PERSON UNDER A CONTRACT WITH, OR ANY PERSON WITH AN IMMEDIATE FAMILY RELATIONSHIP THROUGH BLOOD OR LEGAL RELATION TO, THE GOVERNOR, A MEMBER OF THE GENERAL ASSEMBLY, OR A MEMBER OF THE UNITED STATES CONGRESS FROM THIS STATE;

(IV) MAY NOT HOLD AN APPOINTIVE OFFICE IN THE EXECUTIVE BRANCH OR LEGISLATIVE BRANCH OF THE FEDERAL, STATE, OR A LOCAL GOVERNMENT; AND

(V) MAY NOT HAVE MADE A CONTRIBUTION OF \$2,000 OR MORE TO A POLITICAL COMMITTEE FOR ELECTORAL PURPOSES FOR A CONGRESSIONAL, STATE, OR LOCAL GOVERNMENT ELECTION IN THE STATE IN ANY YEAR, WHICH AMOUNT SHALL BE ADJUSTED EVERY 10 YEARS BY THE CUMULATIVE CHANGE IN THE MARYLAND CONSUMER PRICE INDEX OR ITS SUCCESSOR.

(B) THE TERM OF OFFICE OF EACH MEMBER OF THE COMMISSION EXPIRES ON THE APPOINTMENT OF THE FIRST MEMBER OF THE SUCCEEDING COMMISSION.

(C) (1) SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE A QUORUM.

(2) EXCEPT AS PROVIDED IN § 8-6A-03(B)(3) OF THIS SUBTITLE, SIX OR MORE AFFIRMATIVE VOTES OF THE COMMISSION SHALL BE REQUIRED FOR ANY OFFICIAL ACTION, INCLUDING ANY FINAL PROPOSED MAPS AND PLANS FOR CONGRESSIONAL DISTRICTS ADOPTED BY THE COMMISSION.

8-6A-05.

(A) (1) IN THE EVENT OF SUBSTANTIAL NEGLECT OF DUTY, GROSS MISCONDUCT IN OFFICE, OR INABILITY TO DISCHARGE THE DUTIES OF OFFICE, A MEMBER OF THE COMMISSION MAY BE REMOVED BY THE GOVERNOR WITH THE CONCURRENCE OF THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY AFTER HAVING BEEN SERVED WRITTEN NOTICE AND PROVIDED WITH AN OPPORTUNITY FOR A RESPONSE.

(2) A FINDING OF SUBSTANTIAL NEGLECT OF DUTY OR GROSS MISCONDUCT IN OFFICE MAY RESULT IN REFERRAL TO THE ATTORNEY GENERAL FOR CRIMINAL PROSECUTION OR THE APPROPRIATE ADMINISTRATIVE AGENCY FOR INVESTIGATION.

(B) A VACANCY, WHETHER CREATED BY REMOVAL, RESIGNATION, OR ABSENCE, IN A COMMISSION POSITION SHALL BE FILLED BY THE APPOINTING AUTHORITY FOR THAT MEMBER WITHIN 30 DAYS AFTER THE VACANCY OCCURS.

8-6A-06.

(A) (1) THE ACTIVITIES OF THE COMMISSION ARE SUBJECT TO APPLICABLE STATE LAW GOVERNING OPEN MEETINGS AND ACCESS TO PUBLIC INFORMATION.

(2) THE COMMISSION SHALL PROVIDE NOT LESS THAN 14 DAYS' PUBLIC NOTICE FOR EACH MEETING.

(B) (1) THE COMMISSION SHALL ESTABLISH AND IMPLEMENT AN OPEN HEARING PROCESS FOR PUBLIC INPUT AND DELIBERATION THAT IS DESIGNED TO ENCOURAGE CITIZEN OUTREACH AND SOLICIT BROAD PUBLIC PARTICIPATION IN THE REDISTRICTING PUBLIC REVIEW PROCESS.

(2) (I) 1. THE HEARING PROCESS SHALL INCLUDE HEARINGS TO RECEIVE PUBLIC INPUT BEFORE THE COMMISSION DRAWS ANY MAPS AND AT LEAST ONE HEARING FOLLOWING THE DRAWING AND DISPLAY OF ANY COMMISSION MAPS.

2. HEARINGS SHALL BE SUPPLEMENTED WITH OTHER ACTIVITIES AS APPROPRIATE TO FURTHER INCREASE OPPORTUNITIES FOR THE PUBLIC TO OBSERVE AND PARTICIPATE IN THE REVIEW PROCESS.

(II) THE COMMISSION SHALL:

1. DISPLAY THE MAPS FOR PUBLIC COMMENT IN A MANNER DESIGNED TO ACHIEVE THE WIDEST PUBLIC ACCESS REASONABLY POSSIBLE; AND

2. TAKE PUBLIC COMMENT FOR AT LEAST 14 DAYS FROM THE DATE OF PUBLIC DISPLAY OF ANY MAP.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, COMMISSION MEMBERS AND STAFF MAY NOT COMMUNICATE WITH OR RECEIVE COMMUNICATIONS ABOUT REDISTRICTING MATTERS FROM ANYONE OUTSIDE A PUBLIC HEARING.

(2) COMMUNICATION BETWEEN COMMISSION MEMBERS, STAFF, LEGAL COUNSEL, AND CONSULTANTS RETAINED BY THE COMMISSION IS ALLOWED.”;

in lines 21, 24, and 28, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 27, strike “8-6A-05” and substitute “8-6A-08”; and in line 30, strike “8-6A-04.”.

AMENDMENT NO. 4

On page 4, strike in their entirety lines 1 through 8, inclusive, and substitute:

“8-6A-07.

(A) THE COMMISSION SHALL CONVENE ITS FIRST MEETING ON OR BEFORE MARCH 1 OF THE YEAR FOLLOWING EACH DECENNIAL CENSUS.

(B) (1) AT ITS FIRST MEETING, OR ON OR BEFORE 30 DAYS AFTER THE COMMISSION RECEIVES ADJUSTED CENSUS DATA FROM THE DEPARTMENT, WHICHEVER IS LATER, THE COMMISSION SHALL COMMENCE A SERIES OF PUBLIC HEARINGS TO RECEIVE PUBLIC TESTIMONY CONCERNING A REDISTRICTING PLAN.

(2) (I) ON OR BEFORE JULY 1 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL HOLD AT LEAST SIX HEARINGS THROUGHOUT THE STATE.

(II) THE HEARINGS REQUIRED UNDER THIS PARAGRAPH SHALL BE HELD AT TIMES THAT ARE LIKELY TO MAXIMIZE PUBLIC PARTICIPATION AND IN LOCATIONS THAT ENCOMPASS THE GEOGRAPHIC, RACIAL, AND ETHNIC DIVERSITY OF THE STATE.

(III) THE COMMISSION SHALL CONDUCT AN OPEN AND TRANSPARENT PROCESS ENABLING FULL PUBLIC CONSIDERATION OF AND COMMENT ON THE DRAWING OF DISTRICT LINES.

(3) FOLLOWING THE CONCLUSION OF THE PUBLIC HEARINGS REQUIRED UNDER SUBPARAGRAPH (2) OF THIS SUBSECTION, BUT NO LATER THAN SEPTEMBER 30 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL PREPARE AND ADOPT A DISTRICTING PLAN AND MAP FOR CONGRESSIONAL DISTRICTS.

(4) ON OR BEFORE OCTOBER 30 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL:

(I) PUBLISH THE PROPOSED FINAL DISTRICTING PLAN AND MAP ON THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES;

(II) ISSUE WITH THE PROPOSED FINAL DISTRICTING PLAN AND MAP A REPORT THAT:

1. EXPLAINS THE BASIS ON WHICH THE COMMISSION MADE THE DECISIONS IN COMPLIANCE WITH THE CRITERIA REQUIRED UNDER THIS SUBTITLE; AND

2. INCLUDES DEFINITIONS OF THE TERMS AND STANDARDS THE COMMISSION USED IN PREPARING THE PROPOSED FINAL DISTRICTING PLAN AND MAP; AND

(III) 1. HOLD AT LEAST ONE PUBLIC HEARING ON THE PROPOSED FINAL DISTRICTING PLAN AND MAP TO RECEIVE PUBLIC TESTIMONY; AND

2. ALLOW THE PUBLIC TO SUBMIT COMMENTS TO THE COMMISSION THROUGH THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES CONCERNING THE PROPOSED FINAL DISTRICTING PLAN AND MAP.

(5) ON OR BEFORE THE SECOND TUESDAY IN NOVEMBER OF THE YEAR THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL PUBLISH A FINAL CONGRESSIONAL DISTRICTING PLAN AND MAP ON THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES.”;

in line 9, strike “(B)” and substitute “(C)”; strike in their entirety lines 11 through 29, inclusive, and substitute:

“(2) EACH CONGRESSIONAL DISTRICT SHALL:

(I) COMPLY WITH THE UNITED STATES CONSTITUTION;

(II) COMPLY WITH THE FEDERAL VOTING RIGHTS ACT;

(III) BE EQUAL IN POPULATION, EXCEPT WHERE DEVIATION IS REQUIRED TO COMPLY WITH THE FEDERAL VOTING RIGHTS ACT (42 U.S.C. SEC. 1971 AND FOLLOWING) OR IS ALLOWABLE BY LAW;

(IV) WITHOUT VIOLATING THE REQUIREMENTS OF THIS SECTION, RESPECT THE GEOGRAPHIC INTEGRITY OF ANY MUNICIPAL CORPORATION OR COUNTY, TO THE EXTENT POSSIBLE;

(V) BE GEOGRAPHICALLY CONTIGUOUS; AND

(VI) TO THE EXTENT PRACTICABLE, AND IF IT DOES NOT CONFLICT WITH THE CRITERIA SPECIFIED IN ITEMS (I) THROUGH (V) OF THIS PARAGRAPH, BE DRAWN TO ENCOURAGE GEOGRAPHIC COMPACTNESS.

(D) (1) A CONGRESSIONAL DISTRICT MAY NOT BE DRAWN FOR THE PURPOSE OF FAVORING A POLITICAL PARTY, AN ELECTED OFFICIAL, OR ANY OTHER

PERSON OR GROUP, OR FOR THE PURPOSE OF AUGMENTING OR DILUTING THE VOTING STRENGTH OF A LANGUAGE OR RACIAL MINORITY GROUP.

(2) IN ESTABLISHING DISTRICTS, NO USE SHALL BE MADE OF ADDRESSES OF ELECTED OFFICIALS, POLITICAL AFFILIATIONS OF REGISTERED VOTERS, POLLING DATA, PROPOSED DISTRICTING MAPS PREPARED BY PERSONS NOT EMPLOYED BY THE DEPARTMENT, AND DEMOGRAPHIC INFORMATION, OTHER THAN POPULATION HEAD COUNTS, EXCEPT AS REQUIRED BY THE CONSTITUTION OR LAWS OF THE UNITED STATES.”;

in line 30, strike “(3)” and substitute “(E)”; and in line 32, strike “(4)” and substitute “(F)”.

AMENDMENT NO. 5

On page 5, in lines 1 and 11, strike “8-6A-05.” and “8-6A-06.”, respectively, and substitute “8-6A-08.” and “8-6A-09.”, respectively; in line 3, strike “§ 8-6A-04” and substitute “§ 8-6A-07”; in line 17, strike “TITLE” and substitute “SUBTITLE AND THE CRITERIA REQUIRED UNDER § 8-6A-07(C), (D), AND (F) OF THIS SUBTITLE”; in line 19, strike “A PROCESS” and substitute “THE DISTRICTING PLAN FOR A STATE”; in line 23, after “COMMISSION” insert “THAT USES A PROCESS AND CRITERIA, AS SPECIFIED UNDER SUBSECTION (A) OF THIS SECTION, TO ESTABLISH CONGRESSIONAL DISTRICTS”; in line 24, after “(2)” insert “(I) THE REDISTRICTING PLAN DEVELOPED AND PROPOSED BY AN INDEPENDENT REDISTRICTING COMMISSION IN THAT STATE BECOMES EFFECTIVE ON THE FILING OF THE PLAN WITH THE CHIEF ELECTION OFFICIAL IN THAT STATE; OR

(II) NOTWITHSTANDING THAT”;

in the same line, after “LEGISLATURE” insert “IN THAT STATE”; in line 25, strike “BUT” and substitute “THE LEGISLATURE IN THAT STATE”; in line 32, after the second “and” insert “, after consultation with the Attorney General,”; in line 33, strike “If” and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That if”; and in the same line, after the second “contingency” insert “described under Section 2 of this Act”.

On page 6, in lines 2 and 3, strike “shall be null and void without the necessity of further action by the General Assembly” and substitute “:

(a) may not be applied to the districting process for representatives from Maryland in the United States House of Representatives resulting from the 2020 decennial census; and

(b) the districting process for representatives from Maryland in the United States House of Representatives resulting from the 2020 decennial census set forth under the Maryland Constitution and provisions of Maryland law in effect on January 1, 2021, shall apply.

SECTION 4. AND BE IT FURTHER ENACTED, That if the Department of Legislative Services does not receive notice from the Secretary of State on or before December 31, 2032, that the contingency described in Section 2 of this Act is met, this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That the Secretary of State is directed to send copies of this Act to the presiding officers of both Houses of the legislature of each of the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina in the mid-Atlantic region, with the request that it be circulated among leaders in the legislative branches of those state governments; and with the further request that each of the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina in the mid-Atlantic region join the State of Maryland in the enactment of a nonpartisan districting process for representatives in the United States House of Representatives in the mid-Atlantic region”; in line 4, strike “3.” and substitute “6.”; and in the same line, strike “Section 2” and substitute “Sections 2, 3, and 4”.

The preceding 5 amendments were read only.

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

The motion was adopted.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 26

House Bill 123 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Health Insurance – Required Conformity With Federal Law

FOR the purpose of altering the length of a policy term and the information provided in a certain notice for short-term medical insurance procured from a nonadmitted insurer; making certain provisions of the federal Patient Protection and Affordable Care Act relating to preventive and wellness services and chronic disease management applicable to certain coverage offered in certain markets; altering certain provisions of law relating to certain special enrollment periods in the small employer health insurance market; authorizing the dependents of certain victims to enroll in a certain health plan, at a certain time, under certain circumstances; adding a definition of “short-term limited duration insurance” and altering the definition of “health benefit plan” for the individual health insurance market; altering the scope of certain supplemental coverage under a group health plan; prohibiting a carrier, under certain circumstances, from canceling or refusing to renew an individual health benefit because an eligible individual is entitled to or enrolled in Medicare; requiring an entity that leases employees from certain organizations or coemployers to be treated as a small employer to the extent permitted by federal law; providing that a carrier will not be considered to have elected not to renew certain health benefit plans if the carrier complies with certain federal regulations on guaranteed renewability; altering certain definitions to conform to guaranteed renewability provisions in certain federal regulations; and generally relating to health insurance and conformity with federal law.

BY repealing and reenacting, with amendments,

Article – Insurance

~~Section 15-137.1, 15-1208.2(d), 15-1301(l), and 31-101(g)~~

Section 3-306.2, 15-137.1, 15-1201(i), 15-1208.2(d), 15-1212(a), 15-1301(l) and (s), 15-1309(a), 15-1401(h), 15-1409(a), and 31-101(g) and (z)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

BY adding to

Article – Insurance

Section 15-1212(k), 15-1301(s), 15-1308(h), 15-1309(i), and 15-1409(g)

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

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

House Bill 172 – Delegates Lafferty and McIntosh

AN ACT concerning

Home Act of 2017

FOR the purpose of expanding the housing policy of the State to include providing for fair housing to all citizens regardless of source of income; prohibiting a person from refusing to sell or rent a dwelling to any person because of source of income; requiring a certain public housing agency to develop and make available a certain list of certain

zip codes; providing that certain provisions of law do not apply to the rental of a dwelling unit located in a certain zip code; establishing certain qualifications and limitations on the general prohibition against discrimination in housing based on source of income; prohibiting a person from discriminating against any person in the terms, conditions, or privileges of the sale or rental of a dwelling because of source of income; prohibiting a person from making, printing, or publishing certain types of materials with respect to the sale or rental of a dwelling that indicate a preference, limitation, or discrimination on the basis of source of income; prohibiting a person from falsely representing that a dwelling is not available for inspection, sale, or rental based on source of income; prohibiting a person from inducing or attempting to induce, for profit, a person to sell or rent a dwelling by making certain representations relating to the entry or prospective entry into the neighborhood of a person having a particular source of income; requiring the owner of an apartment complex to rent or make available for rent a certain percentage of the units to persons who receive certain low-income housing assistance; establishing that the rental of a certain percentage of units in an apartment complex to certain persons is an affirmative defense in a certain action for discrimination based on source of income; prohibiting a person from claiming a certain affirmative defense unless the person within a certain time period has filed a certain certificate indicating the percentage of units in an apartment complex that are rented or made available to certain persons; requiring the Department of Housing and Community Development to establish a form and procedures for completing a certain certificate; requiring the Department and all public housing agencies to maintain certain records; prohibiting a person whose business includes engaging in residential real estate transactions from discriminating against any person in making available a transaction, or in the terms or conditions of a transaction, because of source of income; prohibiting a person from denying a person, based on source of income, access to or membership or participation in a service, an organization, or a facility relating to the business of selling or renting dwellings or from discriminating against a person in the terms or conditions of membership or participation; prohibiting a person from, by force or threat of force, willfully injuring, intimidating, or interfering with any person because of source of income and because the person is negotiating for the sale or rental of any dwelling or participating in any service relating to the business of selling or renting dwellings; defining ~~a certain term~~ certain terms; providing for the application of this Act; providing that this Act does not limit the rights or remedies that are otherwise available to a landlord or tenant under any other law; and generally relating to prohibitions against discrimination in housing based on source of income.

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–701, 20–702, 20–704, 20–705, 20–707, and 20–1103

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Government

Section 20–704.1 and 20–705.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 192 – Delegate Lafferty

AN ACT concerning

Task Force to Study Bicycle Safety on Maryland Highways

FOR the purpose of establishing the Task Force to Study Bicycle Safety on Maryland Highways; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations on certain issues related to bicycle safety on highways in the State; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Bicycle Safety on Maryland Highways.

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

House Bill 269 – Delegates Krimm, Brooks, Hettleman, Lierman, McKay, Patterson, and Valentino-Smith

AN ACT concerning

Housing ~~Counselor~~ Navigator and Aftercare Program

FOR the purpose of establishing the Housing ~~Counselor~~ Navigator and Aftercare Program ~~in the Department of Human Resources~~ to assist families and individuals who are experiencing, or who are in imminent danger of, a housing crisis in obtaining and maintaining permanent housing; allowing a family to apply for Program services if the family is the recipient of temporary cash assistance or is in the process of applying for temporary cash assistance; specifying certain activities that a housing ~~counselor~~ navigator shall perform in assisting a family or individual client with securing and maintaining permanent, affordable housing; specifying certain purposes for which Program funds may be used; specifying certain client-related expenses; requiring a local administrative agency to be designated by ~~the Department~~ a certain department or a local government for certain purposes; ~~specifying that the Program be funded by a certain fund~~; requiring the Governor to include a certain appropriation for the Program in the annual budget each fiscal year beginning in a certain fiscal year, ~~subject to certain limitations; altering the purpose of the Foreclosed Property Registry Fund~~; making certain provisions of this Act

contingent on the taking effect of another Act; defining a certain term; and generally relating to the Housing ~~Counselor~~ Navigator and Aftercare Program.

BY adding to

Article – Human Services

Section 6–801 through 6–807 to be under the new subtitle “Subtitle 8. Housing ~~Counselor~~ Navigator and Aftercare Program”

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

BY adding to

Article – Housing and Community Development

Section 4–2301 through 4–2307 to be under the new subtitle “Subtitle 23. Housing Navigator and Aftercare Program”

Annotated Code of Maryland

(2006 Volume and 2016 Supplement)

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

~~Article – Real Property~~

~~Section 14–126.1(i)~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2016 Supplement)~~

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

House Bill 371 – The Speaker (By Request – Administration) and Delegates Adams, Afzali, Arentz, Aumann, Beitzel, Carozza, Cassilly, Ciliberti, Clark, Cluster, Flanagan, Folden, Ghrist, Grammer, Hornberger, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McConkey, McKay, McMillan, Metzgar, Miele, Parrott, Reilly, Rey, Rose, Saab, Simonaire, Szeliga, Vogt, West, B. Wilson, and Wivell

AN ACT concerning

**Vehicle Laws – Drunk and Drugged Driving – Subsequent Offenders – ~~Felonies~~
(Repeat Drunk Driving Offenders Act of 2017)**

FOR the purpose of increasing certain penalties for drunk and drugged driving offenses for individuals who have been convicted previously for certain other crimes under certain circumstances; ~~making certain drunk and drugged driving offenses felonies; establishing that the District Court and circuit courts have concurrent jurisdiction over certain drunk and drugged driving offenses~~ requiring a certain notice; making certain conforming changes; providing for the application of certain provisions of this Act; providing for the effective date of this Act; and generally relating to drunk and drugged driving.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 4–301(b)(24) and (25) and 4–302(a) and (d)(1)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – Courts and Judicial Proceedings
Section 4–301(b)(26)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 1–101(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 27–101(f), (k), and (q)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation
Section 27–116
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation
Section 21–902(h)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)
(As enacted by Chapter (S.B. 165) of the Acts of the General Assembly of 2017)

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

**House Bill 426 – The Speaker (By Request – Administration) and Delegates
Cassilly, Kipke, McConkey, ~~and West~~ West, Pendergrass, Bromwell, Angel,
Cullison, Hayes, Hill, Kelly, Krebs, Metzgar, Miele, Morales, Morgan,
Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and
K. Young**

AN ACT concerning

Promoting Efficiencies in State Procurement

FOR the purpose of altering various provisions of the State procurement law; altering the dollar value threshold that triggers the requirement to publish a certain notice in eMaryland Marketplace regarding certain procurements; expanding the list of the types of procurement methods available to a procurement officer for certain procurements; specifying a preferred procurement method for human, social, cultural, or educational services; establishing qualification based selection as the method of procurement for certain departments for architectural or engineering services; specifying certain parameters, standards, and requirements applicable under the qualification based selection procurement method; ~~requiring~~ authorizing certain designated procurement units to adopt the master contracting procurement method for procurements for certain services, supplies, commodities, or goods; providing that, under certain circumstances, certain requirements for master contracts do not apply to master contracts for construction; requiring the Board of Public Works to adopt certain regulations regarding the solicitation of master contracts and task orders; repealing the Maryland Architectural and Engineering Services Act and related provisions of law concerning the General Professional Services Selection Board in the Department of General Services; increasing, to at least a certain percentage, the amount of payment security a contractor is required to provide before a public body is authorized to award a construction contract; authorizing the head of a public body to reduce the amount of payment security required for certain construction contracts if a certain determination is made; altering the dollar value of the contract for which certain public bodies may require payment security or performance security for a construction contract; clarifying provisions of law concerning procurements by the board of trustees or other persons for a local community college; providing that competitive sealed proposals is the preferred procurement method for certain educational or consultant services; requiring the Maryland Higher Education Commission to conduct a certain study in consultation with certain associations and report to certain committees of the General Assembly on or before a certain date; defining certain terms; repealing obsolete provisions of law; and generally relating to revisions of the State procurement law.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–203(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–203(b), 13–101, 13–102, 13–103, 13–104, 13–109, 13–402, 15–202, and
17–103
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Finance and Procurement
Section 13–112 and 13–114
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing

Article – State Finance and Procurement
Section 13–301 through 13–323 and the subtitle “Subtitle 3. Architectural and Engineering Services”; and 13–401 and the subtitle “Subtitle 4. Streamlined Process for Procurement of Information Technology Services”
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section 16–311 and 16–313
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 562 – Delegate Hayes (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City Board of School Commissioners – Members – Appointment and Removal

FOR the purpose of establishing the Baltimore City Public School Board Community Panel; providing for the purpose and composition of the panel; authorizing the Mayor of Baltimore City to request the panel to reconvene under certain circumstances; requiring the panel to reconvene for a certain purpose; repealing the role of the Governor in making certain appointments to, filling certain vacancies on, and removing certain members from the Baltimore City Board of School Commissioners; requiring the Mayor to appoint certain members of the board and fill certain vacancies from a list of qualified individuals submitted by a certain panel; and generally relating to the appointment and removal of the members of the Baltimore City Board of School Commissioners.

BY repealing and reenacting, with amendments,

Article – Education
Section 3–108.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

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

House Bill 592 – Delegate M. Washington

AN ACT concerning

Real Property Tax – Assessment Appeals Process

FOR the purpose of requiring a hearing on an appeal to a supervisor of assessments concerning the value or classification of real property to occur within a certain period of time after the Department of Assessments and Taxation receives the ~~appeal~~, appeal, unless the property owner requests a postponement; allowing a hearing to occur on a later date if the supervisor and the person who has appealed the value or classification agree to the later date; requiring the supervisor to give written notice of the final value or classification to the person who has appealed or filed a petition for review within a certain period of time after the hearing; ~~allowing the person who has appealed or filed a petition for review to immediately appeal to the property tax assessment appeals board if the supervisor fails to timely provide the notice of final value or classification; providing that the value of the real property shall remain the same until the property tax assessment appeal board makes a decision if the supervisor fails to timely provide the notice of final value or classification;~~ requiring a property tax assessment appeal board to hold a hearing within a certain period of time after receiving a request for an ~~appeal~~, appeal, unless the property owner requests a postponement; requiring a property tax assessment appeal board to send an order or notice of assessment to the person making the appeal no later than a certain number of days after the hearing on the appeal; providing for a delayed effective date; and generally relating to the real property tax assessment appeals process.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 8–401(a) and (b) and 8–404

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 8–405, 8–407, 14–509, and 14–511

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 602 – Delegates Robinson, Lam, Anderson, Angel, Barkley, B. Barnes, Carr, Cullison, Ebersole, Fennell, Fraser-Hidalgo, Frush, Gilchrist, Gutierrez, Healey, Hettleman, Hill, Holmes, Kaiser, Kelly, Korman, Lafferty,

R. Lewis, Luedtke, McIntosh, Moon, Morales, Morhaim, Pena–Melnik, Platt, Reznik, Sanchez, Tarlau, Turner, Valderrama, M. Washington, and K. Young

AN ACT concerning

Keep Antibiotics Effective Act of 2017

FOR the purpose of ~~prohibiting, on or after a certain date, a certain owner of cattle, swine, or poultry from administering, or authorizing an agent to administer, certain antimicrobial drugs in certain cattle, swine, and poultry without a certain antimicrobial drug prescription or veterinary feed directive issued by a licensed veterinarian in accordance with certain conditions;~~ authorizing, on or after a certain date, the administration of certain antimicrobial drugs to certain cattle, swine, or poultry if, in the professional judgment of a licensed veterinarian, the administration is necessary for certain purposes; prohibiting certain antimicrobial drugs from being administered to cattle, swine, ~~and~~ or poultry in a certain pattern or for certain purposes; requiring certain antimicrobial drugs to be administered in a certain manner; ~~requiring a certain owner to submit to the State Department of Agriculture a copy of a certain antimicrobial drug prescription or veterinary feed directive in a certain manner; requiring the Department to maintain certain information and make the information available for public review in a certain manner;~~ requiring the Department of Agriculture to collect certain publicly available data from certain federal agencies and other appropriate entities; requiring the Department to report to the General Assembly on or before a certain date each year, beginning on or before a certain date; authorizing the Secretary of Agriculture to impose a certain penalty; authorizing the Department to adopt certain regulations; providing for the application of this Act; defining certain terms; and generally relating to the use of antimicrobial drugs in cattle, swine, and poultry.

BY adding to

Article – Agriculture

Section 3–1001 through 3–1006 to be under the new subtitle “Subtitle 10. Use of Antimicrobial Drugs”

Annotated Code of Maryland
(2016 Replacement Volume)

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

House Bill 631 – The Speaker (By Request – Office of the Attorney General) and Delegates Bromwell, Anderson, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Beidle, Brooks, Carr, Chang, Clippinger, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jameson, Jones, Kelly, Knotts, Krimm, Lafferty, Lam, R. Lewis, Lierman, Lisanti, Luedtke, McCray, McIntosh,

A. Miller, Moon, Morales, Oaks, Patterson, Pena–Melnik, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample–Hughes, Sanchez, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Vallario, Waldstreicher, Walker, A. Washington, M. Washington, C. Wilson, K. Young, ~~and P. Young~~ P. Young, Pendergrass, Angel, Kipke, McDonough, Metzgar, Miele, Saab, West, Aumann, Carey, Mautz, and S. Howard

AN ACT concerning

Public Health – Essential Off–Patent or Generic Drugs – Price Gouging – Prohibition

FOR the purpose of prohibiting a manufacturer or wholesale distributor from engaging in price gouging in the sale of an essential off–patent or generic drug; requiring the Maryland Medical Assistance Program to notify ~~the manufacturer of an essential generic drug and~~ the Attorney General of a certain increase in the price of ~~the an~~ essential off–patent or generic drug under certain circumstances; requiring a manufacturer of an essential off–patent or generic drug to submit a certain statement to the Attorney General within a certain time frame; authorizing the Attorney General to require a manufacturer of an essential off–patent or generic drug to produce certain records or other documents that may be relevant in determining whether a certain violation has occurred; authorizing a circuit court, under certain circumstances, to issue certain orders compelling certain actions, restraining or enjoining certain violations, and imposing a certain civil penalty; making certain information subject to public inspection only to the extent permitted under certain provisions of law; providing that information included in a certain statement be considered confidential commercial information for certain purposes; prohibiting a person who is alleged to have violated a requirement of this Act from asserting a certain defense; defining certain terms; and generally relating to prohibiting price gouging in the sale of essential off–patent or generic drugs.

BY adding to

Article – Health – General

Section 2–801 through 2–803 to be under the new subtitle “Subtitle 8. Prohibition
Against Price Gouging for Essential Off–Patent or Generic Drugs”

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

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

House Bill 644 – Delegates Luedtke, Barkley, Cullison, Ebersole, Fraser–Hidalgo, Gilchrist, Kelly, Korman, Kramer, Metzgar, Moon, Reznik, Robinson, Tarlau, A. Washington, and Wilkins

AN ACT concerning

Independent Living Tax Credit Act

FOR the purpose of allowing an individual ~~or a corporation~~ a credit against the State income tax for certain renovation ~~or construction~~ costs incurred during the taxable year; requiring the Department of Housing and Community Development to administer the tax credit; providing that the credit may not exceed a certain amount; providing that the credit may not be carried forward to another taxable year; requiring an individual ~~or a corporation~~ to file a certain application before a certain date and to file an amended return; providing for the maximum amount of tax credits that may be issued by the Department each year; requiring the Department to certify certain credits in a certain manner by a certain date; requiring the Department to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for certain expenditures that provide accessibility and visitability features to or within a home.

BY adding to

Article – Tax – General

Section 10–741

Annotated Code of Maryland

~~(2010 Replacement Volume and 2016 Supplement)~~ (2016 Replacement Volume)

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

House Bill 677 – Howard County Delegation

AN ACT concerning

Howard County – Noise Control – Outdoor Concert Venues

Ho. Co. 18–17

FOR the purpose of clarifying a certain limitation concerning the electronic amplification of sound at an outdoor concert venue with a certain capacity in Howard County; specifying the point from which certain measurements should be taken concerning the electronic amplification of sound at the venue; specifying that certain limitations concerning the electronic amplification of sound at the venue apply even if a satellite stage is used for an event at the venue; defining a certain term; and generally relating to noise control at a certain outdoor concert venue in Howard County.

BY repealing and reenacting, with amendments,

Article – Environment

Section 3–401

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 953 – Delegates Morales, Angel, Cullison, Hayes, Hill, Kelly, Korman, Kramer, R. Lewis, A. Miller, Oaks, Pena–Melnik, Platt, and K. Young

AN ACT concerning

Task Force on Long–Term Care Education and Planning

FOR the purpose of establishing the Task Force on Long–Term Care Education and Planning; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on Long–Term Care Education and Planning.

Read the first time and referred to the Committee on Finance.

House Bill 957 – Delegates Miele ~~and Cluster~~, Cluster, and Bromwell

AN ACT concerning

~~Physicians – Licensure – Liability Coverage~~

**State Board of Physicians – Medical Professional Liability Insurance Coverage –
Verification, Publication, and Notification Requirements
(Janet’s Law)**

FOR the purpose of ~~requiring licensed physicians to maintain certain minimum amounts of professional liability insurance or attest to certain coverage as a condition of licensure and comply with certain regulations; requiring a licensed physician to notify the State Board of Physicians of the cancellation of the insurance or coverage within a certain time period; requiring a certain physician to provide the State Board of Physicians with certain verification or documentation on a certain application and at any other time on request of the Board; within a certain number of days after the Board requests the verification or documentation; authorizing the Board to adopt certain regulations; authorizing the Board to take certain actions if verification or other documentation of insurance or coverage is not provided as required by certain provisions of this Act; authorizing the Board to conduct certain audits for certain purposes; providing for the construction of certain provisions of this Act; making conforming changes; requiring the public individual profile of certain licensees of the Board to include certain information as reported to the Board, including information regarding whether the licensee maintains medical professional liability insurance; requiring certain licensees practicing medicine in the State to notify patients in writing, at each visit, of certain information relating to medical professional liability insurance coverage; requiring the notification to be signed by a patient at a certain time; requiring a licensee to retain the notification as part of certain records and, under certain circumstances, to post certain information in a certain location at the~~

licensee's place of practice; requiring the State Board of Physicians to develop certain language for a certain required notification; and generally relating to physicians and liability coverage.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section ~~14-205(b)(1), 14-309, 14-316(e), 14-317, and 14-404(a)(41) and (42)~~
14-411.1(b)(6)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 14-312.1 and ~~14-404(a)(43) and (44)~~ 14-508

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 963 – Delegates Lisanti, R. Lewis, Lierman, McCray, and Moon

AN ACT concerning

Maryland Transportation Authority – Video Tolls – Collection

FOR the purpose of ~~requiring the Maryland Transportation Authority to orally notify the registered owner of a motor vehicle that has incurred a video toll of the toll due if the video toll exceeds a certain amount or the registered owner has outstanding video tolls in excess of a certain amount; establishing the amount of a certain civil penalty imposed for failing to pay a video toll; prohibiting the Authority from referring a video toll to the Central Collection Unit for collection~~ clarifying that the Maryland Transportation Authority may refer certain unpaid video tolls and associated civil penalties to the Central Collection Unit for collection; authorizing the Authority to recall certain unpaid video tolls and associated civil penalties from the Central Collection Unit under certain circumstances; establishing that the Central Collection Unit may not collect certain unpaid video tolls and associated civil penalties under certain circumstances; authorizing the Authority to waive certain unpaid video tolls and associated civil penalties under certain circumstances; requiring the Authority to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the collection of certain video tolls.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 3-302

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21-1414
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 974 – Delegates Carey and Lisanti

AN ACT concerning

Maryland Personal Information Protection Act – Revisions

FOR the purpose of requiring a certain business, when destroying an employee's or a former employee's records that contain certain personal information of the employee or former employee, to take certain steps to protect against unauthorized access to or use of the information; altering the circumstances under which a certain business that owns, licenses, or maintains computerized data that includes certain personal information of an individual residing in the State must conduct a certain investigation and notify certain persons of a breach of the security of a system; specifying the time at which certain notice must be given; providing that a certain business and a certain affiliate that comply with a certain federal law shall be deemed to be in compliance with certain provisions of law; defining ~~a certain term~~ terms; altering certain definitions; providing for a delayed effective date; and generally relating to the protection of personal information contained in the records of businesses, owned or licensed by businesses, or included in computerized data owned, licensed, or maintained by businesses.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14-3501, 14-3502, 14-3504, ~~and 14-3506~~, and 14-3507
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14-3503, 14-3505, ~~14-3507~~, and 14-3508
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1031 – Delegates Pena-Melnyk, Angel, Hayes, Hill, Kelly, Miele, Morales, Oaks, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

State Board of Pharmacy – Registered Pharmacy Technicians – Exemption for Pharmacy Students

FOR the purpose of providing that a certain provision of law requiring an individual to be registered and approved by the State Board of Pharmacy as a pharmacy technician before performing delegated pharmacy acts does not apply to a certain pharmacy student; repealing an obsolete provision of law; and generally relating to the State Board of Pharmacy, registered pharmacy technicians, and pharmacy students.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–101(a), (f), (h), (s), and (w)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–6B–01

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1036 – Delegates Rey, Bromwell, Buckel, Carey, Clark, Cluster, Fisher, Glass, S. Howard, Malone, McConkey, Morgan, Parrott, Queen, Saab, Simonaire, B. Wilson, and C. Wilson

AN ACT concerning

Firearms – Handgun Permit – Preliminary Approval

FOR the purpose of authorizing a person to apply for preliminary approval of a handgun permit without completing a certain firearm training requirement; requiring the Secretary of State Police to investigate an application for a handgun permit to determine if certain requirements have been satisfied; requiring the Secretary to issue preliminary approval for a handgun permit if the applicant meets certain requirements except for a certain firearm training requirement; requiring an applicant to satisfy a certain firearm training requirement within a certain period of time after receiving notice of preliminary approval of a handgun permit; requiring the Secretary to revoke preliminary approval and deny a handgun permit if an applicant does not fulfill a certain firearm training requirement within a certain period of time; providing for the construction of this Act; and generally relating to handgun permits.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–301(a) and (d)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 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 1053 – Delegates Pena–Melnyk, Bromwell, Angel, Barron, Cullison, Hayes, Impallaria, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Oaks, Platt, Rose, Saab, and West

AN ACT concerning

Integrated Community Oncology Reporting Program

FOR the purpose of establishing the integrated community oncology reporting program; establishing the purpose of the program; requiring the program to be administered by the Maryland Health Care Commission; requiring the Commission to establish a clinical advisory workgroup to perform certain functions; requiring the Commission to adopt regulations to implement and carry out the program; requiring the Commission to establish an application process that includes a certain requirement for submitting an application, a certain application fee, a certain participation fee, and a certain schedule that requires the Commission to begin accepting applications on a certain date; requiring the Commission to establish a certain selection process to approve not more than a certain number of applicants having certain ownership interests; requiring certain applicants to demonstrate, to the satisfaction of the Commission, that the proposed integrated community oncology center meets certain qualifications; requirements; requiring that a certain number of certain applicants be approved before a certain program may begin; requiring that certain integrated community oncology centers be given a certain preference; authorizing a certain integrated community oncology center to participate in a certain program for a certain period of time, as long as the integrated community oncology center meets certain requirements; establishing a certain exception to a certain prohibition against self-referrals by certain health care practitioners and authorizing certain health care practitioners to use a certain exemption for a certain period of time; prohibiting a certain health care practitioner from collecting or attempting to collect certain money under certain circumstances; prohibiting a certain health care practitioner from reducing or withholding certain care or ordering or delivering certain care; prohibiting a certain health care practitioner from increasing the

ordering of care beyond a certain volume and cost of services; requiring a certain health care practitioner who makes a certain referral to provide a patient with written notice of certain information at a certain time; establishing a certain penalty; requiring the Commission to determine a certain process for monitoring integrated community oncology centers to ensure a certain purpose is accomplished and to protect certain patients from the reduction or withholding of certain care or the ordering or delivery of certain care; requiring the Commission, in consultation with certain entities, to review certain information and make a certain determination; requiring the Commission to provide an integrated community oncology center with written notice of a certain determination, establish a process for an integrated community oncology center to appeal a certain determination, require a certain integrated community oncology center to submit certain plans, and establish certain procedures for submission, approval or rejection, and monitoring of certain plans; requiring the Commission to report on certain dates to the Governor and certain legislative committees on the effectiveness of the program and the performance of each integrated community oncology center participating in the program; requiring the Commission, in consultation with a certain workgroup, on or before a certain date, to conduct a certain study, make a certain determination, and report on the study and determination to the Governor and certain legislative committees; defining certain terms; requiring the Commission to include certain individuals in the composition of the clinical advisory workgroup; requiring the Commission to contract with a consultant to serve as the program review manager to perform certain duties; providing for the termination of this Act; and generally relating to the integrated community oncology reporting program.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 1–301(a), (b), (f), (g), (h), and (i) and 1–302(a), (b), (c), and (e)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Health Occupations

Section 1–301(l) and 1–302(d)(12); and 1–3B–01 through 1–3B–08 to be under the new subtitle “Subtitle 3B. Integrated Community Oncology Reporting Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–301(l) and 1–302(d)(10) and (11)

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 1120 – Delegates Fraser–Hidalgo and Stein

AN ACT concerning

Vehicle Laws – Dealers – Performance Standards

FOR the purpose of ~~repealing a certain provision of law prohibiting vehicle manufacturers from requiring or coercing a dealer to adhere to performance standards that are not applied uniformly to other similarly situated dealers~~ establishing that certain provisions of State law governing performance standards for vehicle dealers apply to vehicle manufacturers notwithstanding certain other agreements; requiring that the assignment of a dealer's market area meet certain standards; requiring vehicle manufacturers to consider certain factors in assigning a market area and applying performance standards, sales objectives, or programs for measuring dealer performance; making certain conforming changes; altering certain definitions; and generally relating to market areas and performance standards for vehicle dealers.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–207(a) and (e)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1147 – Delegates Morales, Pena–Melnik, Angel, Hill, Kelly, Kipke, Miele, Morgan, Platt, Rosenberg, Szeliga, West, ~~and K. Young~~ K. Young, Pendergrass, Bromwell, Cullison, Hayes, Krebs, McDonough, Metzgar, Saab, and Sample–Hughes

AN ACT concerning

Health Insurance – Prescription Drugs – Dispensing Synchronization

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to allow and apply a certain prorated copayment or coinsurance amount for a partial supply of a prescription drug dispensed by a certain pharmacy under certain circumstances; prohibiting a certain insurer, nonprofit health service plan, and health maintenance organization from denying payment of benefits to a certain pharmacy for a covered prescription drug solely on a certain basis and from using a certain payment structure; requiring a certain insurer, nonprofit health service plan, and health maintenance organization to allow a certain pharmacy to override certain codes and pay a certain pharmacy a certain dispensing fee for a certain purpose; defining certain terms; providing for the

application of this Act; providing for a delayed effective date; and generally relating to payment for a partial supply of a prescription drug under health insurance.

BY adding to

Article – Insurance

Section 15–850

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1149 – Delegate Kramer

AN ACT concerning

Maryland Securities Act – Vulnerable Adults

FOR the purpose of establishing the Securities Act Registration Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Securities Commissioner of the Division of Securities to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; altering the authority of the Commissioner to define by rule certain unlawful practices; altering a requirement that a certain person must have certain knowledge in order for certain statements to be unlawful; providing that it is unlawful for a person engaged in certain businesses to engage in dishonest or unethical practices; requiring, under certain circumstances, that certain individuals who believe that certain eligible adults are being subjected to financial exploitation to notify certain entities and individuals; requiring that a certain notification be given within a certain time period or, under certain circumstances, immediately; providing for the construction of certain provisions of this Act; prohibiting certain individuals, under certain circumstances, from notifying certain individuals; authorizing, under certain circumstances, certain broker–dealers or investment advisers to delay disbursements from the accounts of certain eligible adults; requiring a broker–dealer or an investment adviser that delays a certain disbursement to provide certain notices and continue a certain review; requiring a broker–dealer or an investment adviser to provide, ~~within a certain number of days after a disbursement request, on request, a status report of~~ a certain internal review to the Securities Commissioner of the Division of Securities and a certain local department; providing that a delay of a certain disbursement request will continue for a certain period of time; providing certain qualified individuals, broker–dealers, and investment advisers certain immunity from liability; requiring a broker–dealer or an investment adviser, under certain circumstances, to provide certain records to certain entities; providing that certain records may not be considered public records; providing that certain federal exempt broker–dealers are not required to register as broker–dealers; providing that a federal exempt broker–dealer is not subject to certain prohibitions and

requirements that apply to certain broker-dealers; providing that it is unlawful for certain broker-dealers and certain issuers to employ or associate with certain individuals; requiring a person, before acting as a certain private fund adviser, to file certain documents and pay a certain fee; authorizing the Commissioner to publish a certain announcement in a certain manner; increasing and imposing certain fees; providing for the distribution of a certain fee; authorizing the Commissioner to perform a certain audit or inspection in a certain manner; authorizing the Commissioner to deny, suspend, or revoke a certain individual's registration if the individual is the subject of certain orders, barred by certain entities, subject to certain requests, or refuses to allow or impedes certain actions of the Commissioner; altering a certain limitation on the time within which the Commissioner may institute a certain suspension or revocation; repealing a requirement that the Commissioner provide the State Department of Assessments and Taxation with a certain list; authorizing a certain issuer that fails to timely file certain items to file the items late and pay a certain late fee; providing that an issuer that complies with certain provisions will terminate certain rights and liabilities; establishing certain late fees; altering the types of securities that are exempt from certain provisions of the Maryland Securities Act; authorizing the Commissioner to take certain action against a certain person the Commissioner determines is in violation of certain laws; providing that an action for certain remedies is not subject to a certain statute of limitations; defining certain terms; altering certain definitions; and generally relating to vulnerable adults and the Maryland Securities Act.

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 11-101, 11-302(a) and (c), 11-401(a) and (d), 11-402(a) and (c), 11-405(c) through (f), 11-407(a) and (b), 11-411(f), 11-412(a)(6), (10), and (11) and (b), 11-503.1, 11-506(b), 11-510.1, 11-601(11), 11-701.1, and 11-702

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Corporations and Associations

Section 11-208, 11-306, 11-307, 11-401(d), 11-402(c), 11-405(c), and 11-412(a)(12), (13), and (14)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Corporations and Associations

Section 11-411(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing

Article – Corporations and Associations

Section 11-418

Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 14–101(a) and (q), 14–201, 14–302(c), and 14–309
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 14–101(j)
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1159 – Delegates Pena–Melnik, Morales, Angel, Hayes, Hill, Kelly, Kipke, Krebs, Miele, Morgan, Platt, Szeliga, West, ~~and K. Young~~ K. Young, Bromwell, Cullison, McDonough, Metzgar, Pendergrass, Rosenberg, Saab, and Sample–Hughes

AN ACT concerning

Pharmacists – Dispensing of Prescription Drugs – Single Dispensing of Dosage Units

FOR the purpose of authorizing, with a certain exception, a pharmacist to dispense, in a single dispensing and exercising the pharmacist’s professional judgment, a quantity of a prescription drug that is up to a certain number of authorized dosage units and does not exceed a certain supply of the prescription drug; providing that this Act does not apply to a certain controlled dangerous substance, certain prescriptions that an authorized prescriber prescribes for a patient, or a certain supply of prescription contraceptives; defining a certain term; and generally relating to pharmacists and dispensing of prescription drugs.

BY adding to
Article – Health Occupations
Section 12–511
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1168 – ~~Delegate Holmes~~ Delegates Holmes and Angel

AN ACT concerning

Counties and Municipalities – Land Bank Authorities

FOR the purpose of altering certain provisions of law concerning the authority of a municipality to establish a land bank authority; making certain provisions of law concerning the establishment of a land bank authority applicable to a municipality or county; authorizing two or more local governments to enter into a certain intergovernmental cooperation agreement; providing for the continued operation of an authority under certain circumstances; establishing certain powers of an authority; authorizing an authority to enforce a water and sewer lien under certain circumstances; providing for the tax treatment of property sold by an authority to a nonprofit organization under certain circumstances; exempting property held by an authority from a certain requirement to sell; authorizing the Mayor and City Council of Baltimore City to transfer property to an authority under certain circumstances; exempting property held by an authority from certain taxes under certain circumstances; altering and defining certain terms; making certain conforming changes; and generally relating to land bank authorities.

BY renumbering

Article – Local Government

Section 5–401 through 5–431, respectively, and the subtitle “Subtitle 4. Establishment of Land Bank Authorities by Municipalities”

to be Section 1–1401 through 1–1431, respectively, and the subtitle “Subtitle 14. Establishment of Land Bank Authorities by Municipalities”

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Local Government

Section 1–1401, 1–1403, 1–1405, 1–1406, 1–1408, 1–1409, 1–1410, 1–1412, 1–1413, 1–1414, 1–1415, 1–1419, and 1–1426(a)(1) to be under the amended subtitle “Subtitle 14. Establishment of Land Bank Authorities”

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–808(a), 14–824, 14–826, and 14–831

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

House Bill 1212 – ~~Delegate Frick~~ Delegates Frick, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

AN ACT concerning

**Health Insurance – Prior Authorization for Opioid Antagonists – ~~Prohibition~~
Authorization**

FOR the purpose of ~~prohibiting~~ authorizing certain insurers, nonprofit health service plans, and health maintenance organizations ~~from applying a preauthorization to apply a~~ prior authorization requirement for opioid antagonist drug products only under certain circumstances; providing for the application of this Act; providing for a delayed effective date; and generally relating to health insurance coverage for opioid antagonist drug products.

BY adding to

Article – Insurance

Section 15–850

Annotated Code of Maryland

(2011 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1225 – Delegates R. Lewis, Clippinger, Frush, Healey, McCray, and McIntosh

AN ACT concerning

**University of Maryland School of Public Health, Center for Health Equity –
Workgroup on Health in All Policies**

FOR the purpose of requiring the University of Maryland School of Public Health, Center for Health Equity, in consultation with the Department of Health and Mental Hygiene, to convene a workgroup to study and make recommendations to units of State and local government on laws and policies to implement that will positively impact the health of residents of the State; requiring the workgroup, using a certain framework, to examine certain matters, make certain recommendations, and foster collaboration among units of State and local government; requiring the workgroup to include certain members; requiring, to the extent practicable, the workgroup to reflect a certain diversity; prohibiting a member of the workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring a unit of State government to provide information requested by the workgroup in a certain manner; requiring a unit of State government represented on the workgroup to provide certain staff support; requiring, on or before a certain date, the University of Maryland School of Public Health, Center for Health Equity, to

report certain findings ~~and~~, recommendations, and draft legislation to certain committees of the General Assembly; defining a certain term; providing for the termination of this Act; and generally relating to a workgroup convened by the University of Maryland School of Public Health, Center for Health Equity, to study and make recommendations relating to the health of residents of the State.

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

House Bill 1253 – Delegate Long

AN ACT concerning

State Boat Act – Removal of Abandoned or Sunken Vessels

FOR the purpose of altering the definition of “abandoned vessel” to include a sunken vessel but exclude certain historic property or submerged archaeological historic property; clarifying that certain provisions of law relating to the removal and disposal of abandoned vessels apply to sunken vessels; extending liability protections for damage that may occur during removal, storage, or custody of an abandoned or sunken vessel to a person that removes, preserves, or stores the abandoned or sunken vessel on behalf of the Department of Natural Resources; authorizing the Department, in consultation with the Director of the Maryland Historical Trust, to adopt certain regulations; making certain stylistic changes; and generally relating to the removal of abandoned or sunken vessels.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–721
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1284 – Delegates Stein, Frush, Healey, Holmes, and Lafferty

AN ACT concerning

Natural Resources – Aquaculture Leases – ~~National Register of Historic Places~~ National Historic Landmarks

FOR the purpose of ~~prohibiting~~ authorizing the Department of Natural Resources to authorize an Aquaculture Enterprise Zone and certain aquaculture leases from being located within a certain distance of the shoreline of certain property listed on the ~~National Register of Historic Places; requiring, instead of authorizing, the Department of Natural Resources to take certain actions to protect the public health,~~

~~safety, and welfare~~ designated as a National Historic Landmark only under certain circumstances; and generally relating to aquaculture leases.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4–11A–05(a), 4–11A–06(a), 4–11A–07(a), 4–11A–08(a), and 4–11A–11(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–11A–05(b)(2), 4–11A–06(b)(2) and (3), 4–11A–07(c)(1) and (2),
4–11A–08(c)(1) and (2), 4–11A–09(d), and 4–11A–11(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1320 – Charles County Delegation

AN ACT concerning

Southern Maryland Code Counties – Towing Companies – Authority to Regulate

FOR the purpose of authorizing ~~the governing body of a county~~ the county commissioners of a code county in the Southern Maryland class to adopt rules and regulations for the licensing, maintenance, and operation of towing companies in the county for certain purposes; authorizing certain rules and regulations adopted by a certain county to require a person who operates a towing company in the county to obtain a certain license and pay a certain fee; requiring a certain county to hold a certain hearing that is advertised in advance in a certain manner before adopting certain rules and regulations; providing that a person who violates certain rules and regulations is guilty of a misdemeanor and is subject to a certain penalty; providing that each day that a certain violation continues is a separate offense; stating that, in the event of a conflict with certain federal or State laws or certain written guidance issued by a unit of federal or State government, the rules and regulations adopted in accordance with this Act shall be preempted; providing for the application of this Act; defining certain terms; and generally relating to the authority of Southern Maryland code counties to regulate towing companies.

BY adding to

Article – Local Government

Section ~~13–1001 through 13–1007~~ 11–501 through 11–507 to be under the new
subtitle “Subtitle ~~10~~ 5. Towing Companies”

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1321 – Delegate Valentino-Smith

AN ACT concerning

Child Protection – Reporting Requirements – Threat of Harm

FOR the purpose of ~~requiring a certain individual acting in a professional capacity to notify the local department of social services or the appropriate law enforcement agency if the individual has reason to believe that a verbal threat of a substantial risk of imminent harm to a child has been made; prohibiting a person from preventing or interfering with the making of a report under this Act; providing certain immunity to a person who participates in certain activities relating to a report made under this Act; making conforming changes; and generally relating to child abuse and neglect and requiring the reporting of threats of harm to a child~~ authorizing an individual to notify the local department of social services or the appropriate law enforcement agency if the individual has reason to believe that a verbal threat of imminent severe bodily harm or death to a child has been made by a certain individual and that the child is at substantial risk of child abuse; specifying certain procedures and requirements for a report concerning a certain verbal threat of harm to a child; authorizing the local department or law enforcement agency to receive a report concerning a certain verbal threat of harm to a child; requiring the law enforcement agency to immediately refer the report to the local department under certain circumstances; requiring the Secretary of Human Resources to adopt certain regulations; requiring the local department to make a thorough investigation to protect the health, safety, and welfare of any child who may be at substantial risk of abuse under certain circumstances; requiring the local department to conduct a certain investigation jointly with the appropriate law enforcement agency; authorizing the local department to decline to make an investigation of a certain subsequent report under certain circumstances; requiring the local department and the appropriate law enforcement agency to take certain actions; providing certain immunity to a person who participates in certain activities relating to a report made under this Act; making stylistic changes; and generally relating to child protection.

BY repealing and reenacting, with amendments,

Article – Family Law

Section ~~5-704, 5-705.2(a), and 5-708~~ 5-704.1, 5-706.2, and 5-708

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1335 – Delegates Wilkins, Carr, Luedtke, Platt, Sanchez, and Tarlau

AN ACT concerning

Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement

FOR the purpose of providing for enforcement only as a secondary offense for a violation of the prohibition under certain circumstances against a person driving a vehicle on a highway with any object, material, or obstruction hanging from the rearview mirror under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1104
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1362 – Delegates Morales, Sanchez, Pena–Melnik, Gutierrez, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barve, Beidle, Brooks, Carr, Clippinger, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frush, Gaines, Gilchrist, Glenn, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jameson, Jones, Kaiser, Kelly, Knotts, Korman, Kramer, Lafferty, Lam, R. Lewis, Lierman, Luedtke, McCray, McIntosh, A. Miller, Moon, Morhaim, Mosby, Oaks, Patterson, Pendergrass, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample–Hughes, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Valentino–Smith, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, P. Young, and Ali

AN ACT concerning

~~**Maryland Law Enforcement and Governmental Trust Act**~~
Criminal Procedure – Immigration – Community Trust

FOR the purpose of providing that a certain official is immune from criminal and civil liability for refusing to provide information to the federal government or another state that will be used for a certain purpose; authorizing the State to indemnify a certain official for certain costs or a certain judgment; expressing the intent of the General Assembly to ~~restore~~ maintain community trust in Maryland governmental operations and law enforcement and government by clarifying the parameters of State and local participation in federal immigration enforcement efforts; prohibiting a certain government agent from taking certain actions for certain purposes; prohibiting a law enforcement official from stopping, arresting, searching, or detaining an individual for the purpose of investigating a suspected immigration violation or inquiring about certain matters; prohibiting a government agent from using certain funds, facilities, property, equipment, or personnel for certain purposes; prohibiting a government agent from making a certain database available

~~for a certain purpose; prohibiting a State or local law enforcement agency from placing a law enforcement officer under a certain supervision or employing a certain law enforcement officer under certain circumstances; prohibiting a certain agent from taking certain actions without a judicial warrant; agent from taking certain actions at a certain time under certain circumstances; prohibiting a State or local correctional agent or employee from taking certain actions under certain circumstances; prohibiting a certain officer or unit of State government from spending certain funds for a certain purpose; prohibiting the State from reimbursing certain expenditures; providing that the State is not obligated to appropriate money to pay a certain expenditure; providing that a certain employee or officer who makes a certain expenditure or receives certain funds is subject to certain disciplinary action under certain provisions of law; requiring the Attorney General to develop certain policies in consultation with certain stakeholders; requiring authorizing all public schools, hospitals, and courthouses to establish and publish certain policies; providing that nothing in this Act shall prevent a certain State agent or employee from responding to a certain request or sending or receiving certain information; requiring all State agencies to review certain policies, identify certain changes, and make certain changes at a certain time for certain purposes; establishing that a certain agreement that conflicts with a certain provision of this Act is null and void at a certain time; requiring certain memoranda of agreement to be initiated and evaluated in a certain manner; defining certain terms; making the provisions of this Act severable; and generally relating to State and local participation in federal immigration enforcement efforts.~~

BY adding to

Article – Courts and Judicial Proceedings

Section 5–527

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY adding to

Article – Criminal Procedure

Section 5–103

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

BY adding to

Article – State Finance and Procurement

Section 7–239

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1415 – Delegate Anderson

AN ACT concerning

Commercial Law – Maryland Antitrust Act – Indirect Purchasers

FOR the purpose of altering the circumstances under which a person, whose business or property has been injured or threatened with injury by a violation of certain provisions of law, may maintain an action for damages, an injunction, or both, against any person who has committed the violation, regardless of whether the person maintaining the action dealt directly or indirectly with the person who has committed the violation; altering a certain defense that a defendant may raise in certain actions for damages; making stylistic changes; and generally relating to civil actions to enforce State antitrust laws.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–209(b)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1451 – Delegates Folden, Parrott, C. Howard, S. Howard, McKay, McMillan, W. Miller, Oaks, and C. Wilson

AN ACT concerning

Vehicle Laws – Left Lane – Use for Passing

FOR the purpose of providing that, on a roadway that has ~~two~~ three or more lanes for traffic moving in the same direction with a certain posted maximum speed limit, the far left lane may be used only for overtaking and passing another vehicle in a certain manner and under certain circumstances; establishing certain penalties for a violation of this Act; making a certain stylistic change; and generally relating to the overtaking and passing of vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–303
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1553 – ~~Delegate Cullison~~ Delegates Cullison, Pendergrass, Bromwell, Angel, Hayes, Hill, Kelly, Kipke, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Platt, Rosenberg, Sample–Hughes, Szeliga, West, and K. Young

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 Finance.

BUDGET AND TAXATION COMMITTEE REPORT NO. 16

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 260 – Senators Bates, Eckardt, Edwards, Guzzone, Hershey, Jennings, Kasemeyer, Klausmeier, Middleton, Norman, Ready, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

Tax Overpayment – Interest on Refunds

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 839 – Senator Serafini

AN ACT concerning

State Budget – Appropriations – Funding Priorities

SB0839/879838/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 839

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Workgroup on Categories for Funding Priorities in the Annual State Budget”; strike beginning with “requiring” in line 3 down through “bill” in line 9 and substitute “establishing a Workgroup on Categories for Funding Priorities in the Annual State Budget; establishing the membership of the Workgroup; specifying the purpose of the Workgroup; requiring the Workgroup to make findings and recommendations and submit a report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Workgroup on Categories for Funding Priorities in the Annual State Budget”; strike in their entirety lines 10 through 14, inclusive; and in line 16, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 1 through 3, strike beginning with line 17 on page 1 through line 29 on page 3, inclusive, and substitute:

“(a) There is a Workgroup on Categories for Funding Priorities in the Annual State Budget.

(b) The Workgroup consists of representatives from:

(1) the Department of Budget and Management, designated by the Secretary of the Department;

(2) the Office of the Comptroller, designated by the Comptroller; and

(3) the Department of Legislative Services, designated by the Executive Director of the Department.

(c) The Department of Budget and Management shall convene the Workgroup to study, evaluate, and make recommendations concerning budgeting models used by state or local governments in the United States that utilize well-defined service categories to set

budget funding priorities and then allocate budget resources based on the categories of funding priorities established.

(d) The Workgroup may:

(1) hold public hearings and receive testimony from the public and other interested parties; and

(2) retain the services of consultants as it determines.

(e) The Department of Budget and Management, the Office of the Comptroller, and the Department of Legislative Services jointly shall provide staff for the Workgroup.

(f) On or before December 31, 2017, the Workgroup shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”.

AMENDMENT NO. 3

On page 4, in line 2, after “2017.” insert “It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 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. 34

Senate Bill 651 – Senators Smith, Astle, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Nathan-Pulliam, Norman, Peters, Ramirez, Robinson, Salling, Young, and Zucker

AN ACT concerning

Public Schools – Suspensions and Expulsions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0651/484035/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 651

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “prekindergarten” insert “, kindergarten, first grade, or second grade”; in line 4, after “schools” insert “with certain exceptions for an expulsion required by federal law or a suspension for not more than a certain number of days under certain circumstances; requiring the principal or school administration to contact a student’s parent or guardian under certain circumstances”; and strike beginning with “authorizing” in line 4 down through “manner;” in line 6.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“Preamble

WHEREAS, Maryland public schools should provide practices that build fair processes into decision making, facilitate student learning, and allow for accountability and skill building, cooperation, and mutual understanding; and

WHEREAS, It is the intent of the General Assembly that school systems shall utilize restorative practices as an alternative to traditional school disciplinary practices to ensure that developmentally appropriate, age-appropriate, and proportional consequences are applied to a child’s misbehavior in a way that supports personal growth and positive learning opportunities for all students; now, therefore.”.

AMENDMENT NO. 3

On pages 5 and 6, strike in their entirety the lines beginning with line 29 on page 5 through line 7 on page 6, inclusive, and substitute:

“(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A STUDENT ENROLLED IN A PUBLIC PREKINDERGARTEN PROGRAM, KINDERGARTEN, FIRST GRADE, OR SECOND GRADE MAY NOT BE SUSPENDED OR EXPELLED FROM SCHOOL.

(2) A STUDENT DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY ONLY BE:

(I) EXPELLED FROM SCHOOL IF REQUIRED BY FEDERAL LAW;
OR

(II) SUSPENDED FOR NOT MORE THAN 5 SCHOOL DAYS IF THE SCHOOL ADMINISTRATION, IN CONSULTATION WITH A SCHOOL PSYCHOLOGIST OR OTHER MENTAL HEALTH PROFESSIONAL, DETERMINES THAT THERE IS AN IMMINENT THREAT OF SERIOUS HARM TO OTHER STUDENTS OR STAFF THAT CANNOT BE REDUCED OR ELIMINATED THROUGH INTERVENTIONS AND SUPPORTS.

(3) THE PRINCIPAL OR SCHOOL ADMINISTRATION SHALL PROMPTLY CONTACT THE PARENT OR GUARDIAN OF A STUDENT SUSPENDED OR EXPELLED UNDER PARAGRAPH (2) OF THIS SUBSECTION.”.

On page 6, strike in their entirety lines 8 through 11, inclusive; in line 12, after “PROVIDE” insert “INTERVENTION AND”; and in line 20, strike “SUPPORT” and substitute “INTERVENTION AND SUPPORT”.

On page 6 in line 12, and on page 7 in lines 1 and 4, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0651/413522/1

BY: Senator Cassilly

AMENDMENT TO SENATE BILL 651, AS AMENDED

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (SB0651/484035/1), in line 12 of Amendment No. 3, strike “AN IMMINENT” and substitute “A”; in the same line, strike “SERIOUS” and substitute “PHYSICAL”; and in line 13, strike “REDUCED OR”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 28 (See Roll Call No. 754)

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. 755)

ADJOURNMENT

At 12:46 P.M., on motion of Senator Peters, the Senate adjourned until 10:00 A.M. on Legislative Day March 20, 2017, Calendar Day, Wednesday, March 22, 2017.

Annapolis, Maryland
Legislative Day: March 20, 2017
Calendar Day: Wednesday, March 22, 2017
10:00 A.M. Session

The Senate met at 10:14 A.M.

Prayer by Reverend Patrick Clayborn, Bethel AME Church, guest of Senator Nathan–Pulliam.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 757)

The Journal of March 21, 2017 was read and approved.

FIRST CITIZEN AWARD

Remarks for First Citizen Awards

Maryland Senate

Elaine Rice Bachmann, Deputy State Archivist

March 22, 2017

President Miller, members of the Senate, distinguished guests, ladies and gentlemen:

Since 1992, it has been the privilege of the Maryland State Archives to present, on your behalf, the First Citizen Awards of the Maryland Senate. The First Citizen Award recognizes individuals who have committed themselves to public service and civic engagement through debate, legislation, and governance. The name “First Citizen” is derived from a series of articles published in the *Maryland Gazette* in 1773 which were comprised of letters between Charles Carroll of Carrollton and Daniel Dulany, Jr. signed anonymously by each--Carroll calling himself “First Citizen” and Dulany, “Antilon.”

At the time only 35 years old, not the elderly statesman who presides over this chamber in Thomas Sully's magnificent portrait, Carroll was indeed writing as a private citizen, in fact prevented from holding public office due to his Catholic faith. Dulany was a successful attorney and former Mayor of Annapolis, well known for his political writings.

Their letters, written in the years running up to the Revolutionary War, debate the role of government in people's lives and questions the rights and freedoms of those citizens vs. the authority of their leaders. Carroll taking the position that an independent legislature must be able to act to protect its citizens from arbitrary rule—and Dulany defending the governor's right to impose fees without legislative authority. His pen name, "Antilon" is a Spanish word for a 'stinging plaster which draws out poison' suggesting that his words might diffuse the revolutionary ideas of Carroll whose arguments for 'self-government' were certainly in opposition to Dulany's loyalty to the Crown. We know how that debate eventually played out in eight long years of war—that it was ultimately Carroll's aspirations for a government of the people that won the day—with he himself playing a significant role in enacting the ideas he first formulated in his debate with Dulany, and it was a spirited and colorful debate—all transcribed and analyzed in Peter Onuf's 1974 book *Maryland and the Empire 1773: The Antilon-First Citizen Letters* a copy of which is given to each recipient of this award.

It is worth noting that these letters were originally published by a woman, Anne Catharine Green, who upon the death of her husband Jonas Green in 1767, took over running the publication of The Maryland Gazette. You may have noticed that hers is the only portrait of a woman on the gallery wall of the new exhibits in the Senate Committee Room. Regrettably, there are very few voices of women that we hear coming from the period of the American Revolution—although certainly they must have provided plenty of debate that has gone unrecorded in history.

It is my distinct pleasure then today to honor three women of our own time—whose voices and contributions are well known and recorded, and able to be appreciated and recognized by their contemporaries. Women who have been engaged in professional careers in

industry, healthcare, and higher education--and who have been active members of their communities not just as the occasional volunteer on a school committee or for a charity event--but as leaders of volunteer and non-profit organizations, and groups providing invaluable social services. Women who then stepped up to represent their communities and all the citizens of Maryland as elected members of the General Assembly serving a collective 63 years in the House and Senate. And I am confident that it is not an insignificant footnote to add, that all through their professional and public pursuits, each of these remarkable women was also serving their families in that most important role as a Mother. "Multitasker" is too simple a noun to describe each of you.

The Honorable Senator Nancy King

A native of New York, **Nancy King** began her public service like many do--volunteering in her children's public school in Montgomery County where she became President of that county's Council of Parent-Teacher Associations while also working for, and leading, several organizations--including a ten year presidency of Gaithersburg Meals on Wheels. She rose through the leadership ranks of the Montgomery County Board of Education and joined the House of Delegates in 2003 representing District 39. There she continued her commitment to public education serving as Chair of the Education sub-committee until joining the Senate in 2007, where she has been an active leader on many committees, serving continuously on the Budget and Tax Committee since 2014 as the Assistant Deputy Majority Leader as well as the Chair of the Joint Committee on Children, Youth and Families--and all the while serving as Vice President and Chief Financial Officer of a family owned forensic engineering company. It is my honor to present Senator Nancy King with the First Citizen Award.

The Honorable Senator Katherine Klausmeier

Another veteran of the PTA ranks, and in fact an Honorary Lifetime member of the Maryland PTA Association, native Baltimorean **Katherine Klausmeier** has devoted her career to helping children and families who find themselves in that most vulnerable place -- a pediatric hospital facing a childhood illness. She has led for nearly 30 years the Child

Life Department at St. Joseph's Medical Center, and has made advocating for children's health and well-being a priority in her private and public careers. As a legislator representing Baltimore County since joining the House of Delegates in 1995, she has been an advocate for Marylanders in other vulnerable places such as nursing homes and assisted living facilities, or those suffering from mental health problems and addiction. Since joining the Senate in 2003, she has served as the Chair of the Rules Committee in addition to being active in leadership of a variety of Joint Committees and is currently the Deputy Majority Leader. It is my honor to present Senator Katherine Klausmeier with the First Citizen Award.

The Honorable Senator Delores Kelley

When **Delores Goodwin Kelley** was born in Norfolk, Virginia, its schools, like the majority of those throughout the country, were segregated. It was a teacher in the high school she would later attend, "the mighty" Booker T. Washington High School, who, defended by Maryland's own Thurgood Marshall, won a case against the City of Norfolk to be paid a salary equal to his white counterparts--one of the critical early victories challenging the legal validity of 'separate by equal.' Delores Kelley blazed her own trail in going on to earn a bachelor's degree in philosophy; a master's degree in education; another master's degree in speech communication; and a Ph.D in American Studies. While engaged in a long and distinguished career as a professor and dean at Coppin State University, she was also pursuing her passion in advocating for public education and social justice as an active member and leader of community organizations, among them the Baltimore Urban League, and the Black-Jewish Forum of Baltimore. She joined the House of Delegates in 1991 representing District 42 and then the Senate in 1995. In her leadership positions within a multitude of committee, including currently as vice chair of Judicial Proceedings and Executive Nominations, Senator Kelley has strived to improve consumer protections, and the lives of vulnerable children and seniors. Her life of academic achievement and public service is an outstanding example for each one of us of the opportunities that are made possible by education--most especially when that education is combined with personal commitment and dedication to ideals. It is my honor to present Senator Delores Goodwin Kelley with the First Citizen Award.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 485 – Senator Jim Rosapepe:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
University of Maryland University College
in recognition of
70 years of distinguished service educating adult learners in Maryland and the U.S.
Armed Forces around the world.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 22nd day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 758)

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

March 21, 2017

In accordance with Rule 33(d), the following legislation has been reassigned as indicated below:

HB 1145 Delegate Tarlau, et al
Public School Employee Whistleblower Protection Act
Reassigned to Finance

Read and ordered journalized.

CEREMONY HONORING FALLEN HEROES

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 506 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Chuck Ritz
in recognition of
your outstanding leadership and efforts as the Founder of the Hope and Peace
Foundation to remember Marylanders who lost their lives in combat.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 22nd day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 759)

LAID OVER CALENDAR NO. 13

**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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE
AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB1023/294532/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1023 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “circumstances;” insert “providing that a member may be removed from the commission under certain circumstances and in a certain manner; providing that the commission is subject to certain laws governing open meetings and access to public records; requiring the commission to hold certain hearings to receive public testimony at certain times, in certain places, and in certain geographic areas to accommodate the public and to reflect certain demographics and characteristics of the”

population of the State;"; in line 18, after "terms;" insert "directing the Secretary of State to send copies of this Act to the presiding officers of both Houses of the legislature of certain states with a request that each of the states join Maryland in the enactment of a certain congressional redistricting process;"; and in line 23, strike "8-6A-06" and substitute "8-6A-09".

AMENDMENT NO. 2

On page 2, in line 14, after the first "THE" insert "ADJUSTED"; strike beginning with "FROM" in line 14 down through "94-171" in line 15 and substitute "FOR THE STATE FOR THAT CENSUS"; in line 15, after the semicolon insert "AND"; strike in their entirety lines 16 through 18, inclusive; in line 19, strike "(3)" and substitute "(2)"; strike beginning with the first "THE" in line 20 down through "SECTION" in line 21 and substitute "THE DEPARTMENT RECEIVES THE DATA"; in line 24, strike "FIVE" and substitute "NINE"; in line 26, strike "FOUR" and substitute "EIGHT"; and in line 27, strike "ONE" and substitute "TWO".

On page 3, in lines 1, 3, and 5, in each instance, strike "ONE" and substitute "TWO"; in line 9, strike "THREE" and substitute "FIVE"; in lines 10 and 11, in each instance, strike "FIFTH" and substitute "NINTH"; in line 10, after "WHO" insert ":

1.";

and in the same line, after "CHAIR" insert ";AND

2. MAY NOT BE AFFILIATED WITH EITHER OF THE PRINCIPAL POLITICAL PARTIES IN THE STATE";

in lines 12 and 13, strike ", THE CHIEF JUDGE OF THE COURT OF APPEALS SHALL MAKE THE APPOINTMENT" and substitute ":

1. THE COMMISSION SHALL SUBMIT A LIST OF THREE NAMES FOR THE APPOINTMENT OF THAT MEMBER TO:

A. THE CHIEF ADMINISTRATIVE LAW JUDGE OF THE OFFICE OF ADMINISTRATIVE HEARINGS;

B. THE CHAIR OF THE STATE ETHICS COMMISSION; AND

C. THE COCHAIRS OF THE JOINT COMMITTEE ON
LEGISLATIVE ETHICS; AND

2. NO LATER THAN 10 DAYS AFTER RECEIPT OF THE LIST
SUBMITTED BY THE COMMISSION TO THE ENTITIES DESIGNATED UNDER ITEM 1 OF
THIS SUBPARAGRAPH, THE ENTITIES SHALL SELECT THE NINTH MEMBER AND
CHAIR OF THE COMMISSION”.

AMENDMENT NO. 3

On page 3, strike lines 14 through 20, inclusive; after line 20, insert:

“8-6A-04.

(A) EACH MEMBER OF THE COMMISSION:

(1) (I) SHALL BE A VOTER WHO, FOR 5 OR MORE YEARS
IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL’S APPOINTMENT, HAS
BEEN REGISTERED CONTINUOUSLY IN THE STATE WITH THE SAME POLITICAL PARTY
OR HAS BEEN UNAFFILIATED WITH A POLITICAL PARTY AND HAS NOT CHANGED
POLITICAL PARTY AFFILIATION; AND

(II) IN THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF
THE INDIVIDUAL’S APPOINTMENT, HAS VOTED IN AT LEAST TWO ELECTIONS; AND

(2) (I) MAY NOT HAVE BEEN A CANDIDATE FOR ELECTION TO OR
SERVED AS GOVERNOR, AS A MEMBER OF THE GENERAL ASSEMBLY, OR AS A
REPRESENTATIVE OF THE UNITED STATES CONGRESS FROM THIS STATE DURING
THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL’S
APPOINTMENT, OR BE AN IMMEDIATE FAMILY MEMBER ESTABLISHED THROUGH
BLOOD OR LEGAL RELATION OF SUCH CANDIDATE OR MEMBER;

(II) MAY NOT BE A REGULATED LOBBYIST IN THIS STATE, AS
DESCRIBED IN § 5-702(A) OF THE GENERAL PROVISIONS ARTICLE, REGISTERED AS
A LOBBYIST BEFORE A COUNTY OR MUNICIPAL GOVERNMENT IN THE STATE, OR
REGISTERED AS A LOBBYIST BEFORE THE FEDERAL GOVERNMENT;

(III) MAY NOT BE OR HAVE SERVED AS STAFF OR A CONSULTANT TO A PERSON UNDER A CONTRACT WITH, OR ANY PERSON WITH AN IMMEDIATE FAMILY RELATIONSHIP THROUGH BLOOD OR LEGAL RELATION TO, THE GOVERNOR, A MEMBER OF THE GENERAL ASSEMBLY, OR A MEMBER OF THE UNITED STATES CONGRESS FROM THIS STATE;

(IV) MAY NOT HOLD AN APPOINTIVE OFFICE IN THE EXECUTIVE BRANCH OR LEGISLATIVE BRANCH OF THE FEDERAL, STATE, OR A LOCAL GOVERNMENT; AND

(V) MAY NOT HAVE MADE A CONTRIBUTION OF \$2,000 OR MORE TO A POLITICAL COMMITTEE FOR ELECTORAL PURPOSES FOR A CONGRESSIONAL, STATE, OR LOCAL GOVERNMENT ELECTION IN THE STATE IN ANY YEAR, WHICH AMOUNT SHALL BE ADJUSTED EVERY 10 YEARS BY THE CUMULATIVE CHANGE IN THE MARYLAND CONSUMER PRICE INDEX OR ITS SUCCESSOR.

(B) THE TERM OF OFFICE OF EACH MEMBER OF THE COMMISSION EXPIRES ON THE APPOINTMENT OF THE FIRST MEMBER OF THE SUCCEEDING COMMISSION.

(C) (1) SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE A QUORUM.

(2) EXCEPT AS PROVIDED IN § 8-6A-03(B)(3) OF THIS SUBTITLE, SIX OR MORE AFFIRMATIVE VOTES OF THE COMMISSION SHALL BE REQUIRED FOR ANY OFFICIAL ACTION, INCLUDING ANY FINAL PROPOSED MAPS AND PLANS FOR CONGRESSIONAL DISTRICTS ADOPTED BY THE COMMISSION.

8-6A-05.

(A) (1) IN THE EVENT OF SUBSTANTIAL NEGLECT OF DUTY, GROSS MISCONDUCT IN OFFICE, OR INABILITY TO DISCHARGE THE DUTIES OF OFFICE, A MEMBER OF THE COMMISSION MAY BE REMOVED BY THE GOVERNOR WITH THE CONCURRENCE OF THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY AFTER HAVING BEEN SERVED WRITTEN NOTICE AND PROVIDED WITH AN OPPORTUNITY FOR A RESPONSE.

(2) A FINDING OF SUBSTANTIAL NEGLECT OF DUTY OR GROSS MISCONDUCT IN OFFICE MAY RESULT IN REFERRAL TO THE ATTORNEY GENERAL FOR CRIMINAL PROSECUTION OR THE APPROPRIATE ADMINISTRATIVE AGENCY FOR INVESTIGATION.

(B) A VACANCY, WHETHER CREATED BY REMOVAL, RESIGNATION, OR ABSENCE, IN A COMMISSION POSITION SHALL BE FILLED BY THE APPOINTING AUTHORITY FOR THAT MEMBER WITHIN 30 DAYS AFTER THE VACANCY OCCURS.

8-6A-06.

(A) (1) THE ACTIVITIES OF THE COMMISSION ARE SUBJECT TO APPLICABLE STATE LAW GOVERNING OPEN MEETINGS AND ACCESS TO PUBLIC INFORMATION.

(2) THE COMMISSION SHALL PROVIDE NOT LESS THAN 14 DAYS' PUBLIC NOTICE FOR EACH MEETING.

(B) (1) THE COMMISSION SHALL ESTABLISH AND IMPLEMENT AN OPEN HEARING PROCESS FOR PUBLIC INPUT AND DELIBERATION THAT IS DESIGNED TO ENCOURAGE CITIZEN OUTREACH AND SOLICIT BROAD PUBLIC PARTICIPATION IN THE REDISTRICTING PUBLIC REVIEW PROCESS.

(2) (I) 1. THE HEARING PROCESS SHALL INCLUDE HEARINGS TO RECEIVE PUBLIC INPUT BEFORE THE COMMISSION DRAWS ANY MAPS AND AT LEAST ONE HEARING FOLLOWING THE DRAWING AND DISPLAY OF ANY COMMISSION MAPS.

2. HEARINGS SHALL BE SUPPLEMENTED WITH OTHER ACTIVITIES AS APPROPRIATE TO FURTHER INCREASE OPPORTUNITIES FOR THE PUBLIC TO OBSERVE AND PARTICIPATE IN THE REVIEW PROCESS.

(II) THE COMMISSION SHALL:

1. DISPLAY THE MAPS FOR PUBLIC COMMENT IN A MANNER DESIGNED TO ACHIEVE THE WIDEST PUBLIC ACCESS REASONABLY POSSIBLE; AND

2. TAKE PUBLIC COMMENT FOR AT LEAST 14 DAYS FROM THE DATE OF PUBLIC DISPLAY OF ANY MAP.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, COMMISSION MEMBERS AND STAFF MAY NOT COMMUNICATE WITH OR RECEIVE COMMUNICATIONS ABOUT REDISTRICTING MATTERS FROM ANYONE OUTSIDE A PUBLIC HEARING.

(2) COMMUNICATION BETWEEN COMMISSION MEMBERS, STAFF, LEGAL COUNSEL, AND CONSULTANTS RETAINED BY THE COMMISSION IS ALLOWED.”;

in lines 21, 24, and 28, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 27, strike “8-6A-05” and substitute “8-6A-08”; and in line 30, strike “8-6A-04.”.

AMENDMENT NO. 4

On page 4, strike in their entirety lines 1 through 8, inclusive, and substitute:

“8-6A-07.

(A) THE COMMISSION SHALL CONVENE ITS FIRST MEETING ON OR BEFORE MARCH 1 OF THE YEAR FOLLOWING EACH DECENNIAL CENSUS.

(B) (1) AT ITS FIRST MEETING, OR ON OR BEFORE 30 DAYS AFTER THE COMMISSION RECEIVES ADJUSTED CENSUS DATA FROM THE DEPARTMENT, WHICHEVER IS LATER, THE COMMISSION SHALL COMMENCE A SERIES OF PUBLIC HEARINGS TO RECEIVE PUBLIC TESTIMONY CONCERNING A REDISTRICTING PLAN.

(2) (I) ON OR BEFORE JULY 1 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL HOLD AT LEAST SIX HEARINGS THROUGHOUT THE STATE.

(II) THE HEARINGS REQUIRED UNDER THIS PARAGRAPH SHALL BE HELD AT TIMES THAT ARE LIKELY TO MAXIMIZE PUBLIC PARTICIPATION AND IN LOCATIONS THAT ENCOMPASS THE GEOGRAPHIC, RACIAL, AND ETHNIC DIVERSITY OF THE STATE.

(III) THE COMMISSION SHALL CONDUCT AN OPEN AND TRANSPARENT PROCESS ENABLING FULL PUBLIC CONSIDERATION OF AND COMMENT ON THE DRAWING OF DISTRICT LINES.

(3) FOLLOWING THE CONCLUSION OF THE PUBLIC HEARINGS REQUIRED UNDER SUBPARAGRAPH (2) OF THIS SUBSECTION, BUT NO LATER THAN SEPTEMBER 30 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL PREPARE AND ADOPT A DISTRICTING PLAN AND MAP FOR CONGRESSIONAL DISTRICTS.

(4) ON OR BEFORE OCTOBER 30 OF THE YEAR THAT THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL:

(I) PUBLISH THE PROPOSED FINAL DISTRICTING PLAN AND MAP ON THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES;

(II) ISSUE WITH THE PROPOSED FINAL DISTRICTING PLAN AND MAP A REPORT THAT:

1. EXPLAINS THE BASIS ON WHICH THE COMMISSION MADE THE DECISIONS IN COMPLIANCE WITH THE CRITERIA REQUIRED UNDER THIS SUBTITLE; AND

2. INCLUDES DEFINITIONS OF THE TERMS AND STANDARDS THE COMMISSION USED IN PREPARING THE PROPOSED FINAL DISTRICTING PLAN AND MAP; AND

(III) 1. HOLD AT LEAST ONE PUBLIC HEARING ON THE PROPOSED FINAL DISTRICTING PLAN AND MAP TO RECEIVE PUBLIC TESTIMONY; AND

2. ALLOW THE PUBLIC TO SUBMIT COMMENTS TO THE COMMISSION THROUGH THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES CONCERNING THE PROPOSED FINAL DISTRICTING PLAN AND MAP.

(5) ON OR BEFORE THE SECOND TUESDAY IN NOVEMBER OF THE YEAR THE COMMISSION RECEIVES THE ADJUSTED CENSUS DATA FROM THE DEPARTMENT, THE COMMISSION SHALL PUBLISH A FINAL CONGRESSIONAL DISTRICTING PLAN AND MAP ON THE WEB SITE OF THE DEPARTMENT OF LEGISLATIVE SERVICES.”;

in line 9, strike “(B)” and substitute “(C)”; strike in their entirety lines 11 through 29, inclusive, and substitute:

“(2) EACH CONGRESSIONAL DISTRICT SHALL:

(I) COMPLY WITH THE UNITED STATES CONSTITUTION;

(II) COMPLY WITH THE FEDERAL VOTING RIGHTS ACT;

(III) BE EQUAL IN POPULATION, EXCEPT WHERE DEVIATION IS REQUIRED TO COMPLY WITH THE FEDERAL VOTING RIGHTS ACT (42 U.S.C. SEC. 1971 AND FOLLOWING) OR IS ALLOWABLE BY LAW;

(IV) WITHOUT VIOLATING THE REQUIREMENTS OF THIS SECTION, RESPECT THE GEOGRAPHIC INTEGRITY OF ANY MUNICIPAL CORPORATION OR COUNTY, TO THE EXTENT POSSIBLE;

(V) BE GEOGRAPHICALLY CONTIGUOUS; AND

(VI) TO THE EXTENT PRACTICABLE, AND IF IT DOES NOT CONFLICT WITH THE CRITERIA SPECIFIED IN ITEMS (I) THROUGH (V) OF THIS PARAGRAPH, BE DRAWN TO ENCOURAGE GEOGRAPHIC COMPACTNESS.

(D) (1) A CONGRESSIONAL DISTRICT MAY NOT BE DRAWN FOR THE PURPOSE OF FAVORING A POLITICAL PARTY, AN ELECTED OFFICIAL, OR ANY OTHER

PERSON OR GROUP, OR FOR THE PURPOSE OF AUGMENTING OR DILUTING THE VOTING STRENGTH OF A LANGUAGE OR RACIAL MINORITY GROUP.

(2) IN ESTABLISHING DISTRICTS, NO USE SHALL BE MADE OF ADDRESSES OF ELECTED OFFICIALS, POLITICAL AFFILIATIONS OF REGISTERED VOTERS, POLLING DATA, PROPOSED DISTRICTING MAPS PREPARED BY PERSONS NOT EMPLOYED BY THE DEPARTMENT, AND DEMOGRAPHIC INFORMATION, OTHER THAN POPULATION HEAD COUNTS, EXCEPT AS REQUIRED BY THE CONSTITUTION OR LAWS OF THE UNITED STATES.”;

in line 30, strike “(3)” and substitute “(E)”; and in line 32, strike “(4)” and substitute “(F)”.

AMENDMENT NO. 5

On page 5, in lines 1 and 11, strike “8-6A-05.” and “8-6A-06.”, respectively, and substitute “8-6A-08.” and “8-6A-09.”, respectively; in line 3, strike “§ 8-6A-04” and substitute “§ 8-6A-07”; in line 17, strike “TITLE” and substitute “SUBTITLE AND THE CRITERIA REQUIRED UNDER § 8-6A-07(C), (D), AND (F) OF THIS SUBTITLE”; in line 19, strike “A PROCESS” and substitute “THE DISTRICTING PLAN FOR A STATE”; in line 23, after “COMMISSION” insert “THAT USES A PROCESS AND CRITERIA, AS SPECIFIED UNDER SUBSECTION (A) OF THIS SECTION, TO ESTABLISH CONGRESSIONAL DISTRICTS”; in line 24, after “(2)” insert “(I) THE REDISTRICTING PLAN DEVELOPED AND PROPOSED BY AN INDEPENDENT REDISTRICTING COMMISSION IN THAT STATE BECOMES EFFECTIVE ON THE FILING OF THE PLAN WITH THE CHIEF ELECTION OFFICIAL IN THAT STATE; OR

(II) NOTWITHSTANDING THAT”;

in the same line, after “LEGISLATURE” insert “IN THAT STATE”; in line 25, strike “BUT” and substitute “THE LEGISLATURE IN THAT STATE”; in line 32, after the second “and” insert “, after consultation with the Attorney General,”; in line 33, strike “If” and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That if”; and in the same line, after the second “contingency” insert “described under Section 2 of this Act”.

On page 6, in lines 2 and 3, strike “shall be null and void without the necessity of further action by the General Assembly” and substitute “:

(a) may not be applied to the districting process for representatives from Maryland in the United States House of Representatives resulting from the 2020 decennial census; and

(b) the districting process for representatives from Maryland in the United States House of Representatives resulting from the 2020 decennial census set forth under the Maryland Constitution and provisions of Maryland law in effect on January 1, 2021, shall apply.

SECTION 4. AND BE IT FURTHER ENACTED, That if the Department of Legislative Services does not receive notice from the Secretary of State on or before December 31, 2032, that the contingency described in Section 2 of this Act is met, this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That the Secretary of State is directed to send copies of this Act to the presiding officers of both Houses of the legislature of each of the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina in the mid-Atlantic region, with the request that it be circulated among leaders in the legislative branches of those state governments; and with the further request that each of the states of New York, New Jersey, Pennsylvania, Virginia, and North Carolina in the mid-Atlantic region join the State of Maryland in the enactment of a nonpartisan districting process for representatives in the United States House of Representatives in the mid-Atlantic region”; in line 4, strike “3.” and substitute “6.”; and in the same line, strike “Section 2” and substitute “Sections 2, 3, and 4”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted by roll call vote as follows:

Affirmative – 30 Negative – 15 (See Roll Call No. 761)

FLOOR AMENDMENT

SB1023/643522/1

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 1023, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

Strike the Education, Health, and Environmental Affairs Committee Amendments (SB1023/294532/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, strike lines 2 and 3, inclusive, and substitute:

“Redistricting Reform Act of 2017”;

strike beginning with “requiring” in line 4 down through “compact” in line 20, inclusive, and substitute “creating the Congressional Legislative Redistricting and Apportionment Commission; requiring the Commission to divide the State to create certain congressional districts; establishing exclusive and original jurisdiction for the Court of Appeals to congressional districts under certain circumstances; providing for the membership, qualifications, and duties of the Commission; specifying certain requirements for the adoption of redistricting plans by the Commission; specifying that the redistricting plans meet certain standards and requirements; prohibiting the Commission from considering certain factors in adopting redistricting plans; requiring the Secretary of State to submit the Commission’s final certified map and plan for congressional districts to the presiding officers of the General Assembly; requiring the presiding officers to introduce separate bills for the congressional districts; specifying that the maps and plans become law only on adoption by two-thirds of the members of each house of the General Assembly; providing that the Commission shall submit an alternative map and plan if the General Assembly fails to adopt a previously submitted map and plan; requiring the Legislative Auditor to establish and administer an application process for individuals seeking appointment to the Commission; prohibiting certain individuals from serving as a member of the Commission; authorizing the Legislative Auditor to disqualify certain applicants seeking membership on the Commission; requiring the Legislative Auditor to establish an Applicant Review Panel to identify and establish certain applicant pools from which certain members of the Commission are to be selected; requiring the Legislative Auditor to select at random a certain number of names from the applicant pools for membership on the Commission; requiring the Commission to elect a chair and establish certain rules and procedures; making Commission meetings and records subject to State laws governing open meetings and public records; providing that the maps and plans drawn by the Commission are final and subject to review by the Court of Appeals; authorizing certain persons to petition the Court of Appeals to challenge or to establish congressional districts under certain circumstances; requiring the Court of Appeals to establish the boundaries of congressional districts or grant other relief under certain circumstances; specifying that the Commission shall have certain staff and other resources; requiring the Governor to include certain funds for the Commission in the State budget; defining certain terms; providing for the effective

date of this Act; providing for the termination of certain provisions of this Act under certain circumstances; and generally relating to the Congressional Legislative Redistricting and Apportionment Commission";

in line 23, strike "8-6A-01 through 8-6A-06" and substitute "8-7A-01 through 8-7A-14"; in the same line, strike "6A." and substitute "7A."; and in line 24, strike "Congressional Districting Process" and substitute "Congressional Legislative Redistricting and Apportionment Commission".

AMENDMENT NO. 3

On page 2 of the bill, strike in its entirety line 4 and substitute:

"SUBTITLE 7A. CONGRESSIONAL LEGISLATIVE REDISTRICTING AND
APPORTIONMENT COMMISSION.";

and strike beginning with line 5 on page 2 down through line 3 on page 6, inclusive, and substitute:

"8-7A-01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "COMMISSION" MEANS THE CONGRESSIONAL LEGISLATIVE REDISTRICTING AND APPORTIONMENT COMMISSION.

(C) "DAY" MEANS A CALENDAR DAY, EXCEPT THAT IF THE FINAL DAY OF A PERIOD WITHIN WHICH AN ACT IS TO BE PERFORMED IS A SATURDAY, SUNDAY, OR HOLIDAY, THE PERIOD IS EXTENDED TO THE NEXT DAY THAT IS NOT A SATURDAY, SUNDAY, OR HOLIDAY.

(D) "PANEL" MEANS THE APPLICANT REVIEW PANEL.

(E) "QUALIFIED INDEPENDENT AUDITOR" MEANS AN AUDITOR WHO IS CURRENTLY LICENSED BY THE STATE AND HAS BEEN A PRACTICING INDEPENDENT AUDITOR FOR AT LEAST 10 YEARS BEFORE APPOINTMENT TO THE APPLICANT REVIEW PANEL.

8-7A-02.

IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DISTRICTS FOR THE STATE'S REPRESENTATIVES IN THE UNITED STATES CONGRESS MAY NOT BE DRAWN FOR THE PURPOSE OF FAVORING OR DISCRIMINATING AGAINST AN INCUMBENT OFFICEHOLDER, A CANDIDATE, OR A POLITICAL PARTY.

8-7A-03.

(A) IN THE YEAR FOLLOWING THE YEAR IN WHICH THE NATIONAL CENSUS IS TAKEN UNDER THE DIRECTION OF CONGRESS AT THE BEGINNING OF EACH DECADE, THE COMMISSION SHALL ADJUST THE BOUNDARY LINES OF CONGRESSIONAL DISTRICTS IN CONFORMANCE WITH THE FOLLOWING STANDARDS AND PROCESS:

(1) EACH MEMBER OF CONGRESS SHALL BE ELECTED FROM A SINGLE-MEMBER DISTRICT;

(2) THE POPULATION OF ALL CONGRESSIONAL DISTRICTS SHALL BE EQUAL, TO THE GREATEST EXTENT PRACTICABLE; AND

(3) CONGRESSIONAL DISTRICTS SHALL COMPLY WITH THE REQUIREMENTS OF § 8-7A-05(A) OF THIS SUBTITLE.

(B) (1) FOLLOWING THE CRITERIA SPECIFIED UNDER SUBSECTION (A) OF THIS SECTION, THE COMMISSION SHALL ADJUST THE BOUNDARY LINES ACCORDING TO THE CRITERIA SET FORTH AND PRIORITIZED IN THIS SUBTITLE.

(2) THE COMMISSION SHALL ISSUE WITH ITS FINAL MAPS A REPORT THAT:

(I) EXPLAINS THE BASIS ON WHICH THE COMMISSION MADE THE DECISIONS IN ACHIEVING COMPLIANCE WITH THE CRITERIA; AND

(II) INCLUDES DEFINITIONS OF THE TERMS AND STANDARDS USED IN DRAWING THE FINAL MAPS.

(C) CONGRESSIONAL DISTRICTS SHALL BE NUMBERED CONSECUTIVELY COMMENCING AT THE NORTHWESTERN BOUNDARY OF THE STATE AND ENDING AT THE SOUTHEASTERN BOUNDARY.

(D) IN DEVELOPING THE MAPS, THE COMMISSION SHALL:

(1) HOLD PUBLIC HEARINGS;

(2) PROVIDE ACCESS TO REDISTRICTING DATA AND SOFTWARE; AND

(3) OTHERWISE ENSURE FULL PUBLIC PARTICIPATION IN THE REDISTRICTING PROCESS.

8-7A-04.

(A) THE COMMISSION SHALL:

(1) CONDUCT AN OPEN AND TRANSPARENT PROCESS ENABLING FULL PUBLIC CONSIDERATION OF AND COMMENT ON THE DRAWING OF DISTRICT LINES;

(2) DRAW CONGRESSIONAL DISTRICT LINES ACCORDING TO THE REDISTRICTING CRITERIA SPECIFIED IN THIS SUBTITLE; AND

(3) CONDUCT ITS BUSINESS WITH INTEGRITY AND FAIRNESS.

(B) (1) THE SELECTION PROCESS FOR THE COMMISSION IS DESIGNED TO PRODUCE A COMMISSION THAT IS INDEPENDENT FROM LEGISLATIVE INFLUENCE AND REASONABLY REPRESENTATIVE OF THE STATE'S DIVERSITY.

(2) THE COMMISSION SHALL CONSIST OF THE FOLLOWING NINE MEMBERS:

(I) THREE MEMBERS REGISTERED WITH THE POLITICAL PARTY THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;

(II) THREE MEMBERS REGISTERED WITH THE POLITICAL PARTY THAT HAS THE SECOND–HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE; AND

(III) THREE MEMBERS NOT REGISTERED WITH EITHER OF THE TWO POLITICAL PARTIES THAT HAVE THE HIGHEST AND SECOND–HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE.

(3) EACH MEMBER OF THE COMMISSION:

(I) SHALL BE A VOTER WHO, FOR 5 OR MORE YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL’S APPOINTMENT, HAS BEEN REGISTERED CONTINUOUSLY IN THE STATE WITH THE SAME POLITICAL PARTY OR HAS BEEN UNAFFILIATED WITH A POLITICAL PARTY AND HAS NOT CHANGED POLITICAL PARTY AFFILIATION; AND

(II) 1. MAY NOT HAVE BEEN A CANDIDATE FOR ELECTION TO OR SERVED AS GOVERNOR, A MEMBER OF THE GENERAL ASSEMBLY OR OF THE UNITED STATES CONGRESS FROM THIS STATE DURING THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL’S APPOINTMENT, OR AN IMMEDIATE FAMILY MEMBER ESTABLISHED THROUGH BLOOD OR LEGAL RELATION OF SUCH CANDIDATE OR MEMBER;

2. MAY NOT BE A REGULATED LOBBYIST IN THIS STATE; AND

3. MAY NOT BE OR HAVE SERVED AS STAFF OR A CONSULTANT TO A PERSON UNDER A CONTRACT WITH, OR ANY PERSON WITH AN IMMEDIATE FAMILY RELATIONSHIP THROUGH BLOOD OR LEGAL RELATION TO, THE GOVERNOR, A MEMBER OF THE GENERAL ASSEMBLY, OR A MEMBER OF CONGRESS FROM THIS STATE.

(4) THE TERM OF OFFICE OF EACH MEMBER OF THE COMMISSION EXPIRES ON THE APPOINTMENT OF THE FIRST MEMBER OF THE SUCCEEDING COMMISSION.

(5) (I) SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE A QUORUM.

(II) SIX OR MORE AFFIRMATIVE VOTES OF THE COMMISSION SHALL BE REQUIRED FOR ANY OFFICIAL ACTION, INCLUDING ANY FINAL PROPOSED MAPS AND PLANS FOR GENERAL ASSEMBLY LEGISLATIVE DISTRICTS OR CONGRESSIONAL DISTRICTS ADOPTED BY THE COMMISSION.

(6) EACH MEMBER OF THE COMMISSION SHALL:

(I) APPLY THE PROVISIONS OF THIS SUBTITLE IN A MANNER THAT IS IMPARTIAL AND THAT REINFORCES PUBLIC CONFIDENCE IN THE INTEGRITY OF THE REDISTRICTING PROCESS; AND

(II) BE INELIGIBLE FOR A PERIOD OF 5 YEARS BEGINNING FROM THE DATE OF APPOINTMENT:

1. TO HOLD APPOINTIVE FEDERAL, STATE, OR LOCAL PUBLIC OFFICE;

2. TO SERVE AS PAID STAFF FOR THE GENERAL ASSEMBLY OR ANY INDIVIDUAL LEGISLATOR; OR

3. TO REGISTER AS A FEDERAL, STATE, COUNTY, OR MUNICIPAL LOBBYIST IN THE STATE.

8-7A-05.

(A) EACH CONGRESSIONAL DISTRICT SHALL:

(1) COMPLY WITH THE UNITED STATES CONSTITUTION;

(2) COMPLY WITH THE FEDERAL VOTING RIGHTS ACT;

(3) BE EQUAL IN POPULATION, EXCEPT WHERE DEVIATION IS REQUIRED TO COMPLY WITH THE FEDERAL VOTING RIGHTS ACT (42 U.S.C. SEC. 1971 AND FOLLOWING) OR IS ALLOWABLE BY LAW;

(4) WITHOUT VIOLATING THE REQUIREMENTS OF THIS SECTION, RESPECT THE GEOGRAPHIC INTEGRITY OF ANY MUNICIPAL CORPORATION OR COUNTY, TO THE EXTENT POSSIBLE;

(5) BE GEOGRAPHICALLY CONTIGUOUS; AND

(6) TO THE EXTENT PRACTICABLE, AND IF IT DOES NOT CONFLICT WITH THE CRITERIA SPECIFIED IN ITEMS (1) THROUGH (5) OF THIS PARAGRAPH, BE DRAWN TO ENCOURAGE GEOGRAPHIC COMPACTNESS SO THAT NEARBY AREAS OF POPULATION ARE NOT BYPASSED FOR MORE DISTANT POPULATION.

(B) THE PLACE OF RESIDENCE OF AN INCUMBENT OFFICEHOLDER OR THE CANDIDATE FOR A POLITICAL PARTY OR OF ANY OTHER INDIVIDUAL MAY NOT BE CONSIDERED IN THE CREATION OF A MAP.

(C) BY SEPTEMBER 15 OF EACH YEAR ENDING IN THE NUMBER ONE, THE COMMISSION SHALL APPROVE A FINAL MAP THAT SEPARATELY SETS FORTH THE DISTRICT BOUNDARY LINES FOR THE MEMBERS OF THE UNITED STATES CONGRESS OF THIS STATE.

(D) (1) THE COMMISSION SHALL ISSUE WITH EACH FINAL MAP A REPORT THAT:

(I) EXPLAINS THE BASIS ON WHICH THE COMMISSION MADE ITS DECISIONS TO ACHIEVE COMPLIANCE WITH THE CRITERIA SPECIFIED UNDER THIS SUBTITLE; AND

(II) INCLUDES DEFINITIONS OF THE TERMS AND STANDARDS USED IN DRAWING EACH FINAL MAP.

(2) ON ADOPTION, THE COMMISSION SHALL SUBMIT ITS CERTIFIED FINAL MAPS AND PLANS TO THE SECRETARY OF STATE.

8-7A-06.

(A) THE COMMISSION:

(1) HAS THE SOLE LEGAL STANDING TO DEFEND ANY ACTION REGARDING A CERTIFIED FINAL MAP AND PLAN; AND

(2) SHALL INFORM THE GENERAL ASSEMBLY IF THE COMMISSION DETERMINES THAT FUNDS OR OTHER RESOURCES PROVIDED FOR THE OPERATION OF THE COMMISSION ARE NOT ADEQUATE.

(B) THE GENERAL ASSEMBLY SHALL PROVIDE ADEQUATE FUNDING TO DEFEND ANY ACTION REGARDING A CERTIFIED FINAL MAP AND PLAN.

8-7A-07.

(A) THE SECRETARY OF STATE SHALL FORWARD CERTIFIED FINAL MAPS AND PLANS SUBMITTED BY THE COMMISSION TO THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY FOR THE INTRODUCTION BY THE PRESIDING OFFICERS OF A SEPARATE BILL CONTAINING THE CONGRESSIONAL DISTRICT PLAN.

(B) (1) A FINAL CERTIFIED MAP AND PLAN INTRODUCED BY THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY MAY NOT BE AMENDED.

(2) A MEMBER OF THE GENERAL ASSEMBLY MAY NOT INTRODUCE A BILL CONTAINING A CONGRESSIONAL DISTRICT PLAN THAT IS DIFFERENT THAN THE CERTIFIED FINAL MAP AND PLANS PROPOSED BY THE COMMISSION AND INTRODUCED BY THE PRESIDING OFFICERS.

(C) (1) THE GENERAL ASSEMBLY MAY APPROVE OR REJECT A BILL FOR A CONGRESSIONAL DISTRICT MAP AND PLAN AS PROVIDED IN THIS SUBSECTION.

(2) (I) 1. TO ADOPT A MAP AND PLAN, EACH HOUSE OF THE GENERAL ASSEMBLY SHALL PASS THE BILL BY A VOTE OF THREE-FIFTHS OF THE MEMBERS OF THAT HOUSE.

2. ON PASSAGE BY THE GENERAL ASSEMBLY, THE BILL SHALL BE PRESENTED TO THE GOVERNOR FOR SIGNATURE OR VETO.

(II) 1. IF THE GOVERNOR VETOES THE BILL AND THE GENERAL ASSEMBLY OVERRIDES THE VETO, THE BILL SHALL BECOME LAW, IN ACCORDANCE WITH ARTICLE II, § 17 OF THE MARYLAND CONSTITUTION.

2. IF THE GOVERNOR VETOES THE BILL AND THE GENERAL ASSEMBLY FAILS TO OVERRIDE THE VETO, IN ACCORDANCE WITH ARTICLE II, § 17 OF THE MARYLAND CONSTITUTION, THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY SHALL RETURN THE BILL, TOGETHER WITH RECOMMENDATIONS, IF ANY, TO THE COMMISSION AND REQUEST THAT THE COMMISSION PROPOSE AN ALTERNATIVE MAP AND PLAN.

(3) (I) IF THE GENERAL ASSEMBLY FAILS TO PASS THE BILL FOR A MAP AND PLAN ON THE VOTE OF THREE-FIFTHS OF THE MEMBERS OF EITHER OR BOTH HOUSES OF THE GENERAL ASSEMBLY, THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY SHALL RETURN THE BILL, TOGETHER WITH THE RECOMMENDATIONS OF THE GENERAL ASSEMBLY, IF ANY, TO THE COMMISSION AND REQUEST THAT THE COMMISSION PROPOSE AN ALTERNATIVE MAP AND PLAN.

(II) IF THE GENERAL ASSEMBLY FAILS TO PASS BY A THREE-FIFTHS VOTE OF EACH HOUSE THE BILL FOR AN ALTERNATIVE MAP AND PLAN SUBMITTED BY THE COMMISSION OR IF THE BILL IS VETOED BY THE GOVERNOR AND NOT OVERRIDDEN BY THE GENERAL ASSEMBLY, THE COURT OF APPEALS SHALL ESTABLISH THE MAP AND PLAN FOR CONGRESSIONAL DISTRICTS IN ACCORDANCE WITH § 8-7A-08 OF THIS SUBTITLE.

8-7A-08.

(A) THE COURT OF APPEALS HAS ORIGINAL AND EXCLUSIVE JURISDICTION IN ALL PROCEEDINGS IN WHICH A CERTIFIED FINAL MAP AND PLAN IS CHALLENGED.

(B) (1) ON THE ENACTMENT OF A BILL ESTABLISHING CONGRESSIONAL DISTRICTS IN ACCORDANCE WITH § 8-7A-07 OF THIS SUBTITLE, ANY REGISTERED VOTER IN THE STATE MAY FILE A PETITION FOR A WRIT OF MANDAMUS OR A WRIT OF PROHIBITION WITH THE COURT OF APPEALS TO BAR THE MAP AND PLAN FROM TAKING EFFECT ON THE GROUNDS THAT THE MAP AND PLAN VIOLATES THE MARYLAND CONSTITUTION, THE UNITED STATES CONSTITUTION, OR A FEDERAL OR STATE STATUTE.

(2) IF THE COURT OF APPEALS DETERMINES THAT A FINAL MAP AND PLAN IN A BILL ESTABLISHING CONGRESSIONAL DISTRICTS VIOLATES THE MARYLAND CONSTITUTION, THE UNITED STATES CONSTITUTION, OR A FEDERAL OR STATE STATUTE, THE COURT OF APPEALS SHALL ISSUE THE RELIEF THAT IT DEEMS APPROPRIATE.

(C) (1) IF THE GENERAL ASSEMBLY FAILS TO PASS BY A THREE-FIFTHS VOTE OF EACH HOUSE THE BILL FOR AN ALTERNATIVE MAP AND PLAN SUBMITTED BY THE COMMISSION TO ESTABLISH CONGRESSIONAL DISTRICTS OR IF THE BILL IS VETOED BY THE GOVERNOR AND NOT OVERRIDDEN BY THE GENERAL ASSEMBLY, THE COMMISSION SHALL FILE A PETITION WITH THE COURT OF APPEALS TO REVIEW THE MAP AND PLAN AND ESTABLISH THE DISTRICTS.

(2) ON APPROVAL OF THE COURT OF APPEALS, ANY REGISTERED VOTER OF THE STATE MAY BECOME A PARTY TO THE PROCEEDING.

(D) THE COURT OF APPEALS SHALL GIVE PRIORITY TO RULING ON A PETITION FILED UNDER THIS SECTION.

8-7A-09.

TO AMEND THIS SUBTITLE, THE GENERAL ASSEMBLY SHALL ENSURE THAT ALL THE FOLLOWING CRITERIA ARE MET:

(1) BY THE SAME VOTE REQUIRED FOR THE ADOPTION OF THE FINAL SET OF MAPS AND PLANS PROPOSED BY THE COMMISSION UNDER § 8-7A-04(B)(5)

OF THIS SUBTITLE, THE COMMISSION RECOMMENDS AMENDMENTS TO THIS SUBTITLE TO CARRY OUT THE PURPOSE AND INTENT OF THE COMMISSION;

(2) ANY AMENDMENT PROPOSED BY THE COMMISSION IS ENACTED AS A STATUTE APPROVED BY A TWO-THIRDS VOTE OF EACH HOUSE OF THE GENERAL ASSEMBLY AND SIGNED BY THE GOVERNOR;

(3) THE BILL CONTAINING ANY AMENDMENTS PROPOSED BY THE COMMISSION IS IN PRINT FOR AT LEAST 10 DAYS BEFORE FINAL PASSAGE BY THE GENERAL ASSEMBLY;

(4) THE AMENDMENT FURTHERS THE PURPOSES OF THIS SUBTITLE;
AND

(5) THE AMENDMENT IS NOT PASSED BY THE GENERAL ASSEMBLY IN A YEAR ENDING IN THE NUMBER ZERO OR THE NUMBER ONE.

8-7A-10.

(A) (1) IN EACH YEAR ENDING IN THE NUMBER ZERO, THE LEGISLATIVE AUDITOR SHALL INITIATE AN APPLICATION PROCESS THAT IS OPEN TO ALL REGISTERED VOTERS IN THE STATE IN A MANNER THAT PROMOTES A DIVERSE AND QUALIFIED APPLICANT POOL FOR MEMBERSHIP ON THE COMMISSION.

(2) THE LEGISLATIVE AUDITOR SHALL REMOVE FROM THE APPLICANT POOL INDIVIDUALS WITH CONFLICTS OF INTEREST, INCLUDING, WITHIN THE 5 YEARS IMMEDIATELY PRECEDING THE DATE OF APPLICATION, AN APPLICANT, OR A MEMBER OF THE APPLICANT'S IMMEDIATE FAMILY, WHO HAS DONE ANY OF THE FOLLOWING:

(I) BEEN APPOINTED TO, BEEN ELECTED TO, OR BEEN A CANDIDATE FOR FEDERAL OR STATE OFFICE;

(II) SERVED AS AN OFFICER, AN EMPLOYEE, OR A PAID CONSULTANT OF A POLITICAL PARTY OR OF THE POLITICAL COMMITTEE OF A CANDIDATE FOR ELECTIVE FEDERAL OR STATE OFFICE;

(III) SERVED AS AN ELECTED OR APPOINTED MEMBER OF A POLITICAL PARTY CENTRAL COMMITTEE;

(IV) BEEN A REGISTERED LOBBYIST FOR THE FEDERAL, STATE, OR LOCAL GOVERNMENT;

(V) SERVED AS PAID GUBERNATORIAL, CONGRESSIONAL, OR GENERAL ASSEMBLY STAFF; OR

(VI) CONTRIBUTED \$2,000 OR MORE TO ANY CANDIDATE FOR ELECTION TO A CONGRESSIONAL, STATE, OR LOCAL PUBLIC OFFICE IN ANY YEAR, WHICH AMOUNT SHALL BE ADJUSTED EVERY 10 YEARS BY THE CUMULATIVE CHANGE IN THE MARYLAND CONSUMER PRICE INDEX OR ITS SUCCESSOR.

(B) (1) THE LEGISLATIVE AUDITOR SHALL:

(I) ESTABLISH AN APPLICANT REVIEW PANEL CONSISTING OF THREE QUALIFIED INDEPENDENT AUDITORS TO SCREEN APPLICANTS TO SERVE ON THE COMMISSION;

(II) RANDOMLY DRAW THE NAMES OF THREE QUALIFIED INDEPENDENT AUDITORS FROM A POOL CONSISTING OF ALL AUDITORS EMPLOYED BY THE STATE AND LICENSED BY THE STATE AT THE TIME OF THE DRAWING; AND

(III) DRAW UNTIL THE NAMES OF THREE AUDITORS HAVE BEEN DRAWN, INCLUDING:

1. ONE WHO IS REGISTERED WITH THE POLITICAL PARTY THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;

2. ONE WHO IS REGISTERED WITH THE POLITICAL PARTY THAT HAS THE SECOND-HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE; AND

3. ONE WHO IS NOT REGISTERED WITH EITHER OF THE TWO POLITICAL PARTIES THAT HAVE THE HIGHEST AND SECOND–HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE.

(2) (I) AFTER THE DRAWING, THE LEGISLATIVE AUDITOR SHALL NOTIFY THE THREE QUALIFIED INDEPENDENT AUDITORS WHOSE NAMES HAVE BEEN DRAWN THAT THEY HAVE BEEN SELECTED TO SERVE ON THE PANEL.

(II) IF ANY OF THE THREE QUALIFIED INDEPENDENT AUDITORS DECLINE TO SERVE ON THE PANEL, THE LEGISLATIVE AUDITOR SHALL RESUME THE RANDOM DRAWING UNTIL THREE QUALIFIED INDEPENDENT AUDITORS WHO MEET THE REQUIREMENTS OF THIS SUBTITLE HAVE AGREED TO SERVE ON THE PANEL.

(III) A MEMBER OF THE PANEL SHALL BE SUBJECT TO THE CONFLICT–OF–INTEREST PROVISIONS SET FORTH IN THIS SECTION.

(3) NO LATER THAN AUGUST 1 IN EACH YEAR ENDING IN THE NUMBER ZERO AND AFTER REMOVING INDIVIDUALS WITH CONFLICTS OF INTEREST FROM THE APPLICANT POOL, THE LEGISLATIVE AUDITOR SHALL:

(I) PUBLICIZE THE NAMES OF THE INDIVIDUALS IN THE APPLICANT POOL FOR MEMBERSHIP ON THE COMMISSION; AND

(II) PROVIDE COPIES OF THE APPLICATIONS OF THE NAMES IN THE APPLICANT POOL TO THE PANEL.

(4) (I) FROM THE APPLICANT POOL, THE PANEL SHALL SELECT 30 OF THE MOST QUALIFIED APPLICANTS, INCLUDING:

1. 10 WHO ARE REGISTERED WITH THE POLITICAL PARTY THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;

2. 10 WHO ARE REGISTERED WITH THE POLITICAL PARTY THAT HAS THE SECOND–HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE; AND

3. 10 WHO ARE NOT REGISTERED WITH EITHER OF THE TWO POLITICAL PARTIES THAT HAVE THE HIGHEST OR SECOND-HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE.

(II) THE SUBPOOLS SHALL BE CREATED ON THE BASIS OF RELEVANT ANALYTICAL SKILLS, ABILITY TO BE IMPARTIAL, AND APPRECIATION FOR THE STATE'S DIVERSE DEMOGRAPHICS AND GEOGRAPHY.

(III) THE MEMBERS OF THE PANEL MAY NOT COMMUNICATE WITH ANY MEMBER OF THE GENERAL ASSEMBLY OR THE CONGRESS OR THEIR REPRESENTATIVES ABOUT ANY MATTER RELATED TO THE NOMINATION PROCESS OR APPLICANTS BEFORE THE PRESENTATION BY THE PANEL OF THE POOL OF RECOMMENDED APPLICANTS TO THE SECRETARY OF THE SENATE AND THE CHIEF CLERK OF THE HOUSE.

(C) (1) NO LATER THAN NOVEMBER 20 IN EACH YEAR ENDING IN THE NUMBER ZERO, THE LEGISLATIVE AUDITOR SHALL RANDOMLY DRAW NINE NAMES FROM THE REMAINING NAMES IN THE APPLICANT POOL AS FOLLOWS:

(I) THREE FROM THE REMAINING SUBPOOL OF APPLICANTS REGISTERED WITH THE POLITICAL PARTY THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE;

(II) THREE FROM THE REMAINING SUBPOOL OF APPLICANTS REGISTERED WITH THE POLITICAL PARTY THAT HAS THE SECOND-HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE; AND

(III) THREE FROM THE REMAINING SUBPOOL OF APPLICANTS WHO ARE NOT REGISTERED WITH EITHER OF THE TWO POLITICAL PARTIES THAT HAVE THE HIGHEST OR SECOND-HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE.

(2) THE NINE INDIVIDUALS SELECTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL SERVE ON THE COMMISSION.

(A) (1) IN THE EVENT OF SUBSTANTIAL NEGLECT OF DUTY, GROSS MISCONDUCT IN OFFICE, OR INABILITY TO DISCHARGE THE DUTIES OF OFFICE, A MEMBER OF THE COMMISSION MAY BE REMOVED BY THE GOVERNOR WITH THE CONCURRENCE OF TWO-THIRDS OF THE MEMBERS OF THE SENATE AFTER HAVING BEEN SERVED WRITTEN NOTICE AND PROVIDED WITH AN OPPORTUNITY FOR A RESPONSE.

(2) A FINDING OF SUBSTANTIAL NEGLECT OF DUTY OR GROSS MISCONDUCT IN OFFICE MAY RESULT IN REFERRAL TO THE ATTORNEY GENERAL FOR CRIMINAL PROSECUTION OR THE APPROPRIATE ADMINISTRATIVE AGENCY FOR INVESTIGATION.

(B) (1) A VACANCY, WHETHER CREATED BY REMOVAL, RESIGNATION, OR ABSENCE, IN A COMMISSION POSITION SHALL BE FILLED WITHIN 30 DAYS AFTER THE VACANCY OCCURS FROM THE POOL OF APPLICANTS OF THE SAME VOTER REGISTRATION CATEGORY AS THE VACATING NOMINEE THAT WAS REMAINING AS OF NOVEMBER 20 IN THE YEAR IN WHICH THAT POOL WAS ESTABLISHED.

(2) IF NONE OF THE REMAINING APPLICANTS UNDER PARAGRAPH (1) OF THIS SUBSECTION ARE AVAILABLE FOR SERVICE, THE LEGISLATIVE AUDITOR SHALL FILL THE VACANCY FROM A NEW POOL CREATED FOR THE SAME VOTER REGISTRATION CATEGORY IN ACCORDANCE WITH § 8-7A-10 OF THIS SUBTITLE.

8-7A-12.

(A) (1) THE ACTIVITIES OF THE COMMISSION ARE SUBJECT TO APPLICABLE STATE LAW GOVERNING OPEN MEETINGS AND ACCESS TO PUBLIC INFORMATION.

(2) THE COMMISSION SHALL PROVIDE NOT LESS THAN 14 DAYS' PUBLIC NOTICE FOR EACH MEETING, EXCEPT THAT MEETINGS HELD IN SEPTEMBER IN THE YEAR ENDING IN THE NUMBER ONE MAY BE HELD WITH 3 DAYS' NOTICE.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, COMMISSION MEMBERS AND STAFF MAY NOT COMMUNICATE WITH OR RECEIVE

COMMUNICATIONS ABOUT REDISTRICTING MATTERS FROM ANYONE OUTSIDE A PUBLIC HEARING.

(2) COMMUNICATION BETWEEN COMMISSION MEMBERS, STAFF, LEGAL COUNSEL, AND CONSULTANTS RETAINED BY THE COMMISSION IS ALLOWED.

(C) (1) THE COMMISSION SHALL SELECT ONE OF THE MEMBERS OF THE COMMISSION TO SERVE AS CHAIR.

(2) THE CHAIR SHALL BE ONE OF THE MEMBERS NOT AFFILIATED WITH EITHER OF THE TWO POLITICAL PARTIES THAT HAVE THE HIGHEST AND SECOND-HIGHEST NUMBER OF REGISTERED VOTERS IN THE STATE.

(D) (1) THE COMMISSION MAY HIRE STAFF, LEGAL COUNSEL, AND CONSULTANTS AS NEEDED.

(2) THE COMMISSION SHALL ESTABLISH CLEAR CRITERIA FOR THE HIRING AND REMOVAL OF THE INDIVIDUALS SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION, COMMUNICATION PROTOCOLS, AND A CODE OF CONDUCT.

(3) THE COMMISSION SHALL ENSURE THAT AT LEAST ONE OF THE LEGAL COUNSEL HIRED BY THE COMMISSION HAS DEMONSTRATED EXTENSIVE EXPERIENCE AND EXPERTISE IN IMPLEMENTATION AND ENFORCEMENT OF THE FEDERAL VOTING RIGHTS ACT (42 U.S.C. SEC. 1971 AND FOLLOWING).

(4) THE COMMISSION SHALL MAKE HIRING, REMOVAL, AND CONTRACTING DECISIONS ON STAFF, LEGAL COUNSEL, AND CONSULTANTS BY SIX OR MORE AFFIRMATIVE VOTES.

(E) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN EMPLOYER MAY NOT DISCHARGE, THREATEN TO DISCHARGE, INTIMIDATE, COERCE, OR RETALIATE AGAINST ANY EMPLOYEE BY REASON OF THE EMPLOYEE'S ATTENDANCE OR SCHEDULED ATTENDANCE AT ANY MEETING OF THE COMMISSION.

(F) (1) THE COMMISSION SHALL ESTABLISH AND IMPLEMENT AN OPEN HEARING PROCESS FOR PUBLIC INPUT AND DELIBERATION THAT IS:

(I) SUBJECT TO PUBLIC NOTICE; AND

(II) DESIGNED TO ENCOURAGE CITIZEN OUTREACH AND SOLICIT BROAD PUBLIC PARTICIPATION IN THE REDISTRICTING PUBLIC REVIEW PROCESS.

(2) (I) 1. THE HEARING PROCESS SHALL INCLUDE HEARINGS TO RECEIVE PUBLIC INPUT BEFORE THE COMMISSION DRAWS ANY MAPS AND HEARINGS FOLLOWING THE DRAWING AND DISPLAY OF ANY COMMISSION MAPS.

2. HEARINGS SHALL BE SUPPLEMENTED WITH OTHER ACTIVITIES AS APPROPRIATE TO FURTHER INCREASE OPPORTUNITIES FOR THE PUBLIC TO OBSERVE AND PARTICIPATE IN THE REVIEW PROCESS.

(II) 1. THE COMMISSION SHALL DISPLAY THE MAPS FOR PUBLIC COMMENT IN A MANNER DESIGNED TO ACHIEVE THE WIDEST PUBLIC ACCESS REASONABLY POSSIBLE.

2. PUBLIC COMMENT SHALL BE TAKEN FOR AT LEAST 14 DAYS FROM THE DATE OF PUBLIC DISPLAY OF ANY MAP.

(G) THE GENERAL ASSEMBLY SHALL TAKE ALL STEPS NECESSARY TO ENSURE THAT A COMPLETE AND ACCURATE COMPUTERIZED DATABASE IS AVAILABLE FOR REDISTRICTING AND THAT PROCEDURES ARE IN PLACE TO PROVIDE THE PUBLIC READY ACCESS TO REDISTRICTING DATA AND COMPUTER SOFTWARE FOR DRAWING MAPS.

8-7A-13.

A MEMBER OF THE COMMISSION:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE COMMISSION; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

8-7A-14.

(A) IN EACH YEAR ENDING IN THE NUMBER NINE, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET SUBMITTED TO THE GENERAL ASSEMBLY FUNDING IN A MINIMUM AMOUNT OF \$3,000,000 FOR:

(1) THE LEGISLATIVE AUDITOR;

(2) THE COMMISSION;

(3) THE SECRETARY OF STATE; AND

(4) THE DEPARTMENT OF LEGISLATIVE SERVICES.

(B) THE GOVERNOR SHALL MAKE ADEQUATE OFFICE SPACE AVAILABLE FOR THE OPERATION OF THE COMMISSION.

(C) (1) THE GENERAL ASSEMBLY SHALL MAKE THE NECESSARY APPROPRIATION IN THE STATE BUDGET, AND THE APPROPRIATION SHALL BE AVAILABLE DURING THE ENTIRE 3-YEAR PERIOD.

(2) THE APPROPRIATION SHALL BE EQUAL TO THE GREATER OF \$3,000,000 OR THE AMOUNT EXPENDED UNDER THIS SUBTITLE IN THE IMMEDIATELY PRECEDING REDISTRICTING PROCESS, AS EACH AMOUNT IS ADJUSTED BY THE CUMULATIVE CHANGE IN THE MARYLAND CONSUMER PRICE INDEX OR ITS SUCCESSOR SINCE THE DATE OF THE IMMEDIATELY PRECEDING APPROPRIATION.

(D) THE COMMISSION, WITH FISCAL OVERSIGHT FROM THE DEPARTMENT OF BUDGET AND MANAGEMENT, SHALL HAVE PROCUREMENT AND CONTRACTING AUTHORITY AND MAY HIRE STAFF AND CONSULTANTS, INCLUDING LEGAL REPRESENTATION.”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 30 (See Roll Call No. 762)

FLOOR AMENDMENT

SB1023/613529/1

BY: Senator Ready

AMENDMENTS TO SENATE BILL 1023, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, strike “Mid–Atlantic States” and substitute “Maryland and Virginia”; in line 18, strike “certain states” and substitute “Virginia”; in lines 19 and 20, strike “mid–Atlantic states” and substitute “Maryland and Virginia”; and in line 20, after “regional” insert “districting”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB1023/294532/1) in line 9 of Amendment No. 1, strike “certain states” and substitute “Virginia”; and in the same line, strike “each of the states” and substitute “Virginia”.

AMENDMENT NO. 2

On page 5 of the bill, strike beginning with “**EACH**” in line 14 down through “**REGION**” in line 15 and substitute “**THE COMMONWEALTH OF VIRGINIA**”; in line 22, strike “**THAT STATE**” and substitute “**THE COMMONWEALTH OF VIRGINIA**”; strike beginning with “mid–Atlantic” in line 29 down through “Carolina” in line 30 and substitute “Commonwealth of Virginia”; and strike beginning with “states” in line 31 down through “Carolina” in line 32 and substitute “Commonwealth of Virginia”.

On page 10 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 5, strike “**A STATE**” and substitute “**THE COMMONWEALTH OF VIRGINIA**”.

On page 11 of the Education, Health, and Environmental Affairs Committee Amendments, in lines 3 and 4 of Amendment No. 5, in each instance, strike “**THAT STATE**” and substitute “**THE COMMONWEALTH OF VIRGINIA**”; and in lines 6 and 7, in each instance, strike “**THAT STATE**” and substitute “**VIRGINIA**”.

On page 12 of the Education, Health, and Environmental Affairs Committee Amendments, strike beginning with “each” in line 5 of Amendment No. 5 down through “region” in line 6 and substitute “Virginia”; in line 7, strike “branches of those state governments” and substitute “branch of Virginia”; strike beginning with “each” in line 8 down through “region” in line 9 and substitute “Virginia”; and in line 11, strike “in the mid-Atlantic region”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 17 Negative – 28 (See Roll Call No. 763)

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Senator Peters 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 1197 – Senator Miller

AN ACT concerning

Public Health – Maryland Medical Cannabis Commission – Membership, Licensing, and Studies

FOR the purpose of requiring the Natalie M. LaPrade Maryland Medical Cannabis Commission to actively seek, to the extent permitted by State and federal law, to achieve racial, ethnic, and geographic diversity when licensing medical cannabis growers, processors, and dispensaries and to strongly encourage and conduct ongoing outreach to certain small, minority, and women business owners and entrepreneurs for certain purposes; altering the membership of the Commission; requiring the Governor to appoint an executive director of the Commission with the advice and consent of the Senate of Maryland; establishing the Natalie M. LaPrade Medical Cannabis Access Fund; requiring the Department of Health and Mental Hygiene to administer the Fund; providing that the Fund is a special, nonlapsing fund that is not subject to a certain provision of law; providing for the purpose of the Fund; requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; requiring the Fund to be invested and reinvested in a certain manner; providing that investment earnings of the Fund shall be retained to the credit of the Fund; providing that the Fund is subject to a certain audit; requiring the Comptroller to pay out money from the Fund as directed by the Department;

providing that the Fund consists of certain money and fees; prohibiting any part of the Fund from reverting or being credited to certain funds; providing that expenditures from the Fund may be made only in accordance with the State budget; requiring the Department, in consultation with the Commission, to establish a certain program allowing certain individuals to obtain medical cannabis from certain dispensaries at no cost or a reduced cost and to reimburse certain dispensaries from a certain Fund; requiring the Department to adopt certain regulations; prohibiting a member of the Senate of Maryland or the House of Delegates from being an owner or an employee of a certain business entity that holds a certain license; altering the number of medical cannabis grower licenses that may be awarded by the Commission; requiring the Commission to award up to a certain number of medical cannabis grower licenses to certain applicants; requiring, on or before a certain date, the Commission to conduct a certain study; providing that the total number of medical cannabis grower licenses awarded by the Commission shall decrease under certain circumstances; authorizing the Commission to issue additional licenses beginning on a certain date under certain circumstances; requiring the Commission grant Stage One preapproval for a medical cannabis grower license to certain applicants on or before a certain date; requiring certain applicants to meet certain requirements for final approval for a certain license; prohibiting the Commission from reviewing, evaluating, or ranking an application for a medical cannabis grower license or awarding any additional medical cannabis grower licenses until a certain disparity study is completed; providing for the termination of the terms of certain appointed members of the Commission; providing for the appointment and terms of certain appointed members of the Commission; requiring the Certification Agency, in consultation with the General Assembly and the Office of the Attorney General, to initiate a certain study of the medical cannabis industry to make a certain determination relating to certain business participation in the medical cannabis industry; authorizing the Board of Public Works to adopt certain regulations; requiring the final report of a certain study to be submitted to the Legislative Policy Committee before a certain date, defining a certain term; and generally relating to membership, licensing, and studies and the Natalie M. LaPrade Maryland Medical Cannabis Commission.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–3302, 13–3303(a) and (f), and 13–3306(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY adding to
Article – Health – General
Section 13–3303.1 and 13–3305.1
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Senate Rules.

BUDGET AND TAXATION COMMITTEE REPORT NO. 17

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 957 – Senator Eckardt

AN ACT concerning

Counties and Municipalities – Land Bank Authorities

SB0957/189937/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 957

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Eckardt” and substitute “Senators Eckardt, DeGrange, Ferguson, Madaleno, and McFadden”; strike beginning with “the” in line 12 down through “City” in line 13 and substitute “a governing body of a county or other taxing authority”; and in line 13, after “transfer” insert “certain interest in”.

On page 2, in line 15, before “BE” insert “AND”; and strike beginning with “BY” in line 15 down through “MARYLAND” in line 16.

AMENDMENT NO. 2

On page 9, in line 6, after “(C)” insert “(1)”; in the same line, strike “CLEAR” and substitute “QUIET”; in line 8, strike “(1)” and substitute “(1)”; in line 9, after the semicolon insert “AND”; strike in their entirety lines 10 through 27, inclusive, and substitute:

“(II) FILING A COMPLAINT TO QUIET TITLE IN ACCORDANCE WITH TITLE 14, SUBTITLE 6 OF THE REAL PROPERTY ARTICLE.”;

and in line 28, strike “(E)” and substitute “(2)”.

AMENDMENT NO. 3

On page 13, in line 19, after “**ARTICLE;**” insert “**OR**”; strike beginning with “**2.**” in line 20 down through “**3.**” in line 23 and substitute “**2.**”; and in line 25, strike “**THE PROPERTY HAS NOT BEEN REDEEMED OR**”.

On page 15, in line 22, after “(b)” insert “**(1)**”; in the same line, strike the colon; in line 23, strike “**(1)**”; in line 24, strike the semicolon and substitute a period; in line 25, strike “**OR**”; in line 26, before “**TRANSFER**” insert “**THE GOVERNING BODY OF A COUNTY OR OTHER TAXING AGENCY MAY**”; in the same line, after “**ANY**” insert “**INTEREST IT ACQUIRES IN**”; and in line 28, strike “**BALTIMORE CITY**” and substitute “**THE GOVERNING BODY OR OTHER TAXING AGENCY**”.

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 44 Members present.

(See Roll Call No. 764)

SENATE THIRD READING CALENDAR NO. 58 (GENERAL SENATE BILLS)

Senate Bill 260 – Senators Bates, Eckardt, Edwards, Guzzone, Hershey, Jennings, Kasemeyer, Klausmeier, Middleton, Norman, Ready, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

Tax Overpayment – Interest on Refunds

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 765)

The Bill was then sent to the House of Delegates.

Senate Bill 651 – Senators Smith, Astle, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Klausmeier, Lee,

**Madaleno, Manno, Mathias, McFadden, Middleton, Nathan-Pulliam,
Norman, Peters, Ramirez, Robinson, Salling, Young, and Zucker**

AN ACT concerning

Public Schools – Suspensions and Expulsions

Read the third time and passed by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 766)

The Bill was then sent to the House of Delegates.

**Senate Bill 760 – Senators Guzzone, Benson, Feldman, King, Madaleno, Manno,
Mathias, Middleton, Ramirez, Young, and Zucker**

AN ACT concerning

Education – Grounds for Discipline

Read the third time and passed by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 767)

The Bill was then sent to the House of Delegates.

Senate Bill 839 – Senator Serafini

AN ACT concerning

~~State Budget – Appropriations – Funding Priorities~~
Workgroup on Categories for Funding Priorities in the Annual State Budget

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 768)

The Bill was then sent to the House of Delegates.

Senate Bill 983 – Senator Muse

AN ACT concerning

Criminal Procedure – Pretrial Release

Read the third time and passed by yeas and nays as follows:

Affirmative – 29 Negative – 18 (See Roll Call No. 769)

The Bill was then sent to the House of Delegates.

SPECIAL ORDER CALENDAR NO. 35

Senate Bill 783 – Senator Cassilly

AN ACT concerning

Patient Early Intervention Programs

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

Senator Zirkin moved the Bill be recommitted.

The motion was adopted.

Senate Bill 705 – Senators Muse, Kelley, Lee, Ramirez, and Smith

AN ACT concerning

Award of Attorney's Fees and Expenses – Violation of Maryland Constitutional Right

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Ferguson moved to make the Bill a Special Order for March 23, 2017.

The motion was adopted.

Senate Bill 167 – Senator Conway

AN ACT concerning

Tax Sales – Reimbursement for Expenses

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

Senator Conway moved the Bill be recommitted.

The motion was adopted.

House Bill 150 – The Speaker (By Request – Administration)

**Budget Bill
(Fiscal Year 2018)**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (76) AND THE FAVORABLE REPORT.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2017 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 150 – THE BUDGET BILL

(See Exhibit E of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 150 – THE BUDGET BILL

(See Exhibit F of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
SUMMARY REPORT ON HOUSE BILL 150 – THE BUDGET BILL AND
HOUSE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit G of Appendix III)

Committee amendments 1 through 15 were read and adopted.

Committee amendments 16 through 27 were read and adopted.

Committee amendments 28 through 38 were read and adopted.

Committee amendments 39 through 50 were read and adopted.

Committee amendments 51 through 63 were read and adopted.

Committee amendments 64 through 72 were read and adopted.

Committee amendment 73 was read and adopted by a roll call vote as follows:

Affirmative – 33 Negative – 14 (See Roll Call No. 770)

Committee amendments 74 through 76 were read and adopted.

Favorable report, as amended, adopted.

FLOOR COMMITTEE AMENDMENT

HB0150/399938/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 150

(Third Reading File Bill – Committee Reprint)

On page 126, under:

Heading: AID TO EDUCATION

Program: R00A02.13

Entitled: Innovative Programs

In line 6 strike “21,847,000” and substitute “21,857,000”; and in line 9 strike “24,119,509” and substitute “24,129,509”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0150/263722/1

BY: Senator Kagan

AMENDMENT TO HOUSE BILL 150

(Third Reading File Bill – Committee Reprint)

On page 131, under:

Heading: FUNDING FOR EDUCATIONAL ORGANIZATIONS

Program: R00A03.04

Entitled: Aid to Non–Public Schools

In line 41, after “admissions” insert “or retention”.

On page 132, in line 7, after “admissions” insert “or retention”.

On page 133, under:

Heading: FUNDING FOR EDUCATIONAL ORGANIZATIONS

Program: R00A03.05

Entitled: Broadening Options and Opportunities for Students Today

In line 5, after “admissions” insert “or retention”; and in line 17, after “admissions” insert “or retention”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 11 Negative – 36 (See Roll Call No. 771)

Read the second time and ordered prepared for Third Reading.

House Bill 152 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2017

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (22) AND THE FAVORABLE REPORT.

SENATE BUDGET AND TAXATION COMMITTEE
COMMITTEE REPRINT TO HOUSE BILL 152 – THE BUDGET RECONCILIATION
AND FINANCING ACT OF 2017

(See Exhibit H of Appendix III)

HB0152/129234/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 152

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 7 down through “Fund:” in line 10; in line 23, strike “for a certain fiscal year;” and substitute “and altering the maximum”

amount of certain fees assessed by the Commission;”; and in line 25, strike “for a certain fiscal year;” and substitute “and altering the maximum amount of certain fees assessed by the Commission;”.

On page 2, strike beginning with “information” in line 15 down through “books” in line 16 and substitute “personnel detail and strategic plan information”; strike beginning with “altering” in line 19 down through “race;” in line 21 and substitute “prohibiting the Consolidated Transportation Program from including certain capital transportation grants beyond a certain period except as authorized by law; requiring a certain financial forecast for a certain period to maximize the use of certain funds; prohibiting a certain financial forecast for a certain period from withholding or reserving certain funds for a certain purpose except as authorized by law;”; in line 24, after “year;” insert “clarifying that certain funds distributed to the Maryland State Arts Council from certain revenue distributed from the State admissions and amusement tax on electronic bingo and electronic tip jars are in addition to a certain base amount for purposes of a certain calculation;”; in line 30, after “met;” insert “requiring the Department of Health and Mental Hygiene and the Department of Human Resources to establish a certain group of stakeholders to collaborate on changes to, or redesign of, certain programs under certain circumstances; stating the intent of the General Assembly that certain actions may not be taken after a certain fiscal year;”; in line 35, after “dates;” insert “requiring the State Secretary of Transportation to engage certain entities and seek agreement on certain matters; requiring the Secretary to report to and consult with, at least a certain number of times a year, the chairs of certain committees;”; in line 39, strike “certain terms” and substitute “a certain term”; in the same line, after “definition;” insert “stating certain findings of the General Assembly; repealing a certain contingency provision; extending the termination date of a certain provision of law;”; and strike in their entirety lines 42 through 46, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Economic Development

Section 4–512(a) and 4–801(f)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 4–801(a)

Annotated Code of Maryland

(2008 Volume and 2016 Supplement)”.

On page 3, in line 3, after “6–117.1(a)(1) and (3)” insert “, 7–123(a)(1).”; in line 9, after “6–117.1(e)(1)” insert “, 7–123(c).”; in line 14, after “6–117.1(e)(1)” insert “, 7–123(c).”; in line 19, after “6–306(b)” insert “and (c)”; in line 24, after “19–201(b).” insert “19–213(a) and (b).”; and in line 29, after “19–208(b).” insert “19–213(c).”.

On page 4, after line 4, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–2401

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 13 of the Acts of the General Assembly of 2016)”;

after line 34, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 11–1302(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 11–1302(e)

Annotated Code of Maryland

(2016 Replacement Volume)”;

and after line 39, insert:

“BY repealing and reenacting, with amendments,

Article – Local Government

Section 16–501(e)

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)”.

On page 5, in line 29, strike “9–117(a)(1), 9–120(b), and 9–1A–28(f)” and substitute “9–120(b)”.

On page 6, after line 1, insert:

“BY repealing and reenacting, without amendments,

Article – Transportation

Section 2–103.1(c)(1)(i)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

BY adding to

Article – Transportation

Section 2–103.1(c)(9)

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)”;

in line 4, after “Section” insert “2–103.1(m)(2) and”; and after line 15, insert:

“BY repealing

Chapter 13 of the Acts of the General Assembly of 2016

Section 3

BY repealing and reenacting, with amendments,

Chapter 13 of the Acts of the General Assembly of 2016

Section 5

BY repealing and reenacting, with amendments,

Chapter 145 of the Acts of the General Assembly of 2016

Section 2”.

On page 40, in line 1, strike “16.” and substitute “14.”.

On page 41, in lines 1, 18, and 31, strike “17.”, “18.”, and “19.”, respectively, and substitute “15.”, “16.”, and “17.”, respectively.

On page 42, in lines 19, 24, 31, and 35, strike “20.”, “21.”, “22.”, and “23.”, respectively, and substitute “19.”, “20.”, “21.”, and “22.”, respectively; and in lines 31 and 33, in each instance, strike “17” and substitute “15”.

On page 43, in line 1, strike “22” and substitute “21”.

AMENDMENT NO. 2

On pages 6 through 8, strike in their entirety the lines beginning with line 18 on page 6 through line 17 on page 8, inclusive.

On page 32, in line 11, strike “AND”; in lines 12 and 18, in each instance, strike the bracket; in line 15, strike “\$1,000,000 in each fiscal year; and” and substitute “**\$500,000;**

(V) AFTER JUNE 30, 2017, AND BEFORE JULY 1, 2019, INTO THE RACING SPECIAL FUND ESTABLISHED UNDER § 11-401 OF THE BUSINESS REGULATION ARTICLE FROM MONEY THAT REMAINS IN THE STATE LOTTERY FUND AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND ITEMS (I), (II), (III), AND (IV) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO \$1,000,000 IN EACH FISCAL YEAR; AND”;

in line 16, strike “(v)]” and substitute “**(VI)**”; in line 18, strike “AND”; in the same line, strike “and (iv)” and substitute “**(IV), AND (V)**”; and strike in its entirety line 21.

On page 33, strike in their entirety lines 7 through 13, inclusive.

AMENDMENT NO. 3

On page 8, after line 17, insert:

“Article – Economic Development

4-512.

(a) The Council is entitled to:

(1) revenue distributed under [§ 2-202(a)(1)(ii)2] § 2-202(A)(1)(II)1A of the Tax – General Article; and

(2) funding in accordance with the State budget.

4-801.

(a) In this section, “Fund” means the Special Fund for Preservation of Cultural Arts in Maryland.

(f) The Fund consists of:

(1) revenue distributed to the Fund under [§ 2–202(a)(1)(ii)1] § 2–202(A)(1)(II)1B AND 2 of the Tax – General Article; and

(2) any other money from any other source accepted for the benefit of the Fund.”.

On page 33, in line 23, after “Article;” insert “AND”; in line 26, after “(ii)” insert “1. FOR FISCAL YEARS 2019 THROUGH 2021,”; strike beginning with “1.” in line 27 down through “2.” in line 30 and substitute “A.”; in line 30, strike “the remainder”; in line 31, after “Article” insert “, \$1,000,000 IN EACH FISCAL YEAR”; and after line 31, insert:

“B. THE REMAINDER TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4–801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

2. IN FISCAL YEAR 2022 AND IN EACH FISCAL YEAR THEREAFTER, THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 5% TO THE SPECIAL FUND FOR PRESERVATION OF CULTURAL ARTS IN MARYLAND, AS PROVIDED IN § 4–801 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND”.

On page 38, before line 8, insert:

“Chapter 145 of the Acts of 2016

SECTION 2. AND BE IT FURTHER ENACTED, That any funds distributed to the Maryland State Arts Council in accordance with § 2–202 of the Tax – General Article as enacted in this Act shall be included in the Maryland State Arts Council’s prior fiscal year appropriation IN ADDITION TO THE AMOUNT OF THE GENERAL FUND APPROPRIATION FOR THE PRIOR FISCAL YEAR AND THE SUM SHALL BE USED for purposes of calculating the required appropriation under § 7–325 of the State Finance and Procurement Article.”.

AMENDMENT NO. 4

On page 10, after line 23, insert:

“(c) (1) This subsection applies only in Anne Arundel County.

(2) In this subsection, “county grant for teaching in an economically disadvantaged school” means an annual grant distributed to a teacher who teaches in an economically disadvantaged school established:

(i) Outside of the collective bargaining process; or

(ii) As part of a collective bargaining agreement with the local employee representative.

(3) For fiscal years 2017 through 2019, the Governor shall include in the State operating budget funding for the stipends provided in this subsection.

(4) (I) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A classroom teacher shall receive a stipend from the State in an amount equal to the county grant for teaching in an economically disadvantaged school, up to a maximum of \$1,500 if the teacher:

[(i)] 1. Teaches in a public middle or high school in which at least 30% of the students as a percentage of full-time equivalent students as defined in § 5–202 of this article qualify for free and reduced price meals under the National School Lunch Program;

[(ii)] 2. Holds a standard or advanced professional certificate; and

[(iii)] 3. Is employed by the county board.

(II) FOR FISCAL YEAR 2018, THE MAXIMUM STIPEND A TEACHER MAY RECEIVE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS \$750.”.

AMENDMENT NO. 5

On page 10, after line 30, insert:

“7–123.

(a) (1) There is a Robotics Grant Program in the State.

[(c) The Governor shall include in the State budget an annual appropriation of at least \$250,000 to the Program.]

(C) FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE PROGRAM.”.

AMENDMENT NO. 6

On page 11, in line 7, strike “**\$5,000,000**” and substitute “**\$500,000**”.

AMENDMENT NO. 7

On page 16, in line 10, strike “**\$12,000,000**” and substitute “**\$16,000,000**”; in line 16, strike “**1.**”; in the same line, strike the brackets; strike beginning with “**EXCEPT**” in line 16 down through “**THE**” in line 17; in line 18, strike “**18%**” and substitute “**30.5%**”; and strike in their entirety lines 21 through 23, inclusive.

On page 17, in line 7, strike “**(I)**”; in the same line, strike the brackets; strike beginning with “**EXCEPT**” in line 7 down through “**THE**” in line 8; in line 9, strike “**18%**” and substitute “**30.5%**”; and strike in their entirety lines 12 through 14, inclusive, and substitute:

“19–213.

(a) (1) In this section the following words have the meanings indicated.

(2) “Facilities” means hospitals and related institutions whose rates have been approved by the Commission.

(b) The Commission shall assess and collect user fees on facilities as defined in this section.

(c) (1) The total fees assessed by the Commission may not exceed **[\$12,000,000] \$16,000,000.**

(2) The total user fees assessed by the Commission may not exceed the Special Fund appropriation for the Commission by more than 20%.

(3) The user fees assessed by the Commission shall be used exclusively to cover the actual documented direct costs of fulfilling the statutory and regulatory duties of the Commission in accordance with the provisions of this subtitle and any administrative costs for services to the Commission provided by the Department.

(4) The Commission shall pay all funds collected from fees assessed in accordance with this section into the Health Services Cost Review Commission Fund.

(5) The user fees assessed by the Commission may be expended only for purposes authorized by the provisions of this subtitle.

(6) The amount specified in paragraph (1) of this subsection limits only the total user fees the Commission may assess in a fiscal year.”.

AMENDMENT NO. 8

On page 18, in line 9, strike “\$4,000,000” and substitute “\$5,750,000”.

AMENDMENT NO. 9

On page 18, after line 33, insert:

“19-2401.

(a) THE GENERAL ASSEMBLY FINDS THAT:

(1) THE FINANCIAL VIABILITY OF THE PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER AND THE STATE’S INVESTMENT IN THE CENTER IS CONTINGENT ON HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE GEORGE’S HOSPITAL CENTER AND THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER;

(2) THE ABILITY OF THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM TO DEVELOP AND MAINTAIN HIGH QUALITY CLINICAL PROGRAMS AT THE EXISTING PRINCE GEORGE’S HOSPITAL CENTER AND TO TRANSITION TO THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER IS CONTINGENT ON STATE OPERATING AND CAPITAL FUNDING IN SPECIFIC YEARS;

(3) THE ABILITY TO PROTECT THE STATE’S INVESTMENT IN THE NEW PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER IS JEOPARDIZED BY THE

PROVISIONS OF THE BUDGET RECONCILIATION AND FINANCING ACT OF 2017, AS INTRODUCED, THAT ALTER BOTH THE OPERATING AND CAPITAL OBLIGATIONS MANDATED BY CHAPTER 13 OF THE ACTS OF 2016; AND

(4) THE CHANGED CIRCUMSTANCES AND THE NEED TO PROTECT THE STATE’S INVESTMENT REQUIRE ADDITIONAL SUPPORT IN FUTURE YEARS TO ENSURE THE FINANCIAL VIABILITY OF THE PRINCE GEORGE’S COUNTY REGIONAL MEDICAL CENTER AND ULTIMATELY THE ABILITY OF THE STATE TO END STATE SUPPORT FOR THE CENTER.

(B) (1) Subject to subsection [(b)] (C) of this section, for the purpose of providing an operating grant to ensure and assist in the transition of a new Prince George’s County Regional Medical System to the University of Maryland Medical System Corporation:

(i) For fiscal year 2018, the Governor shall include in the budget bill an appropriation of[:

1. \$15,000,000; or

2. \$30,000,000, if a grant of \$15,000,000 is not provided in a fiscal 2016 deficiency appropriation to the University of Maryland Medical System Corporation on or before June 30, 2016] \$28,000,000;

(ii) For fiscal year 2019, the Governor shall include in the budget bill an appropriation of [\$15,000,000] \$27,000,000; [and]

(iii) For fiscal years 2020 and 2021, the Governor shall include in the budget bill an appropriation of [\$5,000,000] \$15,000,000; AND

(IV) FOR FISCAL YEARS 2022 THROUGH 2028, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF \$10,000,000.

(2) Subject to subsection [(b)] (C) of this section, Prince George’s County shall provide a combination of matching funds and other financial assistance to the University of Maryland Medical System Corporation that constitutes total financial assistance as follows:

(i) \$15,000,000 annually for fiscal year 2017 through fiscal year 2019; and

(ii) \$5,000,000 annually for fiscal years 2020 and 2021.

[(b)] (C) The State and county funds described in subsection [(a)] (B) of this section:

(1) Shall be used to support the transition of the Prince George's County Regional Medical Center from operation under the Dimensions Health Care System to operation as a participating institution of the University of Maryland Medical System Corporation; and

(2) May be used only for:

(i) Providing increased access to critical health care services for the region served by the Prince George's County Regional Medical Center and improving the quality of the services provided; and

(ii) Facilitating cost containment measures to prevent additional operating losses for the Prince George's County Regional Medical Center and its affiliated institutions.

[(c)] (D) (1) The Governor shall include in the capital or operating budget bill the following amounts that are equal to the capital funds committed by Prince George's County to be used for the construction of the Prince George's County Regional Medical Center:

(i) [\$67,500,000] **\$11,300,000** for fiscal year 2018; [and]

(ii) \$48,000,000 for fiscal year 2019; **AND**

(III) \$56,200,000 FOR FISCAL YEAR 2020.

(2) Prince George's County shall provide matching funds of \$208,000,000 for the capital construction of the Prince George's County Regional Medical Center."

On page 38, after line 7, insert:

“Chapter 13 of the Acts of 2016

[SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect contingent on the University of Maryland Medical System Corporation becoming the sole corporate member of Dimensions Health Care Corporation and the University of Maryland Medical System Corporation assuming responsibility of the governance structure of the entity.]

SECTION 5. AND BE IT FURTHER ENACTED, That[, subject to Section 3 of this Act,] this Act shall take effect June 1, 2016. It shall remain effective for a period of [5] 12 years and 1 month and, at the end of June 30, [2021] 2028, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 10

On page 20, after line 15, insert:

“Article – Labor and Employment

11–1302.

(a) There is a Construction Education and Innovation Fund.

(e) For fiscal year [2018] 2019 and each fiscal year thereafter, the Governor [shall] MAY include in the annual State budget an appropriation to the Fund [of \$250,000] to support the operation of the Center.”.

AMENDMENT NO. 11

On page 21, after line 7, insert:

“Article – Local Government

16–501.

(e) (1) Except as provided in paragraph (2) of this subsection, for fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (i) If a county or Baltimore City has a county income tax rate of at least 2.8% but less than 3%, the county or Baltimore City may receive a minimum of 20% of the amount determined under subsection (c)(3) of this section.

(ii) If a county or Baltimore City has a county income tax rate of at least 3% but less than 3.2%, the county or Baltimore City may receive a minimum of 40% of the amount determined under subsection (c)(3) of this section.

(iii) If a county or Baltimore City has a county income tax rate of at least 3.2%:

1. on or before June 30, 2017, the county or Baltimore City may receive a minimum of 60% of the amount determined under subsection (c)(3) of this section; and

2. in fiscal years 2018 and 2019, the county or Baltimore City may receive a minimum of [67.5%] 63.75% of the amount determined under subsection (c)(3) of this section.”.

AMENDMENT NO. 12

On page 24, in line 23, after “IN” insert “SUBSECTIONS (C) AND (F) OF”.

On page 25, in lines 8 and 29, in each instance, strike “BUDGET BOOKS” and substitute “SUPPORTING MATERIALS”.

On page 26, strike in their entirety lines 17 and 18; in lines 19, 25, and 29, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(A)”, “(B)”, and “(C)”, respectively; and in line 25, strike “§ 7-115” and substitute “§ 7-115(D) AND (E)”.

AMENDMENT NO. 13

On page 31, strike in their entirety lines 25 through 27, inclusive.

AMENDMENT NO. 14

On page 36, after line 1, insert:

“2-103.1.

(c) (1) The Consolidated Transportation Program shall:

- (i) Be revised annually; and

(9) EXCEPT AS AUTHORIZED BY LAW, THE CONSOLIDATED TRANSPORTATION PROGRAM MAY NOT INCLUDE CAPITAL TRANSPORTATION GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS FOR ANY PERIOD BEYOND THE BUDGET REQUEST YEAR.

(m) (2) (i) The financial forecast supporting the Consolidated Transportation Program to be submitted to the General Assembly under paragraph (1) of this subsection shall include the following components:

1. A schedule of operating expenses for each specific modal administration;

2. A schedule of revenues, including tax and fee revenues, deductions from revenues for other agencies, Department program and fees, Motor Vehicle Administration cost recovery, deductions for highway user revenues, operating revenues by modal administration, and miscellaneous revenues; and

3. A summary schedule for the Transportation Trust Fund that includes the opening and closing Fund balance, revenues, transfers, bond sales, bond premiums, any other revenues, expenditures for debt service, operating expenses, amounts available for capital expenses, bond interest rates, bond coverage ratios, total bonds outstanding, federal capital aid, and the total amount for the Transportation Capital Program.

(ii) The financial forecast shall include, for each of the components specified in subparagraph (i) of this paragraph:

1. Actual information for the last full fiscal year; and

2. Forecasts of the information for each of the six subsequent fiscal years, including the current fiscal year, the fiscal year for the proposed budget, and the next four subsequent fiscal years.

(iii) FOR THE PERIOD BEYOND THE BUDGET REQUEST YEAR, THE FINANCIAL FORECAST:

1. SHALL MAXIMIZE THE USE OF FUNDS FOR THE CAPITAL PROGRAM; AND

2. EXCEPT AS AUTHORIZED BY LAW, MAY NOT WITHHOLD OR RESERVE FUNDS FOR CAPITAL TRANSPORTATION GRANTS TO COUNTIES OR MUNICIPAL CORPORATIONS.

(IV) The Department shall incorporate in the financial forecast the most recent estimates by the Board of Revenue Estimates of the revenues from:

1. The corporate income tax and the sales and use tax for each of the six subsequent years, including the current fiscal year and the fiscal year for the proposed budget; and

2. Motor fuel taxes and motor vehicle titling taxes for the current fiscal year and the fiscal year for the proposed budget.”.

AMENDMENT NO. 15

On page 37, in line 18, strike “\$359,825,000” and substitute “\$364,825,000”.

AMENDMENT NO. 16

On page 39, in line 27, strike “\$2,561,757” and substitute “\$15,688,068”.

AMENDMENT NO. 17

On page 39, strike in their entirety lines 29 through 38, inclusive.

AMENDMENT NO. 18

On page 40, in lines 9, 13, and 15, in each instance, strike “\$11,000,000” and substitute “\$12,000,000”.

AMENDMENT NO. 19

On page 41, after line 17, insert:

“(c) In developing any changes or redesign to the Medical Assistance Program or the Supplemental Nutrition Assistance Program, the Department of Health and Mental Hygiene and the Department of Human Resources shall establish a group of interested stakeholders to collaborate on any changes or program redesign.”.

AMENDMENT NO. 20

On page 41, in line 18, strike “, notwithstanding” and substitute “:

(a) Notwithstanding”;

in line 28, strike “Section” and substitute “§”; and after line 30, insert:

“(b) It is the intent of the General Assembly that the actions taken in accordance with subsection (a) of this section may not be taken in any fiscal year after fiscal year 2018.”.

AMENDMENT NO. 21

On page 41, in line 32, strike “November 1, 2018, and” and substitute “and quarterly until”.

AMENDMENT NO. 22

On page 42, after line 18, insert:

“SECTION 18. AND BE IT FURTHER ENACTED, That:

(a) The State Secretary of Transportation, in coordination with the Montgomery County and Prince George’s County Departments of Transportation, shall engage the Secretary’s counterparts in Virginia and Washington, D.C., and the appropriate officials in the federal government for the purpose of revising the Washington Metropolitan Area Transit Authority Compact of 1966 and implementing other reforms necessary to ensure the near-term and long-term viability of the Washington Metropolitan Area Transit Authority (WMATA). In doing so, the Secretary shall develop, propose, and seek agreement on reforms related to the following:

(1) the legal and organizational structure of WMATA;

(2) the composition and qualifications of the WMATA Board of Directors and the length of terms of its members;

(3) labor costs and labor relations;

(4) measures necessary to resolve WMATA’s unfunded pension liability and other postemployment benefits;

(5) measures necessary to better ensure the safety of ridership and employees, including safety in the event of a homeland security emergency in the national capital area; and

(6) financial and operational improvements necessary to ensure that WMATA's performance is at least as efficient as its closest comparable transit systems in the United States.

(b) The Secretary shall report to and consult quarterly beginning June 30, 2017, with the Chairs of the Senate Budget and Taxation Committee, House Appropriations Committee, and House Environment and Transportation Committee.”.

Committee amendments 1 through 4 were read and adopted.

Committee amendments 5 through 9 were read and adopted.

Committee amendments 10 through 13 were read and adopted.

Committee amendments 14 through 17 were read and adopted.

The preceding Committee amendments 18 through 22 were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 946 – Senators Smith, Madaleno, Benson, Currie, Guzzone, Kagan, King, Lee, McFadden, Nathan–Pulliam, Robinson, Rosapepe, and Zucker

AN ACT concerning

Weapon–Free Higher Education Zones

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR ECKARDT.

FLOOR AMENDMENT

SB0946/713625/1

BY: Senator Eckardt

AMENDMENT TO SENATE BILL 946, AS AMENDED

On page 3 of the Judicial Proceedings Committee Amendments (SB0946/878776/1), in line 13 of Amendment No. 2, strike “OR”; and in line 14, after “(8)” insert “A PERSON, UNLESS OTHERWISE PROHIBITED BY LAW, TRANSPORTING IN A MOTOR VEHICLE A FIREARM IN A CASE, WHEN THE GUN IS UNLOADED AND ANY AMMUNITION IS STOWED SEPARATELY;”

(9) A PERSON ISSUED A VALID HUNTING LICENSE UNDER TITLE 10, SUBTITLE 3 OF THE NATURAL RESOURCES ARTICLE;

(10) A PERSON ISSUED A VALID DEER MANAGEMENT PERMIT UNDER § 10-415 OF THE NATURAL RESOURCES ARTICLE;

(11) PROPERTY OF THE UNIVERSITY SYSTEM OF MARYLAND THAT IS NOT A CAMPUS OF THE UNIVERSITY SYSTEM OF MARYLAND; OR

(12)”.

The preceding amendment was read only.

Senator Smith moved to make the Bill and Amendment a Special Order for March 23, 2017.

The motion was adopted.

INTRODUCTION OF BILLS

Senator Peters 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 1198 – Prince George’s County Senators

AN ACT concerning

Prince George’s County Regional Medical Center Act of 2017

FOR the purpose of requiring, for certain fiscal years, the Governor to include in the budget bill certain appropriations for certain purposes related to the new Prince George’s County Regional Medical Center; requiring, for certain fiscal years, the Governor to include in the capital or operating budget bill certain amounts to be used for the

construction of the new Prince George's County Regional Medical Center; stating certain findings of the General Assembly; repealing a certain contingency; extending a certain termination provision; making conforming changes; and generally relating to funding for certain purposes in connection with the new Prince George's County Regional Medical Center.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–2401
Annotated Code of Maryland
(2015 Replacement Volume and 2016 Supplement)

BY repealing
Chapter 13 of the Acts of the General Assembly of 2016
Section 3

BY repealing and reenacting, with amendments,
Chapter 13 of the Acts of the General Assembly of 2016
Section 5

Read the first time and referred to the Committee on Senate Rules.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 772)

ADJOURNMENT

At 12:48 P.M. on motion of Senator Peters the Senate adjourned until 10:00 A.M. on Legislative Day March 21, 2017, Calendar Day, Thursday, March 23, 2017 in memory of Secretary Edward Chow, Jr.

Annapolis, Maryland
Legislative Day: March 21, 2017
Calendar Day: Thursday, March 23, 2017
10:00 A.M. Session

The Senate met at 10:21 A.M.

Prayer by Reverend Ramon McDonald, 1st United Methodist Church, 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. 774)

The Journal of March 22, 2017 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 538 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
University of Maryland
in recognition of

the successful partnership of the University of Maryland Baltimore and the University of Maryland College Park known as MPowering the State. We salute your efforts to address the great challenges facing our state and the world.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 23rd day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 775)

Senate Resolution No. 525 – The President and All Members:

Be it hereby known to all that

The Senate of Maryland
offers its sincerest congratulations to
SGT (MDDF) Dustin A. Dixon
Maryland Defense Force
in recognition of
being chosen the Maryland Defense Force “Noncommissioned Officer of the Year” for your
dedication to excellence and professionalism demonstrated while serving your state and
country.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 23rd day of March 2017.

Senate Resolution No. 516 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
MSG Brian Paape
291st Digital Liaison Detachment
in recognition of
being chosen as the Maryland National Guard “Honor Guardsman of the Year” for your
dedication to excellence and professionalism demonstrated while serving your state and
country.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 23rd day of March 2017.

Senate Resolution No. 517 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
CPT Alexi Franklin
MDARNG JFHQ
in recognition of
being chosen as the Maryland Army National Guard “Officer of the Year” for your
dedication to excellence and professionalism demonstrated while serving your state and
country.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 23rd day of March 2017.

Senate Resolution No. 518 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to

SGT Charles Contic
32nd Civil Support Team (WMD)
in recognition of
being chosen as the Maryland Army National Guard “Noncommissioned Officer of the Year” for your dedication to excellence and professionalism demonstrated while serving your state and country.
The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 23rd day of March 2017.

Senate Resolution No. 519 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
SPC Philip Flint
Co B, 1–175th Infantry
in recognition of
being chosen as the Maryland Army National Guard “Soldier of the Year” for your dedication to excellence and professionalism demonstrated while serving your state and country.
The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 23rd day of March 2017.

Senate Resolution No. 520 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
SSgt Christopher Kinker
175th Maintenance Group
in recognition of
being chosen Maryland Air National Guard “Airman of the Year” for your dedication to excellence and professionalism demonstrated while serving your state and country.
The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 23rd day of March 2017.

Senate Resolution No. 521 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
TSgt Brian Hicks
175th Logistics Readiness Squadron
in recognition of

being chosen as the Maryland Air National Guard “Noncommissioned Officer of the Year” for your dedication to excellence and professionalism demonstrated while serving your state and country.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 23rd day of March 2017.

Senate Resolution No. 522 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
SMSgt Jonathan Smithson
175th Maintenance Group
in recognition of

being chosen as the Maryland Air National Guard “Senior Noncommissioned Officer of the Year” for your dedication to excellence and professionalism demonstrated while serving your state and country.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 23rd day of March 2017.

Senate Resolution No. 523 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
MSgt Jason Metz
175th Security Forces Squadron
in recognition of

being chosen as the Maryland Air National Guard “First Sergeant of the Year” for your dedication to excellence and professionalism demonstrated while serving your state and country.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 23rd day of March 2017.

Senate Resolution No. 524 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
TSgt Eric Wilker
175th Maintenance Squadron
in recognition of

being chosen as the Maryland Air National Guard “Honor Guardsman of the Year” for your dedication to excellence and professionalism demonstrated while serving your state and country.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 23rd day of March 2017.

Senate Resolution No. 526 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
MAJ (MDDF) Frederick Sanford
Maryland Defense Force
in recognition of

being chosen as the Maryland Defense Force “Officer of the Year” for your dedication to excellence and professionalism demonstrated while serving your state and country.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 23rd day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 776)

Senate Resolution No. 550 – Senator Victor R. Ramirez:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Maryland Chapters of Delta Sigma Theta Sorority, Inc.
in recognition of

104 years of service and Delta Day in Annapolis. Your service continues to inspire and transform lives.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 23rd day of March 2017.

Read and adopted.

Senate Resolution No. 486 – Senator Michael J. Hough:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Walkersville High School Football Team
in recognition of

your winning the 2A State Championship. We applaud your outstanding season and wish you many more. Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 23rd day of March 2017.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 777)

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

March 23, 2017

In accordance with Rule 33(d), the following legislation has been reassigned as indicated below:

HB 493 Delegate Kramer, et al
Long-Term Care Insurance – Premium Rates
Reassigned to Finance

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

March 23, 2017

In accordance with Rule 33(d), the following legislation has been reassigned as indicated below:

HB 1320 Charles County Delegation
Southern Maryland Code Counties – Towing Companies – Authority to Regulate
Reassigned to Judicial Proceedings

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 778)

SENATE THIRD READING CALENDAR NO. 5 (GENERAL HOUSE BILLS)**House Bill 150 – The Speaker (By Request – Administration)****Budget Bill****(Fiscal Year 2018)****FLOOR AMENDMENT****HB0150/103827/1**

BY: Senator Kelley

AMENDMENT TO HOUSE BILL 150

(Third Reading File Bill – Committee Reprint)

On page 96, under:

Heading: LOCAL DEPARTMENT OPERATIONS

Program: N00G00.08

Entitled: Assistance Payments

Strike beginning with “, provided” in line 19 down through “Fund” in line 28 and substitute “, provided that \$3,500,000 of this appropriation made for the purpose of the Temporary Disability Assistance Program (TDAP) may be used only to increase the TDAP benefit by \$17 per month per recipient. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund. Further provided that \$500,000 of this appropriation made for the purpose of TDAP may not be expended for that purpose but instead may be transferred by budget amendment to the Department of Aging, Program D26A07.03 (Community Services) to be used only for home delivered meals. Funds not expended for this restricted”

purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund”.

The preceding amendment was read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 779)

The Bill was then returned to the House of Delegates.

House Bill 152 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2017

FLOOR AMENDMENT

HB0152/243720/1

BY: Senator Bates

AMENDMENTS TO HOUSE BILL 152

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 38, before “authorizing” insert “limiting increases in certain mandated spending under certain circumstances;”.

AMENDMENT NO. 2

On page 49, after line 31, insert:

“SECTION 15. AND BE IT FURTHER ENACTED, That:

(a) Except as provided in subsection (b) of this section, for fiscal year 2019 and each fiscal year thereafter, any appropriation that is derived from a formula calculation mandated by law shall have its mandated level of spending increased by the lesser of:

(1) the amount of the existing formula calculation; or

(2) an amount equal to 1% less than the reported amount of General Fund revenue growth in the report submitted by the Board of Revenue Estimates to the Governor under § 6–106(b) of the State Finance and Procurement Article for December.

(b) Subsection (a) of this section does not apply to:

(1) funding required for State aid to public elementary and secondary education as provided under Title 5, Subtitle 2 or § 4–121, § 4–122, § 6–306, § 8–3A–09, § 8–313, or § 8–415 of the Education Article;

(2) any appropriation required to be made to the Revenue Stabilization Account under § 7–311 of the State Finance and Procurement Article; or

(3) any appropriation required for the payment of principal or interest on State debt.”;

and in line 32, strike “15.” and substitute “16.”.

On page 50, in line 21, strike “16.” and substitute “17.”.

On page 51, in lines 3 and 26, strike “17.” and “18.”, respectively, and substitute “18.” and “19.”, respectively.

On page 52, in lines 16, 21, 28, and 32, strike “19.”, “20.”, “21.”, and “22.”, respectively, and substitute “20.”, “21.”, “22.”, and “23.”, respectively; in lines 28 and 31, in each instance, strike “15.” and substitute “16.”; and in line 33, strike “21.” and substitute “22.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 33 (See Roll Call No. 780)

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 781)

The Bill was then returned to the House of Delegates.

Senate Bill 957 – ~~Senator Eckardt~~ Senators Eckardt, DeGrange, Ferguson, Madaleno, and McFadden

AN ACT concerning

Counties and Municipalities – Land Bank Authorities

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 782)

The Bill was then sent to the House of Delegates.

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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 30 Negative – 16 (See Roll Call No. 783)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE

INTRODUCTORY HOUSE BILLS NO. 27

House Bill 1133 – ~~Delegates Wivell and McKay~~ McKay, Beidle, Cassilly, Folden, Jacobs, and Otto

AN ACT concerning

Washington County – State Highway Rights–of–Way – Tree Planting and Signs

FOR the purpose of prohibiting in Washington County tree planting in a certain State highway right–of–way to implement a State Watershed Implementation Plan if the right–of–way fronts property that is zoned in a certain manner; prohibiting the State Highway Administration from planting any tree in certain areas of a certain State highway right–of–way in Washington County as part of implementing a State Watershed Implementation Plan under certain circumstances; requiring the Administration to negotiate in good faith with certain commercial property owners

in Washington County with respect to the placement and installation of directional or promotional signs in State highway rights-of-way; requiring a commercial business that installs a sign under this Act to pay certain costs related to the sign; establishing that the Administration may not authorize the installation of a sign under this Act under certain circumstances and may order the removal of a sign under certain circumstances; authorizing the Administration to charge an annual fee for a sign installed under this Act; requiring the Administration to coordinate with certain individuals and entities to minimize the fiscal impact on the Transportation Trust Fund; authorizing the Administration to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to tree planting and signs in certain State highway rights-of-way in Washington County.

BY adding to

Article – Environment

Section 4–801 to be under the new subtitle “Subtitle 8. Washington County – Chesapeake Bay Total Maximum Daily Load”

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 8–605

Annotated Code of Maryland

(2015 Replacement Volume and 2016 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1209 – Delegates A. Miller, Anderson, Atterbeary, B. Barnes, Chang, Dumais, Gaines, Gutierrez, Haynes, Hettleman, C. Howard, Jackson, Jones, Kelly, Knotts, Korman, Lafferty, Lam, Lierman, Morales, Pena–Melnik, Queen, Reznik, Sanchez, Valderrama, Valentino–Smith, C. Wilson, and K. Young

AN ACT concerning

Sexual Assault Victims Resources Act of 2017

FOR the purpose of expanding the services to be provided by certain sexual assault crisis programs; specifying criteria for receiving certain grant funding; requiring the Governor to include certain funding in the State budget; authorizing the Governor, under certain circumstances, to reduce a certain appropriation; providing for the allocation of certain grant money; stating certain findings of the General Assembly; establishing the Maryland Sexual Assault Evidence Kit Policy and Funding Committee; providing for the composition, terms, quorum, meetings, and staffing of the Committee; prohibiting a member of the Committee from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the

Committee to develop and disseminate certain best practices information and recommendations; authorizing the Committee to adopt rules governing its operation; requiring the Attorney General to adopt certain regulations in consultation with the Committee; requiring the Committee to make certain evaluations regarding State and local funding; requiring the Committee to report on its activities to the Governor and the General Assembly on or before a certain date each year; defining a certain term; and generally relating to resources for sexual assault victims.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–923
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.

BUDGET AND TAXATION COMMITTEE REPORT NO. 20

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 151 – The Speaker (By Request – Administration)

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2017, and the Maryland Consolidated Capital Bond Loans of 2006, 2009, 2010, 2012, 2013, 2014, 2015, and 2016

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2017 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 151 – THE CAPITAL BUDGET

(See Exhibit I of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO HOUSE BILL 151 – THE CAPITAL BUDGET

(See Exhibit J of Appendix III)

Committee amendment 1 was read and adopted.

Committee amendments 2 through 6 were read and adopted.

Committee amendment 7 was read and adopted.

Committee amendment 8 was read and adopted.

Committee amendment 9 was read and adopted.

Committee amendments 10 through 17 were read and adopted.

Committee amendments 19 through 25 were read and adopted.

Committee amendment 18 was read and adopted by a roll call vote as follows.

Affirmative – 28 Negative – 15 (See Roll Call No. 784)

Committee amendment 26 was read and adopted.

Committee amendment 27 was read and adopted.

Committee amendment 28 was read and adopted.

Committee amendments 29 and 30 were read and adopted.

Committee amendments 32 through 37 were read and adopted.

Committee amendments 39 through 42 were read and adopted.

Committee amendment 44 was read and adopted.

Committee amendments 31, 38, and 43 were read and adopted by a roll call vote as follows.

Affirmative – 31 Negative – 16 (See Roll Call No. 785)

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 26

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 459 – Senator Feldman

AN ACT concerning

Bail Bond – Installment Contract – Confessed Judgment Prohibition

SB0459/427573/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 459

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Feldman” and substitute “Senators Feldman, Middleton, Astle, Benson, Hershey, Jennings, Klausmeier, Mathias, Reilly, Rosapepe, and Oaks”; in line 2, after “Contract –” insert “Form and”; in line 3, after “of” insert “requiring an agreement to accept payment for the premium charged for a bail bond in installments to be in a form approved by the Maryland Insurance Commissioner; prohibiting the agreement from including a confessed judgment clause that waives a consumer’s right to assert a certain defense;”; in line 4, after “clause” insert “that waives a consumer’s right to assert a certain defense”; in the same line, strike “a certain” and substitute “an”; in line 6, strike “a certain confessed judgment clause to include a” and substitute “the”; in the same line, after “judgment” insert “clause”; in the same line, strike “in a certain” and substitute “in an”; and in line 8, after “installments,” insert “defining a certain term;”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“(1) SHALL BE IN A FORM ADOPTED BY THE COMMISSIONER;”;

in lines 9 and 17, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(2)**” and “**(3)**”, respectively; and in line 17, strike “**MAY**” and substitute “**MAY**”.

On page 3, in lines 12 and 13, strike “**§ 10–301(B)**” and substitute “**§ 10–301**”; and strike in their entirety lines 14 through 16, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 745 – Senator Zirkin

AN ACT concerning

Disclosure of Medical Records – Compulsory Process – Timeline

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 898 – Senators Astle, Jennings, Klausmeier, and Mathias

AN ACT concerning

Health Insurance – Prescription Drugs – Dispensing Synchronization

SB0898/617075/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 898

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Mathias” and substitute “, Mathias, Benson, Feldman, Hershey, Middleton, Oaks, Reilly, and Rosapepe”; and in line 13, after “Act,” insert “providing for a delayed effective date”.

AMENDMENT NO. 2

On page 2, in line 24, strike “AND”; after line 24, insert:

“(2) THE PRESCRIPTION DRUG IS ANTICIPATED TO BE REQUIRED FOR MORE THAN 3 MONTHS;”;

in line 25, strike “(2)” and substitute “(3)”; and in line 27, after “DRUGS” insert “;”

(4) THE PRESCRIPTION DRUG IS NOT A SCHEDULE II CONTROLLED DANGEROUS SUBSTANCE; AND

(5) THE SUPPLY AND DISPENSING OF THE PRESCRIPTION DRUG MEETS ALL PRIOR AUTHORIZATION AND UTILIZATION MANAGEMENT REQUIREMENTS SPECIFIC TO THE PRESCRIPTION DRUG AT THE TIME OF THE SYNCHRONIZED DISPENSING".

AMENDMENT NO. 3

On page 3, in line 3, strike "AN" and substitute "**SUBJECT TO SUBSECTION (C) OF THIS SECTION, AN**"; and in lines 16 and 18, in each instance, strike "October 1, 2017" and substitute "**January 1, 2019**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

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**

SB1027/137178/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1027

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "breach" insert "**by an exclusive representative**"; and in line 7, strike the second "of" and substitute "**owed to**".

AMENDMENT NO. 2

On page 2, in line 1, after “BREACH” insert “BY AN EXCLUSIVE REPRESENTATIVE”; and in the same line, strike the third “OF” and substitute “OWED TO”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 1148 – Senator Ferguson

AN ACT concerning

**Maryland Stadium Authority – Maryland Sports and Affiliated Foundations –
Establishment**

SB1148/247770/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 1148

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Ferguson” and substitute “Senators Ferguson, Astle, Feldman, Hershey, Jennings, Mathias, Reilly, and Rosapepe”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR COMMITTEE AMENDMENT

SB1148/577472/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 1148

(First Reading File Bill)

On page 5, in line 8, strike “THE APPROVAL OF” and substitute “PROVIDING”; and in line 9, after “ASSEMBLY” insert “AN OPPORTUNITY FOR REVIEW AND COMMENT”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 27

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

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

HB0119/937871/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 119

(Third Reading File Bill)

On page 19, in line 23, strike “HAZARDS, INCIDENTS, AND ACCIDENTS” and substitute “HAZARDS, INCIDENTS, AND ACCIDENTS”.

On page 24, in line 33, strike “HAZARD” and substitute “HAZARD”.

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. 9

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 105 – Chair, Appropriations Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Program Open Space – Apportionment Formula and Committee

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:

House Bill 133 – Chair, Environment and Transportation Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Reduction of Lead Risk in Housing – Notification of Elevated Blood Lead Level

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:

House Bill 144 – Chair, Health and Government Operations Committee (By Request – Departmental – General Services)

AN ACT concerning

Procurement – Department of General Services – Exemption for Historic Structures

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:

House Bill 246 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Department of Labor, Licensing, and Regulation – State Occupational Mechanical Licensing Boards – Fund and Fees

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:

House Bill 248 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Maryland Home Improvement Commission – Special Fund and Fees

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:

House Bill 250 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Barbers and State Board of Cosmetologists – Special Fund and Fees

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:

House Bill 810 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Apprenticeships – Apprenticeship and Training Council – Revisions

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 1194 – Senator Klausmeier

AN ACT concerning

Public Health – Substance Abuse Treatment Outcome Partnership Fund

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 1195 – Senator Oaks

AN ACT concerning

Environment – Reduction of Lead Risk in Housing – Blood Lead Level

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 1196 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Tri-County Council for Southern Maryland – Financing Purchase or Lease of Property – Exemption From Procurement Law

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 1197 – Senator Miller

AN ACT concerning

**Public Health – Maryland Medical Cannabis Commission – Membership,
Licensing, and Studies**

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 1198 – Prince George’s County Senators

AN ACT concerning

Prince George’s County Regional Medical Center Act of 2017

The Bill was re-referred to the Committee on Budget and Taxation.

BUDGET AND TAXATION COMMITTEE REPORT NO. 18

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 736 – Senator Waugh

AN ACT concerning

St. Mary’s County – Public Facility Bonds

SB0736/779334/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 736

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, strike “making this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 17 through 27, inclusive; in line 28, strike “11.” and substitute “10.”; and strike beginning with the second comma in line 28 down through the first comma in line 29.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 19

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 642 – Delegates C. Wilson, Angel, Atterbeary, Bromwell, Folden, C. Howard, and Moon

AN ACT concerning

Civil Actions – Child Sexual Abuse – Statute of Limitations and Required Findings

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 28**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1325 – Delegates Fraser-Hidalgo, Robinson, Barve, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Beidle, Branch, Bromwell, Brooks, Carr, Chang, Conaway, Cullison, Dumais, Ebersole, Fennell, Frush, Gutierrez, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Jackson, Jameson, Jones, Kaiser, Kelly, Knotts, Kramer, Krimm, Lafferty, Lam, ~~Lewis~~ R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Platt, Queen, Reznik, Rosenberg, Sanchez, Sophocleus, Stein, Turner,

Valderrama, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, ~~and Mosby~~ Mosby, and Gilchrist

AN ACT concerning

Oil and Natural Gas – Hydraulic Fracturing – Prohibition

Senator Jennings moved to make the Bill and Report a Special Order for March 24, 2017.

The motion was adopted.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 29**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 103 – Senator Waugh

AN ACT concerning

St. Mary's County – Foxes and Hounds – Repeal of Provisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 363 – Senator Conway

AN ACT concerning

Pharmacists – Contraceptives – Prescribing and Dispensing

SB0363/464531/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 363
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “Pharmacy” insert “, on or before a certain date and in consultation with the State Board of Physicians, the State Board of Nursing, and certain stakeholders.”; strike beginning with “requiring” in line 10 down through “practitioner;” in line 13; and in line 14, strike “providing for a delayed effective date;”.

On page 2, strike in their entirety lines 10 through 14, inclusive.

AMENDMENT NO. 2

On page 4, in line 3, strike “**THE**” and substitute “**ON OR BEFORE SEPTEMBER 1, 2018, THE**”; in the same line, after “**BOARD**” insert “, **IN CONSULTATION WITH THE STATE BOARD OF PHYSICIANS, THE STATE BOARD OF NURSING, THE MARYLAND CHAPTER OF THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, THE MARYLAND CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS, THE MARYLAND PHARMACISTS ASSOCIATION, THE MARYLAND AFFILIATE OF THE AMERICAN COLLEGE OF NURSE-MIDWIVES, THE MARYLAND NURSES ASSOCIATION, PLANNED PARENTHOOD OF MARYLAND, THE MARYLAND ASSOCIATION OF CHAIN DRUG STORES, AND OTHER INTERESTED HEALTH PROFESSIONAL ASSOCIATIONS AND STAKEHOLDERS,**”; in the same line, after “**ADOPT**” insert “**FINAL**”; in the same line, strike “**THE**” and substitute “**:**”

(I) STANDARD PROCEDURES THAT A PHARMACIST MUST USE TO SELECT THE APPROPRIATE CONTRACEPTIVE TO PRESCRIBE FOR A PATIENT OR TO REFER THE PATIENT TO A PRIMARY CARE PRACTITIONER OR REPRODUCTIVE HEALTH CARE PRACTITIONER FOR TREATMENT; AND

(II) THE”;

in line 12, after “**PATIENT**” insert:

“(III) FOLLOW THE STANDARD PROCEDURES ESTABLISHED BY THE BOARD;”;

in line 13, strike “**(III)**” and substitute “**(IV)**”; in line 22, after “**WITH**” insert “**:**”

A.”;

in the same line, strike “**A**” and substitute “**A**”; after line 23, insert:

“B. WRITTEN INFORMATION ABOUT THE IMPORTANCE OF SEEING THE PATIENT’S PRIMARY CARE PRACTITIONER OR REPRODUCTIVE HEALTH CARE PRACTITIONER TO OBTAIN RECOMMENDED TESTS AND SCREENINGS;”;

and in line 26, after “PHARMACIST” insert “;AND”

4. PROVIDE THE PATIENT WITH A COPY OF THE RECORD OF THE ENCOUNTER THAT INCLUDES THE PATIENT’S COMPLETED SELF-ASSESSMENT TOOL AND THE CONTRACEPTIVE PRESCRIBED AND DISPENSED OR THE BASIS FOR NOT PRESCRIBING AND DISPENSING A CONTRACEPTIVE”.

AMENDMENT NO. 3

On page 4, after line 30, insert:

“(4) THE REGULATIONS SHALL PROHIBIT A PHARMACIST FROM PRESCRIBING CONTRACEPTIVES BEFORE JANUARY 1, 2019.”.

On page 5, strike in their entirety lines 1 through 17, inclusive; and in line 19, strike “January 1, 2018” and substitute “July 1, 2017”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 871 – Senator Zucker

AN ACT concerning

**Education – Accountability – Consolidated State Plan and Support and
Improvement Plans
(Protect Our Schools Act of 2017)**

SB0871/654138/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 871

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “indicators;” insert “requiring one of the school quality indicators to be a certain school climate survey;”; in line 8, after “testing” insert “, subject to a certain exception”; strike beginning with “requiring” in line 8 down through “score” in line 10 and substitute “requiring the State Board of Education to establish a certain composite score that provides for certain differentiation; requiring a certain composite score to include certain indicators and incorporate a certain methodology; prohibiting a certain total of academic indicators from exceeding a certain percentage of a composite score; requiring a certain composite score to be calculated in a certain manner; prohibiting a certain composite score from being reported in a certain format; prohibiting certain indicators from being weighted in a certain manner; specifying that the final weights of certain indicators, subject to certain provisions of law, are determined by the State Board, with certain stakeholder input”; in line 22, after “circumstances;” insert “authorizing a certain plan to include a lengthening of the school year, notwithstanding certain laws, regulations, or executive orders;”; and in line 24, after “limitations;” insert “specifying that a certain decision of the Department is final;”.

AMENDMENT NO. 2

On page 4, in line 19, after “STUDENTS” insert “OR THE LEVEL OF STUDENT SUCCESS”; after line 19, insert:

“(II) 1. ONE OF THE SCHOOL QUALITY INDICATORS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE SCHOOL CLIMATE SURVEYS.

2. THE SCHOOL CLIMATE SURVEYS SHALL INCLUDE AT LEAST ONE OR MORE QUESTIONS TO EDUCATORS REGARDING THE RECEIPT OF CRITICAL INSTRUCTIONAL FEEDBACK.”;

strike line 21 in its entirety; in line 20, strike “(II) SCHOOL” and substitute “**(III) OTHER SCHOOL**”; in lines 22, 23, 24, and 25, strike “A.”, “B.”, “C.”, and “D.”, respectively, and substitute “**1.**”, “**2.**”, “**3.**”, and “**4.**”, respectively; and in line 24, strike “SCHOOL CLIMATE SURVEYS” and substitute “**ACCESS TO OR CREDIT FOR COMPLETION OF A WELL-ROUNDED CURRICULUM BY THE END OF NINTH GRADE, INCLUDING MATHEMATICS, ENGLISH LANGUAGE ARTS, SCIENCE, SOCIAL STUDIES, AND RELATED ARTS**”.

On pages 4 and 5, strike beginning with “TO” in line 25 on page 4 down through “SURVEYS.” in line 5 on page 5 and substitute “FOR:”

A. ADVANCED PLACEMENT COURSES AND
INTERNATIONAL BACCALAUREATE PROGRAMS;

B. CAREER AND TECHNOLOGY EDUCATION PROGRAMS;
AND

C. DUAL ENROLLMENT;

5. CHRONIC ABSENTEEISM;

6. DATA ON DISCIPLINE AND RESTORATIVE PRACTICES;
AND

7. ACCESS TO TEACHERS WHO HOLD AN ADVANCED
PROFESSIONAL CERTIFICATE OR HAVE OBTAINED NATIONAL BOARD
CERTIFICATION.”.

AMENDMENT NO. 3

On page 5, in lines 6 and 8, strike “(III)” and “(IV)”, respectively, and substitute “(IV)” and “(V)”, respectively; in line 6, strike “THE” and substitute “EXCEPT AS PROVIDED IN ITEM (III)3 OF THIS PARAGRAPH, THE”; strike beginning with “BOTH” in line 8 down through “SCORE” in line 12 and substitute “THE STATE BOARD SHALL ESTABLISH A COMPOSITE SCORE THAT PROVIDES FOR MEANINGFUL DIFFERENTIATION OF SCHOOLS UNDER THE SCHOOL ACCOUNTABILITY SYSTEM.”

2. THE COMPOSITE SCORE ESTABLISHED UNDER
SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL:

A. INCLUDE BOTH ACADEMIC AND SCHOOL QUALITY
INDICATORS; AND

B. INCORPORATE A METHODOLOGY THAT COMPARES SCHOOLS THAT SHARE SIMILAR DEMOGRAPHIC CHARACTERISTICS, INCLUDING THE PROPORTION OF ECONOMICALLY DISADVANTAGED STUDENTS, AS DEFINED BY THE STATE IN ACCORDANCE WITH FEDERAL LAW.

3. THE COMBINED TOTAL OF THE ACADEMIC INDICATORS MAY NOT EXCEED 55% OF THE COMPOSITE SCORE.

4. THE COMPOSITE SCORE:

A. SHALL BE CALCULATED NUMERICALLY IN A PERCENTILE FORM; AND

B. MAY NOT BE REPORTED USING A LETTER GRADE MODEL.

5. NO ACADEMIC INDICATOR MAY BE WEIGHTED AS LESS THAN 10% OF THE TOTAL AMOUNT OF THE COMPOSITE SCORE.

6. NO SCHOOL QUALITY INDICATOR DESCRIBED UNDER SUBSECTION (C)(2) OF THIS SECTION MAY BE WEIGHTED AS LESS THAN 10% OF THE TOTAL AMOUNT OF THE COMPOSITE SCORE.

7. SUBJECT TO THIS SUBSUBPARAGRAPH, THE FINAL WEIGHTS OF THE ACADEMIC AND SCHOOL QUALITY INDICATORS SHALL BE DETERMINED BY THE STATE BOARD, WITH STAKEHOLDER INPUT”.

AMENDMENT NO. 4

On page 6, in line 23, after the comma insert “PARENTS, COMMUNITY MEMBERS,”.

On page 7, in line 1, strike “AND THE” and substitute a comma; in the same line, after “BOARD” insert “, AND THE DEPARTMENT”; in line 10, strike “AND (3)”; after line 28, insert:

“(2) NOTWITHSTANDING ANY LAW, REGULATION, OR EXECUTIVE ORDER, A PLAN UNDER THIS SECTION MAY INCLUDE A LENGTHENING OF THE SCHOOL YEAR BEYOND 180 DAYS OR ANY OTHER LIMITATION.”;

and in line 29, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 5

On page 8, after line 9, insert:

**“(II) CREATING A LOCAL SCHOOL SYSTEM IN ADDITION TO THE
24 SCHOOL SYSTEMS ESTABLISHED IN THIS ARTICLE;**

**(III) CONVERTING OR CREATING A NEW PUBLIC SCHOOL
WITHOUT LOCAL BOARD APPROVAL;”;**

strike line 10 in its entirety; in lines 11 and 14, strike “(III)” and “(IV)”, respectively, and substitute “(IV)”, and “(V)”, respectively; and after line 14, insert:

**“(3) A DECISION OF THE DEPARTMENT UNDER THIS SUBSECTION IS
FINAL.”.**

The preceding 5 amendments were read only.

Senator Ready moved to make the Bill and Amendments a Special Order for March 24, 2017.

The motion was rejected by a roll call vote as follows:

Affirmative – 15 Negative – 31 (See Roll Call No. 786)

Senator Pinsky 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 with amendments:

Senate Bill 1013 – Senator Conway

AN ACT concerning

Health Occupations – Dental Therapists – Licensure

SB1013/994432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1013

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Department of Health and Mental Hygiene and Maryland Higher Education Commission – Workgroup to Examine the Need for Dental Therapy”.

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 43 on page 2, inclusive, and substitute:

“FOR the purpose of requiring the Department of Health and Mental Hygiene and the Maryland Higher Education Commission to jointly convene a workgroup to examine the need for dental therapy in the State; requiring the workgroup to include certain stakeholders; requiring the workgroup to report its findings and recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to a workgroup to examine the need for dental therapy in the State.”.

AMENDMENT NO. 2

On page 2, in line 45, strike “the Laws of Maryland read as follows”.

On pages 3 through 18, strike in their entirety the lines beginning with line 1 on page 3 through line 2 on page 18, inclusive, and substitute:

“(a) The Department of Health and Mental Hygiene and the Maryland Higher Education Commission shall jointly convene a workgroup to examine the need for dental therapy in the State.

(b) The workgroup convened under subsection (a) of this section shall include health care practitioners in the fields of dentistry, dental hygiene, professional counselors and therapists, and nursing, as well as representatives from the disability community, public health advocates, the Medicaid community, and institutions of higher education.

(c) The workgroup shall:

(1) assess the need for dental therapists in the State;

(2) assess existing educational opportunities, if any, for the study of dental therapy in the State; and

(3) determine the feasibility of expanding educational opportunities for the study of dental therapy in the State.

(d) On or before December 1, 2017, the workgroup shall report, in accordance with § 2-1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee regarding the workgroup's findings and recommendations."

On page 18, in line 3, strike "4." and substitute "2."; in line 4, strike "October" and substitute "July".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Senator Pinsky 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 Joint Resolution 8 – Senator Pinsky

A Senate Joint Resolution concerning

Chesapeake Bay Restoration – Federal Budget Blueprint Funding Reductions – Rescission Request

Senator Pinsky moved to suspend the rules to allow **Senate Joint 8** to be assigned to the committee of jurisdiction.

The motion was adopted.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

SPECIAL ORDER CALENDAR NO. 36

Senate Bill 946 – Senators Smith, Madaleno, Benson, Currie, Guzzone, Kagan, King, Lee, McFadden, Nathan–Pulliam, Robinson, Rosapepe, and Zucker

AN ACT concerning

Weapon–Free Higher Education Zones

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR ECKARDT.

FLOOR AMENDMENT

SB0946/713625/1

BY: Senator Eckardt

AMENDMENT TO SENATE BILL 946, AS AMENDED

On page 3 of the Judicial Proceedings Committee Amendments (SB0946/878776/1), in line 13 of Amendment No. 2, strike “OR”; and in line 14, after “(8)” insert “A PERSON, UNLESS OTHERWISE PROHIBITED BY LAW, TRANSPORTING IN A MOTOR VEHICLE A FIREARM IN A CASE, WHEN THE GUN IS UNLOADED AND ANY AMMUNITION IS STOWED SEPARATELY;

(9) A PERSON ISSUED A VALID HUNTING LICENSE UNDER TITLE 10, SUBTITLE 3 OF THE NATURAL RESOURCES ARTICLE;

(10) A PERSON ISSUED A VALID DEER MANAGEMENT PERMIT UNDER § 10–415 OF THE NATURAL RESOURCES ARTICLE;

(11) PROPERTY OF THE UNIVERSITY SYSTEM OF MARYLAND THAT IS NOT A CAMPUS OF THE UNIVERSITY SYSTEM OF MARYLAND; OR

(12)”.

The preceding amendment was withdrawn.

FLOOR AMENDMENT

SB0946/623022/4

BY: Senator Smith

AMENDMENTS TO SENATE BILL 946, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, strike “Weapon-Free” and substitute “Gun-Free”.

AMENDMENT NO. 2

On page 3 of the Judicial Proceedings Committee Amendments (SB0946/878776/1), in line 13 of Amendment No. 2, strike the second “OR”; and in line 14, after “(8)” insert “THE AREA SURROUNDING A BUILDING OWNED OR OPERATED BY A PUBLIC INSTITUTION OF HIGHER EDUCATION FOR THE PURPOSE OF STUDENT HOUSING, TEACHING, RESEARCH, OR ADMINISTRATION, IF:

(I) THE AREA IS NOT LOCATED OTHERWISE ON A CAMPUS OF A PUBLIC INSTITUTION OF HIGHER EDUCATION; AND

(II) THE POSSESSION OF A FIREARM IN THE AREA IS NOT OTHERWISE PROHIBITED BY LAW; OR

(9)”.

AMENDMENT NO. 3

Strike Senator Edwards’s Amendment (SB0946/113720/1) in its entirety.

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 705 – Senators Muse, Kelley, Lee, Ramirez, and Smith

AN ACT concerning

Award of Attorney’s Fees and Expenses – Violation of Maryland Constitutional Right

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Muse moved to make the Bill a Special Order for March 27, 2017.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 787)

ADJOURNMENT

At 1:18 P.M. on motion of Senator Peters the Senate adjourned until 11:00 A.M. on Legislative Day March 22, 2017, Calendar Day, Friday, March 24, 2017, in memory of Cardinal William Keeler.

Annapolis, Maryland
Legislative Day: March 22, 2017
Calendar Day: Friday, March 24, 2017
11:00 A.M. Session

The Senate met at 11:13 A.M.

Prayer by Senator Nathaniel J. McFadden.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 790)

On motion of Senator Peters it was ordered that Senator Kagan be excused from today's session.

The Journal of March 23, 2017 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 791)

SENATE THIRD READING CALENDAR NO. 60 (GENERAL SENATE BILLS)

Senate Bill 103 – Senator Waugh

AN ACT concerning

St. Mary's County – Foxes and Hounds – Repeal of Provisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 792)

The Bill was then sent to the House of Delegates.

Senate Bill 363 – Senator Conway

AN ACT concerning

Pharmacists – Contraceptives – Prescribing and Dispensing

Read the third time and passed by yeas and nays as follows:

Affirmative – 31 Negative – 15 (See Roll Call No. 793)

The Bill was then sent to the House of Delegates.

Senate Bill 459 – ~~Senator Feldman~~ Senators Feldman, Middleton, Astle, Benson, Hershey, Jennings, Klausmeier, Mathias, Reilly, Rosapepe, and Oaks

AN ACT concerning

Bail Bond – Installment Contract – Form and Confessed Judgment Prohibition

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 3 (See Roll Call No. 794)

The Bill was then sent to the House of Delegates.

Senate Bill 736 – Senator Waugh

AN ACT concerning

St. Mary’s County – Public Facility Bonds

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 795)

The Bill was then sent to the House of Delegates.

Senate Bill 745 – Senator Zirkin

AN ACT concerning

Disclosure of Medical Records – Compulsory Process – Timeline

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 796)

The Bill was then sent to the House of Delegates.

Senate Bill 898 – Senators Astle, Jennings, Klausmeier, ~~and Mathias~~ Mathias, Benson, Feldman, Hershey, Middleton, Oaks, Reilly, and Rosapepe

AN ACT concerning

Health Insurance – Prescription Drugs – Dispensing Synchronization

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 797)

The Bill was then sent to the House of Delegates.

Senate Bill 946 – Senators Smith, Madaleno, Benson, Currie, Guzzone, Kagan, King, Lee, McFadden, Nathan–Pulliam, Robinson, Rosapepe, and Zucker

AN ACT concerning

~~**Weapon–Free**~~ **Gun–Free** **Higher Education Zones**

Read the third time and passed by yeas and nays as follows:

Affirmative – 27 Negative – 20 (See Roll Call No. 798)

The Bill was then sent to the House of Delegates.

Senate Bill 1013 – Senator Conway

AN ACT concerning

~~**Health Occupations – Dental Therapists – Licensure**~~
Department of Health and Mental Hygiene and Maryland Higher Education
Commission – Workgroup to Examine the Need for Dental Therapy

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 799)

The Bill was then sent to the House of Delegates.

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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 800)

The Bill was then sent to the House of Delegates.

**Senate Bill 1148 – ~~Senator Ferguson~~ Senators Ferguson, Astle, Feldman, Hershey,
Jennings, Mathias, Reilly, and Rosapepe**

AN ACT concerning

**Maryland Stadium Authority – Maryland Sports and Affiliated Foundations –
Establishment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 801)

The Bill was then sent to the House of Delegates.

**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

Read the third time and passed by yeas and nays as follows:

Affirmative – 33 Negative – 14 (See Roll Call No. 802)

The Bill was then sent to the House of Delegates.

MESSAGES

MESSAGE TO THE SENATE

BILL: **HB0150**
SPONSOR: Speaker

SUBJECT: Budget Bill (Fiscal Year 2018)

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate McIntosh, Chair
Delegate Gaines
Delegate Jones
Delegate Reznik
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Haynes, B. Barnes and A. Miller.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0150**
SPONSOR: Speaker
SUBJECT: Budget Bill (Fiscal Year 2018)

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate McIntosh, Chairman
Delegate Gaines
Delegate Jones

Delegate Reznik
Delegate Beitzel.

In addition, the House has appointed in advisory capacity: Delegates Haynes, B. Barnes and A. Miller.

The Senate appoints:

Senator Kasemeyer, Chair
Senator DeGrange
Senator Madaleno
Senator King
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden, Ferguson and Serafini.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: **HB0152**
SPONSOR: Speaker
SUBJECT: Budget Reconciliation and Financing Act of 2017

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate McIntosh, Chair
Delegate Gaines
Delegate Jones
Delegate Reznik
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Haynes, B. Barnes and A. Miller.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0152**
SPONSOR: Speaker
SUBJECT: Budget Reconciliation and Financing Act of 2017

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate McIntosh, Chairman
Delegate Gaines
Delegate Jones
Delegate Reznik
Delegate Beitzel.

In addition, the House has appointed in advisory capacity: Delegates Haynes, B. Barnes and A. Miller.

The Senate appoints:

Senator Kasemeyer, Chair
Senator DeGrange
Senator Madaleno
Senator King
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden, Ferguson and Serafini.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

SENATE THIRD READING CALENDAR NO. 6 (GENERAL HOUSE BILLS)

**House Bill 119 – Chair, Environment and Transportation Committee (By Request
– Departmental – Transportation)**

EMERGENCY BILL

AN ACT concerning

**Washington Metropolitan Area Transit Authority – Washington Metrorail Safety
Commission – Establishment and Compact**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 803)

The Bill was then returned to the House of Delegates.

House Bill 151 – The Speaker (By Request – Administration)

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2017,
and the Maryland Consolidated Capital Bond Loans of ~~2009~~, 2006, 2009, 2010,
2012, 2013, 2014, 2015, and 2016**

FLOOR AMENDMENT

HB0151/763423/1

BY: Senator Hough

AMENDMENT TO HOUSE BILL 151

(Third Reading File Bill – Committee Reprint)

On page 29, strike beginning with “Downtown” in line 34 down through “Center” in line 38 and substitute “Waverly Elementary School. Provide a grant of \$4,000,000 to Waverly Elementary School for the renovation and expansion of the Waverly Elementary School building”.

On page 80, strike beginning with “Downtown” in line 19 down through “Center” in line 23 and substitute “Waverly Elementary School. Provide a grant of \$1,000,000 to Waverly Elementary School for the renovation and expansion of the Waverly Elementary School building”.

On page 88, strike beginning with “Downtown” in line 22 down through “Center” in line 26 and substitute “Waverly Elementary School. Provide a grant of \$7,500,000 to Waverly Elementary School for the renovation and expansion of the Waverly Elementary School building”.

On pages 91 and 92, strike beginning with “Downtown” in line 35 on page 91 down through “Center” in line 3 on page 92 and substitute “Waverly Elementary School. Provide a grant of \$7,500,000 to Waverly Elementary School for the renovation and expansion of the Waverly Elementary School building”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 33 (See Roll Call No. 804)

FLOOR AMENDMENT

HB0151/403428/1

BY: Senator Hough

AMENDMENT TO HOUSE BILL 151

(Third Reading File Bill – Committee Reprint)

On page 29, strike beginning with “Downtown” in line 34 down through “Center” in line 38 and substitute “The Frederick Rescue Mission. Provide a grant of \$4,000,000 to the Frederick Rescue Mission for the acquisition, planning, design, construction, repair, renovation, and reconstruction of the Frederick Rescue Mission”.

On page 80, strike beginning with “Downtown” in line 19 down through “Center” in line 23 and substitute “The Frederick Rescue Mission. Provide a grant of \$1,000,000 to the

Frederick Rescue Mission for the acquisition, planning, design, construction, repair, renovation, and reconstruction of the Frederick Rescue Mission”.

On page 88, strike beginning with “Downtown” in line 22 down through “Center” in line 26 and substitute “The Frederick Rescue Mission. Provide a grant of \$7,500,000 to the Frederick Rescue Mission for the acquisition, planning, design, construction, repair, renovation, and reconstruction of the Frederick Rescue Mission”.

On pages 91 and 92, strike beginning with “Downtown” in line 35 on page 91 down through “Center” in line 3 on page 92 and substitute “The Frederick Rescue Mission. Provide a grant of \$7,500,000 to the Frederick Rescue Mission for the acquisition, planning, design, construction, repair, renovation, and reconstruction of the Frederick Rescue Mission”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 31 (See Roll Call No. 805)

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 806)

The Bill was then returned to the House of Delegates.

House Bill 642 – Delegates C. Wilson, Angel, Atterbeary, Bromwell, Folden, C. Howard, and Moon

AN ACT concerning

Civil Actions – Child Sexual Abuse – Statute of Limitations and Required Findings

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 807)

The Bill was then returned to the House of Delegates.

SPECIAL ORDER CALENDAR NO. 37

House Bill 1325 – Delegates Fraser-Hidalgo, Robinson, Barve, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Beidle, Branch, Bromwell, Brooks, Carr, Chang, Conaway, Cullison, Dumais, Ebersole,

Fennell, Frush, Gutierrez, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Jackson, Jameson, Jones, Kaiser, Kelly, Knotts, Kramer, Krimm, Lafferty, Lam, ~~Lewis~~ R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Platt, Queen, Reznik, Rosenberg, Sanchez, Sophocleus, Stein, Turner, Valderrama, Vallario, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, ~~and Mosby~~ Mosby, and Gilchrist

AN ACT concerning

Oil and Natural Gas – Hydraulic Fracturing – Prohibition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted by roll call vote as follows:

Affirmative – 35 Negative – 12 (See Roll Call No. 808)

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 30**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 924 – Delegates Gilchrist, Barve, Carr, Frush, Lafferty, Robinson, ~~and Stein~~ Stein, Beidle, Fraser-Hidalgo, Healey, Holmes, and McCray

AN ACT concerning

Natural Resources – Oyster Management – Prohibited Actions

Senator Miller 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 with amendments:

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)**

HB0978/934433/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 978

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “indicators;” insert “requiring one of the school quality indicators to be a certain school climate survey;”; in line 8, after “testing” insert “, subject to a certain exception”; and strike beginning with “requiring” in line 8 down through “growth” in line 13 and substitute “requiring the State Board of Education to establish a certain composite score that provides for certain differentiation; requiring a certain composite score to include certain indicators and incorporate a certain methodology; prohibiting a certain total of academic indicators from exceeding a certain percentage of a composite score; requiring a certain composite score to be calculated in a certain manner; prohibiting a certain composite score from being reported in a certain format; prohibiting certain indicators from being weighted in a certain manner; specifying that the final weights of certain indicators, subject to certain provisions of law, are determined by the State Board, with certain stakeholder input”.

On page 2, in line 2, after “circumstances;” insert “authorizing a certain plan to include a lengthening of the school year, notwithstanding certain laws, regulations, or executive orders;”; and in line 5, after “limitations;” insert “specifying that a certain decision of the Department is final;”.

AMENDMENT NO. 2

On page 4, in line 27, after “STUDENTS” insert “OR THE LEVEL OF STUDENT SUCCESS”; after line 27, insert:

**“(II) 1. ONE OF THE SCHOOL QUALITY INDICATORS UNDER
SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE SCHOOL CLIMATE SURVEYS.**

2. THE SCHOOL CLIMATE SURVEYS SHALL INCLUDE AT LEAST ONE QUESTION TO EDUCATORS REGARDING THE RECEIPT OF CRITICAL INSTRUCTIONAL FEEDBACK.”;

in line 28, strike “**(II) SCHOOL**” and substitute “**(III) OTHER SCHOOL**”; strike beginning with the comma in line 28 down through “**TO**” in line 29; and in line 33, strike “**SCHOOL CLIMATE SURVEYS**” and substitute “**ACCESS TO OR CREDIT FOR COMPLETION OF A WELL-ROUNDED CURRICULUM BY THE END OF NINTH GRADE, INCLUDING MATHEMATICS, ENGLISH LANGUAGE ARTS, SCIENCE, SOCIAL STUDIES, AND RELATED ARTS**”.

AMENDMENT NO. 3

On page 5, in line 15, after “**PROGRAMS;**” insert “**AND**”; strike beginning with “**AND**” in line 16 down through “**CERTIFICATION;**” in line 17; in lines 24 and 26, strike “**(III)**” and “**(IV) 1.**”, respectively, and substitute “**(IV)**” and “**(V)**”, respectively; and in line 24, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN ITEM (III)3 OF THIS PARAGRAPH, THE**”.

On page 6, strike in their entirety lines 1 through 10, inclusive; and after line 10, insert:

“1. THE STATE BOARD SHALL ESTABLISH A COMPOSITE SCORE THAT PROVIDES FOR MEANINGFUL DIFFERENTIATION OF SCHOOLS UNDER THE SCHOOL ACCOUNTABILITY SYSTEM.

2. THE COMPOSITE SCORE ESTABLISHED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL:

A. INCLUDE BOTH ACADEMIC AND SCHOOL QUALITY INDICATORS; AND

B. INCORPORATE A METHODOLOGY THAT COMPARES SCHOOLS THAT SHARE SIMILAR DEMOGRAPHIC CHARACTERISTICS, INCLUDING THE PROPORTION OF ECONOMICALLY DISADVANTAGED STUDENTS, AS DEFINED BY THE STATE IN ACCORDANCE WITH FEDERAL LAW.

3. THE COMBINED TOTAL OF THE ACADEMIC INDICATORS MAY NOT EXCEED 55% OF THE COMPOSITE SCORE.

4. THE COMPOSITE SCORE:

A. SHALL BE CALCULATED NUMERICALLY IN A PERCENTILE FORM; AND

B. MAY NOT BE REPORTED USING A LETTER GRADE MODEL.

5. NO ACADEMIC INDICATOR MAY BE WEIGHTED AS LESS THAN 10% OF THE TOTAL AMOUNT OF THE COMPOSITE SCORE.

6. NO SCHOOL QUALITY INDICATOR DESCRIBED UNDER SUBSECTION (C)(2) OF THIS SECTION MAY BE WEIGHTED AS LESS THAN 10% OF THE TOTAL AMOUNT OF THE COMPOSITE SCORE.

7. SUBJECT TO THIS SUBPARAGRAPH, THE FINAL WEIGHTS OF THE ACADEMIC AND SCHOOL QUALITY INDICATORS SHALL BE DETERMINED BY THE STATE BOARD, WITH STAKEHOLDER INPUT.”.

AMENDMENT NO. 4

On page 8, in line 6, strike “AND (3)”; after line 24, insert:

“(2) NOTWITHSTANDING ANY LAW, REGULATION, OR EXECUTIVE ORDER, A PLAN UNDER THIS SECTION MAY INCLUDE A LENGTHENING OF THE SCHOOL YEAR BEYOND 180 DAYS OR ANY OTHER LIMITATION.”;

and in line 25, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 5

On page 9, strike lines 8 and 9 in their entirety; in lines 10 and 13, strike “(V)” and “(VI)”, respectively, and substitute “(IV)”, and “(V)”, respectively; and after line 13, insert:

“(3) A DECISION OF THE DEPARTMENT UNDER THIS SUBSECTION IS FINAL.”.

The preceding 5 amendments were read only.

Senator Miller moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

FINANCE COMMITTEE REPORT NO. 28

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 466 – Senators Kagan and Middleton

AN ACT concerning

Public Safety – 9–1–1 Emergency Telephone System – Revisions (Carl Henn's Law)

SB0466/267674/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 466

(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, Klausmeier, Mathias, Reilly, Rosapepe, and Oaks”; in line 2, strike “Revisions” and substitute “9–1–1 Director's Council”; strike beginning with “extending” in line 4 down through “circumstances,” in line 15; in line 16, strike “Advisory” and substitute “Director's”; in line 17, after “Council,” insert “requiring the Maryland Institute for Emergency Medical Services Systems to work with the Maryland Association of Counties to secure certain staff and support,”; in the same line, after “certain” insert “duties and”; strike beginning with “requiring” in line 20 down through “entities,” in line 21; in line 21, after “the” insert “Emergency Number Systems”; and in line 22, after “costs” insert “under certain circumstances”.

On pages 1 and 2, strike beginning with “altering” in line 22 on page 1 down through “regulations,” in line 4 on page 2.

On page 2, in line 4, strike “providing for the application of this Act;”; in line 5, after “service” insert “and the 9–1–1 Director’s Council”; after line 5, insert:

“BY repealing and reenacting, with amendments

Article – Education

Section 13–501

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 13–518

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”;

strike in their entirety lines 6 through 10, inclusive; in line 13, strike “1–301, 1–302, 1–303, 1–306, 1–307,”; in the same line, strike “, 1–310, and 1–311”; and strike in their entirety lines 16 through 20, inclusive.

AMENDMENT NO. 2

On pages 2 through 9, strike in their entirety the lines beginning with line 23 on page 2 through line 16 on page 9, inclusive.

On page 9, after line 16, insert:

“Article – Education

13–501.

(a) In this subtitle the following words have the meanings indicated.

(b) “Advisory Council” means the Advisory Council to the State Emergency Medical Services Board.

(c) “Board of Directors” means the Board of Directors of the Medical System Corporation.

(d) “Board of Regents” means the Board of Regents of the University System of Maryland.

(e) “Center” means the R Adams Cowley Shock Trauma Center.

(f) “EMS Board” means the State Emergency Medical Services Board.

(g) “Institute” means the Maryland Institute for Emergency Medical Services Systems.

(h) “Medical System Corporation” means the University of Maryland Medical System Corporation.

(I) “NEXT GENERATION 9-1-1 SERVICES” HAS THE MEANING STATED IN § 1-301 OF THE PUBLIC SAFETY ARTICLE.

(J) “PUBLIC SAFETY ANSWERING POINT” HAS THE MEANING STATED IN § 1-301 OF THE PUBLIC SAFETY ARTICLE.

[(i)] (K) “Study Center” means the Charles McC. Mathias, Jr. National Study Center for Trauma and Emergency Medical Systems.

[(j)] (L) “University” means the University of Maryland, Baltimore Campus.”;

in line 17, strike “**1-304.1.**” and substitute “**13-518.**”; in line 18, strike “**ADVISORY**” and substitute “**DIRECTOR’S**”; in lines 18 and 19, strike “**IN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES**”; in line 20, after “**THE**” insert “**9-1-1 DIRECTOR’S**”; in line 23, after the second “**THE**” insert “**EMERGENCY NUMBER SYSTEMS**”; in line 26, after “**THE**” insert “**9-1-1 DIRECTOR’S**”; and in line 28, after “**THE**” insert “**9-1-1 DIRECTOR’S**”.

On page 10, in line 5, strike “**SECRETARY**” and substitute “**INSTITUTE**”; strike beginning with “**PROVIDE**” in line 5 down through “**SERVICES**” in line 7 and substitute “**WORK WITH THE MARYLAND ASSOCIATION OF COUNTIES TO SECURE NECESSARY STAFF AND LOGISTICAL, TECHNICAL, AND ADMINISTRATIVE SUPPORT FOR THE 9-1-1 DIRECTOR’S COUNCIL**”; in line 8, strike “**1-304.2.**”; in line 9, strike “**(A)**” and substitute “**(G)**”; in the same line, strike “**COLLABORATE WITH THE**” and substitute “**ASSIST THE EMERGENCY NUMBER SYSTEMS**”; in lines 9, 12, 15, and 19, in each instance, after “**THE**” insert “**9-1-1 DIRECTOR’S**”; after line 18, insert:

“(4) THE 9-1-1 DIRECTOR’S COUNCIL SHALL WORK WITH THE COMMUNICATIONS INDUSTRY TO MAKE RECOMMENDATIONS TO THE EMERGENCY NUMBER SYSTEMS BOARD ON METHODOLOGY CONSISTENT WITH THE INDUSTRY BEST PRACTICES FOR COLLECTING DATA FOR CALLS SENT TO PUBLIC SAFETY ANSWERING POINTS.”;

in lines 20 and 23, in each instance, after “**THE**” insert “**EMERGENCY NUMBER SYSTEMS**”; and in line 19, strike “**(B)**” and substitute “**(H)**”.

On page 11, in line 1, after “**THE**” insert “**EMERGENCY NUMBER SYSTEMS**”.

On pages 11 through 13, strike in their entirety the lines beginning with line 3 on page 11 through line 7 on page 13, inclusive, and substitute:

“Article – Public Safety”;

in line 12, strike “**FUND**” and substitute “**IF FUNDS ARE AVAILABLE, BE USED WITH DISCRETION TO REIMBURSE COUNTIES FOR**”; and in the same line, strike “**PLANNING FOR**”.

On pages 14 through 19, strike in their entirety the lines beginning with line 10 on page 14 through line 15 on page 19, inclusive.

On page 19, in line 16, strike “**4.**” 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.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 572 – Senator Simonaire

AN ACT concerning

Investigational Drugs, Biological Products, and Devices – Right to Try Act

SB0572/957074/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 572

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Simonaire” and substitute “Senators Simonaire, Middleton, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Oaks, Reilly, and Rosapepe”; strike beginning with “establishing” in line 8 down through “debts” in line 9 and substitute “requiring a manufacturer of an investigational drug, biological product, or device to notify a certain patient and a certain health care provider of certain side effects or risks; requiring the Office of the Attorney General to develop an informed consent form that meets certain requirements; providing for the construction of certain provisions of this Act; establishing that a certain manufacturer may enforce a certain claim against the estate of a certain patient, but not the patient’s heirs or legatees, except”; and in line 15, after “provider” insert “or certain treatment provided by a health care provider”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“(B) “CARRIER” HAS THE MEANING STATED IN § 15-10A-01(C) OF THE INSURANCE ARTICLE.”;

and in lines 6, 25, and 28, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively.

On page 3, after line 15, insert:

“(IV) INFORMS THE PROVIDER AND ELIGIBLE PATIENT OF ANY KNOWN OR ANTICIPATED SIDE EFFECTS, RISKS, OR REPORTED PATIENT DISCOMFORT THAT IS LIKELY RELATED TO THE TREATMENT;”;

in lines 16, 23, 28, and 33, strike “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively, and substitute “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively;

in line 23, strike “HEALTH INSURANCE”; in line 25, strike “MAY BE” and substitute “ARE”; strike beginning with “UNLESS” in line 26 down through “BY” in line 27 and substitute “EXCEPT AS REQUIRED BY FEDERAL OR STATE”; and in line 34, strike “IS” and substitute “MAY BE”.

On page 4, in line 2, after “ESTATE” insert “, BUT NOT THE HEIRS OR LEGATEES OF THE PATIENT,”; in lines 5 and 12, strike “(E)” and “(F)”, respectively, and substitute “(F)” and “(G)”, respectively; in line 10, after “INVESTIGATION” insert “OR”; and after line 33, insert:

“(C) AFTER THE DATE THAT AN ELIGIBLE PATIENT BEGINS TAKING THE INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE AND DURING THE TIME THE ELIGIBLE PATIENT IS TAKING THE INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE, THE MANUFACTURER SHALL NOTIFY THE ELIGIBLE PATIENT AND THE ELIGIBLE PATIENT’S HEALTH CARE PROVIDER OF ANY SIDE EFFECTS OR RISKS ASSOCIATED WITH THE INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE THAT ARE REQUIRED TO BE DISCLOSED TO THE U. S. FOOD AND DRUG ADMINISTRATION DURING THE DRUG APPROVAL PROCESS.

(D) (1) THE OFFICE OF THE ATTORNEY GENERAL SHALL DEVELOP AN INFORMED CONSENT FORM THAT:

(I) COMPLIES WITH THE REQUIREMENTS OF § 21-2B-01(D)(3) OF THIS SUBTITLE;

(II) INCLUDES INSTRUCTIONS FOR THE PHYSICIAN OR PATIENT ON HOW TO COMPLETE THE FORM; AND

(III) PROVIDES SPACES FOR A PHYSICIAN TO INCLUDE THE INFORMATION RELATING TO A PARTICULAR PATIENT AND THE PHYSICIAN’S RECOMMENDATION FOR THE PATIENT.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT A TREATING PHYSICIAN OR A MANUFACTURER OF AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE FROM INCLUDING ADDITIONAL INFORMATION

OR ADVISEMENTS WITH THE INFORMED CONSENT FORM DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

On page 5, strike beginning with “ELIGIBLE” in line 3 down through “LIABLE” in line 4 and substitute “**MANUFACTURER OF THE INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE MAY ENFORCE A CLAIM AGAINST THE ESTATE OF THE ELIGIBLE PATIENT, BUT NOT THE ELIGIBLE PATIENT’S HEIRS OR LEGATEES,**”; in line 5, after the second “TREATMENT” insert “**, UNLESS A CONTRACT BETWEEN THE ELIGIBLE PATIENT AND THE MANUFACTURER STATES OTHERWISE**”; strike beginning with the third comma in line 11 down through “CARE” in line 12; and in line 16, after “DEVICE” insert “**OR THE HEALTH CARE PROVIDER’S TREATMENT OF AN ELIGIBLE PATIENT WITH AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Reilly moved to make the Bill a Special Order for March 28, 2017.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 1019 – Senators Cassilly, Astle, and Jennings

AN ACT concerning

Department of Commerce – Employment in the State’s Defense Industry – Army Alliance Study

SB1019/937676/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1019

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Jennings” and substitute “**Jennings, Middleton, Benson, Feldman, Hershey, Klausmeier, Mathias, Reilly, Rosapepe, and Oaks**”.

AMENDMENT NO. 2

On page 2, in line 5, after “(1)” insert “identify the types, and estimate the approximate number, of jobs in the State’s defense industry facing shortages of qualified employees for employment in the next decade at the qualification requirement for each broad occupational category;

(2)”;

in lines 7, 10, 12, and 20, strike “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “(3)”, “(4)”, “(5)”, and “(6)”, respectively; in line 19, strike “and”; and in line 25, after “clearance” insert “; and

(7) consider implications on employment at military installations and military facilities in the State that have been, or may be, under threat to close in a future Base Realignment and Closure (BRAC) process”.

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 1157 – Senators Cassilly, Jennings, and Norman

AN ACT concerning

State Highway Administration – Alfred B. Hilton Memorial Bridge – Dedication

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 1158 – Senators Middleton and Jennings

AN ACT concerning

**Power Plant Research Program – Solar Generation
Facilities – Pollinator-Friendly Designation**

SB1158/957570/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1158

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Jennings” and substitute “, Jennings, Astle, Benson, Feldman, Hershey, Klausmeier, Mathias, Reilly, Rosapepe, and Oaks”; in line 2, strike “Power Plant Research Program” and substitute “Department of Natural Resources”; in line 4, after “program” insert “of the Department of Natural Resources”; in line 7, strike “power plant research program” and substitute “Department”; in line 8, strike “pollinator friendly” and substitute “pollinator-friendly”; in the same line, after “circumstances,” insert “requiring the Department to adopt a certain scorecard for certain solar generation facilities; providing that a solar generation facility may receive a certain designation only by the Department;”; in line 10, after “designation,” insert “requiring an owner of a pollinator-friendly solar generation facility to provide appropriate maintenance of the pollinator vegetation;”; in line 11, strike “certain entities;” and substitute “a certain entity; authorizing the Department to charge an owner of a solar generation facility a certain fee to cover certain costs;”; in line 12, strike “of Natural Resources”; and in line 13, strike “power plant research program” and substitute “designation of solar generation facilities as pollinator-friendly”.

AMENDMENT NO. 2

On page 3, in line 21, strike “THE”; in the same line, strike “ON” and substitute “:

(I) ON”;

in line 22, after “PROPOSED” insert “OR AN EXISTING”; in the same line, after “LOCATED” insert “; AND

(II) THAT DOES NOT INCLUDE LAND THAT IS ADJACENT TO THE LAND ON WHICH THE SOLAR GENERATION FACILITY IS LOCATED”;

in line 24, strike “POWER PLANT RESEARCH PROGRAM” and substitute “DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF AGRICULTURE,”; in line 25, strike “POLLINATOR FRIENDLY” and substitute “POLLINATOR-FRIENDLY”; in line 27, after

“(B)” insert “THE DEPARTMENT SHALL ADOPT A SOLAR SITE POLLINATOR HABITAT PLANNING AND ASSESSMENT SCORECARD THAT:

(1) HAS BEEN RECOMMENDED BY THE UNIVERSITY OF MARYLAND BEE LAB;

(2) MAY BE UPDATED OR AMENDED ONLY ONCE EVERY 2 YEARS; AND

(3) APPLIES ONLY TO SOLAR GENERATION FACILITIES.

(C) (1) A SOLAR GENERATION FACILITY MAY BE DESIGNATED AS POLLINATOR-FRIENDLY ONLY BY THE DEPARTMENT.

(2);

in lines 27 and 28, strike “POWER PLANT RESEARCH PROGRAM” and substitute “DEPARTMENT”; in line 28, strike “POLLINATOR FRIENDLY” and substitute “POLLINATOR-FRIENDLY”; in line 29, strike “IS”; in line 30, strike “GROUND-MOUNTED” and substitute “IS GROUND-MOUNTED”; in the same line, strike “AND”; in lines 29, 30, and 31, strike “(1)”, “(I)”, and “(II)”, respectively, and substitute “(I)”, “1.”, and “2.”, respectively; in line 31, strike “AT” and substitute “IS AT”; and after line 31, insert:

“3. MEETS OR EXCEEDS THE MINIMUM SCORE IDENTIFIED IN THE SOLAR SITE POLLINATOR HABITAT PLANNING AND ASSESSMENT SCORECARD; AND”.

On page 4, in line 1, strike “(2)” and substitute “(II)”; in the same line, strike “THAT” and substitute “ON WHICH”; in line 2, strike “ON”; in line 3, strike “APPROVED” and substitute “EVALUATED UNDER § 3-303(B)(9) OF THIS SUBTITLE”; in line 6, strike “POLLINATOR FRIENDLY” and substitute “POLLINATOR-FRIENDLY”; in line 8, after “DESIGNATED” insert “AS POLLINATOR-FRIENDLY”; in the same line, strike “POWER PLANT RESEARCH PROGRAM” and substitute “DEPARTMENT”; after line 9, insert:

“(D) THE OWNER OF A POLLINATOR-FRIENDLY SOLAR GENERATION FACILITY SHALL PROVIDE APPROPRIATE MAINTENANCE OF THE POLLINATOR VEGETATION.”;

in line 10, strike “(D)” and substitute “(E)”; in line 12, after “PLAN” insert “EVALUATED UNDER § 3-303(B)(9) OF THIS SUBTITLE BY THE POWER PLANT RESEARCH PROGRAM”; strike beginning with the colon in line 12 down through “THE” in line 14 and substitute “THE”; in line 16, strike “(E)” and substitute “(F) NOTHING IN THIS SECTION RESTRICTS ANY FARMING PRACTICES ON ANY LAND ADJACENT TO THE LAND ON WHICH A SOLAR GENERATION FACILITY IS LOCATED.”

(G) THE DEPARTMENT MAY CHARGE THE OWNER OF A SOLAR GENERATION FACILITY A REASONABLE FEE TO COVER COSTS ASSOCIATED WITH DESIGNATING THE SOLAR GENERATION FACILITY AS POLLINATOR-FRIENDLY.

(H)”.

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. 29

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 717 – Senator Eckardt

AN ACT concerning

Task Force on Internet, Wireless, and Cellular Service on the Eastern Shore

SB0717/997576/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 717

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Eckardt” and substitute “Senators Eckardt, Middleton, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias,

Reilly, Rosapepe, and Oaks”; strike line 2 in its entirety and substitute “Connecting Rural Maryland Act of 2017”; in line 3, after “on” insert “Rural”; in the same line, after “Internet” insert “, Broadband”; in line 4, strike “on the Eastern Shore”; in line 5, after “Force,” insert “authorizing the chair of the Task Force to appoint additional members to the Task Force as deemed necessary by the chair;”; in line 10, after the first “on” insert “Rural”; in the same line, after “Internet” insert “, Broadband”; and in lines 10 and 11, strike “on the Eastern Shore”.

AMENDMENT NO. 2

On page 1, in line 14, after the first “on” insert “Rural”; in the same line, after “Internet” insert “, Broadband”; in lines 14 and 15, strike “on the Eastern Shore”; in line 16, strike “The” and substitute “Subject to subsection (c)(2) of this section, the”; in line 17, after “(1)” insert “four members of the Senate of Maryland, one who represents Western Maryland, one who represents Southern Maryland, one who represents the Eastern Shore, and one who represents Frederick, Carroll, or Harford counties, appointed by the President of the Senate;

(2) four members of the House of Delegates, one who represents Western Maryland, one who represents Southern Maryland, one who represents the Eastern Shore, and one who represents Frederick, Carroll, or Harford counties, appointed by the Speaker of the House;

(3);

in lines 18, 21, and 23, strike “(2)”, “(4)”, and “(5)”, respectively, and substitute “(4)”, “(5)”, and “(9)”, respectively; strike in their entirety lines 19 and 20; and strike beginning with “a” in line 21 down through “League” in line 22 and substitute “the Executive Director of the Rural Maryland Council, or the Executive Director’s designee;

(6) one representative of the Public Service Commission, appointed by the Chairman of the Commission;

(7) one representative of each regional council in Western Maryland, Southern Maryland, and the Eastern Shore, appointed by the council of that region;

(8) one representative of a multicounty organization serving rural communities in Frederick, Carroll, or Harford counties, appointed by the chair of the Task Force”.

On page 2, in line 1, strike “one representative of Verizon;” and substitute “four representatives from the Internet and Broadband industry; and”; strike beginning with “one” in line 2 down through “Association” in line 4 and substitute “four representatives from the telecommunications industry”; in line 5, after “(c)” insert “(1)”; in the same line, strike “Governor shall designate” and substitute “Executive Director of the Rural Maryland Council, or the Executive Director’s designee, shall serve as”; after line 5, insert:

“(2) The chair of the Task Force may appoint additional members to the Task Force as deemed necessary by the chair.”;

in line 12, after “how” insert “Western Maryland counties, Southern Maryland counties,”; in line 13, after “counties” insert “, and Frederick, Carroll, and Harford counties”; in the same line, after “Internet” insert “, Broadband”; in line 14, after “accessibility” insert “in Western Maryland, in Southern Maryland,”; in the same line, after “Shore” insert “, and in Frederick, Carroll, and Harford counties”; in line 15, strike “The” and substitute “In accordance with paragraph (3) of this subsection, the”; strike beginning with “include” in line 15 down through “Shore” in line 17 and substitute “:”;

(i) assess current Internet, Broadband, wireless, cellular, and landline service connectivity;

(ii) assess coverage for the users located at the end of the:

1. Internet service connectivity;
2. Broadband service connectivity;
3. wireless service connectivity;
4. cellular service connectivity; and
5. landline service connectivity;

(iii) evaluate redundancies and gaps in the current Internet, Broadband, wireless, cellular, and landline service connectivity; and

(iv) evaluate any federal funds applied for in response to any previous Broadband task force in the State.

(3) The study required under paragraph (1) of this subsection shall be based on publicly available and nonconfidential information;

and in line 18, strike “December 31” and substitute “November 30”.

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 1169 – Senator Bates

AN ACT concerning

Unemployment Insurance – Charge of Benefits – Waiver Due to Natural Disaster

SB1169/597873/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 1169

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Bates” and substitute “Senators Bates, Middleton, Astle, Benson, Feldman, Hershey, Jennings, and Klausmeier”.

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 1174 – Senator Jennings

EMERGENCY BILL

AN ACT concerning

Public Health – Certificates of Birth – Births Outside an Institution

SB1174/537178/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 1174

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Jennings” and substitute “Senators Jennings, Astle, Benson, Feldman, Hershey, 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.

BUDGET AND TAXATION COMMITTEE REPORT NO. 19

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 55 – Delegates Jameson, Folden, and Barve

AN ACT concerning

Motor Fuel Tax – Aviation Gasoline – Definition

HB0055/859131/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 55

(Third Reading File Bill)

On page 1, in lines 10 and 15, in each instance, strike “(2010 Replacement Volume and 2016 Supplement)” and substitute “(2016 Replacement Volume)”.

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:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 395 – Delegates Kelly, Frick, Gaines, Gutierrez, Hettleman, Jackson, Lafferty, Lam, Lierman, McCray, A. Miller, Morales, Platt, Reznik, Turner, Valentino–Smith, Waldstreicher, A. Washington, M. Washington, and K. Young

AN ACT concerning

Child Care Subsidy Program – Alternative Methodology – Report

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 418 – Delegates Kelly, Angel, Ebersole, Frick, Gaines, Gutierrez, Hettleman, Jackson, Lafferty, Lam, Lierman, McCray, A. Miller, Morales, Platt, Reznik, Turner, Valderrama, Valentino–Smith, Waldstreicher, A. Washington, M. Washington, and K. Young

AN ACT concerning

Child Care Subsidy Program – Reimbursement Rate Adjustments

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 472 – Delegates Jameson and Patterson

AN ACT concerning

Income Tax Credit – Qualified Farms – Food Donation Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 572 – Howard County Delegation

EMERGENCY BILL

AN ACT concerning

Howard County – Property Tax Credit for Commercial Real Property – Flood Damage

Ho. Co. 9–17

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 683 – Delegate Sample–Hughes

EMERGENCY BILL

AN ACT concerning

**Income Tax – Credit for Nurse Practitioner or Licensed Physician in
Preceptorship Program – Alterations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 21

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 317 – The President (By Request – Administration) and Senators
Bates, Cassilly, Eckardt, Edwards, Hershey, Hough, Jennings, Mathias,
McFadden, Salling, Serafini, Simonaire, and Waugh**

AN ACT concerning

More Jobs for Marylanders Act of 2017

SB0317/549137/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 317

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Waugh” and substitute “Waugh, Kasemeyer, Madaleno, Currie, DeGrange, Ferguson, Guzzone, King, Peters, Klausmeier, and Rosapepe”; in line 3, after “of” insert “requiring the Governor each fiscal year to appropriate at least a certain amount for the Partnership for Workforce Quality Program;”; strike beginning with “providing” in line 5 down through “Program;” in line 7; in line 8, strike “and”; in line 9, strike “benefits”; in line 11, strike “establish” and substitute “adopt”; strike beginning with “providing” in line 13 down through “fees;” in line 14 and substitute

“establishing a Workforce Development Sequence Scholarship to be administered by the Office of Student Financial Assistance in the Maryland Higher Education Commission; authorizing an individual to apply to the Office for a scholarship if the individual is an eligible student; providing for the uses of the scholarship; establishing the maximum award amount of the scholarship; requiring the Governor annually to include at least a certain appropriation in the State budget to the Commission for the Workforce Development Sequence Scholarship; requiring the Commission to submit a certain report to the General Assembly on or before a certain date each year; requiring the State Board of Education to develop, on or before a certain date and in consultation with the Department of Labor, Licensing, and Regulation and the Governor’s Workforce Development Board, certain goals for percentages of certain students for completing certain career and technical education programs and earning certain credentials; requiring the Maryland Longitudinal Data System Center and the Board to develop certain income earnings goals; stating certain goals of the State; requiring, on or before a certain date, the State Board to develop a method to consider, under certain circumstances, a student’s attainment of a certain credential or completion of a certain apprenticeship program as equivalent to a certain Advanced Placement examination score for a certain purpose; requiring the State Board to report to the Governor and the General Assembly on or before a certain date regarding the progress toward attaining certain goals; requiring the Division of Workforce Development and Adult Learning in the Department to partner with certain State departments to identify, by a certain date, opportunities to create certain registered apprenticeship programs for a certain purpose; requiring the Division to identify opportunities to create certain registered apprenticeship programs to address the workforce needs of the State;”; strike beginning with “authorizing” in line 15 down through “Program;” in line 18 and substitute “allowing a credit against the State income tax for the employment of a certain eligible apprentice under certain circumstances;”; in line 25, after “service;” insert “requiring certain agencies to report certain information; stating a certain finding of the General Assembly; requiring the Governor to work with the chief executive officers of certain states to negotiate a certain agreement by a certain date; requiring the agreement to specify certain information; requiring the executives to propose certain approaches to ensure compliance with the agreement; requiring the Governor to report to certain committees of the General Assembly on or before a certain date;”; in line 26, after “Act;” insert “providing for the termination of a certain provision of this Act;”; in the same line, strike “tax credits,” and substitute “income tax credits, incentives, and workforce development programs.”; and strike line 27 in its entirety.

On page 2, in line 2, strike “1–101(a), (b), (e), and (f)” and substitute “1–101(a), (b), and (f), 3–402, and 6–101(a) and (e)”; in line 7, after “Section” insert “3–411(g); and”; strike in their entirety lines 11 through 15, inclusive; after line 15, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 18–101(a) through (c)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY adding to

Article – Education

Section 18–3301 through 18–3304 to be under the new subtitle “Subtitle 33.

Workforce Development Sequence Scholarships” and 21–204

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 11–102(a)

Annotated Code of Maryland

(2016 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 11–103

Annotated Code of Maryland

(2016 Replacement Volume)”;

in line 23, strike “11–233” and substitute “10–742”; and strike in their entirety lines 26 through 30, inclusive.

On page 3, in line 28, after “IN” insert “§”.

On page 14, in lines 8, 10, 12, and 14, strike “4.”, “5.”, “6.”, and “7.”, respectively, and substitute “7.”, “8.”, “9.”, and “10.”, respectively; in line 10, after “shall” insert “take effect July 1, 2017, and shall”; in line 11, strike “June 30, 2017” and substitute “December 31, 2016, but before January 1, 2020. It shall remain effective for a period of 3 years and, at the end of June 30, 2020, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect”; and in line 14, after “That” insert “, except as provided in Section 8 of this Act,”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 12, inclusive; and after line 13, insert:

“3–402.

There is a Partnership for Workforce Quality Program in the Department.

3–411.

(G) THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET FOR EACH FISCAL YEAR AN APPROPRIATION OF AT LEAST \$1,000,000 FOR THE PARTNERSHIP FOR WORKFORCE QUALITY PROGRAM.”.

AMENDMENT NO. 3

On page 3, in line 30, strike “A QUALIFIED DISTRESSED COUNTY.” and substitute **“ALLEGANY COUNTY, BALTIMORE CITY, DORCHESTER COUNTY, GARRETT COUNTY, SOMERSET COUNTY, WICOMICO COUNTY, OR WORCESTER COUNTY OR ON A SITE THAT IS AT LEAST 3,000 ACRES AND IS NOT LOCATED WITHIN ALLEGANY COUNTY, DORCHESTER COUNTY, GARRETT COUNTY, SOMERSET COUNTY, WICOMICO COUNTY, OR WORCESTER COUNTY.”.**

On page 5, in line 26, strike “(1)” and substitute “**(1)(I)**”; and in line 28, strike “A FACILITY IN A QUALIFIED DISTRESSED COUNTY” and substitute **“AN ELIGIBLE PROJECT”.**

On page 6, strike beginning with the first “A” in line 7 down through “COUNTY” in line 8 and substitute **“AN ELIGIBLE PROJECT”.**

On page 9, strike in their entirety lines 23 through 26; and in line 27, strike “(9)” and substitute “**(7)**”.

AMENDMENT NO. 4

On page 3, before line 14, insert:

“6–101.

(a) In this title the following words have the meanings indicated.

(e) “Qualified employee” means an employee filling a qualified position.”.

AMENDMENT NO. 5

On page 4, strike beginning with “(I)” in line 12 down through “(J)” in line 14 and substitute “(I)”; and in line 16, strike “**150% OF THE FEDERAL**” and substitute “**120% OF THE STATE**”.

AMENDMENT NO. 6

On page 5, in line 10, strike “(A)”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 7

On page 5, in line 21, after the second “ENTITY” insert “:

(I)”;

and in line 23, after “STATE” insert “;AND

(II) OFFERS AN ONGOING JOB SKILLS ENHANCEMENT TRAINING PROGRAM OR POSTSECONDARY EDUCATION PROGRAM THAT IS APPROVED BY THE DEPARTMENT”.

On page 6, in line 10, after the second “ENTITY” insert “:

(I)”;

and in line 13, after “SUBTITLE” insert “;AND

(II) OFFERS AN ONGOING JOB SKILLS ENHANCEMENT TRAINING PROGRAM OR POSTSECONDARY EDUCATION PROGRAM THAT IS APPROVED BY THE DEPARTMENT”.

AMENDMENT NO. 8

On page 6, strike beginning with “THE” in line 2 down through the semicolon in line 3 and substitute “**THE ESTIMATED NUMBER OF QUALIFIED POSITIONS TO BE CREATED**

AND QUALIFIED EMPLOYEES TO BE HIRED AND THE ANTICIPATED PAYROLL OF THE NEW QUALIFIED EMPLOYEES;

AMENDMENT NO. 9

On page 3, in line 19, strike “A” and substitute “**THE**”.

On page 6, in line 28, strike “BENEFITS” and substitute “**BENEFIT**”.

On page 7, in line 1, strike “(D)” and substitute “(C)”; in line 2, after “NEW” insert “**OR EXISTING**”; strike beginning with the colon in line 2 down through “(1)” in line 3; strike beginning with the semicolon in line 4 down through “ARTICLE” in line 15; in line 16, strike “(D)” and substitute “(C)”; in line 19, strike “ALL PROGRAM BENEFITS TERMINATE” and substitute “**THE PROGRAM BENEFIT TERMINATES**”; strike in their entirety lines 25 and 26, inclusive; and in lines 27 and 28, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively.

On page 8, in line 8, strike “, AN EXEMPTION, OR ANY OTHER BENEFIT”; in line 16, strike “BENEFITS” and substitute “**BENEFIT**”; and in line 18, strike the second “A” and substitute “**THE**”.

On pages 8 and 9, strike in their entirety the lines beginning with line 31 on page 8 through line 8 on page 9, inclusive.

On pages 10 through 12, strike in their entirety the lines beginning with line 20 on page 10 through line 27 on page 12, inclusive.

AMENDMENT NO. 10

On page 7, in line 21, before “THE” insert “(A)”; and after line 29, insert:

“(B) THE DEPARTMENT MAY NOT PROVIDE A QUALIFIED BUSINESS ENTITY A CERTIFICATE ON OR AFTER JUNE 1, 2020.”

AMENDMENT NO. 11

On page 8, in line 24, strike “ESTABLISH” and substitute “**ADOPT**”.

AMENDMENT NO. 12

On page 9, after line 8, insert:

“Article – Education18–101.

- (a) In this title the following words have the meanings indicated.
- (b) “Commission” means the Maryland Higher Education Commission.
- (c) “Office” means the Office of Student Financial Assistance.

SUBTITLE 33. WORKFORCE DEVELOPMENT SEQUENCE SCHOLARSHIPS.18–3301.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “ELIGIBLE STUDENT” MEANS A STUDENT WHO:

(1) IS A MARYLAND RESIDENT OR HAS GRADUATED FROM A MARYLAND HIGH SCHOOL; AND

(2) IS ENROLLED IN A WORKFORCE DEVELOPMENT SEQUENCE AT A PUBLIC COMMUNITY COLLEGE IN THE STATE.

(C) (1) “WORKFORCE DEVELOPMENT SEQUENCE” MEANS A PROGRAM OFFERED BY A COMMUNITY COLLEGE THAT IS APPROVED BY THE COMMISSION AND IS COMPOSED OF COURSES THAT ARE RELATED TO:

(I) JOB PREPARATION OR AN APPRENTICESHIP;

(II) LICENSURE OR CERTIFICATION; OR

(III) JOB SKILL ENHANCEMENT.

(2) “WORKFORCE DEVELOPMENT SEQUENCE” DOES NOT INCLUDE A SEQUENCE OF COURSES LEADING TO AN ASSOCIATE’S OR BACHELOR’S DEGREE.

(D) "WORKFORCE DEVELOPMENT SEQUENCE SCHOLARSHIP" MEANS AN AWARD MADE TO AN ELIGIBLE STUDENT UNDER THIS SUBTITLE.

18-3302.

THERE IS A WORKFORCE DEVELOPMENT SEQUENCE SCHOLARSHIP ADMINISTERED BY THE OFFICE.

18-3303.

(A) AN INDIVIDUAL MAY APPLY TO THE OFFICE FOR A SCHOLARSHIP UNDER THIS SECTION IF THE INDIVIDUAL IS AN ELIGIBLE STUDENT.

(B) AN ELIGIBLE STUDENT WHO RECEIVES A WORKFORCE DEVELOPMENT SEQUENCE SCHOLARSHIP UNDER THIS SUBTITLE MAY USE THE AWARD FOR TUITION, MANDATORY FEES, AND OTHER ASSOCIATED COSTS OF ATTENDANCE.

(C) THE ANNUAL AMOUNT OF A SCHOLARSHIP AWARDED TO AN ELIGIBLE STUDENT MAY NOT EXCEED \$2,000.

(D) THE GOVERNOR SHALL PROVIDE IN THE ANNUAL BUDGET AN APPROPRIATION OF AT LEAST \$2,000,000 TO THE COMMISSION FOR THE WORKFORCE DEVELOPMENT SEQUENCE SCHOLARSHIP.

18-3304.

ON OR BEFORE DECEMBER 1 EACH YEAR, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON:

(1) THE NUMBER OF STUDENTS WHO RECEIVED A WORKFORCE DEVELOPMENT SEQUENCE SCHOLARSHIP;

(2) THE AMOUNT OF THE AWARD MADE TO EACH RECIPIENT;

(3) THE COMMUNITY COLLEGE THAT THE RECIPIENT ATTENDED; AND

(4) THE WORKFORCE DEVELOPMENT SEQUENCE IN WHICH THE RECIPIENT ENROLLED.

21–204.

(A) ON OR BEFORE DECEMBER 1, 2017, THE STATE BOARD, IN CONSULTATION WITH THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION AND THE GOVERNOR’S WORKFORCE DEVELOPMENT BOARD, SHALL ESTABLISH, FOR EACH YEAR FOR 2018 THROUGH 2024, INCLUSIVE, STATEWIDE GOALS THAT REACH THE GOAL IDENTIFIED IN SUBSECTION (C) OF THIS SECTION BY JANUARY 1, 2025, FOR THE PERCENTAGES OF HIGH SCHOOL GRADUATES TO:

(1) COMPLETE EACH CAREER AND TECHNICAL EDUCATION (CTE) PROGRAM; AND

(2) EARN INDUSTRY RECOGNIZED OCCUPATIONAL OR SKILL CREDENTIALS.

(B) ON OR BEFORE DECEMBER 1, 2017, THE MARYLAND LONGITUDINAL DATA SYSTEM CENTER AND THE GOVERNOR’S WORKFORCE DEVELOPMENT BOARD SHALL DEVELOP ANNUAL INCOME EARNINGS GOALS FOR HIGH SCHOOL GRADUATES WHO HAVE NOT EARNED AT LEAST A 2–YEAR COLLEGE DEGREE BY AGE 25.

(C) IT IS THE GOAL OF THE STATE THAT, ON OR BEFORE JANUARY 1, 2025, AT LEAST 45% OF THE STUDENTS DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION SHALL SUCCESSFULLY COMPLETE A CTE PROGRAM OR EARN INDUSTRY RECOGNIZED OCCUPATIONAL OR SKILL CREDENTIALS BEFORE LEAVING HIGH SCHOOL.

(D) ON OR BEFORE DECEMBER 1, 2017, THE STATE BOARD SHALL DEVELOP A METHOD TO CONSIDER A STUDENT’S ATTAINMENT OF A STATE–APPROVED INDUSTRY CREDENTIAL OR COMPLETION OF AN APPRENTICESHIP PROGRAM AS EQUIVALENT TO EARNING A SCORE OF 3 OR BETTER ON AN ADVANCED PLACEMENT EXAMINATION FOR PURPOSES OF THE MARYLAND ACCOUNTABILITY PROGRAM ESTABLISHED BY THE DEPARTMENT IF THE STUDENT:

(1) (I) WAS ENROLLED IN THE STATE-APPROVED CTE PROGRAM AT THE CONCENTRATOR LEVEL OR HIGHER; AND

(II) SUCCESSFULLY EARNED THE CREDENTIAL ALIGNED WITH THE STATE-APPROVED CTE PROGRAM; OR

(2) SUCCESSFULLY COMPLETED A YOUTH OR OTHER APPRENTICESHIP TRAINING PROGRAM APPROVED BY THE MARYLAND APPRENTICESHIP TRAINING COUNCIL IN ACCORDANCE WITH § 11-405 OF THE LABOR AND EMPLOYMENT ARTICLE.

(E) ON OR BEFORE DECEMBER 1, 2017, AND DECEMBER 1 OF EACH YEAR THEREAFTER, THE STATE BOARD SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE PROGRESS TOWARD ATTAINING THE GOALS ESTABLISHED BY THE STATE BOARD IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION AND THE GOALS ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

Article – Labor and Employment

11-102.

(a) There is a Division of Workforce Development and Adult Learning within the Department of Labor, Licensing, and Regulation.

11-103.

(a) The Division shall:

(1) promote apprenticeship and training programs;

(2) administer job training, placement, and service programs;

(3) implement the provisions of the federal Workforce Innovation and Opportunity Act;

(4) administer adult education and literacy services programs;

(5) conduct educational and job skills training programs in adult correctional facilities;

(6) oversee any other units established pursuant to State or federal employment, training, or manpower statutes;

(7) administer those programs assigned to the Division by law or designated by the Secretary; and

(8) administer any community service employment programs delegated to the State under Title V of the federal Older Americans Act of 1965.

(b) The Division shall meet and confer on a regular basis with representatives of the State's community colleges, appointed by the Maryland Association of Community Colleges, and the adult education community, appointed by the Maryland Association for Adult Continuing and Community Education, to assure that adult education and literacy services and job training activities and resources are effectively coordinated.

(C) THE DIVISION SHALL PARTNER WITH STATE DEPARTMENTS AND THEIR EXCLUSIVE REPRESENTATIVES TO IDENTIFY, BEFORE JANUARY 1, 2018, OPPORTUNITIES TO CREATE REGISTERED APPRENTICESHIP PROGRAMS TO HELP ADDRESS THE CAREER WORKFORCE NEEDS OF THOSE DEPARTMENTS.

(D) IN ACCORDANCE WITH THE IDENTIFICATION OF APPRENTICESHIP PROGRAMS UNDER SUBSECTION (C) OF THIS SECTION, THE DIVISION SHALL IDENTIFY OPPORTUNITIES TO CREATE REGISTERED APPRENTICESHIP PROGRAMS, INCLUDING GOALS FOR THE NUMBER OF APPRENTICESHIPS REGISTERED EACH YEAR, TO HELP ADDRESS THE CAREER WORKFORCE NEEDS OF THE STATE.”.

AMENDMENT NO. 13

On pages 9 and 10, strike in their entirety the lines beginning with line 29 on page 9 through line 2 on page 10, inclusive.

AMENDMENT NO. 14

On page 10, in line 3, strike “(C)” and substitute “(B)”; in the same line, after “IS” insert “A NEW OR”; in line 5, strike “(3)” and substitute “(2)”; strike in their entirety lines 13 and 14; and in line 15, strike “(D)” and substitute “(C)”.

AMENDMENT NO. 15

On page 10, after line 19, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

10-742.

(A) IN THIS SECTION, “ELIGIBLE APPRENTICE” MEANS AN INDIVIDUAL WHO:

(1) IS ENROLLED IN AN APPRENTICESHIP TRAINING PROGRAM REGISTERED WITH THE MARYLAND APPRENTICESHIP AND TRAINING COUNCIL IN ACCORDANCE WITH § 11-405 OF THE LABOR AND EMPLOYMENT ARTICLE; AND

(2) HAS BEEN EMPLOYED BY THE TAXPAYER FOR AT LEAST 7 FULL MONTHS OF THE TAXABLE YEAR.

(B) SUBJECT TO THE LIMITATIONS OF THIS SECTION, A TAXPAYER MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR THE FIRST YEAR OF EMPLOYMENT OF AN ELIGIBLE APPRENTICE.

(C) (1) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:

(I) \$1,000 FOR EACH ELIGIBLE APPRENTICE; OR

(II) THE STATE INCOME TAX IMPOSED FOR THE TAXABLE YEAR CALCULATED BEFORE THE APPLICATION OF THE CREDITS ALLOWED UNDER THIS SECTION AND UNDER §§ 10-701 AND 10-701.1 OF THIS SUBTITLE BUT AFTER THE APPLICATION OF ANY OTHER CREDIT ALLOWED UNDER THIS SUBTITLE.

(2) IF THE CREDIT OTHERWISE ALLOWABLE UNDER SUBSECTION (B) OF THIS SECTION EXCEEDS THE LIMIT UNDER PARAGRAPH (1) OF THIS SUBSECTION, AN INDIVIDUAL MAY APPLY THE EXCESS AS A CREDIT AGAINST THE STATE INCOME

TAX FOR SUCCEEDING TAXABLE YEARS UNTIL THE FULL AMOUNT OF THE EXCESS IS USED.

(3) FOR ANY TAXABLE YEAR, THE TOTAL AMOUNT OF CREDITS APPROVED BY THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION UNDER THIS SECTION MAY NOT EXCEED \$500,000.

(D) A TAXPAYER CLAIMING THE CREDIT ALLOWED UNDER THIS SECTION SHALL ATTACH TO THE TAXPAYER'S RETURN, FOR EACH ELIGIBLE APPRENTICE FOR WHICH THE CREDIT IS CLAIMED, PROOF OF:

(1) THE ENROLLMENT OF THE ELIGIBLE APPRENTICE IN A REGISTERED APPRENTICESHIP PROGRAM; AND

(2) THE DURATION OF THE ELIGIBLE APPRENTICE'S EMPLOYMENT BY THE TAXPAYER.

(E) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL ADOPT REGULATIONS TO:

(1) IMPLEMENT THE PROVISIONS OF THIS SECTION; AND

(2) SPECIFY CRITERIA AND PROCEDURES FOR APPLICATION FOR, APPROVAL OF, AND MONITORING CONTINUING ELIGIBILITY FOR THE TAX CREDIT UNDER THIS SECTION.”.

AMENDMENT NO. 16

On page 14, after line 7, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the State Department of Education, the Department of Labor, Licensing, and Regulation, and the Maryland Longitudinal Data System Center jointly shall determine ways to expand and analyze available data, including participation in career and technology education courses, relating to individuals who participate in registered apprenticeship training programs. On or before September 1, 2017, the State Department of Education and the Department of Labor, Licensing, and Regulation jointly shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, regarding the results of the discussions and determinations made under this section.

SECTION 5. AND BE IT FURTHER ENACTED, That the Department of Labor, Licensing, and Regulation shall explore ways to combine the Youth Apprenticeship Pilot Program with the Apprenticeship and Training Program. On or before December 1, 2018, the Department shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, regarding its findings and recommendations in this regard.

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The General Assembly finds that the widespread adoption of tax subsidies intended to move jobs from one state to another reduces revenues in all participating states without increasing the total number and quality of jobs. Therefore, the Governor should work with the chief executive officers of Delaware, the District of Columbia, North Carolina, Pennsylvania, Virginia, and West Virginia to negotiate an agreement among all of these states by July 1, 2018, for the repeal of any law in each state that provides a tax subsidy, including any tax credit, deduction, exemption, or other modification, that is intended to create new jobs or entice new jobs to the state. The agreement shall specify the laws of each state that allow for such a tax subsidy and shall provide that each state will adopt legislation to repeal those laws, contingent on the enactment of the corresponding legislation by each of the other states. In connection with the agreement, the executives shall propose approaches for ensuring continuing compliance with the terms of the agreement. On or before September 15, 2018, the Governor shall report to the Senate Budget and Taxation Committee and the House Committee on Ways and Means, in accordance with § 2-1246 of the State Government Article, on the status of reaching an agreement.

(b) If the agreement under subsection (a) of this section is not reached by September 15, 2018, the Governor shall include in the report alternatives to encourage agreement among the respective states, including but not limited to, increasing the amount of the job creation tax credit.”.

The preceding 16 amendments were read only.

Senator Middleton 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 364 – Senators Ferguson, Astle, Guzzone, Kasemeyer, Klausmeier,
Manno, Middleton, Ramirez, Rosapepe, Smith, Young, and Zucker**

AN ACT concerning

**One Maryland Economic Development Tax Credits – Business Incubators,
Enterprise Zones, and Regional Institution Strategic Enterprise Zones**

SB0364/209732/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 364

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Madaleno, Currie, DeGrange, Eckardt, King, McFadden, Peters, and Serafini”; and in line 18, after “Act;” insert “providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 2, in lines 28 and 30, in each instance, after “county” insert “, AN ENTERPRISE ZONE, OR A REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONE”.

AMENDMENT NO. 3

On page 3, in line 29, strike “§ 9–247” and substitute “§ 9–247(A)”.

On page 4, in lines 7 and 27, in each instance, strike “§ 9–247” and substitute “§ 9–247(A)”.

On page 5, in line 9, strike “§ 9–247” and substitute “§ 9–247(A)”.

On page 6, in lines 9 and 21, in each instance, strike “§ 9–247” and substitute “§ 9–247(A)”.

On page 7, in line 17, strike “§ 9–247” and substitute “§ 9–247(A)”.

On page 8, in lines 3 and 31, in each instance, strike “§ 9–247” and substitute “§ 9–247(A)”.

On page 9, in lines 17 and 28, in each instance, strike “§ 9–247” and substitute “§ 9–247(A)”.

On page 10, in lines 11 and 29, in each instance, strike “§ 9–247” and substitute “§ 9–247(A)”.

On page 11, in line 18, strike “§ 9–247” and substitute “§ 9–247(A)”; and strike in their entirety lines 26 and 27 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applicable to all taxable years beginning after December 31, 2015.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 371 – Senators Manno, Kasemeyer, DeGrange, King, Madaleno, Mathias, McFadden, Middleton, and Miller

AN ACT concerning

**State Budget – Appropriations – Income Tax Revenue Estimate Cap and
Revenue Stabilization Account**

SB0371/419234/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 371
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 16 down through “revenues;” in line 21 and substitute “stating a certain goal of the State for certain revenues retained in

the Revenue Stabilization Account.”; strike beginning with “Extraordinary” in line 21 down through “Revenues” in line 22 and substitute “Fiscal Responsibility”; and in line 30, after “revenues” insert “to the Fund and the Revenue Stabilization Account in certain fiscal years”.

AMENDMENT NO. 2

On page 8, in line 1, after “(b)” insert “(1)”; and after line 2, insert:

“(2) IT IS THE GOAL OF THE STATE THAT 10% OF ESTIMATED GENERAL FUND REVENUES IN EACH FISCAL YEAR BE RETAINED IN THE ACCOUNT.”.

AMENDMENT NO. 3

On page 8, in line 6, strike “and”; after line 6, insert:

“(2) MONEY DISTRIBUTED TO THE ACCOUNT BY THE STATE COMPTROLLER AS PROVIDED IN § 7-329 OF THIS SUBTITLE; AND”;

and in line 7, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 4

On page 8, in lines 9, 13, 16, 19, 20, and 25, in each instance, strike the bracket; in line 13, strike the comma; in lines 13, 16, and 19, in each instance, strike “10%”; and in lines 21 and 25, in each instance, strike “7.5%”.

AMENDMENT NO. 5

On page 8, in line 9, after “(e)” insert “(1)”; in lines 10 and 13, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 17, insert:

“(2) AT THE END OF FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER, IF THE AMOUNT OF NONWITHHOLDING INCOME TAX REVENUES EXCEEDS THE CAPPED ESTIMATE DETERMINED UNDER § 6-104(E) OF THIS ARTICLE, THE STATE COMPTROLLER SHALL DISTRIBUTE FUNDS AS PROVIDED IN § 7-329(C) AND (D)(1) OF THIS SUBTITLE.”.

AMENDMENT NO. 6

On page 8, in line 18, after “(f)” insert “(1)”; in the same line, after “(e)” insert “(1)”; and in line 19, after the period, insert:

“(2) THE DISTRIBUTIONS REQUIRED BY SUBSECTION (E)(2) OF THIS SECTION ARE NOT REQUIRED WHEN THE ACCOUNT BALANCE EXCEEDS 10% OF THE ESTIMATED GENERAL FUND REVENUES FOR THAT FISCAL YEAR.”.

AMENDMENT NO. 7

On page 9, strike beginning with “**EXTRAORDINARY**” in line 28 down through “**REVENUES**” in line 29 and substitute “**FISCAL RESPONSIBILITY**”.

On page 11, strike beginning with “**EXTRAORDINARY**” in line 21 down through “**REVENUES**” in line 22 and substitute “**FISCAL RESPONSIBILITY**”.

On page 12, strike beginning with “**AN**” in line 4 down through “**REVENUES**” in line 5 and substitute “**A FISCAL RESPONSIBILITY**”.

AMENDMENT NO. 8

On page 10, in line 10, strike the first “**THE**”; in the same line, strike “**CLOSES WITH A DEFICIT**” and substitute “**REVENUES FOR THE FISCAL YEAR ARE LESS THAN THE MARCH ESTIMATE OF THE BOARD OF REVENUE ESTIMATES**”; in line 18, strike “**10%**” and substitute “**6%**”; and strike in their entirety lines 20 through 22 and substitute “**STATE COMPTROLLER SHALL DISTRIBUTE TO THE REVENUE STABILIZATION ACCOUNT THE LESSER OF:**

(1) THE REMAINING BALANCE OF NONWITHOLDING INCOME TAX REVENUES IN EXCESS OF THE CAPPED ESTIMATE DETERMINED UNDER § 6-104(E) OF THIS ARTICLE; OR

(2) THE AMOUNT REQUIRED FOR THE REVENUE STABILIZATION ACCOUNT BALANCE TO EQUAL 6% OF THE ESTIMATED GENERAL FUND REVENUES FOR THAT FISCAL YEAR.”.

AMENDMENT NO. 9

On page 10, in line 25, strike “**APPROPRIATE**” and substitute “**DISTRIBUTE**”; and in lines 25 and 27, in each instance, strike “**GOVERNOR**” and substitute “**STATE COMPTROLLER**”.

AMENDMENT NO. 10

On pages 10 and 11, strike beginning with “INCLUDE” in line 27 on page 10 down through “ARTICLE.” in line 17 on page 11 and substitute “DISTRIBUTE:”

(1) SUBJECT TO SUBSECTION (E) OF THIS SECTION, 50% OF THE REMAINING AMOUNT TO THE REVENUE STABILIZATION ACCOUNT; AND

(2) THE REMAINDER TO THE FISCAL RESPONSIBILITY FUND ESTABLISHED UNDER § 7-330 OF THIS SUBTITLE.

(E) THE DISTRIBUTION TO THE REVENUE STABILIZATION ACCOUNT UNDER SUBSECTION (D)(1) OF THIS SECTION DOES NOT APPLY IF THE AMOUNT IN THE REVENUE STABILIZATION ACCOUNT EXCEEDS 10% OF GENERAL FUND REVENUES.”.

AMENDMENT NO. 11

On page 12, strike beginning with “THAT” in line 7 down through “ARTICLE” in line 8 and substitute “DEPOSITED TO THE FUND IN ACCORDANCE WITH § 7-329(D)(2) OF THIS SUBTITLE”; in line 10, strike “(1)”; and strike in their entirety lines 11 through 16, inclusive.

AMENDMENT NO. 12

On page 12, in line 23, after “COMPTROLLER” insert “UNDER § 7-329(D)(2) OF THIS SUBTITLE”; strike beginning with “IN” in line 24 down through “SUBTITLE.” in line 25 and substitute “TO PROVIDE PAY-AS-YOU-GO CAPITAL FUNDS FOR:”

(1) PUBLIC SCHOOL CONSTRUCTION AND PUBLIC SCHOOL CAPITAL IMPROVEMENT PROJECTS, IN ACCORDANCE WITH §§ 5-301 THROUGH 5-303 OF THE EDUCATION ARTICLE;

(2) CAPITAL PROJECTS AT PUBLIC COMMUNITY COLLEGES; AND

(3) CAPITAL PROJECTS AT FOUR-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION.”.

AMENDMENT NO. 13

On page 13, in line 1, after “(J)” insert “(1) THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL FOR THE SECOND FOLLOWING FISCAL YEAR AN”

APPROPRIATION EQUAL TO THE AMOUNT IN THE FUND FOR PAY-AS-YOU-GO CAPITAL PROJECTS.

(2)”;

strike beginning with “AND” in line 2 down through “ARTICLE” in line 4; in line 6, strike “PAY-AS-YOU-GO”; and in the same line, strike “AND POSTRETIREMENT HEALTH BENEFITS.” and substitute “, INCLUDING THOSE FUNDED WITH PAY-AS-YOU-GO FUNDS AND THE PROCEEDS FROM THE SALE OF GENERAL OBLIGATION BONDS.”

(K) AT THE END OF A FISCAL YEAR, THE UNSPENT BALANCE OF EACH APPROPRIATION THAT WAS MADE FOR THAT FISCAL YEAR FROM THE FUND REVERTS TO THE FUND.”.

The preceding 13 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 393 – Senator Manno

AN ACT concerning

Electric Vehicle Excise Tax Credit – Extension

SB0393/489632/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 393

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Electric Vehicle Excise Tax Credit – Extension” and substitute “Clean Cars Act of 2017”; in line 3, after “of” insert “extending and altering, for certain fiscal years, the Electric Vehicle Recharging Equipment Rebate Program and authorization to issue certain motor vehicle excise tax credits for certain qualified plug-in”

electric drive vehicles; increasing the total amount of rebates that the Maryland Energy Administration may issue each fiscal year; altering the calculation of the rebate; altering the type of qualified plug-in electric drive vehicle eligible for a certain motor vehicle excise tax credit; altering the calculation of a certain motor vehicle excise tax credit;; strike beginning with “extending” in line 3 down through “tax,” in line 5; in lines 5 and 7, in each instance, after “extending” insert “and increasing”; in line 8, strike “the authorization to issue a certain amount of motor vehicle excise tax credits” and substitute “the total amount of motor vehicle excise tax credits that may be issued; requiring the Maryland Department of the Environment and the Maryland Department of Transportation to jointly study the ability of the State to meet the demands of the Maryland Clean Car Program which adopted certain vehicle emission standards; requiring the departments, in conducting the study, to consult with certain representatives; specifying the contents of the study; requiring the departments to report their findings and recommendations to the Governor and the General Assembly on or before a certain date”; in line 9, strike “the electric vehicle excise tax credit” and substitute “the Electric Vehicle Recharging Equipment Rebate Program and motor vehicle excise tax credits for certain qualified plug-in electric drive vehicles”; and after line 9, insert:

“BY repealing and reenacting, with amendments,

Article – State Government

Section 9–2009

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

On page 3, in line 14, strike “2.” and substitute “3.”.

AMENDMENT NO. 2

On page 1, after line 22, insert:

“Article – State Government

9–2009.

(a) (1) In this section the following words have the meanings indicated.

(2) “Electric vehicle recharging equipment rebate” means a rebate issued by the Administration under this section for the cost of qualified electric vehicle recharging equipment.

(3) “Qualified electric vehicle recharging equipment” means property in the State that is used for recharging motor vehicles propelled by electricity.

(4) “Retail service station dealer” has the meaning stated in § 10–101 of the Business Regulation Article.

(b) (1) There is an Electric Vehicle Recharging Equipment Rebate Program.

(2) The Administration shall administer the Program.

(c) (1) For fiscal years [2015 through 2017] **2018 THROUGH 2020**, subject to the provisions of this section, an individual, a business entity, or a unit of State or local government may apply to the Administration for an electric vehicle recharging equipment rebate for the costs of acquiring and installing qualified electric vehicle recharging equipment.

(2) For each fiscal year, the total amount of rebates issued by the Administration may not exceed [\$600,000] **\$1,200,000**.

(3) The Administration may allow an applicant to include reasonable installation costs in the cost of qualified electric vehicle recharging equipment for the purpose of calculating the amount of an electric vehicle recharging equipment rebate.

(d) Subject to subsection (e) of this section, the Administration may issue an electric vehicle recharging equipment rebate to:

(1) an individual in an amount equal to the lesser of:

(i) [50%] **40%** of the costs of acquiring and installing qualified electric vehicle recharging equipment; or

(ii) [\$900] **\$700**;

(2) except as provided in item (3) of this subsection, a business entity or unit of State or local government in an amount equal to the lesser of:

(i) [50%] **40%** of the costs of acquiring and installing qualified electric vehicle recharging equipment; or

(ii) [\$5,000] \$4,000; or

(3) a retail service station dealer in an amount equal to the lesser of:

(i) [50%] 40% of the costs of acquiring and installing qualified electric vehicle recharging equipment; or

(ii) [\$7,500] \$5,000.

(e) An electric vehicle recharging equipment rebate issued under this section is limited to the acquisition of one recharging system per individual.

(f) (1) The Administration may adopt regulations to carry out this section.

(2) The regulations adopted under this subsection may include:

(i) further limitations on the maximum amount of an electric vehicle recharging equipment rebate that may be claimed by an applicant under subsection (d) of this section;

(ii) a requirement that an applicant demonstrate compliance with a State, local, or federal law that applies to the installation or operation of the qualified electric vehicle recharging equipment; and

(iii) any additional application and qualification requirements deemed appropriate by the Administration.”.

AMENDMENT NO. 3

On page 2, in line 5, strike the second “and”; after line 5, insert:

“(3) HAS A TOTAL PURCHASE PRICE NOT EXCEEDING:

(I) FOR A COMMERCIAL VEHICLE, \$125,000; AND

(II) FOR A VEHICLE THAT IS NOT A COMMERCIAL VEHICLE, \$60,000;

(4) HAS A BATTERY CAPACITY OF AT LEAST 5.0 KILOWATT-HOURS; AND;

in line 6, strike “(3)” and substitute “**(5)**”; in the same line, strike “2014” and substitute “**2017**”; in line 7, strike “**2022**” and substitute “**2020**”; and in line 11, strike “\$125” and substitute “**\$100**”.

AMENDMENT NO. 4

On page 2, in line 26, strike “2015, 2016, [and] 2017,”; strike beginning with “**2020**” in line 26 down through “**2022**” in line 27 and substitute “**AND 2020**”; and in line 27, strike “\$1,287,000” and substitute “**\$2,400,000**”.

On page 3, in lines 3 and 13, in each instance, strike “\$1,800,000” and substitute “**\$3,000,000**”; in line 6, strike “2015, 2016, [and] 2017,”; strike beginning with “**2020**” in line 6 down through “**2022**” in line 7 and substitute “**AND 2020**”; and in line 7, strike “\$1,287,000” and substitute “**\$2,400,000**”.

AMENDMENT NO. 5

On page 3, after line 13, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(1) The Maryland Department of the Environment and the Maryland Department of Transportation shall jointly study the ability of the State to meet the demands of the Maryland Clean Car Program which adopted the California vehicle emission standards set under the California Low Emission Vehicle Program by the California Air Resources Board.

(2) In conducting the study, the departments shall consult with representatives of:

(i) the Alliance of Automobile Manufacturers;

(ii) the Maryland Automobile Dealers Association;

(iii) the environmental community;

(iv) the Maryland Energy Administration; and

(v) any other interested party, as the departments determine appropriate.

(3) Under the study, the departments shall:

(i) evaluate the California zero emission standards and requirements and the status of the State's implementation of, and compliance with, the requirements to meet these standards;

(ii) evaluate the impact of economic, technological, and other relevant factors since the implementation of California's zero emission vehicle standards in the State, including:

1. advances made in, and availability and performance of, low emission vehicles, zero emission vehicles, and transitional zero emission vehicle technology;

2. the cost and retail process of vehicles using this technology;

3. consumer acceptance of the technology, vehicles that use this technology, and the costs associated with this technology; and

4. availability of current and future incentives at federal, State, and local government levels;

(iii) analyze the cost of fuels in the State for low and zero emission vehicles, both electricity and hydrogen, and the residential price to recharge plug-in electric vehicles under available rate structures at private homes and the price to recharge plug-in electric vehicles in public locations;

(iv) analyze the statewide need for additional infrastructure and recharging stations necessary to support low and zero emission vehicles by comparing the needed infrastructure with the currently available and firmly funded future infrastructure;

(v) identify the use of low and zero emission vehicles in federal, State, and local government fleets;

(vi) analyze the impact of the California zero emission standards on the auto manufacturers and car dealers in the State;

(vii) evaluate the environmental impact of the California zero emission standards on the “State Implementation Plan” pursuant to the federal Clean Air Act;

(viii) compare the potential amount of CO2 reduction in the State from the California zero emission standards to all nonCO2 emitting energy sources in the State;

(ix) identify the regulatory and statutory obstacles and barriers at the federal, State, and local levels impeding the use of low and zero emission vehicles in the State; and

(x) analyze the revenue impact to the State on the collection of the motor fuel tax from increased use of low and zero emission vehicles in the State and identify what other states are doing to offset declines in motor fuel tax revenues that may have resulted from the increased use of low and zero emission vehicles.

(4) On or before December 31, 2018, the departments shall report their findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 526 – Senators Ferguson, Conway, McFadden, Nathan–Pulliam, and Robinson

AN ACT concerning

Baltimore City – Property Tax Credit – Rental Discount for Baltimore City Police Officers

SB0526/199039/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 526

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Police” and substitute “Public Safety”; in line 6, strike “apartment buildings” and substitute “rental dwellings”; in lines 7 and 12, in each instance, strike “police” and substitute “public safety”; in line 8, strike “establishing the amount of the tax credit;” and substitute “providing that certain landlords who receive a credit under this Act are ineligible to receive certain other credits against the county property tax under certain circumstances;”; in line 9, after the first “the” insert “amount and”; and in line 10, after “Act;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(II) “PUBLIC SAFETY OFFICER” MEANS A FIREFIGHTER, AN EMERGENCY MEDICAL TECHNICIAN, OR A LAW ENFORCEMENT OFFICER WHO IS A SWORN MEMBER OF AND EMPLOYED FULL TIME BY:

- 1. THE BALTIMORE CITY FIRE DEPARTMENT;**
- 2. THE BALTIMORE CITY POLICE DEPARTMENT; OR**
- 3. THE BALTIMORE CITY SHERIFF’S OFFICE.”;**

in lines 5, 9, and 15, in each instance, strike “AN APARTMENT BUILDING” and substitute “**A RENTAL DWELLING**”; in lines 6 and 7, and 18, in each instance, strike “APARTMENT BUILDING” and substitute “**RENTAL DWELLING**”; strike beginning with “EMPLOYED” in line 11 down through “OFFICER” in line 12 and substitute “**A PUBLIC SAFETY OFFICER**”; after line 12, insert:

“(V) “RENTAL DWELLING” MEANS RESIDENTIAL REAL PROPERTY THAT IS LOCATED IN BALTIMORE CITY AND HELD BY THE OWNER PRIMARILY FOR RENTAL, INVESTMENT, OR THE GENERATION OF INCOME.”;

strike beginning with the colon in line 20 down through “2.” in line 23; and strike in their entirety lines 25 through 28, inclusive, and substitute:

“(3) FOR A TAXABLE YEAR IN WHICH A QUALIFIED LANDLORD RECEIVES A TAX CREDIT UNDER THIS SUBSECTION, THE QUALIFIED LANDLORD IS INELIGIBLE FOR ANY OTHER CREDIT AGAINST THE COUNTY PROPERTY TAX IMPOSED ON THE RENTAL DWELLING FOR THAT TAXABLE YEAR.”.

On page 3, in line 1, after the first “THE” insert “AMOUNT AND”; and in line 8, strike the period and substitute “but before July 1, 2020. It shall remain effective for a period of 3 years and 1 month and, at the end of June 30, 2020, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and 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 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

SB1081/449739/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 1081

(First Reading File Bill)

On page 2, in line 13, after “FUNDING” insert “**AS A RESULT OF THE TERMINATION OF FEDERAL FUNDING FOR PROVIDERS BECAUSE OF:**

(I) THE SCOPE OF SERVICES OFFERED BY THE PROVIDERS; OR

(II) THE SCOPE OF SERVICES FOR WHICH THE PROVIDERS OFFER REFERRALS.

On pages 2 and 3, strike beginning with “**REQUIREMENTS**” in line 27 on page 2 down through “**ACT**” in line 2 on page 3 and substitute “**A SLIDING SCALE FEE FOR SERVICES PROVIDED UNDER THE PROGRAM**”.

On page 4, strike beginning with “**THAT**” in line 2 down through “**2016**” in line 4 and substitute “**THAT WERE FAMILY PLANNING PROVIDERS IN THE PROGRAM AS OF DECEMBER 31, 2016, AND WERE DISCONTINUED AS RECIPIENTS OF FEDERAL FUNDING UNDER FEDERAL LAW OR REGULATION BECAUSE OF THE SCOPE OF SERVICES OFFERED BY THE PROVIDER OR THE SCOPE OF SERVICES FOR WHICH THE PROVIDER OFFERED REFERRALS**”; in line 8, strike “**ARE THE SAME AS**” and substitute “**:**”

1. ARE SIMILAR TO THE;

and after line 9, insert:

“2. DO NOT PROHIBIT A PROVIDER FROM OFFERING A SERVICE IF THE SERVICE IS WITHIN THE SCOPE OF PRACTICE OF THE PROVIDER AS ESTABLISHED UNDER THE HEALTH OCCUPATIONS ARTICLE; AND

3. DO NOT LIMIT THE SCOPE OF SERVICES FOR WHICH A PROVIDER MAY OFFER REFERRALS;”.

The preceding amendment was read only.

Senator Hough 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 1143 – Senators Bates and Nathan–Pulliam

AN ACT concerning

**Sales and Use Tax – Tax-Free Weekend – Ellicott City and Ellicott’s Mills
Historic Districts**

SB1143/719138/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1143

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Nathan–Pulliam” and substitute “Nathan–Pulliam, Kasemeyer, and Guzzone”; and in line 5, after “areas,” insert “providing for the termination of this Act.”.

AMENDMENT NO. 2

On page 2, in line 12, after “2017.” insert “It shall remain effective for a period of 7 months and, at the end of December 31, 2017, 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:

Senate Bill 1198 – Prince George’s County Senators

AN ACT concerning

Prince George’s County Regional Medical Center Act of 2017

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 22

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 201 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees' and Teachers' Pension Systems – Reformed Contributory Pension
Benefit – Service Credit Purchase Clarification**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**House Bill 271 – Delegates Lierman, Anderson, Barron, Beidle, Branch,
Clippinger, Ebersole, Glenn, Hayes, Hettelman, Korman, Lafferty, R. Lewis,
McCray, Oaks, Robinson, ~~and M. Washington~~ M. Washington, and Ali**

AN ACT concerning

**Maryland Transit Administration – ~~Farebox Recovery, Goals, and Performance
Indicators~~ Farebox Recovery Rate – Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 503 – Delegate McIntosh

AN ACT concerning

**State Budget – Appropriations – Income Tax Revenue Estimate Cap and
Revenue Stabilization Account**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1083 – Delegates Pendergrass, Anderson, Angel, Atterbeary, Barkley, B. Barnes, Barron, Barve, Beidle, Branch, Bromwell, Brooks, Carr, Clippinger, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Hettleman, Hill, Hixson, Holmes, C. Howard, Jones, Kaiser, Kelly, Korman, Kramer, Krimm, Lafferty, Lam, R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena-Melnyk, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample-Hughes, Sanchez, Sophocleus, Stein, Tarlau, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, Wilkins, C. Wilson, K. Young, and Mosby

AN ACT concerning

Health – Family Planning Services – Continuity of Care

Senator Hough moved to make the Bill and Report a Special Order for March 27, 2017.

The motion was adopted.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1433 – Delegates Valentino-Smith, Fennell, Adams, Anderton, D. Barnes, Beitzel, Frush, Ghrist, McComas, McKay, Sanchez, Tarlau, Waldstreicher, ~~and A. Washington~~ A. Washington, Afzali, Ali, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Kaiser, Long, Luedtke, Mautz, Patterson, Reilly, Rose, Shoemaker, Simonaire, Turner, Walker, M. Washington, and Wilkins

AN ACT concerning

**Local Income Tax Overpayments – Local Reserve Account Repayment –
Forgiveness**

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 135 – Senator Lee

AN ACT concerning

Crimes – Child Abuse and Neglect – Failure to Report

SB0135/278376/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 135

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Lee” and substitute “Senators Lee, Brochin, Cassilly, Hough, Kelley, Muse, Norman, Ramirez, Ready, Smith, and Zirkin”; in line 6, after “neglect” insert “under certain circumstances”; and in line 15, strike “and 5–705”.

AMENDMENT NO. 2

On page 2, in line 2, after “**REPORT**” insert “**IF THE PERSON:**”

(1) HAS ACTUAL KNOWLEDGE OF THE ABUSE OR NEGLECT; OR

(2) WITNESSES THE ACT OF THE ABUSE OR NEGLECT”;

strike beginning with “**A**” in line 3 down through “**(C)**” in line 6; in line 8, strike “**1 YEAR**” and substitute “**6 MONTHS**”; and after line 8, insert:

“(C) THIS SECTION APPLIES ONLY TO A FAILURE TO REPORT CHILD ABUSE THAT OCCURS DURING THE TIME THE CHILD IS A MINOR.”.

On pages 3 and 4, strike in their entirety the lines beginning with line 13 on page 3 through line 15 on page 4, 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 674 – Senators Kelley, Bates, Benson, Brochin, Conway, Currie, Eckardt, Ferguson, Guzzone, Kagan, Kasemeyer, King, Klausmeier, Lee, Madaleno, McFadden, Muse, Nathan–Pulliam, Peters, Pinsky, Ramirez, Reilly, Robinson, Rosapepe, Smith, Zirkin, and Zucker

AN ACT concerning

Juvenile Services – Services and Programs for Females

SB0674/718778/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 674

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “programs;” insert “altering the duties of the State Advisory Board for Juvenile Services; requiring the Department of Juvenile Services to submit certain reports to the Governor and the General Assembly on or before certain dates;”; and in line 8, after “Section” insert “9–215 and”.

AMENDMENT NO. 2

On page 1, after line 13, insert:

“9–215.

In addition to its other duties specified in this title, the State Advisory Board shall:

(1) consult with and advise the Secretary on:

(i) each aspect of the juvenile services program in the State;

(ii) the educational programs and services of the Department; [and]

(iii) programs designed to divert children from the juvenile justice system; AND

(IV) THE TREATMENT AND PROGRAMMING NEEDS OF FEMALES IN THE JUVENILE JUSTICE SYSTEM;

(2) recommend to the Secretary policies and programs to improve juvenile services in the State;

(3) participate in interpreting for the public the objectives of the Department; and

(4) participate in planning the development and use of available resources to meet the needs of the Department.”.

AMENDMENT NO. 3

On page 2, in line 13, strike “**SUBSTANTIALLY EQUIVALENT TO THOSE OFFERED TO MALES**” and substitute “**TO MEET THEIR SPECIFIC NEEDS, INCLUDING:**

(I) DIVERSION PROGRAMS;

(II) COMMUNITY DETENTION SERVICES AND PROGRAMS; AND

(III) REENTRY SERVICES AND PROGRAMS”.

AMENDMENT NO. 4

On page 2, after line 29, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before December 31, 2017, the Department of Juvenile Services shall submit an interim report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the implementation of the requirements specified in § 9–238.1(a)(7) of the Human Services Article, as enacted by this Act.

(b) On or before December 31, 2018, the Department shall submit a final report to the Governor and, in accordance with § 2–1246 of the State Government Article, the

General Assembly on the implementation of the requirements specified in § 9-238.1(a)(7) of the Human Services Article, as enacted by this Act.”;

and in line 30, strike “2.” and substitute “3.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 861 – Senators Smith, Guzzone, Kelley, Muse, and Ramirez

AN ACT concerning

Family Law – Marriage – Age Requirements

SB0861/478572/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 861

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “to” in line 4 and substitute “increasing the age that an individual under the age of majority must attain before the individual may”; strike beginning with “making” in line 4 down through “changes;” in line 5; and in line 8, strike “, 2-402(e), and 2-405”.

AMENDMENT NO. 2

On page 1, in line 15, strike the bracket.

On page 2, in line 1, before “An” insert an opening bracket; and in line 7, strike “**18**” and substitute “**16**”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 8 on page 2 through line 28 on page 3, 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 Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 906 – Senator Muse

AN ACT concerning

**Child Support – Suspension of Employment-Related License for Arrears –
Hardship Exception and Reinstatement**

SB0906/968475/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 906
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Child Support – Noncompliance With Court Order – License Suspension”; in line 4, after the first “of” insert “extending the period of time that an individual with a commercial driver’s license may be out of compliance with the most recent order of the court in making child support payments before the Child Support Enforcement Administration may notify the Motor Vehicle Administration to suspend the individual’s driver’s license; altering the circumstances under which the Child Support Enforcement Administration may request that a certain licensing authority suspend or deny a certain license under certain circumstances;”; in the same line, after “suspend” insert “or deny”; strike beginning with “authorizing” in line 6 down through “circumstances” in line 8 and substitute “altering the circumstances under which the Child Support Enforcement Administration may not send a notification about an individual to a certain licensing authority”; in line 10, after the semicolon insert “making a certain stylistic change;”; in line 11, strike “employment-related”; in line 14, after “Section” insert “10–119(a) and”; and in line 19, strike “10–119.3(f)” and substitute “10–119(b)(1) and 10–119.3(e)(1)(i), (f).”.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“10–119.

(a) (1) In this section the following words have the meanings indicated.

(2) “License” has the meaning stated in § 11–128 of the Transportation Article.

(3) “Motor Vehicle Administration” means the Motor Vehicle Administration of the Department of Transportation.

(b) (1) Subject to the provisions of subsection (c) of this section, the Administration may notify the Motor Vehicle Administration of [any] AN obligor WITH A NONCOMMERCIAL LICENSE who is 60 days or more out of compliance, OR AN OBLIGOR WITH A COMMERCIAL LICENSE WHO IS 120 DAYS OR MORE OUT OF COMPLIANCE, with the most recent order of the court in making child support payments if:

(i) the Administration has accepted an assignment of support under § 5–312(b)(2) of the Human Services Article; or

(ii) the recipient of support payments has filed an application for support enforcement services with the Administration.”.

AMENDMENT NO. 3

On page 2, after line 9, insert:

“(e) (1) Except as provided in paragraph (3) of this subsection and subject to the provisions of subsection (f) of this section, the Administration may request a licensing authority to suspend or deny an individual’s license if:

(i) 1. the individual is [in arrears amounting to more than] 120 days [under] OR MORE OUT OF COMPLIANCE WITH the most recent order; and

2. A. the Administration has accepted an assignment of support under § 5–312(b)(2) of the Human Services Article; or

B. the recipient of support payments has filed an application for support enforcement services with the Administration; or”;

in line 18, strike “(I)”; in lines 22, 23, and 28, strike “1.”, “2.”, and “3.”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; and in lines 23 and 30, in each instance, strike “A.” and substitute “1.”.

On page 2 in line 26, and on page 3 in line 2, in each instance, strike “B.” and substitute “2.”.

On page 3, strike in their entirety lines 4 through 8, inclusive; and in line 20, after “decision” insert “OR THAT ONE OF THE GROUNDS UNDER PARAGRAPH (2) OF THIS SUBSECTION EXISTS”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 1017 – Senator Lee

AN ACT concerning

State Government – Human Trafficking Advisory Council – Establishment

SB1017/498371/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1017

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking – Sunset Extension”; strike beginning with “establishing” in line 3 down through “Council” in line 12 and substitute “extending the termination date for the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking; requiring the Workgroup to submit certain supplemental reports on or before certain dates; and generally relating to the Workgroup to Study Safe”.

Harbor Policy for Youth Victims of Human Trafficking"; and strike in their entirety lines 13 through 17, inclusive, and substitute:

"BY repealing and reenacting, with amendments,

Chapter 91 of the Acts of the General Assembly of 2015, as amended by Chapter 80 of the Acts of the General Assembly of 2016

Section 1 and 2".

AMENDMENT NO. 2

On pages 1 through 4 strike in their entirety the lines beginning with line 20 on page 1 through line 11 on page 4, and substitute:

"Chapter 91 of the Acts of 2015, as amended by Chapter 80 of the Acts of 2016

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That:

(a) There is a Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking.

(b) The purpose of the Workgroup is to study:

(1) legal protections for youth victims of human trafficking; and

(2) the provision of services for youth victims of human trafficking.

(c) The Workgroup consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Human Resources, or the Secretary's designee;

(4) the Secretary of Juvenile Services, or the Secretary's designee;

designee;

(5) the Secretary of Health and Mental Hygiene, or the Secretary's

(6) the State Superintendent of Schools, or the Superintendent's designee;

(7) the Secretary of State Police, or the Secretary's designee;

(8) the Secretary of State, or the Secretary's designee;

(9) one representative from the Office of the Public Defender, Juvenile Division, appointed by the Public Defender; and

(10) the following members, appointed by the Governor:

Assault;

(i) one representative of the Maryland Coalition Against Sexual

(ii) one representative of the Governor's Office for Children;

Prevention;

(iii) one representative of the Governor's Office of Crime Control and

Association;

(iv) one representative of the Maryland State's Attorneys'

(v) one representative of a local law enforcement agency;

Exploited Children;

(vi) one representative of the National Center for Missing and

(vii) one representative of Turnaround, Inc.;

nominated by the Maryland State Education Association;

(viii) one educator who works in a student service capacity and who is

Force;

(ix) two representatives of the Maryland Human Trafficking Task

(x) two representatives of national organizations that support victims of human trafficking; and

(xi) two survivors of human trafficking.

(d) The Governor shall designate the chair of the Workgroup.

(e) The Governor's Office of Crime Control and Prevention shall provide staff for the Workgroup.

(f) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(g) The Workgroup shall:

(1) compile existing information on and identify the needs of youth victims of human trafficking and identify the public and private sector programs and resources currently available to meet those needs;

(2) identify gaps in public and private sector programs and resources currently available to meet the needs of youth victims of human trafficking;

(3) collect and compile data on the number of youth victims of human trafficking in the State, including the number of youth victims in each jurisdiction of the State;

(4) evaluate current State safe harbor policies and legal protections for youth victims of human trafficking; and

(5) make recommendations regarding:

(i) legislation and policy initiatives to address the provision of services and legal protections for youth victims of human trafficking in the State;

(ii) the collection of data to identify youth victims of human trafficking in the State;

(iii) funding requirements and budgetary priorities to address the needs of youth victims of human trafficking in the State; and

(iv) any other relevant issues or considerations identified by the Workgroup.

(h) (1) On or before December 1, 2015, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

(2) On or before December 1, 2016, the Workgroup shall submit a supplemental report on its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

(3) ON OR BEFORE DECEMBER 1, 2017, THE WORKGROUP SHALL SUBMIT A SUPPLEMENTAL REPORT ON ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(4) ON OR BEFORE DECEMBER 1, 2018, THE WORKGROUP SHALL SUBMIT A SUPPLEMENTAL REPORT ON ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2015. It shall remain effective for a period of [2 years] 4 YEARS and 1 month and, at the end of June 30, [2017] 2019, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 1121 – Senator Conway

AN ACT concerning

Election Law – Candidate for Circuit Court Judge Defeated in Primary Election

Senator Jennings moved to make the Bill and Report a Special Order for March 27, 2017.

The motion was adopted.

MESSAGE FROM THE CHIEF EXECUTIVE

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2018

(See Exhibit K of Appendix III)

Read and Referred to the Committee on Budget and Taxation.

SPECIAL ORDERS

House Bill 924 – Delegates Gilchrist, Barve, Carr, Frush, Lafferty, Robinson, ~~and Stein~~ Stein, Beidle, Fraser-Hidalgo, Healey, Holmes, and McCray

AN ACT concerning

Natural Resources – Oyster Management – Prohibited Actions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Conway moved to make the Bill and Report a Special Order for March 27, 2017.

The motion was adopted.

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)**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

HB0978/934433/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 978

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “indicators;” insert “requiring one of the school quality indicators to be a certain school climate survey;”; in line 8, after “testing” insert “, subject to a certain exception”; and strike beginning with “requiring” in line 8 down through “growth” in line 13 and substitute “requiring the State Board of Education to establish a certain composite score that provides for certain differentiation; requiring a certain composite score to include certain indicators and incorporate a certain methodology; prohibiting a certain total of academic indicators from exceeding a certain percentage of a composite score; requiring a certain composite score to be calculated in a certain manner; prohibiting a certain composite score from being reported in a certain format; prohibiting certain indicators from being weighted in a certain manner; specifying that the final weights of certain indicators, subject to certain provisions of law, are determined by the State Board, with certain stakeholder input”.

On page 2, in line 2, after “circumstances;” insert “authorizing a certain plan to include a lengthening of the school year, notwithstanding certain laws, regulations, or executive orders;”; and in line 5, after “limitations;” insert “specifying that a certain decision of the Department is final;”.

AMENDMENT NO. 2

On page 4, in line 27, after “STUDENTS” insert “OR THE LEVEL OF STUDENT SUCCESS”; after line 27, insert:

“(II) 1. ONE OF THE SCHOOL QUALITY INDICATORS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE SCHOOL CLIMATE SURVEYS.

2. THE SCHOOL CLIMATE SURVEYS SHALL INCLUDE AT LEAST ONE QUESTION TO EDUCATORS REGARDING THE RECEIPT OF CRITICAL INSTRUCTIONAL FEEDBACK.”;

in line 28, strike “(II) SCHOOL” and substitute “(III) OTHER SCHOOL”; strike beginning with the comma in line 28 down through “TO” in line 29; and in line 33, strike “SCHOOL CLIMATE SURVEYS” and substitute “ACCESS TO OR CREDIT FOR COMPLETION OF A WELL-ROUNDED CURRICULUM BY THE END OF NINTH GRADE, INCLUDING MATHEMATICS, ENGLISH LANGUAGE ARTS, SCIENCE, SOCIAL STUDIES, AND RELATED ARTS”.

AMENDMENT NO. 3

On page 5, in line 15, after “PROGRAMS;” insert “AND”; strike beginning with “AND” in line 16 down through “CERTIFICATION;” in line 17; in lines 24 and 26, strike “(III)” and “(IV) 1.”, respectively, and substitute “(IV)” and “(V)”, respectively; and in line 24, strike “THE” and substitute “EXCEPT AS PROVIDED IN ITEM (III)3 OF THIS PARAGRAPH, THE”.

On page 6, strike in their entirety lines 1 through 10, inclusive; and after line 10, insert:

“1. THE STATE BOARD SHALL ESTABLISH A COMPOSITE SCORE THAT PROVIDES FOR MEANINGFUL DIFFERENTIATION OF SCHOOLS UNDER THE SCHOOL ACCOUNTABILITY SYSTEM.

2. THE COMPOSITE SCORE ESTABLISHED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL:

A. INCLUDE BOTH ACADEMIC AND SCHOOL QUALITY INDICATORS; AND

B. INCORPORATE A METHODOLOGY THAT COMPARES SCHOOLS THAT SHARE SIMILAR DEMOGRAPHIC CHARACTERISTICS, INCLUDING THE PROPORTION OF ECONOMICALLY DISADVANTAGED STUDENTS, AS DEFINED BY THE STATE IN ACCORDANCE WITH FEDERAL LAW.

3. THE COMBINED TOTAL OF THE ACADEMIC INDICATORS MAY NOT EXCEED 55% OF THE COMPOSITE SCORE.

4. THE COMPOSITE SCORE:

A. SHALL BE CALCULATED NUMERICALLY IN A PERCENTILE FORM; AND

B. MAY NOT BE REPORTED USING A LETTER GRADE MODEL.

5. NO ACADEMIC INDICATOR MAY BE WEIGHTED AS LESS THAN 10% OF THE TOTAL AMOUNT OF THE COMPOSITE SCORE.

6. NO SCHOOL QUALITY INDICATOR DESCRIBED UNDER SUBSECTION (C)(2) OF THIS SECTION MAY BE WEIGHTED AS LESS THAN 10% OF THE TOTAL AMOUNT OF THE COMPOSITE SCORE.

7. SUBJECT TO THIS SUBPARAGRAPH, THE FINAL WEIGHTS OF THE ACADEMIC AND SCHOOL QUALITY INDICATORS SHALL BE DETERMINED BY THE STATE BOARD, WITH STAKEHOLDER INPUT.”.

AMENDMENT NO. 4

On page 8, in line 6, strike “AND (3)”; after line 24, insert:

“(2) NOTWITHSTANDING ANY LAW, REGULATION, OR EXECUTIVE ORDER, A PLAN UNDER THIS SECTION MAY INCLUDE A LENGTHENING OF THE SCHOOL YEAR BEYOND 180 DAYS OR ANY OTHER LIMITATION.”;

and in line 25, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 5

On page 9, strike lines 8 and 9 in their entirety; in lines 10 and 13, strike “(V)” and “(VI)”, respectively, and substitute “(IV)”, and “(V)”, respectively; and after line 13, insert:

“(3) A DECISION OF THE DEPARTMENT UNDER THIS SUBSECTION IS FINAL.”.

The preceding 5 amendments were read only.

Senator Pinsky moved that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

LAID OVER CALENDAR NO. 14

Senate Bill 871 – Senator Zucker

AN ACT concerning

**Education – Accountability – Consolidated State Plan and Support and
Improvement Plans
(Protect Our Schools Act of 2017)**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB0871/654138/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 871

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “indicators;” insert “requiring one of the school quality indicators to be a certain school climate survey;”; in line 8, after “testing” insert “, subject to a certain exception”; strike beginning with “requiring” in line 8 down through “score” in line 10 and substitute “requiring the State Board of Education to establish a certain composite score that provides for certain differentiation; requiring a certain composite score to include certain indicators and incorporate a certain methodology; prohibiting a certain total of academic indicators from exceeding a certain percentage of a composite score; requiring a certain composite score to be calculated in a certain manner; prohibiting a certain composite score from being reported in a certain format; prohibiting certain indicators from being weighted in a certain manner; specifying that the final weights of certain indicators, subject to certain provisions of law, are determined by the State Board, with certain stakeholder input”; in line 22, after “circumstances;” insert “authorizing a certain plan to include a lengthening of the school year, notwithstanding certain laws, regulations, or executive orders;”; and in line 24, after “limitations;” insert “specifying that a certain decision of the Department is final;”.

AMENDMENT NO. 2

On page 4, in line 19, after “STUDENTS” insert “OR THE LEVEL OF STUDENT SUCCESS”; after line 19, insert:

“(II) 1. ONE OF THE SCHOOL QUALITY INDICATORS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE SCHOOL CLIMATE SURVEYS.

2. THE SCHOOL CLIMATE SURVEYS SHALL INCLUDE AT LEAST ONE OR MORE QUESTIONS TO EDUCATORS REGARDING THE RECEIPT OF CRITICAL INSTRUCTIONAL FEEDBACK.”;

strike line 21 in its entirety; in line 20, strike “(II) SCHOOL” and substitute “(III) OTHER SCHOOL”; in lines 22, 23, 24, and 25, strike “A.”, “B.”, “C.”, and “D.”, respectively, and substitute “1.”, “2.”, “3.”, and “4.”, respectively; and in line 24, strike “SCHOOL CLIMATE SURVEYS” and substitute “ACCESS TO OR CREDIT FOR COMPLETION OF A WELL-ROUNDED CURRICULUM BY THE END OF NINTH GRADE, INCLUDING”

MATHEMATICS, ENGLISH LANGUAGE ARTS, SCIENCE, SOCIAL STUDIES, AND RELATED ARTS”.

On pages 4 and 5, strike beginning with “TO” in line 25 on page 4 down through “SURVEYS.” in line 5 on page 5 and substitute “FOR:”

A. ADVANCED PLACEMENT COURSES AND INTERNATIONAL BACCALAUREATE PROGRAMS;

B. CAREER AND TECHNOLOGY EDUCATION PROGRAMS;
AND

C. DUAL ENROLLMENT;

5. CHRONIC ABSENTEEISM;

6. DATA ON DISCIPLINE AND RESTORATIVE PRACTICES;
AND

7. ACCESS TO TEACHERS WHO HOLD AN ADVANCED PROFESSIONAL CERTIFICATE OR HAVE OBTAINED NATIONAL BOARD CERTIFICATION.”.

AMENDMENT NO. 3

On page 5, in lines 6 and 8, strike “(III)” and “(IV)”, respectively, and substitute “(IV)” and “(V)”, respectively; in line 6, strike “THE” and substitute “EXCEPT AS PROVIDED IN ITEM (III)3 OF THIS PARAGRAPH, THE”; strike beginning with “BOTH” in line 8 down through “SCORE” in line 12 and substitute “THE STATE BOARD SHALL ESTABLISH A COMPOSITE SCORE THAT PROVIDES FOR MEANINGFUL DIFFERENTIATION OF SCHOOLS UNDER THE SCHOOL ACCOUNTABILITY SYSTEM.”

2. THE COMPOSITE SCORE ESTABLISHED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL:

A. INCLUDE BOTH ACADEMIC AND SCHOOL QUALITY INDICATORS; AND

B. INCORPORATE A METHODOLOGY THAT COMPARES SCHOOLS THAT SHARE SIMILAR DEMOGRAPHIC CHARACTERISTICS, INCLUDING THE

PROPORTION OF ECONOMICALLY DISADVANTAGED STUDENTS, AS DEFINED BY THE STATE IN ACCORDANCE WITH FEDERAL LAW.

3. THE COMBINED TOTAL OF THE ACADEMIC INDICATORS MAY NOT EXCEED 55% OF THE COMPOSITE SCORE.

4. THE COMPOSITE SCORE:

A. SHALL BE CALCULATED NUMERICALLY IN A PERCENTILE FORM; AND

B. MAY NOT BE REPORTED USING A LETTER GRADE MODEL.

5. NO ACADEMIC INDICATOR MAY BE WEIGHTED AS LESS THAN 10% OF THE TOTAL AMOUNT OF THE COMPOSITE SCORE.

6. NO SCHOOL QUALITY INDICATOR DESCRIBED UNDER SUBSECTION (C)(2) OF THIS SECTION MAY BE WEIGHTED AS LESS THAN 10% OF THE TOTAL AMOUNT OF THE COMPOSITE SCORE.

7. SUBJECT TO THIS SUBSUBPARAGRAPH, THE FINAL WEIGHTS OF THE ACADEMIC AND SCHOOL QUALITY INDICATORS SHALL BE DETERMINED BY THE STATE BOARD, WITH STAKEHOLDER INPUT”.

AMENDMENT NO. 4

On page 6, in line 23, after the comma insert “PARENTS, COMMUNITY MEMBERS,”.

On page 7, in line 1, strike “AND THE” and substitute a comma; in the same line, after “BOARD” insert “, AND THE DEPARTMENT”; in line 10, strike “AND (3)”; after line 28, insert:

“(2) NOTWITHSTANDING ANY LAW, REGULATION, OR EXECUTIVE ORDER, A PLAN UNDER THIS SECTION MAY INCLUDE A LENGTHENING OF THE SCHOOL YEAR BEYOND 180 DAYS OR ANY OTHER LIMITATION.”;

and in line 29, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 5

On page 8, after line 9, insert:

“(II) CREATING A LOCAL SCHOOL SYSTEM IN ADDITION TO THE 24 SCHOOL SYSTEMS ESTABLISHED IN THIS ARTICLE;

(III) CONVERTING OR CREATING A NEW PUBLIC SCHOOL WITHOUT LOCAL BOARD APPROVAL;”;

strike line 10 in its entirety; in lines 11 and 14, strike “(III)” and “(IV)”, respectively, and substitute “(IV)”, and “(V)”, respectively; and after line 14, insert:

“(3) A DECISION OF THE DEPARTMENT UNDER THIS SUBSECTION IS FINAL.”.

The preceding 5 amendments were read only.

Senator Pinsky moved to make the Bill and Amendments a Special Order for March 27, 2017.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 809)

ADJOURNMENT

At 2:17 P.M. on motion of Senator Peters the Senate adjourned until 7:00 P.M. on Legislative Day March 23, 2017, Calendar Day, Monday, March 27, 2017.